

**CITY OF BRIGANTINE
ORDINANCE NO. 6 OF 2025**

**AN ORDINANCE AUTHORIZING THE
ACQUISITION OF BLOCK 1502, LOT 8**

WHEREAS, the City of Brigantine (the “City”) is duly authorized and empowered to acquire real property for public use by purchase, gift, condemnation or otherwise, pursuant to the provisions of the Constitution of the State of New Jersey and N.J.S.A. 20:3-1 et seq., The Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., and the New Jersey Garden State Preservation Trust Act, N.J.S.A. 13:8C-1 et seq. as amended and supplemented, and other applicable statutes; and

WHEREAS, located in the City is the property identified on the Tax Map as Block 1502, Lot 8, commonly known as 1312 W. Beach Avenue (the “Property”); and

WHEREAS, the Property is currently vacant and the City Engineer, after due diligence identified this location for a new City water well based upon, among other things, its proximity to the 14th Street water tower; and

WHEREAS, City ownership of the Property would provide the municipality with the opportunity to utilize the Property to supply water to City residents; and

WHEREAS, it is the desire of the City Council to take possession of the Property and pay fair compensation to the current owner of the Property; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Brigantine City Council, County of Atlantic, State of New Jersey that Block 1502, Lot 8 on the Tax Map of the City of Brigantine, commonly known as 1312 W. Beach Avenue, Brigantine, land and all improvements, be and is hereby authorized to be acquired in fee simple by regular land sale and/or eminent domain if good faith negotiations do not result in an Agreement of Sale. Said acquisition is to be undertaken to meet the public policy of providing potable water to the residents of Brigantine.

BE IT FUTHER ORDAINED, that the parties have negotiated but have yet to agree to an acquisition price, but when a price is agreed to or should the City pursue acquisition through eminent domain, the purchase shall be made through funds available to the City.

BE IT FUTHER ORDAINED, that this acquisition is subject to the review of title and environmental reports and the City is empowered to engage the services of additional professional service experts to review documents necessary in the fulfillment of this acquisition and with the understanding that “time is of the essence” is completing these reviews during any to be established due diligence period.

BE IT FINALLY ORDAINED, that the Mayor, City Manager, Clerk, and Solicitor are hereby authorized to execute any and all documents necessary in the fulfillment of this ordinance, including, but not limited to, an agreement of sale, closing documents or filings for the Court should eminent domain be determined to be the chosen process for acquisition.

REPEALER, SEVERABILITY AND EFFECTIVE DATE.

- A. Repealer. Any and all ordinances inconsistent with the terms of this ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the ordinance.
- C. This ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: Councilman Lettieri

Motion seconded by: Councilman Kane

VOTE:

Deputy Mayor Bew:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Lettieri:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Haney:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Virgilio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Kane:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Riordan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Mayor Sera:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present

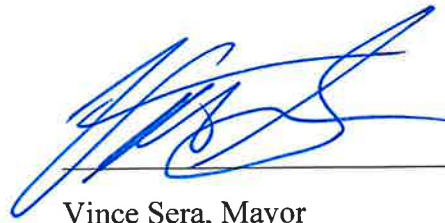
ACTION ON ADOPTION (after public hearing)

Motion made by: Deputy Mayor Bew

Motion seconded by: Councilman Lettieri

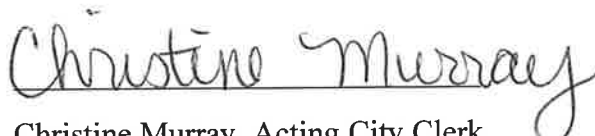
VOTE:

Deputy Mayor Bew:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Lettieri:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Haney:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Virgilio	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Kane:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Councilman Riordan:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present
Mayor Sera:	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Not Present



Vince Sera, Mayor

I certify that this ordinance was introduced at a properly advertised public meeting on April 16, 2025, published pursuant to law and the subject of a second reading and public hearing on May 7, 2025 prior to final adoption.


Christine Murray, Acting City Clerk