

ORDINANCE NO.25-41-OA B

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY,
STEPHEN SILLER TUNNEL TO TOWERS FOUNDATION,
STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION
OF AN EASEMENT ON PART OF BLOCK 1247, LOT 8.32
(FORMERLY LOTS 8 & 8.02), FROM THE STEPHEN SILLER
TUNNEL TO TOWERS FOUNDATION, IN ACCORDANCE
WITH N.J.S.A. 40A:12-5(a)(1) (SIGHT TRIANGLE & ROAD
WIDENING)**

September 15, 2025

WHEREAS, the Stephen Siller Tunnel to Towers Foundation owns Block 1247, Lot 8.32 (formerly Lots 8 & 8.02), which are located in the Township of Berkeley; and

WHEREAS, the Stephen Siller Tunnel to Towers Foundation wishes to donate a sight triangle and road widening easement ("Easement") to the Township of Berkeley on part of Block 1247, Lot 8.32 (formerly Lots 8 & 8.02), attached hereto as Schedule "A"; and

WHEREAS, the Township of Berkeley agrees to accept the Easement over part of Block 1247, Lot 8.32 (formerly Lots 8 & 8.02) and N.J.S.A. 40A:12-5(a)(1) authorizes a municipality to accept an interest in property by the adoption of an ordinance authorizing the acquisition of same.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Township of Berkeley, Stephen Siller Tunnel to Towers Foundation, State of New Jersey as follows:

SECTION 1. That the governing body does hereby authorize the acquisition of an Easement over part of Block 1247, Lot 8.32 (formerly Lots 8 & 8.02). This property is being acquired by the Township of Berkeley pursuant to N.J.S.A. 40A:12-5(a)(1) by donation from the Stephen Siller Tunnel to Towers Foundation.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from Stephen Siller

Tunnel to Towers Foundation.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

John A. Bacchione
John A Bacchione, Mayor

Angelo Guadagno
Angelo Guadagno, Council President
Michael Signorile
Michael Signorile, Council Vice President

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on September 15, 2025 and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 20th day of October, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Karen Stallings
Karen Stallings, RMC
Township Clerk, Township of Berkeley