

ORDINANCE NO. 2023-43-OA B

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF MUNICIPALLY  
OWNED PROPERTIES SOLD BY AUCTION BY MAX SPANN ON  
DECEMBER 20, 2021 (ALC INVESTMENT TRUST) BLOCK 1392, LOTS 1,  
2-4, 6, 8, 10, 18, 20, 22 & 24-BAY BLVD)**

November 20, 2023

**WHEREAS**, the Township of Berkeley holds title to the properties offered for sale at the auction by Max Spann on December 20, 2021; and

**WHEREAS**, at the time, place and date set for the receipt of bids for the sale of the subject properties, the individuals listed below submitted the highest bids to Max Spann; and

**WHEREAS**, the governing body accepted the bids submitted via Ordinance No. 2022-03-OAB; and

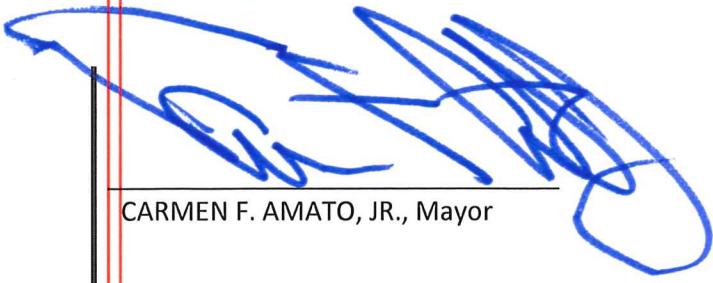
**WHEREAS**, the sale of Block 1392, Lots 1, 2-4, 6, 8, 10, 18, 20, 22 & 24 to the successful bidder was authorized via said ordinance; and

**WHEREAS**, the successful bidder defaulted and the Township wishes to sell the property to the next bidder, ALC Investment Trust; and

**WHEREAS**, the Township approves of said arrangement and authorizes the sale pursuant to the terms of the contract of sale to ALC Investment Trust at an amount of \$61,600.00.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Berkeley, County of Ocean, State of New Jersey, as follows:

1. That the governing body does hereby authorize the sale of Block 1392, Lots 1, 2-4, 6, 8, 10, 18, 20, 22 & 24 to ALC Investment Trust in the amount of \$61,600.00.
2. That the Mayor and Township Clerk are hereby authorized to execute any and all documents necessary to effectuate the transfer of the subject properties to the individuals set forth herein in accordance with the terms of the notice to bidders for the sale of said properties.
3. That a certified copy of this resolution be forwarded to the Chief Financial Officer.



CARMEN F. AMATO, JR., Mayor



John Bacchione, Council President  
Keith Buscio, 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 November 20, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 18<sup>th</sup> day of December, 2023, 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, RMC  
Township Clerk, Township of Berkeley

## AFFIDAVIT OF PUBLICATION

Order Number : 9554808

STATE OF WISCONSIN  
Brown County

Of the **Asbury Park Press**, a newspaper printed in Freehold, New Jersey and published in Neptune, in State of New Jersey and Monmouth/Ocean Counties, and of general circulation in Monmouth/Ocean Counties, who being duly sworn, deposeth and saith that the advertisement of which the annexed is a true copy, has been published in said newspaper in the issue:

11/28/2023

Keegan Moran

Legal Clerk

Denise Roberts

Notary Public State of Wisconsin County of Brown

4-6-27

My commission expires

DENISE ROBERTS  
Notary Public  
State of Wisconsin

23-35-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER VII, ENTITLED "TRAFFIC" TO AMEND CHAPTER 7-19 "THROUGH STREETS" (Browning Avenue)

23-36-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 11, ENTITLED "BUILDING AND HOUSING" SO AS TO REPEAL SECTION 11-5.6, ENTITLED "PERMIT FEE"

23-37-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF AN EASEMENT ON A PORTION OF BLOCK 1022, Lot 24, FROM LAURA CALIFRI, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(c)(1)

23-38-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 35, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND SECTION 35-9, ENTITLED "APPLICATION FOR ZONING PERMIT; WHEN REQUIRED" (Selbacks Temporary Handicapped Ramps)

23-39-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 37-1 TOWN CENTER REDEVELOPMENT PLAN AND AMENDING THE CHAPTER 35-10 TOWN CENTER REDEVELOPMENT PLAN

23-40-OAB re:

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER XXXV, ENTITLED "LAND DEVELOPMENT" SO AS TO AMEND §35-3, ENTITLED "DEFINITIONS" (Low-Speed Vehicle)

23-41-OAB

AMENDING AND SUPPLEMENTING CHAPTER II, ENTITLED "ADMINISTRATION" SO AS TO CREATE SECTION 2-5a, ENTITLED "MAYOR'S ADVISORY COMMITTEE ON DEVELOPMENTAL DISABILITIES

Forgoing Ordinances were duly passed after Public Hearing held November 20, 2023 at a regular meeting of the Township of Berkeley and approved by the Mayor on 11/20/23.

23-42-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF A PORTION OF CUMBERLAND AVENUE BETWEEN HAYES AVENUE AND COOLIDGE ABUTTING BLOCK 480 LOTS 17 & 19 AND 18 & 20, BLOCK 479 LOTS 1& 2, 3 & 4

23-43-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF MUNICIPALLY OWNED PROPERTIES SOLD BY AUCTION BY MAX SPANN ON DECEMBER 20, 2021 (ALC INVESTMENT TRUST) BLOCK 1392, LOTS 1, 2, 4, 6, 8, 10, 18, 20, 22 & 24-BAY BLVD)

23-44-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF BLOCK 1013, LOT 2, FROM NICHOL/PAYNE, IN ACCORDANCE WITH N.J.S.A. 40A:12-5(f)(1)

23-45-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SPECIAL EMERGENCY FOR THE CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES RESULTING FROM THE LAYOFF OR RETIREMENT OF TOWNSHIP EMPLOYEES IN ACCORDINANCE WITH N.J.S.A. 40A:4-53.

23-46-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES, AND