

RESOLUTION #20-402-R

**RESOLUTION OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY,
DENYING THE PETITION OF SOUTH SEASIDE PARK TO DEANNEX FROM THE TOWNSHIP**

September 21, 2020

WHEREAS, on or about September 22, 2014, the Township of Berkeley received a de-annexation petition from certain residents of South Seaside Park; and

WHEREAS, the Township Council adopted Resolution No. 14-378-R, acknowledging the de-annexation petition and forwarding the petition to the Berkeley Township Planning Board, pursuant to N.J.S.A. 40A:7-12; and

WHEREAS, on or about October 7, 2014, the Township Clerk for the Township of Berkeley forwarded Resolution No. 14-378-R to the Berkeley Township Planning Board; and

WHEREAS, pursuant to N.J.S.A. 40A:7-12, the Berkeley Township Planning Board is required to adopt a report to the Township's Governing Body on the impact of the de-annexation upon the Municipality; and

WHEREAS, in order to fulfill its duties required by the statute by gathering enough information to issue such report, the Berkeley Township Planning Board began holding public hearings on the de-annexation petition in January 2015; and

WHEREAS, following years of hearings, wherein the Berkeley Township Planning Board and its professionals heard countless hours of testimony, read numerous reports and poured over hundreds of exhibits regarding the impact of the proposed de-annexation, the Berkeley Township Planning Board considered the May 2, 2019 report by the Township Planner, James Oris, P.E., P.P. and Planning Board's expert, Stuart B. Wisner, P.P. ("Report"); and

WHEREAS, the Berkeley Township Planning Board carefully considered the Report and all exhibits, evidence and information presented; and

WHEREAS, pursuant to Berkeley Township Planning Board Resolution 2020-011, adopted August 6, 2020, the Planning Board summarized its findings and recommended the de-annexation petition be denied, namely due to the potentially catastrophic loss of 10% of the Township's ratables, as well as the impact to the Township's socio-economic make up and the loss of the Township's precious beachfront properties; and

WHEREAS, the Township Council has received and considered Berkeley Township Planning Board Resolution 2020-011 from the Berkeley Township Planning Board, as well as the information and exhibits referenced therein; and

WHEREAS, following careful consideration of the documentation and information provided, the Township Council hereby denies the petition for de-annexation filed by residents of South Seaside Park.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Berkeley, County of Ocean, State of New Jersey as follows:

1. That the Governing Body hereby denies the de-annexation petition filed by residents of South Seaside Park, relying on the well-supported findings detailed within Berkeley Township Planning Board Resolution 2020-011. adopted by the Planning Board on August 6, 2020.
2. That a certified copy of this resolution shall be forwarded to:
 - A. Berkeley Township Planning Board
 - B. Township Planner
 - C. De-annexation Petitioners



Keith A. Buscio, Council President
Angelo Guadagno, Council Vice President

CERTIFICATION

I, **BEVERLY M. CARLE, RMC**, Municipal Clerk of the Township of Berkeley do hereby certify that the foregoing resolution was duly adopted by the Township of Berkeley Township Council at a meeting held on the 21st day of September 2020.



BEVERLY M. CARLE, Township Clerk
Berkeley Township