

**TOWNSHIP OF CHESTERFIELD**

**RESOLUTION 2019-2-9**

**RESOLUTION AUTHORIZING PUBLIC AUCTION OF MUNICIPAL PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE**

**WHEREAS**, the Township of Chesterfield is the owner of certain dirt and soil comprising approximately 7,000 cubic yard +/-, which it received from the County of Burlington, and which is no longer needed for public use, and the Township Committee is desirous of selling same and having it removed from the municipal property at 295 Bordentown-Chesterfield Road, Chesterfield, NJ 08515; and

**WHEREAS**, N.J.S.A. 40A:11-36(1) authorizes a municipal governing body to sell by public auction, any personal property not needed for public use, if the estimated fair-market value of the property exceeds fifteen percent (15%) of the bid threshold in any one sale and is neither livestock nor perishable goods; and

**WHEREAS**, it has been recommended that the minimum bid be set at the price of Seventeen Thousand Dollars (\$17,000.00), with the further conditions being that the winning bidder shall be responsible to restore the pile area to flat level ground, seeded with fescue grass seed, straw and starter fertilizer, and also restore the temporary driveway area; and

**WHEREAS**, in order to ensure the faithful completion of the grading and seeding so required, the Township will require the successful bidder to post a Five Thousand Dollar (\$5,000.00) guaranty, either by letter of credit or in cash, to be released upon the authorization of the Township Administrator following completion of the grading and seeding.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, County of Burlington, State of New Jersey that the Township Administrator and Township Clerk be and are hereby authorized to sell at public auction the 7,000 cubic yard +/- pile of dirt situated at the current municipal complex at 295 Bordentown-Chesterfield Road, Chesterfield, NJ 08515, at a minimum bid price of Seventeen Thousand Dollars (\$17,000.00), and requiring further that the successful bidder post an additional Five Thousand Dollars (\$5,000.00) over and above the bid price, to ensure the faithful completion of the restoration of the pile area by restoring same to flat level ground seeded with fescue grass seed, straw and starter fertilizer, and also store the temporary driveway area to the satisfaction of the Township of Chesterfield, all of which must be accomplished within thirty (30) days following removal of the dirt pile;

**BE IT FURTHER RESOLVED** that the date, time and place of said public sale shall be determined at the convenience of the Township Administrator and Township Clerk, and that notice of same, together with a description of the property to be sold and the conditions of sale, shall be published in the Township's office newspaper, and that the sale shall be held not less than seven (7) nor more than fourteen (14) days after the latest publication of the notice thereof;

**BE IT FURTHER RESOLVED** that the successful bid shall be determined by the Township Committee by formal action taken at a Township Committee meeting, based upon recommendations from the Township Administrator and Township Clerk.

**CHESTERFIELD TOWNSHIP COMMITTEE**

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on \_\_\_\_\_, 2019, at which a quorum was present.

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Caryn M. Hoyer, RMC  
Township Clerk

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