

ASSEMBLY, No. 837

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman ARNONE

1 AN ACT concerning the disposition of the Marlboro State Psychiatric
2 Hospital property.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. The Legislature finds and declares that the State has an interest
8 in preserving certain State-owned real property that has unique and
9 significant environmental value as open space; that a portion of the
10 property located in the Township of Marlboro, Monmouth County,
11 commonly known as Marlboro State Psychiatric Hospital, is such a
12 property and that the preservation of a portion of that property as
13 open space would afford protection to nearby streams and preserve a
14 significant tract of the dwindling open space in Monmouth County;
15 that the maintenance and use of the portion of the property preserved
16 as open space as a municipal park would provide the protection and
17 preservation sought by the State; that the future use and preservation
18 of any portion of the property as open space has been called into
19 question by the uncertain future of Marlboro State Psychiatric
20 Hospital; and that the residents of the Township of Marlboro in
21 Monmouth County, who have long hosted the State facility, are in the
22 best position to determine the most appropriate uses for those portions
23 of the property not required to be preserved as open space.

24 The Legislature therefore determines that it is in the public interest
25 of the State for the Department of Human Services and any other State
26 agency that has an interest in, or right of first refusal on, the real
27 property described in this act to relinquish any interest in, or right to,
28 the property and sell the property to the Township of Marlboro in
29 Monmouth County, in part for its preservation as open space and
30 possible maintenance and use as a public park.

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32 2. a. Notwithstanding the requirements of P.L.1962, c.220
33 (C.52:31-1.1 et seq.), P.L.1989, c.110 (C.52:31-1.6 et seq.), or any
34 other law, rule or regulation to the contrary, upon the termination of
35 the use of Marlboro State Psychiatric Hospital as a State psychiatric

1 facility, the Department of Human Services is directed to offer to sell
2 and convey all of the State's interest in the real property commonly
3 known as Marlboro State Psychiatric Hospital and located in the
4 Township of Marlboro, Monmouth County, to the Township of
5 Marlboro. The sale, if agreed to by the Township of Marlboro, shall
6 be upon the terms and conditions approved by the State House
7 Commission, except that the terms and conditions also shall provide
8 that:

9 (1) the township shall be required to preserve at least one-third of
10 the property as open space;

11 (2) the maintenance and use of that portion of the property
12 preserved as open space as a municipal park shall be consistent with
13 open space preservation;

14 (3) the legal voters of the Township of Marlboro shall be required
15 to approve, by referendum, the disposition by the township of any
16 portions of the property not required to be preserved for open space,
17 upon such terms and conditions as deemed appropriate by the
18 governing body of the Township of Marlboro;

19 (4) the portions of the property retained by the Township of
20 Marlboro shall be considered held for significant public purposes;

21 (5) the purchase price of the property from the Department of
22 Human Services shall not exceed the recorded assessed value of the
23 property at the time of its acquisition by the State; and

24 (6) the State shall be responsible for the cost of demolishing and
25 removing from the land the debris of the existing structures specified
26 to be demolished in an agreement with the township of Marlboro.

27 b. Any State agency otherwise authorized by law, or regulation
28 adopted pursuant to law, or by agreement with another State agency
29 to acquire or use the property named and described in subsection a. of
30 this section shall waive all interest in the property, and any operations
31 conducted on the property shall cease 60 days following the effective
32 date of this act and any persons on the property involved in these
33 operations shall vacate the property as of that date.

34 c. Nothing in this act shall be construed to prevent or restrict the
35 Township of Marlboro from applying for and receiving any federal,
36 State or other available funds for the acquisition or maintenance of the
37 property described in subsection a. of this section.

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39 3. This act shall take effect immediately.

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STATEMENT

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44 This bill would require that the Department of Human Services
45 offer the Marlboro State Psychiatric Hospital property for sale to the
46 Township of Marlboro, Monmouth County, upon the closing of the

1 facility. The hospital is located within the boundaries of the township.
2 Upon the purchase by the township of the property, at least one-third
3 of the land would be required to be kept as open space. Since the land
4 was originally donated to the State, the purchase price would not be
5 permitted to exceed the recorded assessed value of the land at the time
6 of the State's acquisition. The State would be responsible for costs
7 associated with the demolition and removal of existing structures
8 required by the purchase agreement. A public referendum by the
9 township's voters would be required to approve the disposition of any
10 portions of the property not required to be held as open space.

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15 Grants Marlboro Township, Monmouth County, right of first refusal
16 upon sale of Marlboro State Psychiatric Hospital property.