

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-6-2018-022

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING THE ACQUISITION OF LAND LOCATED AT 201
MOUNTS MILLS ROAD AND APPEARING ON THE OFFICIAL
MUNICIPAL TAX MAP AS BLOCK 52.1, LOT 1 FOR OPEN SPACE**

WHEREAS, Budseas LLC is the owner of real property in Monroe commonly known as 201 Mounts Mills Road, identified on the official Tax Map of the Township of Monroe as Block 52.1, Lot 1 in the Township of Monroe, County of Middlesex, and State of New Jersey (the “Property”), which Property has been listed for sale; and

WHEREAS, the Property consists of 6.286 acres/273,850 Sq. Ft. of which 5.29± acres are currently assessed as farmland and actively being farmed; and

WHEREAS, the Property is located in the R30 Residential Zone, which permits a minimum lot size of 30,000 Sq. Ft., and would accommodate up to six (6) permitted single family residences; and

WHEREAS, one of the express goals of the open space acquisition program approved by the citizens of Monroe Township in 2002 is farmland preservation; and

WHEREAS, by Resolution Nos.: R-11-2017-285 and R-11-2017-287, the Township Council authorized an appraisal, survey and phase 1 environmental assessment of the Property; and

WHEREAS, by appraisal dated November 17, 2017, the value of the Property proposed to be acquired by the Township for open space was estimated to be Eight Hundred Twenty Five Thousand Dollars (\$825,000.00); and

WHEREAS, the Township engaged in arms-length negotiations with Budseas LLC for purchase of the Property and the parties reached an agreed-upon sale price of Eight Hundred Fifty Thousand Dollars (\$850,000.00); and

WHEREAS, the Township’s purchase of the Property will preserve it as open space and farmland for the citizens of Monroe for generations to come; and

WHEREAS, the Chief Financial Officer of the Township has verified that there are sufficient funds remaining from the issuance of bonds pursuant to the Open Space Acquisition Bond Ordinance O-2-2012-001, to pay for the aforesaid acquisition;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey as follows:

Section 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to execute any and all documents as are reasonably necessary to acquire fee simple title to the Property, including all improvements erected on, over and beneath aforesaid lands to be acquired, and all easements, rights-of-way or uses, privileges, licenses, hereditaments, appurtenances, interests and other rights belonging to or inuring to the benefit of the lands to be acquired and all right, title and interest of the owners in and to any land lying in the bed of any highway, street, road or avenue, opened or proposed, in front or abutting or adjoining aforesaid lands to be acquired.

Section 2. The purchase price for the Property to be acquired for open space shall be Eight Hundred Fifty Thousand Dollars (\$850,000.00).

Section 3. The Mayor and Township Clerk are hereby authorized to accept the Deed transferring the Property to the Township as open space, provided the Deed is in a form satisfactory to the Township Attorney.

Section 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 5. If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. This Ordinance shall take effect upon final passage and publication as provided by law.

STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – June 6, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin		X	X			
Councilwoman Cohen	X		X			
Councilman Dipierro			X			
Council V. President Schneider			X			
Council President Dalina			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on June 6, 2018. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on July 2, 2018 at 7:00 p.m. at the Monroe Township Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.

PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– July 2, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin						
Councilwoman Cohen						
Councilman Dipierro						
Council V. President Schneider						
Council President Dalina						

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MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is affected by the affixing of my signature hereto.

GERALD W. TAMBURRO, Mayor

Date signed: _____