

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO. O-11-2021-022

**ORDINANCE OF THE TOWNSHIP OF MONROE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT  
OR EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS  
REQUIRED FOR THE SIGNALIZATION OF THE INTERSECTION OF OLD  
BRIDGE-ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD PROJECT**

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**WHEREAS**, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq. the Township has the power to acquire real property; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12-5, the Township has the power to acquire any real property for a public purpose through a negotiated agreement process; and

**WHEREAS**, pursuant to N.J.S.A. 20:1-1, et seq. the Township has the power to acquire interests in real property through the exercise of the power of eminent domain through condemnation; and

**WHEREAS**, the Township is working with Middlesex County on the project known as the “SIGNALIZATION OF THE INTERSECTION OF OLD BRIDGE – ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD” roadway improvement project (the “Project”); and

**WHEREAS**, the Project requires the acquisition of interests in properties in the form of property acquisitions, Right of Way Easements, Drainage and Temporary Construction Easements; and

**WHEREAS**, the Township desires to acquire interests in certain lands as shown herein:

1. Parcel 1 – RE1 – part of (hereinafter “p/o”) Block 36 Lot 18 located at 570 Englishtown Road consisting of a Right of Way (hereinafter “ROW”) easement of approximately 537 square feet or 0.0123 acres and a Temporary Construction Easement of approximately 576 square feet or 0.0132 acres;
2. Parcel 2 – RE2 – p/o Block 36.01 Lot 25 located at 572 Englishtown Road consisting of a ROW Easement of approximately 805 square feet or 0.0185 acres and Temporary Construction Easements of approximately 165 square feet or 0.0038 acres and approximately 500 square feet or 0.0115 acres;
3. Parcel 3 – RE3 - p/o Block 36.01 Lot 24 located at 576 Englishtown Road consisting of a ROW Easement of approximately 500 square feet or 0.0115 acres and a Temporary Construction Easement of approximately 252 square feet or 0.0058 acres;
4. Parcel 4 – RE4 -p/o Block 36.01 Lot 23 located at 578 Englishtown Road, consisting of a ROW Easement of approximately 577 square feet or 0.0132 acres and Temporary Construction Easements of approximately 48 square feet or 0.0011 acres and approximately 118 square feet or 0.0027 acres;
5. Parcel 5 - RE5- p/o block 36.01 Lot 22 located at 580 Englishtown Road consisting of a ROW Easement of approximately 539 square feet or 0.0124 acres and a Temporary Construction Easement of approximately 181 square feet or 0.0042 acres;
6. Parcel 6 - RE6 – p/o Block 36.01 Lot 21 located at 582 Englishtown Road consisting of a ROW Easement of approximately 558 square feet or 0.0128 acres and a Temporary Construction Easement of approximately 478 square feet or 0.011 acres;
7. Parcel 7 – RE7 – p/o Block 36.01 Lot 20 located at 584 Englishtown Road consisting of a ROW Easement of approximately 559 square feet or 0.0128 acres and Temporary Construction Easements of approximately 223 square feet or 0.0051 acres and 192 square feet or 0.0044 acres;
8. Parcel 8 - RE8 – p/o Block 36.01 Lot 19 located at 586 Englishtown Road consisting of a ROW Easement of approximately 616 square feet or 0.0141 acres;
9. Parcel 9 - RE9 – p/o Block 38 Lot 2 located at 380 Mounts Mills Road consisting of the acquisition of approximately 17,566 square feet or 0.4033 acres and a Permanent Drainage Easement of approximately 7,305 square feet or 0.1677 acres;
10. Parcel 10 – TCE10A and TCE10B - p/o Block 36.01 Lot 18 located at 374 Mounts Mills Road consisting of Temporary Construction Easements of approximately 344 square feet or 0.0079 acres and 107 square feet or 0.0025 acres;
11. Parcel 11- TCE11 – p/o Block 36.01 Lot 16 located at 16 Sarah Lane consisting of a Temporary Construction Easement of approximately 261 square feet or 0.0060 acres;

12. Parcel 12 – TCE12 – p/o block 36.01 Lot 1 located at 1 Sarah Lane consisting of a Temporary Construction Easement of approximately 1749 square feet or 0.0402 acres;
13. Parcel 13 – R13 – p/o block 54 Lot 1.02 located at 363 Mounts Mills Road consisting of the acquisition of approximately 20,283 square feet or 0.4656 acres and a Permanent Drainage Easement of approximately 3734 square feet or 0.0857 acres.

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

- 1- The acquisition by negotiated agreement or exercise of the power of eminent domain through condemnation of the following interests in properties is hereby authorized for the purposes of the roadway improvement project known as the “SIGNALIZATION OF THE INTERSECTION OF OLD BRIDGE – ENGLISHTOWN ROAD AND MOUNTS MILLS ROAD:

1. Parcel 1 – RE1 – part of (hereinafter “p/o”) Block 36 Lot 18 located at 570 Englishtown Road consisting of a Right of Way (hereinafter “ROW”) easement of approximately 537 square feet or 0.0123 acres and a Temporary Construction Easement of approximately 576 square feet or 0.0132 acres
2. Parcel 2 – RE2 – p/o Block 36.01 Lot 25 located at 572 Englishtown Road consisting of a ROW Easement of approximately 805 square feet or 0.0185 acres and Temporary Construction Easements of approximately 165 square feet or 0.0038 acres and approximately 500 square feet or 0.0115 acres;
3. Parcel 3 – RE3 - p/o Block 36.01 Lot 24 located at 576 Englishtown Road consisting of a ROW Easement of approximately 500 square feet or 0.0115 acres and a Temporary Construction Easement of approximately 252 square feet or 0.0058 acres;
4. Parcel 4 – RE4 -p/o Block 36.01 Lot 23 located at 578 Englishtown Road, consisting of a ROW Easement of approximately 577 square feet or 0.0132 acres and Temporary Construction Easements of approximately 48 square feet or 0.0011 acres and approximately 118 square feet or 0.0027 acres;
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11. Parcel 11- TCE11 – p/o Block 36.01 Lot 16 located at 16 Sarah Lane consisting of a Temporary Construction Easement of approximately 261 square feet or 0.0060 acres;
12. Parcel 12 – TCE12 – p/o block 36.01 Lot 1 located at 1 Sarah Lane consisting of a Temporary Construction Easement of approximately 1749 square feet or 0.0402 acres;
13. Parcel 13 – R13 – p/o block 54 Lot 1.02 located at 363 Mounts Mills Road consisting of the acquisition of approximately 20,283 square feet or 0.4656 acres and a Permanent Drainage Easement of approximately 3734 square feet or 0.0857 acres.

2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property through negotiations or condemnation.

3. The Mayor and Clerk are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the interests in the properties listed.

**BE IT FURTHER ORDAINED**, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

**BE IT FURTHER ORDAINED**, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and


**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

  
 MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – November 3, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Van Dzura			X			
Councilman Dipierro		X	X			
Council V. President Schneider	X		X			
Council President Cohen			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 November 3, 2021. 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 December 6, 2021 at 6:30 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.

  
 TANYA PANNUCCI, Deputy Township Clerk

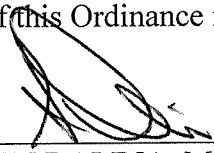
RECORDED VOTE – SECOND READING & FINAL ADOPTION– December 6, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Van Dzura			X			
Councilman Dipierro		X	X			
Council V. President Schneider	X		X			
Council President Cohen			X			

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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 effected by the affixing of my signature hereto.

  
 STEPHEN DALINA, Mayor

Date signed: 12/7/2021