

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-4-2019-012

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL PROVIDING
FOR THE ACQUISITION OF CERTAIN PARCELS OF LAND
IDENTIFIED ON THE TAX MAP OF MONROE TOWNSHIP AS
BLOCK 75, LOTS 11, 13 AND 14.01; BLOCK 76, LOTS 8.03 AND 8.04;
BLOCK 108, LOTS 5, 6, 7 AND 31; AND BLOCK 148, LOT 34.02
FOR INTERSECTION IMPROVEMENTS AND TRAFFIC SIGNALIZATION**

WHEREAS, the Township Council of the Township of Monroe (“Township”) has determined that it is in the public interest that the intersection of Pergola Avenue, Matchaponix Avenue (CR 612) and Spotswood Gravel Hill Road, be improved and traffic signalization be installed (the “Project”); and

WHEREAS, the County of Middlesex (“County”) has recognized the necessity and desirability of the Project and is desirous of partnering with the Township to accomplish it; and

WHEREAS, the County and the Township have entered into a cost sharing agreement to apportion the costs of the Project between them on mutually acceptable terms and conditions; and

WHEREAS, as part of the Project, the Township of Monroe must acquire portions of ten (10) parcels of land, as follows; said portions being more particularly described by metes and bounds as set forth in the description attached hereto as Exhibit “A”; and

Block and Lot	Record Owner
Block 75, Lot 11	Mike’s Plumbing and Heating
Block 75, Lot 13	Samuel and Carol Ralston
Block 75, Lot 14.01	Charles and Beth Dipierro
Block 76, Lot 8.03	Bruce Bastek and Lisa Poliquin
Block 76, Lot 8.04	Camille Beninda
Block 108, Lot 5	Estate of Clara Henry
Block 108, Lot 6	Michael and Barbara Ann Berry
Block 108, Lot 7	Joy Martoken
Block 108, Lot 31	Alfred and Teresa Vigliano
Block 148, Lot 34.02	Serena Gandy

WHEREAS, the Appraiser retained by the Township has estimated fair market value of the parcels of land to be acquired including compensation damages for the remainder;

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 negotiate with the owners for the purchase of said lands, and, upon failure to arrive at a price satisfactory to the Township, to institute condemnation proceedings for the purpose of acquiring said lands, 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 and all right, title and interest of the owners in said lands in the manner provided by law, and to execute all such documents as are reasonably necessary to acquire by purchase or condemnation said lands.

Section 2. The purchase price shall be as determined by the Appraiser retained by the Township or other such amount determined to be just compensation for the acquisition or in accordance with the New Jersey Eminent Domain Act, N.J.S.A. 20:3-1 et seq.

Section 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 4. If any section, subdivision, sentence, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, subdivision, sentence, clause or provision so adjudged, and the remainder of the Ordinance shall be deemed valid and effective.

Section 5. This Ordinance shall take effect upon final passage and publication as provided by law.

SO ORDAINED, as aforesaid.



STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – April 1, 2019						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro					X	
Council V. President Schneider		X	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 April 1, 2019. Said Ordinance will again be read and considered for final passage at a meeting of the Monroe Township Council to be held on May 6, 2019 at 7:00 p.m. in the Municipal Complex, 1 Municipal Plaza, Monroe Township, New Jersey. 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 – May 6, 2019						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen	X		X			
Councilman Dipierro					X	
Council V. President Schneider		X	X			
Council President Dalina			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.



GERALD W. TAMBURRO, Mayor

Date Signed 5/7/19