

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-4-2021-008

**ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE NON-EXCLUSIVE
EASEMENTS OVER PROPERTY (BLOCK 83, LOTS 8 and 44; and Block 83.1, Lot 1)**

WHEREAS, Shawn Chorbak and Danielle Chorbak (the “Chorbaks”) are owners of property identified on the Township of Monroe (the “Township”) Official Tax Map as Block 83.1, Lot 1 and Josephine Herig (“Ms. Herig”) is the owner of property identified on the Township Official Tax Map as Block 83, Lots 8 and 44 (hereinafter referred to as the “Property”); and

WHEREAS, the Township seeks to acquire non-exclusive easements in perpetuity for the operation, maintenance, monitoring, repair, renewal and/or replacement of certain sanitary sewer and appurtenant facilities that are located and/or to be constructed upon a portion of said Property (the “Easements”); and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1) of the Local Lands and Buildings Law, the Township is authorized to acquire any real property, or interests therein, by ordinance, to any political subdivision, board or body corporate and politic of the State of New Jersey; and

WHEREAS, Declarations of Easement from the Chorbaks and Ms. Herig have been prepared and executed by the property owners which provide the Township with non-exclusive easements in the Property as described in the agreements appended hereto as Attachment A and Attachment B; and

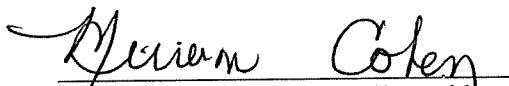
WHEREAS, after analysis and review, the Monroe Township Utility Department (“MTUD”) has determined it is in its best interest to enter into the aforementioned Declarations of Easement in a form substantially similar to the forms attached hereto as Attachment A and Attachment B; and

WHEREAS, the Township Attorney has reviewed the aforementioned Declarations of Easement and agreed that it is in the best interests of the Township to acquire the easements; and

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

1. The Mayor and Clerk are hereby authorized to execute all documents necessary for the acceptance of the Declarations of Easement as described in substantially the forms appended hereto as Attachment A and Attachment B, which set forth the terms and conditions pertaining to the easements.
2. If any section or provision of this Ordinance shall be held to be invalid by any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance.
3. All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

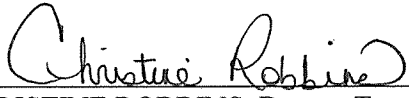
SO ORDAINED, as aforesaid.


MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – April 5, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Dipierro		X	X			
Councilman VanDzura			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 April 5, 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 May 3, 2021 at 6:30 p.m. via Zoom at <https://us04web.zoom.us/j/106827708>. 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.


CHRISTINE ROBBINS, Deputy Township Clerk

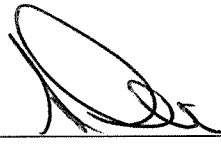
RECORDED VOTE – SECOND READING & FINAL ADOPTION– May 3, 2021						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin		X	X			
Councilman Dipierro	X		X			
Councilman VanDzura			X			
Council V. President Schneider			X			
Council President Cohen			X			

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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: May 4, 2021