

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: 0-4-2022-010

ORDINANCE OF THE TOWNSHIP OF MONROE IN THE COUNTY OF MIDDLESEX, NEW JERSEY, TO ACQUIRE, BY NEGOTIATED AGREEMENT OR EXERCISE OF THE POWER OF EMINENT DOMAIN PORTIONS OF REAL PROPERTY AND/OR PROPERTY INTERESTS FOR IMPROVEMENTS, RIGHTS OF WAY, DRAINAGE, AND TEMPORARY CONSTRUCTION EASEMENTS REQUIRED FOR THE “INSTALLATION OF THE LEACHATE PUMP STATION PROJECT” KNOWN AND DESIGNATED AS PORTIONS OF LOT 25, TAX BLOCK 148.60 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE, MIDDLESEX COUNTY, NJ

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 on the project known as the “Leachate Pump Station Project” (the “Project”); and

WHEREAS, the Project requires the acquisition of interests in certain lands as shown herein and described in further detail in the attached Exhibit “A”:

1. Permanent Easement through a portion of Block 148.60, Lot 25:

Beginning at a point on the southerly Right of Way line of Lani Street (50 ft wide Right of way), said point also being the common front corner of Lots 25 and 24 in Block 148.60. Total area of the proposed Permanent Easement containing 10,275 square feet or .236 acres of land; and

2. Temporary Construction Easement 1 through a portion of Block 148.60, Lot 25:

Beginning at a point on the southerly Right of Way line of Lani Street (50 ft wide Right of Way), said point also being the common front corner of Lots 25 and 26 in Block 148.60. Total area of the proposed Temporary Construction Easement 1 containing 5,393 square feet or .124 acres of land;

3. Temporary Construction Easement 2 through a portion of Block 148.60, Lot 25:

Beginning at the common line between Block 148.60, Lots 24 & 25 with the southerly Right of Way line of Lani Steet (50 Ft Wide Right of Way), along said common line between Block 148.60, Lots 24 & 25, a distance of 48.35 ft. Total area of proposed Temporary Construction Easement 2 containing 6,298 square feet or .145 acres of land.

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

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 purpose of the public improvement project known as “THE LEACHATE PUMP STATION PROJECT”;

1. Permanent Easement through a portion of Block 148.60, Lot 25:

Beginning at a point on the southerly Right of Way line of Lani Street (50 ft wide Right of way), said point also being the common front corner of Lots 25 and 24 in Block 148.60. Total area of the proposed Permanent Easement containing 10,275 square feet or .236 acres of land; and

2. Temporary Construction Easement 1 through a portion of Block 148.60, Lot 25:

Beginning at a point on the southerly Right of Way line of Lani Street (50 ft wide Right of Way), said point also being the common front corner of Lots 25 and 26 in Block 148.60. Total area of the proposed Temporary Construction Easement 1 containing 5,393 square feet or .124 acres of land;

3. Temporary Construction Easement 2 through a portion of Block 148.60, Lot 25:

Beginning at the common line between Block 148.60, Lots 24 & 25 with the southerly Right of Way line of Lani Steet (50 Ft Wide Right of Way), along said common line between Block 148.60, Lots 24 & 25, a distance of 48.35 ft. Total area of proposed Temporary Construction Easement 2 containing 6,298 square feet or .145 acres of land.

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

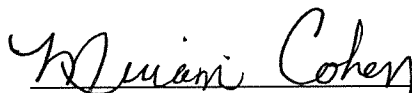
The Mayor, Township Clerk, and Township Attorney are hereby authorized to execute any and all documents necessary to effectuate the acquisition of the easement.

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.


SO, ORDAINED as aforesaid.


 MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – April 4, 2022						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro			X			
Councilwoman Schneider	X		X			
Councilwoman Siegel		X	X			
Council V. President Van Dzura			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 4, 2022. 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 2, 2022, 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.


 CHRISTINE ROBBINS, Deputy Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION – May 2, 2022						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro	X		X			
Councilwoman Schneider			X			
Councilwoman Siegel			X			
Council V. President Van Dzura		X	X			
Council President Cohen			X			

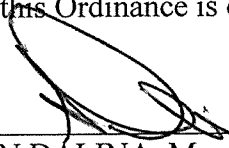
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MAYORAL APPROVAL

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: 5/3/2022