

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-4-2023-016

**ORDINANCE OF THE TOWNSHIP OF MONROE
AUTHORIZING THE ACQUISITION OF BLOCK 75, LOT 15
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE
MORE COMMONLY KNOWN AS 405 SPOTSWOOD GRAVEL HILL ROAD**

WHEREAS, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq., the Township of Monroe (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, Garvey’s Property Inc. is the owner of real property located at 405 Spotswood Gravel Hill Road, known as Block 75, Lot 15 on the Official Tax Map of the Township of Monroe (the “Property”), which is a ten-acre property occupied by the Garvey’s Family Restaurant and Pub; and

WHEREAS, the Township determined that the opportunity exists to purchase the Property in order to utilize the Property for open space purposes; and

WHEREAS, Garvey’s Property Inc. and the Township have agreed to the voluntary conveyance of the Property for the purchase price of \$2,300,000.00; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Monroe as follows:

1. The acquisition by negotiated agreement of Block 75, Lot 15 located at 405 Spotswood Gravel Hill Road from Garvey’s Property Inc. is hereby authorized for the purchase price of \$2,300,000.00.
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the Property through voluntary negotiations.
3. The Mayor and Township Clerk are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the interests in the Property, subject to the review by the Township Attorney.

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BE IT FURTHER ORDAINED, that any ordinance of parts thereof in conflict with the provision of this Ordinance are hereby repealed to the extent of such conflict; and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 3, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro		X	X			
Councilwoman Schneider						
Councilwoman Siegel			X			
Council V. President VanDzura	X		X			
Council President Cohen			X			

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 3, 2023. 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 1, 2023 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.

 PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– May 1, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro						
Councilwoman Schneider						
Councilwoman Siegel						
Council V. President VanDzura						
Council President Cohen						

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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: _____