

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-8-2024-022

**AN ORDINANCE OF THE TOWNSHIP OF MONROE
AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A RIGHT-OF-WAY
DEDICATION OVER PROPERTY AT 45 LOWER MATCHAPONIX ROAD KNOWN
AS BLOCK 68, LOT 41.29, A 10’ WIDE STREET TREE EASEMENT AT 43, 45, AND 47
LOWER MATCHAPONIX ROAD KNOWN AS BLOCK 68, LOTS 41.34, 41.35, 41.36,
AND A CONSERVATION EASEMENT AT 43, 45, AND 47 LOWER MATCHAPONIX
ROAD KNOWN AS BLOCK 68, LOTS 41.34, 41.35, 41.36 ON THE TOWNSHIP OF
MONROE TAX MAP**

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, Lucille DiPasquale (the “Grantor”) is the owner of that certain parcel of land identified on the Township of Monroe’s (the “Township”) Official Tax Map as Block 68, Lots 41.29, 41.34, 41.35, 41.36 (hereinafter referred to as the “Property or Properties”); and

WHEREAS, the Township seeks to acquire an easement in perpetuity for the purpose of dedicating a right-of-way consisting of a portion of the property along the property’s frontage for a right of way dedication, 10’ wide street tree easement, and conservation easement (the “Easements”); and

WHEREAS, the Grantor has executed Easement Agreements providing the Township with a right of way dedication, 10’ wide street easement, and conservation easements on the properties as described in the legal description appended hereto as Attachment A which includes the pertinent Schedules from the Surveyor; and

WHEREAS, the Township Attorney and Township Engineer have reviewed the aforementioned and agreed that it is in the best interests of the Township to acquire the Right of Way Dedication, 10’ Wide Street Tree Easement, and Conservation Easement in a form substantially similar to the form attached hereto as Attachment A, subject to the review of the Township Attorney.

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 accept a Deed of Right-of-Way Dedication, 10’ Wide Street Tree Easement, and Conservation Easement subject to the review of the Township Attorney, which sets forth the terms and conditions pertaining to the Right-of-Way dedication, and all documents necessary for the acceptance.
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 – August 5, 2024						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro					X	
Councilman Markel			X			
Councilwoman Siegel		X	X			
Council V. President Van Dzura	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 August 5, 2024. 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 September 4, 2024 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, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION – September 4, 2024						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Dipierro					X	
Councilman Markel			X			
Councilwoman Siegel		X	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: _____

ATTACHMENT A