

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-8-2024-023

**AN ORDINANCE OF THE TOWNSHIP OF MONROE
AUTHORIZING THE TOWNSHIP OF MONROE TO ACQUIRE A 10' WIDE TREE
EASEMENT AT 38 AVENUE I AND 40 AVENUE I KNOWN AS BLOCK 123, LOTS
11.01 and 14.01 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 123, Lots 11.01 and 14.01 (hereinafter referred to as the “Property”); and

WHEREAS, the Township seeks to acquire an easement in perpetuity for the purpose of acquiring a tree easement consisting of a portion of the property along the property’s frontage for a 10’ wide street tree easement (the “Easement”); and

WHEREAS, the Grantor has executed an Easement Agreement providing the Township with a wide street easement in the property as described in the legal description appended hereto as Attachment A which includes Schedule A and Schedule B; 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 Wide Street Tree 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 for a 10’ Wide Tree Easement, subject to the review of the Township Attorney, which sets forth the terms and conditions pertaining to the Deed for a 10’ Wide Tree Easement, 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 All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.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.

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						
Councilman Markel						
Councilwoman Siegel						
Council V. President Van Dzura						
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: _____

ATTACHMENT A