

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-12-2024-026

ORDINANCE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX AUTHORIZING THE ACCEPTANCE OF A CONSERVATION EASEMENT FROM BRASUSA PROPERTIES, LLC AS TO PROPERTY LOCATED AT BLOCK 37, LOT 12

WHEREAS, pursuant to N.J.S.A. 40A:12-4(a) of the Local Lands and Buildings Law, the Township is authorized to acquire any real property, or interests therein, by ordinance; and

WHEREAS, BRASUSA Properties, LLC (the "Grantor") is the owner of a certain tract of land identified on the Township's Official Tax Map as Block 37, Lot 12; and

WHEREAS, the Grantor has agreed to dedicate to the Township of Monroe (the "Township") a Conservation Easement under, across, and over portions of Block 37, Lot 12, as specifically described in Schedule A and B of the Conservation Easement attached hereto as Attachment A (the Conservation Easement Area"); and

WHEREAS, the terms of the proposed form of a Easement Agreement appended hereto as Attachment A will preserve the Conservation Easement Area to prevent the removal of trees and ground cover, subject to certain conditions, and maintain open space in as close to its natural state as possible; and

WHEREAS, after analysis and review, the Township has determined it is in its best interest to accept the Conservation Easement over Block 37, Lot 12 as attached hereto as Attachment A, subject to the review and approval of the Township Attorney; 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 conveyance of a portion of Block 37, Lot 12 through the Conservation Easement, as attached hereto as Attachment A, subject to the Township Attorney's review and approval.
2. All ordinances or part of ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
3. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.


SO, ORDAINED as aforesaid.

Miriam Cohen
MIRIAM COHEN, Council President

Table with 7 columns: COUNCIL, MOTION, SECOND, AYE, NAY, ABSTAIN, ABSENT. Rows include Councilman Siegel, Councilman Dipierro, Councilman Markel, Council V. President Van Dzura, and Council President Cohen.

**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 December 2, 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 December 18, 2024 at 6:30 p.m. 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 – December 18, 2024							
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT	
Councilman Siegel			X				
Councilman Dipierro		X	X				
Councilman Markel			X				
Council V. President Van Dzura	X		X				
Council President Cohen			X				

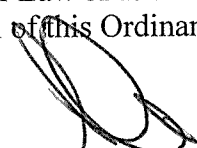
**MONROE TOWNSHIP, MIDDLESEX COUNTY**

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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: 12/19/2024

**ATTACHMENT A**  
(Conservation Easement)

KENNETH L. PAPE  
PETER H. KLOUSER  
JARED M. PAPE  
  
OF COUNSEL  
STEVEN KROPF

**HP HEILBRUNN  
PAPE**  
COUNSELLORS AT LAW

516 HIGHWAY 33  
MILLSTONE TOWNSHIP, NJ 08535

PHONE: 732-679-8844  
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www.heilbrunnpape.com

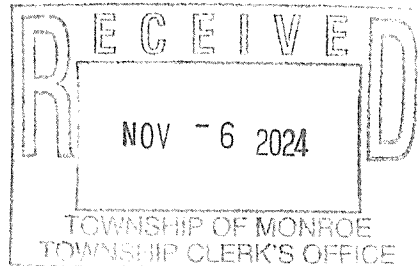
IN MEMORIAM  
JONATHAN M. HEILBRUNN  
(1965-2023)

November 4, 2024

**VIA HAND DELIVERY**

Christine Robbins, R.M.C., C.M.R.  
Township Clerk  
Registrar of Vital Statistics  
One Municipal Plaza  
Monroe Township, NJ 08831

RE: Block: 37, Lot: 12, NC Zone  
Union Hill Road  
Monroe Township, NJ 08831  
Application: BA 5184-19  
Applicant: Brasusa Construction, Inc.



Dear Ms. Robbins:

Please be advised that the undersigned continues to represent Brasusa Construction, Inc. with regard to the approvals referenced above. As a condition of the approvals received from the Zoning Board, Brasusa Construction, Inc. is required to provide the Township with a conservation easement. I was instructed by the Township engineer to deliver the original easement to you for approval by the Township's professionals and acceptance by the Governing Body. Attached is the original fully executed Conservation Easement for your use.

Very truly yours,  
*Peter H. Klouser*  
PETER H. KLOUSER  
For the Firm

PHK:np  
Enc.  
Cc: Brasusa Construction, Inc.  
Sharif Aly, P.E.



*Township of Monroe*  
County of Middlesex

MARK J. RASIMOWICZ, PE, PP, CME, CPWM  
Township Engineer

DEPARTMENT OF ENGINEERING  
c/o Center State Engineering  
481 Spotswood -Englishtown Road  
Monroe Township, NJ 08831  
Phone 732.605.9440

November 25, 2024

Christine Robbins, RMC, CMR, Township Clerk  
1 Municipal Plaza  
Monroe Township, NJ 08831

Re: **Brasusa Construction, Inc.**  
**Description of Conservation Easement for Lot 12, Block 37**  
**BA-5184-19**

Dear Ms. Robbins:

The attached Conservation Easement has been submitted to our office for review.

Upon completion of our review, we have no objections to the deed descriptions of the easement dated July 18, 2017, with revisions on October 17, 2018.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,  
Center State Engineering Associates

Mark J. Rasimowicz, PE, PP, CME  
Township Engineer

MJR/red

cc: Louis Rainone, Esq., Township Attorney  
Alan Weinberg, Business Administrator  
Brasusa Construction inc., Applicant  
Peter Klouser, Esq., Applicants Attorney

PREPARED BY:

PETER H. KLOUSER, ESQ.

**CONSERVATION EASEMENT**

THIS EASEMENT is made on 2024,

**BETWEEN**

**BRASUSA PROPERTIES LLC**, a Limited Liability Company of the State of New Jersey, with offices at 3 Laila Court, Monroe Township, New Jersey 08831, hereinafter referred to as "GRANTOR"

**AND**

**THE TOWNSHIP OF MONROE**, a Municipal Corporation, whose address is 1 Municipal Plaza, Monroe, NJ 08831, hereinafter referred to as "GRANTEE".

**Transfer of Ownership.** The Grantor grants and conveys (an easement on) the property described below to the Grantee. This transfer is made for the sum of \$1.00.

The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Monroe, portion of Lot 12, Block 37.

**Property.** The property consists of a portion of the land and all the buildings and structures on the land in the Township of Monroe, County of Middlesex and State of New Jersey. The legal description is:

**SEE SCHEDULE "A" (metes and bounds description) and SCHEDULE "B" (sketch) ATTACHED HERETO AND MADE A PART HEREOF.**

THIS EASEMENT is dedicated to the Township of Monroe for any or all of the following purposes:

1. of protecting streams from siltation and adjoining banks from erosion; said easement is intended to be an uninterrupted and unobstructed easement, under, across and over the area described, consisting of the right to restrict the removal of trees and ground cover from the conservation easement area for any purposes except the removal of dead or diseased trees and/or the thinning of trees and other growth and the removal of trees to allow for structures designed to impound water or in areas to be flooded in the creation of ponds or lakes. Development, including principal and accessory structures, lawns and other site disturbance shall not be permitted within the easement area.

2. of maintaining open space in as close to its natural state as possible.

Grantor does covenant with the said Grantee as follows:

1. That Grantor is seized of the said easement and right-of-way and has the right to convey the same.

2. That Grantee shall quietly enjoy the said Easement and right-of-way.

3. Grantee shall have quiet possession of the easement free from all encumbrances.

4. Grantor will execute such further assurances of the said lands as may be requisite by Grantee to correct any title defect.



**AMERTECH ENGINEERING, INC.**  
ENGINEERS, SURVEYORS AND PLANNERS

757 RIDGEWOOD AVENUE  
NORTH BRUNSWICK, NJ 08902  
(732) 824-3535 • FAX (732) 249-0859 • E-MAIL [main@amertechengineering.com](mailto:main@amertechengineering.com)

**DEED DESCRIPTION  
CONSERVATION EASEMENT**

July 18, 2017  
Revised October 17, 2018  
Tax Map Block 37, Lot 12  
Monroe Township  
Middlesex County, New Jersey

Job No. 15-052

**BEGINNING** at a point on the common line of Lot 12 Block 37 in Monroe Township and Lot 165, Block 2904 in Manalapan Township said point being distant 965.26' from the original point of beginning described in Deed Book 6596, Page 523 of said Lot 12 Block 37; said common line also being the Municipal line between Middlesex & Monmouth Counties and from said **BEGINNING** point running, thence;

1. Continuing along said Municipal Line S. 43° 54' 34" W., a distance of 888.80' more or less to a point in the center line of the Matchaponix Brook (a.k.a. Matchaponix River), thence;
2. Along the center line of said Matchaponix Brook in a general Northeasterly direction 1,994 feet more or less to a point on a proposed right of way line of Union Hill Road, thence;
3. Along said Proposed right of way line of Union Hill Road S. 83° 18' 26" E., a distance of 40.67' to an angle point in same, thence;
4. Continuing along said right of way line of Union Hill Road, S. 83°22'50" E., a distance of 138.00' to a point in same, thence;

The following Seven (7) Courses being through and over lands of said Lot 12, Block 37:

5. S. 06° 46' 59" W., a distance of 176.89' to a point, thence;
6. S. 08° 56' 11" W., a distance of 193.89' to a point, thence;
7. S. 77° 21' 35" W., a distance of 78.77' to a point, thence;
8. S. 38° 41' 17" W., a distance of 197.95' to a point, thence;
9. S. 11° 10' 26" E., a distance of 140.67' to a point, thence;
10. N. 78° 49' 34" E., a distance of 139.99' to a point, thence;

**AMERTECH ENGINEERING, INC.**  
ENGINEERS, SURVEYORS AND PLANNERS

11. S. 37° 39' 03" E., a distance of 184.44' to the point and place of **BEGINNING**.

Containing 401,110 sq. ft. (9.208 Ac.) of land more or less.

All as shown on a certain Plan entitled "Conservation Easement Sketch T.M. Lot 12 in Block 37 situated in Township of Monroe Middlesex County, New Jersey" dated October 17, 2018 and prepared Ameritech Engineering, Inc., File No. 15-052.

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Juan J. Rodriguez, PLS  
New Jersey Professional Land Surveyor  
License No. 24GS04323000





# Township of Monroe

County of Middlesex

**CHRISTINE ROBBINS**  
Township Clerk

Municipal Complex  
1 Municipal Plaza  
Monroe Township, NJ  
08831-1900  
Phone (732) 656-4573  
Fax (732) 521-3190

## Affidavit of Publication

I, Tanya Pannucci, Deputy Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on December 27, 2024.

Tanya Pannucci, Deputy RMC  
Tanya Pannucci, Deputy Township Clerk

Friday, December 27, 2024

## **Notice Content**

MONROE TOWNSHIP, MIDDLESEX COUNTY NOTICE OF FINAL ADOPTION Notice is hereby given that the following entitled Ordinance was introduced and passed on First Reading at the regular meeting of the Monroe Township Council held on December 2, 2024. Furthermore, this Ordinance was adopted after a Public Hearing was held at the December 18, 2024 meeting of the Monroe Township Council which was held in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831 and was thereafter approved and signed by the Mayor on December 19, 2024. MONROE TOWNSHIP, MIDDLESEX COUNTY ORDINANCE NO.: O-12-2024-026 "ORDINANCE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX AUTHORIZING THE ACCEPTANCE OF A CONSERVATION EASEMENT FROM BRASUSA PROPERTIES, LLC AS TO PROPERTY LOCATED AT BLOCK 37, LOT 12". CHRISTINE ROBBINS, R.M.C Township Clerk (\$15.99)



# Township of Monroe

County of Middlesex

**CHRISTINE ROBBINS**  
Township Clerk

Municipal Complex  
1 Municipal Plaza  
Monroe Township, NJ  
08831-1900  
Phone (732) 656-4573  
Fax (732) 521-3190

## Affidavit of Publication

I, Tanya Pannucci, Deputy Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on December 9, 2024.

Tanya Pannucci, Deputy Clerk  
Tanya Pannucci, Deputy Township Clerk

Monday, December 09, 2024

### **Notice Content**

MONROE TOWNSHIP NOTICE OF PENDING ORDINANCE ORDINANCE NO.: O-12-2024-026 NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED: "ORDINANCE OF THE TOWNSHIP OF MONROE, COUNTY OF MIDDLESEX AUTHORIZING THE ACCEPTANCE OF A CONSERVATION EASEMENT FROM BRASUSA PROPERTIES, LLC AS TO PROPERTY LOCATED AT BLOCK 37, LOT 12", has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on December 2, 2024 and will be further considered for final passage after a Public Hearing during the council meeting to be held on December 18, 2024 at 6:30 p.m. in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831. At said time and place, all persons will be granted the opportunity to be heard concerning this Ordinance prior to its consideration for adoption by Council. The proposed Ordinance in its entirety can be viewed on the Township website, [www.monroetwp.com](http://www.monroetwp.com) and is on file in the Municipal Clerk's Office. Copies may be obtained without charge between the hours of 8:30am and 4:30pm. Monday through Friday. Christine Robbins, Municipal Clerk (\$22.62)