

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: 0-2-2023-006

ORDINANCE OF THE TOWNSHIP OF MONROE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT OR  
EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS  
REQUIRED FOR A ROADWAY IMPROVEMENT PROJECT ON PROSPECT  
PLAINS ROAD FROM STONAKER DRIVE TO APPLGARATH ROAD

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**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**, 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 though condemnation; and

**WHEREAS**, the Township is undertaking a roadway improvement project to Prospect Plains Road in the Township between Stonaker Drive and Applegarth Road (the “Project”); and

**WHEREAS**, the Project requires the acquisition of interests in properties in the form of property acquisitions, Right-of-Way Easements, and Drainage, Temporary Construction, and Permanent Maintenance Easements; and

**WHEREAS**, the Township desires to acquire interests in certain lands as shown herein:

1. Parcel 3 (PARCEL-3) – part of (hereinafter “p/o”) Lot 68, Block 56 consisting of a fee taking of approximately 455 square feet needed for proposed sidewalk, curb and overall roadway widening;
2. Parcel 4 (PARCEL-4) – p/o Lot 66.01, Block 56 consisting of a fee taking of approximately 2,963 square feet needed for proposed sidewalk, curb, overall roadway widening;
3. Parcel 5 (PARCEL-5) – p/o Lot 67, Block 56 consisting of a fee taking of approximately 9,186 square feet needed for proposed sidewalk, curb and overall roadway widening;
4. Parcel 6 (TCE-6A) – p/o 60.02, Block 56 consisting of a temporary construction easement of approximately 570 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
5. Parcel 6 (TCE-6B) – p/o 60.02, Block 56 consisting of a second temporary construction easement on said parcel of approximately 570 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
6. Parcel 7 (PDE-7) – p/o Lot 6, Block 40 consisting of a permanent drainage easement of approximately 825 square feet needed for proposed drainage improvements;
7. Parcel 7 (TCE-7) – p/o Lot 6, Block 40 consisting of a temporary construction easement of approximately 1,617 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
8. Parcel 8 (TCE-8A) – p/o Lot 60.03, Block 56 consisting of a temporary construction easement of approximately 225 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
9. Parcel 8 (TCE-8B) – p/o Lot 60.03, Block 56 consisting of a second temporary construction easement needed on said parcel of approximately 390 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
10. Parcel 9 (PARCEL-9) – p/o Lot 59, Block 56 consisting of a fee taking of approximately 6,002 square feet needed for proposed sidewalk, curb and overall roadway widening;

11. Parcel 10 (PARCEL-10) – p/o Lot 58, Block 56 consisting of a fee taking of approximately 1,272 square feet needed for proposed sidewalk, curb and overall roadway widening;
12. Parcel 11 (PME-11) – p/o Lot 3, Block 201 consisting of a permanent maintenance easement of approximately 1,393 square feet needed for proposed sidewalk, curb and paving encroachments;
13. Parcel 11 (TCE-11) – p/o Lot 3, Block 201 consisting of a temporary construction easement of approximately 262 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
14. Parcel 12 (TCE-12) – p/o Lot 2.01, Block 201 consisting of a temporary construction easement of approximately 1,782 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
15. Parcel 13 (ROWE-13) – p/o Lot 22, Block 41 consisting of a right-of-way easement of approximately 848 square feet needed for proposed sidewalk and limit of disturbance/grading that will encroach on said parcel;
16. Parcel 14 (PARCEL-14) – p/o Lot 1, Block 41 consisting of a fee taking of approximately 167 square feet needed for proposed sidewalk and limit of disturbance/grading that will encroach on said parcel;
17. Parcel 14 (TCE-14) – p/o Lot 1, Block 41 consisting of a temporary construction easement of approximately 373 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
18. Parcel 15 (PARCEL-15) – p/o Lot 1, Block 45 consisting of a fee taking of approximately 4,495 square feet needed for proposed sidewalk, curb, traffic control devices, paving and limit of disturbance/grading that will encroach on said parcel.
19. Parcel 16 (PARCEL-16) – p/o Lot 1.09, Block 42 consisting of a fee taking of approximately 2,087 square feet needed for proposed sidewalk, curb, paving, traffic control devices, and limit of disturbance/grading that will encroach on said parcel.
20. Parcel 16 (TCE-16) – p/o Lot 1.09, Block 42 consisting of a temporary construction easement of approximately 2,414 square feet needed for proposed limit of disturbance/grading, curb, sidewalk, and paving that encroaches on said parcel.
21. Parcel 17 (TCE-17) – p/o Lot 1.10, Block 42 consisting of a temporary construction easement of approximately 346 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
22. Parcel 18 (PARCEL-18) – p/o Lot 1.05, Block 42 consisting of a fee taking of approximately 3,904 square feet needed for proposed sidewalk and overall roadway widening that will encroach on said parcel.
23. Parcel 18 (TCE-18) – p/o Lot 1.05, Block 42 consisting of a temporary construction easement of approximately 5,442 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
24. Parcel 19 (PARCEL-19) – p/o Lot 8.02, Block 47.01 consisting of a fee taking of approximately 8,137 square feet needed for proposed sidewalk, curb and overall roadway widening that will encroach on said parcel.
25. Parcel 20 (TCE-20) – p/o Lot 8.01, Block 47.01 consisting of a temporary construction easement of approximately 1,150 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.

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

1. 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 purposes of the roadway improvement project to Prospect Plains Road in the Township between Stonaker Drive and Applegarth Road:

1. Parcel 3 (PARCEL-3) – part of (hereinafter “p/o”) Lot 68, Block 56 consisting of a fee taking of approximately 455 square feet needed for proposed sidewalk, curb and overall roadway widening;
2. Parcel 4 (PARCEL-4) – p/o Lot 66.01, Block 56 consisting of a fee taking of approximately 2,963 square feet needed for proposed sidewalk, curb, overall roadway widening;
3. Parcel 5 (PARCEL-5) – p/o Lot 67, Block 56 consisting of a fee taking of approximately 9,186 square feet needed for proposed sidewalk, curb and overall roadway widening;
4. Parcel 6 (TCE-6A) – p/o 60.02, Block 56 consisting of a temporary construction easement of approximately 570 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
5. Parcel 6 (TCE-6B) – p/o 60.02, Block 56 consisting of a second temporary construction easement on said parcel of approximately 570 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
6. Parcel 7 (PDE-7) – p/o Lot 6, Block 40 consisting of a permanent drainage easement of approximately 825 square feet needed for proposed drainage improvements;
7. Parcel 7 (TCE-7) – p/o Lot 6, Block 40 consisting of a temporary construction easement of approximately 1,617 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving encroachments;
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10. Parcel 9 (PARCEL-9) – p/o Lot 59, Block 56 consisting of a fee taking of approximately 6,002 square feet needed for proposed sidewalk, curb and overall roadway widening;
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16. Parcel 14 (PARCEL-14) – p/o Lot 1, Block 41 consisting of a fee taking of approximately 167 square feet needed for proposed sidewalk and limit of disturbance/grading that will encroach on said parcel;
17. Parcel 14 (TCE-14) – p/o Lot 1, Block 41 consisting of a temporary construction easement of approximately 373 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
18. Parcel 15 (PARCEL-15) – p/o Lot 1, Block 45 consisting of a fee taking of approximately 4,495 square feet needed for proposed sidewalk, curb, traffic control devices, paving and limit of disturbance/grading that will encroach on said parcel.
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21. Parcel 17 (TCE-17) – p/o Lot 1.05, Block 42 consisting of a temporary construction easement of approximately 346 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on Lot 1.10, Block 42.
22. Parcel 18 (PARCEL-18) – p/o Lot 1.05, Block 42 consisting of a fee taking of approximately 3,904 square feet needed for proposed sidewalk and overall roadway widening that will encroach on said parcel.

- 23. Parcel 18 (TCE-18) – p/o Lot 1.05, Block 42 consisting of a temporary construction easement of approximately 5,442 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
  - 24. Parcel 19 (PARCEL-19) – p/o Lot 8.02, Block 47.01 consisting of a tee taking of approximately 8,137 square feet needed for proposed sidewalk, curb and overall roadway widening that will encroach on said parcel.
  - 25. Parcel 20 (TCE-20) – p/o Lot 8.01, Block 47.01 consisting of a temporary construction easement of approximately 1,150 square feet needed for proposed limit of disturbance/grading, curb, sidewalk and paving that encroaches on said parcel.
2. The Township Attorney and Business Administrator are hereby authorized to take all actions necessary to acquire the above referenced property interests through negotiations or condemnation.
  3. The Mayor and Clerk are hereby authorized to sign and witness, respectively, any contract of sale or other documents necessary to acquire the interests in the properties listed.

**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.

  
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 MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – February 6, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Siegel	X		X			
Councilman Dipierro					X	
Councilman Schneider		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 February 6, 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 March 6, 2023 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.

  
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 PATRICIA REID, Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION – March 6, 2023						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Siegel	X		X			
Councilman Dipierro			X			
Councilman Schneider			X			
Council V. President Van Dzura		X	X			
Council President Cohen			X			

**MONROE TOWNSHIP, MIDDLESEX COUNTY**

**ORDINANCE NO.: 0-2-2023-006**

**ORDINANCE OF THE TOWNSHIP OF MONROE  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT OR  
EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS  
REQUIRED FOR A ROADWAY IMPROVEMENT PROJECT ON PROSPECT  
PLAINS ROAD FROM STONAKER DRIVE TO APPLGARTH ROAD**

**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: 3/7/2023



# Township of Monroe

County of Middlesex

**PATRICIA REID**  
Township Clerk

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

## Affidavit of Publication

I, Christine Robbins, 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 February 10, 2023.

Christine Robbins, Deputy Township Clerk

Ad Number: 0005588384

Run Dates: 02/10/2023

### MONROE TOWNSHIP NOTICE OF PENDING ORDINANCE

ORDINANCE NO.: O-2-2023-006

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED: "ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS REQUIRED FOR A ROADWAY IMPROVEMENT PROJECT ON PROSPECT PLAINS ROAD FROM STONAKER DRIVE TO APPLGARTH ROAD", has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on February 6, 2023 and will be further considered for final passage after a Public Hearing during the council meeting to be held on March 6, 2023 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 purpose of this Ordinance is to authorize 18 minor acquisitions for traffic light improvements at the intersection of Prospect Plains Rd. and Applegarth Rd.

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.

Patricia Reid, Municipal Clerk  
(\$24.18)

0005588384-01



# Township of Monroe


County of Middlesex

**PATRICIA REID**  
Township Clerk

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

## Affidavit of Publication

I, Christine Robbins, 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 March 13, 2023.

  
\_\_\_\_\_  
Christine Robbins, Deputy Township Clerk

Ad Number: 0005624324

Run Dates: 03/13/2023

### 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 February 6, 2023. Furthermore, this Ordinance was adopted after a Public Hearing was held at the March 6, 2023 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 March 7, 2023.

### MONROE TOWNSHIP, MIDDLESEX COUNTY

#### ORDINANCE NO.: O-2-2023-006

"ORDINANCE AUTHORIZING THE ACQUISITION BY NEGOTIATED AGREEMENT OR EMINENT DOMAIN OF REAL PROPERTY AND/OR PROPERTY INTERESTS REQUIRED FOR A ROADWAY IMPROVEMENT PROJECT ON PROSPECT PLAINS ROAD FROM STONAKER DRIVE TO APPLGARTH ROAD"

CHRISTINE ROBBINS, R.M.C.  
Monroe Township Deputy Municipal Clerk  
(\$19.50)

0005624324-01