

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: 0-2-2024-003

**AN ORDINANCE OF THE TOWNSHIP OF MONROE  
IN COUNTY OF MIDDLESEX, NEW JERSEY,  
TO AUTHORIZE A CONSERVATION RESTRICTION AGREEMENT FOR  
REAL PROPERTY KNOWN AND DESIGNATED AS TAX BLOCK 60, LOTS 28.4 AND  
28.4QFARM, ALSO KNOWN AS 330 SCHOOLHOUSE ROAD ON THE OFFICIAL  
TAX MAP OF THE TOWNSHIP OF MONROE FOR OPEN SPACE**

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**WHEREAS**, pursuant to the Local Land and Building Law, N.J.S.A. 40A:12-1, et seq. the Township has the power to acquire real property; and

**WHEREAS**, the Township has entered into an agreement for the purchase of a Development Easement located on 330 Schoolhouse Road and designated as Tax Block 60, Lots 28.4 and 28.4QFarm on the Official Tax Map of the Township of Monroe (the "Property") from the Barnes Family 2012 Irrevocable Trust, Warren B. Barnes, Bruce N. Barnes, Robert S. Barnes, and James C. Barnes, for the purpose of open space preservation for consideration in the amount of \$4,300,000.00; and

**WHEREAS**, the County of Middlesex has agreed to assist the Township of Monroe with the acquisition of this Development Easement through a Grant Funding Agreement (the "Agreement") and requires as a condition of the grant that a Conservation Restriction be filed and recorded with the Middlesex County Clerk's office restricting the use of the property for Open Space purposes; and

**WHEREAS**, the Township Council has authorized the Agreement and wishes to satisfy the condition of the Agreement by authorizing the Conservation Restriction limiting the uses of the Property to Open Space purposes.

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

1. The acquisition by negotiated agreement of a Development Easement for Block 60, Lots 28.4 and 28.4QFarm located on 330 Schoolhouse Road, Township of Monroe, New Jersey is hereby authorized for the purchase price of \$4,300,000.00.
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.

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MIRIAM COHEN, Council President

<b>RECORDED VOTE – INTRODUCTION – February 5, 2024</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Dipierro</b>			<b>X</b>			
<b>Councilman Markel</b>		<b>X</b>	<b>X</b>			
<b>Councilwoman Siegel</b>	<b>X</b>		<b>X</b>			
<b>Council V. President Van Dzura</b>			<b>X</b>			
<b>Council President Cohen</b>						<b>X</b>

**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 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 March 4 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.

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CHRISTINE ROBBINS, Township Clerk

<b>RECORDED VOTE – SECOND READING &amp; FINAL ADOPTION – March 4, 2024</b>						
<b>COUNCIL</b>	<b>MOTION</b>	<b>SECOND</b>	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Councilman Siegel</b>						
<b>Councilman Dipierro</b>						
<b>Councilman Markel</b>						
<b>Council V. President Van Dzura</b>						
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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.

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STEPHEN DALINA, Mayor

Date signed: \_\_\_\_\_

**ATTACHMENT A**