

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13(b)

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5), the Township is authorized to sell real property without any capital improvements thereon by a private sale to an owner of real property continuous to the Township's real property being sold; and

WHEREAS, the Township has determined to sell the real property identified as an approximately 40 foot wide by 100 foot deep parcel commonly known as 481 Park Avenue and designated as Block 11307, Lot 7.02 (portion) on the Tax Map of the Township of Piscataway ("the Property"), by way of private sale in accordance with N.J.S.A. 40A:12-13(b)(5) to a contiguous property owner; and

WHEREAS, the Township has determined that the Property is not needed for public use; and

WHEREAS, the Property is located in one of the Township's R-10 Residential Zones, and under the Township Municipal Zoning Ordinance the minimum lot area for development in that zone is 10,000 square feet, rendering the Property non-conforming; and

WHEREAS, the Township has previously retained Sterling, DiSanto & Associates to appraise the Property; and

WHEREAS, the appraisal of real estate for the Property dated November 28, 2023 indicates a fair market value of \$82,500.00; and

WHEREAS, the Township wishes to place a condition upon the sale; and

WHEREAS, the condition to be imposed will include that the Township will convey the Property by Deed subject to a 10.0 foot deep Permanent Easement along the entire Park Avenue frontage of the Property, for any and all municipal purposes, including but not limited to the right to install and/or repair or replace curbs, sidewalks, gutters, bike lanes, roadways, and appropriate drainage therefore, stormwater and sanitary sewage facilities, and gas, electric, water supply and utility and communication systems; and

WHEREAS, there are only two contiguous owners of real property eligible to purchase the Property.

NOW THEREFORE, BE IT ORDAINED by the Township Council of the Township of Piscataway, County of Middlesex, State of New Jersey as follows:

Pursuant to N.J.S.A. 40A:12-13(b)(5), it is hereby determined that the Property is not needed for public use; is without any capital improvement thereon; and has a lot area less than the minimum size required for development under the Township's Municipal Zoning Ordinance.

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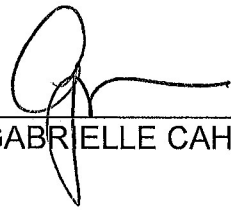
Pursuant to N.J.S.A. 40A:12-13(b)(5), The Township of Piscataway is hereby authorized to sell the Property to an interested contiguous owner of real property to the Property for the appraised value of \$82,500.00, or any such higher qualified bid received.

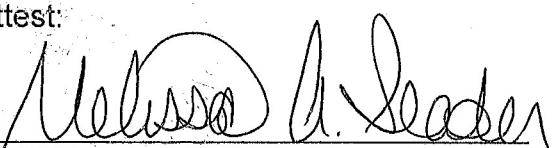
The Assistant Township Attorney is hereby authorized to prepare a contract for the sale of the Property and the Mayor and Municipal Clerk are hereby authorized to execute said contract, as well as a Deed and all other customary closing documents to effectuate the sale of the Property.

If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township, the provision hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.


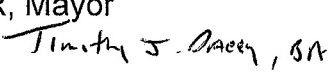
This Ordinance shall take effect immediately upon second reading, final passage and publication as required by law.


GABRIELLE CAHILL, Council President

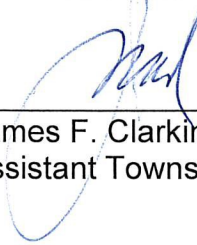
Attest:

MELISSA A. SEADER, Township Clerk

Adopted, First Reading: January 30, 2024
Publication Dated: February 1, 2024

Adopted, Second Reading: February 13, 2024
Publication Date: February 18, 2024


BRIAN C. WAHLER, Mayor
Date: 2/14/24  Timothy J. Dacey, SA

CERTIFIED AS TO FORM AND LEGALITY:



James F. Clarkin III, Esq.
Assistant Township Attorney

Statement of Purpose

The purpose and intent of this Ordinance is to authorize the sale of the real property owned by the Township which is commonly known as 481 Park Avenue and designated as a portion of Lot 7.02, Block 11307 on the Tax Map of the Township of Piscataway.

Be It Resolved,

**By the Township Council of Piscataway Township,
(Seal) New Jersey, that:**

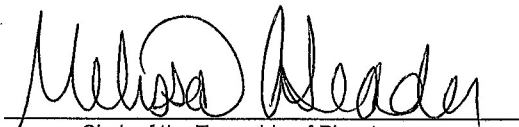
AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN LANDS OWNED BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13(b)

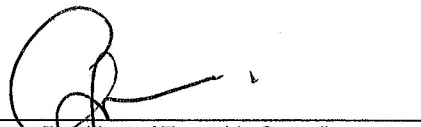
was introduced on the 30th day of January, 2024 and had passed the first reading and was published on the 1st day of February, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid Ordinance, having had a second reading on February 13, 2024, be adopted, passed, and after passage, be published, together with a notice of the date of passage or approval, in the official newspaper.

BE IT FURTHER RESOLVED that this Ordinance shall be assigned No. 2024-04.



Clerk of the Township of Piscataway
MELISSA A. SEADER



President of Township Council
GABRIELLE CAHILL

PASSED ON: February 13, 2024

MOTION MADE BY: Mrs. Lombardi

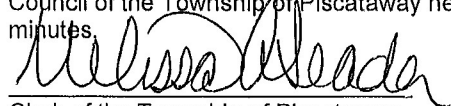
SECONDED BY: Mr. Shah

PASSED ON THE FOLLOWING VOTE:

YEAS: MESSRS. Carmichael, Espinosa, Lombardi, Rouse, Shah & Cahill

NAYS: ----

I certify the foregoing to be a true and correct abstract of a resolution passed at a meeting of the Township Council of the Township of Piscataway held on this date and in that respect is a true and correct copy of its minutes.



Clerk of the Township of Piscataway
Melissa A. Seader

Be It Resolved,

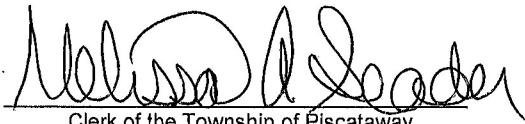
**By the Township Council of Piscataway Township,
(Seal) New Jersey, that:**

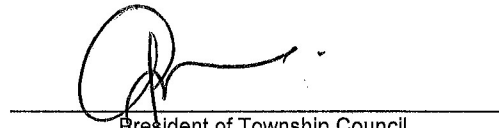
AN ORDINANCE ENTITLED:

AN ORDINANCE OF THE TOWNSHIP OF PISCATAWAY, COUNTY OF MIDDLESEX,
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BY THE TOWNSHIP OF PISCATAWAY PURSUANT TO N.J.S.A. 40A:12-13(b)

be and is hereby adopted on the first reading, that it be published in the official newspaper, and that a second reading and public hearing be held at 7:30 p.m., prevailing time at the Piscataway Municipal Building, 455 Hoes Lane, Piscataway, New Jersey as well as by remote meeting format on the 13th day of February, 2024.

BE IT FURTHER RESOLVED that a copy of this Ordinance shall be posted in at least two public places within the Township prior to the day of the second reading and final passage, and a copy of this Ordinance shall be made available at the Office of the Township Clerk for any interested member of the public.


Clerk of the Township of Piscataway
MELISSA A. SEADER


President of Township Council
GABRIELLE CAHILL

PASSED ON: January 30, 2024

MOTION MADE BY: Ms. Carmichael

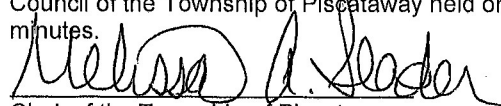
SECONDED BY: Mr. Rouse

PASSED ON THE FOLLOWING VOTE:

YEAS: MESSRS. Carmichael, Espinosa, Lombardi, Rouse, Shah, Uhrin & Cahill

NAYS: ----

I certify the foregoing to be a true and correct abstract of a resolution passed at a meeting of the Township Council of the Township of Piscataway held on this date and in that respect is a true and correct copy of its minutes.


Clerk of the Township of Piscataway
Melissa A. Seader