

TOWNSHIP OF WASHINGTON
BERGEN COUNTY, NEW JERSEY

ORDINANCE NO. 21-04

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF
CERTAIN PROPERTIES NEEDED FOR PUBLIC USE IN CONNECTION
WITH WASHINGTON AVENUE AND PASCACK ROAD
INTERSECTION PROJECT**

WHEREAS, the Township of Washington (the “Township”) and the County of Bergen (the “County”) have entered into a shared services agreement in connection with a public use project; namely an improvement and signalization plan for the intersection of Washington Avenue and Pascack Road (the “Intersection Project”); and

WHEREAS, the shared services agreement delineates the specific areas of responsibility of performance and costs relative to the Intersection Project as between the County and the Township, and the Township is charged with the responsibility for acquisition of various easements required for the Intersection Project and the plans therefore (the “Plans”); and

WHEREAS, pursuant to *N.J.S.A. 40A:12-5(a)(1)*, the governing body of a municipality may provide for the acquisition of any real property, capital improvement, or personal property by purchase, gift, devise, lease, exchange, condemnation or installment purchase contract; and

WHEREAS, the Intersection Project is important to the good and welfare and best interests of the Township and its citizenry, and it is in the public interest of the Township to proceed with the Intersection Project and acquire the easements prescribed in the Plans for public use; and

WHEREAS, the Township is authorized by the New Jersey Eminent Domain Act, *N.J.S.A. 20:3-1 et seq.* (the “Eminent Domain Act”) to acquire such easements, and the Township has determined to proceed with the acquisition of such easements for public use;

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

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. Easements in connection with properties identified by the Plans are needed for the public purpose of completing the Intersection Project and are more particularly set forth below:

a. Lot 1 in Block 3103 on the Tax Map of the Township (680 McKinley Avenue) - a road widening easement consisting of approximately 1,679 square feet or 0.039 acres;

b. Lot 7 in Block 3103 on the Tax Map of the Township (689 Pascack Road)
- a temporary construction easement consisting of approximately 432 square feet or 0.009 acres;

c. Lot 6 in Block 3104 on the Tax Map of the Township (667 McKinley Avenue) - a road widening easement consisting of approximately 694 square feet or 0.016 acres;

3. The Township is hereby authorized to acquire each of the aforesaid easements.

4. The acquisition of the easements set forth above may be achieved by purchase, gift, devise, lease, exchange, condemnation, or installment purchase agreement pursuant to *N.J.S.A. 40A:12-5(a)(1)* and in accordance with the Eminent Domain Act, or as may be authorized by any other applicable law.

5. The Mayor, Township Administrator, Township Attorney, Township Clerk, Chief Financial Officer, and/or any other Township employees deemed appropriate (collectively, the "Authorized Persons") are hereby authorized and directed to take, or cause to be taken, any and all actions necessary to initiate and complete the acquisition of the aforesaid easements, including but not limited to obtaining any appraisals, title searches and title reports, surveys, studies, and inspections as reasonably necessary to determine the value, boundary, ownership, interests or condition of the easements to be acquired.

6. Any and all actions previously taken by the Authorized Persons in connection with the acquisition of the aforesaid easements are hereby ratified and confirmed.

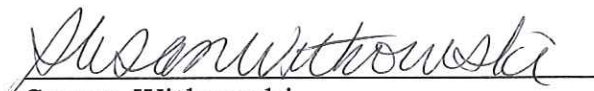
7. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.


8. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

9. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk

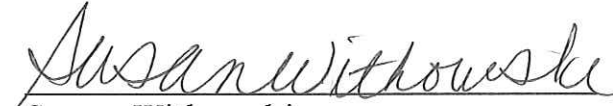

Stacey Feeney,
Council President

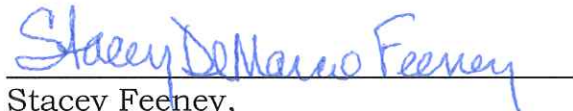
Introduction Date: April 5, 2021

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio						X	
DeSena						X	
Morgan		X	X				
Feeney	X		X				
Sears			X				

ATTEST:

APPROVED:
TOWNSHIP COUNCIL OF THE
TOWNSHIP OF WASHINGTON


Susan Witkowski,
Township Clerk


Stacey Feeney,
Council President

Adoption Date: April 19, 2021

COUNCIL	MOTION	SECOND	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio			X				
DeSena		X	X				
Morgan			X				
Feeney	X		X				
Sears			X				