

ORDINANCE NO. 9-19

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER, IN THE COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF APPROXIMATELY 65 ACRES OF OPEN SPACE LAND OWNED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND DESIGNATED AS ROUTES 24/178 SECTION 9 EXCESS, SURPLUS PROPERTY NO LONGER NEEDED FOR FREEWAY CONSTRUCTION AND FURTHER APPROPRIATING THE SUM OF \$500,000.00 FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, GREEN ACRES PROGRAM, PLANNING INCENTIVE GRANT FOR THE PURCHASE OF THE LAND TO BE USED FOR THE PRESERVATION OF OPEN SPACE AND PASSIVE PARKLAND AND RECREATION PURPOSES

WHEREAS, the Route 24 Freeway terminates in Hanover Township where it connects to Interstate Route 287; and

WHEREAS, over twenty-five (25) years ago, the State of New Jersey abandoned plans to extend the Route 24 Freeway beyond Hanover Township and construct a new Route 178 connector road in a westerly direction; and

WHEREAS, with the abandonment of plans, the Township expressed interest in purchasing approximately sixty-five (65) acres of excess, surplus right-of-way parcels no longer needed for highway construction which parcels are located within the boundaries of Hanover Township; and

WHEREAS, the Township desires to acquire the approximately sixty-five (65) acres of land for open space preservation including passive recreation and the extension of the Township's connectivity pedestrian trail; and

WHEREAS, through legislation sponsored by Senator Richard J. Codey, and signed into law by Governor Chris Christie on September 11, 2014, the Routes 24/178 excess, surplus parcels were de-legislated thereby permitting the New Jersey Department of Transportation to offer the parcels to the Township at the fair market appraisal values established in the early 1960's; and

WHEREAS, it is the intention of the Township Committee to authorize acquisition of the approximately sixty-five (65) acres of excess, surplus Routes 24/178 Section 9 parcels from the New Jersey Department of Transportation at an estimated cost of \$479,364.00; and

WHEREAS, the Township is the recipient of Planning Incentive Grants through the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, sufficient funds are available in the Township's Planning Incentive Grant Account which funds will underwrite the acquisition on a reimbursable basis; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, exchange, condemnation or installment purchase agreement.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

SECTION 1. The governing body hereby authorizes the fee simple acquisition of New Jersey Department of Transportation Routes 24/178 Section 9, excess, surplus right-of-way parcels at an estimated cost of \$479,364.00 which parcels are no longer needed for highway construction. The parcels shall be utilized by the Township for open space preservation including passive recreation purposes and the extension of the Township's connectivity pedestrian trail.

SECTION 2. The Township Attorney is authorized and directed to prepare the required Contract For Sale of Real Estate, the Deed and all other related documents for the fee simple acquisition of the excess, surplus right-of-way parcels.

SECTION 3. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 4. The Mayor and Township Clerk are also authorized and directed to execute the Contract For Sale of Real Estate, the Deed and any other documents necessary for the acquisition of the property described herein.

SECTION 5. No debt is to be authorized by the enactment and passage of this Ordinance.

SECTION 6. For the acquisition and all related acquisition costs described in Section 1, above, there is hereby appropriated the sum of \$500,000.00 from the Township's Green Acres Program Planning Incentive Grant, Project No. 1412-99-009.

SECTION 7. All ordinances of the Township of Hanover, which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any 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.

SECTION 9. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:


Joseph A. Giorgio, Township Clerk
DATE OF INTRODUCTION: February 14, 2019
DATE OF ADOPTION: March 14, 2019


Ronald F. Francioli, Mayor

C E R T I F I C A T I O N

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of an Ordinance adopted by the Township Committee of said Township on the 14th day of March, 2019, at a meeting duly convened, of said Body.


Joseph A. Giorgio, Township Clerk