

ORDINANCE #3635

AN ORDINANCE TO AUTHORIZE ACQUISITION OF CERTAIN LANDS WITHIN THE TOWNSHIP OF FRANKLIN, SOMERSET COUNTY, FOR THE PURPOSE OF CONSTRUCTING A SEWER PUMP STATION – BLOCK 151/LOTS 9-11

WHEREAS, the Franklin Township Sewerage Authority has determined that certain sewer improvements are necessary along the Route 27 corridor to divert flows to its School Ave pumping station, to decrease flows to New Brunswick and to increase system capacity; and,

WHEREAS, the Township of Franklin has adopted a redevelopment plan known as Renaissance 2000 and designated the Franklin Township Redevelopment Agency to implement same; and,

WHEREAS, a critical element of the success of the redevelopment plan is the construction and rehabilitation of infrastructure such as water and sewer facilities; and,

WHEREAS, a number of projects in the redevelopment area are also included in the Township Fair Share Plan and contain affordable housing components such as the Leewood project which provides 113 affordable housing units (and 200 credits in the Township's COAH plan) and the Somerset Douglas project; and,

WHEREAS, the fair share of the costs for property acquisition and constructing the sewer pump station will be assessed against all future developments benefiting thereby; and,

WHEREAS, the Franklin Township Sewerage Authority has requested that the Township act as the Authority's agent for the purpose of acquiring Block 151, Lots 9-11 upon which the pump station will be located; and,

WHEREAS, The Franklin Township Sewerage Authority will reimburse the Township for all costs associated with the acquisition of the subject property; and,

WHEREAS, pursuant to N.J.S.A. 40A:48-2, the Township of Franklin is authorized to adopt ordinances for the preservation for public health, safety and welfare; 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 by purchase or condemnation.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Franklin that the acquisition of the following parcel of land by purchase or the exercise of eminent domain is hereby authorized: Block 151, Lots 9-11; and

2. The Township shall cause an appraisal of the property to be conducted and shall pay for the acquisition of those properties as set forth in paragraph one hereof the fair market value of said land to be established in negotiations or established by a court of competent jurisdiction; and,

BE IT FURTHER ORDAINED that this Ordinance shall take effect following adoption and publication in a time and manner prescribed by law.

ORDINANCE No. 3535

Introduced:	August 8, 2006
Public Hearing:	September 12, 2006
Adoption:	September 12, 2006
Notice of Adoption:	September 18, 2006
Effective Date:	October 2, 2006

Ann Marie McCarthy, Township Clerk