

TOWNSHIP OF MOORESTOWN

ORDINANCE NO. 15-2013

AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN CONVEYING AN EASEMENT IN MUNICIPAL PROPERTY IDENTIFIED AS BLOCK 2403, LOT 1 TO THE PUBLIC SERVICE ELECTRIC & GAS CO. FOR THE INSTALLATION OF UNDERGROUND UTILITIES TO FACILITATE THE CONSTRUCTION OF THE NEW MUNICIPAL COMPLEX

WHEREAS, the Township of Moorestown owns the land identified on the municipal tax map as Block 2403, Lot 1, which is located at the intersections of Church, Second and Third Streets and Washington Avenue in the Township of Moorestown, which has historically been the site of the municipal complex, and which is currently the site of an ongoing construction project for the establishment of the new municipal complex; and

WHEREAS, the Public Service Electric and Gas Co. (“PSE&G”) has historically provided natural gas utility service to the property, and indeed PSE&G has for years maintained an underground pipe from a gas main located under Third Street, near Washington Avenue, and running several feet into the site for purposes of providing gas utility service to the buildings located on the property; and

WHEREAS, the Township’s construction plans for the new municipal complex require the relocation of the existing underground gas line, and/or the installation of a new underground gas line into the property from a new connection to the main located under Third Street; and

WHEREAS, PSE&G has requested that the Township convey a formal easement for the new gas line in order to memorialize its location and to preserve PSE&G’s ability to access the underground line for future maintenance, repair, and construction purposes; and

WHEREAS, given the ongoing construction project on the property and the Township’s desire to maintain the current construction schedule and to avoid unnecessary delays, the Township wishes to accommodate PSE&G’s request and the convey the requested easement; and

WHEREAS, given PSE&G’s historic use and occupation of the property for purposes of maintaining the existing gas main, the Township’s conveyance of formal easement rights to PSE&G constitutes a shifting or relocation of PSE&G’s rights into the property, rather than the conveyance of new or greater easement rights into the property; and

WHEREAS, the Township wishes to convey the requested formal easement by way of an Ordinance; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Moorestown, in the County of Burlington, State of New Jersey, as follows:

1. The Township of Moorestown hereby conveys a formal easement to the Public Service Electric and Gas Co. for purposes of installing a new and/or relocated underground gas utility line into municipal property that is identified on the tax map as Block 2403, Lot 1. The precise location of the easement boundaries shall be depicted on a plan to be recorded with the County Clerk.

2. The Mayor is authorized to execute any and all documents and papers that are required in order to memorialize the above-referenced conveyance of easement rights to the Public Service Electric and Gas Co.

3. All other ordinances and parts of ordinances and resolutions, insofar as they are inconsistent with any of the terms and provisions of this ordinance, are hereby repealed to the extent of such inconsistency only.

4. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof phrase, term, provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

5. This Ordinance may be cited as Ordinance 15-2013.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey, held on June 10, 2013. This ordinance will be further considered for final passage by the Township Council at a meeting to be held in the IT Room of the Moorestown High School, 350 Bridgeboro Road, Moorestown, NJ on June 24, 2013 at 7:30 pm or at any time and place to which such meeting may be adjourned. All persons interested will be given the opportunity to be heard concerning such ordinance. During the week prior to and including the date of such further consideration, copies will be made available at the Municipal Clerk's Office in said Municipal Building to any member of the general public who shall request such copies.

Patricia L. Hunt, RMC
Township Clerk