

**ORDINANCE OF THE CITY OF NEW BRUNSWICK, IN THE COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY AUTHORIZING THE CITY OF NEW BRUNSWICK TO GRANT  
A 0.105 ACRE EASEMENT TO PUBLIC SERVICE ELECTRIC & GAS COMPANY OVER  
A PORTION OF BLOCK 703.03, LOT 1.03 AS SHOWN ON THE TAX MAP OF THE CITY  
OF NEW BRUNSWICK (RARITAN RIVER CONSERVATION AREA)**

**SECTION I**

**WHEREAS**, the City of New Brunswick is the owner of Block 703.03, Lot 1.03 as shown on the City of New Brunswick Tax Map; and

**WHEREAS**, Public Service Electric and Gas Company ("PSE&G") is a public utility of the State of New Jersey; and

**WHEREAS**, the PJM Interconnection, L.L.C., the independent regional transmission organization that manages the high-voltage electricity grid in all or part of thirteen (13) states, including New Jersey, has authorized upgrades to the PSE&G overhead transmission lines for the Metuchen to Brunswick and the Brunswick to Trenton circuits in order to maintain and strengthen the redundancy and reliability of the PSE&G transmission system; and

**WHEREAS**, PSE&G has negotiated in good faith with the City of New Brunswick for the acquisition of a permanent easement across a 0.105 acre (4,581 square feet) portion of Block 703.03, Lot 1.03 to facilitate proper clearances for the aforementioned upgrades to the PSE&G transmission system; and

**WHEREAS**, Block 703.03, Lot 1.03 is part of the Raritan River Conservation Area and is shown on the City's Recreation and Open Space Inventory as Green Acres-encumbered property; and

**WHEREAS**, PSE&G is proceeding before the New Jersey Department of Environmental Protection and, ultimately, the State House Commission to allow a portion of Block 703.03, Lot 1.03 to be diverted for the proposed system upgrade and grant of easement; and

**WHEREAS**, PSE&G presented an appraisal of the easement area for Block 703.03, Lot 1.03 and that appraisal determined the fair market value of the easement to be **One Thousand Dollars (\$1,000.00)**; and

**WHEREAS**, in accordance with N.J.A.C. 7:36-26.10(g), PSE&G has agreed to pay a monetary compensation of **Ten Thousand Dollars (\$10,000.00)** to the City for the easement; and

**WHEREAS**, the final calculation of the easement value will be made pursuant to N.J.A.C. 7:36-26.10 et seq.; and

**WHEREAS**, the City Council, based upon the City Tax Assessor's recommendation, believes this is a fair value for the easement; and

**WHEREAS**, the City Council has determined it is in the public welfare and best interests of the residents of the City to provide the easement to PSE&G as it will help ensure the reliable flow of sufficient electric power in the area.

**SECTION II**

**BE IT ORDAINED**, by the New Brunswick City Council as follows:

**1. GENERAL**

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

**2. GRANT OF EASEMENT**

The City Council hereby authorizes the granting of a permanent easement over and under a 0.105 acre (4,581 square feet) portion of Block 703.03, Lot 1.03 as shown on the tax map of the City of New Brunswick (Raritan River Conservation Area) to PSE&G. This conveyance shall be for **Ten Thousand Dollars (\$10,000.00)** and other good and valuable consideration.

**3. EXECUTION OF EASEMENT AUTHORIZED**

(a) The Mayor, in consultation with legal counsel to the City, is hereby authorized and directed to execute a Grant of Easement, subject to additions, deletions, modifications or revisions deemed necessary and appropriate in consultation with counsel.

(b) The Clerk of the City is hereby authorized and directed, upon execution of the Grant of Easement in accordance with the terms of Section 3 (a) hereof, to attest to the signature of the Mayor upon such document and is hereby authorized and directed to affix the corporate seal of the City upon such document.

**SECTION III**

**SEVERABILITY:**

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such finding shall not affect the remaining provisions hereof which shall remain in full force and effect.

**SECTION IV**

**REPEALER:**

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

**SECTION V**

**EFFECTIVE DATE:**

This Ordinance shall become effective twenty (20) days following final adoption and publication as required by law.

ADOPTED ON FIRST READING:  
DATED: October 17, 2018

  
\_\_\_\_\_  
COUNCIL PRESIDENT

ADOPTED ON SECOND READING:  
DATED:

\_\_\_\_\_  
COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVAL OF THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
MAYOR

APPROVALS:

  
\_\_\_\_\_  
CITY ADMINISTRATOR

  
\_\_\_\_\_  
CITY ATTORNEY

TKS/kc

COUNCIL MEMBER	Y	N	AB	NV	AB
ANDERSON, VP. M	X				
EGAN	X				
ESCOBAR	X				
COUNCIL MEMBER	Y	N	AB	NV	AB
SICORA, LUDWIG S	X				
PLEMINI, Pres.	X				

FIRST READING VOTE ON OCTOBER 17, 2018 M=MOVED, S=SECOND NV=NO VOTE AB=ABSENT