

ORDINANCE NO. 6-2023

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE ACQUISITION BY PURCHASE OR EMINENT DOMAIN, IF NECESSARY, OF AN UNIMPROVED PORTION OF REAL PROPERTY LOCATED AT 30 NORTH JEFFERSON ROAD AND KNOWN AS BLOCK 9102, LOT 5 ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF HANOVER, FOR THE PURPOSE OF DEVELOPING AFFORDABLE SENIOR HOUSING

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Hanover ("Township") is authorized to adopt an Ordinance for the preservation of public health, safety and welfare; and

WHEREAS, pursuant to N.J.S.A. 40A:12-1 et seq., the Township has the power to acquire real property for a public purpose through negotiated agreement or by the exercise of its powers of eminent domain; and

WHEREAS, Halo Pharmaceutical Realty, LLC/Cambrex Corporation, is the owner of the property located at 30 North Jefferson and designated as Block 9102, Lot 5, which property is comprised of approximately 22.43 acres of land, which is improved with a manufacturing and packaging plant, and which also contains an area of unimproved vacant land; and

WHEREAS, a portion of the vacant land is proposed for development as an element of the Township's Housing Element and Fair Share Plan (HEFSP) adopted on February 9, 2021, having been zoned as the AH-2 Affordable Housing Overlay District and intended for acquisition by the Township and construction of an exclusively deed-restricted 60-unit senior housing project, all units of which will be age restricted and affordable; and

WHEREAS, the Township believes it is in the public interest to acquire the vacant land as it will promote the Township's constitutional obligation to provide affordable housing, promote affordable housing for seniors, and support the HEFSP and substantive certification approved by the Court; and

WHEREAS, the Township has determined that in order to facilitate the construction of senior affordable housing, it is necessary to acquire fee simple title to a portion of the property known as Block 9102, Lot 5 on the Township's Official Tax Map, which portion is more fully described as the boundaries of the AH-2 Overlay Zone District in § 166-180.26 of the Township Code, which description is incorporated by reference hereto; and

WHEREAS, the Township Committee has determined that the contemplated senior housing and the acquisition of a portion of the property known as Block 9102, Lot 5 on the Township's Official Tax Map will serve a public purpose and be to the benefit of the health, welfare and safety of the Township's citizens.

NOW, THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Hanover, County of Morris, State of New Jersey that:

SECTION 1. The Township of Hanover be and is hereby authorized to acquire, by negotiation and/or by the exercise of its power of eminent domain pursuant to N.J.S.A. 20:3-1 et seq., a fee simple interest in the portion of the property designated as Block 9201, Lot 5 on the Official Tax Map of the Township of Hanover, County of Morris, State of New Jersey located within the AH-2 Overlay Zone District ("the Property"), for the purposes described hereinabove and to take such other actions necessary to take title and possession of the Property.

SECTION 2. The Property to be acquired is more fully described in § 166-180.26 of the Township Code, which description is incorporated by reference hereto.

SECTION 3. The Township Attorney, any special counsel retained by the Township, and the Township Business Administrator are hereby authorized to hire and employ such appraisers, consultants and experts as may be appropriate to effectuate such acquisitions, whether by negotiation or eminent domain proceedings, and to pay said consultants and experts a reasonable fee for their services.

SECTION 4. The amount to be offered by the Township of Hanover to the record owners of the Property pursuant to N.J.S.A. 20:3-6 shall be fixed by further resolution of the Township upon receipt and approval of an appraisal report or reports prepared on behalf of the Township by a qualified licensed real estate appraiser.

SECTION 5. The Township Attorney, any special counsel retained by the Township and the Township Business Administrator are hereby authorized to take any and all actions necessary to acquire the Property and/or any interests thereto, either through negotiation or the exercise of the Township's powers of eminent domain.

SECTION 6. The Mayor and Township Business Administrator are hereby authorized to execute and witness any documents or instruments necessary to acquire the Property and/or any interests thereto.

SECTION 7. If any word, phrase, clause, section or provision of this ordinance shall be adjudged by any Court or competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section, or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

SECTION 8. If any ordinances or parts thereof are in conflict with the provisions of this Ordinance, such ordinances or parts thereof are hereby repealed to the extent of such conflict.

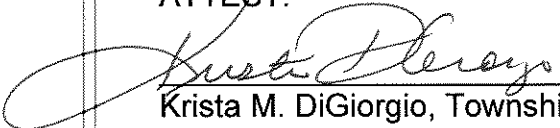
SECTION 9. This ordinance shall take effect immediately upon final passage and publication as required by law.

TOWNSHIP COMMITTEE

TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY


Thomas "Ace" Gallagher, Mayor

ATTEST:


Krista M. DiGiorgio, Township Clerk

DATE OF INTRODUCTION: January 12, 2023

DATE OF ADOPTION: February 9, 2023

CERTIFICATION

I, Krista M. DiGiorgio, 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 10th day of February, 2022 at a meeting duly convened, of said Body.


Krista M. DiGiorgio, Township Clerk