

ORDINANCE #1197

AN ORDINANCE AUTHORIZING THE DRAINAGE EASEMENT INTEREST IN A PORTION OF THE REAL PROPERTY LOCATED AT 82 BRIGHTON AVENUE, KNOWN AS BLOCK 30, LOT 6

WHEREAS, in accordance with N.J.S.A. 40A:12-5(a)(1) “any municipality, by ordinance, may provide for the acquisition of any real property, capital improvement, or personal property: (1) by purchase, gift, devise, lease, exchange, or condemnation;” and

WHEREAS, there is a need to improve the stormwater facilities servicing the Brighton Avenue Brook; and

WHEREAS, through consultation with the Borough’s Engineer, Leon S. Avakian Inc., the Borough has determined that an improved stormwater management system would be facilitated by replacing the stormwater drainage system from the rear of 82 Brighton, Block 30 Lot 6, out to Brighton Avenue Right of Way and then east to Ocean Avenue; and

WHEREAS, Leon S. Avakian Engineering, Inc., has designed a proposed upgrade and revisions to the drainage system to improve capacity, which improvements will require the Borough to acquire a drainage and construction easement over a portion of property located at 82 Brighton Avenue, also known as Block 30, Lot 6, as identified in the attached parcel description by metes and bounds, in the Borough of Deal; and

WHEREAS, based upon the goal of mitigating the impact of stormwater in the area and mitigating the risk of flooding due to the presence of stormwater in the area and in consultation with the Borough’s Engineer, the Borough has identified the property located at 82 Brighton Avenue as a necessary location on which to locate certain improvements related to the proposed flood mitigation project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal:

1. The attached Drainage Easement be approved for the Permanent Utility Easement and Temporary Construction Easement.
2. The Mayor and Borough Administrator is authorized to execute the attached Drainage Easement.
3. This ordinance shall take effect after final passage and publication as provided by law.

Introduced by Commissioner Ades on September 11, 2019

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Motion to Adopt by Commissioner Ades on October 4, 2019
Seconded by Commissioner Simhon
Roll Call: Ayes 3; Cohen, Ades & Simhon