

**AN ORDINANCE TO VACATE DRAINAGE UTILITY EASEMENT IN THE TOWNSHIP OF FAIRFIELD**

**WHEREAS**, Hollywood Developers, LLC, the developers of the Lebeda Farms subdivision, intends to relocate a drainage utility easement on the subdivision map which was filed as Numbers 4345A and 4345B, dated December 13, 2004; and

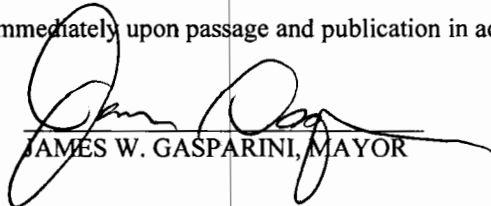
**WHEREAS**, in order to accomplish this task, the Township needs to vacate the drainage utility easement on Lots 1.12 and 1.13 in Block 3601.01; and

**WHEREAS**, vacating the drainage utility easement and relocating it must be accomplished by Ordinance; and

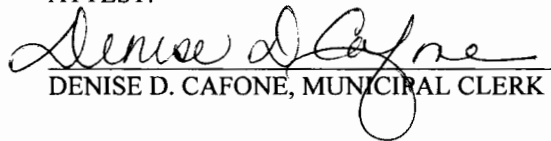
**WHEREAS**, it is expected that simultaneous with the vacation of this drainage utility easement, the Hollywood Developers, LLC will be filing such an easement in another location within the subdivision, with the consent of the homeowner and then filing an amendment to the subdivision map.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY AS FOLLOWS:**

1. That Fairfield Township, Essex County, State of New Jersey hereby vacated the drainage utility easement shown on certain filed subdivision maps 4345A and 4345B, dated December 13, 2004, located on Lots 1.12 and 1.13 in Block 3601.01.
2. The Mayor and Clerk are hereby authorized to execute a vacation of easement, subject to proof that a replacement drainage utility easement and amended map have been recorded.
3. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective.
5. This Ordinance shall take effect immediately upon passage and publication in accordance with law.

  
JAMES W. GASPARINI, MAYOR

ATTEST:

  
DENISE D. CAFONE, MUNICIPAL CLERK

**NOTICE**

**Notice** is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Council of the Township of Fairfield, County of Essex, State of New Jersey, held on **November 26, 2012**, introduced and read by title and passed first reading, and that said Governing Body will further consider the same for second reading and final passage thereof at a meeting was scheduled to be held on **December 27, 2012 at 7:30 p.m.**, and which was rescheduled for **December 26, 2012 at 7:30pm** at the Municipal Building, 230 Fairfield Road, Fairfield New Jersey, at which time and place a public hearing will be held thereon by the Governing Body and all persons and citizens of interest shall have an opportunity to be heard concerning same.

Denise D. Cafone  
Municipal Clerk

**INTRODUCTION OF ORDINANCE November 26, 2012:**  
**ORDINANCE #2012-18 AN ORDINANCE TO VACATE DRAINAGE UTILITY**  
**EASEMENT IN THE TOWNSHIP OF FAIRFIELD**

**INTRODUCED BY:** Councilman McGlynn  
**SECONDED BY:** Councilman LaForgia  
**PUBLISHED:** November 29, 2012

**ROLL CALL VOTE**

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCILPRESIDENT JOSEPH CIFELLI				X	
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN MICHAEL B. MCGLYNN	X				
COUNCILMAN JOHN LAFORGIA	X				
MAYOR JAMES GASPARINI	X				

**2<sup>ND</sup> READING AND PUBLIC HEARING RESCHUEDLED FROM December 27,**  
**2012 TO DECEMBER 26, 2012:**

**INTRODUCED BY:** COUNCILMAN MCGLYNN  
**SECONDED BY:** COUNCIL PRESIDENT CIFELLI  
**PUBLISHED:** JANUARY 2, 2013

**ROLL CALL VOTE**

GOVERNING BODY	AYES	NAYS	ABSTAIN	ABSENT	NOT VOTING
COUNCILPRESIDENT JOSEPH CIFELLI	X				
COUNCILMAN THOMAS J. MORGAN	X				
COUNCILMAN MICHAEL B. MCGLYNN	X				
COUNCILMAN JOSEPH CIFELLI	X				
MAYOR JAMES GASPARINI	X				