

TOWNSHIP OF FAIRFIELD
ORDINANCE #2017-14

**AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX,
STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF BLOCK
4701, LOT 8, AND BLOCK 5003, LOT 3, BY GIFT FROM FIELDFAIR CORP.**

WHEREAS, Fieldfair Corp., a New Jersey Corporation, is the assessed owner of property identified as Block 4701, Lot 8, and Block 5003, Lot 3, on the official Tax Map of the Township of Fairfield; and

WHEREAS, Fieldfair Corp., wishes to donate said property to the Township of Fairfield; and

WHEREAS, Fieldfair Corp., obtained a Preliminary Assessment environmental impact study dated November 17, 2016, and subsequently a Pesticide Sampling Letter Report dated January 19, 2017; and

WHEREAS, after completion of the Pesticide Sampling, the investigative agency concluded that no further investigation or remediation is warranted; and

WHEREAS, the Township obtained a Title Report dated February 13, 2017, which established a clear title history; and

WHEREAS, while the Title Report disclosed that the Property is subject to a Conservation Restriction/Easement held by the New Jersey Department of Environmental Protection, and a Declaration of Covenants concerning a Condo Association, Fieldfair Corp. certified that it has complied with the terms of the Restriction, that it will indemnify, defend, and hold harmless the Township from any actions brought under the Restriction, and that the Declaration is not applicable to the Township; and

WHEREAS, N.J.S.A. 40A:12-5(a)(1) authorizes a municipality to accept property as a gift by the adoption of an ordinance authorizing the acquisition of the same.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Fairfield, County of Essex, State of New Jersey, as follows:

SECTION 1. The governing body does hereby authorize the acquisition of Block 4701, Lot 8, and Block 5003, Lot 3 by gift from Fieldfair Corp.

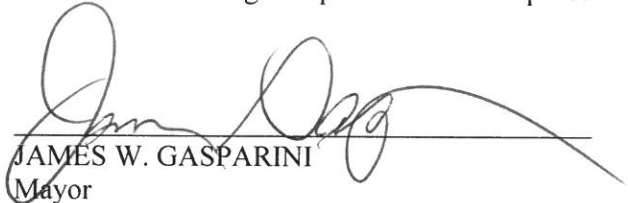
Introduced 08-14-17
Adopted 09-11-17

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary for the acquisition of the subject property from Fieldfair Corp.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by 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 August 14, 2017 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 to be held on September 11, 2017 at 7:00 p.m. 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

Introduced 08-14-17
Adopted 09-11-17

INTRODUCTION OF ORDINANCE – August 14, 2017

ORDINANCE #2017-14, “AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD, COUNTY OF ESSEX, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF BLOCK 4701, LOT 8, AND BLOCK 5003, LOT 3, BY GIFT FROM FIELDFAIR CORP.”

INTRODUCED BY: Councilman Cifelli
SECONDED BY: Councilman LaForgia
PUBLISHED: August 17, 2017

ROLL CALL VOTE

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

2ND READING AND PUBLIC HEARING - September 11, 2017

INTRODUCED BY: Council President McGlynn
SECONDED BY: Councilman LaForgia
PUBLISHED: September 14, 2017

ROLL CALL VOTE

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