BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE# 5-0-2020

ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY VACATING ALGONQUIN PATH

WHEREAS, N.J.S.A. 40:67-1 authorizes the Borough to vacate any public street, highway, lane or alley, or any part thereof; and

WHEREAS, Tilcon New York, Inc., a corporation, is actively engaged and is anticipated to enter into a Redevelopment Agreement with the Borough of Wanaque relative to the redevelopment of certain parcels of land bearing the designations of Block 471, Lot 1 (collectively "Redevelopment Area"); and

WHEREAS, Ordinance #1-0-19 entitled "An Ordinance of the Borough of Wanaque, County of Passaic, New Jersey, adopting a Redevelopment Plan for the Properties Situated in the Vicinity of Susquehanna Avenue Near Twin Lakes", adopted March 11, 2019 authorized the vacation of Algonquin Path; and

WHEREAS, Algonquin Path is located entirely within the Redevelopment Area located within the Borough of Wanaque; and

WHEREAS, the Mayor and Council find that the public interest will best be served by abandoning, vacating, releasing, and extinguishing any and all public rights which the Borough may have in Algonquin Path; and

WHEREAS, the road being vacated is no longer necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Wanaque, County of Passaic, State of New Jersey, as follows:

1. The rights of the public and the Borough of Wanaque in and to Algonquin Path are hereby extinguished and vacated.

2. In accordance with the requirements of N.J.S.A. 40:67-1, this Ordinance expressly reserves and excepts from vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the Cable Television Act, N.J.S.A. 48:5A-1 et seq.

3. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

4. If any section, sub-section, paragraph, sentence or any other part of this Ordinance is adjusted unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

5. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

6. This Ordinance shall take effect after final passage and publication as required by law.

Dated: August 10, 2020

RECORD OF COUNCIL VOTE

Councilman	*Motion*	*Second*	*Yes*	*No*	*Abstain*		*Councilman*	*Motion*	*Second*	*Yes*	*No*	*Abstain*
Balunis	X		X				Pasquariello		X	X		
Cortellessa				X			Pettet			X		
Leonard			X				Willse			X		

ATTEST:

Katherine J. Falone RMC, CMC
Municipal Clerk

Daniel Mahler
Mayor

This ordinance, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was Introduced at a Regular Meeting of the Mayor and Council of the Borough of Wanaque, Passaic County, New Jersey, held on the 10th day of August 2020, and passed on first reading, and the same was then ordered to be published according to law; and that such Ordinance will be further considered for final passage at a meeting of said Mayor and Council to be held in the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, on September 14, 2020, at 7:00 P.M., at which time and place or at any time and place to which said meeting shall be from time to time adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WANAQUE.

DATED: August 10, 2020

KATHERINE J. FALONE, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

BE IT RESOLVED that an Ordinance entitled

ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY VACATING ALGONQUIN PATH

pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 14th day of September 2020, at the Municipal Building in the Borough of Wanaque, at 7:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

AND BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

Passed: 8/10/2020

Filed: 8/10/2020

Approved: 8/10/2020

Katherine J. Falone

KATHERINE J. FALONE, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

BE IT RESOLVED that an Ordinance entitled:

ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY VACATING ALGONQUIN PATH

passed final reading and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published in the manner prescribed by law.

Passed: 9/14/2020

Final: 9/14/2020

Approved: 9/14/2020

Daniel Mahler
Mayor

Attest:

Katherine J. Falone, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE# 5-0-2020

ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY
VACATING ALGONQUIN PATH

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WHEREAS, Algonquin Path is located entirely within the Redevelopment Area located within the Borough of Wanaque; and

WHEREAS, the Mayor and Council find that the public interest will best be served by abandoning, vacating, releasing, and extinguishing any and all public rights which the Borough may have in Algonquin Path; and

WHEREAS, the road being vacated is no longer necessary for the general public use, and the rights of the public will not be injuriously or adversely affected by the requested vacation, and such vacation advances the public safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Wanaque, County of Passaic, State of New Jersey, as follows:

1.The rights of the public and the Borough of Wanaque in and to Algonquin Path are hereby extinguished and vacated.

2.In accordance with the requirements of N.J.S.A. 40:67-1, this Ordinance expressly reserves and excepts from vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the Cable Television Act, N.J.S.A. 48:5A-1 et seq.

3.At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Borough Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

4.If any section, sub-section, paragraph, sentence or any other part of this Ordinance is adjusted unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance.

5.All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

6.This Ordinance shall take effect after final passage and publication as required by law.

Dated:August 10, 2020

ATTEST:

Katherine J. Falone RMC, CMC Daniel Mahler
Municipal Clerk Mayor

This ordinance, when adopted, must remain in the possession of the Municipal Clerk. Certified copies are available.

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was Introduced at a Regular Meeting of the Mayor and Council of the Borough of Wanaque, Passaic County, New Jersey, held on the 10th day of August 2020, and passed on first reading, and the same was then ordered to be published according to law; and that such Ordinance will be further considered for final passage at a meeting of said Mayor and Council to be held in the Municipal Building, 579 Ringwood Avenue, Wanaque, New Jersey, on September 14, 2020, at 7:00 P.M., at which time and place or at any time and place to which said meeting shall be from time to time adjourned, all persons interested will be given an opportunity to be heard concerning said Ordinance.

BY ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF WANAQUE.

DATED: August 10, 2020

KATHERINE J. FALONE, RMC, CMC
Municipal Clerk

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

BE IT RESOLVED that an Ordinance entitled ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY VACATING ALGONQUIN PATH pass first reading, and that said Ordinance be further considered for final passage and adoption at a regular meeting of the Borough Council to be held on the 14th day of September 2020, at the Municipal Building in the Borough of Wanaque, at 7:00 P.M., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.
AND BE IT FURTHER RESOLVED that the Borough Clerk be instructed to publish in the manner provided by law a copy of said Ordinance, together with introduction thereof and notice when same will be considered for final passage and adoption.

Passed: 8/10/2020

Ad Number: 0004328213

SUBURBAN TRENDS

Ad Order Number
0004328213

STATE OF NEW JERSEY
COUNTY OF PASSAIC

Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group publisher of the Suburban Trends. Included herewith is a true copy of the notice that was published on the following date(s):

08/16/2020

in Suburban Trends, a newspaper of general circulation and published in Kinnelon, in the County of Morris and circulated in Passaic and Morris Counties. Said newspaper is published twice each week.

Subscribed and sworn before me this 16 day of August, 2020

A Notary Public, State of Wisconsin, County of Brown

9/19/21
My Commission Expires

VICKY FELTY
NOTARY PUBLIC
STATE OF WISCONSIN

BOROUGH OF WANAQUE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ORDINANCE #5-0-2020

BE IT RESOLVED that an Ordinance entitled:

ORDINANCE OF THE BOROUGH OF WANAQUE, COUNTY OF PASSAIC, NEW JERSEY VACATING ALGONQUIN PATH

passed final reading and that said Ordinance be adopted as an Ordinance of the Borough of Wanaque; and

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby directed to cause said Ordinance to be published in the manner prescribed by law.

Passed: 9/14/2020
Final: 9/14/2020
Approved: 9/14/2020

Daniel Mahler
Mayor

Attest:

Katherine J. Falone, RMC, CMC
Municipal Clerk
Suburban Trends - 4380698
Fee: $14.43 Sept. 20, 2020

Ad Number: 0004380698

SUBURBAN TRENDS

Ad Order Number
0004380698

STATE OF NEW JERSEY
COUNTY OF PASSAIC

Nicholas Lenstrom

Of full age, being duly sworn according to law, on his/her oath says that he/she is employed at North Jersey Media Group publisher of the Suburban Trends. Included herewith is a true copy of the notice that was published on the following date(s):

09/20/2020

in Suburban Trends, a newspaper of general circulation and published in Kinnelon, in the County of Morris and circulated in Passaic and Morris Counties. Said newspaper is published twice each week.

Subscribed and sworn before me this 20 day of September, 2020

Nancy Heyrman

A Notary Public, State of Wisconsin, County of Brown

5.5.23

My Commission Expires

NANCY HEYRMAN
Notary Public
State of Wisconsin