

ORDINANCE NO. 3591

INTRODUCED BY: MAYOR KELLY ON BEHALF OF THE BOARD OF COMMISSIONERS

INTRODUCED ON: JULY 1, 2025

PUBLISHED: JULY 3, 2025

PUBLIC HEARING: JULY 15, 2025

PUBLISHED: JULY 17, 2025

**TOWNSHIP OF NUTLEY
ESSEX COUNTY, NEW JERSEY
ORDINANCE NO. 3591**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE TOWNSHIP OF
NUTLEY IN THE COUNTY OF ESSEX VACATING A PORTION OF WINDSOR PLACE**

WHEREAS, there exists in the Township of Nutley (the "Township") a paper street located on Block 102, Lot 2; Block 200, Lots 1, 2, 3 and 4 and 24, as depicted on the map attached hereto as Exhibit A commonly known as "Windsor Place"; and

WHEREAS, the Township has received a request from PB Nutclif MED LLC ("PB") to vacate a portion of Windsor Place, as depicted on Exhibit A and described on Exhibit B and (the "Area"); and

WHEREAS, the request has been reviewed by the Township and it has been determined that the Area will no longer be needed for municipal purposes following the execution of a settlement agreement between PB and the Township; and

WHEREAS, the Board of Commissioners have determined that vacating the Area is in the best interest of the Township; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release and extinguish the public's rights in the Area.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Township of Nutley, in the County of Essex and State of New Jersey, as follows:

1. The public rights and interests in the Area, as more particularly depicted in Exhibit A and described in Exhibit B attached hereto, are hereby vacated, abandoned, and released by the Township.
2. By virtue of such release, the Area shall be held by the owner or owners thereof free and clear of any and all public rights as if said public rights had never existed.
3. The appropriate Township officials are hereby authorized to execute any collateral documents necessary to effectuate the purposes of this Ordinance, including any deeds.
4. To the extent that the municipality or public utilities possess any rights or privileges to maintain, repair and replace facilities, in, adjacent to, over or under the Area, those rights or privileges are expressly reserved from vacation.

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5. In accordance with N.J.S.A. 40:67-21, the Township Clerk shall, within thirty (30) days after the Ordinance becomes effective, file a certified copy of the Ordinance, together with a copy of proof of publication thereof , with the Clerk/Register of Essex County forrecording.
6. All costs relating to this Ordinance shall be paid by the property owner.

BE IT FURTHER ORDAINED, that all ordinances of the Township that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that if any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

Record of Vote	Commissioner Joseph P. Scarpelli	Commissioner Thomas J. Evans	Commissioner Alphonse Petracco	Commissioner Mauro G. Tucci	Mayor John V. Kelly, III
Yes					
No					
Not Voting					
Absent/Excused					