

**TOWN OF WEST NEW YORK  
COUNTY OF HUDSON**

**ORDINANCE #1/22**

**AN ORDINANCE AUTHORIZING THE SALE OF BLOCK 77, LOT 2 (5401 PARK AVENUE) TO THE TOWN OF WEST NEW YORK BOARD OF EDUCATION**

**WHEREAS**, the Town of West New York (“Town”) is a municipality as defined by N.J.S.A. 40A:12-2(e); and

**WHEREAS**, the Town currently owns BLOCK 77, LOT 2 otherwise known as 5401 Park Avenue, West New York, New Jersey 07093 (hereinafter the “Property”); and

**WHEREAS**, the Town has adopted a resolution which states that Property is not currently needed for public purposes by the Town, as required by N.J.S.A. 18A:12-19; and

**WHEREAS**, the Town wishes to sell the Property to the Town of West New York Board of Education (“Board”) for nominal consideration; and

**WHEREAS**, the Board is a municipal board of education as contemplated by N.J.S.A. 40A:12-19.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Town of West New York, County of Hudson, State of New Jersey, as follows:

**SECTION ONE:**

The above recitals are incorporated as if fully set forth herein.

**SECTION TWO:**

The Town is authorized to convey Block 77, Lot 2 otherwise known as 5401 Park Avenue, West New York, New Jersey 07093 for nominal consideration of One Dollar (\$1.00), subject to the conditions to be set out in an acceptable purchase and sale agreement for the Property acceptable to the Town, as evidenced by the Mayor’s signature thereon.

**SECTION THREE:**

The Mayor and all other appropriate municipal officials are hereby authorized to execute all documents and take such actions as may be necessary to effectuate the sale.

**SECTION FOUR:**

**Repealer.** All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the

legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

#### **SECTION FIVE:**

**Severability.** The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

#### **SECTION FIVE:**

In order to avoid accidental repeal of existing provisions, the Town Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

#### **SECTION SIX:**

This Ordinance shall take effect upon passage and publication as required by law.

### **SUMMARY OF ORDINANCE**

This Ordinance provides authority for the Town to convey property located at Block 77, Lot 2 otherwise known as 5401 Park Avenue, West New York, New Jersey 07093 for nominal consideration subject to conditions to be set out in an acceptable purchase and sale agreement.

**Introduced: January 12, 2022**

#### **Notice**

The foregoing Ordinance was adopted for first reading by the Mayor and Board of Commissioners of the Town of West New York, New Jersey, on **January 12, 2022** and ordered published, and will be further considered before final passage at a public hearing on **February 9, 2022 at 6:30 p.m.** held remotely. Instructions regarding attendance and participation in the meeting will be posted on the Town's website: <http://www.westnewyorknj.org> . A copy of this Ordinance has been posted on the bulletin board upon which public notices are customarily posted on in the Town Hall of the Town of West New York, and a copy (at no charge) is available up to and including the time of such meeting to the members of the public of the Town who shall request such copies, at the Office of the Town Clerk in said Town Hall in West New York, N.J.