

**AN ORDINANCE OF THE TOWN OF PHILLIPSBURG,  
COUNTY OF WARREN, STATE OF NEW JERSEY,  
VACATING A ROADWAY KNOWN AS “STRYKER  
STREET” BETWEEN MARKET STREET AND  
ELIZABETH STREET**

**WHEREAS**, there exists in the Town of Phillipsburg (“Town”) a public roadway known as Stryker Street; and

**WHEREAS**, there has been a request to have the Town vacate said roadway, which is described as being that portion of Stryker Street between Market Street and Elizabeth Street consisting of 131 linear feet; and

**WHEREAS**, the matter has been referred to the Town Engineer who has recommended that the Town proceed with the vacation since the roadway is not needed by the Town for public purposes; and

**WHEREAS**, the Town Council does hereby determine that the aforementioned roadway as set forth in the description above is no longer needed for public purposes; and

**WHEREAS**, N.J.S.A. 40:67-19 authorizes the municipality to release and extinguish the public's rights arising from a dedication of a roadway; and

**WHEREAS**, the Town is desirous of retaining a utility easement over the portion being vacated.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey, as follows:

**SECTION A**

1. The rights of the public and the Town of Phillipsburg in and to Stryker Street between Market Street and Elizabeth Street consisting of 131 linear feet are hereby extinguished and vacated, with the exception of the retention of a maintenance and utility easement.

2. 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 Town Clerk in accordance with the provisions of

N.J.S.A. 40:49-6.

3. The Town Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by her under the seal of the municipality, to be a true copy thereof, together with proof of publication thereof, in the office of the Clerk of the of the County of Warren in accordance with the provisions of N.J.S.A. 40:67-21.

**SECTION B**

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION C**

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable

**SECTION D**

This Ordinance shall take effect immediately upon final publication as provided by law.

**ATTEST:**

**TOWN OF PHILLIPSBURG**

\_\_\_\_\_  
VICTORIA L. KLEINER,  
Acting Municipal Clerk

\_\_\_\_\_  
HARRY L. WYANT  
Mayor

DATED:

**CERTIFICATION**

I, Victoria L. Kleiner, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of an Ordinance duly adopted by the Town Council at their September 16, 2014 meeting.

\_\_\_\_\_  
VICTORIA L. KLEINER,  
Acting Municipal Clerk

FIRST READING

(September 16, 2014)

MOTION

Councilman Piazza introduced ordinance for first reading and moved that the ordinance be properly advertised. The motion was seconded by Councilman Stettner.

Discussion – none.

VOTE:        YEAS:        Fey, Lynn, Piazza, Terisgni, Stettner

              NAYS:        None

SECOND READING

(October 21, 2014)

MOTION

Councilman Piazza introduced the ordinance for a second reading and there being no errors, corrections or objections, Councilman Piazza moved that the ordinance be adopted according to law. The motion was seconded by Councilman Stettner.

VOTE:        YEAS:        Fey, Lynn, Piazza, Tersigni, Stettner

              NAYS:        None