

**SOUTH ORANGE VILLAGE**  
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## **RESOLUTION #2021-240**

**September 13, 2021**

### **RESOLUTION AMENDING RESOLUTION 2020-228 AND AUTHORIZING ACCEPTANCE OF A DONATION AND THE TAKING OF POSSESSION OF REAL PROPERTY LOCATED AT LOT 21 IN BLOCK 2103, COMMONLY KNOWN AS 133 FAIRVIEW AVENUE, AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF SOUTH ORANGE VILLAGE FROM THE FATHER VINCENT MONELLA CENTER OF ITALIAN CULTURE OF SETON HALL UNIVERSITY**

**WHEREAS**, Resolution 2020-228, duly adopted by the Township of South Orange Village (the "Village") at a Board of Trustees meeting held on Tuesday, September 29, 2020, authorized the Village Administrator to sign a transfer agreement conveying real property located at Lot 21 in Block 2103 (commonly known as 133 Fairview Avenue and hereafter referred to as the "Property") from the Father Vincent Monella Center of Italian Culture of Seton Hall University (the "Center") upon written confirmation that no soil contamination was identified at the Property; and

**WHEREAS**, the Village acknowledges the presence of soil contamination at the Property and wishes to amend its prior resolution and authorize the Village Administrator to accept the Property notwithstanding such contamination and to waive the Village's right to file suit against the Center for any claims which may arise out of the Village's acceptance of the Property from the Center or which may result from the Village's ownership of the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of the Township of South Orange Village that Resolution 2020-228 is hereby amended insofar as the Village hereby acknowledges the presence of soil contamination at the Property and authorizes the Village Administrator to accept the Property notwithstanding such contamination and waives its right to file suit against the Center for any claims which may arise out of the Village's acceptance of the Property from the Center or which may result from the Village's ownership of the Property.

**BE IT FURTHER RESOLVED** that the Village President or Village Administrator and Village Clerk are hereby authorized to execute a Transfer Agreement for said conveyance and such forms and documents in a form(s) to be approved by Village Counsel as may be required to perfect such conveyance, including but not limited to, a deed transferring ownership.



Trustee Member	Motion	Second	Ayes	Nays	Abstain	Absent
Brown			X			
Coallier	X		X			
Haskins		X	X			
Hartshorn Hilton				X		
Jones			X			
Zuckerman			X			

#### CERTIFICATION

I, Ojetti E. Davis, Acting Village Clerk of the Township of South Orange Village, County of Essex, State of New Jersey, do hereby certify that this is a true and correct copy of the Resolution adopted by the Board of Trustees at their regular meeting held on Monday, September 13, 2021.

A handwritten signature in blue ink, appearing to read "Ojetti E. Davis", is written over a horizontal line.

Ojetti E. Davis  
Acting Village Clerk