BOROUGH OF SPRING LAKE HEIGHTS

ORDINANCE NO. 2016-07

AN ORDINANCE AUTHORIZING A LEASE AGREEMENT BETWEEN THE BOROUGH OF SPRING LAKE HEIGHTS AND THE SPRING LAKE HEIGHTS ATHLETIC ASSOCIATION, INC. FOR A PORTION OF THE JOSEPH E. ROBERTSON PARK.

WHEREAS, the New Jersey Local Lands and Buildings Law, specifically at N.J.S.A. 40A:12-14(c) and 40A:12-15(j), provides that a municipality may, by ordinance, authorize a lease for public purposes to a non-profit entity for nominal consideration; and

WHEREAS, the Borough of Spring Lake Heights and the Spring Lake Heights Athletic Association, Inc., a/k/a Spring Lake Heights Little League, previously entered into a Lease Agreement for the seasonal use of a portion of land area located within the Joseph E. Robertson Park situated along Allaire Road within the Borough (the "property") to conduct youth athletic and recreation activities; and

WHEREAS, the Borough and the Spring Lake Heights Athletic Association, Inc. have negotiated a Lease Agreement for an additional term which shall terminate December 31, 2020 pursuant to the terms and conditions set forth in the Lease Agreement, a form of which is annexed hereto and a copy of which is on file in the Office of the Borough Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Spring Lake Heights, in the County of Monmouth, New Jersey as follows:

SECTION 1. The Mayor and Borough Council have determined that the youth recreation activities of the Spring Lake Heights Athletic Association, Inc. serve a public purpose and hereby authorize the Mayor to execute, and the Borough Clerk to attest, the Lease Agreement between the Borough of Spring Lake Heights and the Spring Lake Heights Athletic Association, Inc. which provides for a one-time rental payment in the amount of ONE DOLLAR ($1.00), a copy of which is on file in the Office of the Borough Clerk.

SECTION 2. The Lease Agreement shall be subject to the rules and regulations of the New Jersey Department of Environmental Protection Green Acres Program.

SECTION 3. The Borough Clerk shall file a copy of this Ordinance with the New Jersey Department of Environmental Protection Green Acres Program.

SECTION 4. The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 5. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION 6. This Ordinance shall take effect upon final passage and publication in accordance with the law.

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Thomas O'Brien
Mayor

8-17-2016
Date

Janine Gillis
Municipal Clerk

8-17-2016
Date