

ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF TOMS RIVER, OCEAN COUNTY, NEW JERSEY, AUTHORIZING THE MAYOR TO EXECUTE AND THE TOWNSHIP CLERK TO ATTEST TO A LEASE AGREEMENT WITH DOCKSIDER MARINA LLC, TO LEASE A SECTION OF BLOCK 1097.01, LOT 172, FOR TOWNSHIP-OPERATED RECREATIONAL KAYAK LAUNCH AND ASSOCIATED AMENITIES

BE IT ORDAINED by the Township Council of the Township of Toms River, in the County of Ocean and State of New Jersey, as follows:

1. Pursuant to N.J.S.A. 40A:12-3(a), the Mayor is authorized to execute and the Township Clerk to attest to a Lease Agreement between the Township of Toms River ("Township") and Docksider Marina LLC ("Docksider"), whereby the Township will lease a section of Block 1097.01, Lot 72, located at the intersection of Harborside Drive and Sixth Terrace in the Ortley Beach Section of the Township, to continue leasing a certain section of the Docksider Marina for continued use and benefit of a Township-operated recreational kayak launch and associated amenities, including five (5) Township-constructed kayak racks.

2. The term of this lease is for two (2) years, retroactive to April 1, 2024 and terminating on March 31, 2026. However, upon written consent of both parties, this lease may be renewed for an additional two (2) year period, commencing on April 1, 2026 and terminating on March 31, 2028, under the same terms and conditions, subject to Council passing a Resolution authorizing the lease renewal. The Township shall pay Docksider \$8,000 per annum, by the 1st of June, for each of the first two years, as well as the subsequent two years, should the parties agree to renew the lease for said period. A copy of the lease agreement is attached to this Ordinance as Schedule "A," and Exhibits "A" and "B" are attached to this Ordinance and are made a part hereof.

3. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this Ordinance shall be deemed to be valid and effective.

4. The Ordinance shall take effect following its final passage by the Township Council, approval by the Mayor, and twenty (20) days after publication as required by law.

5. Since this Ordinance is not legislative in nature, it need not be codified in the Code of the Township of Toms River, New Jersey.

Clark R. Blamer

Council President

Mayor

L-April 11, 2024-02

Passed 4-24-24