

TOWNSHIP OF EWING
ORDINANCE NO. 24-11

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EWING IN THE COUNTY OF MERCER TO AUTHORIZE THE PRIVATE SALE OF PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE, SPECIFICALLY FIRE EQUIPMENT, TO THE DEFIANCE ENGINE COMPANY #3 IN HOPATCONG, NJ, A 501(c)(3) NON-PROFIT ORGANIZATION

WHEREAS, the Township Council determines that the following personal property owned by the Township, consisting of fire equipment is no longer needed for municipal purposes by Fire Station 30:

(1) Onan Hydrostatic Generator

WHEREAS, pursuant to N.J.S.A. 40A:12-21.1, the Township Council authorizes the private sale of such personal property for nominal consideration to any organization listed in N.J.S.A. 40A:12-21; and,

WHEREAS, The Defiance Engine Company #3 in Hopatcong, NJ is an approved 501(c)(3) not-for-profit charity (federal tax ID #14-1898620) established in 1935 and consisting of three fire companies, with each firehouse having their own unique function and location that makes them essential to the adequate fire protection of the borough; and,

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k), The Defiance Engine Company #3 meets the definition of an organization to which municipalities may make private sales of personal property for nominal consideration.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Ewing, as follows:

Section 1.

The following personal property owned by the Township of Ewing, consisting of fire equipment, which is no longer needed for municipal purposes by Fire Station 30:

(1) Onan Hydrostatic Generator

shall be sold pursuant to N.J.S.A. 40A:12-21.1 and N.J.S.A. 40A:12-21(k) to The Defiance Engine Company #3, which is an approved 501(c)(3) not-for-profit charity (federal tax ID #14-1898620) for a nominal consideration of \$1.00.

Section 2.

This Ordinance shall take effect as provided by law.

STATEMENT

This Ordinance amends the Revised General Municipal Ordinances of the Township of Ewing to authorize the private sale of fire equipment no longer needed for municipal purposes by Fire Station 30.

Per Resolution #24R-91, Ordinance effective immediately

THE TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY

ORDINANCE NO. 24-12

1st Reading 4-23-24 Date to Mayor _____
2nd Reading & Public Hearing _____ Date Returned _____
Date Adopted: _____ Date Resubmitted to Council _____
_____ Approved as to Form of Legality
Effective Date: _____ Township Attorney _____

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND EWING REALTY PARTNERS, LLC FOR LEASE OF REAL PROPERTY AT 1609 OLDEN AVENUE

First Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney	X				X	
Schroth	X					
Steward	X					X
Wollert	X					
Baxter	X					

Second Reading

MEMBER	AYE	NAY	ABSENT	ABSTAIN	MOVE	SECOND
Keyes-Maloney						
Schroth						
Steward						
Wollert						
Baxter						

By _____ Date _____ Accepted _____ Rejected _____
Mayor

Reconsidered
By Council _____ Override Vote YEA _____ NAY _____

President of the Council

Municipal Clerk

**TOWNSHIP OF EWING
COUNTY OF MERCER, NEW JERSEY**

ORDINANCE NO 24-12

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF EWING AND EWING REALTY PARTNERS, LLC FOR LEASE OF REAL PROPERTY AT 1609 OLDEN AVENUE

WHEREAS, N.J.S.A. 40A:12-4 and 4A:12-5 authorize Ewing to lease real property within the municipality; and

WHEREAS, Ewing Realty Partners, LLC (“Landlord”) is the owner of real property located at 1609 Olden Avenue, Ewing, NJ, 08638, known and designated as Block 13, Lot 17 on the Tax Maps of the Township of Ewing, Mercer County, New Jersey (“Site”); and

WHEREAS, the Township of Ewing (“Ewing”) desires to lease a five (5) acre portion of the Site from Landlord for the purpose of operating a composting and brush grinding facility; and

WHEREAS, the term of the lease shall be for ten (10) years with an option to renew for an additional five (5) year term at the option of the Township; and

WHEREAS, the Township agrees to pay Landlord, for the term of the lease, rent in the amount of \$12,500.00 per month, subject to an additional three percent (3%) rate increase for each year over rent paid during the previous year, plus the prorated share of real estate taxes for the five acre parcel, together with the cost of New Jersey Department of Environmental Protection (“DEP”) annual permitting fees, currently estimated to be \$7,928.00 for the annual renewal fee together with DEP quarterly compliance monitoring fees of \$2,282.50 per quarter for a total annual DEP of \$17,058, for use of Landlord’s Class C Recycling Permit; and

WHEREAS, the Township Chief Financial Officer has certified as to the availability of funds for this Lease for BY 2024 with the Lease being subject to appropriation thereafter.

NOW THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Ewing that Ewing is authorized to enter a lease with Ewing Realty Partners, LLC for a five (5) acre parcel of the real property at 1609 Olden Avenue, Ewing, NJ 08638, known and designated as Block 13, Lot 17 on the Tax Maps of the Township of Ewing, Mercer County, for rent in the amount of \$12,500.00 per month, subject to an additional three percent (3%) rate increase for each year over rent paid during the previous year, plus the prorated share of real estate taxes for the five acre parcel, together with the cost of the DEP currently estimated to be \$7,928.00 for the annual renewal fee together with DEP quarterly compliance monitoring fees of \$2,282.50 per quarter for a total annual DEP of \$17,058, for use of Landlord’s Class C Recycling Permit; and

BE IT FURTHER ORDAINED, that the Mayor and Clerk are authorized to execute the lease in substantially the same form as annexed hereto and such other documentation as are necessary to lease the site; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication according to law.