

**TOWNSHIP OF MAHWAH
ORDINANCE NO. 2034**

**ORDINANCE AUTHORIZING AN AGREEMENT WITH THE MAHWAH
MUSEUM SOCIETY, INC. TO LEASE THE WINTER BUILDING (BLOCK
83, LOT 28) FOR A TERM OF 10 YEARS, WITH TWO 5-YEAR TERM
RENEWAL OPTIONS**

WHEREAS, pursuant to N.J.S.A. 40A:12-14(c), the Township of Mahwah may, by ordinance, lease real property to a nonprofit corporation for a public purpose; and

WHEREAS, N.J.S.A. 40A:12-15(g) provides that leases to civic or historic programs or activities by duly incorporated historical societies are deemed leases for a public purpose; and

WHEREAS, the Mahwah Museum Society, Inc. is a nonprofit corporation established to preserve and present the history of Mahwah and its connection to the region; and

WHEREAS, on October 8, 2009, the Township of Mahwah adopted Ordinance No. 1658, authorizing an agreement with the Mahwah Museum Society, Inc. to lease the Winter Building (Block 83, Lot 28) located at 201 Miller Road, for term of 5 years, with two 5-year renewal terms, the last of which expires on June 30, 2024; and

WHEREAS, the Mahwah Museum Society, Inc. has requested a new lease for the Winter Building for a term of 10 years, with two 5-year renewal term options; and

WHEREAS, the Township Council desires to lease the Winter Building to the Mahwah Museum Society, Inc. in accordance with the terms of the attached Lease and for the public purpose stated herein.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Mahwah, County of Bergen, and State of New Jersey, as follows:

SECTION 1. A Lease between the Township of Mahwah, as Landlord, and the Mahwah Museum Society, Inc., as Tenant, for the Winter Building (Block 83, Lot 28), located at 201 Miller Road, for term of 10 years with two 5-year renewal term options, beginning July 15, 2024, in accordance with the terms of Lease attached hereto, is hereby authorized. The Mayor and Township Clerk are authorized and directed to execute same.

SECTION 2. Annual Rent shall be \$100.

SECTION 3. The Mahwah Museum Society, Inc. is a nonprofit corporation established to preserve and present the history of Mahwah and its connection to the region, and which documents, preserves, and catalogues collections of artifacts, photographs, and historical records that are made available to historians, researchers, and the public, encouraging discovery, understanding and appreciation of the region's heritage and perspective for the present and the future. Thousands of

individuals, including Mahwah residents, businesses, and visitors, will benefit from this public purpose.

SECTION 4. The Township Business Administrator shall enforce the terms of the Lease.

SECTION 5. The Mahwah Museum Society, Inc. shall annually submit a report to the Township Business Administrator, which report shall set forth the uses of the premises that were undertaken during the prior year, the activities undertaken in furtherance of the public purpose for which the new lease was granted, the approximate financial value or cost, if any, of such activities, and affirmation of the continued tax-exempt status of the Mahwah Museum Society, Inc. as a nonprofit corporation pursuant to State and federal law.

SECTION 6. All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 7. In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.

SECTION 8. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: June 10, 2024

Adopted: 6/24/24

Effective Date: 7/15/24

TOWNSHIP OF MAHWAH



Robert M. Ferguson III, Council President

ATTEST:



Carolyn George, RMC
Municipal Clerk