

ORDINANCE NO. 2023-07

AN ORDINANCE AUTHORIZING THE BOROUGH OF SPRING LAKE HEIGHTS TO ENTER INTO A LEASE AGREEMENT WITH THE TRI-SHORE LITTLE LEAGUE, A NON-PROFIT CORPORATION REGARDING AN AREA LOCATED WITHIN THE JOSEPH E. ROBERTSON PARK, SPRING LAKE HEIGHTS, NEW JERSEY.

WHEREAS, the Borough of Spring Lake Heights desires to enter into a written Lease Agreement on effective March 1, 2023, with the Tri-Shore Little League , a non-profit entity, to lease an area located within the “Joseph E. Robertson Park”, within the jurisdictional limits of the Borough of Spring Lake Heights, County of Monmouth, State of New Jersey (the “property”), for the seasonal use of said property to conduct Little League baseball activities and concessions during games benefiting the residents of the Borough of Spring Lake Heights ; and

WHEREAS, the aforesaid Lease Agreement would expire on December 31, 2028, and may be renewed for an additional five (5) year term pursuant to the terms and conditions set forth in the Lease Agreement, a form of which is on file in Borough Clerk’s Office; and

WHEREAS, the property is not needed by the Borough of Spring Lake Heights for other public purposes during these activities; and

WHEREAS, the New Jersey Local Lands and Building Law, specifically at N.J.S.A. 40A: 12-14(c) and 40A:12-15(j), authorizes a lease to a non-profit entity for public purposes, including recreation, by Ordinance, which lease may be for nominal consideration.

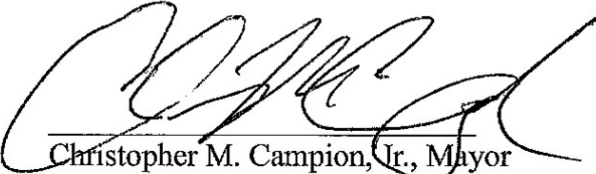
NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Mayor and Council of the Borough of Spring Lake Heights, that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, the Lease Agreement between the Borough of Spring Lake Heights and the Tri-Shore Little League, a non-profit corporation upon the terms and conditions referenced in the attached (copy is on file in Borough Clerk’s Office).

BE IT FURTHER ORDAINED that , pursuant to N.J.S.A. 40A:12-14 (c) Tri-Shore Little League shall annually submit a report to the Borough Clerk setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted; the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax-exempt status of the nonprofit corporation pursuant to both State and Federal law.

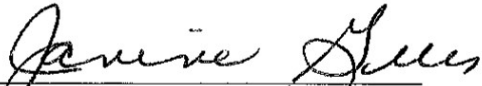
BE IT FURTHER ORDAINED that the provisions of this Ordinance shall be severable. In the event, that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such as judgment shall be limited in its effect only to that portion of the Ordinance actually 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.

BE IT FURTHER ORDAINED that all other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with the law.


Christopher M. Campion, Jr., Mayor

August 22, 2023
Date


Janine Gillis, Borough Clerk

August 22, 2023
Date