

# Ordinance

No. 1-2023

## **ORDINANCE AUTHORIZING EXECUTION OF A LEASE AGREEMENT BETWEEN THE BOROUGH OF WESTVILLE AND PBM REAL ESTATE, LLC FOR BLOCK 34, LOT 37**

**WHEREAS**, the Borough of Westville (“Borough or Landlord”) is the owner of a property identified on the Tax Map of the Borough of Westville as Block 34, Lot 37 (the “Property”); and

**WHEREAS**, pursuant to Redevelopment and Housing Law, specifically *N.J.S.A.* 40A:12A-8, a municipality is authorized to lease its property to further the execution of a Redevelopment Plan; and

**WHEREAS**, in October of 2001, the Borough adopted the “Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey” and the property is located within the Redevelopment Area; and

**WHEREAS**, PBM REAL ESTATE, LLC (“Tenant”) is a New Jersey limited liability company having offices at 20 Bryant Avenue, Collingswood, NJ 08108 ; and

**WHEREAS**, the Borough and Tenant have negotiated a Lease Agreement (“Lease”) for use of the Property, a copy of which is on File with the Borough Clerk; and

**WHEREAS**, pursuant to the terms of the Lease, Lessee shall pay rent to the Landlord in the amount of Ten Dollars(\$10.00) per month on the first day of each month; and

**WHEREAS**, the initial term of the Lease shall be twelve (12) months and the Borough will be responsible for enforcement of the conditions of the Lease; and

**WHEREAS**, Tenant agrees with the terms of the Lease and desires to enter into the Lease with the Borough for the Property.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Borough Council of the Borough of Westville, New Jersey as follows:

Section 1. The Borough hereby authorizes the leasing of the property, identified as Block 34, Lot 37 within the Borough of Westville for the purpose of furthering the Redevelopment Plan.

Section 2. The Mayor and/or Administrator and Borough Clerk are hereby authorized to execute the Lease Agreement for Block 34, Lot 37, between the Borough of

Westville and PBM REAL ESTATE, LLC, upon final review and approval by the Borough Administrator and Borough Solicitor and to receive the sum of Ten Dollars and zero cents (\$10.00) per month for the term of the Agreement, twelve (12) months, of Block 34, Lot 37.

Section 3. The Mayor and Borough Clerk, as may be required, are authorized to execute any documents necessary to effectuate the terms of the Lease.

Section 4. The Agreement shall remain on file in the Borough Clerk's Office and may be viewed during regular business hours.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect after final adoption and publication according to law.

*Introduced: January 17, 2023*

*Adopted: January 30, 2023*

**BOROUGH OF WESTVILLE**

**Fritz H. Sims, Jr.  
MAYOR**

**ATTEST:**

**Kathleen Carroll  
DEPUTY MUNICIPAL CLERK**