

ORDINANCE NO. 12-07
INTRODUCTION DATE: 04-04-12
ADOPTION DATE: 04-18-12

**ORDINANCE AUTHORIZING THE LEASE OF THE HISTORIC CLARKSBURG
METHODIST EPISCOPAL CHURCH TO FRIENDS OF MILLSTONE TOWNSHIP
HISTORIC REGISTERED PROPERTIES, 501C3 FOR NOMINAL CONSIDERATION**

BE IT ORDAINED by the Mayor and Township Committee of the Township of Millstone, County of Monmouth and the State of New Jersey as follows:

WHEREAS, Friends of Millstone Township Historic Registered Properties, 501C3 (hereinafter referred to as the “Friends”) has requested permission of the Township for a non-exclusive Lease for property designated as Lot 34, Block 13.02 (the “Property”) for restoration and historic/cultural education purposes; and

WHEREAS, the Township desires to cooperate with the Friends and is aware that restoration and repairs are needed to the Property which is not otherwise needed for public use until restoration and repair have taken place; and

WHEREAS, N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15(g) allow for the leasing of public property to a non-profit corporation for a public purpose for nominal consideration, provided certain requirements of the statute are met.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Millstone that the Mayor and Township Clerk are hereby authorized to execute a Lease for three (3) years with the Friends provided that the following statutorily imposed conditions are satisfied:

1. On each annual anniversary of the passage of this Ordinance, Friends shall submit a report

to the Township Administrator setting forth the purpose for which the Property leased was used, the activities of the Friends undertaken in furtherance of the public purpose for which the Lease was granted and the approximate value or cost, if any, of such activities.

2. Affirmation of the continued tax exempt status of the Friends pursuant to both State and Federal law.

BE IT FURTHER ORDAINED that pursuant to N.J.S.A. 40A:12-14(c), it is hereby stated as follows:

1. The public purpose served by the Friends is providing restoration of an historic site and providing historic/cultural educational opportunities to the residents of New Jersey.

2. Number of persons benefitting from the public purpose is, among others, the residents of both Millstone Township and surrounding areas.

3. The term of the Lease shall be for three (3) years unless terminated pursuant to its terms.

4. The Township official responsible for enforcement of the conditions of the Lease shall be the Township Administrator.

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

EXPLANATORY STATEMENT: This ordinance authorizes the lease agreement between the Township of Millstone and the Friends Group for the lease of The Clarksburg Methodist Episcopal Church for restoration and historic/cultural education purposes.