

ORDINANCE 2023 –10

AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX, STATE OF NEW JERSEY, AUTHORIZING A 5 YEAR LEASE TO SOUTH RIVER HISTORICAL AND PRESERVATION SOCIETY, INC. FOR THE PROPERTY LOCATED AT 64-66 MAIN STREET.

WHEREAS, the Borough is the owner of 64-66 Main Street, South River also known as War Memorial Building/South River War Memorial Free Public Library/Old School Baptist Church/South River Museum; and

WHEREAS, the Borough of South River desires to lease the property to the South River Historical and Preservation Society, Inc.; and

WHEREAS, N.J.S.A. 40A:12-14(c) authorizes a municipality to enter into a lease with a non-profit corporation for nominal consideration; and

WHEREAS, South River Historical and Preservation Society, Inc. desires to use the property for public purposes for all the persons in the Borough; and

WHEREAS, pursuant to the authorization within N.J.S.A. 40A:12-15, the term of the lease shall be for five (5) years commencing retroactively to January 1, 2023 and ending December 31, 2027; and

WHEREAS, under the terms of the lease, the South River Historical and Preservation Society, Inc. shall be required to pay the sum of \$1.00 per year to the Borough of South River; and

WHEREAS, the governing body wishes to authorize the Lease Agreement with South River Historical and Preservation Society, Inc. in accordance with the provision of State Law.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. The Borough Council hereby authorizes the Mayor and Borough Clerk to execute the lease agreement South River Historical and Preservation Society, Inc for the War Memorial Building/South River War Memorial Free Public Library/Old School Baptist Church/South River Museum located at 64-66 Main Street for a term of five years commencing retroactively to January 1, 2023 and ending December 31, 2027.

SECTION 2. The lease is authorized pursuant to the provisions of N.J.S.A. 40A:14-14(c).

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on February 13, 2023, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 27th day of February 2023, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 2-13-23

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			X			
<i>Councilman Guindi</i>		X	X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>						X
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>	X		X			


 ALYSSA GUGLIETTI, RMC
 BOROUGH CLERK

Adopted 2-27-23

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			✓			
<i>Councilman Guindi</i>	✓		✓			
<i>Councilman Gurchensky</i>			✓			
<i>Councilwoman Meira</i>			✓			
<i>Councilman Oliveira</i>		✓	✓			
<i>Council President Ciulla</i>			✓			


 ALYSSA GUGLIETTI, RMC
 MUNICIPAL CLERK

SIGNED BY:



 JOHN M. KRENZEL
 MAYOR

ATTESTED BY:



 ALYSSA GUGLIETTI, RMC
 BOROUGH CLERK