

TOWNSHIP OF PENNSVILLE  
SALEM COUNTY, NEW JERSEY

ORDINANCE A-4-2018

Title: AN ORDINANCE OF THE TOWNSHIP OF PENNSVILLE AUTHORIZING THE LEASE OF A PORTION OF TAX BLOCK 4802 LOT 1 WHICH CONSISTS OF APPROXIMATELY 15.01 ACRES AND WHICH TRACT IS OWNED BY THE TOWNSHIP OF PENNSVILLE TO THE NICK MOWERS FOUNDATION WHICH TRACT OF LAND SHALL BE USED AS A "DOG PARK"

Date of Introduction: February 1, 2018

Anticipated Date of Adoption: February 15, 2018

Contents: Ordinance  
First Resolution  
Notice of Introduction  
Final Resolution  
Notice of Adoption

Ordinance A-4-2018

Title: AN ORDINANCE OF THE TOWNSHIP OF PENNSVILLE AUTHORIZING THE LEASE OF A PORTION OF TAX BLOCK 4802 LOT 1 WHICH CONSISTS OF APPROXIMATELY 15.01 ACRES AND WHICH TRACT IS OWNED BY THE TOWNSHIP OF PENNSVILLE TO THE NICK MOWERS FOUNDATION WHICH TRACT OF LAND SHALL BE USED AS A "DOG PARK"

**WHEREAS**, the Nick Mowers Foundation (hereinafter Foundation) has proposed to create, operate and maintain a dog park, to be located in the Township of Pennsville; and

**WHEREAS**, the Mayor and members of the Township Committee of the Township of Pennsville have determined that the health, safety and welfare of the citizens of this Township will be advanced if such a dog park is created and sited on a portion of Tax Block 4802 Lot 1, and more specifically that area shown on the copy of a plan and legal description prepared by the Township Engineer, copies of which are attached hereto and marked as Exhibits A and B; and

**WHEREAS**, the Nick Mowers Foundation has submitted a proposal for the park in question (copy of which proposal is attached hereto and marked as Exhibit C).

**WHEREAS**, the Committee has determined that a dog park is the highest and best use for the tract of land in question for the period of the lease hold as set forth herein.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and members of the Township Committee of the Township of Pennsville that:

1. They hereby adopt the facts and determinations as set forth in the preamble of this resolution as if the same were more fully set forth herein, and the facts and determinations shall have the same binding effect as the paragraphs set forth herein below.

2. The Township's Mayor is hereby authorized to enter into a lease agreement with the Nick Mower's Foundation for the dog park mentioned in the preamble of this Ordinance which lease shall be for 25 years with an option to renew for an additional 25 years all at the cost of \$1.00 per year to be paid by the Foundation to the Township of Pennsville's Treasurer who shall utilize and distribute it in accordance with law.

3. The lease, as set forth above, shall contain a provision requiring the Foundation shall maintain a policy of liability insurance in an amount not less than \$1,000,000 naming the Township of Pennsville as an additional loss payee on the policy in question, the lease shall contain a provision for termination by either party on 90 days notice and the lease shall provide for a method of alternate dispute resolution.

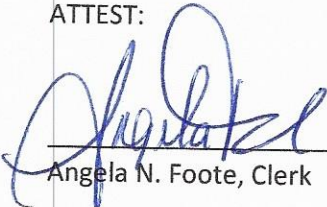
4. The Township Clerk is hereby designated as the Enforcement Officer for the lease in question.

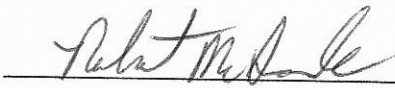
5. The Foundation shall submit an annual report to the Township Clerk setting out the use to which the lease was put, the activities of the lease undertaken in furtherance of the public purpose for which the lease hold was granted, the approximate value or cost of any of such activities in furtherance of such purpose and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to both state and federal law.

ADOPTED: February 1, 2018

Approved by the Township Committee  
Township of Pennsville – February 15, 2018

ATTEST:

  
\_\_\_\_\_  
Angela N. Foote, Clerk

  
\_\_\_\_\_  
Robert E. McDade, Mayor

First reading – 3

Roll call vote:	Yes	No	Abstaining	Absent
William Biebel	X	—	—	—
Marc Chastain	X	—	—	—
Jeffrey Cook	X	—	—	—
Robert McDade	X	—	—	—
Richie Raine	—	—	—	X

Adoption –

Roll call vote:	Yes	No	Abstaining	Absent
William Biebel	X	—	—	—
Marc Chastain	X	—	—	—
Jeffrey Cook	—	—	—	X
Robert McDade	X	—	—	—
Richie Raine	—	—	—	X