

**ORDINANCE NO. 2016-33-OA**

**ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF A LEASE WITH THE PINE BARRENS MODELERS RC CLUB**

November 14, 2016

**WHEREAS**, the Mayor and Council previously received a request to utilize Township property for a flying field from the Pine Barren RC Modeler Club (“Club”), a non profit organization; and

**WHEREAS**, the Club has requested to use a vacant piece of land behind the Township Department of Public Works building and the governing body wishes to authorize the lease of this property for its use by the Pine Barren RC Modeler Club.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Berkeley, County of Ocean, State of New Jersey as follows:

**SECTION 1.** That the governing body does hereby authorize the Mayor and Township Clerk to execute a Lease Agreement between the Township of Berkeley and the Club for the property behind the Department of Public Works, precise area to be marked and designated on a sketch by the Director of Public Works, for a term of five (5) years with a five (5) year extension option, which shall be in a form acceptable to the Township Attorney.

**SECTION 2.** This lease is authorized pursuant to the provisions of N.J.S.A. 40A:12-14(c).

**SECTION 3.** That the Club shall be required to pay the sum of one (\$1.00) dollar per year to the Township of Berkeley.

**SECTION 4.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

**SECTION 5.** 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 6.** This ordinance shall take effect after second reading and publication as required by law.

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CARMEN F. AMATO, JR., Mayor

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JOHN A. BACCHIONE, Council President  
SOPHIA GINGRICH, Council Vice President

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on **November 14, 2016**, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the **5th day of December, 2016**, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

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**BEVERLY CARLE, RMC**  
Township Clerk, Township of Berkeley