

Ordinance #2020-2

AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE MUNICIPALITY OF PRINCETON IN MERCER COUNTY, AUTHORIZING A LEASE WITH THE FRIENDS OF HERRONTOWN WOODS PERTAINING TO A PORTION OF HERRONTOWN WOODS ALSO KNOWN AS THE “VEBLEN” PROPERTY, PART OF BLOCK 3001, LOT 7 AND BLOCK 2901, LOT 1, IN THE MUNICIPALITY OF PRINCETON

BE IT ORDAINED by the Municipal Council of the Municipality of Princeton in Mercer County, New Jersey as follows:

Section 1. Findings. The Municipal Council of the Municipality of Princeton makes the following findings:

A. The Municipality of Princeton (“Municipality” or “Princeton”) is the owner of certain real property designated as Block 3001, Lot 7 and Block 2901, Lots 1, 2, and 3, on the Princeton tax maps (“Property”) known as “Herrontown Woods”.

B. The Friends of Herrontown Woods (“FOHW”) is a non-profit corporation of the State of New Jersey having a public purpose. The activities of the FOHW promote the health, safety, morals and general welfare of the Princeton community by, among other things, providing for the restoration, preservation and maintenance of buildings, land, homes, and other articles which relate to the history and architecture of Princeton, and to make these premises available for cultural enjoyment by the public. The purposes of the FOHW include the restoration, preservation, operation and maintenance of historic homes, buildings and land leased to or owned by the FOHW, making same available for public visitation and enjoyment.

C. As the FOHW rehabilitate the structures and make the Property open to the public for public enjoyment, the number of persons benefiting from a public purpose served by the FOHW is limitless.

D. The best interests of the municipality of Princeton will be served by leasing said Property to the FOHW for an initial lease period of five (5) years, with options for renewal thereafter.

Section 2. Lease of a Portion of Block 3001, Lot 7 and Block 2901, Lot 1. Pursuant to N.J.S.A. 40A:12-15, the Municipal Council hereby authorizes the lease of the Property to the FOHW for the purposes described in Section 1 above, subject to the following conditions:

A. Term: Initial period of five (5) years.

B. Consideration: Ten (\$10.00) Dollars.

C. The FOHW shall provide the Municipal Clerk with a certificate of insurance for liability, property, worker's compensation, and fire. The FOHW insurance shall be primary as to any other insurance.

Section 3. Municipal Council Responsible for Enforcement of Lease and Renewal.

The Municipal Council is hereby designated as the entity responsible for enforcement of the lease and renewal thereof.

Section 4. Annual Report. Twice in each calendar year, or portion thereof, the lease herewith authorized is in effect, the FOHW shall be required to submit to the Municipal Clerk a report containing the following information:

A. A detailed description of the work completed to meet the benchmark conditions set forth in the lease.

B. The activities undertaken by the FOHW in furtherance of the rehabilitation, reconstruction, and/or preservation of the structures and surrounding grounds.

C. The approximate value of cost, if any, of the activities undertaken by the FOHW in furtherance of such work and standard financial statements indicating cash flow, fundraising progress, receivables, budgeted expenditures, and similar information required to provide an accurate picture of the organization's financial health.

D. An affirmation of the continued Federal and State tax exempt status of the FOHW pursuant to both Federal and State laws.

Section 5. Severability. If any section, paragraph subsection, clause or provision of this Ordinance shall be adjudged by the Courts to be invalid, such adjudication shall apply only to this section, paragraph subsection, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

Section 6. Effective Date. This Ordinance shall take effect upon final adoption and publication in accordance with law.

Delores A. Williams, RMC, Clerk

Hon. Liz Lempert, Mayor

Ordinance Introduced: January 13, 2020
Ordinance Adopted: January 27, 2020

NEWSPAPER PUBLICATIONS:
First Insertion: January 17, 2020
Final Insertion: January 31, 2020

The foregoing ordinance was introduced on first reading at a meeting of the Princeton Mayor and Council held on January 13, 2020. It will be further considered for final passage after a public hearing thereon to be held on January 27, 2020 beginning at 7:00 p.m. in the main meeting room, Witherspoon Hall, 400 Witherspoon Street, Princeton, New Jersey 08540, at which time and place all members of the public wishing to speak will be given an opportunity to be heard.

The purpose of the ordinance is to authorize a lease of a part of the Herrontown Woods property, known as a portion of Block 3001, Lot 7 and Block 2901, Lot 1, to the Friends of Herrontown Woods, a non-profit organization that intends to rehabilitate, preserve, operate, and maintain the structures and surrounding grounds. The property will be used solely for recreational, conservation, historic, cultural, and educational purposes.