

City of Lambertville

ORDINANCE NUMBER 21-2023

An Ordinance Authorizing the Execution of a Lease Agreement Between the City of Lambertville and the South Hunterdon Regional School District for use of the City-Owned North Union Street Parking Lot, Justice Complex Parking Lot, or Portions of Both Parking Lots, Pursuant to the Terms Set Forth Herein

WHEREAS, the City of Lambertville (the “**City**”), a municipal corporation of the State of New Jersey, with offices located at 18 York Street, Lambertville New Jersey 08530, owns the properties shown on the City Tax Maps as Block 1039, Lot 8.01, commonly known as 14 N. Union Street, the site of the N. Union Street Parking Lot (the “**N. Union Parking Lot**”), and Block 1044, Lot 14, commonly known as 25 S. Union Street, site of the parking lot at the Phillip L. Pittore Justice Center (the “**Justice Complex Parking Lot**,” and together, the “**Properties**”); and

WHEREAS, the South Hunterdon Regional School District (the “**SHRSD**”) has requested to lease the N. Union Parking Lot or the Justice Complex Parking Lot, or portions of both, from the City to accommodate parking demand during the school year; and

WHEREAS, the SHRSD is a regional school district operating pursuant to N.J.S.A. 18A-1, et seq., and a public body of the State of New Jersey; and

WHEREAS, the SHRSD desires to continue to provide adequate parking for its employees working within the City, and has requested the use of nineteen (19) parking spaces on all school days from August 28, 2023 to June 12, 2024, from 7:30 a.m. to 4:00 p.m., and has agreed to make payments to the City in the total amount of \$25,000.00, payable in installments of \$15,000.00 on or before November 15, 2023, and \$10,000.00 on or before May 31, 2024; and

WHEREAS, the SHRSD will be responsible for the installation of appropriate signage at either the N. Union Parking Lot, or the Justice Complex Parking Lot, or portions of both, while the City will continue to provide snow plowing services and make accommodations for street sweeping at the Properties; and

WHEREAS, the City may lease the N. Union Parking Lot or the Justice Complex Parking Lot, or portions of both, to SHRSD by ordinance, pursuant to N.J.S.A. 40A:12-14(b) of the Local Lands and Buildings Law; and

WHEREAS, there is a desire to approve a lease agreement with SHRSD for use of the N. Union Parking Lot or the Justice Complex Parking Lot, or portions of both, to memorialize the terms set forth herein, in the form attached hereto as Exhibit A (the “**Lease Agreement**”).

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the City of Lambertville, as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Governing Body approves the execution of the Lease Agreement with SHRSB for use of the Properties, as more fully described in the Lease Agreement.

3. The Mayor is authorized to execute the Lease Agreement in substantially the same form attached hereto as Exhibit A, and subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor in his discretion and in consultation with counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto.

4. If any section, paragraph, subdivision, clause, sentence, phrase or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

5. The City Clerk is hereby directed to publish this Ordinance as required by applicable law and make the same available for public inspection.

6. This Ordinance shall take effect after twenty (20) days of its final passage by the Governing Body, upon approval by the Mayor and publication as required by law.

INTRODUCED FOR FIRST READING: June 15, 2023

PUBLIC HEARING AND SECOND READING: July 20, 2023