

**ORDINANCE NO. 13-2020**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT BY AND BETWEEN THE TOWNSHIP OF HANOVER AND THE HANOVER TOWNSHIP BOARD OF EDUCATION FOR A FIVE (5) YEAR PERIOD COMMENCING ON APRIL 1, 2020 AND EXPIRING ON MARCH 31, 2025 FOR THE USE AND MAINTENANCE OF THE ATHLETIC FIELD BY THE TOWNSHIP ON PROPERTY OWNED BY THE BOARD ON LOT 10.01 IN BLOCK 2301 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER**

**WHEREAS**, the Hanover Township Board of Education (hereinafter referred to as the "Board") is the owner of a certain tract of land situated on Cedar Knolls Road in the Cedar Knolls Section of the Township and designated as Lot 10.01 in Block 2301 as set forth on the Tax Map of the Township of Hanover; and

**WHEREAS**, situated on this tract of land is an athletic field, a portion of which extends onto Lot 10 in Block 2301 which property is owned by The Allegro School and is contiguous to 10.01; and

**WHEREAS**, since July 1, 1994, the Township's Recreation and Park Administration Department has utilized the athletic field for various athletic and sports programs either sponsored or coordinator through the Department; and

**WHEREAS**, the Township and Board believe that a public benefit is derived by making the athletic field available through the renewal of the current written lease agreement in which The Allegro School shall also benefit as a third part beneficiary; and

**WHEREAS**, representatives of the Township and Board have met to discuss, review and modify the terms of the current lease agreement taking into consideration the needs of the Board, Township and The Allegro School; and

**WHEREAS**, the Township shall be responsible for the maintenance and repair of the athletic field during the five (5) year term of the lease commencing on April 1, 2020 and expiring on March 31, 2025.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey as follows:

**Section 1.** The governing body hereby authorizes the renewal of a lease agreement by and between the Township and the Hanover Township Board of Education for the use and maintenance of an athletic field owned by the Board on property located at Lot 10.01 in Block 2301 and which field also extends onto property owned by The Allegro School at Lot 10 in Block 2301,

**Section 2.** The term of the lease shall be for a five (5) year period commencing on April 1, 2020 and expiring on March 31, 2025. With the consent of both the Township and the Board, the lease may be renewed for two (2) additional five (5) year terms.

**Section 3.** The Mayor and Township Clerk are further authorized and directed to execute the renewed lease agreement with the Hanover Township Board of Education for the use and maintenance of the athletic field owned by the Board and located on Lot 10.01 in Block 2301, including the extension of the athletic field is located on Lot 10 in Block 2301 which is owned by The Allegro School.

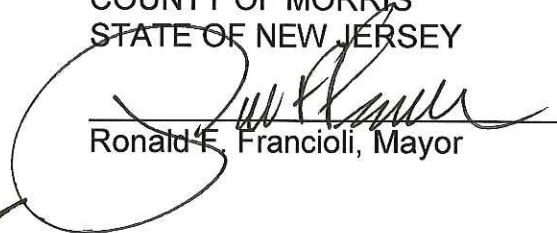
**Section 4.** In case, for any reason, any section or provision of this Ordinance shall be held to be unconstitutional or invalid, the same shall not affect any other section or provision of this Ordinance, except so far as the section or provision so declared unconstitutional or invalid shall be severed from the remainder or any portion thereof.


**Section 5.** All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

**Section 6.** This ordinance shall take effect in accordance with the law.

ATTEST:

TOWNSHIP COMMITTEE  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

  
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Ronald F. Francioli, Mayor

  
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Joseph A. Giorgio, Township Clerk

DATE OF INTRODUCTION: March 12, 2020

DATE OF ADOPTION: April 9, 2020

I hereby certify the foregoing to be a true copy of a Resolution/Ordinance adopted by the Township Committee of the Township of Hanover at a Regular/Special Meeting held on the 9<sup>th</sup> day of APRIL, 2020.

  
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Joseph A. Giorgio, Township Clerk, R.M.C.