

TOWNSHIP OF FLORENCE

ORDINANCE 2019-04

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF FLORENCE AND PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR A 35' BY 80' AREA OF PROPERTY LOCATED AT NORTH WEST OF COUNTY ROAD 659 (CEDAR LANE) AND COUNTY ROAD 661 (BURLINGTON BUSTLETON ROAD)

WHEREAS, there is within the Township of Florence ("Township"), certain Township-owned real property known as Block 164.01, Lot 3.01 on the official tax map of the Township ("Subject Property") and consists of +/- 37 acre(s); and

WHEREAS, Public Service Electric and Gas has contacted the Township and indicated the need to use a 35' by 80' portion of the Subject Property on a temporary basis for the placement of a backup transformer while performing major upgrades to the Bustleton sub-station; and

WHEREAS, PSE&G has requested to use the 35' by 80' parcel on the Subject Property for a period beginning on May 8, 2019 and terminating on June 30, 2021; and

WHEREAS, the Local Lands and Buildings Law authorizes the governing body to lease municipally-owned land for public purposes for a maximum lease term of 75 years (N.J.S.A. 40A:12-15); and

WHEREAS, the Township Council of the Township of Florence has determined that it is in the public interest to enter into the Lease Agreement, as permitted by the Local Lands and Buildings Law;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Florence in the County of Burlington, State of New Jersey that:

1. A lease between the Township of Florence (Landlord) and Public Service Electric and Gas (PSE&G) Company (tenant) of a 35' by 80' portion of the Township owned property located at North West of County Road 659 and County Road 661 is hereby approved and the Township staff are hereby authorized and directed to execute and deliver the Lease Agreement on behalf of the Township of Florence.

2. The public purpose of the Lease Agreement is to enable PSE&G the ability to perform major upgrades to the Bustleton sub-station while ensuring that there is no interruption in utility service for the residents of the Township.
3. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
4. Effective Date. This ordinance shall take effect upon its final passage, adoption, and publication on the earliest date permitted by law.
5. Severability. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

JERRY SANDDUSKY
COUNCIL PRESIDENT

NANCY ERLSTON, RMC
TOWNSHIP CLERK

TOWNSHIP OF FLORENCE
NOTICE OF PENDING ORDINANCE
Ordinance No. 2019-04

AN ORDINANCE AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT BETWEEN THE TOWNSHIP OF FLORENCE AND PUBLIC SERVICE ELECTRIC AND GAS COMPANY FOR A 35' BY 80' AREA OF PROPERTY LOCATED AT NORTH WEST OF COUNTY ROAD 659 (CEDAR LANE) AND COUNTY ROAD 661 (BURLINGTON BUSTLETON ROAD)

Take Notice that the Ordinance identified above which authorizes the Township to lease a 35' x 80' portion of Township owned property to PSE&G so that PSE&G can install a temporary transformer while performing major upgrades to the Bustleton Substation has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on April 3, 2019. It will be considered for final passage after public hearing to be held on April 17, 2019, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

The Ordinance will take effect immediately upon adoption and publication as required by law.

Copies of the full ordinance are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained free of charge on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Nancy L. Erlston, RMC
Township Clerk