

**Township of Lawrence  
County of Mercer**

**Ordinance No. 2338-19**

**AN ORDINANCE OF THE TOWNSHIP OF LAWRENCE AUTHORIZING PURSUANT TO N.J.S.A. 40A:12-14 A  
USE AND OCCUPANCY AGREEMENT FOR A PORTION OF THE GARAGE IN THE STORAGE  
BUILDING AT CENTRAL PARK TO YOUTH SPORTS CLUBS**

**WHEREAS, the Township of Lawrence owns, for recreation and conservation purposes, parkland known as Central Park identified as Block 2801, Lot 51 on the Lawrence Township Tax Maps, commonly known as 100 Pezzicola Way, Lawrence, NJ; and**

**WHEREAS, Central Park is comprised of parkland and a municipal building with a garage, which garage was previously used by the Township for the storage of maintenance equipment used in the care and upkeep of the park; and**

**WHEREAS, the garage is now vacant due to the relocation of such maintenance equipment by the Township; and**

**WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club are non-profit organizations having as their purposes the encouragement of youth recreation and athletics, and the furnishing of such other accommodations, refreshments, entertainment, and social diversion as may be required to facilitate the same; and**

**WHEREAS, the importance and desirability of providing a wide variety of programs, activities and opportunities for youth recreational athletics to Township residents and the public has long been recognized by Township officials and residents; and**

**WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club are locally-based, volunteer-run organizations that promote recreational opportunities for youth of varied ages and abilities, and enhance the quality of life in the Township and for the public; and**

**WHEREAS, the activities of these organizations will benefit a broad cross-section of Township residents and the public; and**

**WHEREAS, at least 300 persons presently benefit from the public purposes served by these organizations, and the number of persons served by these organizations is likely to increase as the programs offered by them continue to grow; and**

**WHEREAS, the activities of these organizations promote the health, safety, morals and general welfare of the community and the public; and**

**WHEREAS, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club regularly use Central Park for games and practices, and desire to lease a portion of the garage for the storage of their equipment, uniforms and supplies; and**

**WHEREAS, subject to approval by the New Jersey Department of Environmental Protection, Division of Green Acres, it is the intent of the Township Council to permit each organization to use and occupy a portion of the garage located at Central Park, in furtherance of the aforesaid public benefits provided by the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club.**

**NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township Lawrence in Mercer County, New Jersey as follows:**

**Section 1. Preamble. The preamble is incorporated as if fully set forth herein.**

**Section 2. Agreements Authorized. Pursuant to N.J.S.A. 40A:12-14, the Township Council hereby authorizes separate use and occupancy agreements with the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club for a portion of the garage in the storage building located at Central Park for the purposes of supporting and enabling the recreational and athletics activities provided by these organizations. These use and occupancy agreements shall be subject to the following conditions:**

- A. Term: The initial term shall be five (5) years, which may be renewed for one additional five (5) year term;**
- B. Consideration: Consideration shall be five dollars (\$5.00) per term;**
- C. Insurance: The organizations shall provide the Township Manager with a certificate of appropriate insurance; and**
- D. Such other terms and conditions reasonably recommended by the Township Manager and approved by the Township Council.**

**Section 3. Enforcement. The Township Manager, or his/her designee, is hereby designated as the Township official responsible for enforcement of the lease.**

**Section 4. Annual Report. For each calendar year, or portion thereof, the lease herewith authorized is in effect, the Lawrence Lacrosse Club, the Lawrence Township Junior Baseball Softball Association, the Lawrence Hamnett Soccer Association, and the Lawrence Junior Cardinals Football and Cheer Club shall be required to submit to the Township Manager a report containing the following information:**

- A. The activities to which the leasehold was put during that year;**
- B. The activities undertaken by the organization in furtherance of the public purposes as identified above;**
- C. The approximate value or cost, if any, of the activities undertaken by the organization in furtherance of such public purposes;**
- D. An affirmation of the continued federal and tax exempt status of the organization.**

**Section 5. Use of Remaining Space.** The remainder of the garage bay may be utilized by other persons and organizations permitted to use the park on a “first come, first serve basis,” subject to the execution of a temporary use and occupancy agreement and compliance with all of the terms and conditions thereof.

**Section 6. Severability.** If any article, section or part of this ordinance shall be declared to be unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, no such determination shall be deemed to invalidate the remaining articles, sections or part of this ordinance.

**Section 7. Repealer.** All ordinances and all provisions thereof inconsistent with this ordinance or any part hereof are hereby repealed. Nothing in this ordinance is intended to limit inspections provided for by an applicable ordinances that may be in addition to the inspection provided for herein.

**Section 8. Effect.** This ordinance shall take effect twenty (20) days after adoption.

**Adopted: August 20, 2019**

**RECORD OF VOTE**

<b>COUNCIL</b>	<b>AYE</b>	<b>NAY</b>	<b>PRESENT</b>	<b>ABSENT</b>	<b>ABSTAIN</b>	<b>MOVE</b>	<b>SECOND</b>
<b>Mr. Kownacki</b>	X						
<b>Ms. Lewis</b>	X					X	
<b>Dr. Maffei</b>	X						
<b>Mr. Powers</b>	X						X
<b>Mayor Bobbitt</b>	X						