

ORDINANCE NO. 2021-18

**ORDINANCE OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING LEASE OF PUBLIC LAND
PURSUANT TO N.J.S.A. 40A:12-14 ET SEQ. TO
STARVE POVERTY INTERNATIONAL, INC.**

WHEREAS, the Township of Barnegat owns property located at Block 86, Lot 2.01 on the Tax Map of the Township of Barnegat, more commonly known as 99 Route 72 (the “Property”); and

WHEREAS, Starve Poverty International, Inc., a duly incorporated non-profit organization, has requested that the Township enter into a lease agreement for the lease of the Property; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 et seq., the Local Lands and Buildings Law authorizes a governing body to lease municipally-owned land to a non-profit corporation for a public purpose; and

WHEREAS, Starve Poverty International, Inc. is a duly incorporated 501(c)(3) nonprofit volunteer organization. Starve Poverty International, Inc. submitted a request to the Township Committee to lease the Property to Starve Poverty International, Inc. to further its goals to break the chains of poverty; and

WHEREAS, Starve Poverty International, Inc. intends to utilize the Property as its headquarters and run its day-to-day operations out of the building to hold training sessions for adults and youth at the facility teaching members of the public how to maintain their home, as well as utilize the facility as a functioning food pantry for the public; and

WHEREAS, Starve Poverty International, Inc. envisions that approximately 900 members of the public will be served by Starve Poverty International, Inc.’s operations; and

WHEREAS, the initial term of the lease will be for a period of fifteen (15) years at a cost of one (\$1.00) dollar; and

WHEREAS, the Township finds that the public purpose is served by authorizing this lease agreement for nominal consideration; and

WHEREAS, Starve Poverty International, Inc. will provide a service to the residents of Barnegat Township and the greater public; and

DASTI & ASSOCIATES
ATTORNEYS AT LAW

310 Lacey Road
P.O. Box 779
Forked River, N.J. 08753

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township finds its necessary and appropriate to lease the Property known as 99 Route 72, Barnegat, New Jersey, otherwise known as Block 86, Lot 2.01 on the Tax Map of the Township of Barnegat (the "Property") to Starve Poverty International, Inc. for the nominal consideration of one (\$1.00) dollar per year for a term of fifteen (15) years beginning October 1, 2021 and ending September 30, 2036 pursuant to N.J.S.A. 40A:12-14 et seq. and N.J.S.A. 40A:12-15 et seq.

The portion of the Property to be leased to Starve Poverty International, Inc. is approximately 2,400 square feet of the office and lounge space to the left of the Fire Station and Fire Department headquarters on the property. The office and lounge area only is the portion of the property being leased to Starve Poverty International, Inc.

The Township finds that Starve Poverty International, Inc. will provide a public purpose to the residents of the Township and the public by providing education and training services for the treatment of the underprivileged residents by providing training for individuals to better manage basic life skills, including but not limited to training on different types of trades and how to maintain their home and provide for their families which serves a public purpose in accordance with N.J.S.A. 40A:12-15(h). Starve Poverty International, Inc. will also coordinate a local food pantry, and assist members of the community by not only providing training but also provide services such as meals and a place to turn for the community which serves a public purpose in accordance with N.J.S.A. 40A:12-15(I). Starve Poverty International, Inc. provided a mission statement to the Township dated July 1, 2021 which is incorporated herein by reference.

Starve Poverty International, Inc. envisions that approximately 900 members of the public will be served by Starve Poverty International, Inc.'s operations.

SECTION 2. The public purpose provided for by the Lease Agreement is the education training services and promotion of the public health, safety, wellness and general welfare by the non-profit corporation in accordance with N.J.S.A. 40A:12-15(h) and N.J.S.A. 40A:12-15(i).

SECTION 3. The term of the Lease Agreement shall be effective October 1, 2021 until September 30, 2036 and shall be for the nominal consideration of \$1.00 per year.

SECTION 4. Starve Poverty International, Inc. shall annually submit a report to the Township Administrator on or before July 1 each year setting forth the utilization of the Property by Starve Poverty International, Inc. during the year, the activities Starve Poverty International, Inc. has taken in that year in furtherance of its public purpose, the approximate value, if any, of such services and activities of the public purpose and affirmation as to the continued tax-exempt status of the non-profit pursuant to governing law in accordance with N.J.S.A. 40A:12-14 et seq.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 7. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Barnegat on the 3rd day of August, 2021, at 10:00 AM and will be considered for second and final passage at a meeting of the Township Committee to be held on the 7th day of September, 2021, at 6:30 PM at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

Donna M. Manno, RMC
Township Clerk

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CERTIFICATION

I, Donna M. Manno, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify by my hand and seal that the foregoing Ordinance namely **Ordinance 2021-18** Authorizing Lease of Public Land Pursuant to N.J.S.A. 40A:12-14 Et Seq. to Starve Poverty International, Inc., was introduced and passed at a meeting of the Township Committee on the 3rd day of August, 2021 and finally adopted after Public Hearing at a meeting held in the Municipal Complex, 900 West Bay Avenue, Barnegat, NJ on the 7th day of September, 2021

Donna M. Manno, RMC
Municipal Clerk

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