

## ORDINANCE 2018-03

### ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROVING A ONE-YEAR LEASE AGREEMENT FOR AN APPROXIMATE 5,000 SQUARE-FOOT, FENCED-IN PORTION OF REAL PROPERTY LOCATED AT 208 SOUTH PEARL STREET, RED BANK, NEW JERSEY FOR THE PUBLIC PURPOSE OF A POLICE IMPOUND YARD

Councilman Ziprich offered the following ordinance and moved its adoption:

**WHEREAS**, R.J.E.S., LLC, 208 South Pearl Street, Red Bank, New Jersey (hereinafter, the "Owner"), is the titled owner of real property located at 208 South Pearl Street, Red Bank, New Jersey, also known as Block 75, Lot 174 on the Tax Map of the Borough of Red Bank (hereinafter, the "Property"); and

**WHEREAS**, the Borough of Red Bank, 90 Monmouth Street, Red Bank, New Jersey (hereinafter, the "Borough"), is a municipal corporation of the State of New Jersey and is authorized, pursuant to N.J.S.A. 40A:12-5, to acquire leasehold interests in real property for public business and use by Ordinance; and

**WHEREAS**, the Borough requires a secure impound yard for its Police Department to properly carry out and execute its public duties; and

**WHEREAS**, the Owner's Property contains an approximately 5,000 square-foot, fenced-in area suitable for the Borough Police Department's use as a secure impound yard (hereinafter, the "Premises"), which Premises Lessor is willing to lease to Lessee;

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, as follows:

1. That the Governing Body does hereby approve the Commercial Lease Agreement attached hereto as Exhibit A; and
2. That the Mayor is hereby authorized to execute the Commercial Lease Agreement attached hereto as Exhibit A; and
3. That a certified copy of this Ordinance, together with a copy of the Commercial Lease Agreement attached hereto as Exhibit A., shall be forwarded to the Chief Financial Officer, the Borough Clerk, the Borough Administrator, the Red Bank Police Department, and R.J.E.S., LLC; and

**BE IT FURTHER ORDAINED** that any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance; and

**BE IT FURTHER ORDAINED** that, if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon its passage and adoption according to law.

Seconded by Councilman Whelan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Taylor	( x )	( )	( )	( )
Councilman Whelan	( x )	( )	( )	( )
Councilman Yngstrom	( x )	( )	( )	( )
Councilman Ballard	( x )	( )	( )	( )
Councilman Ziprich	( x )	( )	( )	( )
Councilman Horgan	( x )	( )	( )	( )

Dated: February 14, 2018

First Reading/Introduction: January 24, 2018  
Public Hearing/Adoption: February 14, 2018

I hereby certify the above to be a true copy.

Pamela Borghi

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Pamela Borghi, Municipal Clerk