

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE #2008-20

AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX AND STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ST. PAUL'S ABBEY FOR THE TOWNSHIP'S LEASE OF THE BUILDING AND PROPERTY LOCATED AT BLOCK 153, LOT 35, ROUTE 206 SOUTH

WHEREAS, the St. Paul's Abbey, and its members, have long since settled in Andover Township and the Abbey has been a significant landmark and pristine facility within the community; and

WHEREAS, members of St. Paul's Abbey have been receptive in recognizing the Township of Andover's interest to locate Affordable Housing opportunities within the community while protecting the rural character, natural resources and environmentally sensitive lands of Andover Township; and

WHEREAS, the members of the St. Paul's Abbey community have exercised a spirit of cooperation and assistance to the Township of Andover to help resolve its Affordable Housing issues; and

WHEREAS, the Township of Andover wishes to assist in the preservation and rehabilitation of the Stone Building that presently exists on the St. Paul's Abbey property; and

WHEREAS, through the spirit of cooperation in an effort to provide a continuing sense of community in Andover Township, the St. Paul's Abbey and their members have worked tirelessly with Township officials in order to promote a vision of Andover Township that will rehabilitate the Stone Building as well as preserve the overall character of the Township of Andover; and

WHEREAS, St. Paul's Abbey is the legal owner of real property designated as Block 153, Lot 35 and located at Route 206 South, Township of Andover, County of Sussex, State of New Jersey; and

WHEREAS, the Township of Andover wishes to lease the Stone Building as well as additional lands on the premises of St. Paul's Abbey for use as affordable housing units which will be in full compliance with the Counsel of Affordable Housing's (COAH) rules and regulations; and

WHEREAS, the owner of the property, St. Paul's Abbey has expressed its willingness and intention of leasing such building and property to the Township of Andover; and

WHEREAS, the lease agreement, which is on file with the Township Clerk, will serve as the document to provide the Township of Andover and the St. Paul's Abbey to achieve the goals of rehabilitation, Affordable Housing and preservation of the community; and

WHEREAS, the St. Paul's Abbey has agreed to execute the attached lease agreement; and

WHEREAS, the Township Committee of the Township of Andover desires to enter into the attached lease agreement with St. Paul's Abbey for the use of the premises for the purpose to construct affordable housing units.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Andover County of Sussex and State of New Jersey as follows:

SECTION 1. The Township Committee of the Township of Andover hereby authorizes and directs the Mayor and Township Clerk to execute the attached lease agreement between St. Paul's Abbey and the Township for the use of the building as well as the construction of an additional building on the property located at Block 153, Lot 35 as affordable housing units. The term of the lease shall be for forty-five (45) years.

SECTION 2. The Township will expend monies toward the due diligence of this project and potentially additional funds for the construction and maintenance of the facility.

SECTION 3. All ordinances of the Township of Andover which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

ATTEST:

**TOWNSHIP OF ANDOVER
COUNTY OF SUSSEX
STATE OF NEW JERSEY**

Vita Thompson, Clerk

By: _____
Gail Phoebus, Mayor

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SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This Ordinance shall take effect immediately upon final passage, approval and publication as required by law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on October 27, 2008. A public hearing regarding same will be held at a meeting scheduled for November 10, 2008 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Vita Thompson, Clerk

By: _____

Gail Phoebus, Mayor

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NOTICE OF FINAL ADOPTION

NOTICE is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 27th day of October 2008. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 10th day of November 2008, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.
Municipal Clerk