

**ORDINANCE NO. 19-7**

**AN ORDINANCE OF THE TOWNSHIP OF HARMONY, COUNTY OF WARREN, STATE OF NEW JERSEY AUTHORIZING THE LEASE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS A PORTION OF BLOCK 37, LOT 4.**

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-14 authorizes the lease by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use to the highest bidder by open public sale at auction or by submission of sealed bids after the required newspaper advertisements; and

**WHEREAS**, the Township of Harmony is the owner of certain real property located on Garrison Road, Block 37, Lot 4; and

**WHEREAS**, the property is currently lease to a farmer for agricultural purposes; and

**WHEREAS**, the Township Committee has determined that it is in the best interest of the Township to lease the property for a solar facility in order to generate more revenue for the municipality; and

**WHEREAS**, the property known as a portion of Block 37, Lot 4 was offered for lease to the highest bidder by submission of sealed bids, pursuant to N.J.S.A. 40A:12-14.

**WHEREAS**, the high bidder was Dakota Power.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Committee of the Township of Harmony, County of Warren, State of New Jersey, that:

1. The said property shall be leased to Dakota Power subject to the following terms and conditions:

(a) The said property shall be leased for an annual rent of \$50,000 during the development period and \$350,000 a year during the operation of the solar array.

(b) The lease may be extended and/or terminated as provided for in the written Lease Agreement.

(c) The Township may continue to lease the property for agricultural purposes during the Development Period.

(d) The Mayor and Clerk are authorized to execute all necessary documents to effectuate the Option and/or Lease Agreement.

(e) The Lease Agreement shall be on file with the Township Clerk.

**Effective Date.**

This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

**NOTICE** is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Township Committee of the Township of Harmony held on August 6, 2019, at 6:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Committee to be held on September 3, 2019, at 6:00 PM, or as soon thereafter as the Township Committee may hear this Ordinance at the Municipal Building, 3003 Belvidere Road, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

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Kelley Smith, Municipal Clerk

Adopted: September 3, 2019