

ORDINANCE 2022-02

AN ORDINANCE OF THE BOROUGH OF CALIFON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AUTHORIZING THE LEASE OF A PORTION OF REAL PROPERTY COMMONLY KNOWN AS THE NELLIE HOFFMAN FARM, CONSISTING OF AN HISTORIC FARMHOUSE AND LOG CABIN AND APPURTENANT LANDS, TO THE CALIFON HISTORICAL SOCIETY

WHEREAS, the Borough of Califon (“Borough”) acquired certain lands and buildings thereupon in the Borough of Califon, County of Hunterdon, State of New Jersey, in joint ownership with the New Jersey Water Supply Authority (the “Authority”) and the South Branch Watershed Association (the “Association”), and through the Green Acres Program of the New Jersey Department of Environmental Protection (DEP”), which property consists of approximately 29.7764 acres, ± and is commonly known as the Nellie Hoffman Farm, located on River Road, Califon, New Jersey 07830, and known as Block 14, Lot 4; Block 15, Lots 8,9, 10 and 12 and Block 17, Lot 5 on the Tax Map of the Borough of Califon; and Block 18, Lot 25 on the Tax Map of the Township of Lebanon, Hunterdon County, New Jersey; and

WHEREAS, the above property owners executed a Deed of Conservation Restriction for Properties purchased through the Environmental Infrastructure Financing Program to the State of New Jersey Department of Environmental Protection; and

WHEREAS, the Raritan Headwaters Association, as successor in interest to the South Branch Watershed Association, subsequently conveyed its interest in the above described property to the Authority and to the Borough, as tenants in common, with each now owning an undivided 50% interest in said property; and

WHEREAS, by virtue of a Memorandum of Agreement (“MOA”) between the Borough and the other responsible parties, the Borough is authorized to manage the above property and in its discretion may assign its interests to a governmental entity or qualified non-profit organization, and the Borough has agreed to take possession and control of all existing structures and assume all risks and responsibilities therefore; and

WHEREAS, there exists on a portion of the said property a dwelling commonly known as the historic Nellie Hoffman farmhouse (“farmhouse”) and log cabin (“log cabin”) which the Califon Historical Society and the Borough wish to see restored; and

WHEREAS, the Historical Society has proposed to the Borough that it desires to lease said farmhouse and log cabin for purposes of restoring, preserving, operating, maintaining and interpreting said historic building, without cost to the Borough and making same available for public visitations and educational purposes; and

WHEREAS, the purposes of the Historical Society are in accord with the general development guidelines set forth in the Master Plan prepared, approved and adopted for the Borough of Califon; and

WHEREAS, the best interest of the Borough will be served by entering into an agreement leasing to the Historical Society the said farmhouse and log cabin and premises hereinafter described for the aforesaid purposes, thereby making these premises available for educational purposes and enjoyment by the public; and

WHEREAS, the local Lands and Buildings Law, specifically N.J.S. 40A:12-14(c), provides, in pertinent part, that any municipality may lease any real property not needed for public use, other than municipal real property otherwise dedicated or restricted pursuant to law, and except as otherwise provided by law, to a nonprofit corporation or association for a public purpose, by ordinance, for nominal or other consideration, in the manner provided in such section; and N.J.S.40A:12-15 provides, in pertinent part, that any such leasehold may be for any municipal public purpose, including, but not limited to , any civic or historical programs or activities by duly incorporated historical societies; and

WHEREAS, this governing body is of the opinion that the lease for nominal consideration of a portion of the above described improvements and appurtenant lands to the Califon Historical Society for civic and historical programs or activities is authorized by law, and is otherwise warranted and in the public interest; and

WHEREAS, the New Jersey Water Supply Authority and the New Jersey Department of Environmental Protection have indicated that they will consent to leasing the farmhouse and old log cabin to the Califon Historical Society, and good cause appearing;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Califon, Hunterdon County, New Jersey, as follows:

1. The Borough of Califon, with the consent of the Authority and the DEP, shall lease the above described farmhouse and log cabin and the immediate appurtenant area of approximately 5,625 square feet located on the Nellie Hoffman Farm to the Califon Historical Society, a duly incorporated non-profit organization, for nominal consideration for a term of ten (10) years, with options to renew for additional ten (10) year periods, on the terms and conditions set forth herein, in the lease attached hereto, and the Mayor and Clerk are hereby authorized and instructed to execute a lease in the form attached.

2. The public purpose served by the lessee shall be the restoration, preservation, operation, maintenance and interpretation of the old log cabin, and community activities, in keeping with the historical and cultural nature of the premises and for the purpose of making the premises open and available to the public for inspection, appreciation and educational purposes.

3. The number of persons benefiting from the public purpose served by the lessee is all of the citizens of the Borough of Califon and surrounding areas in Hunterdon County, as well as other visitors.

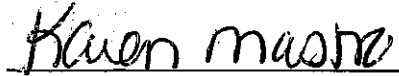
4. The officer, employee or agency responsible for enforcement of the conditions of the lease shall be the Califon Borough Mayor and Council.

5. Pursuant to N.J.S. 40A:12-14 (c), the Califon Historical Society shall annually submit a report to the Califon Borough Mayor and Council, setting out the use to which the leasehold was put during each year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value of cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax-exempt status of the Califon Historical Society pursuant to both State and Federal law.

6. Pursuant to N.J.S. 40A:12-14 (c), the lease approved herein shall not be entered into for any political, partisan, sectarian, denominational or religious purpose.

7. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:



Karen Mastro, RMC
Municipal Clerk/Administrator



Charles Daniel, Mayor

First Reading: March 21, 2022

Publication: March 30, 2022

Public Hearing/Final Adoption: May 2, 2022

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