

O-16-36
06/22/16

AN ORDINANCE

TO LEASE THE SECOND FLOOR OF THE PREMISES AT 597 BROADWAY, BAYONNE, NEW JERSEY, ALSO KNOWN AS LOT 11 IN CITY BLOCK 171 ON THE OFFICIAL TAX MAP OF THE CITY OF BAYONNE, TO THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.

WHEREAS, since December 1, 1974, the City of Bayonne has leased the second floor of the property at 597 Broadway to the Bayonne Community Health Center for the purpose of allowing the latter to render mental health services to the citizens of Bayonne, regardless of their ability to pay. Since 1974, no one has ever been turned away from the Bayonne Community Mental Health Center for financial reasons.

WHEREAS, it appears that the last written lease between the City of Bayonne and the Bayonne Community Health Center for the premises located on the second floor of 597 Broadway expired on December 31, 2005; now, therefore,

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That the second floor of premises at 597 Broadway, also known as Lot 11 in City Block 171 (formerly Lot 39A2 in City Block 224), on the official tax map of the City of Bayonne, no longer needed for public use, be leased to the Bayonne Community Mental Health Center for a term of twenty (20) years, retroactive to January 1, 2006 and expiring on December 31, 2025, for the consideration of \$1.00 per year, providing that the Bayonne Community Mental Health Center will provide mental health services to the community in accordance with N.J.S.A. 30:9A-1, et seq., said lease to contain the following provisions:

- a. Bayonne Community Mental Health Center will provide all utilities, such as gas, electric, heat, repairing and alterations;
- b. The City of Bayonne may terminate said lease upon the issuance by the City of a six month notice of termination;
- c. Any structural alterations to the subject premises shall be made at the expense of the Bayonne Community Mental Health Center, providing the said alterations meet with the requirements and regulations of the Building Department, Health Department, and Police and Fire Departments of the City of Bayonne;
- d. Bayonne Community Mental Health Center will submit annually a report to the City Clerk of the City of Bayonne, setting forth the use to

which the leased premises was put during the year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax exempt status of the nonprofit corporation pursuant to both State and Federal law;

e. Bayonne Community Mental Health Center will insure said premises with liability insurance coverage of at least \$1,000,000.00, adding the City of Bayonne as an additional insured. Evidence of said insurance coverage shall be delivered to the Law Department;

f. The use of said premises by the lessee is to provide mental health services to the community in accordance with N.J.S.A. 30:9A-1, et. seq.