

O-18-15
03/14/18

AN ORDINANCE

CONSENTING TO THE ASSIGNMENT OF ALL CONTRACTS AND A LEASE FOR 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, BY THE BAYONNE COMMUNITY MENTAL HEALTH CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, TO TRINITAS REGIONAL MEDICAL CENTER, A NONPROFIT CORPORATION ESTABLISHED FOR A PUBLIC PURPOSE, PURSUANT TO N.J.S.A. 40A:12-14, ET. SEQ.

WHEREAS, on June 22, 2016 this body passed Ordinance O-16-36 authorizing the City of Bayonne to enter into a written lease agreement with the Bayonne Community Mental Health Center for the use of the second floor of the property at 597 Broadway for the purpose of allowing the latter to render mental health services to the citizens of Bayonne, regardless of their ability to pay; and

WHEREAS, on September 22, 2016 the City of Bayonne and the Bayonne Community Mental Health Center entered into a lease which retroactively commenced on January 1, 2006 and terminates on December 31, 2025 at an annual rent of \$1.00 per year (the "Lease"); and

WHEREAS, the City of Bayonne has various contracts with the Bayonne Community Mental Health Center whereby the latter provides services to the citizens of the City of Bayonne; and

WHEREAS, certain of the assets of the Bayonne Community Mental Health Center are being acquired by Trinitas Regional Medical Center, and in connection with this acquisition the former will be selling, assigning, transferring, conveying and delivering to Trinitas Regional Medical Center all of its interests, obligations and rights attendant to any and all such contracts between the City of Bayonne and the Bayonne Community Mental Health Center, including, but not limited to, the aforesaid Lease for the second floor of 597 Broadway, following the closing of such asset acquisition transaction; and

WHEREAS, Trinitas Regional Medical Center has agreed to assume all of Bayonne Community Mental Health Center's rights and obligations under the aforesaid Lease and other contracts following the closing of such asset acquisition transaction, effective upon and following the closing of such asset acquisition; and

WHEREAS, as a pre-condition of the asset acquisition, Trinitas Regional Medical Center has requested that the City of Bayonne consent to the assignment and assumption of the Lease for the second floor of 597 Broadway and all other existing contracts between the City of Bayonne and the Bayonne

Community Mental Health Center following the closing of such asset acquisition transaction, effective upon and following the closing of such asset acquisition transaction; now, therefore,

THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE DOES ORDAIN:

Section 1. That the City of Bayonne hereby consents to the assignment of the Lease for the Second Floor of 597 Broadway and all other contracts between the City of Bayonne and the Bayonne Community Mental Health Center from the Bayonne Community Health Center to Trinitas Regional Medical Center, effective upon the closing of the acquisition by Trinitas Regional Medical Center of certain of the assets of Bayonne Community Mental Health Center.

Section 2. That the City of Bayonne hereby consents to the assumption of the Lease for the Second Floor of 597 Broadway and all other contracts between the City of Bayonne and the Bayonne Community Mental Health Center by Trinitas Regional Medical Center from the Bayonne Community Health Center, effective upon the closing of the acquisition by Trinitas Regional Medical Center of certain of the assets of Bayonne Community Mental Health Center.

Section 3. The Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate the assignment and assumption of the aforesaid lease and contracts concurrent with the closing of the asset acquisition transaction.