

O-10-049
PENDING ORDINANCE
TOWNSHIP OF MONTCLAIR

**ORDINANCE AUTHORIZING EXECUTION OF A LEASE RENEWAL AGREEMENT
BETWEEN THE TOWNSHIP OF MONTCLAIR AND THE MONTCLAIR
AMBULANCE UNIT FOR PROPERTY LOCATED AT 95 WALNUT
STREET**

August 3, 2010

WHEREAS, the Township is the owner of real property designated as Block 3209 Lot 12 on the Montclair Township Tax Maps and commonly known as 95 Walnut Street (the “Property”); and

WHEREAS, the Montclair Ambulance Unit, also known as the “Montclair Volunteer Ambulance Unit”, is a New Jersey nonprofit corporation which, for many years, has provided emergency first aid and health care services throughout the Township of Montclair; and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 and 40A:12-15, municipalities may lease property which is not needed for public use to nonprofit corporations to be used for a public purpose, including the provision of first aid and emergency services, and

WHEREAS, pursuant to Ordinance No. 05-42 adopted on September 13, 2005, the Township leased the Property to the MVAU for a term of 5 years in order to assist and support MVAU’s mission to provide first aid and emergency healthcare services to the Montclair community; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to renew the aforesaid lease for an additional term of five (5) years; now therefore

BE IT ORDAINED by the Council of the Township of Montclair, in the County of Essex, that the Mayor and Township Clerk be and they are hereby authorized to execute and attest a Renewal Lease Agreement between the Township and the MVAU for the property located at 95 Walnut Street, Montclair, New Jersey, in the form attached hereto and made a part hereof, and in accordance with the following:

Rent: \$10.00 per year

Lessee: Montclair Ambulance Unit a/k/a “Montclair Volunteer Ambulance Unit”

Public Purpose: Provision of first aid and emergency services

Persons benefiting from the public purpose: All residents and businesses located in the Township of Montclair

Term of Lease: Five (5) years

Person Responsible for Enforcement of Lease: Marc D. Dashfield, Township Manager

BE IT FURTHER ORDAINED THAT, as required by N.J.S.A. 40A:12-14(c), the MVAU shall submit an annual report to the Township Manager setting forth the use to which the subject Property was put during each year; the activities undertaken by MVAU in furtherance of the public purpose for which the lease was granted; the approximate value or cost, if any, of such activities in furtherance of such public purpose; and an affirmation of the MVAU's continued tax-exempt status pursuant to both state and federal law.