



Legislation Details (With Text)

**File #:** 20-0815      **Version:** 1      **Name:** Ordinance-WIC Lease - Novus Union LLC  
**Type:** Ordinance      **Status:** Adopted  
**File created:** 7/7/2020      **In control:** Health and Community Wellness  
**On agenda:** 7/22/2020      **Final action:** 8/5/2020

**Title:** ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE, THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND COMMUNITY WELLNESS, TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH NOVUS UNION, LLC, HAVING OFFICES AT 50 UNION AVENUE, IRVINGTON, NEW JERSEY, 07111 (LANDLORD), FOR THE PROPERTY LOCATED AT 46-58 UNION AVENUE, SUITE 702 AND 703, IRVINGTON, NEW JERSEY, 07111, AND COMMONLY KNOWN AS 50 UNION AVENUE, SUITE 702 AND 703 , IRVINGTON, NEW JERSEY 07111 AND APPEARING ON THE TOWNSHIP OF IRVINGTON OFFICIAL TAX MAP AS BLOCK 273, LOT 5, FOR THE PERIOD OF FIVE (5) YEARS FROM THE DATE OF COMMENCEMENT, AS DEFINED IN THE LEASE AGREEMENT, TO BE USED AS A WIC SITE, FOR AN ANNUAL RENT STARTING AT \$47,400.00, IN THE FIRST YEAR AND ESCALATING YEARLY TO AN AMOUNT NOT TO EXCEED \$51,307.29 IN YEAR FIVE (5).

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/5/2020	1	Municipal Council	Close on Public Hearing and Adopt	Pass
7/22/2020	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

**ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE, THE DIRECTOR OF THE DEPARTMENT OF HEALTH AND COMMUNITY WELLNESS, TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH NOVUS UNION, LLC, HAVING OFFICES AT 50 UNION AVENUE, IRVINGTON, NEW JERSEY, 07111 (LANDLORD), FOR THE PROPERTY LOCATED AT 46-58 UNION AVENUE, SUITE 702 AND 703, IRVINGTON, NEW JERSEY, 07111, AND COMMONLY KNOWN AS 50 UNION AVENUE, SUITE 702 AND 703 , IRVINGTON, NEW JERSEY 07111 AND APPEARING ON THE TOWNSHIP OF IRVINGTON OFFICIAL TAX MAP AS BLOCK 273, LOT 5, FOR THE PERIOD OF FIVE (5) YEARS FROM THE DATE OF COMMENCEMENT, AS DEFINED IN THE LEASE AGREEMENT, TO BE USED AS A WIC SITE, FOR AN ANNUAL RENT STARTING AT \$47,400.00, IN THE FIRST YEAR AND ESCALATING YEARLY TO AN AMOUNT NOT TO EXCEED \$51,307.29 IN YEAR FIVE (5).**

**WHEREAS**, the City’s Department of Health and Community Wellness, is in need of leasing office space located at 46-58 Union Avenue, Suite 702 and 703, Irvington, New Jersey, 07111, and commonly known as 50 Union Avenue, Suite 702 and 703, Irvington, New Jersey 07111, and appearing as Block 273 Lot 5 (the “Leased Premises”), on the Official Tax Map of the Township of Irvington, New Jersey, for public utilization as a WIC Site; and

**WHEREAS**, the City’s Department of Health and Community Wellness (“Tenant”) and Novus Union, LLC (“Landlord”), desire to enter into a lease agreement for the Leased Premises (hereinafter

“Lease Agreement”), for the period of five (5) years from the date of commencement, as defined in the Lease Agreement, for an annual rent starting at Forty-Seven Thousand Four Hundred Dollars and Zero Cents (\$47,400.00) in the first year, and escalating yearly to an amount not to exceed Fifty-One Thousand Three Hundred Seven Dollars and Twenty-Nine Cents (\$51,307.29) in year five.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

**Section 1.** The Mayor and/or his designee, the Director of the Department of Health and Community Wellness, are hereby authorized to enter into and execute the Lease Agreement, in the form attached hereto, on behalf of the City of Newark (“Tenant”) with Novus Union, LLC (“Landlord”), 50 Union Avenue, Irvington, New Jersey 07111, for the leasing of 46-58 Union Avenue, Suite 702 and 703, Irvington, New Jersey, 07111, and commonly known as 50 Union Avenue, Suite 702 and 703, Irvington, New Jersey 07111, and appearing as Block 273 Lot 5 (the “Leased Premises”), on the Official Tax Map of the Township of Irvington, New Jersey, for public utilization as a WIC Site, pursuant to N.J.S.A. 40:60-25.51, for the period of five (5) years from the date of commencement, as defined in the Lease Agreement, for an annual rent starting at Forty-Seven Thousand Four Hundred Dollars and Zero Cents (\$47,400.00), in the first year and escalating yearly to an amount not to exceed Fifty-One Thousand Three Hundred Seven Dollars and Twenty-Nine Cents (\$51,307.29) in year five.

**Section 2.** There shall be no advance payment on this Lease Agreement.

**Section 3.** A copy of the Lease Agreement is attached hereto and made part hereof.

**Section 4.** A copy of the Lease Agreement and this Ordinance shall be permanently filed in the Office of the City Clerk by the Director of the Department of Health and Community Wellness.

**Section 5.** The Lease Agreement shall be paid by grant funds to be received from the New Jersey Department of Health, Division of Family Health Services, Supplemental Nutrition Program for Women, Infants and Children (WIC), and for year one of the Lease Agreement appropriation shall be made prior to the authorization of expenditure of funds pursuant to N.J.A.C. 5:30-5.5(f)(2).

**Section 6.** Pursuant to N.J.A.C. 5:30-5.5(d)(2), the Lease Agreement is subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation.

**Section 7.** The Lease Agreement satisfies and is in compliance with Newark Municipal Ordinance 2:4-16.

**Section 8.** This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

**STATEMENT**

Ordinance authorizing the Mayor and/or his designee, the Director of the Department of Health and Community Wellness, to enter into and execute a Lease Agreement with Novus Union, LLC (“Landlord”) for the leasing of 46-58 Union Avenue, Suite 702 and 703, Irvington, New Jersey, 07111,

commonly known as 50 Union Avenue, Suite 702 and 703, Irvington, New Jersey 07111, and appearing on the Township of Irvington Official Map as Block 273 Lot 5 (the "Leased Premises"), for public utilization as a WIC Site, for an annual rent in the amount of Forty-Seven Thousand Four Hundred Dollars and Zero Cents (\$47,400.00) in the first year and escalating yearly to an amount not to exceed Fifty-One Thousand Three Hundred Seven Dollars and Twenty-Nine Cents (\$51,307.29) in year five.