



## Legislation Details (With Text)

**File #:** 20-0096      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 1/16/2020      **In control:** Recreation, Cultural Affairs and Senior Services

**On agenda:** 3/24/2020      **Final action:** 4/7/2020

**Title:** ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR, AND/OR HIS DESIGNEE, THE DIRECTOR OF THE DEPARTMENT OF RECREATION, CULTURAL AFFAIRS AND SENIOR SERVICES, TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH BETHANY BAPTIST CHURCH, A NOT FOR PROFIT CORPORATION, FOR THE PREMISES LOCATED AT 275 WEST MARKET STREET, NEWARK, NEW JERSEY 07103, BLOCK 00428, LOT 00002, MORE SPECIFICALLY SPACE ON THE FIRST FLOOR COMMONLY REFERRED TO AS THE SUNDAY SCHOOL ROOM, FOR AN ANNUAL RENT OF EIGHTEEN THOUSAND DOLLARS AND ZERO CENTS (\$18,000.00), PAYABLE IN TWELVE (12) EQUAL MONTHLY INSTALLMENTS OF ONE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$1,500.00), FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND TERMINATING ON DECEMBER 31, 2020, WITH AN OPTION TO RENEW FOR ONE (1) YEAR, AT THE SAME ANNUAL RENT AND UNDER THE SAME CONDITIONS SET FORTH IN THIS LEASE, FOR THE PURPOSE OF PROVIDING SERVICES TO NEWARK SENIOR CITIZENS, INCLUDING, BUT NOT LIMITED TO, SEASONAL ACTIVITIES, MEALS, ATHLETICS, ARTS AND CRAFTS, AND CULTURAL ACITIVITIES. (CENTRAL WARD)

**Sponsors:** LaMonica R. McIver, John Sharpe James

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
4/7/2020	1	Municipal Council	Close on Public Hearing and Adopt	Pass
3/24/2020	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass
3/18/2020	1	Municipal Council	No Action Taken	

**ORDINANCE RATIFYING AND AUTHORIZING THE MAYOR, AND/OR HIS DESIGNEE, THE DIRECTOR OF THE DEPARTMENT OF RECREATION, CULTURAL AFFAIRS AND SENIOR SERVICES, TO ENTER INTO AND EXECUTE A LEASE AGREEMENT WITH BETHANY BAPTIST CHURCH, A NOT FOR PROFIT CORPORATION, FOR THE PREMISES LOCATED AT 275 WEST MARKET STREET, NEWARK, NEW JERSEY 07103, BLOCK 00428, LOT 00002, MORE SPECIFICALLY SPACE ON THE FIRST FLOOR COMMONLY REFERRED TO AS THE SUNDAY SCHOOL ROOM, FOR AN ANNUAL RENT OF EIGHTEEN THOUSAND DOLLARS AND ZERO CENTS (\$18,000.00), PAYABLE IN TWELVE (12) EQUAL MONTHLY INSTALLMENTS OF ONE THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$1,500.00), FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND TERMINATING ON DECEMBER 31, 2020, WITH AN OPTION TO RENEW FOR ONE (1) YEAR, AT THE SAME ANNUAL RENT AND UNDER THE SAME CONDITIONS SET FORTH IN THIS LEASE, FOR THE PURPOSE OF PROVIDING SERVICES TO NEWARK SENIOR CITIZENS, INCLUDING, BUT NOT LIMITED TO, SEASONAL ACTIVITIES, MEALS, ATHLETICS, ARTS AND CRAFTS, AND CULTURAL ACITIVITIES. (CENTRAL WARD)**

**WHEREAS,** Bethany Baptist Church, Not-For-Profit Corporation, duly registered to conduct

business in the State of New Jersey, "Landlord", is the owner of land and property located at 275 West Market Street, Newark, New Jersey 07103, on the Official Tax Maps of the City of Newark as Block 00428, Lot 00002 ("Property"); and

**WHEREAS**, the City of Newark, Department of Recreation, Cultural Affairs and Senior Services, ("Tenant"), is in need of leasing a portion of the Property, more specifically space commonly referred to as the Sunday School Room on the First Floor ("Leased Premises"), for the purpose of providing services to Newark Senior Citizens including but not limited to seasonal activities, meals, athletics, arts and crafts and cultural activities; and

**WHEREAS**, the Landlord and Tenant desire to enter into a Lease Agreement for the Leased Premises for the period of January 1, 2020, through December 31, 2020, for an annual rent of Eighteen Thousand Dollars and Zero Cents (\$18,000.00), payable in twelve equal installments of One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00), with an option to renew for one (1) year at the same annual rent.

**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 Recreation, Cultural Affairs and Senior Services, 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 Bethany Baptist Church, Landlord, pursuant to N.J.S.A. 40A:12-15 for the lease of a portion of the property commonly known as 275 West Market Street, Newark, New Jersey 07103, (Block 00428, Lot 00002) more specifically space commonly referred to as the Sunday School Room on the First Floor ("Leased Premises"), for the purpose of providing services to Newark's senior citizens including but not limited to seasonal activities, meals, athletics, arts and crafts, and cultural activities.

**Section 2.** The term of the Lease shall be for a period of twelve (12) months, commencing on January 1, 2020 (the "Lease Commencement Date"), and expiring on December 31, 2020, for an annual rent of Eighteen Thousand Dollars and Zero Cents (\$18,000.00), payable in twelve (12) equal monthly installments of One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00), with an option to renew for one (1) year at the same annual rent. Landlord shall use its best efforts to put Tenant in possession of the Leased Premises on Lease Commencement Date. If Landlord is unable to timely provide the Leased Premises, rent shall abate for the period of delay. The Tenant shall make no claim against the Landlord for any such delay.

**Section 3.** The Municipal Council of the City of Newark hereby ratifies the Lease Agreement between the Tenant and the Landlord from January 1, 2020, until the final passage and publication of this Ordinance.

**Section 4.** There shall be no advance payment on this Lease Agreement

**Section 5.** A copy of the Lease Agreement is attached hereto and made a part hereof.

**Section 6.** The Director of Recreation, Cultural Affairs and Senior Services shall permanently file a copy of the Lease Agreement and this ordinance in the Office of the City Clerk.

**Section 7.** Pursuant to N.J.A.C. 5:30-5.5, Temporary Budget, attached hereto is a partial

Certification of Funds from the Director of Finance, City of Newark, which states that funds in the amount of Three Thousand Dollars and Zero Cents (\$3,000.00) are available in the 2020 Budget under Business Unit: NW011; Dept.: 160; Div/Proj.: 1609; Activity: A; Account #71610; Budget Ref: B2020; The Certification of Funds shall be filed along with the original ordinance in the Office of the City Clerk. The remainder of the funding for this Lease will be subject to appropriation in the 2020 Budget and included in a line item for this Lease. There will be no expenditure of funds authorized until a Certification of Funds is obtained and a copy filed with the City Clerk.

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

### **STATEMENT**

This ordinance ratifies and authorizes the Mayor and/or his designee, the Director of the Department of Recreation, Cultural Affairs and Senior Services, to enter into and execute a Lease Agreement with Bethany Baptist Church, 275 West Market Street, Newark, New Jersey 07103, at an annual rent of Eighteen Thousand Dollars and Zero Cents (\$18,000.00), payable in twelve (12) equal monthly installments of One Thousand Five Hundred Dollars and Zero Cents (\$1,500.00) per month. The lease term is for one (1) year commencing January 1, 2020, and terminating December 31, 2020, with an option to renew the lease for one (1) year at the same annual rent and under the same conditions set forth in the Lease.