



BOROUGH OF HADDONFIELD
Camden County, New Jersey

December 18, 2023

2023-19

**AN ORDINANCE AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE
BOROUGH OF HADDONFIELD AND VIRTUA-WEST JERSEY HEALTH SYSTEM, INC.,
FOR THE USE OF CERTAIN PREMISES WITHIN THE HADDONFIELD FIRE STATION
LOCATED AT 15 NORTH HADDON AVENUE**

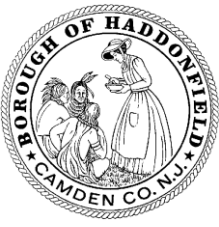
WHEREAS, the Borough of Haddonfield ("Borough") owns and operates a building commonly known as Haddonfield Fire Station ("Building"), located at 15 North Haddon Ave, Haddonfield, New Jersey ("Property"); and

WHEREAS, the Virtua-West Jersey Health System, Inc., a New Jersey non-profit corporation with its corporate offices located at 303 Lippincott Drive, 4th Floor, Marlton, New Jersey 08053 ("Virtua"), desires to use a portion of the Building and requested that the Borough enter into an agreement which would provide for its use and occupancy of certain portions of the garage and office areas in the Building by Virtua ("Lease Agreement"); and

WHEREAS, the premises to be referenced in the proposed Lease Agreement consists of (i) a delineated portion of the garage area located on the ground floor of the Building, including use of and access to its own overhead door entrance/exit for housing a Mobile Intensive Care Unit Vehicle, which consists of approximately 263 square feet, and (ii) non-exclusive access to and use of available work space(s) suitable for Virtua Mobile Intensive Care Unit staff to utilize in order to complete their daily job duties & responsibilities, together with non-exclusive access to and use of the general areas of the Building including, but not limited to, the lounge areas, kitchen, and bathrooms, for those Virtua employees during their shift assignments on the Premises; and

WHEREAS, Virtua represents that its use of the Premises shall be for establishing a regional station for a Mobile Intensive Care Unit Vehicle (the "MICU Vehicle") staffed only by employees (the "MICU Staff") who are qualified to administer regional pre-hospital "Advanced Life Support" care (collectively, the "MICU Services") to meet the needs of Borough residents and others within the boundaries of Camden County, and Virtua agrees to dedicate its use of the Premises to the promotion and advancement of the health, safety and welfare of the residents of the Borough and Camden County who will benefit from the provision of MICU Services; and

WHEREAS, the Local Lands and Buildings Law authorizes a governing body to lease municipally-owned land to a non-profit corporation for a public purpose (N.J.S.A. 40A:12-14(c)), for a maximum lease term of up to fifty (50) years and extended for an additional twenty- five (25) years by ordinance thereafter (N.J.S.A. 40A:12-15), where the public purpose for said leasehold is for, among other things, the provision of health care or services by a nonprofit clinic, hospital, residential home, outpatient center or other similar corporation or association, or any other activity for the promotion of the health, safety,



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morals and general welfare of the community of any nonprofit corporation or association (N.J.S.A. 40A:12-15(b), (i)); and

WHEREAS, the Borough Board of Commissioners finds that as a nonprofit corporation Virtua's proposed use of the Premises for the provision of MICU Services as described herein is a qualifying public purpose allowing the Borough to authorize a leasehold pursuant to the Local Lands and Buildings Law; and

WHEREAS, the Borough Board of Commissioners of the Borough of Haddonfield has determined that on the foregoing basis it is in the public interest for the Borough to enter into the Lease Agreement with Virtua for the Premises more specifically delineated in Exhibit A, as permitted by the Local Lands and Buildings Law and in a form approved by the Borough Solicitor.

NOW THEREFORE, BE IT ORDAINED by the Borough Board of Commissioners of the Borough of Haddonfield, in the County of Camden, State of New Jersey, as follows:

SECTION I

LEASE AUTHORIZED. A leasehold between the Borough of Haddonfield, as Landlord, and Virtua-West Jersey Health System, Inc., as Tenant, of the Premises, as described above and to be more fully set forth in the Lease Agreement, located at 15 North Haddon Ave., Haddonfield, New Jersey, is hereby authorized according to the material terms set forth by this Ordinance and subject to a written Lease Agreement memorializing the same in a form approved by the Borough Solicitor. The Mayor and the Borough Clerk are hereby authorized and directed to execute and deliver the Lease Agreement on behalf of the Borough of Haddonfield. The Borough Administrator or his or her designee shall be responsible for enforcement of the conditions of the Lease Agreement.

SECTION II

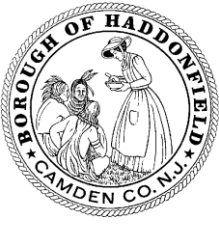
RECITALS; INCORPORATION BY REFERENCE. The recitals of this Ordinance are hereby incorporated by reference as if fully set forth herein.

SECTION III

RENT. Rent shall be on an annual basis, as set forth pursuant to an annual resolution, as a monthly minimum fixed rent payable per month due; on the first day of each month.

SECTION IV

TERM. The term of the Lease Agreement shall be for one (1) year commencing January 1, 2024 expiring December 31, 2024, with continual renewal automatically for an



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additional one (1) year term. Where either party seeks not to renew this Lease, such intent shall be set forth in writing and sent to the other party at least 90 days prior to the expiration of the current Lease term.

SECTION V

PUBLIC PURPOSE; PERSONS BENEFITED. The Borough Board of Commissioners recognizes that the provision of MICU Services at the Premises by Virtua is a permissible public purpose under N.J.S.A. 40A:12-15(b), (i), wherein such use will establish a regional station for staging MICU Vehicles operated by MICU Staff who are qualified to administer regional pre-hospital "Advanced Life Support" care that meets the needs of residents within the boundaries of the Borough as well as across Burlington and Camden County and approximately 988,040 persons will benefit from these public purposes.

SECTION VI

REPORTING REQUIREMENTS. Virtua shall annually submit a report no later than February 15th of each year to the Borough of Haddonfield's Borough Administrator at the address identified by the Lease Agreement for providing notice to Landlord under this Lease, which report shall set forth (i) the uses of the Premises that were undertaken by Tenant during the prior year, (ii) the activities of Tenant undertaken in furtherance of the public purpose for which the new leasehold was granted, (iii) the approximate financial value or cost, if any, of such activities in furtherance of such purpose, and (iv) an affirmation of the continued tax-exempt status of the Tenant as a nonprofit corporation pursuant to both State and Federal law.

SECTION VII

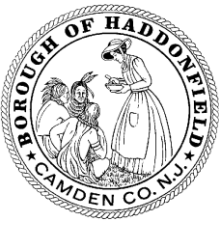
EFFECTIVE DATE. This Ordinance shall take effect after final passage and publication in accordance with law.

SECTION VIII

REPEALER. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

SECTION IX

SEVERABILITY. If any section, paragraph, sentence, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.



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SECTION X

This ordinance shall take effect immediately upon passage and publication as required by law.

First Reading – November 27, 2023
Second Reading – December 18, 2013

COMMISSIONERS:	MOTION	SECOND	YEA	NAY	ABSTAIN	ABSENT
ROCHE	X		X			
TROY		X	X			
BIANCO BEZICH			X			

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF A RESOLUTION ADOPTED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF HADDONFIELD AT A MEETING HELD ON NOVEMBER 28, 2022.

Deanna Bennett, Borough Clerk