



Borough of Chatham

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ORDINANCE #24-10

AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF CHATHAM IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY AUTHORIZING A LEASE FOR OFFICE SPACE AT THE BOROUGH'S STANLEY CENTER WITH ECLC OF NEW JERSEY PRIDE DAY PROGRAM, INC.

WHEREAS, the Local Lands and Buildings Law, at N.J.S.A. 40A:12-14(c) authorizes a municipality to enter into a lease with a nonprofit corporation or association for a public purpose without the need for public bidding and at a negotiated price; and

WHEREAS, ECLC of New Jersey Pride Day Program, Inc. (“ECLC”), a New Jersey nonprofit corporation, having its principal office at Suite I, 100 Passaic Avenue, Florham Park [mailing address: Chatham, NJ 07928] has requested to rent from the Borough approximately 2,000 square feet of space comprising the entire mezzanine level of the former Stanley Church facility situated at 94 Fairmount Avenue, commonly known as the “Stanley Center,” and the Borough is amenable to doing so; and

WHEREAS, the proposed lease term is for a period of six (6) months, commencing on July 1, 2024 and ending on December 31, 2024, with an option for a potential extension of the lease for an additional six months from January 1, 2025 and ending on June 30, 2025; and

WHEREAS, the parties desire to memorialize the aforementioned lease agreement through the execution of a suitable contract document.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of Chatham Borough, in the County of Morris, State of New Jersey, as follows:

Section 1:

The Mayor and Borough Council hereby authorize a lease between the Borough and ECLC for approximately 2,000 square feet of space located on the mezzanine level of the former Stanley Church facility situated at 94 Fairmount Avenue, commonly known as the “Stanley Center,” for a term from July 1, 2024 through December 31, 2024, with an option for a potential extension of the lease for an additional six months from January 1, 2025 and ending on June 30, 2025. The Mayor and Borough Clerk are authorized to execute a Lease Agreement reflecting the foregoing as prepared or approved by the Borough Attorney, substantially in the form attached to this Ordinance as “Exhibit A.”

Section 2:

The Mayor, Borough Clerk, and Borough Attorney and any other relevant Borough officials are authorized to take any further necessary actions and execute any further documents necessary to effectuate the intent and purposes of this Ordinance.

Section 3:

ECLC is authorized to utilize the property that is the subject of this lease strictly for non-profit purposes, and not for any for-profit commercial purpose.

Section 4:

The Borough Administrator is designated as the municipal official responsible for enforcement of the conditions of the lease. As required by the Local Lands and Buildings Law, ECLC shall annually submit a report to the Borough Administrator setting out the use to which the leasehold was put during each year, the activities that the lessee had undertaken in furtherance of the public services for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose, and an affirmation of the continued tax-exempt status of the non-profit corporation pursuant to both state and federal law.

Section 5:

Repeal of Inconsistent Provisions. All ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

Section 6:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent this Ordinance shall stand notwithstanding the invalidity of any part.

Section 7:

Codification. This Ordinance shall be a part of the Code of the Borough of Chatham though codified and fully set forth therein. The Borough Clerk shall have this ordinance codified and incorporated in the official copies of the Code. The Borough Clerk and the Borough Attorney are authorized and directed to change any Chapter, Article and/or Section number of the Code of the Borough of Chatham in the event that the codification of this Ordinance reveals that there is a conflict between the numbers and the existing Code, and in order to avoid confusion and possible accidental repealers of existing provisions not intended to be repealed.

Section 8:

This Ordinance shall take effect upon passage, adoption, and publication in the manner prescribed by law.

Name	Motion	Second	Yes	No	Abstain	Absent
Mathiasen						
Hargrove						
Hay						
Koronkiewicz						
Strickland						
Treloar						

Introduced: May 13, 2024

Adopted: May 28, 2024

Attest:

BOROUGH OF CHATHAM

 Vanessa L. Nienhouse, RMC, CMC
 Borough Clerk

 Carolyn Dempsey
 Mayor

CERTIFICATION

I, Vanessa L. Nienhouse, Borough Clerk for the Borough of Chatham, County of Morris, State of New Jersey, do hereby certify this is a true and correct copy of an Ordinance that was read on second reading and approved by the Borough Council at its Regular Meeting held on May 28, 2024.

 Vanessa L. Nienhouse, Borough Clerk