

ORDINANCE NO. 29-2020

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HANOVER AUTHORIZING A LEASE BETWEEN THE TOWNSHIP OF HANOVER AND THE ARC/MORRIS COUNTY CHAPTER, NEW JERSEY, INC. REGARDING TOWNSHIP OWNED PROPERTY LOCATED AT 70 WHIPPANY ROAD, AND ALSO DESIGNATED AS BLOCK 4301, LOT 2.03 AS SET FORTH ON THE TAX MAP OF THE TOWNSHIP OF HANOVER

WHEREAS, the Township of Hanover has determined that it does not have a current need or a foreseeable need for the parcel of land at 70 Whippany Road, also known as Tax Lot 4301, Lot 2.03 as set forth on the Tax Map of the Township of Hanover; and

WHEREAS, the ARC/Morris County Chapter, New Jersey, Inc., a non-profit corporation of the State of New Jersey, which provides Group Homes for those who are developmentally disabled, seeks to develop on Block 4301, Lot 2.03 a group home to accommodate up to six (6) developmentally disabled individuals on as needed basis, which home will be build at the ARC's expense, and will be built on the basis of a long-term lease of the land from the Township; and

WHEREAS, N.J.S.A. 40A:12-14(c) provides that a municipality may lease to a nonprofit corporation at a nominal consideration, lands that are not needed by a municipality for its use, for use by the nonprofit corporation, for such activities as the construction of a group home; and

WHEREAS, the Township has negotiated with the ARC/Morris County Chapter, New Jersey, Inc., a lease, a copy of which is on file with the Township Clerk and same is deemed to be satisfactory.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Hanover in the County of Morris and State of New Jersey, as follows:

Section 1. The lease between the Township of Hanover and the ARC/Morris County Chapter, New Jersey, Inc. providing for a rent of One (\$1.00) Dollar and other good and valuable consideration for the parcel of Township owned land at 70 Whippany Road, and also designated as Block 4301, Lot 2.03 on the Tax Map of the Township of Hanover, for a period of thirty-five (35) years for the construction of a group home to accommodate up to six (6) developmentally disabled individuals on an as needed basis, without any mortgage or lien being placed on the aforesaid land is hereby approved.

Section 2. The execution of the lease by and between the Township of Hanover and the ARC/Morris County Chapter, New Jersey, Inc. shall be contingent upon the ARC receiving all local approvals including any variances or sub-divisions that may be required by the Township.

Section 3. The ARC/Morris County Chapter, New Jersey, Inc. shall be required to annually submit a report to the Business Administrator/Township Clerk setting out the following:

- a. The use to which the leasehold was put during each calendar year;
- b. The activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted;
- c. The approximate value or cost, if any, of such activities in furtherance of such purpose; and
- d. Affirmation of the continued tax exempt status of the non-profit corporation pursuant to both State and Federal law.

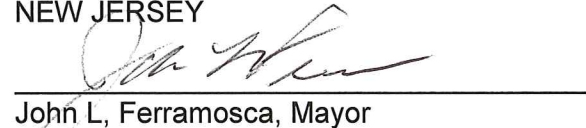
The Business Administrator/Township Clerk for the Township of Hanover shall be responsible for the enforcement of the conditions of said lease.

Section 4. The Mayor and Township Clerk are hereby authorized to execute the lease.

ATTEST:


Joseph A. Giorgio, Township Clerk

TOWNSHIP COMMITTEE
TOWNSHIP OF HANOVER
COUNTY OF MORRIS AND STATE
NEW JERSEY


John L. Ferramosca, Mayor

DATE OF INTRODUCTION: October 29, 2020

DATE OF ADOPTION: November 2020

CERTIFICATION

I, Joseph A. Giorgio, Township Clerk of the Township of Hanover, County of Morris and State of New Jersey, do hereby certify the foregoing to be a true copy of the Ordinance adopted by the Township Committee of said Township on the ____ day of November, 2020, at a meeting duly convened, of said body.


Joseph A. Giorgio, R.M.C.
Township Clerk