

**Borough of Norwood  
Ordinance No. 17:04**

**AN ORDINANCE TO AUTHORIZE A LEASE AGREEMENT  
BETWEEN THE BOROUGH OF NORWOOD AND THE  
NORWOOD FIRE COMPANY #1 FOR A TERM OF  
TWENTY YEARS BEGINNING AS OF JANUARY 1, 2017  
FOR FIRE HOUSE PURPOSES AT 602 BROADWAY IN THE  
BOROUGH OF NORWOOD, BERGEN COUNTY, NEW  
JERSEY.**

**WHEREAS**, the Mayor and Council of the Borough of Norwood (“Borough”) finds that there is a need for the execution of a new lease authorizing the continued use by the Borough of a part of the building located on the property known as 602 Broadway, Norwood, New Jersey (“the Property”) for fire prevention, fire house, and other governmental purposes; and

**WHEREAS**, the purpose of this ordinance is to approve the execution of this lease pursuant to all applicable laws, including but not limited to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., which authorizes public entities to acquire real property or an interest in real property, including by lease, see, D’Ercole v. Mayor and Council of Norwood, 198 N.J. Super. 531 (App. Div. 1984); and

**WHEREAS**, there are sufficient funds available for Borough’s current obligations under this lease.

**NOW, THEREFORE, BE IT ORDAINED** by the Major and Council of the Borough of Norwood, County of Bergen, State of New Jersey, as follows:

**Section 1.:** In accordance with the provisions of all applicable laws, including N.J.S.A. 40A:12-15(a), the Borough will continue to lease from the Norwood Fire Company #1, a corporation of the State of New Jersey, a part of the building on the Property for the purposes stated above. The lease term begins as of January 1, 2017 and will terminate on December 31,

2037, all in accordance with the terms and conditions as set forth in a proposed Lease Agreement that is on file in the Borough Clerk's office and which is hereby approved.

**Section 2.:** The Borough will be obligated to pay the total rent in accordance with Schedule A of the Lease Agreement, as well as all other charges stated in the Lease Agreement, from budget appropriations to be made in the manner prescribed by law, including the provisions of the Local Budget Law of the State of New Jersey.

**Section 3.:** The Mayor and Clerk are authorized and directed to execute and attest to the execution of the Lease Agreement.

**Section 4.:** All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of any inconsistencies.


**Section 5.:** The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

**Section 6.:** This ordinance will take effect upon final approval and publication, according to law, and is intended to be effective retroactively to January 1, 2017.

Introduced and passed first reading: March 8, 2017

Passed second reading: April 12, 2017

ATTEST:

  
Lorraine L. McMackin, Borough Clerk

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APPROVED BY:

  
James P. Barsa, Mayor