

**ORDINANCE 2016-15**

**ORDINANCE AUTHORIZING THE USE AND OCCUPANCY OF CERTAIN MUNICIPAL LANDS AND BUILDINGS, BEING THE RED BRICK SCHOOL HOUSE, IN THE TOWNSHIP OF CHATHAM, BY THE HISTORICAL SOCIETY OF THE TOWNSHIP OF CHATHAM**

**WHEREAS**, the Township Committee of the Township of Chatham determined that it is in the public interest to enter into a Use and Occupancy Agreement with the Historical Society of the Township of Chatham for that property known as the Red Brick School House (“Property”); and

**WHEREAS**, the Historical Society of the Township of Chatham is a non-profit corporation enjoying both State of New Jersey as well as Federal tax exempt status; and

**WHEREAS**, the Township Committee has deemed it to be for the good and general welfare of the Township of Chatham to enter into a Use and Occupancy Agreement for the Property with the Historical Society of the Township of Chatham; and

**WHEREAS**, pursuant to the Local Lands and Buildings Law, the Township is authorized to enter into a Use and Occupancy Agreement with the Historical Society of the Township of Chatham because the Property is not needed by the Township and the Historical Society of the Township of Chatham is a non-profit corporation providing a public purpose.

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

1. That the Mayor and Clerk are hereby authorized to execute all such documents as are necessary to enter into the attached Use and Occupancy Agreement with the Historical Society of the Township of Chatham for the Property.
2. That the Property is not needed by the Township.
3. That the Historical Society of the Township of Chatham is a non-profit corporation providing services which benefit the residents of the Township and surrounding communities.
4. The term of the Use and Occupancy Agreement shall be for fifty (50) years and while the Society continues to use the Property for the purposes stated in the Agreement, with the Society paying the Township One (\$1.00) Dollar per year.
5. That the Historical Society of the Township of Chatham shall comply with the following reporting requirements, which requirements shall be to the Township Committee of the Township of Chatham:

...annually submit a report to the officer, employee or agency designated by the governing body, setting out the use to which the [Property] was put during each year, the activities...undertaken in furtherance of the public purpose for which the [Use and Occupancy Agreement] 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 nonprofit corporation pursuant to both State and federal law. (See N.J.S.A. 40A:12-14(c)).

6. That this Ordinance shall become effective according to law.

Introduced: April 21, 2016

TOWNSHIP OF CHATHAM, COUNTY OF  
MORRIS, STATE OF NEW JERSEY

Adopted:

Attest:

BY: \_\_\_\_\_  
Curt Ritter, Mayor

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Gregory J. LaConte, Clerk