

AN ORDINANCE RATIFYING EMERGENCY RESOLUTION NO. 287-9.21 OF THE TOWNSHIP OF NORTH BRUNSWICK ADOPTED ON SEPTEMBER 27, 2021 AUTHORIZING A LEASE AGREEMENT FOR MUNICIPAL SPACE FOR THE DEPARTMENT OF PUBLIC SAFETY

WHEREAS, Tropical Storm Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, reports of tornadoes, and heavy and sustained rainfall which was forecasted to reach up to ten (10) inches in some areas; and

WHEREAS, the tropical storm caused severe damage to North Brunswick’s municipal facilities, infrastructure and equipment which could endanger the community’s health, safety, and welfare if not responded to in an immediate manner; and

WHEREAS, during the late hours of Wednesday, September 1, 2021, the remediation specialist approved under the Garden State Municipal Joint Insurance Fund (“Rapid Recovery”) was notified that water from the storm was coming into the Municipal Complex; and

WHEREAS, on Thursday, September 2, 2021, the Mayor for the Township declared a State of Emergency for the Township; and

WHEREAS, on Thursday, September 2, 2021, Rapid Recovery came on site to assess the conditions of the Municipal Complex that was found to have sustained extensive water damage within the basement, mechanical room, court area and first floor of the Police department; and

WHEREAS, by September 10, 2021, Rapid Recovery had engaged engineers, who collectively determined the building could be isolated by area to allow the building to reopen within a few weeks for all departments (excluding Police and Court which was anticipated to take 6-8 weeks) while remediation work was performed, and recommended municipal departments find temporary office space within other municipal facilities, temporary trailers and a county command trailer; and

WHEREAS, by September 17, 2021, Rapid Recovery notified municipal officials to expect additional construction delays, more specifically within the police department area and court; and

WHEREAS, during the week of September 20th, municipal officials responded to the notification of delay by moving non-police and court into trailers other municipal facilities, and determined additional space still required for the Police Department; and

WHEREAS, municipal officials reviewed commercial property within the Township and found 1460 Livingston Ave LLC located at 1460 Livingston Avenue-Building 400 2nd floor North Brunswick, New Jersey has office space available on a temporary basis for immediate occupancy; and

WHEREAS, at the request of municipal officials, the Broker for 1460 Livingston Ave LLC provided a Lease Agreement for temporary space within their facility as outlined attached hereto; and

WHEREAS, municipal officials provided necessary information to the loss claim with the Garden State Joint Insurance Fund and received approval from the excess carrier that municipal expenses associated with temporary office space, including said Lease Agreement, would be covered under the claim; and

WHEREAS, in addition, 1460 Livingston Ave LLC completed and submitted a C.271 Political Contribution Disclosure Form pursuant to N.J.S.A. 19:44A-20.26 et seq.; and

WHEREAS, on September 27, 2021, the Township Council of the Township of North Brunswick adopted an emergency resolution authorizing the execution of a Lease Agreement for the Police Department to occupy on a temporary basis 1460 Livingston Ave LLC, with a three-month initial term (and option to extend month-to-month) at \$34,000/month for 10,000 square feet; and

WHEREAS, N.J.S.A. 40A:12-5 permits that a municipality may provide for the acquisition of any real property, capital improvement, or personal property by lease agreement; and

NOW, THEREFORE, BE ORDAINED and enacted by the Township Council of Township of North Brunswick, in the County of Middlesex, New Jersey, that Emergency Resolution No. 287-9.21 authorizing a lease agreement for municipal space for the Department of Public Safety is ratified.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.