

**A RESOLUTION OF THE TOWNSHIP OF NORTH BRUNSWICK
AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT
FOR TEMPORARY OFFICE SPACE FOR ARCHIVE RECORDS**

WHEREAS, Hurricane Ida impacted New Jersey on Wednesday, September 1, 2021, bringing severe weather conditions including strong winds, and heavy and sustained rainfall in some areas; and

WHEREAS, the storm caused severe damage to municipal facilities, infrastructure and equipment, including 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 September 27, 2021, the Township adopted an emergency resolution authorizing the execution of a Lease Agreement with 1460 Livingston Ave LLC, for the temporary location of various divisions within Police Department to occupy 1460 Livingston Avenue-Building 400, 2nd floor, North Brunswick, New Jersey, with a three-month initial term (and option to extend month-to-month) at \$34,000/month for 10,000 square feet; and

WHEREAS, in October and November of 2021, Police Dispatch, Command staff and other Departments operating out of the Municipal Complex were relocated to various temporary locations, including other municipal facilities and rental trailers provided under the insurance claim; and

WHEREAS, the trailer configuration located in the parking lot of the Municipal Complex was designed to be a short-term solution and some smaller, single-wide trailers did not provide adequate space for file accessibility, public interaction, and safety during extreme weather conditions; and

WHEREAS, by August of 2022, the back first floor of the Police Department was isolated with a separate temporary heating, ventilation and air condition system and available for identified police use; and

WHEREAS, by September of 2022, Rapid Recovery along with their subcontractors notified municipal officials and engaged professionals to expect additional construction delays, more specifically with regards to remediation of the mechanical room, which houses necessary elements of the heating, ventilation and air condition system (HVAC); and

WHEREAS, in response, without an anticipated completion date provided, the Township began preparing additional space within the municipal owned facilities, leaving one department to potentially be relocated under a Lease Agreement to an office space;

WHEREAS, in addition, the archive of municipal records for various departments was located within the basement and damaged by water during the storm event; and

WHEREAS, the Municipal Clerk as the custodian of records worked with the State Department of Treasury, Division of Records Management that determined the damaged documents could not be filed for destruction and must be treated and preserved; and

WHEREAS, in September and October of 2021, with approval from the insurance carrier, a crane was brought to the Municipal Complex and a company was engaged for the removal and restoration of paper documents; and

WHEREAS, in November of 2022, the restoration company provided the Township with a status on the treatment progress, along with the estimated volume of files to be returned, with an anticipated January delivery date; and

WHEREAS, in December of 2022, municipal officials reviewed municipal space available, and having no facility with suitable conditions, solicited proposals for a temporary location; and

WHEREAS, Municipal Officials are in the process of seeking approval under the insurance claim for expenses associated with leased space to accommodate Archive Records, including the timeline, volume, structural load, access, security and climate control necessary to continue with the next phase, which includes identifying and sorting the restored files; and

WHEREAS, Local Lands and Buildings Law 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

WHEREAS, Municipal Officials have reviewed the attached proposal from 1460 Livingston Ave LLC in the amount of \$6,879/month with a one-year initial term; and

WHEREAS, 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

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex, and State of New Jersey, does hereby authorize a lease agreement for municipal space for Archive Records and shall ratify said lease by Ordinance.

Justine Progebin
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

RECORDED VOTE:

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON				
GUADAGNINO				
ANDREWS				
DAVIS				
SOCIO				
MEHTA				
MAYOR WOMACK				

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on January 17, 2023.

Lisa Russo
Township Clerk