

AN ORDINANCE OF THE TOWNSHIP OF NORTH BRUNSWICK IN THE COUNTY OF MIDDLESEX, NEW JERSEY, RATIFYING RESOLUTION 50-1.23 ADOPTED ON JANUARY 3, 2023 AUTHORIZING 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, 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, on January 3, 2023, the Township Council adopted Resolution 50-1.23 authorizing the execution of a lease agreement for temporary municipal space for Archive Records per the attached proposal from 1460 Livingston Ave LLC in the amount of \$6,879/month with a six-month initial term; and

WHEREAS, in January of 2023, municipal officials presented to the insurance carrier to include in the claim said Lease Agreement along with expenses associated with leased space to accommodate Archive Records; and

NOW, THEREFORE, BE IT ORDAINED and enacted by the Township Council of the Township of North Brunswick, in the County of Middlesex, New Jersey, that Emergency Resolution 50-1.23 authorizing a lease agreement for municipal space for Archive Records is ratified.

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

Approved Yes No

Rejected Yes No

Francis “Mac” Womack III, Mayor
Township of North Brunswick

Reconsidered by Council _____

Override Vote Yes No

Council President

Clerk, Township of North Brunswick

ROLL CALL

First Reading _____

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

Second Reading _____

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

January 20, 2023

Office Space Lease

TENANT:	North Brunswick Township 710 Hermann Road North Brunswick, NJ 07731
LANDLORD:	1460 Livingston Ave. LLC 1189 Lakewood Farmingdale Road Howell NJ 07731
BUILDING:	1460 Livingston Ave Building 400 1st floor, County of Middlesex New Jersey
PREMISES:	Approximately 2,000 square feet
INITIAL LEASE TERM:	6 Months, and then month to month
LEASE COMMENCEMENT:	Feb 1 st 2023
RENT:	\$6,879.00 dollars monthly
ASSIGNMENT/SUBLET:	Tenant required: (i) the right to substitute any of its wholly owned subsidiaries or successors as occupants of its premises without the landlords consent; (ii) the right, at any time, to sublease or assign all or any portion of its premises to any unrelated entities with landlords consent which is not to be unreasonably withheld, delayed or conditioned, subject to the continued guaranty of Tenant, and that subtenant's use is not more excessive than permitted in lease; and (iii) the right to retain the profits from subleasing or assignment.
UTILITIES:	Tenant shall pay for its utilities as determined by Prorated on sq footage of the building. Public water and public sewer charges will be Reimbursed by tenant
PARKING:	The tenant shall have the right to utilize all parking spaces in front of the demised premises.
LANDLORD'S MAINTENANCE	Landlord, at its sole cost and expense, shall be responsible for the structural and capital items for the Property. The exterior only.

1460 LIVINGSTON AVE LLC



NORTH BRUNSWICK TOWNSHIP

**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

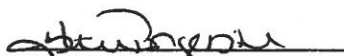
WHEREAS, Municipal Officials are in the process of seeking approval under the insurance claim for expenses associated with leased space to accommodate Archive Records, including the timeline, volume, structural load, access, security and climate control necessary to continue with the next phase, which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

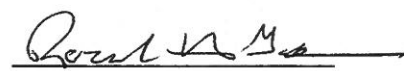
WHEREAS, Local Lands and Buildings Law N.J.S.A. 40A:12-5 permits that a municipality may provide for the acquisition of any real property, capital improvement, or personal property by lease agreement; and

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.

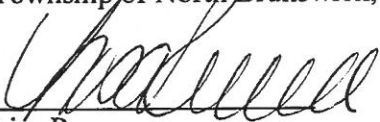

Justine Progebin
Business Administrator


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

Resolution # _____

COUNCIL MEMBER	YES	NO	ABSTAIN	NOTES
HUTCHINSON	A			
GUADAGNINO	✓			
ANDREWS	✓			
DAVIS 1	✓			
SOCIO 2	✓			
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

C: J. Puglisi
S. Sicles
C. Gallimore
Home News

**1460 LIVINGSTON AVE LLC
1189 Lakewood Farmingdale rd.
Howell NJ 07731**

December 28, 2022

TOWNSHIP OF NORTH BRUNSWICK

710 Herman rd.

North Brunswick Nj

ATT Justin Progebin

This letter is in response to the RFP that was passed on December , 12th 2022 [twp. resolution # 347-12.22] .

After having our walk through today at our complex at 1460 Livingston Ave , and analyzing the space we have at hand the most suitable option would be Building 400 First floor Rear section of the floor see attached plans for the mark out,

This space satisfies all the requirements the town requested and is available for immediate occupancy.

1460 Livingston Ave - Building 400 - Rear section is approximately 2000 sq ft of space, the gross rentable number were requesting is \$6,879 a month ,

Please advise us at your earliest convenience if we are awarded this contract as we would begin immediately prepping the space for you.

Please contact either Zev Spira at 732-904-8744 Or David Rothenberg at 732-895-3999.



1460 Livingston Ave LLC