

**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.

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Justine Progebin  
Business Administrator

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

**RECORDED VOTE:**

<b>COUNCIL MEMBER</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>NOTES</b>
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.

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Lisa Russo  
Township Clerk