

TOWNSHIP OF WALL

RESOLUTION NO. 19-1018

**AUTHORIZATION TO ENTER INTO AN ACCESS AGREEMENT WITH
PROPERTY OWNER FOR ACCESS TO EDGAR FELIX BIKE PATH FOR
PURPOSE OF TEMPORARILY LOCATING POOL CONSTRUCTION
EQUIPMENT ACROSS THE BIKEPATH**

WHEREAS, the Township of Wall was contacted by the owner of a residential property located at 1209 Pennsylvania Avenue, Wall Township, NJ for permission to allow a swimming pool contractor to temporarily locate heavy construction equipment across the Edgar Felix Bike Path for the purpose of a pool installation; and,

WHEREAS, Wall Township's Engineer, Mr. Zahorsky has reviewed the proposed access request and agrees the same is reasonable; and,

WHEREAS, the municipal attorney has reviewed the proposed agreement and has reported that the agreement includes provisions requiring the property owner to indemnify the Township of Wall from any potential damages, name the Township of Wall as an additional insured on a Certificate of Insurance providing \$1 million dollars per occurrence, provide a bond in the Township's favor to insure that no damage is done to the surface and surrounding area of the bike path; and,

NOW, THEREFORE, BE IT RESOLVED, the Wall Township Mayor and Township Committee hereby authorize execution of an Access Agreement with Mr. Charles Maffey, residing at 1209 Pennsylvania Avenue, Wall Township in consideration of payment to the Township of Wall in the amount of \$1.00 dollar; and,

BE IT FURTHER RESOLVED, that all Township officials including, but not limited to the Mayor, the Township Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

I, Roberta Lang, Municipal Clerk of the Township of Wall in the County of Monmouth and the State of New Jersey, do hereby certify that the foregoing is a correct and true copy of a resolution adopted by the Mayor and Council of the Township of Wall in the County of Monmouth in the State of New Jersey at a meeting held on October 23, 2019.



Roberta Lang, RMC
Municipal Clerk