

RESOLUTION NO. 2020-187

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH PINELANDS REGIONAL SCHOOL DISTRICT BOARD OF EDUCATION

WHEREAS, Pinelands Regional School District Board of Education (hereinafter "Pinelands School District") desires to donate a free library structure to the Township for placement in Little Treasures Park in the parking lot adjacent to the gazebo area; and

WHEREAS, the Township desires to permit the free library structure to be placed in Little Treasures Park as a means to encourage literacy in the community; and

WHEREAS, it is the desire of the governing body to authorize the execution of an Agreement with Pinelands School District to permit the placement of the free library structure Little Treasures Park on Radio Road.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of an Agreement with Pinelands Regional School District Board of Education, in accordance with the terms of said agreement attached hereto and made a part hereof as Schedule A. The form of said agreement is subject to the approval of the Township Attorney.

2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to the Agreement, and any other documents necessary to effectuate the terms of this resolution.

r|m|s|h|c
Rothstein, Mandell, Strohm,
Halm & Cipriani, P.A.
ATTORNEYS AT LAW


150 Airport Road
Suite 600
Lakewood, NJ 08701

o: 732.363.0777
f: 732.905.6555

5. That a certified copy of this resolution, together with a copy of the Agreement, shall be forwarded to Pinelands School District and the Township Administrator.

CERTIFICATION

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on the 10th day of **December, 2020**.


DIANA K. MCCRACKEN, Township Clerk
Little Egg Harbor Township

MSA

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**PINELANDS REGIONAL SCHOOL DISTRICT BOARD OF EDUCATION
AGREEMENT
WITH
LITTLE EGG HARBOR TOWNSHIP**

The Pinelands Regional School District Board of Education ("Board" and "District") 520 Nugentown Road, Little Egg Harbor, NJ 08087 enters this Agreement with the Little Egg Harbor Township ("Township") 665 Radio Road, Little Egg Harbor Township, NJ 08087 to provide the Pinelands Little Free Library in the Township Park.

General Requirements

- A. The Pinelands School District English Club wants to donate a Free Library to Little Egg Harbor Township, called the "Pinelands Little Free Library" ("Free Library").
- B. The donation of the Free Library is a value of approximately \$600 to the Township.
- C. The Township will be installing the original Free Library structure at the Park.
- D. The Pinelands School District English Club will maintain the Free Library, including repairing any damage to same.
- E. The Township is required to maintain insurance on the property as the District is not responsible for insurance on the Township's property. Both Parties agree to maintain their own insurance.
- F. The District can chose to stop maintaining the Free Library at any time, for any reason upon thirty (30) days written notice to the Township. Notice would be provided to the Township Administrator.
- G. Both the District and Township agree to indemnify each other. Neither party shall be liable for any negligent, reckless or intentional acts or omissions of the other and each shall indemnify, defend and hold the other harmless from all losses, injuries or damages caused by the negligent, reckless or intentional acts or omissions of itself or any of its respective employees or independent contractors in rendering the services set forth in this Agreement. Indemnification shall include payment of reasonable attorneys' fees and costs in the defense of any claim made by a third person incident to such negligent, reckless or intentional acts or omissions. No party to this Agreement waives any immunity to which it may be entitled pursuant to the New Jersey Tort Claims Act, N.J.S.A. § 59:1-1 et seq.
- H. This Agreement shall constitutes the entire Agreement by and between the parties hereto.
- I. This Agreement shall be governed by and construed under the substantive laws of the State of New Jersey, and no application of the conflicts of laws rules of the State of New Jersey shall cause any law to apply other than that of the State of New Jersey.
- J. This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and all of which taken together shall constitute one and the same Agreement. This Agreement may be executed by facsimile signature.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seal this 10th day of December, 2020.

Little Egg Harbor Township

**Pinelands Regional
Board of Education**



Board President

Board President

12/10/2020

11/28/2020

Date of Board Adoption

Date of Board Adoption