



**Kearny Town Council**  
402 Kearny Avenue  
Kearny, NJ 07032  
**ADOPTED**  
**RESOLUTION 2018-329**

DOC ID: 9968

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**Resolution Authorizing Ferreira Tutor Perini to use a Town Fire Hydrant for Construction Activities Located at the Corner of Adams Street and 2nd Avenue with Supporting Document.**

**WHEREAS**, by the attached letter dated April 18, 2018 Ferreira Tutor Perini, a joint venture working on the Pulaski Skyway improvements, is seeking to use a Town fire hydrant located at the corner of Adams Street and 2<sup>nd</sup> Avenue for construction activities; and

**WHEREAS**, the Town is willing to grant this request on the conditions that Ferreira Tutor Perini (1) coordinate with the Kearny Fire Department regarding access to and use of the fire hydrant, and (2) furnish and install the appropriate protective equipment (*i.e.*, backflow preventers) and flow meters in order to protect the water supply and meter the volume of water consumed, with weekly readings provided to the Town, and with the water consumed to be billed in accordance with the Water Rates and Charges set forth in Section 22-7.1 of the Town Code,

**NOW, THEREFORE, BE IT RESOLVED** that the Town of Kearny hereby authorizes Ferreira Tutor Perini to access the Town's fire hydrant located at the corner of Adams Street and 2<sup>nd</sup> Avenue for the Pulaski Skyway construction activities for a period not to exceed 90 days (unless further extended on a month to month basis by the Town Administrator), subject to the conditions set forth above and as further set forth below; and

**BE IT FURTHER RESOLVED** that Ferreira Tutor Perini shall reimburse the Town for all costs incurred by the Town in connection with this work, including but not limited to costs incurred by the Police Department, Fire Department and Town Engineer; and

**BE IT FURTHER RESOLVED** that Ferreira Tutor Perini shall indemnify, defend and hold harmless the Town from and against all loss, cost, liability and expense, including attorneys fees, relating to or arising out of the work to be performed by the Ferreira Tutor Perini and its contractors and subcontractors; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be forwarded to Ferreira Tutor Perini upon adoption provided however, that this Resolution shall not take effect unless Ferreira Tutor Perini files with the Town Clerk by no later than May 29, 2018 its acceptance, in writing, of all of the terms and conditions of this Resolution.

James Bruno

**ADOPTED: May 22, 2018**

I hereby certify that the foregoing resolution was adopted by the Council on **May 22, 2018**.

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**PATRICIA CARPENTER**  
TOWN CLERK

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Carol Jean Doyle, Council Member
<b>SECONDER:</b>	Alberto G. Santos, Mayor
<b>AYES:</b>	Doyle, McCurrie, Eckel, Cardoso, DeCastro, Santana, Santos
<b>ABSENT:</b>	Michael Landy, Richard Konopka