

**RESOLUTION 14-81  
PASSAIC VALLEY WATER COMMISSION**

**Resolution Authorizing an Indemnification and Hold Harmless Agreement with  
the City of Paterson Related to Police Department for Use of PVWC's Point View  
Reservoir, Subject to Verification of Authority by The City of Paterson**

**DATE OF ADOPTION: JUNE 24, 2014**

Approved as to form and legality by the Law Department on the basis of facts and circumstances set forth by the Executive Director and Director of Engineering, as applicable.

Introduced by Commissioner: **BAZIAN**

Seconded by Commissioner: **LEVINE**

**WHEREAS**, the City of Paterson Police Department (the "CITY OF PATERSON") and the Passaic Valley Water Commission ("PVWC") are desirous of entering into an Indemnification and Hold Harmless Agreement for use of the Point View Reservoir located at Berdan Avenue in Wayne, N.J. for certain limited purposes as set forth in a form of agreement (the "Agreement"), a form of which is attached hereto and made apart hereof as Exhibit A; and

**WHEREAS**, the Agreement has been reviewed and found to be acceptable by the Executive Director and the Director of Engineering, and a memorandum dated June 18, 2014 to that effect is attached hereto and made a part hereof, and PVWC's General Counsel has approved the Agreement (as to form and legality); and

**WHEREAS**, PVWC and the CITY OF PATERSON have agreed to enter into the Agreement for the CITY OF PATERSON POLICE DEPARTMENT to use the Point View Reservoir site for the purpose, or purposes, as set forth in the Agreement; and

**WHEREAS**, it is in the best interests of PVWC, its users and constituent municipalities for PVWC to enter into the Agreement;

**NOW, THEREFORE, BE IT RESOLVED**, by Passaic Valley Water Commission, in the County of Passaic, New Jersey:

1. That the Commission hereby authorizes and approves the Agreement between PVWC and the CITY OF PATERSON.

2. That appropriate officials of PVWC are hereby authorized and directed to perform such acts and execute such documents as are necessary to implement the terms and intentions of this Resolution and the submissions provided in connection therewith, all as set forth hereinabove.

**RECORD OF COMMISSION VOTE ON FINAL PASSAGE**

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>LEVINE J.</b>	<u>X</u>	—	—	—
<b>GRADDY, R.</b>	<u>X</u>	—	—	—
<b>SANCHEZ, R.</b>	<u>X</u>	—	—	—
<b>CLEAVES, C.</b>	<u>X</u>	—	—	—
<b>BAZIAN, M.</b>	<u>X</u>	—	—	—
<b>DE VITA, T.</b>	<u>X</u>	—	—	—
<b>KOŁODZIEJ, G.</b>	<u>X</u>	—	—	—

**Adopted at a meeting of Passaic Valley Water Commission.**


  
**GLORIA KOŁODZIEJ**  
 President

  
**CHRYS TAL CLEAVES**  
 Secretary

**This Resolution, when adopted, must remain in the custody of the Administrative Secretary.**

**CERTIFICATION**

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of June 24, 2014.

  
**LOUIS AMODIO**  
 Administrative Secretary

**PASSAIC VALLEY WATER COMMISSION**

**Indemnification and Hold Harmless Agreement  
with the Passaic County Police Academy for Use of PVWC's Point View Reservoir Site**

**EXHIBIT A**



## PASSAIC VALLEY WATER COMMISSION

### INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

This Indemnification and Hold Harmless Agreement (the "AGREEMENT") between PASSAIC VALLEY WATER COMMISSION, "Indemnitee" (hereinafter "PVWC") having offices at 1525 Main Avenue, Clifton, New Jersey 07011, (the "Premises") and THE CITY OF PATERSON POLICE DEPARTMENT having offices at 155 Market Street, Paterson, New Jersey 07509, hereinafter the "Indemnitor" ("City of Paterson Police Department").

**WHEREAS**, the Indemnitor including any certain agencies, agents, departments, entities and/or individuals acting at its direction, on its behalf and for its benefit (on whose behalf Indemnitor acts, including the City of Paterson desire), to conduct In-service Training, on the following day: Thursday, July 3, 2014 during the hours of 9:00 a.m. to 4:30 p.m.; and

**WHEREAS**, the Indemnitor is desirous of utilizing certain facilities owned and operated by PVWC (Point View Reservoir) and located on Berdan Ave., Wayne, N.J. 07470 in connection with said activities; and

**WHEREAS**, PVWC is amenable to permitting, the Indemnitor to use its facility located on Berdan Ave, Wayne, N.J. 07470 for said purposes on such dates and under such circumstances and conditions as are set forth herein:

**NOW, THEREFORE**, in consideration of the recitals, the mutual promises and covenants herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

The Indemnitor, on behalf of its officers, agents, employees and affiliated agencies, hereby acknowledges, recognizes and agrees that PVWC shall not be responsible for the loss or damage to property or injury to or death of persons occurring in connection with or arising out of the proposed activities to be conducted in or about or in connection with the premises or otherwise, by reason of any existing or future condition, defect, matter or thing in said premises or for the acts, omission or negligence of any persons or entities including any equipment, fixture apparatus or facilities in connection with or related to said activities. The Indemnitor, agrees to hold PVWC harmless, indemnify and save PVWC from any and all claims and liability for losses of or damage to property or injuries to or death of any persons or entities in connection with its use of the Premises or in connection with , or



## PASSAIC VALLEY WATER COMMISSION

...ising out of said activities, including, but not limited to the obligation to defend PVWC in which case PVWC reserves the right to select its own Counsel for which expenses and fees "City of Paterson and it's Police Department" should be liable along with any other costs, fees, or expenses or consequential damages which arise out of the activities and circumstances contemplated or arising out of or caused by this Agreement. All insurance policies or self-insured retentions required hereunder shall include PVWC as an additional insured as respects the acts of the Indemnitor, such coverage shall be primary and written evidence of same shall be provided to PVWC prior to commencement of any activities by providing an insurance endorsement at or about PVWC facility located at 1525 Main Ave., Clifton, N.J. 07011 as contemplated hereunder.

Attest:  
(Seal)

City of Paterson

\_\_\_\_\_  
Secretary/Clerk

\_\_\_\_\_  
Authorized Officer

Attest:  
(Seal)

PASSAIC VALLEY WATER COMMISSION

\_\_\_\_\_  
Louis Amodio, Admin. Secretary

By \_\_\_\_\_  
Gloria Kolodziej, President



# **PATERSON POLICE**



*Dear President Gloria Kolodziej,*

The Paterson Police Department is respectfully requesting permission to utilize the PVWC Point View Reservoir location. We will be conducting an in-service course on vehicle operations on July 3, 2014 between the hours of 830am 430pm. Any consideration would be greatly appreciated.

Thank you advance,

Sgt. David Scialla #3555

Paterson Police Dept.

Communication Division

Sgt. David Scialla

Cell 973-464-4531

**PASSAIC VALLEY WATER COMMISSION  
INTER-OFFICE MEMORANDUM**

**DATE:** June 18, 2014

**TO:** Hon. Commissioners

**FROM:** J. Bella  
J. Duprey

**CC:** L. Amodio  
G. Hanley

**SUBJECT:** PVWC and the City of Paterson Police Department Indemnification and Hold Harmless Agreement (the "Agreement")

PVWC and the Paterson Police Department are desirous of entering into the Agreement for certain limited purposes as set forth in the attached copy of the Form of Agreement, and the same has been found to be acceptable from a technical and administrative perspective.

Therefore, based on the above (and subject to review and approval by the Law Department), it is recommended that the Commission approve the Agreement.

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PASSAIC VALLEY WATER COMMISSION  
RESOLUTION #14-80

RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

DATE OF ADOPTION: June 24, 2014

Factual Contents certified to by Louis Amodio, Administrative Secretary. Approved as to Form and Legality on basis of facts set forth by George T. Hanley, General Counsel. Entering Executive Closed Session in accordance with Open Public Meetings Act, R.S. 10:4-6 et seq. Pursuant to the Open Public Meetings Act,

COMMISSIONER: BAZIAN offers the following Resolution for adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, c. 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances: and

WHEREAS, the public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of Passaic Valley Water Commission:

1. The public shall be excluded from discussion of the hereinafter specified subject Matters; the general nature of the subject matters being: **Financial, Insurance, Personnel, Contracts, Negotiations, Security, and Law:** LAW: Summary Aging Reports North Arlington v PVWC, JAK/Diamond-Surety, Hold Harmless-City of Paterson **PERSONNEL: Correction:** Kenneth Mamary- Assistant Water Treatment Plant Operator/TA, **Promotion:** Jo-Ann Browne-Senior Laboratory Tech-Water Analysis, Charles Poyssick-Laboratory Tech-Water Analysis. **Appointments:** Melvin Rivera-Senior Drafting Tech, Ignazio Iurrato-Plumber, Mayer Rosenberg-Senior Electrician. Richard Zangoglia-Building Superintendent **Annual Summer Help/Intern Programs ADMINISTRATION:** NJ-DEP Letter –Amended Administrative Consent Order-3 Month Extension.  
And any other matters as may be discussed *in camera*.
2. It is anticipated at this time that the above-stated subject matter will be ratified During public meeting following or as soon thereafter as the reason for discussion no Longer exists.
3. This Resolution shall take effect immediately.

Second by COMMISSIONER: CLEAVES      AYES: 6      ABSTAIN: 1      Time: 1:00

RECORD OF COMMISSION VOTE ON FINAL PASSAGE

	AYE	NAY	ABSTAIN	ABSENT
RIGO SANCHEZ	X			
JEFFREY LEVINE	X			
RUSSELL GRADDY			X	
CHRYSTAL CLEAVES	X			
MENACHEM BAZIAN	X			
THOMAS P. DE VITA	X			
GLORIA KOLODZIEJ	X			





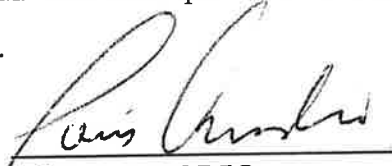
## PASSAIC VALLEY WATER COMMISSION

  
PRESIDENT  
Gloria Kolodziej

  
SECRETARY  
Chrystal Cleaves

### CERTIFICATION

I, LOUIS AMODIO, Administrative Secretary of the Passaic Valley Water Commission in the County of Passaic, and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of a legal quorum of the Original Resolution duly passed and adopted by a majority of the full membership of the Passaic Valley Water Commission at its meeting of June 24, 2014.

  
LOUIS AMODIO  
Administrative Secretary



# PASSAIC VALLEY WATER COMMISSION

RESOLUTION #14-79

## RESOLUTION OF PASSAIC VALLEY WATER COMMISSION

DATE OF ADOPTION: 6/24/14

Factual Contents certified to by Joe Bella, Executive Director, James Gallagher, Personnel Director and Personnel Committee.

TITLE: ANNUAL SUMMER HELP PROGRAM

ON MOTION OF COMMISSIONER BAZIAN

SECOND BY COMMISSIONER CLEAVES

WHEREAS, Passaic Valley Water Commission has determined that its annual summer help program is organizationally efficient, labor cost effective and beneficial to the communities it serves; and

WHEREAS, Passaic Valley Water Commission's summer help program is authorized to take place commencing from June 1, 2014 (On or About) until September 10, 2014; and

NOW, THEREFORE, BE IT RESOLVED, that the following criteria and standards be adopted by the Commission in its summer help program, as follows:

1. All summer help must be a full-time, matriculated secondary or higher education (or equivalent) student;
2. All summer help must be 18 years of age and not over the age 25.
3. The Commission shall pay a wage of \$11.00 per hour;
4. Each Commissioner and the Executive Director shall be entitled to select up to three (3) students for summer employment.
5. Summer students will be paid for the July 4th holiday only.
6. The resolution in existence on nepotism, dated 4/14/93, as stated, does not apply to summer student help.
7. Summer student work will be under the supervision of the Department Heads, working with the Personnel Director.
8. Department Heads will advise areas where work is needed and the Personnel Director will provide a job description of the position to be filled as well as age requirements for jobs.

BE IT FURTHER RESOLVED, the Commission shall comply with all Federal, State and Local rules and regulations regarding the employment of summer student employees.



**PASSAIC VALLEY WATER COMMISSION**

RE: ANNUAL SUMMER HELP PROGRAM

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BE IT FURTHER RESOLVED, a copy of this Resolution shall be placed on file and made available for public inspection at the office of the Administrative Secretary of Passaic Valley Water Commission.

RECORD OF COMMISSION VOTE ON FINAL PASSAGE:

	AYE	NAY	ABSTAIN	ABSENT
SANCHEZ, RIGO	X			
LEIVE, JEFF	X			
GRADDY, RUSSELL	X			
CLEAVES, CHRYS TAL	X			
BAZIAN, MENACHEM	X			
DE VITA, THOMAS P.	X			
KOŁODZIEJ, GLORIA	X			

*Gloria Kolodziej*  
PRESIDENT  
GLORIA KOŁODZIEJ

*Chrystal Cleaves*  
SECRETARY  
CHRYS TAL CLEAVES

CERTIFICATION

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*Louis Amodio*  
LOUIS AMODIO  
Administrative Secretary