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100 Washington Street
Boonton, NJ 07005

RESOLUTION 21-127

A RESOLUTION OF THE TOWN OF BOONTON, COUNTY OF MORRIS, AND STATE OF NEW JERSEY, TO ENTER INTO AN AGREEMENT WITH SANTANDER BANK FOR ACCESS TO ITS PROPERTY LOCATED IN THE TOWN OF BOONTON FOR ENVIRONMENTAL TESTING

WHEREAS, Santander Bank is the owner in fee simple of a certain tract or parcel of real property more particularly identified as Block 3, Lot 1 on the tax maps of the Town of Boonton, Morris County, New Jersey and with a mailing address of 405 Main Street, said tract or parcel together with all rights and appurtenances belonging or pertaining thereto being hereinafter referred to as the "Premises"; and

WHEREAS, the Town of Boonton is conducting an environmental investigation at its property located at Block 3, Lot 7 on the tax maps of Boonton, Morris County, New Jersey, with a mailing address of 113 Union Street and formerly known as the Jersey Plating Company facility in the vicinity of the Premises in connection with a discharge of certain regulated substances (collectively, the "Discharge"), which Discharge was reported to the New Jersey Department of Environmental Protection ("NJDEP") and assigned NJDEP Case No. 01-09-19-1359-59 (hereinafter, the "Spill Case") under the supervision of a Licensed Site Remediation Professional (an "LSRP"); and

WHEREAS, to conduct the activities required and/or recommended by the LSRP to achieve a response action outcome ("RAO") for the Spill Case, the Town of Boonton requires limited access for itself and its authorized employees, agents, servants, consultants and contractors to the Premises; and

WHEREAS, Santander Bank has agreed to grant the Town of Boonton and its LSRP, consultants and contractors, a limited non-exclusive access license to the Premises subject to and upon the conditions set forth herein, and an Agreement has been drafted to that effect. See Agreement attached as "Exhibit A."

NOW THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Boonton that this Access Agreement be accepted, and hereby authorize the Mayor to sign and enter into such Agreement, so as to enable the parties to perform all necessary actions contemplated pursuant to the Agreement's terms.

I, Cynthia A. Oravits, Clerk of the Town of Boonton, County of Morris and State of New Jersey, hereby certifies this to be a true copy of a resolution adopted by the Mayor and Town Council on May 3, 2021.

A handwritten signature in black ink, appearing to read "Cynthia A. Oravits".

Cynthia A. Oravits, RMC
Town Clerk