



Legislation Details (With Text)

File #: 16-0988 **Version:** 1 **Name:**
Type: Resolution **Status:** Adopted
File created: 6/3/2016 **In control:** Recreation, Cultural Affairs and Senior Services
On agenda: 6/28/2016 **Final action:** 6/28/2016
Title: Dept/ Agency: Neighborhood and Recreational Services
Action: () Ratifying (X) Authorizing () Amending
Type of Service: Hold Harmless, Indemnification Agreement and fees
Purpose: Facility use for Shani Baraka Basketball Camp
Entity Name: Newark Public Schools
Entity Address: 2 Cedar Street, Newark, New Jersey 07102
Event Location: Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112
Event Date(s): July 5, 2016 through August 19, 2016
Event Time: 8:30 a.m. - 4:30 p.m.
Additional Information: Account Code Line For Fee- NW011 160 1606 71280 B2016
Sponsor:

Sponsors: Mildred C. Crump, John Sharpe James

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Code sections:

Date	Ver.	Action By	Action	Result
6/28/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the City of Newark, Department Neighborhood and Recreational Services, conducts the Shani Baraka Basketball Camp for approximately Two Hundred (200) City of Newark children, ages seven (7) through fourteen (14), as an annual, youth, summer, recreational and physical activity program; and

WHEREAS, this year, the Shani Baraka Basketball Camp will operate from, July 5, 2016 through, August 19, 2016, from 8:30 a.m. to 4:30 p.m.; and

WHEREAS, based upon the capacity and facility needs of the Shani Baraka Basketball Camp, and the camps and programs already scheduled to be conducted at the City of Newark recreational facilities with regulation size basketball courts, Newark Public Schools gymnasium facilities are required for the operation of the basketball camp, from July 5, 2016 through August 19, 2016; and

WHEREAS, this year, the City of Newark, Neighborhood and Recreational Services, desires to operate the Shani Baraka Basketball Camp at Newark Public Schools' Weequahic High School, Ronald G. Stone Gymnasium, located at 279 Chancellor Avenue, Newark, New Jersey 07112; and

WHEREAS, in order to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, the City of Newark is required to issue a Hold Harmless and Indemnification Agreement, saving, holding harmless, defending and indemnifying the Newark Public Schools, its agents, servants and administrators from any and all liability arising out of or related to the use of said premises or property, including but not limited to, any and all costs, including attorney fees; and

WHEREAS, the City of Newark is required to list Newark Public Schools as an Additional Named Insured on the City's self-insurance, for general liability insurance, minimum protection limits of One Million Dollars and Zero Cents (\$1,000,000.00), combined single limit for bodily injury and property damage per occurrence must be provided, the Care, Custody and Control Endorsement must be deleted and a Cross Liability Endorsement must be included in the event of one insured suing another insured, and evidence of Workers Compensation Insurance as well as Accident Insurance must be included; and

WHEREAS, in order to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, the City of Newark is required to pay Seventeen Thousand Three Hundred Forty Dollars and Zero Cents (\$17,340.00) for the maintenance services of two (2) custodians, (one (1) per each One Hundred (100) camp participants,) for each day that the camp operates at the Newark Public School facility; and

WHEREAS, Newark Public Schools is waiving the Permit Application fee for the City of Newark's use of its facilities for the Shani Baraka Basketball Camp.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Municipal Council of the City of Newark supports the City of Newark's obtainment of a permit to operate the Shani Baraka Basketball Camp at Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112.
2. The Municipal Council of the City of Newark, in furtherance of obtaining the above referenced permit for the stated purpose, supports issuance of a Hold Harmless and Indemnification Agreement saving, holding harmless, defending and indemnifying the Newark Public Schools, its agents, servants and administrators from any and all liability arising out of or related to the use of said premises or property, including but not limited to, any and all costs, including attorney fees, as well as the City of Newark listing Newark Public Schools as an Additional Named Insured on the City of Newark's self-insurance for general liability insurance, with minimum protection limits of One Million Dollars and Zero Cents (\$1,000,000.00), combined single limit for bodily injury and property damage per

occurrence, deletion of the Care, Custody and Control Endorsement and inclusion of a Cross Liability Endorsement in the event of one insured suing another insured, as well as evidence of Workers Compensation Insurance and Accident Insurance, drawn by the City of Newark Insurance Fund Commission for the benefit of the Newark Public Schools, 2 Cedar Street, Newark, New Jersey 07102, in relation to the City of Newark's use of Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, for the Shani Baraka Basketball Camp, from July 5, 2016 through August 19, 2016 from 8:30 a.m. to 4:30 p.m.

3. The Municipal Council of the City of Newark, in furtherance of obtaining the above referenced permit for the stated purpose, authorizes the Mayor and/or his designee, the Director of the Department of Neighborhood and Recreational Services, pay the amount of Seventeen Thousand Three Hundred Forty Dollars and Zero Cents (\$17,340.00) from account code line NW011 160 1606 71280 B2016 for the requisite maintenance fees for two (2) custodians, (one (1) per One Hundred (100) camp participants,) for the use of the Newark Public Schools facility.
4. The Director of the Neighborhood and Recreational Services shall forward to the Newark Public Schools' Risk Manager, Ron Hale, 2 Cedar Street, Newark, New Jersey 07102, copies of the Hold Harmless and Indemnification Agreement inuring to the benefit of Newark Public Schools, and a letter reflecting that Newark Public Schools is listed as an Additional Named Insured under the City of Newark's self-insurance, drawn by the City of Newark Insurance Fund Commission.
5. The Director of Neighborhood and Recreational Services shall file in the Office of the City Clerk, the duly executed copies of the Hold Harmless and Indemnification Agreement inuring to the benefit of Newark Public Schools, as well as the letter reflecting Newark Public Schools as an Additional Named Insured under the City of Newark's self-insurance, drawn by the City of Newark Insurance Fund Commission.

STATEMENT

This Resolution authorizes the City of Newark to: (1) obtain a permit to use Weequahic High School, Ronald G. Stone Gymnasium, 279 Chancellor Avenue, Newark, New Jersey 07112, for the Shani Baraka Basketball Camp, from July 5, 2016 through August 19, 2016, from 8:30 a.m. to 4:30 p.m.; (2) issue a Hold Harmless and Indemnification Agreement for, Newark Public Schools, 2 Cedar Street, Newark, New Jersey 07102, for said dates and times, and; (3) pay Seventeen Thousand Three Hundred Forty Dollars and Zero Cents (\$17,340.00) for the requisite maintenance fees for two (2) custodians, for the use of the Newark Public Schools facility.