



## Legislation Details (With Text)

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**Type:** Resolution      **Status:** Adopted

**File created:** 6/7/2018      **In control:** Recreation, Cultural Affairs and Senior Services

**On agenda:** 7/11/2018      **Final action:** 7/11/2018

**Title:** Dept/ Agency: Recreation, Cultural Affairs and Senior Services  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Type of Service: Hold Harmless and Indemnification Agreement  
Purpose: Facility use for Newark Pop Warner Football Practice  
Entity Name: Newark Public Schools  
Entity Address: 765 Broad Street, Newark, New Jersey 07102  
Event Location: Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108  
Event Date(s): Monday, July 9, 2018 through Friday, November 2, 2018  
Event Time: 6:00 P.M. until 8:00 P.M.  
Additional Information:  
Sponsor:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/11/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the City of Newark, Department of Recreation, Cultural Affairs and Senior Services, will operate the Newark Pop Warner Football Practice for approximately eighty (80) City of Newark children, ages five (5) to fourteen (14), as a recreational and physical activity program; and

**WHEREAS**, the Newark Pop Warner Football Practice will operate from Monday, July 9, 2018 through Friday, November 2, 2018, from 6:00 P.M. until 8:00 P.M.; and

**WHEREAS**, based upon the capacity and facility needs of the Newark Pop Warner Football Practice, Newark Public Schools' Untermann Field and Malcolm X Shabazz High School Stadium are

required for the operation of football practice from Monday, July 9th, 2018 through Friday, November 2, 2018; and

**WHEREAS**, this year, the City of Newark, Department of Recreation, Cultural Affairs and Senior Services, desires to operate the Newark Pop Warner Football Practice at Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108; and

**WHEREAS**, in order to operate the Newark Pop Warner Football Practice at Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108, the City of Newark is required to issue a Hold Harmless and Indemnification Agreement, agreeing to hold harmless, indemnify, and defend 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**, in order to operate the Newark Pop Warner Football Practice at Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108, the City of Newark is required to obtain a permit to operate from Newark Public Schools; and

**WHEREAS**, Newark Public Schools is waiving the Permit Application fee for the City of Newark's use of its facilities for the Newark Pop Warner Football Practice; and

**WHEREAS**, the Municipal Council of the City of Newark supports the Newark Pop Warner Football Practice by supporting its efforts to obtain a permit to operate the program at Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108; and approving that the City of Newark issues a Hold Harmless and Indemnification Agreement with Newark Public Schools.

**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 Newark Pop Warner Football Practice at Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108 from Monday, July 9, 2018 through Friday, November 2, 2018, from 6:00 P.M. until 8:00 P.M.
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, drawn by the City of Newark's Insurance Fund Commission, agreeing to hold harmless, indemnify and defend the Newark Public Schools, its agents, servants and administrators from any and all liability arising out of or related to the City of Newark's use of said premises or property, including but not limited to, any and all costs, including attorneys' fees.
3. The Director of the Department of Recreation, Cultural Affairs and Senior Services shall forward copies of the Hold Harmless and Indemnification Agreement to the Office of Facilities

Management, 765 Broad Street, Newark, New Jersey 07102, for their records.

4. The Director of the Department of Recreation, Cultural Affairs and Senior Services shall file, in the Office of the City Clerk, the duly executed copies of the permit and Hold Harmless and Indemnification Agreement inuring to the benefit of Newark Public Schools.

### **STATEMENT**

This Resolution authorizes the City of Newark to obtain a permit to use Untermann Field, 289 Hobson Street, Newark, New Jersey 07112 and Malcolm X Shabazz High School Stadium, 80 Johnson Avenue, Newark, New Jersey 07108, for the Newark Pop Warner Football Practice, from Monday, July 9, 2018 through Friday, November 2, 2018, from 6:00 P.M. until 8:00 P.M.; and to execute a Hold Harmless and Indemnification Agreement, issued by the City of Newark's Insurance Fund Commission for the benefit of Newark Public Schools, 765 Broad Street, Newark, New Jersey 07102 from any and all liability arising out of the use of Untermann Field and Malcolm X Shabazz High School Stadium for the Newark Pop Warner Football Practice, for said dates and times.