

RESOLUTION

WHEREAS, the Township of West Orange ("Township"), through the Downtown West Orange Alliance ("DWOA"), annually sponsors the Downtown Classic 5K Run (the "Downtown Classic") along Main Street in the Township for charitable purposes; and

WHEREAS, the Downtown Classic is scheduled to take place this year on Sunday, September 14, 2014 from approximately 9:30 am until 1:00 pm; and

WHEREAS, the Township desires to enter into an agreement that would allow the National Ovarian Cancer Coalition ("NOCC") to participate in and benefit from this year's Downtown Classic 5K run; and

WHEREAS, pursuant to the terms of the proposed agreement, profits would be shared in the following manner: (1) subtracting direct expenses incurred by the Township or DWOA to determine net profit ("Net Profit"); (2) distributing seventy percent (70%) of the Net Profit plus an additional \$4,000.00 to NOCC, and (3) distributing the remainder as follows:

\$1,000 to the Maureen Fund;

Balance to be divided equally between the Mayor's Sunshine Fund and DWOA; and

WHEREAS, the NOCC has agreed to provide its own publicity and fundraising efforts for the event in coordination with the Downtown West Orange Alliance; and

WHEREAS, the NOCC has agreed to provide the Township with proof of liability insurance and to indemnify and hold the Township harmless from any claims, suits, damages, or judgments resulting wholly or in part from any acts or omissions of the NOCC or their agents, employees, guests, licensees, invitees, assignees or successors during this year's Downtown Classic 5K run; and

WHEREAS, annexed hereto as Attachment "A" is a copy of the Memorandum of Agreement to be executed by the Township and the NOCC;

NOW, THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and hereby is authorized to execute the annexed Memorandum of Agreement; and the Municipal Clerk shall attest to the Mayor's signature on the Agreement.

Karen J. Carnevale
Municipal Clerk

Susan McCartney
Council President

Dated: July 22, 2014

ATTACHMENT “A”