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VILLAGE OF MELROSE PARK
COOK COUNTY, ILLINOIS

ORDINANCE NO. 994

AN ORDINANCE AUTHORIZING AND DIRECTING THE ENTRY
INTO A CERTAIN COMMUNICATION SERVICE AGREEMENT
BETWEEN NORCOMM, PUBLIC SAFETY COMMUNICATIONS,
INC. AND THE VILLAGE OF MELROSE PARK, COUNTY OF
COOK, STATE OF ILLINOIS.

ADOPTED BY THE
PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF MELROSE PARK

THIS 10TH DAY OF JULY 2006

RONALD M. SERPICO, Village President
MARY ANN PAOLANTONIO SALEMI, Village Clerk

Board Of Trustees

JOHN S. CONTEDEUCA
CATHLEEN COSSIDENT ITALIA
THOMAS KLEIN
RUBEN LOMELI
ARTURO J. MOTA
ANTHONY J. PRIGNANO

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Published by authority of the
President and Board of Trustees
Of the Village of Melrose Park,
Cook County, Illinois on
This 11TH day of JULY 2006

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AN ORDINANCE AUTHORIZING AND DIRECTING THE ENTRY INTO A CERTAIN COMMUNICATION SERVICE AGREEMENT BETWEEN NORCOMM, PUBLIC SAFETY COMMUNICATIONS, INC. AND THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.

* * * * *

WHEREAS, the Village of Melrose Park, Cook County, State of Illinois (“the Village”) is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances for the benefit of the residents of the Village; and

WHEREAS, the Village President, the Honorable Ronald M. Serpico, the Village Clerk, the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005 and the Village Board of Trustees, the Honorable John S. Conteduca, Cathleen Cossident Italia, Thomas “TK” Klein, Ruben Lomeli, Arturo J. Mota and Anthony J. Prignano, having taken office on May 2, 2005, respectively, constitute the duly elected, appointed, qualified and acting officials of the Village; and

WHEREAS, as part of its efforts to ensure the safety and security of its citizens and property, the Village of Melrose Park has entered into negotiations with NORCOMM, Public Safety Communication, Inc (hereinafter “NORCOMM”) for the provision of certain 911 communication services, more fully described in the Contract for 911 Communication Services (hereinafter the “Communication Service Agreement”), a copy of which is attached hereto as Exhibit A; and

WHEREAS, such negotiations have been completed and the Communication Service Agreement has been proposed by NORCOMM for the provision of 911 communication services; and

WHEREAS, the President and the Board of Trustees of the Village have found and determined that it is necessary, advisable and in the best interests of the Village and its residents to enter into said Communication Service Agreement with NORCOMM; and

NOW THEREFORE, BE IT ORDAINED by the Village President and the Board of Trustees of the Village of Melrose Park, Cook County Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

The President and Board of Trustees of the Village (the "Village Board") hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and does hereby, by reference, incorporate and make them part of the Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to authorize the Village of Melrose Park to enter into a certain Communication Service Agreement with NORCOMM the provision of 911 communication services.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to this Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

ARTICLE II.

AUTHORIZATION TO ENTER INTO COMMUNICATION SERVICE AGREEMENT

Section 10.00 Approval & Adoption of Communication Service Agreement.

The terms and provisions of the Communication Service Agreement between NORCOMM and the Village, have been reviewed and revised by the Village President and the Village Attorney and the same is hereby approved in substantially the same form as attached hereto and made a part hereof as Exhibit A, subject to NORCOMM's acceptance of such insertions, omissions and changes as have been or may be further made by the Village President and the Village Attorney. The authorization for such revisions by the Village Attorney and the Village President is expressly provided for herein.

Section 11.00 Authorization for Execution of Communication Service Agreement.

The Village President is hereby authorized and directed to execute, and the Village Clerk, if necessary, is hereby authorized and directed to attest and countersign the Communication Service Agreement and any related exhibits attached thereto, whether or not such documents are attached to this Ordinance, and the Village Clerk, if necessary, is also authorized to affix the seal of the Village to such documents.

Section 12.00 Other Actions Authorized.

The Village President, Village Clerk, Police and Fire Chiefs and other officers, employees and/or agents of the Village are hereby authorized and directed to take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of the Communication Service Agreement.

**ARTICLE III.
SAVINGS CLAUSES,
PUBLICATION, EFFECTIVE DATE**

Section 13.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provisions of this Ordinance.

Section 14.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section, or part of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Board of Trustees that this Ordinance would have been

adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof had not been included.

Section 15.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

Section 16.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

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Section 17.00 Effective date

This Ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

On The Individual Poll And Voice Vote Of The Board Of Trustees:

AYE VOTES: Trustee Conteduca, Trustee Italia, Trustee Klein,
Trustee Lomeli, Trustee Mota, Trustee Prignano

NAY VOTES:

ABSTAIN:

ABSENT:


SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE
VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS
TENTH DAY OF JULY, 2006 A.D.

APPROVED:



RONALD M. SERPICO,
VILLAGE PRESIDENT

ATTEST:



Mary Ann Paolantonio Salemi
Village Clerk

(SEAL)

Recorded in the Municipal Records: July 10, 2006
Published in pamphlet form: July 11, 2006