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**VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS**

**ORDINANCE NO. 1268**

**AN ORDINANCE AUTHORIZING AND APPROVING THE  
EXECUTION OF AN AGREEMENT FOR HEATING,  
VENTILATION, AND AIR CONDITIONING MAINTENANCE, FOR  
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 13<sup>TH</sup> DAY OF APRIL 2009**

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

**Board Of Trustees**

**JOHN S. CONTEDEUCA  
CATHLEEN COSSIDENT ITALIA  
ARTURO J. MOTA  
ANTHONY J. PRIGNANO  
MARY RAMIREZ TACONI  
JAIME ANGUIANO**

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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 14<sup>TH</sup> day of APRIL 2009**

**ORDINANCE NO. 1268**

**AN ORDINANCE AUTHORIZING AND APPROVING THE EXECUTION OF AN AGREEMENT FOR HEATING, VENTILATION, AND AIR CONDITIONING MAINTENANCE, FOR THE VILLAGE OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS.**

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

**WHEREAS**, the Village President (the “President”), the Honorable Ronald M. Serpico, the Village Clerk (the “Village Clerk”), the Honorable Mary Ann Paolantonio Salemi, having taken office on May 2, 2005, and the Board of Trustees of the Village (the “Village Board”), the Honorable John S. Conteduca, Cathleen Cossident Italia, Arturo J. Mota, Anthony J. Prignano, and Mary Ramirez Taconi, having taken office on May 14, 2007, and the Honorable Jaime Anguiano, having taken office on March 10, 2008, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the President and the Village Board (collectively, the “Corporate Authorities”) find that it is advisable, necessary and in the best interests of the Village and its residents to retain a contractor for it to provide services to the Village to maintain and repair the heating, ventilation, and air conditioning mechanical systems located within and affecting the facilities utilized by the Village Police Department (the “Services”); and

**WHEREAS**, Broesch Mechanical Services, Inc. (“Broesch”), has been determined to be

an experienced and qualified contractor to be able to provide the Services to the Village; and

**WHEREAS**, the Corporate Authorities find that it is advisable, necessary and in the best interests of the Village and its residents for the Village to execute, enter into and approve an agreement with Broesch for Broesch to provide the Services, a copy of which is attached hereto and incorporated herein as Exhibit "A" (the "Agreement"); and

**WHEREAS**, the Village has previously appropriated or allocated from its budget sufficient funds for the Services to be provided, the funds are readily available, and the Village intends to use such funds for this aforesaid purpose; and

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

**ARTICLE I.  
IN GENERAL**

**Section 01. Incorporation Clause.**

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to authorize the President or his designee to enter into, approve and execute an agreement with Broesch in a form similar to the Agreement.

**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**

### **Section 10.00. Authorization.**

That the Village Board hereby approves the Agreement and authorizes and directs the President or his designee to enter into, approve and execute an agreement with Broesch in a form similar to or the same as the Agreement, with such insertions, omissions and changes as shall be approved by the President and the Village Attorney.

That the Village Board hereby authorizes and directs the Village and its officers, employees and/or agents to undertake all action necessary or reasonably required to carry out, give effect to, and consummate the intent of this Ordinance, including the expenditure of all necessary funds, and to take all action necessary in conformity therewith.

That the Village Clerk is hereby authorized and directed to attest to and countersign the Agreement and any such other documentation as may be necessary to carry out and effectuate the purpose of this Ordinance, and is further authorized and directed to affix the Seal of the Village to such documentation as is necessary.

### **Section 10.01. Acts of Village Officials.**

That all past, present, and future acts and doings of the Village, its officials and employees that are in conformity with the purpose and intent of this Ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

**Section 11.00 – Section 15.00 Reserved.**

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

**Section 16.00 Headings.**

The headings for the articles, sections, paragraphs and subparagraphs 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 17.00 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, clause, sentence, paragraph, sub-paragraph, section, or part 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 Village Board that this Ordinance would have been adopted had not such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section, or part thereof been included.

**Section 18.00 Repeal of Prior Ordinances.**

All prior ordinances and resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

**Section 19.00 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.

**Section 20.00 Effective Date.**

This Ordinance shall be in full force and effect upon its passage, approval and publication, as provided by law.

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

AYE VOTES: Trustee Italia, Trustee Mota, Trustee Prignano,  
Trustee Taconi, Trustee Anguiano

NAY VOTES:

ABSTAIN:

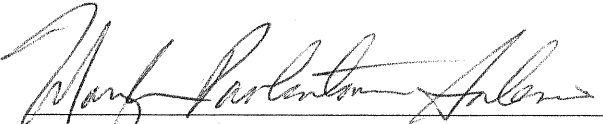
ABSENT: Trustee Conteduca

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS THIRTEENTH  
DAY OF APRIL, 2009.

APPROVED:

  
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RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
\_\_\_\_\_  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: April 13, 2009  
Published in pamphlet form: April 14, 2009