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VILLAGE OF MELROSE PARK  
COOK COUNTY, ILLINOIS

ORDINANCE NO. 1304

AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN  
REQUEST FOR PAYMENT IN CONNECTION WITH THE WATER  
METER VAULT IMPROVEMENT PROJECT, IN 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 10<sup>TH</sup> DAY OF AUGUST 2009

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

Board Of Trustees

CATHLEEN COSSIDENT ITALIA  
ANTHONY J. PRIGNANO  
ARTURO J. MOTA  
MARY RAMIREZ TACONI  
JAIME ANGUIANO  
ANTHONY N. ABRUZZO

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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 11<sup>TH</sup> day of AUGUST 2009

**ORDINANCE NO. 1304**

**AN ORDINANCE AUTHORIZING AND APPROVING A CERTAIN REQUEST FOR PAYMENT IN CONNECTION WITH THE WATER METER VAULT IMPROVEMENT PROJECT, IN 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 Honorable Mary Ann Paolantonio Salemi, and the Board of Trustees of the Village (the “Village Board”), the Honorable Cathleen Cossident Italia, Anthony J. Prignano, Arturo J. Mota, Mary Ramirez Taconi, Jaime Anguiano and Anthony N. Abruzzo, having taken office on April 30, 2009, constitute the duly elected, qualified and acting officials of the Village; and

**WHEREAS**, the Village previously entered into an agreement with Cerniglia Co. (the “Contractor”), whereby the Contractor was to perform certain improvements related to the Water Meter Vault Improvement Project in the Village (the “Project”); and

**WHEREAS**, the Contractor submitted a request for payment (the “Request for Payment”), attached hereto as Exhibit “A” and made a part hereof by this reference as “Pay Application No. 1” dated August 1, 2009, in the amount of One Hundred Sixty-Five Thousand, Twenty-Four and No/100 U.S. Dollars (\$165,024.00), pursuant to its agreement with the Village

for services rendered in conjunction with the Project; and

**WHEREAS**, the Village Engineer, Edwin Hancock Engineering Co., recommended that the Request for Payment be approved, subject to certain qualifications and review, and has submitted its recommendation to the President and Village Board, a copy of which is attached hereto as Exhibit “B” and made a part hereof by this reference; and

**NOW, THEREFORE, BE IT ORDAINED** by the Village President and the 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 Village Board does hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

**Section 02. Purpose.**

The purpose of this Ordinance is to approve the Request for Payment.

**Section 03. Invocation of Authority.**

This Ordinance is adopted pursuant to the authority granted to the 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 FOR PAYMENT APPLICATION**

**Section 10.00 Approval of Request for Payment.**

That the Request for Payment is hereby approved in substantially the same form, specifications and amount as particularly described in Exhibit "A" as modified by Exhibit "B".

**Section 10.01 Other Actions Authorized.**

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the transactions contemplated by this Ordinance and shall take all action necessary in conformity therewith including, without limitation, the execution and delivery of any documents required to be delivered in connection with the Request for Payment.

**Sections 11.00 – 15.00 Reserved.**

**ARTICLE III.  
HEADINGS, 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 provision 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, subparagraph, 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, subparagraph, 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, subparagraph, section, or part thereof been included.

**Section 18.00 Superseder.**

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

**Section 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.

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**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 Prignano, Trustee Mota,  
Trustee Taconi, Trustee Anguiano, Trustee Abruzzo

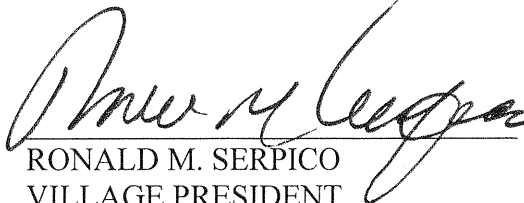
NAY VOTES:

ABSTAIN:

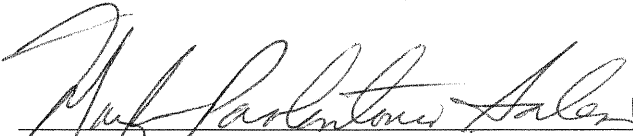
ABSENT:

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE  
OF MELROSE PARK, COUNTY OF COOK, STATE OF ILLINOIS, THIS TENTH DAY OF  
AUGUST, 2009, A.D.

APPROVED:

  
RONALD M. SERPICO  
VILLAGE PRESIDENT

ATTEST:

  
Mary Ann Paolantonio Salemi  
Village Clerk

(SEAL)

Recorded in the Municipal Records: August 10, 2009  
Published in Pamphlet Form: August 11, 2009