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**Village of Wesley Hills
Board of Trustees
Special Board Meeting, Village Hall
Tuesday, January 16, 2018**

MEMBERS PRESENT:

Marshall Katz, Mayor
Ed McPherson, Deputy Mayor
Howard Richman, Trustee

MEMBERS ABSENT:

Marion Ben-Jacob, Trustee
Ruth Ivey, Trustee

OTHERS PRESENT:

Ben Selig, Village Attorney
Camille Guido-Downey, Village Clerk

Mayor Katz called the meeting to order at 7 pm.

Item #1

Resolution #08-18

Resolution approving assignment of contract of the Village of Wesley Hills with Superior Waste and Carting, Inc, dated May 6, 2016, to Donato Marangi, Inc.

A motion was made by Howard Richman and seconded by Ed McPherson to approve the following resolution:

WHEREAS, pursuant to a competitive bidding process the Village of Wesley Hills on May 6, 2016, entered into a contract with Superior Waste and Carting, Inc, (Superior) to provide garbage and trash removal services from residences in the Village of Wesley Hills, and

WHEREAS, Superior and Donato Marangi, Inc. (Marangi) have entered into an assignment agreement whereby Marangi will assume all rights and obligations pursuant to said contract dated May 6, 2016, as of February 1, 2018, and Superior has requested that the Village of Wesley Hills consent to said assignment agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Village of Wesley Hills hereby consents to said assignment agreement subject to the following conditions precedent, as follows:

(A) That Superior and Marangi submit to the Clerk of the Village of Wesley Hills a written agreement that following said assignment agreement that Superior will remain a contractually delegated party pursuant to said contract dated May 6, 2016, in a format to be approved by the Village Attorney of Wesley Hills;

(B) That Marangi execute and deliver to the Clerk of the Village of Wesley Hills the following items to be pre-approved by the Village Attorney for the Village of Wesley Hills:

1. An acknowledgement by Marangi confirming its obligation and assumption of all the terms of the original contract dated May 6, 2016 (copy annexed hereto).

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2. An indemnification agreement identical to the indemnification agreement between the Village of Wesley Hills and Superior dated May 6, 2016 (copy annexed hereto).
3. A performance bond with the same terms as the performance bond heretofore submitted to the Village of Wesley Hills by Superior.

(C) That Marangi deposit the sum of \$15,000.00 with the Village of Wesley Hills pursuant to the aforementioned Indemnification Agreement and

BE IT FURTHER RESOLVED, that upon compliance with all the terms and conditions set forth herein to the satisfaction of the Village Attorney of Wesley Hills, the Mayor is authorized to confirm the consent of the Village of Wesley Hills to the aforementioned assignment agreement.

Discussion:

Mayor Katz stated that the Village's current contractor Superior has sold their assets to Donato Marangi which includes the Village contract. The Village has checked on the reference and they all check out. Marangi has agreed to keep the same routes and will currently retain the same workers. The Village has to accept the consent of the transfer which would take place on February 1, 2018.

Ben Selig reviewed with Superior and Marangi the requested documents. Mr. Selig stated that after all the documents are received and reviewed he will advise the Mayor to sign the consent letter.

Upon vote, this motion carried unanimously.

Howard Richman made a motion to adjourn, seconded by Ed McPherson. Upon vote, this motion carried unanimously.

Respectfully Submitted,
Camille Guido-Downey