

RESOLUTION
of the
BOROUGH OF NEW PROVIDENCE
Resolution No. 2019-058

Council Meeting Date: 01-28-2019

Date Adopted: 01-28-2019

TITLE: RESOLUTION AUTHORIZING AGREEMENT BETWEEN THE BOROUGH OF NEW PROVIDENCE AND ROBERT P. HILL FOR PUBLIC ART SCULPTURE – SHARED DREAM

Councilperson Muñoz submitted the following resolution, which was duly seconded by Councilperson Geoffroy.

BE IT RESOLVED by the Mayor and Council of the Borough of New Providence, in the County of Union and State of New Jersey, that they do hereby approve and authorize an agreement between the Borough of New Providence and Robert P. Hill for public art sculpture for display within the Borough, in the form attached hereto and they do further authorize and direct the Mayor and Borough Clerk to execute same on behalf of the Borough of New Providence.

BE IT FURTHER RESOLVED, funding for the project is made available through fundraising and donations.

APPROVED, this 28th day of January, 2019.

RECORD OF VOTE

	AYE	NAY	ABSENT	NOT VOTING
CUMISKEY	X			
DESARNO	X			
GENNARO	X			
GEOFFROY	X			
MUÑOZ	X			
ROBINSON	X			
MORGAN			TO BREAK COUNCIL TIE VOTE	

I hereby certify that the above resolution was adopted at a meeting of the Borough Council held on the 28th day of January, 2019.

Wendi B. Barry, Borough Clerk

**THE BOROUGH OF NEW PROVIDENCE
AND THE NEW PROVIDENCE PUBLIC ART COMMITTEE
LETTER OF AGREEMENT FOR THE DISPLAY OF PUBLIC ARTWORK.**

THIS AGREEMENT FOR THE DISPLAY OF PUBLIC SCULPTURE (the "Agreement") is made by and between the Borough of New Providence, 360 Elkwood Avenue, New Providence, New Jersey 07974, and Robert P. Hill (the "Artist") located at 47 Greenbriar Drive, Summit NJ 07901. The Agreement is effective as of its date of execution.

WHEREAS, New Providence Public Art, an Advisory Committee to the Borough Council wishes to display public sculpture in the Borough of New Providence that will be viewed by members of the public;

WHEREAS, the sculpture will be displayed at Veteran's Park South Street, New Providence, NJ 07974

WHEREAS, Artist, Robert P. Hill, has certain works that Artist wishes to display at the Borough of New Providence;

WHEREAS, both Parties recognize that said works will be displayed for a period of at least one year, but no more than two years without express authorization from the New Providence Board of Education and the Borough of New Providence.

NOW, THEREFORE, the Parties agree to the following:

The Artist agrees to provide certain works as identified on Attachment "A" hereto (the "Artwork") for display within the Borough of New Providence. The Parties agree that Attachment "A" shall serve as *the acknowledgment of the Parties of the artwork NPPA for display* and must be signed by each Party prior to display. Artist shall display the *Artwork* beginning on or around March 1, 2019 to March 1, 2020 for the fee of \$500.00.

The Artist will be solely responsible for transporting, installing and removing the *Artwork*, and will bear any and all costs and liability associated with the *transportation, installation and removal* of same. New Providence Department of Public Works will offer assistance as requested by the Artist, but assumes no responsibility for the *transportation, installation or removal* of the *Artwork*.

In consideration of the right to display the Artwork, Artist releases and gives up any and all claims, demands, liabilities, damages, actions and causes of action of any kind or nature whatsoever for any damage to the Artwork incurred during the transportation, installation and removal of the Artwork

The placement of the aforementioned *Artwork* shall be *at a location* as directed by NPPA.

The Borough shall exercise as much care in respect to the *Artwork* as it does in safeguarding its own property, and will provide regular maintenance in and around the display area.

The Borough of New Providence will be liable for the cost of any damage to the *Artwork* during the display period up the value of the *Artwork as set forth in Attachment A*. If the Artist claims that the *Artwork* has been damaged to its full value, ownership of the *Artwork* shall be transferred to the Borough of New Providence *upon payment being made to the Artist of such value*.

Allen Morgan, Mayor

Date

Attest

Robert P. Hill

Date

Attest

ATTACHMENT A

<u>ITEM NAME</u>	<u>DESCRIPTION</u>	<u>VALUE</u>
1. <u>Shared Dream</u>	<u>Stainless steel sculpture</u>	<u>\$5,000.00</u>
2. _____	_____	_____

Bob Hill: Shared Dream

