

**RESOLUTION NO. 2011-39**

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
RADNOR TOWNSHIP APPROVING THE MAIN LINE JAZZ FEST  
AND WAIVER OF FEES**

**WHEREAS**, the Township of Radnor and Main Street Festival LLC has planned the Annual Jazz Festival on Saturday June 11<sup>th</sup>, 2011, and

WHEREAS, part of the Annual Jazz Festival has been planned using the North Wayne Avenue between Lancaster Avenue and West Avenue, and

WHEREAS, in order to conduct this event, the Pennsylvania Department of Transportation requires the Township to submit an application for the temporary road closing permit for North Wayne Avenue from 7:00 am June 11<sup>th</sup>, 2011 until 7:00 am June 12<sup>th</sup>, 2011, and


WHEREAS, The Radnor Township Board of Commissioners agree to waive special permit fees for the Annual Jazz Fest in accordance with the Letter of Understanding Agreement,

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of Radnor Township, hereby authorizes the Township Manager to execute the attached PennDOT Road Closure application on behalf of the Annual Jazz Festival.

**RESOLVED**, at a duly convened meeting of the Board of Supervisors conducted on this 28<sup>th</sup> day of March A.D., 2011.

RADNOR TOWNSHIP

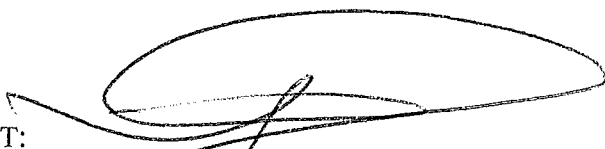
By:



Name: John Fisher

Title: President

ATTEST:

  
Robert A. Zienkowski, Secretary

## LETTER OF UNDERSTANDING

This Letter of Understanding is to outline the general agreements between Radnor Township (the "Township") and Main Street Festival Management, on behalf of itself and any other vendors participating in the Festival ("MSFM"), regarding the sixth annual Main Line Jazz & Food Festival (the "Festival") scheduled for June 11, 2011, 12 PM to 11PM.


The Township hereby agrees to: (1) apply to Penn-DOT for a permit to close North Wayne Avenue, from West Avenue/Station Road to Lancaster Avenue, on Saturday, June 11, 2011, from 7:00 a.m. to 7:00 a.m, June 12<sup>th</sup>, 2011; and (2) provide on-site uniformed police officers for traffic and crowd control and a public works employee for trash and recycling pickup during the Festival's operating hours on June 11, 2011. In addition, the Township will enforce its food safety codes at the Festival and will review food permit applications submitted by establishments that desire to serve food and/or beverages on-site on June 11, 2011.


The Township agrees to provide such personnel, services, and equipment on an in-kind basis up to a value of **\$3,000** ("in-kind contribution"). In consideration for the Township's provision of such personnel, services, and equipment for the Festival and its in-kind contribution, MSFM hereby agrees to pay the Township a sum of **\$250** and (2) the Township's costs above its in-kind contribution, up to a maximum payment of **\$2000**. MSFM also agrees that it and all vendors participating in the Festival shall follow all codes, rules and guidelines, including application deadlines, as set by the Township.

MSFM further agrees to indemnify and hold harmless the Township, its elected officials, agents, employees, servants, officers, attorneys, their heirs, successors and assigns, and all other persons, firms or corporations, from, and to satisfy in full, any and all liability for any and all claims, actions, cause of action, damages, other obligations of any kind and/or character including but not limited to claims for damages to persons or property that have arisen or may arise against the Township as a result of the Festival. This indemnification and hold harmless agreement shall be binding upon and inure to the benefit of the heirs, successors, executors, administrators, personal representatives and assigns of each.

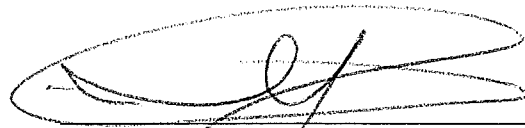
The parties hereto agree this 31<sup>st</sup> day of March, 2011

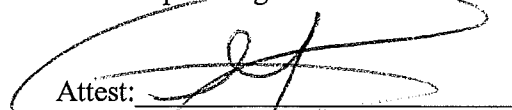
### MAIN STREET FESTIVAL MANAGEMENT

  
\_\_\_\_\_  
Jennifer Bailer, President  
Main Street Festival Management

Witness:   
\_\_\_\_\_

### RADNOR TOWNSHIP

  
\_\_\_\_\_  
Robert A. Zienkowski  
Township Manager

Attest:   
\_\_\_\_\_  
Robert A. Zienkowski  
Township Secretary