

**A RESOLUTION DECLARING OFFICER ROBERT GILBERT'S SERVICE WEAPON SURPLUS PROPERTY AND TRANSFERING OWNERSHIP OF THE SERVICE WEAPON TO OFFICER GILBERT UPON HIS RETIREMENT AND UPON RELEASE OF ALL CLAIMS RELATED TO SAID SERVICE WEAPON, AND DECLARING AN EMERGENCY**

WHEREAS, Officer Robert Gilbert plans to retire from the Village of Richfield Police Department effective August 31, 2021; and

WHEREAS, the Village desires to recognize Officer Gilbert's service to the Village by presenting Officer Gilbert with his service weapon.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Richfield, County of Summit, State of Ohio that:

- SECTION 1. Officer Robert Gilbert's service weapon (Smith and Wesson, Generation 1, M&P 9mm pistol, Serial Number: HPS 4507) is surplus property no longer needed for public use, is obsolete, or is unfit for the use for which it was acquired and thus is surplus property that should be disposed of by transferring ownership of said service weapon to Officer Robert Gilbert upon his retirement.
- SECTION 2. The ownership of a Smith and Wesson, Generation 1, M&P 9mm pistol, Serial Number: HPS 4507 is transferred from the Village of Richfield to Robert Gilbert upon his retirement and upon the receipt of a release of claims relating to the transfer, possession, and/or use of the service weapon identified above.
- SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to adoption of this Resolution were adopted in an open meeting of this Council, and that the all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with legal requirements, including Section 121.22 of the Ohio Revised Code.
- SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the residents of the Village of Richfield, County of Summit, State of Ohio and for the further purpose of ensuring that authorizing for the transfer of ownership of the service weapon from the Village to Officer Gilbert is obtained prior to Officer Gilbert's retirement on August 31, 2021; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.


PASSED: 8-17-2021

  
\_\_\_\_\_  
President of Council

  
\_\_\_\_\_  
Mayor

Dated: 8/17/2021

ATTEST

  
\_\_\_\_\_  
Clerk of Council

**EXHIBIT A**

RELEASE AND HOLD HARMLESS AGREEMENT RELATED TO THE POSSESSION OF A FORMER SERVICE WEAPON BY A RETIRED VILLAGE POLICE OFFICER

Know all men by these presents: That the undersigned, being of lawful age, for the sole consideration of keeping his former Village of Richfield police service weapon a **Smith and Wesson, Generation 1, M&P 9mm pistol, Serial Number- HPS 4507**, does hereby and for his heirs, executors administrators, successors and assigns release, acquit and forever discharge the Village of Richfield and its employees, agents, servants, successors, heirs, executors, administrators and all other persons, firms, corporations, associations or partnerships of and from any and all property damage, personal injury or other claims, actions, causes of actions, demands, right damages, costs, loss of service(s), expenses and compensation whatsoever, which may hereafter accrue on the account of or in any way growing out of any and all known and unknown, foreseen and unforeseen property damage, personal injury or other claims for damage, and the consequences thereof, resulting from the possession and /or use of the aforementioned service weapon.

The undersigned has read the foregoing release and full understands it.

Sign, sealed and delivered this day of \_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
(Officer's Name) Printed / Signature

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

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

State of Ohio, County of \_\_\_\_\_

On this \_\_\_ day of \_\_\_\_\_, 2021, before me personally appeared **Robert Gilbert** to me known to be the person described herein, and who executed the foregoing instrument and he/she acknowledged that he/she voluntarily executed the same.

My term expires \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Notary Public

Seal

