

Village of Mantua, Ohio
RESOLUTION 2014-35

**A RESOLUTION FORGIVING CHARGES FOR WATER USED BUT NOT BILLED TO
THE MANTUA-SHALERSVILLE FIRE DEPARTMENT.**

WHEREAS, since 2003, the Village of Mantua has been reading the incorrect meter at the Mantua-Shalersville Fire Department (“MSFD”); and

WHEREAS, had the correct meter been read, the MSFD would have been charged for an additional 96,800 cubic feet of water over the course of eleven years; and

WHEREAS, the Finance Committee has recommended that the charges for the water used but not billed due to an error on the part of the Village should be forgiven, and that the error is to be corrected by having the appropriate meter read from this point forward.

NOW THEREFORE, BE IT RESOLVED by the Council of the Village of Mantua, two-thirds or more of the members elected thereto concurring, that:

SECTION 1: This Council hereby forgives and releases the Mantua-Shalersville Fire Department from any obligation to pay for 96,800 cubic feet of water consumed from 2003 to the present, for which the Fire Department was not charged due to an error on the part of the Village.

SECTION 2: This Council further resolves that in order to correct the error going forward, the meter at the MSFD which is to be read shall be the three inch (3”) meter.

SECTION 3: Forgiveness of payment deficiencies and the Village’s forbearance from reading and billing for water consumption registered by the two inch (2”) meter at the MSFD shall not by themselves be construed as a contractual agreement, covenant or guarantee on the part of the Village of Mantua to provide water without charge through said meter in perpetuity.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that 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 all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5: This Resolution shall be in full force and effect after proper passage by the Mantua Village Council at the earliest period allowed by law.

PASSED IN COUNCIL, this 15th day of July, 2014.

Attest:

Linda Clark, Mayor

Jenny August, Clerk of Council

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I, Jenny August, Clerk of the Village of Mantua, Ohio, hereby certify that this Resolution was duly published by public posting at pre-designated posting places in the Village of Mantua on the ___ day of _____, 2014.

Jenny August, Clerk of Council

Approved as to legal form:

Michele A. Stuck, Village Solicitor