

Village of Mantua, Ohio
RESOLUTION 2011-08

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK-TREASURER OF THE VILLAGE OF MANTUA TO EXECUTE THE “SECOND AMENDMENT TO THE MANTUA VILLAGE AND MANTUA-SHALERSVILLE JOINT FIRE DISTRICT DISPATCH SERVICES AGREEMENT”.

WHEREAS, pursuant to Resolution 2004-01, the Village has entered into an Agreement to provide dispatch services for the Mantua-Shalersville Joint Fire District (hereinafter, “MSFD”); and

WHEREAS, the aforementioned Agreement provides for a cost sharing of one-half (1/2) for the repair of any jointly-owned equipment; and

WHEREAS, due to the recent Agreement to provide dispatching services to the Village of Hiram, and due to financial hardships, MSFD has requested that their cost-sharing portion be reduced to one-third (1/3); and

WHEREAS, this Council is sympathetic to the situation faced by the MSFD, and wishes to accommodate their request; and

WHEREAS, an amendment to the original agreement is now required in order to formalize such commitment.

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

SECTION 1. The Mayor is hereby authorized and directed to execute the “Second Amendment to the Village of Mantua and Mantua-Shalersville Joint Fire District Dispatch Services Agreement”, attached hereto as “Exhibit A” and incorporated herein by reference.

SECTION 2. 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 the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were adopted in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall go into effect upon its passage by Council and approval by the Mayor, at the earliest period allowed by law.

PASSED IN COUNCIL this _____ day of _____, 2011.

ATTEST:

Mayor

Clerk

I hereby certify the above Resolution was posted at the five (5) public notice locations in the Village of Mantua, Ohio on the _____ day of _____, 2011.

Clerk

Approved as to Form:

Michele A. Stuck, Solicitor

**Village of Mantua, Ohio
Resolution 2010-55
"Exhibit A"**

**SECOND AMENDMENT TO THE MANTUA VILLAGE AND
MANTUA-SHALERSVILLE JOINT FIRE DISTRICT DISPATCH SERVICES
AGREEMENT**

THIS "SECOND AMENDMENT to the Mantua Village and Mantua-Shalersville Joint Fire District Dispatch Services Agreement" is made and entered into this _____ day of _____, 2011 by and between the Board of Trustees of the Mantua-Shalersville Joint Fire District ("MSFD") and the Village of Mantua ("MANTUA") pursuant to Mantua Village Resolution number 2011-_____, adopted the 15th day of February, 2011.

WITNESSETH:

WHEREAS, the parties entered into an Agreement for the provision of Dispatch and Communication Services on March 22, 2004 (hereinafter, "Original Agreement"), pursuant to Village of Mantua Resolution Number 2004-01; and,

WHEREAS, the parties desire to amend said Agreement in order that the MSFD will participate in a cost sharing of one-third (1/3) in the repair of any jointly-owned equipment.

NOW, THEREFORE, in consideration of the mutual promises and covenants of the parties, it is hereby agreed to supplement the March 22, 2004 Original Agreement as follows:

SECTION 1: As of the date of the execution of this "Second Amendment", MSFD is relieved of its obligations under Subsection (B)(3) of the Original Agreement.

SECTION 2: As of the date of the execution of this "Second Amendment", MSFD agrees to pay one-third (1/3) of the cost of repair of any jointly owned equipment .

SECTION 3: Except as hereby modified, all terms, conditions and covenants of the Original Agreement, and any subsequent amendments thereto, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties caused their names to be affixed hereto by their officers or duly authorized representatives.

MANTUA VILLAGE

MANTUA-SHALERSVILLE
JOINT FIRE DISTRICT:

By: _____
Donna Hawkins, Mayo

By: _____
Trustee

By: _____
Jenny August,
Clerk-Treasurer

By: _____
Trustee

By: _____
Trustee