

RESOLUTION NUMBER

86-04

BY

Joske Schwabwalden, Hershel Boyd

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CLERK/TREASURER TO ENTER INTO CONTRACT ON BEHALF OF THE VILLAGE OF BUCKEYE LAKE, OHIO, WITH THE BUCKEYE LAKE VOLUNTEER FIRE DEPARTMENT, INC., SO THAT FIRE PROTECTION CAN BE PROVIDED TO THE VILLAGE OF BUCKEYE LAKE, OHIO, FOR THE 1986 CALENDAR YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, the Village is in need of fire protection which has, in the past, been provided by the Buckeye Lake Volunteer Fire Department, Inc.; and

WHEREAS, Council desires to enter into contract with said Fire Department for providing fire protection during the 1986 calendar year and making such contract retroactive to the first of January, 1986.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF BUCKEYE LAKE, COUNTY OF LICKING AND STATE OF OHIO, that:

Section 1: The Mayor and Clerk are hereby authorized to enter into contract with the Buckeye Lake Volunteer Fire Department, Inc., for fire protection to be provided to the inhabitants of the Village of Buckeye Lake for the 1986 calendar year. The amount of said contract shall not exceed \$29,000.00.

Section 2: The contract referred to above is attached hereto and incorporated herein as if fully rewritten.

Section 3: In order to insure the continuation of fire protection within the Village, this Resolution is hereby declared to be an emergency measure and shall go into full force and effect from and after the earliest period allowed by law.

Adopted this 3rd day of February, 1986.

Charles E. Slater
MAYOR

ATTEST:

Antoinette Yerman
CLERK/TREASURER

FORM APPROVED:

DIRECTOR OF LAW

CONTRACT

This AGREEMENT, entered into this 4th day of February, 1986, by and between the VILLAGE OF BUCKEYE LAKE, LICKING COUNTY, OHIO, hereinafter called the First Party, and the BUCKEYE LAKE VOLUNTEER FIRE DEPARTMENT, INC., hereinafter called the Second Party.

WITNESSETH

WHEREAS, First Party is desirous of obtaining fire and emergency squad protection for the residents thereof and property located therein, and has a 1978 FMC pumper and other fire fighting equipment, and

WHEREAS, Second Party owns a firehouse, various pieces of fire fighting apparatus together with an emergency squad and medic unit.

NOW, THEREFORE, be it agreed by and between all parties hereto that in consideration of the sum of TWENTY-NINE THOUSAND DOLLARS (\$29,000.00) for the period of January 1, 1986, thru December 31, 1986, to be paid by the end of each month in installments of Two Thousand Four Hundred Sixteen Dollars and Sixty-Six Cents (\$2,416.66) per month, First Party agrees to allow its FMC Pumper Truck and various equipment to be used by Second Party in and about the territory of First Party and also throughout jurisdiction of the Second Party. Second Party also agrees to operate First Party's FMC Pumper and all equipment owned by Second Party in and about the territory of the First Party.

It is mutually understood and agreed that in no case shall the Second Party be liable in damages to said Village of Buckeye Lake, Ohio, or any of its inhabitants for failure to answer any fire or emergency call, or for lack of speed in answering any such call, or for any inadequacy of equipment, negligent operation of apparatus, failure to extinguish any fire, or for any cause whatsoever growing out of this agreement or use of the fire and emergency equipment and the personnel of the said Second Party.

The First Party shall be responsible for major repairs to the FMC Pumper. Major repairs shall mean repairs in excess of Five Hundred Dollars (\$500.00). The Second Party agrees to secure a purchase order for any repairs prior to having the work done.

This Contract shall expire December 31, 1986, and shall make null and void any and all agreements made heretofore by the parties herein.

IN WITNESS WHEREOF, the parties have set their hands hereto this 3rd
day of February, 1986.

VILLAGE OF BUCKEYE LAKE, OHIO

BY Charles E. Slater
MAYOR

BUCKEYE LAKE VOLUNTEER FIRE DEPARTMENT, INC.

BY Richard Caudell / Dana G. Mota
PRESIDENT

Antoinette Gorman,
Clerk Treasurer.

ORDINANCE OR RESOLUTION NUMBER: 86-04

INTRODUCED BY: _____

MOTION TO SUSPEND RULES Schwartzwalder SECOND Boyd

	<u>AYES</u>	<u>NAYES</u>
Mr. Boyd	<u>✓</u>	<u>---</u>
Mrs. Holmes	<u>✓</u>	<u>---</u>
Mrs. Motts	<u>✓</u>	<u>---</u>
Mr. Schwartzwalder	<u>✓</u>	<u>---</u>
Mr. Wilson	<u>✓</u>	<u>---</u>
Mr. Wolverton	<u>---</u>	<u>---</u>
	<u>sustained</u>	<u>---</u>

TOTAL: 5 0

MOTION TO ADOPT Schwartzwalder SECOND Boyd

	<u>AYES</u>	<u>NAYES</u>
Mr. Boyd	<u>✓</u>	<u>---</u>
Mrs. Holmes	<u>✓</u>	<u>---</u>
Mrs. Motts	<u>✓</u>	<u>---</u>
Mr. Schwartzwalder	<u>✓</u>	<u>---</u>
Mr. Wilson	<u>✓</u>	<u>---</u>
Mr. Wolverton	<u>---</u>	<u>---</u>
	<u>sustained</u>	<u>---</u>

TOTAL: 5 0

DATE POSTING BEGAN 2/3/86
EFFECTIVE DATE 2/4/86

CERTIFICATION

I hereby certify the above to be an accurate account of the action of Council on the above matter.