

VILLAGE OF McDONALD, OHIO

RESOLUTION NO.

RESOLUTION AUTHORIZING THE MAYOR AND FISCAL OFFICER, ON BEHALF OF THE VILLAGE OF McDONALD, OHIO, TO ENTER INTO A FIRST AMENDMENT TO THE JULY 8, 2011 AGREEMENT WITH THE CITY OF NILES, OHIO, REGARDING TREATMENT OF THE VILLAGE'S WASTEWATER.

WHEREAS, in May of 1990, the Village and the City of Niles entered into a twenty year Agreement concerning the treatment of wastewater generated by the Village's residents and businesses;

WHEREAS, on July 8, 2011, the Village and the City of Niles entered into another twenty year Agreement concerning treatment of wastewater generated by the Village's residents and businesses;

WHEREAS, to address the City of Niles's financing requirements for a capital improvement project to upgrade the City of Niles wastewater treatment plant and system to comply with E.P.A. requirements, the City of Niles requested the Village to execute a First Amendment to the July 8, 2011 Agreement to, among other things, extend the term of the Agreement commensurate with the term of the City of Niles' Water Pollution Control Fund Loan financing the capital improvement project; and

WHEREAS, Council for the Village deems it prudent to enter into the First Amendment to the July 8, 2011 Agreement to continue treatment of wastewater generated by the Village's residents and businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF McDONALD, TRUMBULL COUNTY, STATE OF OHIO, that:

Section I. The Mayor and Fiscal Officer are hereby authorized and directed, on behalf of the Village, to enter into the First Amendment to the July 8, 2011 Agreement, a copy of which First Amendment is attached hereto and incorporated herein as Exhibit A.

Section II. The Mayor and Fiscal Officer are hereby authorized and directed to execute all documents ancillary and necessary to the First Amendment to the July 8, 2011 Agreement.

Section III. The passage of this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings in accordance with the provisions of Ohio Revised Code Section 121.22.

Section VI. This Resolution shall be in full legal force and effect from and after the earliest period allowed by law.

Passed in Council this ____ day of _____, 2016.

Mayor

Attest to:

Fiscal Officer