

RESOLUTION 23-2021

A RESOLUTION AUTHORIZING THE SCHEDULE TO MASTER SERVICES AGREEMENT FOR PARTICIPATION IN SAFETY/OSHA COMPLIANCE PROGRAM.

WHEREAS, the City of Newton Falls, Ohio (herein "Municipality") owns and operates a municipal electric system that provides electric power and energy to its customers; and

WHEREAS, American Municipal Power, Inc. ("AMP") is an Ohio non-profit corporation organized to own and operate facilities, or to provide otherwise for the generation, transmission or distribution of electric power and energy, or any combination thereof, and to furnish technical services on a cooperative non-profit basis for the mutual benefit of its members, such members being political subdivisions that operate, or whose members operate, municipal electric utility systems in Delaware, Indiana, Kentucky, Ohio, Maryland, Michigan, Pennsylvania, Virginia and West Virginia; and

WHEREAS, the Municipality is a member of AMP and has executed a Master Services Agreement with AMP, designated as Contract No. C-1 1-2005-4428 (the "Master Services Agreement"); and

WHEREAS, the Municipality is required to comply with rules and regulations promulgated by the Occupational Safety and Health Agency ("OSHA") and other governmental agencies having jurisdiction over Municipality, and may from time to time be in need of information, guidance, and technical assistance to comply with said rules and regulations, other safety rules and regulations and to generally improve the safety of its work; and

WHEREAS, AMP, directly or indirectly through various affiliated entities, including, but not limited to, Municipal Energy Services Agency (all such affiliated entities referred to collectively as "Affiliated Entities"), can make available to the Municipality, and to other similarly situated municipalities, qualified personnel (hereinafter called the "Safety Consultant") who can provide assistance, information, guidance and technical expertise in complying with applicable safety laws, rules and regulations and generally improving the safety of the work environment, and AMP has certain equipment, materials, and supplies which the Municipality may wish to purchase, lease or contract to meet needs associated with improving the safety of the work environment and complying with all applicable safety regulations; and

WHEREAS, the Master Services Agreement contemplates the purchase of other services pursuant to subsequent schedules and the Municipality desires to participate and to have its employee(s) participate in the program pursuant to this Schedule to Master Services Agreement for Participation in Safety/OSHA Compliance Program (this "Schedule").

COUNCIL FOR THE CITY OF NEWTON FALLS, STATE OF OHIO, HEREBY RESOLVES:

SECTION I: Newton Falls City Council hereby acknowledges the Municipalities

requirement to comply with rules and regulations of Occupational Safety and Health Agency (“OSHA”) and other governmental agencies and that the City may from time to time be in need of information, guidance, and technical assistance to comply with said rules and regulations to improve the safety of its workplace.

SECTION II: Newton Falls City Council hereby authorize the City to participate in Safety/OSHA compliance program marked as “Exhibit A” attached hereto as if fully rewritten herein.

PASSED IN COUNCIL THIS 21ST DAY OF JUNE 2021.

MAYOR, Kenneth A. Kline

ATTEST: _____
City Clerk/Clerk of Council Kathleen M. King