

RESOLUTION 2008-20

A Resolution authorizing a Service Agreement with Time Warner Cable for Internet Connection and Service for the Village of Hiram and declaring an emergency.

Whereas, the Village of Hiram has previously contracted with the Time Warner Cable for Internet Connection and Service and the prior contract has expired; and

Whereas, the Village of Hiram has researched competitive rates and the proposal received from Time Warner Cable for Internet Connection and Service continues to offer the best fit for the needs of the Village of Hiram at the most economical rate.


NOW THEREFORE BE IT RESOLVED by the Council of the Village of Hiram, Portage County, Ohio, two-thirds or more of the members thereto concurring:

Section 1: The Village of Hiram Council authorizes the Mayor and the Fiscal Officer on behalf of the Village of Hiram to enter into an agreement with Time Warner Cable for Internet Connection and Service for a term of 36 months at the rate of \$79.95 per month in substantial conformity with the attached exhibit "A"

Section 2: That this Resolution be declared an emergency measure becoming immediately effective upon passage by Council and approval by the Mayor the particular emergency being that time is of the essence because the favorable rate offered by Time Warner Cable will expire on October 8, 2008, before the next Hiram Village Council meeting.

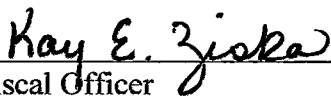
Section 3: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Revised Code of the State of Ohio.

PASSED IN COUNCIL ON September 16, 2008

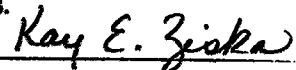


Mayor Lou Bertrand

ATTEST:



Fiscal Officer

I Kay E. Ziska, Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing Resolution or Ordinance No. 2008-20 has been duly posted in the required 5 places.
9-19-08 
Date Fiscal Officer, Village of Hiram

TIME WARNER CABLE BUSINESS CLASS SERVICE AGREEMENT
CONFIRMATION OF SERVICE ORDER

This Agreement is made by and between the Northeast Ohio Division of Time Warner Cable, a division of Time Warner Entertainment Co., LP, ("TWC") and the Customer below ("Customer").

Service Location

Authorized Contact Person(s)

Company: Hiram Fire Department
Address: 11617 Garfield Road
City, State, Zip: Hiram, Ohio 44234
Primary Contact: Phone 330-569-9826, Fax 216-844-1384, E-Mail
Secondary Contact: Phone, Fax, E-Mail

Service Package or Feature

BASIC BUSINESS TIER:

Time Warner Cable Business Class Basic Business Tier, 5 Mb/s downstream x 768 kb/s upstream (maximum burstable rates) with five (5) DHCP Addresses - includes (5) non-vanity email addresses, 1 GB SmartDrive account, 1 Dial Access account

Term (Mo)

36 Mo.

Monthly Fee*

\$79.95

Non-Recurring Fee*

\$(RENEWAL)

Plant Extension and Construction Fees

(Service Packages and Features are described on the Schedule of Time Warner Cable Business Class Service Specifications and can be viewed online at http://neohio.twcbc.com/terms06

The term of this Agreement is Customer's minimum committed period for the services as listed on this confirmation of service order, commencing on the date of installation of each service. Customer is responsible for providing a conduit or an aerial route from the utility right of way to the building entrance

CUSTOMER HAS READ AND AGREES TO THE TIME WARNER CABLE BUSINESS CLASS SERVICE AGREEMENT TERMS AND CONDITIONS AND SCHEDULE(S) OF TIME WARNER CABLE BUSINESS CLASS SERVICE SPECIFICATIONS. ACKNOWLEDGEMENT AND ACCEPTANCE OF THIS AGREEMENT BY CUSTOMER SHALL CONSTITUTE AN ORDER FOR SERVICE. COMMENCEMENT OF THE PROCESS TO CONSTRUCT NEW FACILITIES OR THE SPECIAL ORDERING OF MATERIALS REQUIRED FOR INSTALLATION OF THE SERVICE BY TIME WARNER CABLE SHALL CONSTITUTE ACCEPTANCE OF CUSTOMER'S ORDER SUBJECT TO THE TERMS AND CONDITIONS OF THIS AGREEMENT.

ACKNOWLEDGED AND ACCEPTED:

CUSTOMER: _____

Tax Identification No. _____

By: X _____ ← PLEASE SIGN HERE and FAX TO 1 866 234 6518

Name: _____

Title: _____

Date: _____

*Fees specified in the Agreement do not include applicable taxes and franchise fees which will be added to Customer's bill in accordance with statutes and regulations governing provision of the Service.

** Fees for Commercial Cable Television Services are subject to Annual Rate review.