

**FAIRFIELD TOWNSHIP
RESOLUTION NO. 19-35**

**RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO EXECUTE AGREEMENT WITH
ATLAS BUSINESS SOLUTIONS, INC.**

WHEREAS: It has been determined that there exists a need for an online employee scheduling service for the Fairfield Township Police Department employees; and

WHEREAS: The Board of Trustees has received a proposal from Atlas Business Solutions, Inc. to provide their ScheduleAnywhere web-based employee scheduling service; and

WHEREAS: The Board of Trustees is desirous of entering into the ScheduleAnywhere Hosting Agreement with Atlas Business Solutions, Inc., to provide such services for a term of one (1) year beginning March 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Fairfield Township, Butler County, Ohio, as follows;

SECTION 1: The Board hereby authorizes the Chief of Police to execute the ScheduleAnywhere Agreement which is attached hereto as Exhibit "A".

SECTION 2: The Board hereby dispenses with the requirement that this resolution be read on two separate days, pursuant to RC 504.10, and authorizes the adoption of this resolution upon its first reading.

SECTION 3 This resolution is the subject of the general authority granted to the Board of Trustees through the Ohio Revised Code and not the specific authority granted to the Board of Trustees through the status as a Limited Home Rule Township.

SECTION 4: That it is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

SECTION 5: This resolution shall take effect at the earliest period allowed by law.

Adopted: February 27, 2019

Board of Trustees

Vote of Trustees

Shannon Hartkemeyer: Shannon Hartkemeyer
Joe McAbee: Joe McAbee
Susan Berding: Susan Berding

Yes
Yes
Yes

AUTHENTICATION

This is to certify that this is a resolution which was duly passed, and filed with the Fairfield Township Fiscal Officer this 27th day of February, 2019.

ATTEST:

Shelly Schultz
Shelly Schultz, Fairfield Township Fiscal Officer

APPROVED AS TO FORM:

L.E. Barbieri
Lawrence E. Barbieri, Township Law Director



ScheduleAnywhere®

ScheduleAnywhere Hosting Agreement

This Software License Agreement ("Agreement") is entered into as of 03/01/2019 ("Effective Date"), by and between Atlas Business Solutions, Inc., a North Dakota corporation with its principal place of business located at 3330 Fiechtner Drive SW, Suite 200, Fargo, ND 58103 ("ABS") and Fairfield Township Police Department, 6485 Vonnies Vale Ct, Hamilton, OH 45011 ("Customer"). This Agreement supersedes all prior agreements and understandings (whether written or oral) between ABS and Customer with respect to the subject matter hereof.

CUSTOMER SHALL NOT ALTER OR AMEND THIS AGREEMENT IN ANY MANNER WITHOUT WRITTEN CONSENT OF ABS. ANY ALTERATIONS OR AMENDMENTS WITHOUT SUCH CONSENT WILL VOID THIS AGREEMENT AND LICENSE TO USE THE SOFTWARE.

Under this Agreement, Customer agrees to purchase access to a web-based, employee scheduling service from ABS called ScheduleAnywhere ("ScheduleAnywhere"), which is hosted by ABS and located at www.scheduleanywhere.com.

Therefore, the parties agree as follows:

- Term
The term of this Agreement shall begin on the Effective Date and will continue through 02/29/2020 (the "Term") with automatic one (1) year renewal periods thereafter, unless either party prior to such renewal anniversary date exercises a 30-day written notice of termination.
- License Fees & Taxes
During the Term, Customer is licensed to use ScheduleAnywhere for up to 27 active employees. The cost for using ScheduleAnywhere will be \$583.20 per year. If Customer's use of ScheduleAnywhere exceeds its license, additional active employees will be billed at a rate of \$21.60 per employee per year (\$1.80 per employee per month).

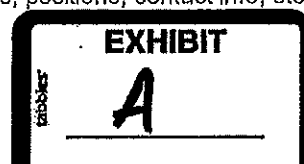
The above fees do not include any local, state, federal or foreign taxes, levies or duties of any nature, including value-added, sales use or withholding taxes ("Taxes"). Customer is responsible for paying all Taxes, excluding only taxes based on ABS's net income. If ABS has the legal obligation to pay or collect Taxes for which Customer is responsible under this Section, the appropriate amount shall be invoiced to and paid by Customer unless Customer provides ABS with a valid tax exemption certificate authorized by the appropriate taxing authority.

- Training
If training is required, ABS uses an online "train-the-trainer" method. Customer is responsible for identifying key personnel who will receive online ScheduleAnywhere training. Training sessions will be conducted using the GoToMeeting service, and offered during normal ABS office hours, which are 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday (except major U.S. holidays). Training is available at a cost of \$150.00/hour and ABS and Customer will agree upon a training schedule.

- Upgrades & Support
All upgrades are included in the cost of ScheduleAnywhere and are automatically uploaded to the ScheduleAnywhere server. Whenever the Customer accesses ScheduleAnywhere, the Customer will be using the latest version of ABS's ScheduleAnywhere scheduling software.

ABS will provide unlimited telephone and e-mail support to a designated single point of contact designated by Customer. ABS technical support hours are 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday (except major U.S. holidays).

- Employee Import
If an import of employees is requested by Customer, ABS and Customer will agree on a timeline for a one-time import of employees. ABS can import employee names, positions, contact info, etc. into





ScheduleAnywhere®

ScheduleAnywhere. ABS will provide Customer with the required format for importing. The cost for the optional import is based upon the number of employees imported.

6. Terms of Service

Customer agrees to use ScheduleAnywhere in accordance with the terms of service located at <https://www.scheduleanywhere.com/site/terms.aspx>.

7. Payment Terms

All Customer invoices will be billed net 30. Payments to ABS must be made in U.S. dollars by check, credit card or by wire. Payments made by wire should be sent to: Bell Bank, Fargo ND, ABA: 091310521, Name: Atlas Business Solutions, Inc., Account #600054464. If Customer chooses to pay by credit card, it must provide ABS valid credit card information. ABS will charge Customer's credit card the amount set forth in Section 2. If for some reason ABS is unable to charge Customer's credit card, Customer is still liable for any and all charges incurred and must pay ABS the amount due.

SHOULD CUSTOMER NOT REMIT PAYMENTS TO ABS IN ACCORDANCE WITH THIS AGREEMENT, ABS, AT ITS SOLE DISCRETION, MAY TERMINATE CUSTOMER'S ACCESS TO SCHEDULEANYWHERE UNTIL PAYMENT HAS BEEN RECEIVED.

8. Billing Contact Information

If billing contact is different than the person executing this Agreement, complete the required information below. Otherwise, ABS will submit invoices to the person executing this Agreement.

Billing Contact Name: _____
Billing Contact Address: _____
Billing Contact Phone Number: _____
Billing Contact Email: _____
Purchase Order Number: _____
Submit PDF Invoice to A/P Email: _____

9. Late Fees

In the event Customer does not pay an invoice or bill within the terms specified in Section 7, ABS reserves the right to assess a service charge of 18% per annum (or 1.5% per month) to cover administrative costs resulting from non-payment of services.

IN WITNESS WHEREOF, the authorized representatives hereto have executed this Agreement as of the Effective Date.

ABS: Atlas Business Solutions, Inc.

Signed: _____

Printed: Jon Forknell

Title: Vice President & General Manager

Customer: Fairfield Township Police Department

Signed: _____

Printed: _____

Title: _____

- [Employee Scheduling Software FAQs](#)
- [ScheduleAnywhere API](#)

Employee Scheduling Software that's Easy

ScheduleAnywhere is the simple and affordable employee scheduling software that lets you schedule your employees [online](#) 24/7/365. Designed by Atlas Business Solutions, makers of employee scheduling software for over 20 years, ScheduleAnywhere uses state-of-the-art [software](#) technology that's proven to make employee scheduling simple and painless.

Flexible Employee Scheduling and Communication

ScheduleAnywhere is online employee scheduling software that makes it possible to schedule your employees from any [computer](#) or mobile device with [Internet access](#), giving you unparalleled scheduling software flexibility and power. Managers and employees can access work schedules from anywhere and effectively communicate their scheduling needs. ScheduleAnywhere is proven online employee scheduling software and will save you time and make employee scheduling easier.

TRY IT FREE



Why ScheduleAnywhere?

Fast & Easy

Schedule employees with just a few clicks of your mouse

Affordable

Online scheduling with no long-term commitment that pays for itself

Scalable

Ideal for small or large businesses

Flexible

Available as a subscription-based service or as a self-hosted solution

Hassle Free

Includes FREE live phone
and e-mail support

Proven

Developed by the leader in employee scheduling software

Start your 30 day free trial

What ScheduleAnywhere scheduling software customers are saying...



"Now the schedule is available to everyone from anywhere. I don't know how we operated efficiently without it. In terms of ease of use and accessibility, ScheduleAnywhere can't be beat!"

Sgt. Mike Lang
Englewood (OH) PD

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