

First Reading: May 22, 2007  
Second Reading: Dispensed  
Third Reading: Dispensed

RESOLUTION 12 - 2007

**A RESOLUTION AUTHORIZING A CONTRACT FOR CURB AND GUTTER IMPROVEMENTS, DISPENSING WITH THE SECOND AND THIRD READINGS AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Newtown has caused the Village Engineers to prepare plans and specifications for certain curb and gutter replacements in the Village; and

WHEREAS, the Council of the Village of Newtown is desirous of making improvements to the roads and streets in the project by replacing curbs and gutters on the Village streets contained within the program (the "Curb and Gutter Improvements Project, Phase II"); and

WHEREAS, the Village caused plans and specifications for the Curb and Gutter Improvements Project Phase II to be prepared and advertised for bids as required by state law; and

WHEREAS, Prus Construction Company submitted the lowest and best bid in the total amount of \$92,310.00 in accordance with the plans and specifications prepared by the Village; and

WHEREAS, the proposal submitted by Prus Construction Company was the lowest and best bid received;

**NOW THEREFORE, BE IT RESOLVED** by the Council of the Village of Newtown, State of Ohio:

**SECTION 1.** That the Mayor and Fiscal Officer are hereby authorized and directed to contract with Prus Construction Company to provide for the Curb and Gutter Improvements Project Phase II as set forth in the plans and specifications prepared by the Village engineers for the Project.

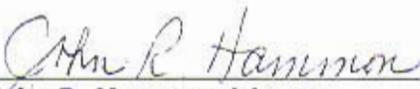
**SECTION 2.** Such contract shall provide that Prus Construction Company shall provide and furnish all of the labor, materials, tools, expendable equipment, and all utility, insurance and transportation services required in accordance with the plans and specifications prepared by the Village, which plans and specifications shall be made a part of such contract.

- SECTION 3.** Subject to additions and deletions contained therein, the contract of price shall not exceed \$92,310.00.
- SECTION 4.** The Council of the Village of Newtown, by at least three-fourths vote of all of its members, dispenses with the requirement that this Resolution be read on three separate days and authorizes its passage upon one reading.
- SECTION 5.** This Resolution is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, welfare, and safety of the Village of Newtown. The reason for the emergency is to immediately provide for safe roads and streets in the village.

**VOTE RECORD:**

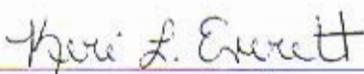
Mr. Cosby	<u>YES</u>	Mr. Evans	<u>YES</u>	Ms. Hueber	<u>YES</u>
Ms. Kobasuk	<u>YES</u>	Ms. McCarthy	<u>YES</u>	Mr. Pulskamp	<u>YES</u>

PASSED this 22<sup>nd</sup> day of May, 2007.

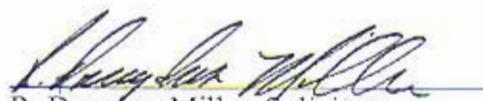
  
John R. Hammon, Mayor  
Village of Newtown, Ohio

**AUTHENTICATION**

This is to certify that this Ordinance was duly passed, and filed with the Village of Newtown this 22<sup>nd</sup> day of May, 2007.

  
Keri Everett, Fiscal Officer  
Village of Newtown, Ohio

**APPROVED AS TO FORM**

  
R. Douglas Miller, Solicitor,  
Village of Newtown, Ohio