

RECORD OF PROCEEDINGS

Minutes of

REGULAR

Meeting

National Graphics Corp., Colo. D. Form No. 1007

Held

APRIL 21

1987

Meeting called to order by Vice-Chairman Joseph Broderick at 7:00P.M. Present Trustees Joseph Broderick and George Fisher, Jr. Absent: Trustee Daniel Schneider and Clerk Longina Morgan.

Motion by Broderick seconded by Fisher that Edward C. Pullekina take the minutes of the meeting. All voting yes.

Motion by Broderick seconded by Fisher that the minutes as previously presented for the meeting of March 24, 1987 be approved. Voting yes: Broderick, Fisher.

Trustee Fisher indicated that Trustee Daniel Schneider, Jr. was not able to make the night meeting due to the fact of his recall to his regular employment. There was discussion as to why the Clerk, Longina Morgan was not there inasmuch as she had not called the Trustees. There was further discussion that the night meetings be moved back to the town hall if, in fact, Longina Morgan is not present in order that they may be properly taped. The Trustees will review this matter at their next meeting in more detail when Daniel Schneider, Jr. is present.

The next item of business was the situation involving the repair of Oak Hill Road. At the last meeting of the Trustees, the various proposals for professional engineering services for the sub-surface investigation and recommendations and engineering plan presentations for Oak Hill Road, T.R. 173, Boston Township, Ohio, were reviewed by the Trustees. After reviewing the various proposals submitted previously by the three responding engineering firms, namely, David V. Lewin Corporation, John David Jones & Associates, Inc., and Richard Engineering Limited as well as reviewing the letter dated April 10, 1987, prepared by the Summit County Engineer's Office wherein each of the proposals was evaluated, the Trustees had chosen John David Jones as the professional engineer to do the survey. A contract is being prepared by the township attorney and should be presented to John David Jones for their review and signature within the next seven to ten days.

There was further discussion that after the John David Jones proposal was accepted, various residents of Oak Hill contacted the Trustee's and legal counsel relative to their complaints relative to selecting John David Jones Associates. Various contentions including that John David Jones was hand picked by the Summit County Engineer were expressed. Township attorney, Edward C. Pullekina, indicated that he had further discussions with Paul Swanson's office, namely, Gus Yegmour, legal counsel, in regard to the letter of April 10, 1987, prepared by Paul G. Swanson, County Engineer. Mr. Yegmour informed Mr. Pullekina that each of the individuals on the engineering staff who reviewed the various proposals, namely, Frank C. Smith, Gus Yegmour, Vint Jewell, and Glenn Sprowls were all of the professional opinion that John David Jones was the lowest and best engineering consultants between the firms who submitted proposals. Mr. Yegmour indicated that the selection process is the one regularly used by his department and there is definitely no favoritism involved. He further indicated that the engineer's office would be willing to meet with any person and/or the trustees to further discuss the matter.

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Thereafter, the Trustees had further discussion relative to the John David Jones proposal as well as the other proposals. It was the consensus of the Trustees, Broderick and Fisher, that the John David Jones proposal be followed through with and that John David Jones be officially hired as the consulting engineer as previously voted upon by the Trustees.

Thereafter, a telephone call was received by legal counsel, Edward C. Pullekine, from Max Ratner, a resident of Oak Hill Road. He indicated that he had been in further contact with David V. Lewin, one of the engineers who submitted a technical proposal for the evaluation of Oak Hill Road. According to Mr. Ratner, Mr. Lewin's office was not able to supply the additional information as requested and Mr. Ratner asked that the Trustees grant a few more days so that Mr. Lewin could obtain the necessary information. Upon discussion in open meeting, the Trustees by voiced opinion, felt that the John David Jones proposal should be accepted and that the matter proceed at once. Motion to proceed with John David Jones was made by Fisher seconded by Broderick. Voting yes: Broderick, Fisher.

Attorney Pullekine also indicated to the Trustees that Gus Yognour of the Summit County Engineer's Office had indicated that the water drainage situation should be reviewed at once relative to Oak Hill Road. George Fisher, Jr. indicated that he would advise Doug Anderson, Road Superintendent, to contact Gus Yognour's office tomorrow to arrange a meeting with Frank Smith, Design Engineer for the Summit County Engineer's Office, to review what can be done to alleviate any further water erosion and damage on Oak Hill Road.

One of the residents of Oak Hill Road who was present at the meeting had questions relative to the timetable followed. The Trustees indicated that in the proposal of John David Jones, a timetable was submitted and a copy was given to the resident. Further, a meeting will be scheduled with John David Jones at the regular Trustee's meeting to review the work to be done and to answer any questions by the Trustees and the general public.

The Trustees also reviewed the liability situation as it relates to Oak Hill Road.

The Trustees questioned the wisdom of hiring a private engineer to assist the road superintendent in repairing and otherwise maintaining the township roads. George Fisher Jr. is of the opinion that the County Engineer, Paul Swanson, and his office adequately advises the township. There is a serious problem whether a private engineer hired as an independent contractor would be covered through township insurance. That is, it is possible that any engineer hired would have to have their own insurance. An ad for the position has been placed in the Akron Beacon Journal. The Trustees will review any resumes and applications received. The matter will be discussed again at the next meeting when Daniel Schneider, Jr. is present to determine if the Trustees wish to pursue the hiring of an independent engineer.

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There was general discussion by the Trustees with the individuals present at the meeting of the current status of sovereign immunity for township officials as well as for township employees. The current insurance situation relative to the inability to insure township buildings as well as the cost of obtaining other insurances was also discussed with the general public. Numerous questions were fielded from the floor by the Trustees and legal counsel.

A Motion by Broderick seconded by Fisher to adjourn. Voting yes: Broderick, Fisher. Meeting adjourned.

CHAIRMAN

DEPUTY CLERK

Central Welding	9.00
Zip Mfg Co	45.49
Price Park	198.80
Business Journal	93.40
Akron City Water	75.-
Laurel Supply	625.60
Central Welding	4.19