

RECORD OF PROCEEDINGS REGULAR MEETING

Minutes of _____

Meeting _____

DAYTON LEGAL BLANK, INC., FORM NO. 10148

April 18
Held _____

11
20 _____

The Bath Township Board of Trustees met in Room 200, the class of Revere Senior High School's AP (Advanced Placement) Government Class, 3420 Everett Road, at 10:15 a.m. for the purpose of conducting the business of the Township. The Vice President of the Board, Mrs. Becky Corbett, convened the meeting. Trustees present were Mrs. Elaina Goodrich and Mrs. Becky Corbett.

PLEDGE OF ALLEGIANCE

WELCOME

Mr. Snow thanked the students and teacher, Mr. Jason Milczewski, for inviting the Board of Trustees to conduct their meeting at the high school.

APPROVAL OF THE AGENDA

Mrs. Goodrich moved to approve the agenda. Mrs. Corbett seconded the motion; the motion passed.

FISCAL OFFICER, Sharon Troike

The Fiscal Officer requested, and Mrs. Goodrich moved, to approve requisitions and regular purchase orders 2011-06-0524 through 2011-06-0588, and payments totaling \$74,844.04. Mrs. Corbett seconded the motion and the Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer reported Correspondence, Commission, and Committee logs were available for public view.

DEPARTMENT HEADS AND ADMINISTRATORS

Police Chief Michael McNeely

Report:

Chief McNeely gave a brief description of his department and their responsibilities.

Recommendations:

Chief McNeely recommended, and Mrs. Goodrich moved, to appoint Debra L. Yarcheck as a part-time Police Officer at the hourly rate of \$23.82, effective August 1, 2011 under all rules and regulations of the Bath Township Personnel Policy Manual with a one-year probationary period. Mrs. Corbett seconded the motion; the motion passed.

Interim Fire Chief Timothy Gemind

Report:

Chief Gemind reported to the students the Fire Department answers approximately 1,200 to 1,300 calls per year. There are 10 career firefighters and 60 part-time volunteers in the department.

Noteworthy Items -

- The State Fire Marshal 2010 Training Grant (Resolution 2010-06) and the 2011 State Fire Marshal Equipment Grant (Resolution 2010-17) has been denied. The training request was for reimbursement of fire training classes that were attended

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- only at the State Fire Academy in 2010, which is a new stipulation. The equipment grant was for replacement turnout gear.
- Chief Gemind reminded residents to have their chimneys inspected and cleaned by a trained professional. There have been two chimney fires within the last three weeks, one causing major damage and one with minor damage.

Recommendations:

Chief Gemind recommended, and Mrs. Goodrich moved, to approve the internet auction of thirty retired fire helmets at a minimum bid of \$85 per helmet for compliant helmets, and \$20 per helmet for non-compliant helmets. Mrs. Corbett seconded the motion; the motion passed.

Chief Gemind recommended, and Mrs. Goodrich moved, to approve the internet auction of a Mud/Trash pump at a minimum bid of \$400. Mrs. Corbett seconded the motion; the motion passed.

Chief Gemind recommended, and Mrs. Goodrich moved, to enter into a three-year contract with W. W. Williams for the annual safety inspections and preventative maintenance on fire apparatus for a total cost of \$15,300. Mrs. Corbett seconded the motion; the motion passed.

Chief Gemind recommended, and Mrs. Goodrich moved, to extend the probationary period for Chris Null to July 1, 2011 to allow him to complete his fire certification classes. Mrs. Corbett seconded the motion; the motion passed.

Service Director Robert Wilson

Report:

BUILDINGS:

Historic Town Hall:

1. Spring clean-up, edging of landscape areas, is being done by R. B. Stout.
2. Anderson Lawn Care has begun the 2011 mowing contractual work in all areas.

ROADS:

1. The 2011 road paving and concrete repair projects are being reviewed.
2. Service Department personnel are beginning asphalt patching of roadways and reviewing drainage issues.

CEMETERIES:

1. Spring Clean-up of all cemeteries is underway.
2. Orders for pouring of foundations are being scheduled.

Recommendations:

Mr. Wilson recommended, and Mrs. Goodrich moved, to advertise to let bid for nightly cleaning services for Bath Center building and the Service Department building, with a bid opening of May 11, 2011 at 10:00 a.m. Mrs. Corbett seconded the motion; the motion passed.

Assistant Service Director/Park Director Michael Rorar

Report:

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Mr. Rorar thanked the students for using Bath Parks.

Recommendations:

Mr. Rorar recommended, and Mrs. Goodrich moved, to hire Luke Berry for the position of seasonal park personnel at the hourly rate of \$9.00 an hour, effective May 10, 2011, pending passage of pre-hire requisites. Mrs. Corbett seconded the motion; the motion passed.

Mr. Rorar recommended, and Mrs. Goodrich moved, to hire Ryan Dell for the position of seasonal park personnel at the hourly rate of \$9.00 an hour, effective immediately, pending passage of pre-hire requisites. Mrs. Corbett seconded the motion; the motion passed.

Mr. Rorar requested the Trustees consider Resolution 2011-16. Mrs. Goodrich suggested the Trustees consider the resolution after a recess, as it was not included in the Trustees' and Fiscal Officer's meeting books. Mr. Snow explained to the students the formality of a resolution versus a motion, where the wording needed to be specific, when passed.

Zoning Inspector/Administrator William Funk

Report:

The first phase of the removal of the home at 2635 Yellow Creek was completed by Jim Gangle Bulldozing and Excavating Company. Phase one included the removal of the home and the pool house along with draining the pool. Phase two will begin in the early part of the summer and will include removing the rest of the footers and concrete and stabilizing the property.

On Thursday, March 31, the Township received a certified letter from FMHC Corporation on behalf of Verizon Wireless regarding the cell tower located on the ODOT I-77 N rest area property. The letter was requesting a signature stating that the cell tower is exempt from any Zoning Regulations under Ohio Revised Code 519.211. The property in question is located in the R-2 residential district and is, therefore, not exempt from the Township Zoning Resolution. After a recommendation was presented to the Board of Trustees, a letter was sent objecting to any changes to the tower without approval from the Bath Township Board of Zoning Appeals. Although the township may not be opposed to additional antennas on the existing tower, it is in the best interest of the township for the proposal to be reviewed by the Board of Zoning Appeals prior to any approvals.

Mr. Funk has also had some preliminary conversations regarding some minor changes to the Verizon Tower located at Martadale and I-77.

The Township has begun the process of reviewing and updating the Zoning Resolution. The committee made up of the Zoning Commission members as well as representatives from the Board of Zoning Appeals and the Appearance Review Commission along with the Trustees met earlier this month. The process will begin with a complete review of the existing Zoning Resolution.

Recommendations: None

Township Administrator William Snow

Report:

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Mr. Snow reported to the students most of his time, as Township Administrator, is spent addressing residents' issues and governmental issues. The township relies on the county for many services and works with the county and state on varying projects.

He then presented a slide show of the Ira Road facility and explained the repairs and upgrades needed to the buildings and property.

Recommendations:

Mr. Snow recommended, and Mrs. Goodrich moved, to let bid for the renovation of the Ira Road Service Facility with advertisement dates of April 28 and May 5 and bid open date of May 26 at 10:00 a.m. Mrs. Corbett seconded the motion; the motion passed.

BUSINESS FROM THE BOARD

Trustees Elaine Goodrich, Becky Corbett, and James Nelson

Mrs. Corbett invited students to the Memorial Day Observance on May 30 at noon at the Veterans' Park.

STUDENT QUESTIONS

The Board opened the floor to the students for questions. The following questions were asked by various students.

Allie Scarr, 3701 Seven Oaks Trail

What is the process if you don't pass a motion?

Mrs. Goodrich responded the motion is tabled and may be reworked, or the person proposing the motion asked for more information. Usually, however, the trustees know how they will vote after discussing the issue in their work session.

Vincent Papparella, 2170 S. Short Hills Drive

How many hours do you put into your jobs outside of the Trustees' meetings?

Mrs. Goodrich stated the trustees work approximately 20 hours per week, not including evening meetings. Mrs. Corbett stated it is an interesting, rewarding, and challenging job.

Julie An, 156 Scenic View Drive

What is the benefit of being a township versus a city?

Mrs. Corbett replied townships were the original form of government; cities and villages were formed from townships. Bath Township JEDD agreements to offset annexation.

Ms. An: So you are trying to keep it a township?

Mrs. Corbett stated yes, the trustees don't have a choice. She then explained annexation, and there is a provision in the ORC for townships to be incorporated, but criteria must be met. She stated the benefit of township is residents have direct contact with their local government, and it is responsive to voters, but regionalism is changing things.

Mr. Milczewski

Has there ever been an attempt to annex Bath?

Mrs. Goodrich answered a proposal for merger went before voters, but annexation did not. Bath Township has lost land to Fairlawn and Akron, and cited Bathcrest as an example.

Tom Alexander, 270 Harmony Hills Drive

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How does Bath get their revenue, from income tax?
Mrs. Corbett stated cities invoke income tax, townships do not. Mrs. Goodrich answered the township revenue is mostly from property tax.

Alex Danesis 2465 Londonderry Drive
Is this the average number of motions you have in a meeting?
Mrs. Corbett replied it varies and depends on what business needs to be taken care of.

Jacob Taylor, Harbourtowne Drive.
Are there any laws on having meetings outside?
Mrs. Goodrich answered the trustees can have meetings anywhere in the township as long as it is published.

Annie Sun, 227 Treetop Spur
How much money does the township have?
Mrs. Troike replied the township has a \$12 million budget per year.

Mr. Milczewski
Is a township allowed to run in a deficit?
Mrs. Corbett answered no, unlike the federal government, townships are not permitted to go into debt.

Chief McNeely informed the students about the police department's use of Twitter and Facebook to inform residents about issues within the township. Mrs. Corbett added information is also available on the website from each department.

Sam Albert, 477 Autumn Leaves Drive
What is the purpose of faking names and addresses for public comment?
Mrs. Goodrich responded the trustees want to ensure those asking questions are residents who are affected by decisions from the Board of Trustees.

Mr. Milczewski to Chief McNeely
Do you run the police department differently versus how a city does?
Chief McNeely stated townships do not have ordinances like cities, but operate under the ORC. They cannot stop cars on the interstate; that is a function of the State Highway Patrol, but for the most part, the township enforces laws like cities.

Mr. Milczewski to Chief McNeely
If I'm speeding in Bath and go over the Richfield line, can Bath follow me and stop me?
Chief McNeely stated yes, there is a law that states the police can enforce the law on both sides of the road.

Vince Papparella, 2170 S. Short Hills Drive
Trash collection – is that a Summit County thing or does the township do that?
Mr. Snow explained the subscriber based trash service, which was currently going out to bid. Mr. Snow also talked about the recycle drop off point being proposed at Bath School.

Nathan Lombardi, 4176 Shaw Road
What police department has jurisdiction on Route 18?
Chief McNeely stated both departments, Bath and Copley have jurisdiction on both sides of Route 18, while Fairlawn Police have jurisdiction in Fairlawn.

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Mr. Milczewski

The probationary period, how long is that, and who sets wages for part time employees, i.e., seasonal?

Mrs. Goodrich explained the township has an organizational resolution that sets wages and probationary periods.

Mr. Milczewski asked if the probationary period is set by Ohio law.

Mrs. Goodrich replied no, the township sets the time frame.

FUTURE TRUSTEE MEETINGS AND EVENTS

April 18, 2011	Bath Water & Sewer District Board-TCR	6:00 p.m.
April 18, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
April 19, 2011	Board of Zoning Appeals-TMR	7:00 p.m.
April 21, 2011	Park Board – BNP Field Station	7:00 p.m.
April 25, 2011	Work Session – TCR	9:30 a.m.
May 2, 2011	Agenda Session-TCR	9:30 a.m.
May 2, 2011	Appearance Review Commission-TMR	5:00 p.m.
May 2, 2011	Board of Trustees-TMR	7:00 p.m.
May 5, 2011	Zoning Commission-TMR	7:00 p.m.
May 9, 2011	Work Session-TCR	9:30 a.m.
May 11, 2011	Heritage Corridors of Bath-TCR	5:30 p.m.
May 16, 2011	Agenda Session-TCR	9:30 a.m.
May 16, 2011	Board of Trustees-TMR	4:00 a.m.
May 16, 2011	Bath Water & Sewer District Board-TMR	6:00 p.m.
May 16, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
May 17, 2011	Board of Zoning Appeals-TMR	7:00 p.m.
May 23, 2011	Work Session-TCR	9:30 a.m.
May 24, 2011	Zoning Commission Forum with Bath Business Association-TMR	6:30 p.m.
May 30, 2011	Legal Holiday-Offices are Closed – Trash Delayed One Day	

TCR – Trustees Conference Room (Administrative Offices)

TMR – Trustees Meeting Room, lower level, Bath Township Center.

HBTH – Historic Bath Town Hall

CITIZENS' COMMENTS

There were no citizens' comments.

ITEMS OF INTEREST

There were no items of interest.

RECESS

Mr. Snow recommended, and Mrs. Goodrich moved to recess the meeting at 11:10 a.m. and reconvene at the town hall. Mrs. Corbett seconded the motion; the motion passed.

RECONVENE

Mrs. Corbett called the meeting back into order at 11:30 a.m. in the Trustees' Conference Room.

Mrs. Goodrich presented the following Resolution and moved its adoption:

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RESOLUTION 2011-16
TO APPLY TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY
(EPA)
FOR A 319 NONPOINT SOURCE GRANT

WHEREAS, the Ohio Environmental Protection Agency has grant monies available for the restoration of wetlands; and,

WHEREAS, the Bath Township Board of Trustees desires financial assistance for restoring the Garden Bowl that abuts the North Fork tributary at the Bath Nature Preserve;

NOW THEREFORE BE IT RESOLVED, that the Bath Township Board of Trustees:

1. Approves the filing of an application to the Ohio EPA.
2. That Assistant Service Director/Park Director Michael Rorar is hereby authorized and directed to execute and file an application and to provide all information and documentation required to become eligible for possible funding assistance.
3. That Bath Township has obligated the funds for a 20% match of a \$48,452 grant required to satisfactorily complete the proposed project and become eligible under the terms and conditions of the grant program to be reimbursed.

FURTHER, that the Fiscal Officer be directed to create Special Revenue Fund #659 and if the grant is awarded, to amend the 2011 Certificate of Estimated Resources and the Permanent Appropriations to reflect the new revenue and expenses.

Mrs. Corbett seconded the Resolution and discussion was held.

The Fiscal Officer called the roll:

Mrs. Corbett, Aye
Mrs. Goodrich, Aye
Mr. Nelson, Absent

Resolution Adopted

ADJOURNMENT

There being no other business before the board, the meeting was adjourned at 11:40 a.m.

Absent
James N. Nelson, President
Bath Township Board of Trustees


Becky Corbett, Vice President

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Bath Township Board of Trustees

Elaina E. Goodrich
 Elaina E. Goodrich
 Bath Township Board of Trustees

Sharon A. Troike
 Sharon A. Troike
 Fiscal Officer

Date: April 18, 2011
 Bath Township Board of Trustees

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