

# RECORD OF MEETING PROCEEDINGS

Minutes of \_\_\_\_\_

Meeting \_\_\_\_\_

PATTON LEGAL BLANK, INC., FORM NO. 10148

Held \_\_\_\_\_  
 May 02

11  
 20 \_\_\_\_\_

The Bath Township Board of Trustees met in the Trustees' Meeting Room on May 2, 2011, at 7:00 p.m. for the purpose of conducting the business of the Township. The President of the Board, Mr. James Nelson, convened the meeting. Trustees present were Mrs. Becky Corbett and Mr. James Nelson.

### PLEDGE OF ALLEGIANCE

### WELCOME

### MOMENT OF SILENCE

Mr. Nelson requested the audience observe a moment of silence in memory of Bath resident, Capt. Joshua McClimans, killed in Afghanistan while serving as a nurse in the Army and for Bath resident, Bruce McMakin, who had served in many volunteer positions in the township.

### APPROVAL OF THE AGENDA

Mr. Nelson requested approval of the agenda. Mrs. Corbett moved, and Mr. Nelson seconded a motion to approve the agenda; the motion passed.

### FISCAL OFFICER, Sharon Troike

The Fiscal Officer recommended, and Mrs. Corbett moved, to approve the April 4, 2011 Special Meeting minutes. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer recommended, and Mrs. Corbett moved, to approve the April 4, 2011 Regular Meeting Minutes. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer requested, and Mrs. Corbett moved, to approve requisitions and regular purchase orders 2011-06-0589 through 2011-06-0634 and payments totaling \$161,311.49. Mr. Nelson seconded the motion and the Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer recommended, and Mrs. Corbett moved, to appoint Mr. Shibui Joykuttu to the External Audit Committee, effective April 1, 2011 through March 31, 2016. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer requested the Trustees consider Resolution 2011-17.

Mrs. Corbett presented the following Resolution and moved its adoption.

### RESOLUTION NO. 2011-17 TO AMEND THE 2011 CERTIFICATE OF ESTIMATED RESOURCES AND THE 2011 PERMANENT APPROPRIATIONS

WHEREAS, after careful review of the budget submitted to the Summit County Budget Commission in July 2010, the Department Heads and Township Administrator under 505.032 (F) have developed appropriations to operate the Township; and,

WHEREAS, the Fiscal Officer has reviewed the budget and certified that the expenditures are inside the current Official Certificate of Resources;

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**NOW THEREFORE BE IT RESOLVED** by the Board of Trustees of Bath Township, County of Summit, State of Ohio, that to provide for the current expenses and other expenditures of said Board of Trustees during the fiscal year ending December 31, 2011, the following adjustments need to be completed to bring the Official Certificate of Resources in line with the Permanent Appropriations.

2011 Certificate of Estimated Resources                      2011 Permanent Appropriations  
Fund 322 Police Car Reserve Set Aside Fund              Increase Fund 322    \$42,000.00

FURTHER, that said money is appropriated as allowed by law and the Fiscal Officer request an amendment before the Summit County Budget Commission.  
Second by Mr. Nelson; discussion and roll called:

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

The Fiscal Officer reported financial statements through March had been reviewed and were available for public view.

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

### DEPARTMENT HEADS AND ADMINISTRATORS

Police Chief Michael McNeely

#### Report: Crime

Homicide-	0	Burglary-	3	Traffic Crashes-	33
Robbery-	0	Theft-	9	Traffic Citations-	88
Rape-	0	Stolen Auto-	0	Criminal Arrests-	31
Aggravated Assault-	0	Arson-	0	Calls for Service-	537

#### Training

- Ofc. Dan Reilly completed a forty-hour training on Advanced Detection and Apprehension of Impaired Drivers.

#### Noteworthy Incidents

- There were three residential burglaries in April. These occurred in the 4900 block of Granger Rd., the 600 block of West Point Drive, and the 4300 block of Fryman Drive. A composite sketch was made of the West Point burglar and his truck. These items are attached.

#### Recommendations:

Chief McNeely recommended, and Mrs. Corbett moved, to purchase a 2011 Ford Escape from Montrose Ford in the amount of \$22,202 as replacement vehicle for Car No. 20. Mr. Nelson seconded the motion; the motion passed.

Interim Fire Chief Timothy Gemind

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### Report:

#### Calls

Station #1	Fire - 25	EMS - 39	Total - 64
Station #2	Fire - 4	EMS - 26	Total - 30
Both Stations	Fire - 2	EMS - 0	Total - 2
Totals	Fire - 31	EMS - 65	Total - 96

#### Training

- Annual Self Contained Breathing Apparatus (SCBA) obstacle course. This is completed every April for all firefighters and is a joint effort with Copley Fire Department to include the Substitute Station #2 employees.
- A basic Water/Pool Rescue Class was presented to 20 staff personnel at the Akron General West Health and Wellness Center.

#### Inspection

- Scheduled - 24
- Re-Inspections - 22
- Knox Box Installation - 3
- Smoke Detector Installation - 1
- Fire Drills - 5
- Tornado Drills - 3
- Special Drill Crystal Clinic - 1

#### Public Education

- In the schools the Child Safety Trailer was very busy this month teaching storm safety.
- CPR classes were held several evenings during the month of April

#### Noteworthy Incidents/Events

- Bath assisted Fairlawn Fire with a house fire on April 8, 2011.
- New bay door openers with safety sensors were installed. Chief Gemind thanked the Township Administration for approval and support of this long awaited upgrade and improvement.
- In early March Chief Gemind nominated the department for the 2010 Ohio EMS Star of Life Award for the region, which includes all EMS agencies in Summit and Portage Counties. On March 28<sup>th</sup>, the department was notified they would be given this prestigious award for the call at Camp Christopher, April 2, 2010, involving a young lady whose leg was pinned by a boulder. (The department also recently received the 2010 Red Cross Acts of Courage Award for this call.) The Star of Life Award ceremony will be held on May 18, at 9:00 a.m. in Columbus with several of fire personnel attending. The Chief invited the attendance of the Trustees and others from the township administration as well as the public.
- The high winds on April 27 didn't last long, but did cause two primary electrical lines to fall onto roadways in the Township. Chief Gemind reminded residents and the community any power line or wire that looks like a power line is live or

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- energized until deemed safe or dead by the appropriate utility representative. A downed power line can energize anything it touches.

**Recommendations:** None

**Assistant Service Director Michael Rorar for Service Director Bob Wilson**

**Report:**

**BUILDINGS:**

**Historic Town Hall:** No new business to report.

**Bath Center Building:**

- Spring clean-up and edging of landscape beds has been done by R.B. Stout. Seasonal planting will be underway the week of May 23<sup>rd</sup>.
- Janitorial building cleaning contractors will attend a pre-bid walk-through at 10:00 A.M. on Wednesday, May 4, 2011. Bid opening is on Wednesday, May 11 at 10:00 A.M.

**Service Department Building/Ira Road Garage Renovation:**

A pre-bid meeting will be conducted at 3863 Ira Rd., at 9:00 A.M. on Thursday May 12, 2011 for contractors interested in the garage building renovation. Legal advertising was April 28 and May 5 in the West Side Leader and bids will be opened at 10:00 A.M. on Thursday, May 26, 2011.

**ROADS:**

- Roadside mowing of the right-of-ways begins in May.
- High winds during April created roadway travel and power disruption problems.
- Perrin Concrete will be making curb and gutter repairs, sidewalk, and drive apron replacements in several areas around Bath Hills. Concrete street section repairs will be done on Top-O-Hill and Round Hill Drives.
- Safety training addressing eye injury first aid was held for Service Department employees.
- Employees have completed a Defensive Driving Refresher Course.
- The Service Department has responded to 43 resident reports for road maintenance during 2011. Drainage correction, asphalt pothole patching, and roadside berm restoration are ongoing.

**CEMETERIES:**

- No burials during the month of April.
- Spring landscape area edging and weed control of all cemeteries has been scheduled.
- Monument foundation orders are being installed.

**Recommendations:**

Mr. Rorar recommended, and Mr. Nelson moved, to auction Vehicle No. 1271, the 1999 Ford

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F-250 truck with 134,666 miles on the odometer. Mrs. Corbett seconded the motion; the motion passed.

**Parks Director Michael Rorar**

**Report:**  
**PARKS SYSTEM REPORTS:**

- Mr. Rorar thanked the Bath Park Board, especially Pam Reitz, in organizing the Rain Barrel Workshop on April 2, 2011 at the Regal Beagle.
- The spring cleaning of the permeable concrete took place. Mr. Rorar thanked Summit Metro Parks for the generous donation of their vacuum.
- On three separate occasions throughout the month, park personnel cleaned up tree debris from wind storms.
- Mr. Rorar thanked all who use the parks over the past month in being proactive in protecting the fields during this very wet weather.
- Both fulltime park personnel had a refresher course in driver's training.

**BATH BASEBALL PARK**

- Since April 1, 2011 the baseball fields have been playable 44 percent of the time through the month. Records show that it either rained or snowed 24 days for the month. In 2010 the fields were playable 90 percent of the time, with 9 days of rain or snow recorded.
- Park personnel repaired and lengthened the players' benches at Fields #6 and #7.
- Fields #6 and #7 had dugout (fence enclosures) constructed at these two fields. RBSA donated half of the funding towards the project.

**BATH COMMUNITY ACTIVITY CENTER**

- Park personnel started replacing some boards and are in the process of rehabbing the deck next to the shelter.
- Park personnel opened up the football field for the 2011 Lacrosse Season, as well as, reset one of the two soccer fields.

**BATH HILL PARK**

- Park personnel repaired the Entrance Sign to this park.

**BATH NATURE PRESERVE**

- Park personnel repaired the one kiosk door that was damaged during a wind storm.
- Park personnel repaired the bridge abutments at the Creekside Trail Bridge.
- Park personnel planted over 100 live stakes along the stream of this park. Special thanks to Mrs. Steiner for the generous donation of the trees. The trees were Sycamore and Red Mulberry both native and riparian trees.

**Recommendations:** None

**Zoning Inspector/Administrator William Funk – Absent with Reason**  
**Report:** No report was given.

**Recommendations:** None

**Township Administrator William Snow**

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**Report:**  
**Project Pride**  
 Project Pride was held April 30, and it was another successful event thanks to the many volunteers, both adults and youth. Dana Singer's tireless energy made it better than last year. With the help from the community and Healthy Communities-Healthy Youth, the formula for achievement is comprehensive!

Mr. Snow thanked Revere Schools, the Summit County Engineer, and the Summit County Sheriff for their help and commitment to the community and Rumpke for their support of the project by providing the removal of the debris. Bath is certainly a better place due to the participation of many residents.

**Memorial Day Observance**  
 Mr. Snow reported planning is underway for the upcoming Memorial Day Observance scheduled for Monday, May 30, at noon, at the Veterans' War Memorial. The Revere Band will be performing this year.

**Ira Road Shared Facility with the Summit County Engineer and Bath Township Service Department**  
 Bath Township purchased the property known as the Ira Road Station five years ago and has been sharing the facilities with Summit County. Recently the Engineer indicated his use of the facility would be reduced. After an extensive review of the property, several maintenance issues were noted and are in need of repair, including the roof and general property maintenance issues. Bids will be opened on May 26 for the repair work.

**Fire Chief Selection Committee**  
 The Fire Chief Advisory Committee has carefully reviewed all of the applications submitted for the Bath Township Fire Chief position. The Committee related the following applicants merit further consideration by the Trustees:

- Tim Gemind
- Walter Hower
- Robert Jones
- George Seifert
- Christopher Switala

The candidates will be sent to an outside testing firm next for an assessment.

**NEORSRD Litigation Decision**  
 Cuyahoga County Common Pleas Judge Thomas J. Pokorny granted a Summit County prosecutor's motion for dismissal for 7 of the 11 Summit County communities named in the lawsuit with the Northeast Ohio Regional Sewer District that includes Bath Township.

Pokorny wrote that "Bath Township, Boston Heights, Hudson, Northfield Center Township, Richfield Township, Twinsburg and Twinsburg Township never entered into written agreements with the District and as a matter of law, are not 'member communities' and cannot, therefore, be subjected to the District's authority. This means those seven Summit County communities are no longer part of the litigation and also will not be subjected to the rules or proposed increased costs for implementation of the NEORSRD Stormwater Treatment Plan. Pokorny also determined that Sections 5.0602, 5.1005 and 5.1006 of the proposed Stormwater Treatment Plan were "beyond the District's authority" and were stricken from the Plan.

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Those three sections proposed to give the District unilateral authority to levy fines and/or take action against non-complaint member communities for violations. Mr. Snow thanked the Summit County Prosecutor for her assistance in the matter.

### Trash Complaint

The township received a complaint on recycling services that the contractor, Rumpke, is reviewing with Mr. Snow and making suggestions to remedy.

### Answer to Zoning Complaint

Township Legal Counsel, Robert Konstand, reported he and Mr. Funk met with resident Bob Lang to address concerns he expressed at the April 4, 2011 Trustees' meeting in reference to inconsistencies with the township's zoning policies and enforcement. Mr. Konstand stated it was a positive meeting and the information given to Mr. Lang had also been forwarded to him in a letter.

### Solid Waste Bid Results

Three bids for solid waste trash service for the township were received and are being reviewed.

### Bath Homeowners Association Donation

The Bath Homeowners Association is an active, viable, and strong association is an action-oriented organization, structured to respond to issues and concerns that take place in the township which could affect the well-being of our residents. The association has donated \$1,000 to the Township for the driveway marker program. This program provides address markers for township residences.

### Community Recycling Grant Acceptance

The township applied for and received \$6,550.91 from Summit Akron Solid Waste Management Authority (SASWMA) to be applied toward the recycle drop off bin program.

### Bath – Reverse Recycling Facility

The Akron Summit Solid Waste District has awarded monies to the Township for the creation of a recycling drop off point. Mr. Snow informally gave a presentation to the School Board to construct and operate the facility at Bath School. This site will collect paper, plastics, aluminum and steel.

### Bonnebrook Road Improvement

The road improvement needed requires the acquisition of land around the redesigned culvert replacement. This acquisition will require services of the Summit County Engineer to acquire the property for the improvement. The Summit County Engineer has offered to provide those services as required by law. It is important to note that the county will be dealing with the landowners and one of the landowners is Mr. and Mrs. Goodrich. Mrs. Goodrich has not been involved in related conversations so to preclude any issues.

### State Budget Impact

The township has been monitoring the State Budget Bill and its impact to Bath Township. Mr. Snow stated he had developed some numbers but had recently been notified of proposed amendments to the bill which would change many of the projections. This budget will have a direct impact on service provision if approved in its current form.

Mr. Snow gave a slide presentation showing the reduction in funding received by the

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township from the State of Ohio, based on the proposed cuts. These funding cuts would include Local Government funds, Public Utility receipts, and Tangible Personal Property taxes.

Mr. Nelson advised the audience of the impact when Inheritance Tax money is no longer received by local government entities. These funds have historically been used for capital improvement projects and infrastructure within the township, and for safety forces equipment.

Mrs. Troike reported Summit County is conducting triennial property reassessments this year. Brian Nelsen, Budget Director of the Summit County Fiscal Office, predicts a 5 to 17 percent reduction in property assessments for the county in light of the ongoing recession. These reassessment reductions directly impact property tax collections, which is 90 percent of the township's operating budget.

Mr. Snow also presented a slide detailing the approximate cost of buying and renovating or building a Senior Citizens Center, and the associated operating costs. Mr. Snow stated if inheritance tax money was not used to obtain the facility, two levies would be required: one for the purchase of the building, and a second levy for the continuous operating costs.

Recommendations:

Mr. Snow recommended, and Mr. Nelson moved, to accept 2011 Community Recycling Access grant funds in the amount of \$6,550.91 from the Summit Akron Solid Waste Management Authority. Mrs. Corbett seconded the motion; the motion passed.

Mr. Snow recommended, and Mrs. Corbett moved, to enter into a lease agreement with Revere Board of Education for the license of space at 1246 N. Cleveland-Massillon Road for the operation of a recycle drop off center. Mr. Nelson seconded the motion; the motion passed.

Mr. Snow requested the Trustees consider Resolution 2011-18.

Mrs. Corbett presented the following Resolution and moved its adoption.

RESOLUTION NO. 2011-18  
TO ENTER INTO AN AGREEMENT OF COOPERATION BETWEEN  
THE COUNTY OF SUMMIT AND BATH TOWNSHIP  
FOR RIGHT OF WAY ACQUISITION FOR THE  
BONNEBROOK DRIVE CULVERT REPLACEMENT PROJECT

WHEREAS, the Township is requesting that the County provide services relating to the Bonnebrook Dr. Culvert Replacement project; and

WHEREAS, the Township desires that the County will provide these services through the Engineer for right-of-way acquisition;

NOW THEREFORE BE IT RESOLVED that Bath Township Board of Trustees authorizes the payment of these services to the Summit County Engineer's Office.

Second by Mr. Nelson; discussion and roll called:

Mrs. Corbett, Aye

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Mrs. Goodrich, Absent  
Mr. Nelson, Aye

Resolution Adopted

Mr. Snow recommended, and Mrs. Corbett moved, to join Fairlawn in the household hazardous waste collection event, once bid costs are obtained. Mr. Nelson seconded the motion; the motion passed.

BUSINESS FROM THE BOARD

Trustees James Nelson and Becky Corbett

Mrs. Corbett addressed the request from Citizens for Bath Seniors to use inheritance tax money to fund and operate a senior citizen center. Mrs. Corbett stated senior citizens in Bath are not being ignored and efforts on their behalf have been made. The township will continue to develop ways to work with seniors, particularly in the areas of safety and welfare. At this point, she stated, the township chooses to move forward in a regional approach with regard to organized senior activities.

The township's revenue future is far from certain with the impending loss of inheritance tax funds, state funding, and a decline in property reassessments.

Mrs. Corbett reported Mr. Snow had developed a petition for the seniors to use, which would encourage the Board of Trustees to place the issue on the November ballot. She added the Trustees would not move forward with a senior center that is not supported by the voters of Bath Township. The township's greatest concern is to maintain the current level of service provided to the residents.

She concluded by saying her responsibility as a Trustee is to act in consideration of all taxpayers of Bath Township and to make decisions accordingly.

Recommendations:

Mrs. Corbett moved, and Mr. Nelson seconded the motion, to appoint Susan Donahue to the Bath Park Board. All aye; the motion passed.

Mrs. Corbett moved, and Mr. Nelson seconded the motion, to appoint Tom Doran to the Friends of Yellow Creek Committee. All aye; the motion passed.

Mrs. Corbett moved, and Mr. Nelson seconded the motion, to appoint Jeff Kerr to the Bath Zoning commission as an alternate through July 1, 2012.

FUTURE TRUSTEE MEETINGS AND EVENTS

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 & 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 Center

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HBTH-Historic Bath Town Hall

CITIZENS' COMMENTS

There were no citizens' comments.

ITEMS OF INTEREST

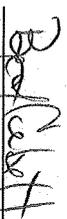
There were no items of interest.

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:17 p.m.



James N. Nelson, President  
Bath Township Board of Trustees



Becky Corbett, Vice President  
Bath Township Board of Trustees

Absent \_\_\_\_\_

Elaina E. Goodrich  
Bath Township Board of Trustees



Sharon A. Troike  
Fiscal Officer

Date: May 2, 2011  
Bath Township Board of Trustees

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