

RECORD OF PROCEEDINGS  
REGULAR MEETING

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

July 05

11

Held

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The Bath Township Board of Trustees met in the Trustees' Meeting Room on July 5, 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, Mrs. Elaina Goodrich, and Mr. James Nelson.

**PLEDGE OF ALLEGIANCE**

**WELCOME**

**APPROVAL OF THE AGENDA**

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

**FISCAL OFFICER, Sharon Troike**

The Fiscal Officer recommended, and Mrs. Goodrich moved, to approve the April 18, 2011 Regular Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.

The Fiscal Officer recommended, and Mrs. Corbett moved, to approve the June 6, 2011 Regular Meeting Minutes. Mrs. Goodrich seconded the motion; the motion passed.

The Fiscal Officer recommended, and Mr. Nelson moved, to approve the June 20, 2011 Regular Meeting Minutes. Mrs. Corbett seconded the motion; the motion passed.

The Fiscal Officer requested, and Mrs. Goodrich moved, to approve requisitions and regular purchase orders 2011-06-0778 through 2011-06-0876 and payments totaling \$151,225.00. Mrs. Corbett seconded the motion and the Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer recommended, and Mrs. Corbett moved, to approve intra-fund transfers in the amount of \$490.00. Mrs. Goodrich seconded the motion; the motion passed.

The Fiscal Officer requested the Trustees consider Resolution 2011-27.

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

**RESOLUTION 2011-27  
TO TRANSFER \$12,306.24 FROM THE GENERAL FUND TO THE PARK  
FUND**

**WHEREAS**, After careful review of the budget submitted to the Summit County Budget Commission last July the Department Heads and Township Administrator under Ohio Revised Code 505.032 (F) have developed permanent 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; and,

**WHEREAS**, the University of Akron has submitted payments to the Township for maintenance of the Bath Nature Preserve in the amount of approximately \$12,306.24 of \$25,000 projected for this year;

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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 Board finds it necessary to transfer from the General Fund which receipts the University of Akron monies to the Park Fund an amount of \$12,306.24 and appropriate for purposes of general government;

**FURTHER**, that all said money be so appropriated as allowed by law.

Mrs. Corbett seconded the motion and discussion was held.

The Fiscal Officer called the roll:

Mrs. Corbett, Aye

Mrs. Goodrich, Aye

Mr. Nelson, Aye

**Resolution Adopted**

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-	5	Traffic Crashes-	42
Robbery-	0	Theft-	15	Traffic Citations-	109
Rape-	0	Stolen Auto-	0	Criminal Arrests-	69
Aggravated Assault-	0	Arson-	0	Calls for Service-	675

**Training**

- All members completed a Domestic Violence update course.

**Noteworthy Incidents**

- Sgt. Michael Clar, Officer Dan Reilly, and Officer Grant Van Fossen apprehended an Akron man at 5:15 a.m. on Sunday, June 19 after responding to a burglary on Pine Point Drive.
- Ofc. Vito Sinopoli arrested a Cleveland woman at the Acme after she attempted to obtain narcotics with a forged prescription. The woman had been to multiple Fairlawn pharmacies attempting to illegally obtain drugs immediately prior to being apprehended. She was wanted by three other law enforcement agencies.

Chief McNeely also informed residents signing up for the Reverse 911 notification system can be accessed online.

**Recommendations:** None

**Interim Fire Chief Timothy Gemind**

**Report:**

**Calls**

Station #1                      Fire - 29              EMS - 54              Total - 83

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Station #2	Fire - 2	EMS - 23	Total - 25
Both Stations	Fire - 5	EMS - 2	Total - 7
Totals	Fire - 36	EMS - 79	Total - 115

- On June 16 the department was called to Fryman Drive for a house fire, at an estimated loss of \$150,000.00. Assistance was received from auto-response departments Fairlawn and Richfield and mutual aid from Granger and Sharon Fire Departments.
- On June 17 the department responded to a fire call at Mollard Conducting. There was a fire in a large electric panel that was extinguished by the occupants with approximately \$5,000.00 in damages. Due to no fire hydrants in the area and this being a large commercial building, this response included five other departments. Firefighters spent approximately one hour ensuring the fire had not extended into the walls, ceiling, or roof.
- June 24 the department responded to a small electric fire at Old Trail School.

**Training**

- Eric Ellis completed Fire Officer I training.
- The department practiced Supply and Attack Line setup and usage. This is part of the annual Fire Training Proficiencies.

**Inspections**

- Scheduled -- 43
- Re-Inspections -- 9
- Knox Box Installation -- 2
- Smoke Detector Installation -- 0
- Fire Drills -- 1
- Tornado Drills -- 0
- Sprinkler System -- 4
- Hazardous Operation -- 1
- Consults -- 1
- Electrical - 7

**Public Education**

- 2 CPR classes were conducted at the High School for the Health classes. Public training will pick back up in September.
- A fire truck was taken to Goddard Preschool for their annual fire truck day.
- During the week of June 20 the department participated in Bath Police Department's Safety Town.
- Fire Extinguisher Training was conducted at Camp Christopher.

**Noteworthy Incidents/Events**

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- Bath Fire completed annual hose testing as required by NFPA standards. In all 8,480 feet of hose was tested with 6 – 50 foot sections failing the test.
- Collaboration with The University of Akron brought students to the Bath/Copley Stony Hill Station to get hands on experience/practice. These students are in hope to receive their State Firefighter Certification.
- Two of Bath's Fire Investigators assisted Norton Fire with a residential structure fire June 24, as part of the Regional Fire Investigation Task Force with Copley, Norton, Richfield and Valley.
- Annual maintenance checks of the engines were completed in June.
- The Bath/Richfield Kiwanis, with the assistance of their Secretary Mr. Mike Pantaleano, graciously donated a pediatric immobilization board to Bath and Richfield Fire Departments.
- At the end of June Bath Fire received a battery donation from Duracell. This donation was provided by their "Power Those Who Protect Us" campaign. The batteries will be used for pagers and flashlights, as well as residential smoke detectors needing replacements.
- The Bath Fire Horse Show is this weekend July 9 & 10.

**Recommendations:** None

**Service Director Bob Wilson**

**Report:**

**BUILDINGS:**

**Historic Town Hall:** No new business to report at this time.

**Bath Center Building:**

1. Interior of Police Department conference room and dispatch areas have been painted by Tony's Painting.

2. Some building electrical updates are completed.

**Service Department Building:**

The above ground fuel tank has been removed from the Ira Road property by Cardinal Environmental Services, Inc.

**ROADS:**

1. Roadside mowing has been underway.

2. Drive culverts are being flushed, replaced as needed, and storm sewers video taped.

3. Thirty-five resident requests were resolved during June, mostly drainage issues. During May and June there was approximate nine inches of rainfall in the area.

4. Township roadways maintenance asphalt patching, as well as catch basin, culvert and drive apron repairs and replacements are ongoing.

5. The check valve has been installed on San Moritz Drive.

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6. Sun Valley Drive concrete curb and sidewalk repairs are ongoing by Perrin Concrete and Foxwood Drive will begin during July.

**CEMETERIES:** Six burials were held during June.

**Recommendations:** None

**Assistant Service Director/Parks Director Michael Rorar**

**Report:**

**PARKS SYSTEM REPORTS:**

- Park personnel stained and sealed the siding in three of the four parks.
- Park personnel edged and mulched all the landscape beds and tree rings in three of the four parks.

**BATH BASEBALL PARK**

- Since April 1 of this year the baseball fields have been playable 66 percent of the time and scoring a 93 percent for the month. Records show that it rained 12 days for the month of May. In 2010 playability was 88 percent of the time during the same period.
- Hosted the annual Family Fun Day Celebration.
- Park personnel widened the trail around Field #6 and #7 to accommodate park users.
- Park personnel stained and sealed all the players' benches and bleachers at this park.

**BATH COMMUNITY ACTIVITY CENTER**

- Park personnel stained and sealed the deck next to the shelter.
- Seeded and closed the Football Field for the summer season.
- Park personnel planted the annual flowers at the Butterfly Garden.
- Park personnel replaced a door at the Concession Stand due to vandalism.

**BATH HILL PARK**

- No new business to report.

**BATH NATURE PRESERVE**

- Upgraded over 1000 feet of the Bridle Trail. This was done due to the impassable conditions of this area when it rains.

**Recommendations:**

Mr. Rorar recommended, and Mrs. Goodrich moved, to approve payment to Montrose Ford for the purchase of the F550 Dump Truck in the amount of \$41,399.40. Mrs. Corbett seconded the motion; the motion passed.

**Zoning Inspector/Administrator William Funk**

**Report:**

During the month of June 2011, 10 zoning permits were issued in the following categories:

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Type of Permit	Number Issued
Accessory Structure	5
Fence	2
Commercial Addition	1
Residential Addition	1
New Residential	1

- Fees collected totaled \$2,395.95

Zoning Commission

June 2, 2011 Zoning Commission regular meeting:

The Zoning Commission along with selected members of the Board of Zoning Appeals and the Appearance Review Commission met with Wendy Moeller of Compass Point Planning to continue the process of updating the Zoning Resolution. The committee reviewed and made comments on sections of the proposed update which includes modifications to: Article 1 General Provisions, Article 2 Decision-Making Rules and Authority, Article 3 Review Procedures, Article 13 Enforcement and Penalties and Article 14 Definitions. The updates will continue to be posted to the Bath Township website.

Appearance Review Commission

June 6, 2011, The Appearance Review Commission reviewed the following cases:

- **ARC 11-13**, Angela Robinson, Red Lobster, recommended to approve the proposed changes to the existing building, 3901 Medina Rd., located in the B-2 district.
- **ARC 11-14**, Rob Deveney, Discover Life Church, recommended to approve the proposed site plan for the proposed church, 1007 Ghent Rd., located in the B-1 district.

Board of Zoning Appeals

June 21, 2011, Board of Zoning Appeals heard the following cases:

- **BZA-11-12**, Debbie and Charles Watkins, approved conditional use request for a yoga studio, 300 N Cleveland Massillon Rd., located in the B-3 district.
- **BZA-11-13**, John Grabbenstetter, approved variance request for the construction of an accessory structure within the riparian setback and encroaching into the front yard setback and conditional use approval for encroaching upon the steep slope setback, 1188 Meadow Spur, located in the R-2 district.
- **BZA-11-14**, Robert Deveney, Discover Life Church, approved conditional use request and variance request for a church, 1007 Ghent Rd., located in the B-1 district.
- **BZA-11-15**, Paul Meyer, Ken Stewart's Lodge, approved variance request to allow a temporary advertising sign, 1911 N. Cleveland-Massillon Rd., located in the B-1 district.
- **BZA-11-16**, Hallie Bowie, New Leaf Home Design, approved variance request for the reduction in the front yard setback for a residential addition, 531 Lois Dr., located in the R-2 district.
- **BZA-11-17**, James Egleston, approved variance request for the reduction in the side yard setback for a residential addition, 3902 Everett Rd., located in the R-2 district.

Recommendations: None

Township Administrator William Snow

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**Report:**

**Trash Service Schedule Delayed One Day**

Since the 4<sup>th</sup> of July was Monday, there is a one day delay in trash and recycle services this week. Bath Township has received a reduction in rates and residents who contract with Rumpke will begin receiving their red recycle containers shortly.

**Public Auction of Township Vehicles**

The police vehicles were submitted for public auction June 28. The three 2008 Dodge Chargers sold for \$2,900, \$3,400 and \$3,600; the 2003 Buick LeSabre sold for \$3,500.

**2012 Budget Hearing**

The public hearing for the 2012 Budget is set for Monday, July 11 at 11:00 a.m. Beginning this year the township will lose Local Government Fund moneys, Utility taxes, and Tangible Personal Property taxes as a result of the 2012-2013 state budget passed recently. Inheritance Taxes will no longer be collected effective January 1, 2013.

**Summit County Community Days at the Akron Zoo**

Once again, the Akron Zoo is hosting Community Days on September 11 and 12. Admission is free and tickets are available for distribution in the Administration office. Parking is not included, and parking costs \$2 per car.

**Recommendations:**

Mr. Snow recommended, and Mrs. Corbett moved, to renew enrollment in the Ohio Township Association's Group Rating Plan with Frank Gates Avizent in the amount of \$6,250 for workers' compensation claims management. Mrs. Goodrich seconded the motion; the motion passed.

Mr. Snow requested the Trustees consider Resolutions 2011-28, 2011-29, 2011-30, and 2011-31 to Abate Nuisance Properties.

Mrs. Corbett presented the following Resolutions and moved their adoption:

**RESOLUTION 2011-28**

TO ORDER THE REMOVAL OF VEGETATION AND/OR DEBRIS FROM THE  
PROPERTY AT  
2465 KENSINGTON ROAD, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.87)

**WHEREAS**, the Bath Township Board of Trustees has determined that the maintenance of the property located at 2465 Kensington Road constitutes a nuisance; and,

**WHEREAS**, the township administrator sent notice via regular mail to the landowner on record at the Summit County Fiscal Office declaring that the property be maintained with no response;

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.87 that if within ten days of this notice, the vegetation and/or debris is not removed, the trustees shall provide for the abatement of vegetation and/or debris at the above-described property and the township administrator is directed to retain the services of a contractor to perform the work and all expenses incurred, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

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**FURTHER**, that all expenses incurred by Bath Township in performing such abatement and removal shall be entered on the tax duplicate and become a lien upon the property at 2465 Kensington Road from the date of entry and thereafter collected as other taxes.

**FURTHER**, that a copy of this resolution is to be posted on the property, a certified letter sent to the property owner of record and a legal ad placed in a newspaper of general circulation indicating the intent of this board to contract for the work to remove the vegetation and/or debris and to place a lien upon the property for all expenses incurred.

Second by Mrs. Goodrich; discussion and roll called:

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

**Resolution Adopted**

**RESOLUTION 2011-29**

TO ORDER THE REMOVAL OF VEGETATION AND/OR DEBRIS FROM THE  
PROPERTY AT  
2161 MAJESTY COURT, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.87)

**WHEREAS**, the Bath Township Board of Trustees has determined that the maintenance of the property located at 2161 Majesty Court constitutes a nuisance; and,

**WHEREAS**, the township administrator sent notice via regular mail to the landowner on record at the Summit County Fiscal Office declaring that the property be maintained with no response;

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.87 that if within ten days of this notice, the vegetation and/or debris is not removed, the trustees shall provide for the abatement of vegetation and/or debris at the above-described property and the township administrator is directed to retain the services of a contractor to perform the work and all expenses incurred, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

**FURTHER**, that all expenses incurred by Bath Township in performing such abatement and removal shall be entered on the tax duplicate and become a lien upon the property at 2161 Majesty Court from the date of entry and thereafter collected as other taxes.

**FURTHER**, that a copy of this resolution is to be posted on the property, a certified letter sent to the property owner of record and a legal ad placed in a newspaper of general circulation indicating the intent of this board to contract for the work to remove the vegetation and/or debris and to place a lien upon the property for all expenses incurred.

Second by Mrs. Goodrich; discussion and roll called:

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

**Resolution Adopted**

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**RESOLUTION 2011-30**

TO ORDER THE REMOVAL OF VEGETATION AND/OR DEBRIS FROM THE  
PROPERTY AT  
3177 SOUREK ROAD, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.87)

**WHEREAS**, the Bath Township Board of Trustees has determined that the maintenance of the property located at 3177 Sourek Road constitutes a nuisance; and,

**WHEREAS**, the township administrator sent notice via regular mail to the landowner on record at the Summit County Fiscal Office declaring that the property be maintained with no response;

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.87 that if within ten days of this notice, the vegetation and/or debris is not removed, the trustees shall provide for the abatement of vegetation and/or debris at the above-described property and the township administrator is directed to retain the services of a contractor to perform the work and all expenses incurred, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

**FURTHER**, that all expenses incurred by Bath Township in performing such abatement and removal shall be entered on the tax duplicate and become a lien upon the property at 3177 Sourek Road from the date of entry and thereafter collected as other taxes.

**FURTHER**, that a copy of this resolution is to be posted on the property, a certified letter sent to the property owner of record and a legal ad placed in a newspaper of general circulation indicating the intent of this board to contract for the work to remove the vegetation and/or debris and to place a lien upon the property for all expenses incurred.

Second by Mrs. Goodrich; discussion and roll called:

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

**Resolution Adopted**

**RESOLUTION 2011-31**

TO ORDER THE REMOVAL OF VEGETATION AND/OR DEBRIS FROM THE  
PROPERTY AT  
1537 ACACIA DRIVE, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.87)

**WHEREAS**, the Bath Township Board of Trustees has determined that the maintenance of the property located at 1537 Acacia Drive constitutes a nuisance; and,

**WHEREAS**, the township administrator sent notice via regular mail to the landowner on record at the Summit County Fiscal Office declaring that the property be maintained with no response;

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.87 that if within ten days of this notice, the vegetation and/or debris is not removed, the trustees shall provide for the abatement of vegetation and/or debris at the

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above-described property and the township administrator is directed to retain the services of a contractor to perform the work and all expenses incurred, when approved by the board, be paid out of the township general fund from moneys not otherwise appropriated.

**FURTHER**, that all expenses incurred by Bath Township in performing such abatement and removal shall be entered on the tax duplicate and become a lien upon the property at 1537 Acacia Drive from the date of entry and thereafter collected as other taxes.

**FURTHER**, that a copy of this resolution is to be posted on the property, a certified letter sent to the property owner of record and a legal ad placed in a newspaper of general circulation indicating the intent of this board to contract for the work to remove the vegetation and/or debris and to place a lien upon the property for all expenses incurred.

Second by Mrs. Goodrich; discussion and roll called:

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

**Resolution Adopted**

Mr. Snow recommended, and Mrs. Corbett moved, to approve the amended 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. Mrs. Goodrich seconded the motion; the motion passed.

**BUSINESS FROM THE BOARD**

**Trustees James Nelson, Becky Corbett, and Elaina Goodrich**

Mrs. Goodrich moved to reappoint Richard Bradner to the Zoning Commission from July 1, 2011 to June 30, 2016. Mrs. Corbett seconded the motion. All aye; the motion passed.

Mrs. Goodrich moved to reappoint Timothy Franklin to the Appearance Review Commission from July 1, 2011 to June 30, 2016. Mrs. Corbett seconded the motion. All aye; the motion passed.

Mrs. Goodrich announced James King resigned from the Board of Zoning Appeals. Those interested in filling the position should contact the Administration offices. Mrs. Goodrich and Bill Funk would conduct interviews with applicants.

**FUTURE TRUSTEE MEETINGS AND EVENTS**

July 11, 2011	Work Session-TCR	9:30 a.m.
July 11, 2011	Appearance Review Commission-TMR	5:00 p.m.
July 14, 2011	Zoning Commission-TMR	6:30 p.m.
July 18, 2011	Agenda Session-TCR	9:30 a.m.
July 18, 2011	Board of Trustees-TMR	4:00 p.m.
July 18, 2011	Bath Water & Sewer District Board-TCR	6:00 p.m.
July 18, 2011	Friends of Yellow Creek-TMR	7:00 p.m.
July 19, 2011	Board of Zoning Appeals-TMR	7:00 p.m.
July 21, 2011	Park Board-BCAC	7:00 p.m.
July 25, 2011	Work Session-TCR	9:30 a.m.

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~Future Events~

**Bath Horse Show – July 9 and 10 – 9 AM start  
Bath Community Day – August 6, 2011 Parade Kicks off at 11 AM**

**Cannons Roar Civil War Weekend at Hale Farm & Village  
August 12-14, 2011 - 10:00 a.m. to 5:00 p.m.**

`Future Events at the Bath Township Museum`  
**July 24, 2011 2:00 p.m. "The Southern Viewpoint"**  
**Ed and Sue Curtis of Salisbury, North Carolina will visit the museum.**

**August 7, 2011 2:00 p.m. "Songs of the Civil War"**  
**Nancy Ganyard will accompany her talk with the music of the era.**

**TCR-Trustees Conference Room (Administrative Offices)**  
**TMR-Trustees Meeting Room, lower level, Bath Center**  
**HBTH-Historic Bath Town Hall**

Mr. Nelson reminded residents of the Bath Fire Department Horse Show being held July 9 and 10.

Mrs. Corbett asked senior residents to complete the survey published in the Bath Quarterly and return the survey to the Bath Township Administration offices.

She also reminded residents Bath Community Day is August 6.

**CITIZENS' COMMENTS**

Jack Bonsky, 4234 Idlebrook Drive, complimented the fine work of the Service Department personnel in replacing a culvert in his neighborhood.

Paula Dubaniewicz, 1846 N. Cleveland-Massillon Road, requested Trustees consider a notification policy for adjacent landowners be written and attached to permits granted to private homeowners who display fireworks.

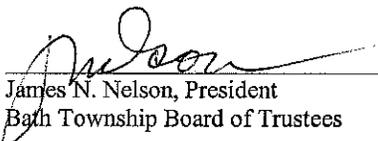
Rosalie Steiner, 3675 Lamesa Drive, stated there needs to be a time limit and noise abatement policy for the township with regard to fireworks displays on the 4<sup>th</sup> of July holiday.

**ITEMS OF INTEREST**

There were no items of interest.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 7:59 p.m.

  
James N. Nelson, President  
Bath Township Board of Trustees

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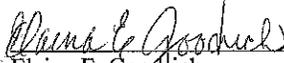
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Becky Corbett, Vice President  
Bath Township Board of Trustees



Elaina E. Goodrich  
Bath Township Board of Trustees



Sharon A. Troike  
Fiscal Officer

Date: July 5, 2011  
Bath Township Board of Trustees