

RECORD OF PROCEEDINGS

7593

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held November 4 2013

The Bath Township Board of Trustees met in the Trustees' Meeting Room on November 4, 2013, at 7:00 p.m. for the purpose of conducting the business of the Township. The President of the Board, Mrs. Elaina Goodrich, convened the meeting. Trustees present were Mr. James Nelson, Mrs. Becky Corbett, and Mrs. Elaina Goodrich.

**PLEDGE OF ALLEGIANCE**

**WELCOME**

**ELECTION OF FISCAL OFFICER PRO TEMPORE**

Mrs. Corbett moved, and Mr. Nelson seconded a motion to elect Mr. Sinopoli as the Fiscal Officer Pro Tempore in Mrs. Troike's absence. All aye; the motion passed.

**APPROVAL OF AGENDA**

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

**FISCAL OFFICER PRO TEMPORE Vito Sinopoli**

The Fiscal Officer Pro Tem recommended, and Mr. Nelson moved, to approve the **October 7, 2013 Regular Meeting Minutes**. Mrs. Corbett seconded the motion; the motion passed.

The Fiscal Officer Pro Tem recommended, and Mrs. Corbett moved, to approve the **October 21, 2013 Regular Meeting Minutes**. Mrs. Goodrich seconded the motion; the motion passed.

The Fiscal Officer Pro Tem recommended, and Mr. Nelson moved, to approve **requisitions and regular purchase orders 2013-08-1204 through 2013-08-1235, and payments totaling \$174,349.36**. Mrs. Corbett seconded the motion. The Fiscal Officer Pro Temp called the roll; all aye, the motion passed.

The Fiscal Officer Pro Tem recommended and Mrs. Corbett move to approve **intra-fund transfers in the amount of \$44,994.22**. Mr. Nelson seconded the motion; the motion passed.

The Fiscal Officer Pro Tem reported Correspondence, Board, Commission, and Committee log are available for public view.

Mr. Sinopoli requested the Trustees consider Resolution 2013-31.

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

**RESOLUTION 2013-31  
REQUEST FOR ADVANCE OF TAXES  
ASSESSED AND COLLECTED FOR AND IN BEHALF  
OF BATH TOWNSHIP FOR TAX YEAR 2013  
(RC 321.34)**

**WHEREAS**, pursuant to Ohio Revised Code §321.34 a request for an advance of taxes assessed and collected for and in behalf of Bath Township is in order for tax year 2013 payable in collection year 2014; and,

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**WHEREAS**, the Township Fiscal Officer has notified the Board of Trustees that an annual resolution is required to be on file with the Summit County Fiscal Officer.

**NOW THEREFORE BE IT RESOLVED**, that the Bath Township Board of Trustees requests an advance of collection of taxes assessed and collected for and in behalf of the township, which shall be held and treated as an advance payment on collection of taxes due the township as provided by law.

**FURTHER**, that the Fiscal Officer be directed to request said taxes throughout the course of the year and to amend the 2014 Certificate of Estimated Resources and the Permanent Appropriations to reflect the new revenue and expenses when applicable.

Mr. Nelson seconded the motion, discussion and roll called.

The Fiscal Officer Pro Tem called the roll:

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

Mr. Sinopoli requested the Trustees consider Resolution 2013-32.

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

**RESOLUTION NO. 2013-32  
TO AMEND THE 2013 CERTIFICATE OF ESTIMATED RESOURCES  
AND THE 2013 PERMANENT APPROPRIATIONS  
Amendment #6**

**WHEREAS**, after careful review of the budget submitted to the Summit County Budget Commission in July 2012, 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;

**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, 2013, the following adjustments need to be completed to bring the Official Certificate of Resources in line with the Permanent Appropriations with an **increase to:**

**2013 Certificate of Estimated Resources**  
**Fund 648 EPA 319 Nonpoint Source Grant \$25,606.00**

**2013 Permanent Appropriations**  
**Fund 648 EPA 319 Nonpoint Source Grant \$25,606.00**

**FURTHER**, that said money is appropriated as allowed by law and the Fiscal Officer request an amendment before the Summit County Budget Commission.

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Second by Mr. Nelson; discussion and roll called:

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

The Fiscal Officer Pro Tem reported that on October 30, 2013 at 10:00 am, bids were opened for the purchase of a 5-Ton Dump Truck/Plow.

<u>Company</u>	<u>Bid Amount</u>
Valley Freightliner	\$83,395.00
(Incomplete bid, did not include mandatory equipment package)	
Kenworth Richfield	\$145,483.00

**DEPARTMENT HEADS AND ADMINISTRATORS**

**Police Chief Michael McNeely**

**Report:**

**Crime:**

Burglary – 1	Theft – 8	Traffic Crashes – 46
Arrests – 23	Traffic Citations – 41	Calls for Service – 717

**Training**

- School Resource Officer – Officer Shaffer

**Noteworthy Incident**

- Attorney General Mike DeWine announced the arrests of four individuals responsible for a statewide crime spree involving the theft of over \$100,000 in 12 jurisdictions. Detective Dan Lance investigated the involvement of Larry Cobb, 55, of Leavittsburg in thefts in Bath Township. His excellent work aided in Cobb being charged with “Engaging in a Pattern of Corrupt Activity” and several other criminal charges.

**Recommendations:** None

**Fire Chief Walter Hower**

**Report:**

**October Calls**

Station #1	Fire - 21	EMS - 45	Total - 66
Station #2	Fire - 6	EMS - 39	Total - 45
Both Stations	Fire - 8	EMS - 2	Total - 10
Totals	Fire - 35	EMS - 86	Total 121

**Noteworthy Incident**

- We had a good turnout for the annual Halloween Fire Department Open House.

**Training**

**Attendees**

**Class Hours**

Pumps and Pumping	5	2
Annual Driver Obstacle Course	23	1.5
ACLS Recertification	13	4
Hazmat EMS	2	6
Fire Control, General	11	5.5
Water Supplies	6	4
Fire Inspections	2	8

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General Fire Prevention	1	12
General Fire Investigation	3	2.5
Dive Operations	6	4
Dive Gear/Equipment Review	2	3
<b>Totals</b>	<b>74</b>	<b>52.50</b>

**Inspections**

- Scheduled – 14
- Misc. Inspections – 2
- Fire Drills – 5

**Public Education**

- Public Safety House visited Bath Elementary School, Herberich Elementary School and Old Trail School for a total of 7 visits totaling 38.50 hours.

**Recommendations:**

Chief Hower requested the Trustees consider Resolution 2013-33.

Mr. Nelson presented the following Resolution and moved its adoption:

**RESOLUTION 2013-33**

**TO APPLY TO FEMA FOR AN ASSISTANCE TO FIREFIGHTERS GRANT**

**WHEREAS**, the Federal Emergency Management Agency (FEMA) Assistance to Firefighters has grant monies available for training and equipment; and,

**WHEREAS**, the Bath Township Board of Trustees desires financial assistance with equipment acquisition, personal protective equipment, and training with a 95/5 matching grant;

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

1. Approves the filing of an application to the Federal Emergency Management Agency (FEMA) Assistance to Firefighters.
2. That Fire Chief Walter Hower 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 required to satisfactorily complete the proposed project and become eligible under the terms and conditions of the grant program.

**FURTHER**, that the Fiscal Officer be directed to create Special Revenue Fund #642 and if the grant is awarded, to amend the 2014 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 Pro Tem called the roll:

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

**Resolution Adopted**

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Chief Hower recommended, and Mr. Nelson moved, to place John Paul Paxton on a leave of absence as a Part Time Fire Department employee. Mrs. Corbett seconded the motion; the motion passed.

Service Director Caine Collins

**Report:**

**Buildings and Grounds:**

- Bath Center Building: Siding has been power washed.

**Roads:**

- During October, the Service Department completed resident requests including roadside ditching and landscape reclamation, culvert replacements, catch basin repairs and installation of asphalt aprons.
- Installation of address markers is ongoing.
- A RD12A Roller Double Drum Solid Rops from Indy Equipment has been received for joint use by the Service and Parks departments

**Cemeteries:**

- Moore's Chapel- one full burial, one cremation.
- Bath Center Cemetery- one full burial

**Recommendations:**

Mr. Collins recommended, and Mr. Nelson moved, to pay Ronyak Paving, Inc. Estimate 3 in the amount of \$4,043.61 for #448 resurfacing program, as recommended in 10/15/2013 correspondence from the Office of the Summit County Engineer. Wages and hours are in order. (Foxwood and Beechnut Hill) Mrs. Corbett seconded the motion; the motion passed.

Mr. Collins recommended, and Mr. Nelson moved, to pay \$25,000 to J.W. Didado Electric for installation of the Generac Unit (generator) for the Bath Center Building. Mrs. Corbett seconded the motion; the motion passed.

Mr. Collins recommended, and Mr. Nelson moved, to award the bid to furnish one five-ton Dump Truck and equipment, per specifications to Kenworth of Richfield in the amount of \$86,570.00 for cab and chassis including extended warranty and Henderson Truck Equipment for equipment package in the amount of \$58,913.00 for a combined truck amount of \$145,483.00. Mrs. Corbett seconded the motion; the motion passed.

Assistant Service Director/Park Director Michael Rorar

**Report:**

**General Park Information**

- Fall into Nature
- Review of Tamarack Bog Agreement
- Park personnel have begun the annual leaf removal in all of the township parks.

**Bath Baseball Park**

- Reminder, from November 1<sup>st</sup> through March 31<sup>st</sup> of each year the Baseball Park closes down.

**Bath Community Activity Center**

- Repair and total reconstruction of the Park Hour Signs
- Park personnel have slit seeded Field #3 and aerated all three play fields.
- Park personnel have rotated Field #2 and Field #3. This is done every four to

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- five years to allow the fields to heal in by changing the wear patterns.

**Bath Nature Preserve**

- Park personnel continued treating the exotics plant species within the Moore's Chapel Cemetery these are part of a 319 EPA Grants for wetland restorations.
- Moore's Chapel Cemetery stream restoration is complete.
- Park personnel have planted 27 trees in the Moore's Chapel Cemetery Wetland.

**Recommendations:**

Mr. Roar recommended, and **Mrs. Corbett moved, to accept the resignation of Seasonal Park Laborer Nicholas Crithfield effective 8/24/2013. Mr. Nelson seconded the motion; the motion passed.**

**Zoning Inspector/Administrator and Solid Waste Coordinator William Funk Report:**

During the month 7 zoning permits were issued in the following categories:

- |                        |   |
|------------------------|---|
| • Fence                | 3 |
| • Residential Addition | 2 |
| • New Residential      | 1 |
| • Sign                 | 1 |

**Zoning Commission**

October 3, 2013, Zoning Commission regular meeting:

- The Commission reviewed the recommendations from the Summit County Planning Commission for Articles 1-11 of the draft version of the Zoning Resolution.

**Appearance Review Commission**

October 7, 2013, The Appearance Review Commission reviewed the following cases:

- ARC 13-23, Major Harrison, Brilliant Electric Sign Co. for Grace Church, recommended to approve the proposed monument sign, 754 Ghent Rd., located in the R-2.
- ARC 13-24, Paul Waltz, L+P Architecture for Willow View, recommended to approve the proposed commercial addition to the existing farm home, 481 N. Cleveland Massillon Rd., located in the B-1.
- ARC 13-25, Major Harrison, Brilliant Electric Sign Co. for Grace Church Office, recommended to approve the proposed monument sign, 211 N. Cleveland Massillon Rd., located in the B-4.

**Board of Zoning Appeals**

October 15, 2013, Board of Zoning Appeals heard the following cases:

- BZA 13-25, Brian Lutheran, approved variance request for an accessory structure that exceeds the permitted square footage requirement, 4529 Granger Rd., located in the R-2.
- BZA 13-26, Major Harrison, Brilliant Electric Sign Co. for Grace Church, approved variance request to exceed the overall square foot and height and approved the variance to allow a temporary sign 6 times per year at 14 days per time, 754 Ghent Rd., located in the R-2.
- BZA 13-27, James Gilbert, Braun & Steidl for Grace Church, approved conditional use request for an addition to the existing Grace Church Facility, 754 Ghent Rd., located in the R-2

**Solid Waste**

October Report:

- New Customers 25

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- Canceled Customers 11
- Suspended Customers 5 (2 Quarters Past Due)
- Vacation Customers 15 (30 Days or More)
- Total Active Customers 2,637 (213 Garage Door Customers)

Bath Township utilizes GPS Insight to track the trash trucks

**Recommendations:**

Mr. Funk recommended, and Mr. Nelson moved, to waive zoning application fees for Bath Township for the recycling drop off at Herberich School. Mrs. Corbett seconded the motion; the motion passed.

Mr. Funk requested the Trustees consider Resolution 2013-34.

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

**RESOLUTION 2013-34  
TO ORDER THE REMOVAL OF THE STRUCTURE AT  
2078 GLENGARY ROAD, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.86)**

**WHEREAS**, the Bath Township Board of Trustees has determined that the structure located at 2078 Glengary Road is unsecured, unsafe, unsanitary, and unfit for human occupancy and presents an additional potential fire hazard; and,

**WHEREAS**, as a result of the above, it is the recommendation of the Summit County Building Department that the structure be razed.

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.86 that the trustees shall provide for the removal, repair or securance of insecure, unsafe buildings or structures at 2078 Glengary Road and the township zoning 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 removal shall be entered on the tax duplicate and become a lien upon the property at 2078 Glengary 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 for the removal and to place a lien upon the property for all expenses incurred.

Mr. Nelson seconded the Resolution and discussion was held.

The Fiscal Officer Pro Tem called the roll:

Mrs. Corbett Aye  
 Mrs. Goodrich Aye                   **Resolution Adopted**  
 Mr. Nelson Aye

Mr. Funk requested the Trustees consider Resolution 2013-35.

Mr. Nelson presented the following Resolution and moved its adoption:

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November 4

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Held

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**RESOLUTION 2013-35  
TO ORDER THE REMOVAL OF THE STRUCTURE AT  
4458 GRANGER ROAD, BATH TOWNSHIP, SUMMIT COUNTY, OHIO  
(O.R.C. §505.86)**

**WHEREAS**, the Bath Township Board of Trustees has determined that the structure located at 4458 Granger Road is unsecured, unsafe, unsanitary, and unfit for human occupancy and presents an additional potential fire hazard; and,

**WHEREAS**, as a result of the above, it is the recommendation of the Summit County Building Department that the structure be razed.

**NOW THEREFORE BE IT RESOLVED THAT** pursuant to Ohio Rev. Code § 505.86 that the trustees shall provide for the removal, repair or securance of insecure, unsafe buildings or structures at 4458 Granger Road and the township zoning 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 removal shall be entered on the tax duplicate and become a lien upon the property at 4458 Granger 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 for the removal and to place a lien upon the property for all expenses incurred.

Mrs. Corbett seconded the Resolution and discussion was held.

The Fiscal Officer Pro Tem called the roll:

Mrs. Corbett Aye  
Mrs. Goodrich Aye                   **Resolution Adopted**  
Mr. Nelson Aye

**Township Administrator Vito Sinopoli**

**Report:**

I am proud to announce that Chief McNeely was awarded the 2013 Community Service Recognition Award for Community Safety. The Ohio State Grange Annual Conference occurred over four consecutive days in Columbus and was very well attended. The organization presented several different awards to individuals in education, public safety, and community service. Chief McNeely was nominated by Lee Darst. Congratulation to the Chief on his award!

Bath Township is partnering with the Copley-Fairlawn School District to improve recycling access. Using a ReWorks grant, Bath will construct an enclosure for the Herberich Elementary recycling bins. Bath Township has successfully partnered with the Revere School District in the past to construct a similar enclosure at the Bath Elementary School. The bins at Herberich Elementary are in a convenient location for those in the heavily populated southern portion of the township.

**Recommendations:**

Mr. Sinopoli recommended, and Mr. Nelson moved, to accept the 2014 Board of Trustees Meeting Schedule. Mrs. Corbett seconded the motion; the motion

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Held **November 4** 20**13**

passed.

Mr. Sinopoli recommended, and Mrs. Corbett moved, to sell the 65kw Natural Gas Generator via auction on GovDeals.com. The generator will have a reserve of \$2,000. Mr. Nelson seconded the motion; the motion passed.

Mr. Sinopoli recommended, and Mr. Nelson moved, to advertise for a sealed bid for the Ghent Road Sanitary Sewer project. Bids will be opened on November 25<sup>th</sup> at 9:00 a.m.. This bid will be published through the Akron Beacon Journal and the Akron Legal News. Specifications can be found in the Bath Administrative Offices. There will be a mandatory pre-bid meeting on November 20<sup>th</sup> at 9 am to discuss the details. The Ghent Road Sanitary Sewer project is the final part of the JEDD agreement requiring the township to provide sanitary sewer services to a number of properties on the Ghent and Cleveland Massillon corridor. The property owners along this corridor have requested sanitary sewer services, and the project will be funded through JEDD money exclusively. Mrs. Corbett seconded the motion; the motion passed.

Mr. Sinopoli recommended, and Mrs. Corbett moved, to accept the quote from Cementech Inc. for the enclosure at Herberich Elementary School, at the cost of \$6,338. Mr. Nelson seconded the motion; the motion passed.

**BUSINESS FROM THE BOARD**

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

There was no business from the Board.

**FUTURE TRUSTEE MEETINGS AND EVENTS**

November 7, 2013	Zoning Commission TMR	7:00 p.m.
November 13, 2013	Heritage Corridors TMR	5:30 p.m.
November 18, 2013	Board of Trustees Meeting TMR	4:00 p.m.
November 18, 2013	Water and Sewer Board TCR	6:00 p.m.
November 18, 2013	Friends of Yellow Creek TMR	7:00 p.m.
November 19, 2013	Board of Zoning Appeals TMR	7:00 p.m.

TCR-Trustees Conference Room (Administrative Offices)

TMR-Trustees Meeting Room, lower level, Bath Center

**COMMUNITY EVENTS**

November 9, 2013	1 <sup>st</sup> Annual Bath Steeplechase Event	- Registration 10:00 a.m.
		8K Start 12:00 p.m.
		Awards Ceremony 1:30 p.m.
November 29, 2013	Wye Road Bridge Lighting	5:30 - 7:30 p.m.

**CITIZENS' COMMENTS**

There were no citizen's comments.

**COMMITTEE REPORT**

Mr. Alan Brubaker, Summit County Engineer, spoke on issues relating to the roads and bridges under Summit County control within Bath Township.

**ITEMS OF INTEREST**

Mrs. Corbett read a letter from James R. Hinton regarding Officer Daniel Reilly's commendable performance of duties as a police officer.

Mr. Nelson spoke on 'News from the Criminal Division', September 2013, published by the Summit County Prosecutor. The Prosecutor, Sherri Bevan Walsh, expressed her

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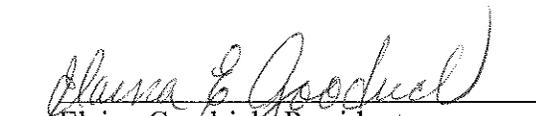
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thanks to Lieutenant Richard Muncie for his outstanding work on a recent domestic violence case.

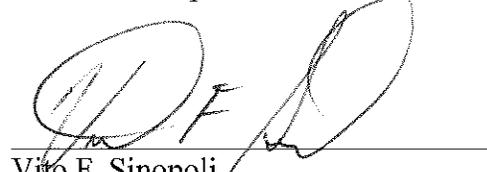
**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 8:38 p.m.

  
Elaina Goodrich, President  
Bath Township Board of Trustees

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

  
Becky Corbett  
Bath Township Board of Trustees

  
Vito F. Sinopoli  
Fiscal Officer Pro Tempore

Date: November 4, 2013  
Bath Township Board of Trustees

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 19148

Held November 4 2013

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Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held

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