

RECORD OF PROCEEDINGS

7393

Minutes of

REGULAR MEETING

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held November 05 2012

The Bath Township Board of Trustees met in the Trustees' Meeting Room on November 5, 2012, at 7:00 p.m. for the purpose of conducting the business of the Township. The Vice President of the Board, Mrs. Elaina Goodrich, convened the meeting. Trustees present were Mr. James Nelson, Mrs. Elaina Goodrich, and Mrs. Becky Corbett.

**PLEDGE OF ALLEGIANCE**

**WELCOME**

**APPROVAL OF THE AGENDA**

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

**PART-PAID VOLUNTEER FIREFIGHTER OATHS**

Chief Hower recommended, and **Mr. Nelson moved, to hire Part-paid Volunteer Firefighters Cody Bennett and Michael Jones as part-time volunteer firefighter/EMT-B trainees, and to hire part-time volunteer firefighter/EMT-Paramedics Dustin Muehfeld and Chad Warner for Bath Township under all rules and regulations of the Bath Township personnel Policy Manual, with a one-year probationary period. Mrs. Goodrich seconded the motions; the motions passed.**

Board President Becky Corbett administered the Firefighter's Oath to Mr. Bennett, Mr. Jones, Mr. Muehfeld, and Mr. Warner.

**FISCAL OFFICER, Sharon A. Troike**

The Fiscal Officer recommended, and **Mr. Nelson moved, to approve the September 4, 2012 Regular Meeting Minutes. Mrs. Goodrich seconded the motion; the motion passed.**

The Fiscal Officer recommended, and **Mrs. Goodrich moved, to approve the September 17, 2012 Regular Meeting Minutes, the October 2, 2012, Special Meeting Minutes, and the October 22, 2012 Special Meeting Minutes. Mr. Nelson seconded the motion; the motion passed.**

The Fiscal Officer recommended, and **Mr. Nelson moved, to approve requisitions and regular purchase orders 2012-07-1125 through 2012-07-1222, and payments totaling \$221,271.90. Mrs. Goodrich seconded the motion. The Fiscal Officer called the roll; all aye, the motion passed.**

The Fiscal Officer recommended, and **Mrs. Goodrich moved, to approve intra-fund transfers in the amount of \$7,537.68. Mr. Nelson seconded the motion; the motion passed.**

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

The Fiscal Officer requested the Trustees to consider Resolution 2012-26.

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

**RESOLUTION 2012-26  
AMENDMENT #5 TO THE CERTIFICATE OF ESTIMATED RESOURCES  
AND 2012 PERMANENT APPROPRIATIONS**

**WHEREAS**, after careful review of the budget submitted to the Summit County Budget Commission in July 2011, the Department Heads and Township Administrator

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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, 2012, the following adjustments of a **net reduction** of **(\$129,559.00)**, as attached, be made to the Certificate of Estimated Resources, and a **net reduction** of **(\$114,200.47)**, as attached, be made to the Permanent Appropriations.

Mr. Nelson seconded the Resolution and discussion was held.

The Fiscal Officer called the roll:

Mrs. Corbett Aye

Mrs. Goodrich Aye

Mr. Nelson Aye

**Resolution Adopted**

The Fiscal Officer requested the Trustees consider Resolution 2012-27

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

**RESOLUTION NO. 2012-27  
TO TRANSFER MONIES FROM THE GENERAL FUND  
TO THE FIRE CAPITAL RESERVE FUND  
(To transfer monies for a replacement fire truck)**

**WHEREAS**, after careful review of the budget submitted to the Summit County Budget Commission in July 2011, 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, 2012, the following transfers need to be completed to bring the Official Certificate of Resources in line with the Permanent Appropriations.

<b>Transfer From:</b>	<b>Transfer To:</b>	<b>Amount:</b>
General Fund #101	Fire Reserve Fund #323	\$74,000.00

Mrs. Goodrich seconded the Resolution and discussion was held.

The Fiscal Officer called the roll:

Mrs. Corbett, Aye

Mrs. Goodrich, Aye

Mr. Nelson, Aye

**Resolution Adopted**

The Fiscal Officer requested the Trustees consider Resolution 2012-01 Amendment 08.

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Mrs. Goodrich introduced the following resolution and moved its adoption:

**BATH TOWNSHIP RESOLUTION 2012-01 AMENDMENT 08  
TO AMEND THE 2012 JOB DESCRIPTION MANUAL**

**WHEREAS**, the Township operates with regard to several master documents;  
and,

**WHEREAS**, the Bath Township Board of Trustees adopted the 2012 Organization Resolution, Personnel Policy Manual, and Job Description Manual to take effect January 1, 2012; and,

**WHEREAS**, after review the trustees have decided to revise and update the 2012 Job Description Manual to include the Part-Time Fiscal Officer Assistant position.

**NOW THEREFORE BE IT RESOLVED**, that the Bath Township Board of Trustees amends the 2012 Job Description Manual to include an updated and revised Part-Time Fiscal Officer Assistant position as attached.

Mr. Nelson seconded the resolution and discussion was held.

The Fiscal Officer called the Roll:

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

The Fiscal Officer recommended, and **Mr. Nelson moved, to post for the position of Part-Time Fiscal Officer Assistant with applications due by November 23, 2012.**  
**Mrs. Goodrich seconded the motion; the motion passed.**

**DEPARTMENT HEADS AND ADMINISTRATORS**

**Police Chief Michael McNeely**  
**Report:**

**Crime:**

Burglary – 2	Traffic Crashes – 43	Arrests – 34
Theft – 11	Traffic Citations – 49	Calls – 604
Rape - 2		

**Training:**

- Cell Phone Analysis- Ofc. Mike Gabel, Ofc. Steve Wolf, Ofc. David Ellinger, and Ofc. Jonathon South;
- Traffic Stops- Ofc. Dan Reilly

**Noteworthy Incident:**

- Ofc. Gabel, Ofc. Reilly, and Ofc. Sinopoli investigated and arrested a Kent man for Trafficking in Drugs after they found him to be in possession of 4 pounds of marijuana and \$1,700 cash.

**Recommendations:**

Chief McNeely recommended, and **Mrs. Goodrich moved, to change Officer Maria Lavery from part-time Police Officer to full-time Police Officer, effective**

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**November 16 at the 37 to 48 month salary level of \$58,714.53. Mr. Nelson seconded the motion; the motion passed.**

Chief McNeely requested the Trustees consider Resolution 2012-28.

Mr. Nelson introduced the following resolution and moved its adoption:

**BATH TOWNSHIP RESOLUTION 2012-28**  
TO APPLY FOR GRANT FROM THE DEPARTMENT OF JUSTICE FOR THE  
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT.

**WHEREAS**, The Department of Justice has grant monies available through its Edward Byrne Memorial Justice Assistance Grant; and,

**WHEREAS**, The Edward Byrne Memorial Justice Assistance Grant is a reimbursement grant that requires a 10% match; and,

**WHEREAS**, Senate Bill 77 produced requirements (O.R.C. 2933.81) that in order for custodial interrogation to be deemed voluntary for specified violent offenses that a video/audio record must be made; and,

**WHEREAS**, the Bath Township Police Department has need of reliable recording equipment; and,

**WHEREAS**, the LegalTek LX Stand Alone DVD interview recording system was found to be the best choice for the Bath Township Police Department; and,

**WHEREAS**, the Bath Township Board of Trustees desires financial assistance for the recording of custodial interrogations;

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

1. Approves the filing of an application to the Department of Justice for the Edward Byrne Memorial Justice Assistance Grant.
2. That Chief Michael McNeely 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 to be reimbursed.

**FURTHER**, that the Fiscal Officer be directed to create a Special Revenue Fund to be determined and if the grant is awarded, to amend the 2013 Certificate of Estimated Resources and the Permanent Appropriations to reflect the new revenue and expenses.

Mrs. Goodrich seconded the resolution and discussion was held.

The Fiscal Officer called the Roll:

Mrs. Corbett, Aye

Mrs. Goodrich, Aye **Resolution Adopted**

Mr. Nelson, Aye

**Fire Chief Walter Hower**  
**Report:**

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### Calls

Station #1	Fire - 31	EMS - 44	Total - 75
Station #2	Fire - 5	EMS - 34	Total - 39
Both Stations	Fire - 5	EMS - 1	Total - 6
<b>Totals</b>	<b>Fire - 41</b>	<b>EMS - 79</b>	<b>Total - 120</b>

### Training

Type	# of Sessions	Total Class Hrs	Number Attendees	Total Hours
SCBA Inspections	1	9.25	1	9.25
Driver Obstacle Course	1	1	4	16
VFIS Driver Training	1	2.75	33	90.75
EMS Non-Specific	2	11.5	17	49
Thermal Imager Training	1	1.5	4	6
Dive Operations	1	3.5	9	31.5
Trauma Triage	1	2.25	22	49.5
Autism	1	5.5	4	22
General Fire Control	1	16	1	16
Water Supplies	1	1.5	8	12
Workplace Issues	1	1	56	56
Workplace Issues Supervisors	1	1.5	6	9
Helicopter Emergencies	1	2.5	40	100
<b>Total</b>	<b>14</b>	<b>59.75</b>	<b>205</b>	<b>467</b>

Three area Rescue helicopters were present for an excellent training experience.

### Inspections

- Scheduled – 0
- Re-Inspections – 9
- Knox Box Install/Remove – 0
- Smoke Detector Install – 0
- Fire Drills – 4
- Tornado Drill – 0
- Special Drill – 0
- Site Inspections/Plan Reviews – 3
- Misc Inspections - 0

### Public Education

- Prevention division provided 1 daycare class, 6 day sessions at the elementary schools, 1 special group session, and 1 station tour for a total of 39.5 hours offered.
- CPR classes were held 3 times in October with 39 attendees. Staff hours of 35.25 were required to meet the 5:1 ratios.

### Noteworthy Incidents/Events

- The Stahl family provided dinner as a thank you for our quick response and subsequent life-saving treatment of Mrs. Stahl.
- Halloween Open House was again a success. The Chief thanked all who helped organize and set up.
- Lt. Kevin Hylbert's last day as a Fulltime Fire-medic with Bath Fire Department was October 29. A luncheon was held on October 30, and he was presented with his badge and helmet shield on a plaque.

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**Recommendations:** None

**Service Director Bob Wilson**

**Report:**

**Buildings:**

**Historic Town Hall:**

- Entry hand railings have been fabricated and replaced and the front sandstone steps were sealed.

**Bath Center Building:**

- The department received letters of resignation from two seasonal workers, Leah Blachaniec and Luke Singer.
- Kilbane Masonry has sealed the sandstone capstones across the front of the building.

**Roads:**

- The Service Department has worked with Hartman Tree Service removing fallen limbs and trees from roadways.
- Mackinaw Circle is underway with new and existing concrete joint repair and sealing by P.S. Construction Fabrics.
- The Service Department has replaced a road cross-over on Bonnebrook Drive.
- Fenceworld will be installing a section of new guardrail on Bonnebrook Drive this week.
- Plow stake installation has begun.
- The CDL refresher course is scheduled for Service and Park personnel on Thursday, November 15 and drive testing Monday and Tuesday, November 26 and 27.

**Cemeteries:**

- One cremation burial was held at Ira Cemetery during October.

**Recommendations:**

Mr. Wilson recommended, and **Mr. Nelson moved, to accept, with regret, the resignation of the two part-time, seasonal workers, Leah Blachaniec and Luke Singer, effective November 5, 2012. Mrs. Goodrich seconded the motion; the motion passed.**

**Parks Administrator Michael Rorar**

**Report:**

**Park System Report:**

**General Park Information**

- The Fall into Nature Event was held October 13 with more than 800 people in attendance. Mr. Rorar thanked the many volunteers for the help and Michelle Primm with Cascade Auto Group for providing car shuttles.
- Park personnel continued the leaf clean up this month in all the parks.

**Bath Baseball Park**

- The park hosted the fourth annual Fall Frenzy Softball Tournament.
- Park personnel started rehabbing the pitching mounds on fields #6.

**Bath Nature Preserve**

- Park personnel did the final treating of the exotics plant species within the Garden Bowl and the Moore's Chapel Cemetery these are part of two 319 EPA Grants for wetland restorations.

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- The final portion of the North Fork Trail was paved.

**Recommendations:** None

**Zoning Inspector/Administrator William Funk**

**Report:**

During the month of October 2012, 8 zoning permits were issued in the following categories:

- New Residential 4
- Residential Addition 3
- Accessory Structure 1

**Zoning Commission**

October 4, 2012, Zoning Commission regular meeting:

- The Zoning Commission reviewed the updated draft of the first 6 articles of the proposed new zoning resolution. Following the review the Zoning Commission approved the changes and set the public hearing for November 1, 2012.

**Appearance Review Commission**

October 1, 2012, The Appearance Review Commission reviewed the following cases:

- ARC 12-13, Robert White, Krumroy-Cozad Construction for Albrecht, recommended with conditions to approve proposed building and site modifications, 3979 Medina Rd., located in the B-2 district.
- ARC 12-14, Michelle Rapoza, La Daisy Boutique, recommended to approve proposed new monument sign, 794 Wye Rd., located in the B-1 district.
- ARC 12-15, Tony Bellato, Havana House, tabled proposed new monument sign, 1924 N. Cleveland Massillon Rd., located in the B-1 district.
- ARC 12-16, Kevin Kroskey, True Wealth Design LLC, recommended with conditions to approve proposed building modifications, 700 Ghent Rd., located in the R-2 district.

**Board of Zoning Appeals**

October 16, 2012, Board of Zoning Appeals heard the following cases:

- BZA 12-20, Joe Albrecht of Albrecht Inc., approved variance request for a multi-tenant monument sign for the plaza and approved variance request for additional square footage for wall signage on the west wing plaza and denied request for additional signage on the west facade of the west wing plaza, 3979 Medina Rd., located in the B-2.
- BZA 12-23, Kevin Kroskey, True Wealth Design LLC, approved variance request to allow the northern portion of the existing building to be used for personal service office for the applicant's financial planning offices, 700 Ghent Rd., located in the R-2 district.
- BZA 12-24, Tim Merryweather, approved site plan review of the Phase V replat of Firestone Trace, the replat consists of six additional lots that were part of the original approvals and the relocation of lot #23, Rock Creek South, located in the R-2.

**Recommendations:** None

**Township Administrator William Snow**

**Report:**

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**Ohio Attorney General's Moving Ohio Forward Grant Program.**

Bath Township has rescinded our application for funds in the Summit County Land Reutilization Corporation's application for the Attorney General's Moving Ohio Forward Grant Program. Our Township does not have any structures that would meet the criteria for the program.

**Recommendations:**

Mr. Snow recommended, and **Mrs. Goodrich moved, to accept the 2013 Board of Trustees Meeting Calendar. Mr. Nelson seconded the motion; the motion passed.**

Mr. Snow recommended, and **Mr. Nelson moved, to accept, with regret, the retirement of Service Director Bob Wilson, effective December 31, 2012. Mrs. Goodrich seconded the motion; the motion passed.**

Mr. Snow recommended, and **Mr. Nelson moved, to post for the Service Director position with applications due by November 23, 2012. Mrs. Goodrich seconded the motion; the motion passed.**

**BUSINESS FROM THE BOARD**

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

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

**RESOLUTION 2012-29**  
**HONORING NADINE CLAR**

**WHEREAS**, with community pride comes involvement, and involvement has been the keynote of Nadine's life in Bath Township, and

**WHEREAS**, being a very hardworking, dedicated volunteer, Nadine used her exceptional organizational abilities to bring together Bath Township's Community Day, and

**WHEREAS**, Nadine, with a positive and passionate style all her own, has been able to inspire her group of Community Day volunteers to serve repeatedly, and

**WHEREAS**, Nadine has also used her leadership abilities by serving with a number of community organizations, such as on the Trustees Advisory Committee, with the Bath Volunteers for Service, with the Park Board, and as a member of the Bath Business Association; and,

**WHEREAS**, Nadine has provided invaluable assistance with Bath Township Levies, Fall into Nature, the Wye Bridge Lighting Ceremony, and other such activities to benefit the community;

**NOW THEREFORE BE IT RESOLVED**, that the Bath Township Board of Trustees expresses its sincere appreciation for the dedication and excellent service that Nadine Clar has provided the Bath community through the years and to extend our very best wishes on her continued public service.

Mr. Nelson seconded the Resolution and discussion was held.

The Fiscal Officer called the roll:

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

**Resolution Adopted**

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**FUTURE TRUSTEE MEETINGS AND EVENTS**

- November 5, 2012 Appearance Review Commission TMR 5:00 p.m.
- November 5, 2012 Board of Trustees Meeting TMR 7:00 p.m.
- November 14, 2012 Heritage Corridors Meeting TMR 5:30 p.m.
- November 15, 2012 Bath Park Board TMR 7:00 p.m.
- November 19, 2012 Board of Trustees Meeting TMR 4:00 p.m.
- November 19, 2012 Water and Sewer Board TCR 6:00 p.m.
- November 19, 2012 Friends of Yellow Creek TMR 7:00 p.m.
- November 20, 2012 Board of Zoning Appeals TMR 7:00 p.m.

**COMMUNITY EVENTS**

- November 23, 2012 Wye Road Bridge Lighting 5:30 p.m.
- Museum Hours – Monday 2-4 p.m. / Wednesday 9 a.m.-2 p.m.**  
**Last Saturday of Each Month 10.a.m. – Noon**

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

**CITIZENS' COMMENTS**

There were no citizens' comments.

**COMMITTEE REPORT**

Summit County Engineer Alan Brubaker presented his annual report of the services provided to Bath Township by the Engineer's office.

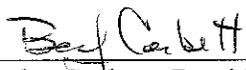
**ITEMS OF INTEREST**

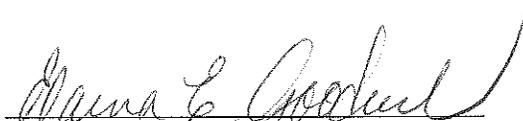
Mr. Nelson reported Mr. Snow and the township Department Heads held a planning meeting before Super Storm Sandy made landfall.

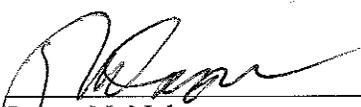
Mrs. Goodrich reported Asst. Fire Chief Tim Gemind was enroute to Long Island to aid in the cleanup effort from Super Storm Sandy.

**ADJOURNMENT**

There being no further business before the Board, the meeting was adjourned at 8:25 p.m.

  
 \_\_\_\_\_  
 Becky Corbett, President  
 Bath Township Board of Trustees

  
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 Elaine E. Goodrich, Vice President  
 Bath Township Board of Trustees

  
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 James N. Nelson  
 Bath Township Board of Trustees

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Sharon A. Troike  
Fiscal Officer

Date: November 5, 2012  
Bath Township Board of Trustees

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