

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

The Bath Township Board of Trustees met in the Trustees' Meeting Room on July 11, 2022, 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 Mrs. Sharon Troike, Mr. Sean Gaffney and Mrs. Elaina Goodrich.

CALL TO ORDER**PLEDGE OF ALLEGIANCE****WELCOME****APPROVAL OF AGENDA**

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

FISCAL OFFICER Gregory R. Thewes

The Fiscal Officer recommended, and Mr. Gaffney moved, to approve requisitions and regular purchase orders 2022-00833 through 2022-01000 and payments totaling \$109,927.77. Mrs. Troike seconded the motion. The Fiscal Officer called the roll; all aye, the motion passed.

The Fiscal Officer recommended, and Mr. Gaffney moved, to extend the posting for a part-time Fiscal Officer Assistant until Friday July 22, 2022 at 4:00 p.m. Mrs. Troike seconded the motion; all aye, the motion passed.

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

The Fiscal Officer requested the Trustees consider Resolution No. 2022-23.

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

**RESOLUTION 2022-23
ADOPTION OF THE 2023 BUDGET**

WHEREAS, July 11th, 2022, the Bath Township Board of Trustees held a public hearing to review the Bath Township proposed 2023 budget; and,

WHEREAS, the board presented estimates of income and expenditures and outlined regular operations and special programs; and,

WHEREAS, the total budget for 2023 is \$16,725,500.00 for operations;

NOW THEREFORE BE IT RESOLVED THAT the proposed 2023 Bath Township Budget be and is hereby adopted for the calendar year January 1, 2023 until December 31, 2023; and,

FURTHER, that a copy of this proposed budget be attached to and made a part of these minutes; and,

FURTHER that the Fiscal Officer be instructed to file a copy of the proposed Township budget with the Summit County Fiscal Officer no later than July 20, 2022 in accordance with Ohio Revised Code 5705.30.

Second by Mr. Gaffney; discussion and roll called:

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

Mrs. Troike, Aye
Mr. Gaffney, Aye
Mrs. Goodrich, Aye

Resolution Adopted

DEPARTMENT HEADS AND ADMINISTRATOR

Police Chief Vito F. Sinopoli

Report:

Department Trainings:

Officer Alexander – Fighting Fentanyl June 1, 2022

Det. Gabel – Ohio Tactical Officers Association Annual conference June 6-10, 2022

Detective Bureau Meeting with local law enforcement agencies conducted by Det. Lance June 15, 2022

Sgt. Griffith – The Reid Technique of Investigative Interview and Positive Persuasion webinar June 27, 2022

Community Engagement:

Officer Campbell participated in the 2022 Safety Town June 20-24th. Approximately 150 incoming kindergarten children were registered and split into morning and afternoon sessions. An equal number of student volunteers were matched to be one-on-one “buddies” for the week.

This is Officer Campbell’s third year of assisting and teaching with Safety Town.

Other Department Highlights:

Detective Gabel was recognized for the Top Cop Award in June by the Summit County Prosecutor’s Office. Congratulations.

Officer Mike Roberts retired on June 27, 2022 after 22 plus years as a part-time police officer for Bath Township. We wish him well in his retirement.

June Statistics:

All calls for service: 1,249 [100%]

Community Policing: 642 [51%]

Traffic Stops: 68 [5%]

Traffic Accidents: 36 [3%]

Alarm Drops: 56 [5%]

Sexual Assault 0 Burglary 1 Robbery 0

All other calls requiring police assistance or presence: 446 [36%]

Booking Charges [Total # of Charges] - 18

Theft: 6

OVI: 1

Possession of Drugs/Possession of Drug Abuse Instruments: 3

Recommendations: None

Fire Chief Robert Campbell

Report:

June 2022 CALLS

Station 1 = 56

Station 2 = 42

All Stations = 11

Total = 109

Fire = 32

EMS = 77

Total Transports = 58

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

Mutual Aid Received= 8

Yearly Call Total: 738

FIRE = 243

EMS = 495

TRAINING:

Total Class Hours = 4.75

Total of Personnel Hours = 23.00

INSPECTIONS:

Annual 48

Company 15

Fire Protection 01

Fire Drill 02

TOTAL 66

Recommendations:

Chief Campbell recommended, and Mrs. Troike moved, to sell a 2011 Ford Taurus to The Akron Auto Auction. Mr. Gaffney seconded the motion; all aye; the motion passed.

Chief Campbell recommended, and Mr. Gaffney moved, to appoint Rachel Rexroad effective July 19, 2022, to the position of full-time firefighter/paramedic, conditional upon successful completion of a medical physical and subject to a 1-year probationary period, at the pay rate established by the 2022 IAFF contract. Mrs. Troike seconded the motion; all aye; the motion passed

OATH OF OFFICE

Mrs. Goodrich administered the Oath of Office to Rachel Rexroad as a full-time firefighter/paramedic with the Bath Township Fire Department.

Service Director Caine Collins

Report:

Buildings and Grounds

Historic Town Hall: No new business to report.

Bath Center Building: No new business to report.

Ira Road Facilities: No new business to report.

Service Building: No new business to report.

Roads Report

Service Crew Monthly Report for June

Resident Service Requests received: 35

Resident Service Requests resolved: 35

Township Service Requests received: 13

Township Service Requests resolved: 13

Asphalt Aprons: 7

Linear Feet of Ditching: 451'

Asphalt Used: 105.78

Drive Culvert: 1

Catch Basin: 1

Cemetery Report

Ira Cemetery – 2 Cremation Burials

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

Recommendations:

None

**Park Director/Assistant Service Director Alan Garner
Report:**

General Park Information

Mr. Garner would like to thank the Bath Park Board for organizing the second annual Run to the Sun 5k on June 17. The course took over 60 participants through the heart of the Bath Nature Preserve along the permanent Solar System Walk.

The park shelters and athletic fields opened on April 1 and since then there have been 970 scheduled events; in June, 252 events were scheduled.

Park personnel checked and inspected all trails, performed routine visual inspections on the playgrounds, performed general buildings and grounds maintenance, and completed vehicle and equipment maintenance.

Bath Baseball Park

For the month of June, the ballfields were playable 97% of the time. Records show there was precipitation on 8 days in June, with an approximate total of 2.37 inches.

Park personnel spent approximately 140 hours performing field maintenance duties for the month.

Park personnel trimmed the vegetation throughout the park.

Bath Community Park

Mr. Garner would like to thank the Kiwanis Action Club members who volunteered time on June 23 to beautify the upper playground near the Grange Shelter by repainting several playground components.

Park personnel trimmed the vegetation throughout the park.

Bath Hill Park

Park personnel trimmed the vegetation throughout the park.

Bath Nature Preserve

Park personnel spent approximately 94 hours mowing the trails and trimming the vegetation around signs, benches, and fencing.

North Fork Preserve of Bath

No new business to report.

Training

Ohio Department of Agriculture Pesticide Exam (Thomas Hughes)

Recommendations:

Mr. Garner recommended, and Mrs. Troike moved, to hire Nicholas Barker for the position of full-time Park Laborer effective July 17, 2022 at the rate of pay set by the Teamsters Labor Agreement of \$19.76, pending the results of his background check and in compliance with all the rules and regulations of Bath Township, including State of Ohio Class A CDL to be obtained during the one-year probationary period. Mr. Gaffney seconded the motion; all aye, the motion passed.

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

Mr. Garner recommended, and Mr. Gaffney moved, to contract with Fallsway Equipment Co., Inc. in the amount of \$11,387.00 for the purchase and installation of a new steel Galion dump body for the Park's Division 1-ton dump truck. Mrs. Troike seconded the motion; all aye, the motion passed.

**Planning Director/ Zoning Inspector William Funk
Report:**

Permits

During the months 22 zoning permits were issued in the following categories:

- Accessory Structure 8
- Residential Addition 7
- Fence 4
- New Residential Dwelling 2
- Subdivision 1

Zoning Commission

June 9, 2022 Zoning Commission public hearing:

- The Commission held a public hearing regarding 1075 Ghent Rd. The Planning Director gave an overview of the application along with the history of the process. The recommendation from the Summit County Planning Commission to approve the application was then presented to the Commission. The applicant presented a proposal for the property, which they intend to develop as a dental office, along with building renderings and a preliminary site plan. The Commission heard comments from proponents and opponents before tabling the hearing to July 14th at 6:00 p.m. in order to review public comments.

Appearance Review Commission

June 6, 2022 the Appearance Review Commission did not meet.

Board of Zoning Appeals

June 21, 2022 the Board of Zoning Appeals heard the following cases:

- BZA 22-13, Thomas Calderwood, approved a variance for a reduction in the front yard setback for a residential addition at 56 N. Hametown Rd., located in the R-2 Residential District.
- BZA 22-14, James Nelson, approved a variance for a reduction in the side yard setback for a residential addition at 2500 Olentangy Dr., located in the R-3 Residential District.
- BZA 22-15, Sean Biega of Stone FX Construction, approved a variance for a reduction in the side and rear yard setbacks for a residential addition at 2219 Rickel Dr., located in the R-3 Residential District.

Solid Waste

- New Customers 11
- Vacation Customers 6
- Total Customers 3,376

Recommendations:

Mr. Funk recommended, and Mrs. Troike moved, to purchase a 2022 Chevrolet Colorado from Vandevere Chevrolet for \$33,794.00. Mr. Gaffney seconded the motion; all aye, the motion passed.

Mr. Funk announced, the Zoning Boards and Commissions seek interested applicants to fill vacant positions.

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

Administrator Vito F. Sinopoli**Report:****Upcoming Events:****20th Annual Barn Social - September 21, 2022 at 6:00 PM**

Hale Farm and Village

Email reception@bathtownship.org to be added to the guest list.**Historic Hamlets Tour - September 18, 2022 at 1:00 PM**

Historic Hamlets

Tickets will be \$20.00 each and more information will be available on how to purchase.

E-Waste Recycling Event - September 17, 2022 at 10:00 AM

Bath Elementary School

Detailed information on accepted items will be published in the Summer Quarterly

Recommendations:

Mr. Sinopoli recommended, and Mrs. Troike moved, to extend the application deadline for the full-time executive assistant employment opportunity until July 22, 2022 at 4:00 p.m. Mr. Gaffney seconded the motion; all aye, the motion passed.

Mr. Sinopoli requested that the Trustees consider Resolution 2022-24.

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

RESOLUTION 2022-24

A RESOLUTION REQUIRING THE REGISTRATION OF TRANSIENT VENDORS ENGAGED IN DOOR -TO- DOOR SOLICITATION IN RESIDENTIAL, COMMERCIAL AND BUSINESS AREAS

WHEREAS, O.R.C. 505.94 provides that a board of township trustees may, by resolution, require the registration of all transient vendors within the unincorporated territory of the township and may regulate the time, place, and manner in which these vendors may sell, offer for sale, or solicit orders for future delivery of goods, and;

WHEREAS, the statute further provides that if the board requires the registration of all transient vendors, it may establish a reasonable registration fee, not to exceed one-hundred fifty dollars (\$150.00) for a registration period, and the registration shall be valid for a period of at least ninety (90) days after the date of registration, and;

WHEREAS, adopting a registration requirement of transient vendors who solicit door to door is in the best interest of protecting the health, safety and welfare of Bath Township residents and business owners, and;

NOW, THEREFORE, BE IT RESOLVED by the Bath Township Board of Trustees, Summit County, State of Ohio:

1. **DEFINITIONS:**

- a. "Goods" has the same meaning as in O.R.C. Section 505.94, as the same may be amended from time to time. The statute currently provides that "Goods" means goods, wares, services, merchandise, periodicals, and other articles or publications.

RECORD OF PROCEEDINGS
REGULAR MEETING

July 11

2022

- b. "Transient vendor" has the same meaning as in O.R.C. Section 505.94, as the same may be amended from time to time. The statute currently provides that "Transient Vendor" means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the township, sells or offers for sale goods, or solicits orders for future delivery of goods where payment is required prior to the delivery of the goods, or attempts to arrange an appointment for a future estimate or sales call.
- c. "Transient Vendor" does not include any person who represents any entity exempted from taxation under section 5709.04 of the Revised Code, or any person licensed under Chapter 4707 of the Revised Code.

2. REQUIREMENT OF REGISTRATION AND REGULATION FOR PERMITTED TRANSIENT VENDOR ACTIVITIES:

Every transient vendor, before conducting business in Bath Township, shall register with the Bath Township Zoning Office, located at 3864 W. Bath Rd. Akron, Ohio and pay a registration fee of \$150.00 for each business entity. No person, business, organization or entity is permitted to conduct business until registering with Bath Township and issued a Transient Vendor Certificate of Registration.

- a. The Bath Township Zoning Office shall keep a registry of transient vendors, which shall include the name, residence and business address of each vendor and sales representative, the name and address of each company or firm represented by the vendor, a brief description of the products to be sold or offered for sale, and the name(s) and address(s) from which a purchaser may obtain adjustments.
- b. Registration shall be valid for 90 days from the date of registration. Every transient vendor shall carry on his/her person the Transient Vendor Certificate of Registration issued by the Zoning Office while carrying on activities in Bath Township.
- c. Transient vendor activities which are permitted hereunder shall be conducted only from 9:00 A.M. until 6:00 p.m. weekdays, and shall not include weekends or holidays. There shall be a limit of 4 sales representatives at any given time in the township representing the person, business, organization or entity.
- d. Transient vendors are expressly prohibited from conducting activities in a stationary location on public or private property, except for those individuals, firms, organizations or entities specifically authorized by the Board of Trustees.
- e. Transient vendor permits or similar instruments issued by another governmental entity will not be recognized in Bath Township.
- f. Transient vendors shall abide by all terms and conditions set forth by Bath Township and described herein.
- g. Immediate revocation of the vendor certificate of registration will occur if any person, business, organization, or entity violates any of the terms set forth in this resolution. In such event, any person connected with the vendor registration shall be prohibited from conducting further vendor activities in Bath Township and may be subject to prosecution.

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

3. PROHIBITED ACTIVITIES:

In carrying on activities within Bath Township, a transient vendor shall not:

- a. Obstruct or interfere with public travel on or public use of any public street, road, sidewalk or way;
- b. Enter any private premises or parts of premises where entry is prohibited by notice or which are manifestly restricted to uses which are incompatible with the vendor's activity;
- c. Remain on premises or parts of premises after notice to depart;
- d. Possess, sell, offer to sell, or solicit orders for any product or thing in violation of law.

4. PENALTY:

Whoever violates this resolution is guilty of a minor misdemeanor under O.R.C. 505.99, as the same may be amended from time to time.

5. NONAPPLICABILITY OF RESOLUTION:

The resolution does not apply to the following types of activities:

- a. Door to door solicitation and sales by nonprofit or charitable groups or their members.
- b. Solicitation and sales from a stationary location by nonprofit or charitable groups or their members and approved by the Board of Trustees.
- c. Vendor activities specifically authorized by the Bath Township Board of Trustees in connection with an approved township related event.

6. NOTIFICATION TO PROSECUTING ATTORNEY: The fiscal officer shall notify the Summit County Prosecuting Attorney of these registration and regulatory requirements by providing a certified copy of this resolution to the prosecutor's office.

7. ACTION TAKEN IN OPEN MEETING: It is hereby found and determined that all formal action of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

8. SEVERABILITY CLAUSE: If any part of this resolution is declared to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the remainder of the resolution.

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

9. EFFECTIVE DATE: THIS RESOLUTION SHALL BE DECLARED AN EMERGENCY AND EFFECTIVE THIS DATE, OR AT THE EARLIEST DATE ALLOWED BY LAW.

Second by Mrs. Troike; discussion and roll called:

Mrs. Troike, Aye
Mr. Gaffney, Aye
Mrs. Goodrich, Aye

Resolution Adopted

Mr. Sinopoli requested that the Trustees consider Resolution 2022-25.

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

**RESOLUTION 2022-25
A RESOLUTION AUTHORIZING TOWNSHIP POLICE OFFICERS TO
ENFORCE CERTAIN LAWS ON THE INTERSTATE HIGHWAYS**

WHEREAS, House Bill 206 considered by the Ohio 134th General Assembly was approved and signed into law on June 24, 2022, and;

WHEREAS, the legislation amends R.C. 4513.35 and 4513.39, and becomes effective 90 days after being signed into law, and;

WHEREAS, under R.C. 4513.39 (C), a board of township trustees may, by resolution, authorize township police officers to enforce certain laws on the interstate highways that extend through their jurisdiction, and;

WHEREAS, such township authority may be exercised when the population of the township that created the township or joint police district served by the member's police force or the township that is served by the township constable is between five thousand and fifty thousand according to the most recent federal decennial census, the township board of trustees may adopt, and may subsequently rescind, a resolution authorizing a member or constable to make arrests for violations of those sections listed in division (A) of this section, other than sections 4513.33 and 4513.34 of the Revised Code, on any highway that meets all of the H. B. No. 206 134th G.A. 3 following conditions:

(1) The highway is a part of the interstate highway system.

(2) The highway is located within the township or joint police district, in the case of a member of a township or joint police district police force, or within the unincorporated territory of the township, in the case of a township constable.

(3)(a) There is a permanent access point on and off the highway open to the general public for the member or constable to use that is located within the township or joint police district, in the case of a member of a township or joint police district police force, or within the unincorporated territory of the township, in the case of a township constable.

(b) An access point specified by division (C)(3)(a) of this section that is available as of the effective date of this section remains an available access point for a member or constable even if the territory in which the access point is located is subsequently annexed by a municipal corporation.

WHEREAS, Bath Township, Summit County, Ohio meets the population threshold and access point requirements set forth herein, and;

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

WHEREAS, expanded authority for township police officers to enforce laws on the interstate highway is in the best interest of protecting the health, safety and welfare of Bath Township residents and business owners, and;

NOW, THEREFORE, BE IT RESOLVED by the Bath Township Board of Trustees, Summit County, State of Ohio:

1. Approves the expanded authority of township police officers to enforce laws as set forth in R.C. 4513.35 and R.C. 4513.39.
2. This Resolution shall be declared an emergency and effective September 23, 2022, or at the earliest date allowed by law.
3. It is hereby found and determined that all formal action of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were taken in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Second by Mr. Gaffney; discussion and roll called:

Mrs. Troike, Aye

Mr. Gaffney, Aye

Mrs. Goodrich, Aye

Resolution Adopted

TRUSTEES ELAINA GOODRICH, SHARON TROIKE, AND SEAN GAFFNEY

Mrs. Troike gave an overview of the upcoming electronics recycling event to be held September 17th at Bath Elementary School parking lot 10 a.m. to 2 p.m. This is a free event.

Mrs. Goodrich gave information regarding the upcoming Trolley Tour of Historic Hamlets to be held September 18th. Reservations are required and tickets may be purchased at the township Administration office, Monday through Friday from 8 a.m. to 4 p.m.

COMMUNITY EVENTS

September 17, Saturday

Electronics Recycling Event, Bath School Parking lot from 10 a.m. to 2 p.m.

September 18, Sunday

Trolley Tour of Historic Hamlets, 1:00 p.m. (Reservations required)

September 21, Wednesday

Barn Social at Hale Farm and Village, 6:00 p.m.

October 8, Saturday

Fall into Nature at Barn Nature Preserve, 11:00 a.m. to 3:00 p.m.

An updated list of community events may be found on the township website at www.bathtownship.org.

COMMUNITY UPDATES

None

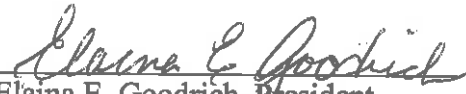
**RECORD OF PROCEEDINGS
REGULAR MEETING**


July 11

2022

ADJOURNMENT

There being no further business before the Board, the meeting was adjourned at 8:02 p.m.


Elaina E. Goodrich, President
Bath Township Board of Trustees


Sharon A. Troike, Vice President
Bath Township Board of Trustees


Sean Gaffney, Trustee
Bath Township Board of Trustees


Gregory Thewes
Fiscal Officer

Date: July 22, 2022
Bath Township Board of Trustees

**RECORD OF PROCEEDINGS
REGULAR MEETING**

July 11

2022

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