



BOARD OF TRUSTEES SETTLEMENT MEETING
Monday, December 12, 2022 at 9:30 A.M.
Please silence cell phones and electronics

CALL TO ORDER

PLEDGE OF ALLEGIANCE

WELCOME

The purpose of this meeting is to conduct the business of Bath Township.
At the end of the meeting there will be time for citizen comment.

APPROVAL OF AGENDA

FISCAL OFFICER GREG THEWES

1. Motion to approve requisitions and regular purchase orders 2022-01523 through 2022-01542 and payments totaling \$788.96. Roll Call
2. Motion to approve intra-fund transfers in the amount of \$114,267.05
3. Resolution 2022-44 End of Year. Roll Call
4. Resolution 2022-45 Adoption of Temporary Appropriations for 2023. Roll Call

TOWNSHIP ADMINISTRATOR

1. Recommendation to approve carryover of unused vacation time for the administrator in the amount of 62 hours to be used on or before July 15, 2023.
2. Recommendation to enter into a fee agreement with the firm of Roetzel and Andress for legal representation.

THANK YOU FOR ATTENDING / ADJOURNMENT

Intra Fund Transfer
September 12, 2022

	A	B	C
1	Meeting	Fund	From
2	December 12, 2022	Roads	Contracts
3	December 12, 2022	General	Contingency
4	December 12, 2022	General	Contingency
5	December 12, 2022	General	Contingency
6			
7			
8			
9			
10			
11	TOTAL		

Intra Fund Transfer
September 12, 2022

	D	E
1	To	Amount
2	Vehicles	113,000.00
3	Travel, Training Membership	173.16
4	Other Services	593.89
5	Contracts	500.00
6		
7		
8		
9		
10		
11		114,267.05

**BATH TOWNSHIP BOARD OF TRUSTEES
CORRESPONDENCE LOG**

DATE	RECEIVED FROM	SUBJECT MATTER	REFERRED TO:
12/11/22	Tara0802@gmail.com	4073 Medina Rd. Rezoning- Opposed	Trustees

BATH TOWNSHIP BOARD AND COMMITTEE LOGS

None at this time.

BATH TOWNSHIP BOARD OF TRUSTEES

BE IT HEREBY KNOWN BY ALL THOSE PRESENT THAT ON THE 12th DAY OF DECEMBER 2022, THE BATH TOWNSHIP BOARD OF TRUSTEES MET IN A SETTLEMENT MEETING AT 3864 W. BATH RD, COMMENCING AT 10:00 A.M. IN BATH TOWNSHIP, SUMMIT COUNTY, STATE OF OHIO.

_____ presented the following Resolution and moved its adoption:

**RESOLUTION 2022-44
END OF YEAR RESOLUTION**

WHEREAS, after careful review of the budget submitted to the Summit County Budget Commission in July 2022, the Department Heads and Township Administrator under 505.032 (F) developed appropriations to operate the Township; and,

WHEREAS, the Fiscal Officer has reviewed the revenue and budget of the township through 2022, and has certified that the expenditures are inside the current Official Certificate of Resources; and,

WHEREAS, this Resolution is a procedural matter for the year-end closing of the books;

NOW THEREFORE BE IT RESOLVED, that the Bath Township Fiscal Officer authorizes the write off the following outstanding billing charges which are one year beyond the billing cycle or have proven to be uncollectable

- 1. False Alarm Fines in the amount of \$350.00

FURTHER, the Bath Township Fiscal Officer has reported that any and all intra-fund transfers of \$1,500 or more posted by the Fiscal Officer have been approved for the year.

FURTHER, the Bath Township Board of Trustees authorizes any additional transactions necessary to ensure the fiscal stability of the township.

FURTHER, that this Resolution is for the purpose of ascertaining that the Board and citizens of the Township are aware of the details of the revenue and expenditures of money by the Township.

_____ seconded the motion, discussion and roll called.

The Fiscal Officer called the roll:

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

Resolution

Gregory R. Thewes
Fiscal Officer

Elaina E. Goodrich, President
Bath Township Board of Trustees

Sharon A. Troike, Trustee
Bath Township Board of Trustees

Date: December 12, 2022

Sean F. Gaffney, Trustee
Bath Township Board of Trustees

This Resolution is a true and correct excerpt from the Minutes of the Board of Township Trustees and is recorded in the Bath Township Board of Trustees' *Record of Proceedings* dated December 12, 2022.

BATH TOWNSHIP BOARD OF TRUSTEES

BE IT HEREBY KNOWN BY ALL THOSE PRESENT THAT ON THE 12th DAY OF DECEMBER 2022, THE BATH TOWNSHIP BOARD OF TRUSTEES MET IN A SETTLEMENT MEETING, COMMENCING AT 9:30 A.M. IN THE BATH TOWNSHIP MEETING ROOM, 3864 WEST BATH ROAD, BATH TOWNSHIP, SUMMIT COUNTY, STATE OF OHIO.

_____ presented the following Resolution and moved its adoption.

**RESOLUTION 2022-45
TO ADOPT TEMPORARY APPROPRIATIONS FOR 2023**

WHEREAS, the 2023 Bath Township Budget has been submitted to the Summit County Budget Commission; and,

WHEREAS, a Certificate of Available Resources was issued by the Summit County Budget Commission for 2023; and,

WHEREAS, the 2023 Temporary Appropriations are lower than the 2023 Certificate of Available Resources; and,

WHEREAS, the Certificate of Total Resources from all Sources Available of Expenditures and Balances, Ohio Revised Code Section 5705.32, will be prepared and submitted to the Summit County Budget Commission in January 2023; and,

WHEREAS, Permanent Appropriations will be submitted to the Summit County Budget Commission on or before April 1, 2023;

NOW THEREFORE BE IT RESOLVED, that the Temporary Appropriations are hereby adopted and attached to and made a part of these minutes; and

FURTHER, that a copy of this Resolution, along with the Temporary Appropriations, be submitted to the Summit County Auditor and Summit County Budget Commission.

Resolution seconded by _____ for discussion.

The Fiscal Officer called the roll:

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

Resolution

Gregory R. Thewes
Fiscal Officer

Elaina E. Goodrich, President
Bath Township Board of Trustees

Sharon A. Troike
Bath Township Board of Trustees

Date: December 12, 2022

Sean F. Gaffney
Bath Township Board of Trustees

This Resolution is a true and correct excerpt from the Minutes of the Board of Township Trustees and is recorded in the Bath Township Board of Trustees' *Record of Proceedings* dated December 12, 2022.



December 9, 2022

VIA EMAIL ONLY

Vito Sinopoli, Administrator
Bath Township
3864 W. Bath Road
Akron OH 44333

Robert Konstand, Director of Law
Bath Township
3864 W. Bath Road
Akron OH 44333

Re: *Legal Representation of Bath Township Police Officers,
Michael Clar and Eric Shaffer in Depositions*

Dear Mr. Sinopoli and Mr. Konstand:

I am writing to confirm your request that Roetzel & Address, LPA (“Roetzel”) provide legal representation of two Bath Township police officers, Michael Clar and Eric Shaffer, who have been subpoenaed to testify in depositions in the civil action, *David Li v. Mike Gang Du*, CV-2018-03-1469. The purpose of this letter is to set forth terms and conditions relating to our retention by Bath Township to represent both officers at their depositions.

In accordance with our normal billing practices, all fees for our services will be based on the actual time expended by each attorney, legal assistant, or other support personnel working on your matter multiplied by each person’s respective hourly billing rate in effect at the time. Fractions of hours are computed in periods of not less than one-tenth (1/10) of an hour. My current billing rate is \$475 per hour, but I will bill for this matter at the reduced rate of \$300 per hour. Any work performed by associates will be billed at the reduced rate of \$250 per hour.

We will also charge you for all disbursements made on your behalf including copying charges, facsimile charges, filing fees, travel mileage, airline tickets, parking, certain meals and lodging, messenger services, courier packages, and our legal research computer service, if needed. While we will pay for many of the costs incurred in your matter and bill you, our firm policy is that we cannot pay for costs of \$1,500.00 or above. Invoices for costs of \$1,500.00 or more will be forwarded to you for payment on a 50/50 basis.

We send you invoices the attorney fees and costs incurred on a monthly basis. Payment is due upon receipt of each bill. Interest at the rate of 1 ½% per month will be charged on any invoice outstanding over 45 days. In addition, we reserve the right to discontinue our representation in the event monthly billings are not paid within 30 days of presentation to you.

December 9, 2022

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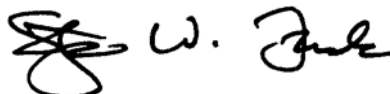
It is difficult to precisely anticipate the amount of our time that will be required for this engagement and the amount of fees and disbursements that will be incurred. At any time during the course of our engagement, we welcome the opportunity to discuss with you the fees and expenses incurred or to be incurred and will try to minimize such amounts. Sometimes this will require the reassessment of your strategic goals and tactical methods. We are always prepared to reevaluate approaches, whether it be for cost reasons or otherwise. If you have any questions at any time about our bill or our services, please contact me. Typically, questions are easily resolved.

Any of us may terminate our engagement at any time for any reason by written notice, subject on our part to applicable rules of professional conduct. In the event the engagement is terminated, we will take such steps as are reasonably practicable to protect your interests. Unless previously terminated, our representation will terminate upon our sending you our final statement for services rendered. Following such termination, any otherwise non-public information you have supplied to us which is retained by us will be kept confidential in accordance with applicable rules of professional conduct. At your request, your papers and property will be returned to you. Our own files, including lawyer work product, pertaining to the matter will be retained by the firm. All such documents retained by the firm will be transferred to the person responsible for administering our records retention program. For various reasons, including the minimization of storage expenses, we reserve the right to destroy or otherwise dispose of any such documents or other materials retained by us within a reasonable time after the termination of the engagement.

If the foregoing terms and conditions accurately summarize and confirm your understanding of our firm's representation of Michael Clar and Eric Shaffer in this matter, please indicate your approval and acceptance by dating, signing, and returning this letter. We look forward to serving you and working with you on this matter.

Sincerely,

ROETZEL & ANDRESS, LPA



Stephen W. Funk

BATH TOWNSHIP

By: _____
Vito Sinopoli, Administrator

Date: _____