

January 8, 2018

Organizational Meeting

The Board of Liberty Township Trustees met in an Organizational Meeting and Regular Meeting on January 8, 2018 at 1:00 p.m. at the township Administration Building with the following members present: Mr. Arnold Clebone, Mr. Gregory Cizmar, and Mrs. Jodi K. Stoyak, presiding.

18-01 Motion made by Mr. Clebone to appoint Fiscal Officer Chairperson Pro Tem.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

FISCAL OFFICER ENTERTAINS MOTION FOR APPOINTMENT OF CHAIRPERSON.

18-02 Motion made by Mr. Clebone to appoint Jodi K. Stoyak, Chairperson for 2018.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

CHAIRPERSON ENTERTAINS MOTION FOR APPOINTMENT OF VICE CHAIRPERSON.

18-03 Motion made by Mr. Clebone to appoint Arnold Clebone Vice Chairperson for 2018.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-04 Motion made by Mr. Clebone to approve the minutes of the December 11, 2017 regular meeting.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-05 Motion made by Mr. Clebone to adjourn sine die for the year 2017.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-06 Motion made by Mr. Clebone to adopt "A Guide to Code of Ethics and Standards of Conduct for Members of Public Sector Boards" to be read and signed by each trustee at the beginning of each year.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-07 Motion made by Mr. Clebone that the Board of Liberty Township Trustees shall conduct its meetings in full compliance with the Ohio Sunshine Law and accordingly establishes the following rules for the scheduling and notice of all meetings:

REGULAR MEETINGS – The Board of Trustees will convene two (2) Regular meetings of the Board

of Trustees per calendar month. The first (1st) regular meeting shall be held on first (1st) Thursday of every month at 11:00 a.m. o'clock starting March 1, 2018 and the second (2nd) regular meeting shall be held on the third (3rd) Monday of every month at 6:00 p.m. o'clock starting January 16, 2018. Notice of the Regular Meetings shall be posted on the Township Electronic Board with the following exceptions: January 15th meeting will be Tuesday, January 16, 2018 at, do to Martin Luther King Holiday; February meeting will be Tuesday, February 12, 2018 at 6:30 p.m. caucus/7:00 p.m. meeting because of Presidents Day Holiday. **NO REGULAR MEETINGS WILL BE HELD IN AUGUST.**

(A) - **REGULAR MEETING OPEN CAUCUS** - The first (1st) hour of each regular township meeting shall be set aside as an open Trustee Caucus for the purpose of discussion, deliberation and information gathering on township matters. During the caucus hour, the Board will not entertain any questions or comments from the public in attendance at the meeting, nor will they take any official action adopting and passing Township Resolutions. During this caucus period public participation will be limited to being in the presence of the Board and listening to and observing the discussion of the Board. Upon conclusion of the Board's caucus hour, the Board will proceed with the business part of the meeting in accordance with the Meeting Agenda before the Board which will include time for members of the public to address the Board of Trustees.

II. SPECIAL MEETINGS – Notice of special meetings of the Board of Trustees shall be given by posting advanced written notice of the same in a conspicuous place outside the Township Hall on a bulletin board or sign provided for that purpose. Additionally, notice of all special meeting shall be given to the Youngstown Vindicator, Warren Tribune Chronicle and any other newspaper or media that requests the same at least 24 hours in advance of the meeting, except in an emergency in which case the notices shall be given as soon as practicable.

Additionally, the Township will provide advance written notice of special meetings to anyone who provides the Township with pre-paid postage, self-addressed envelopes or post cards.
Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-08 Motion made by Mr. Clebone to pass a resolution that Trustees and Fiscal Officer of Liberty Township shall be entitled to and paid the maximum compensation permitted per the Ohio Revised Code Sections §505.24(C) Compensation of Trustees and Ohio Revised Code Section §505.32 Compensation of Fiscal Officer - Bond, as in previous years.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

Motion made by Mr. Clebone to adjourn organizational meeting.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-09 Motion made by Mr. Clebone to continue to provide health care insurance policy benefits for township officers and employees in accordance with Ohio Revised Code Sections §505.60 et. seq., as established prior to January 1, 2018. Copies of said Policies on file with Fiscal Officer - No in Term Raise of Compensation. Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-10 Motion made by Mr. Clebone to reappoint Carole McDonough to the Liberty Township Zoning Commission five (5) year-term expiring 12/2022.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-11 Motion made by Mr. Clebone to reappoint Frank DiRubba to the Liberty Township Zoning Board of Appeals five (5) year-term expiring 12/2022.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-12 Motion made by Mr. Clebone to continue to compensate Zoning Commissioners/Appeals Board Members at the current set fee per meeting as established by the Board of Trustees (no increase in meeting fee).

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-13 Motion made by Mr. Clebone to rehire Civil Service Secretary Shirley Turney at her current rate of pay with no benefits as established by the Board of Trustees. (No pay increase - no benefits)

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-14 Motion made by Mr. Clebone to appoint and rehire Patrick Ungaro as Township Administrator per ORC Section § 505.031 under his Employment Memorandum Agreement currently in force and effect.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-15 Motion made by Mr. Clebone to appoint Attorney Mark S. Finamore, Turner, May & Shepherd Law Firm as Township Law Director pursuant to ORC Section §505.14 in accordance with the contract for legal services previously executed between the parties on October 2, 2017; and when necessary, at the recommendation of the Law Director to retain additional special counsel on an as need basis to be paid at the rate of \$90.00 per hour for out of court time and \$100.00 per hour for in court time.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-16 Motion made by Mr. Clebone to appoint and rehire Richard Tisone as Township Police Chief and August Birch as Township Fire Chief in accordance with their Employment memorandum agreements currently in force.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-17 Motion made by Mr. Clebone to rehire and compensate all collective bargaining unit employees in accordance with their respective Collective Bargaining Agreements now in force providing the compensation and terms and conditions of employment currently in effect by Resolutions of the Board. (Employee Roster available upon request).

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-18 Motion made by Mr. Clebone to rehire non-bargaining employees Denise Leone, Assistant to the Fiscal Officer, Martha Weirick, Administrative Assistant, Keith Siefert Maintenance/Mechanic and James Rodway, Code & Zoning Enforcement for the year 2018 at their current rate of pay and benefits established by the Board of Trustee (No Compensation Increase)

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-19 Motion made by Mr. Clebone to rehire part time Firefighter/Paramedics at their current rate of pay with no benefits as established by the Board of Trustees and reappointment of volunteer firefighters: Paramedics- Finley, B; Gibbs, T; Morgan, J; Yash, D; Orr, E; McHenry, J; Carrol, W; Buday, A; Womack, R; Simone, R; Petruzzi, J; Pelley, P; Uhrain, S; Reinke, & J; Corman, J.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-20 Motion made by Mr. Clebone to re-appoint volunteer firefighters and Volunteer EMT to be paid State of Ohio minimum wage with no benefits: Bizub, J; Hagood, M; Birch, T/EMT; Macchione, N/EMT & Naples, J EMT.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-21 Motion made by Mr. Clebone to accept the resignation of part-time firefighter Russell Spencer

effective 12/13/17.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-22 Motion made by Mr. Clebone to accept the resignation of D. Hollander, part time medic effective 12/23/17.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-23 Motion made by Mr. Clebone to rehire part time/seasonal employee Sean Donchatz to be paid State of Ohio Minimum Wage with no benefits.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-24 Per the recommendation of the Ohio Public Employees Retirement System (OPERS) motion made by Mr. Clebone to approve annual conversion plan pursuant to Section 145.01 of the Ohio Revised Code and Ohio Administrative Code 145-1-26 for Liberty Township executing a plan for the conversion of vacation time that is accrued (per bargaining units), but not used, during the calendar year, as defined as January 1 to December 31, 2018 as a part of an annual conversion plan. These earnings are earnable salary on which employee and employer contributions shall be remitted to OPERS. See File for complete conversion plan.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-25 Motion made by Mr. Clebone to authorize township employees to attend meetings, seminars, workshops, conferences, schools, training or conventions for fiscal year 2018, after a formal request has been processed and approved.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-26 Motion made by Mr. Clebone to authorize membership in OTA and attendance of the Trustees, Fiscal Officer, Township Administrator and employees to the annual State Association Winter Conference in Columbus in 2018, and to pay the expenses thereof.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-27 Motion made by Mr. Clebone to establish 2018 mileage reimbursement rate for authorized travel expenses of township at \$.53.5 cents per mile outside of Liberty Township.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-28 Motion made by Mr. Clebone to appoint Trustee Arnold Clebone as a representative for Howland and Liberty Townships on the Trumbull County Land Reutilization Corporation for fiscal year 2018.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-29 Motion made by Mr. Clebone to approve warrant expenditures for the month of December 2017 in the amount of \$415,484.51 warrants #16240 through #16362 inclusive.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-30 Motion made by Mr. Clebone to authorize the expenditure of township funds for public community functions not to exceed \$200.00.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-31 Motion made by Mr. Clebone to authorize Fiscal Officer to transfer money within a fund from one line item to another as deemed necessary.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-32 Per the requirement of the State Auditor, the fiscal officer may prepare super blanket certificates for a certain amount of money not in excess of an amount established by resolution. Motion made by Mr. Clebone to set the amount for super blankets in an amount not to exceed \$25,000.00 with the exception of the hospitalization super blanket certificate not to exceed \$100,000.00.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-33 Motion made by Mr. Clebone to request from the Trumbull County Auditor the advances for the real estate settlement & personal property taxes.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-34 Motion made by Mr. Clebone to approve the 2017 Annual ODOT Mileage Certificate as of 12/14/17 – 62.146 miles of public road.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-35 Resolution made by Mr. Clebone authorizing issuance of General Obligation Tax Anticipation Note

WHEREAS, The Board of Trustees has deemed it necessary to issue a General Obligation Tax Anticipation Note to provide financial funds to insure meeting of all of the Township's current and or future financial needs; and

WHEREAS, such a note is authorized pursuant to Ohio Revised Code Sections 133.10, 133.20, 133.24 and 505.262; and

WHEREAS, The Board of Trustees desires to obtain said funds from the First National Bank of Pennsylvania,

NOW THEREFORE BE IT RESOLVED THAT, The Board of Trustees be and hereby is authorized to issue a General Obligation Tax Anticipation Note (the "Note"), to provide financial funds to insure meeting all of its current and or future financial needs, in the amount of Four Hundred Thousand Dollars (\$400,000.00) with interest at the rate of 4.52% percent payable in six months or upon prepayment at any time in whole or in part without penalty at the option of the Township; and

BE IT FURTHER RESLOVED THAT, the Note shall be issued in anticipation of the collection of current property tax revenues in and for the fiscal year commencing January 1, 2017 to be received from all settlements of taxes between, January 1, 2018 and June 30, 2018 as estimated by the County Budget Commission, other than taxes to be received for the payment of debt charges and all advances.

BE IT FURTHER RESOLVED THAT, this Board of Trustees further determines and covenants that the aggregate principal amount of the Note does not exceed, and on the date of the Note will not exceed, on-half of the amount estimated to be received from all property taxes subject to settlements by the last day of the sixth month following issuance of the Note under Section 321.24 of the Revised Code, other than taxes to be received for the payment of debt charges and all advances, that estimated amount is as shown in the latest Official Certificate of Estimated Resources for the finance year 2018 filed with this Board of Trustees pursuant to Section 5705.36 of the Revised Code; and, as provided in Section 5705.39 of the Revised Code, the total appropriations by the Board of Trustees from each fund for the fiscal year from January 1, 2018 to December 31, 2018 on the date of issuance of the Note will not exceed the certified estimated revenue available for expenditure from each fund.

BE IT FURTHER RESOLVED THAT, the Note shall be sold to First National Bank of Pennsylvania, at private sale in accordance with this Resolution. The Fiscal Officer is authorized and directed to cause the Note to be prepared and to have the Note executed and delivered, together with a true transcript of the proceedings with reference to issuance of the Note, to the original purchaser upon payment of the purchase price. The Note is hereby designated as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). In that connection, the Board of Trustees hereby covenants that the Board of Trustees (it having no "subordinate entities" with authority to issue obligations within the meaning of that section of the Code), in or during the calendar year in which the Note are issued (a) will not designate as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code tax-exempt obligations, including the Note, in an aggregate principal amount in excess of \$10,000,000, and (b) will not issue tax-exempt obligations within the meaning of Section 265(b)(4) of the Code, including the Note and any qualified 501(c)(3) bonds as defined in Section 145 of the Code (but excluding obligations, other than qualified 501(c)(3) bonds, that are private activity bonds as defined in Section 141 of the Code), in an aggregate principal amount exceeding \$10,000,000, unless the Board of Trustees receives an opinion of nationally recognized bond counsel that such designation or issuance, as applicable, will not cause the Note to cease to be "qualified tax-exempt obligations".

BE IT FUTHER RESOLVED THAT the levy by this Board of Trustees of the specific taxes anticipated by the Note on all taxable property in this Township on the tax list and duplicate for the year 2017 to be collected during fiscal year 2018, by resolutions adopted by this Board of Trustees pursuant to law, is acknowledged, confirmed and ratified. Those taxes are direct taxes during the period the Note will be outstanding, and are in an aggregate amount at least sufficient to provide funds to pay the principal of and interest on the Note at maturity and therefore are not less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. Those taxes have been computed, certified, levied and extended upon the tax list and duplicate for the year 2018 for collection by the same officers, in the same manner and at the same times that all taxes for general purposes for the year are collected. The proceeds of the taxes anticipated are to be applied to the extent required and as provided in this Resolution to the payment of the principal of and interest on the Note at maturity. Pursuant to law and particularly the provisions of Section 133.10 of the Revised Code, the amounts of the proceeds of those taxes required to pay that principal and interest are deemed to be appropriated and hereby are appropriated to pay that principal and interest. This Board of Trustees covenants that it will give effect to that appropriation, to the extent stated above, in all resolutions it hereafter adopts appropriating money for expenditure or encumbrance in the fiscal year commencing January 1, 2018.

BE IT FURTHER RESOLVED THAT the Board of Trustees covenants that it will restrict the use of the proceeds of the Note in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time of the delivery of and payment for the Note, so that the Note will not constitute arbitrage bonds under Section 148 of the Code and the applicable income tax regulations pertaining thereto. The Fiscal

Officer as the fiscal officer, or any other officer having responsibility for issuing the Note, is, alone or in conjunction with any of the foregoing or with any other officer or employee of or consultant to the Board of Trustees, authorized and directed to give an appropriate certificate of the Board of Trustees, for inclusion in the transcript of proceedings for the Note, setting forth the reasonable expectations of the Board of Trustees regarding the amount and use of all the proceeds of the Note and the facts and estimates on which they are based, all as of the date of delivery of and payment for the Note. In order to obtain and preserve the exemption from federal income tax of interest on the Note, the Board of Trustees further covenants that it will take all actions that may be required of the Board of Trustees, and will not take any action which would adversely affect such exemption, under the provisions of any federal tax law that applies to the Note, whether presently in effect or enacted subsequent to the date of issuance of the Note, specifically including, but not limited to, provisions requiring or pertaining to restricting the amount of proceeds invested at a higher yield than the yield on the Note, expending proceeds or portions thereof within the times provided, making reports to the United States, and the rebate of certain excess earnings from the investment of the proceeds to the United States, and the Board of Trustees hereby authorizes the Fiscal Officer and other appropriate officers to make any such rebate or rebates of such excess investment earnings and to take such other actions and give such certifications as may be appropriate for the purposes aforesaid.

It is hereby found, determined and declared that all acts and conditions necessary to be done or to exist precedent to and in the issuing of the Note in order to make them legal, valid and binding obligations of this Board of Trustees have been performed and exist, or will at the time of delivery of the Note have been performed and exist, in regular and due form as required by law; and that the amount of indebtedness to be incurred by the issuance of the Note does not exceed any limitation of indebtedness as fixed by law.

It is hereby found and determined that all formal actions of this Board of Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Trustees and that all deliberations of this Board of Trustees and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code.

BE IT FURTHER RESOLVED THAT, The Board of Trustees is authorized to pay all costs and or fees required and associated with the issuance of the General Tax Anticipation Note; and

BE IT FURTHER RESOLVED THAT, The Board of Trustees and Township Fiscal Officer be and hereby are authorized and directed to execute any and all documents necessary to affect and complete said transaction. Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-36 Motion made by Mr. Clebone to request the County Engineer to examine and survey township roads to identify township road flooding and standing water drainage issues and to recommend, if any, what actions are necessary to correct any problem. The Township Road Foreman is directed to contact the Trumbull County Engineer's Office to request said services and to assist the Engineer in conduction this examination Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

TRUSTEE REMARKS AND COMMENTS FOR THE GOOD OF THE ORDER:

Request from Trustee Clebone to contact ODOT to request a Do Not Enter sign at the I-80 Liberty St. exit ramp.

18-37 Motion to adjourn into executive session to discuss employee compensation at 3:30 p.m. Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-38 Motion to adjourn from of executive session and resume regular session 3:52 p.m. Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

18-39 Motion to set health insurance premium co-payments for the following non-bargaining unit employees; Martha Weirick, Denise Leone, Keith Siefert and James Rodway to remain at last year's employee health insurance premium co-payment rate of twelve percent (12%) of the monthly premium cost of their enrollment in the Township Health Insurance Benefit Program.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

Motion to adjourn at 3:55 p.m.

Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Cizmar. Motion carried.

Next Regular Meeting Tuesday, January 16, 2018 at 6:00 p.m.

STEVE SHELTON, FISCAL OFFICER

JODI K. STOYAK, CHAIRPERSON

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