

The Board of Liberty Township Trustees met in a Organization/Regular Sessions on January 9, 2017 at 1:00 p.m. at the township Administration Building with the following members present:, Mr. Jason Rubin, Mrs. Jodi K. Stoyak, and Mr. Stan Nudell, presiding.

17-01 Motion made by Mr. Nudell to appoint Fiscal Officer Chairperson Pro Tem.  
Mr. Nudell, Yes. Mr. Rubin, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Rubin. Motion carried.

FISCAL OFFICER OPENS THE FLOOR FOR NOMINATION FOR CHAIRPERSON.

17-02 Motion made by Mr. Rubin to appoint Stan Nudell, Chairperson for 2017  
Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

NOMINATION FOR VICE CHAIRPERSON

17-03 Motion made by Mr. Nudell to appoint Jason Rubin, Vice Chairperson for 2017  
Mr. Nudell, Yes. Mrs. Stoyak, Yes. Mr. Rubin, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-04 Motion made by Mr. Rubin to adjourn sine die for the year 2016.  
Mr. Rubin, Yes. Mr. Nudell, Yes. Mrs. Stoyak, Yes. Seconded by Mr. Nudell. Motion carried.

17-05 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** – Regular meetings of the Board of Trustees shall be on the second Monday of every month at 1:00 p.m. and notice of said meeting shall be posted on the Township Bulletin Board with the following exceptions: Reorganization Meeting January 9, 2017 at 1:00 p.m., the October meeting will be Tuesday, October 10, 2017 at 1:00 p.m. because of the Columbus Day Holiday. **NO MEETING IN AUGUST.**

**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 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.

17-06 Motion made by Mr. Rubin to continue to provide health care insurance policies for township officers and employees. (See addendum file for full resolution).  
Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-06A Motion made by Mrs. Stoyak to rehire and compensate all bargaining unit employees per agreements and non-bargaining unit full and part time employees.  
Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-07 Motion made by Mr. Rubin to retain special counsel on an as needed basis at \$90.00 per hour and \$100.00 per hour for court time.  
Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-08 Motion made by Mrs. Stoyak to authorize township employees to attend meetings, seminars, workshops, conferences, schools, training or conventions for fiscal year 2017, after a formal request has been processed and approved.  
Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-09 Motion made by Mr. Rubin to authorize Fiscal Officer to transfer money within a fund from one line item to another as deemed necessary.  
Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-10 Motion made by Mrs. Stoyak to continue to compensate Zoning Commissioners/Appeals Board Members at set fee per meeting (no increase).  
Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-11 Motion made by Mr. Rubin to authorize Fiscal Officer to expend monies for public community functions not to exceed \$200.00.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-12 Motion made by Mrs. Stoyak to reappoint Gary Pontuti to the Liberty Township Zoning Commission 5 year-term expires 2022.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-13 Motion made by Mr. Rubin to reappoint Brian Wolf to the Liberty Township Zoning Board of Appeals 5 year-term expires 2022.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-14 Motion made by Mrs. Stoyak to adjourn organizational meeting.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

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STEVE SHELTON, FISCAL OFFICER

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STAN NUDELL, CHAIRPERSON

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**REGULAR MEETING**

**January 9, 2017**

17-15 Motion made by Mrs. Stoyak to approve the minutes of the November 14, 2016, December 12, 2016 regular meeting and the December 13, 2016 special meeting.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-16 Motion made by Mr. Rubin to approve warrant/eft expenditures for the month of December 2016 in the amount of \$493,905.64 warrants #14441 through #14583 inclusive.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-17 Motion made by Mrs. Stoyak to authorize membership in OTA and attendance of the Trustees, Fiscal Officer, Township Administrator and employees to the annual State Association Conference in Columbus in 2017.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-18 Motion made by Mr. Rubin to establish 2017 mileage reimbursement rate for authorized travel expenses of township at \$.53.5 cents per mile.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-19 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 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.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-20 Motion made by Mr. Rubin 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. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-21 Motion made by Mrs. Stoyak to rehire non-bargaining employees for the year 2017 at current rate of pay (no increase):

D Leone; M Weirick; K Siefert; J Rodway.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-22 Motion made by Mr. Rubin to rehire employees with a memorandum agreement for the year 2017 (no increase):

R Tisone; A Birch.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-23 Motion made by Mrs. Stoyak to rehire for the year 2017 pursuant to their respective collective bargaining agreements (no pay increase):

\*Clerical: J. Schulyer M Orlando

Albert Pugh, Timothy Monroe, Daniel Paine, & Gino Bidinotto, Senior Working Forman.

\*Police:

R Altier	A Anastis	G Bednar
R Buhala	P DeAngelo	M Janovick
D Kovach	C McGarry	T Meloro
J Newton	D Rankin	S Shimko
M Shuster	J Smith	

\*Fire based on 96 hour:

A Barzak	J Beard	J Cleland	R Catchpole
A Anderson	S Campana	J Graham	P Lucarell
C Macchione	R McMahan	C Olson	W Opsitnik
A Rivalsky	M Wright	C Wise	

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-24 Motion made by Mr. Rubin to rehire part time Firefighter/Medics (no increase- no benefits) and volunteers:

Medics- Carroll, W; Cline, A; Finley, B; Gibbs, T; Hollander, D; Mahon, M; McHenry J; Morgan, J; O'Halloran, C; Orr, E; Pelley, P; Petruzzi, J; Simone, R; Spencer, R; Uhrain, S; Womack, R; Yash, D. Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-.25 Motion made by Mrs. Stoyak to rehire Patrick Ungaro under existing Memorandum Agreement but with reduced hours.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-26 Motion made by Mr. Rubin to rehire Civil Service Secretary Shirley Turney (no increase-no benefits).

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-27 Motion made by Mrs. Stoyak to rehire volunteer firefighters: T. Birch; M Hagood; N Macchione; J Naples, no increase/no benefits.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-28 Motion made by Mr. Rubin to rehire part time/seasonal employee Sean Donchatz (minimum wage-no benefits).

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-29 Motion made by Mrs. Stoyak to request from the Trumbull County Auditor the advances for the real estate settlement & personal property taxes.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-30 Motion made by Mr. Rubin to pass the following resolution 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 three percent (3.1%), 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, 2016 to be received from all settlements of taxes between, January 1, 2017 and June 30, 2017 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, one-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 2017 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, 2017 to December 31, 2017 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 FURTHER 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 2016 to be collected during fiscal year 2017, 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 2016 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, 2017.

**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. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17- 31 Motion made by Mrs. Stoyak to donate old, outdated, used fire equipment to Howland Training Center. New equipment was replaced with a FEMA Grant.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-32 Per the recommendation of the Ohio Public Employees Retirement System (OPERS) motion made by Mr. Rubin 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, but not used, during the calendar year, as defined as January 1 to December 31, 2017 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. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-33 Motion made by Mrs. Stoyak to transfer \$21,122.85 from the General Fund to the Police Fund for the Optotraffic Camera deposits.

Mrs. Stoyak, Yes. Mr. Rubin, Yes. Mr. Nudell, Yes. Seconded by Mr. Rubin. Motion carried.

17-34 Motion made by Mr. Rubin to transfer \$11,027.36 from the General Fund to the Police Fund for the sale of automobiles.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

17-35 Motion made by Mr. Rubin to use the same formula as last year to distribute funds obtained by the short term General Obligation Tax Anticipation Note.

Mr. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion carried.

Motion made by Mr. Rubin to adjourn at 2:09 p.m. Seconded by Mrs. Stoyak. Motion carried.

Next business meeting February 13, 2016 at 1:00 p.m.

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STEVE SHELTON, FISCAL OFFICER

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STAN NUDELL, CHAIRPERSON

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