

The Board of Liberty Township Trustees met in a Regular Session on November 13, 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.

Motion made by Mr. Rubin to approve the minutes of the October 2, 2017 Regular Meeting and the October 26, 2017 Special Meeting.

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

Motion made by Mrs. Stoyak to approve warrant/eft expenditures for the month of October 2017 in the amount of \$334,289.39 warrants #15937 through #16072 inclusive.

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

17-125 Motion made by Mr. Rubin to increase the appropriations in the Police Fund by \$200,000, \$100,000 in the General Fund and \$75,000 in the fire Fund due to increased revenue.

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

17-126 Motion made by Mrs. Stoyak to pass the following resolution:

WHEREAS, The Trumbull County Transit is funded by the Senior Levy, receiving \$350,000 annually, \$425,00 in years which there is a carry-over from the senior levy fund, and

WHEREAS, the Board of Liberty Township Trustees has participated in the Trumbull County Transit – formerly known as the Niles Trumbull Transit since 2001 – paying \$13,500 annually; reduced to \$6,750 annually once the Trumbull County Senior Levy passed, and

WHEREAS, Trumbull County Transit provides transportation services for all Trumbull County Residents of communities contributing funds by receiving reduced fares of \$1.50 per trip for seniors or disabled and \$4.00 for the general public, and

WHEREAS, non-participating community transit services are still available to all township residents offering fares of \$2.00 for seniors, \$4.00 for disabled and \$8.00 general public, and

WHEREAS, the Board of Liberty Township Trustees understand the need for such services in the community, and

WHEREAS, the Board of Liberty Township Trustees being placed in Fiscal Caution by the State Auditors have a responsibility to all taxpayers to reduce costs wherever possible, and

WHEREAS, the Board has determined it is in the best interest for Liberty Township to opt out of the program and become a non-participating community;

NOW THEREFORE, BE IT RESOLVED, the Board of Liberty Township Trustees hereby terminates the annual renewable Trumbull County Transit Intergovernmental Agreement For Participation in and Funding of Trumbull County Transit, said termination being effective December 31, 2017;

BE IT FURTHER RESOLVED, that the Board of Trustees serve written notice of their termination of the Trumbull Transit Board to the Trumbull County Transit Board on or before November 30, 2017, as required by Paragraph ¶ 3 of the Agreement.

BE IT FURTHER RESOLVED, that the Board of Trustees directs the Township Law Director to prepare and serve the Notice to the Trumbull County Transit Board in the form and manner as prescribed by Paragraph ¶3 of the Agreement to terminate the contract as of December 31, 2017.

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

17- 127 Motion tabled 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 _____dollars (\$____.00) with interest at the rate of _____ 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, 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, 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 2017 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. Rubin, Yes. Mrs. Stoyak, Yes. Mr. Nudell, Yes. Seconded by Mrs. Stoyak. Motion tabled.

Discussion of Lighting Assessment Funds.

Trustee Jodi Stoyak remarks: I would like to take a moment at this meeting to reflect over the past 8 years with this board. First of all thank you for your public service over these past 8 years. When you join a board it is like a family. Sometimes you agree with each other and sometimes you don't. It is difficult and frustrating when you don't but we always tried to move forward for our township.

As a board, with Jason's motivation, we improved the bathrooms at Center Park – this was needed and completed.

When I had to make the difficult decision with Mr. Litch to close our Post Office due to extensive costs of \$70k per year the public was upset. I initially tried to bring a store in house to sell stamps and package boxes but it didn't pan out. Stan was motivated to bring the Post Office back and was able to work with Giant Eagle to do so.

The Board knew we had to eliminate our 911 at the Township, met with county representatives in Howland and we were able to complete this task saving our taxpayer dollars.

As a board we were able to bring signage and a flag to our major interstate area and have set the stage for more to happen along Belmont. This beautification has motivated other communities to follow our lead. With Mr. Ungaro's contacts and meeting with Eastgate and ODOT several times we were able to get another million dollars in curbing that is being completed as we speak.

We have worked diligently to decrease our costs by having Mr. Ungaro take his wife and himself off of our insurance and going part time. This has made a major impact on our general fund. In addition, by taking the funds from the tow yard and the Optotraffic we have reduced our general fund deficit to -\$22,000 from -\$200,000 last January. There are more things and areas that need to be scrutinized so that we can get out of this fiscal caution designation.

We were able after three times to convince voters for a Road Levy. This will need to be reevaluated and possibly increased so that all voters can see their roads resurfaced.

We tried several times to further a feasibility study with Girard fire department but were unsuccessful. This will need to either be revisited or consider building a new station and sell the others as taxpayers are spending \$50,000 per year unnecessarily.

We all wish you the best of everything that life has to offer. We hope that you will continue your interest and involvement in the township. Possibly you both with your commitments to business in our township could reinvigorate a Liberty Business Association. With your help and expertise the other businesses in this

area could possibly rename our business district to make it more attractive and work to have all businesses more cohesive in the township.

Next business meeting will be December 11, 2017 at 1:00 p.m.

Motion made by Mr. Rubin to adjourn at 1:35 p.m. Seconded by Mrs. Stoyak. Motion carried.

STEVE SHELTON, FISCAL OFFICER

STAN NUDELL, CHAIRPERSON

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