

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 10407

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA ADOPTING AND AUTHORIZING SUBMISSION TO THE DEPARTMENT OF ENVIRONMENT PROTECTION FOR ITS APPROVAL CERTAIN REVISIONS TO THE OFFICIAL SEWAGE FACILITIES PLAN OF THE CITY OF JOHNSTOWN AND FURTHER ASSURING COMPLETE AND TIMELY IMPLEMENTATION OF SAID PLAN.

WHEREAS, Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the "Pennsylvania Sewage Facilities Act," as amended, and the Rules and Regulations of the Department of Environmental Protection ("Department") adopted thereunder, Chapter 71 of Title 25 of the **Pennsylvania Code**, requires the City of Johnstown (hereinafter "Municipality") to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters and/or environmental health hazards with sewage wastes, and to revise said plan whenever it is necessary to meet the sewage disposal needs of the municipality; and

WHEREAS, Gibson-Thomas Engineering Co., Inc. has prepared a report to the Greater Johnstown Water Authority entitled "Special Study Under Act 537 for City of Johnstown Sanitary Sewer Conveyance System Acquisition (hereinafter "Plan"), which addresses the Greater Johnstown Water Authority's acquisition, ownership, and operation of the City of Johnstown's sanitary sewer conveyance system and related processes and procedures; and

WHEREAS, the alternatives of choice to be implemented by the municipality and GJWA as described in the Plan, included the following:

Option 1: The City retains ownership and proceeds with repairs as current finances dictate, resulting in failure to meet PADEP mandates with fines and penalties occurring and accumulating.

Option 2: The City retains ownership and proceeds with construction projects financed through Pennvest and grants resulting in possible failure to meet PADEP mandates with fines and penalties occurring and accumulating.

Option 3: The City sells/transfers ownership to a 3rd party (GJWA), inclusive of PADEP Consent Order timeline, mandates and potential fines and penalties. The City gains the ability to adjust finances with income of sale and debt relief of Pennvest loans with transference to GJWA; and

WHEREAS, the City's selected alternative is Option 3 above, providing for the sale of ownership to the GJWA; and

WHEREAS, the key implementation activities and dates relevant to this selection are presented in Section V Page 6 of the Plan; and

WHEREAS, the Municipality finds the Plan conforms to applicable zoning, subdivision, other Municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management;

NOW THEREFORE, BE IT RESOLVED that the City of Johnstown City Council hereby adopts and submits to the Department of Environmental Protection for its approval as a revision to the Official Sewage Facilities Plan of the Municipality, the above referenced Plan entitled Special Study Under Act 537 for City of Johnstown Sanitary Sewer Conveyance System Acquisition. The Municipality hereby assures the Department of the complete and timely implementation of the said Plan, as required by law under Section 5 of the Pennsylvania Sewage Facilities Act, as amended.

ADOPTED:


February 17, 2021

By the following Vote:

Yeas: Mr. Arnone, Mr. Britt, Mr. Capriotti, Rev. King, Mrs. Mock, Mr. Vitovich. (6)

Nays: None. (0)

Absent: Mayor Janakovic (1)



Frank J. Janakovic, Mayor
Marie Mock, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **10407** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Nancy J. Cushing, City Clerk