

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9867

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO APPLY FOR FUNDING ASSISTANCE FROM THE PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY IN THE AMOUNT OF \$10,900,000.00 TO BE USED TOWARDS IMPROVEMENTS TO THE INNER CITY SEWER SYSTEM IN THE MOXHAM PHASE II AREA OF THE CITY OF JOHNSTOWN.

WHEREAS, The City Council of the City of Johnstown has entered into a Consent Order and Agreement with the Pennsylvania Department of Environmental Protection, and

WHEREAS, major repairs and rehabilitation are necessary to comply with the mandates of the Consent Order and Agreement, and

WHEREAS, the State of Pennsylvania offers low interest loans and grants for successful applicants to complete sewer and water related projects, and

WHEREAS, it is the desire of the City Council to access as many funding opportunities as possible to complete all repairs necessary involving the Inner City Sanitary Sewer System,

NOW THEREFORE IT BE RESOLVED, that the City of Johnstown (the Governing Body”) shall be, and the same hereby are authorized to submit a Financial Assistance Application to the Pennsylvania Infrastructure Investment Authority (PENNVEST), substantially in the form presented at this meeting for the purpose of financing/partially financing the construction, rehabilitation and/or extension of the sewer system. Appropriate officers of the Governing Body are hereby authorized to execute all certifications and documentation required in connection with the application.

ADOPTED:

July 28, 2016

By the following vote:

Yeas: Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock. (5)

Nays: None (0)

Present: Mr. Williams, Mrs. Stanton (2)



Frank Janakovic, Mayor
Pete Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9867** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9868

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE FACILITY ENCROACHMENT AGREEMENTS: CSX818603, CSX819883, CSX819884, CSX819885, CSX819886, CSX819887, CSX819888, AND CSX819889; AND SUPPLEMENT AMENDMENT AGREEMENT BO L38479 WITH CSX TRANSPORTATION, INC FOR A PROPERTY LOCATED IN JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA.

WHEREAS, Facility Encroachment Agreement CSX818603 has one (1) existing previously undocumented twenty-four inch (24") diameter sub-grade pipeline crossing for conveyance of stormwater and one (1) existing previously undocumented encroachment inlet and;

WHEREAS, Facility Encroachment Agreement CSX819883 has one (1) existing previously undocumented thirty-six inch (36") diameter sub-grade pipeline crossing for conveyance of stormwater and one (1) existing previously undocumented inlet and;

WHEREAS, Facility Encroachment Agreement CSX819884 has one (1) existing previously undocumented twenty-four inch (24") diameter sub-grade pipeline crossing to conveyance of stormwater and one (1) existing previously undocumented encroachment inlet and one (1) existing previously undocumented eight inch (8") diameter sub-grade pipeline parallel for conveyance of sanitary sewer and;

WHEREAS, Facility Encroachment Agreement CSX819885 has one (1) existing previously undocumented eight inch (8") diameter sub-grade pipeline crossing for conveyance of stormwater and one (1) existing previously undocumented encroachment inlet and;

WHEREAS, Facility Encroachment Agreement CSX819886 has one (1) existing previously undocumented twenty-seven inch (27") diameter sub-grade pipeline crossing for conveyance of stormwater and;

WHEREAS, Facility Encroachment Agreement CSX819887 has two (2) existing previously undocumented eight inch (8") diameter sub-grade pipeline crossing for conveyance of stormwater and four (4) existing previously undocumented encroachment inlets and one (1) existing previously undocumented eight inch (8") diameter pipeline crossing for conveyance sanitary sewer and one (1) existing previously undocumented eight inch (8") diameter pipeline crossing for potable water and;

WHEREAS, Facility Encroachment Agreement CSX819888 has one (1) existing previously undocumented eight inch (8") diameter sub-grade pipeline crossing for conveyance of stormwater and one (1) existing previously undocumented twenty-seven inch (27") diameter sub-grade pipeline crossing for conveyance of stormwater and;

WHEREAS, Facility Encroachment Agreement CSX819889 has one (1) existing previously undocumented fifteen inch (15") diameter sub-grade pipeline crossing for conveyance of stormwater and one (1) existing previously undocumented encroachment manhole and;

WHEREAS, Supplement Amendment Agreement BO L38479 to Agreement dated September 1, 1942, the term Facilities is hereby amended to: one (1) existing 24 inch stormwater pipe crossing and one (1) existing previously undocumented 48 inch stormwater pipe crossing and;

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX818603 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819883 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$2,700.00 to complete Agreement No. CSX819884 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819885 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819886 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819887 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819888 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$1,125.00 to complete Agreement No. CSX819889 transaction

WHEREAS, the CSX, Transportation, Inc., the owner of this property is requesting a fee of \$750.00 to complete Supplement Agreement No. BO L38479 transaction

NOW THEREFORE IT BE RESOLVED, that the CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE FACILITY ENCROACHMENT AGREEMENTS: CSX818603, CSX819883, CSX819884, CSX819885, CSX819886, CSX819887, CSX819888, AND CSX819889; AND SUPPLEMENT AGREEMENT BO

L38479 WITH CSX TRANSPORTATION, INC FOR A PROPERTY LOCATED IN JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA

ADOPTED:

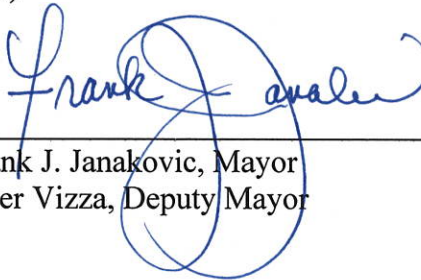
July 29, 2016

By the following vote:

Yeas: Mr. Vizza, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mr. Vitovich. (5)

Nays: None (0)

Present: Mr. Williams, Mrs. Stanton. (2)



Frank J. Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is true and correct copy of Resolution No. **9868** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar, Interim City Manager