

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9876

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ALLOCATION OF THE 2016 FUNDS FROM THE COMMONWEALTH OF PENNSYLVANIA UNDER ACT 147 OF 1988

WHEREAS, Act 147 of 1988, Special Ad Hoc Municipal Police and Firefighter Post-Retirement Adjustment, provides for annual allocations to qualified retirees of each municipality during each calendar year; and

WHEREAS, the 2016 Ad Hoc reimbursement for the City of Johnstown, in the amount of \$18,300.00 has been forwarded to the Department of Finance by the Department of the Auditor General; and

WHEREAS, under Act 147 of 1988, the governing body of the municipality determines the allocation of the 2016 Ad Hoc Aid to the City of Johnstown's Pension Funds – Police and Fire.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Johnstown, Pennsylvania, hereby allocates the 2016 Ad Hoc Aid under Act 147 of 1988 as follows:

Police	\$ 6,954.00
Fire	<u>11,346.00</u>
Total	\$ 18,300.00


ADOPTED:

September 14, 2016

by the following vote:

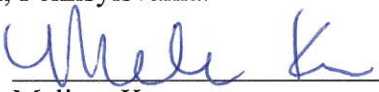
Yeas: Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton,  
Mr. Vitovich. (7)

Nays: None (0)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9876 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. 9877

A RESOLUTION OF THE GOVERNING BOARD OF CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania (53 P.S. §6901 et seq.), enacted December 31, 1965, and effective January 1, 1966, authorizes certain political subdivisions, including CITY OF JOHNSTOWN, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, CITY OF JOHNSTOWN, has entered into contractual agreement with BERKHEIMER of Bangor, Pennsylvania, whereby and whereunder CITY OF JOHNSTOWN appointed Berkheimer to collect certain local taxes; and

WHEREAS, said Act 511 specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of CITY OF JOHNSTOWN, specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. CITY OF JOHNSTOWN, hereby appoints Stephen Keith as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for CITY OF JOHNSTOWN, as desired and deemed necessary by CITY OF JOHNSTOWN, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the CITY OF JOHNSTOWN, upon request, to Stephen Keith as the authorized contact representative for it.

3. CITY OF JOHNSTOWN, hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.


RESOLVED, ENACTED AND ADOPTED at a meeting held on the 14th day of September, 2016.

By the following vote:

Yeas: Mr. Williams, Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich,

Mr. Vizza. (7)

Nays: None (0)

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST: I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9877 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. 9878

WHEREAS, City Council of the City of Johnstown has entered into an agreement with the EADS Group, Inc. for professional services dated April 10, 2012; and

WHEREAS, it is the judgement of City Council that the Engineers be authorized to pursue the additional basic engineering services for the Main Street East Parking Garage Rehabilitation Project Phase II, for a total estimated additional compensation for services of \$7,500.00.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY FOR THE EXECUTION OF AN AMENDMENT TO TASK ORDER NO. 29 TO THE EADS GROUP, INC. FOR ADDITIONAL BASIC ENGINEERING SERVICES ASSOCIATED WITH ADDITIONAL CONSTRUCTION WORK UNDER CONTRACT 2016-09 - MAIN STREET EAST PARKING GARAGE REHABILITATION PROJECT PHASE II.

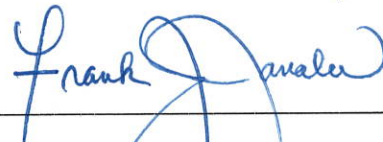
ADOPTED:

September 14, 2016

By the following vote:

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

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



Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9878 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. 9879

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN ALL DOCUMENTS NECESSARY TO EXECUTE THE AGREEMENT WITH TURJAN ENTERPRISES, INC. FOR THE AWARD OF BID FOR CONTRACT NO. 2016-16 FOR CONSTRUCTION OF SANITARY & STORM SEWER MAINTENANCE – MISCELLANEOUS SERVICES.

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 EADS Group, Inc. on behalf of the City of Johnstown advertised and opened bids for the maintenance of the City Sanitary & Storm Sewer System of the City of Johnstown; and

WHEREAS, Bids were advertised in a paper of general circulation and the bids were opened at 10:00AM on August 25, 2016; and

WHEREAS, Turjan Enterprises, Inc. was the successful bidder with a base bid of \$9,168,834.35.

NOW THEREFORE BE IT RESOLVED, CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZES THE INTERIM CITY MANAGER TO SIGN ANY DOCUMENTS NECESSARY REGARDING THE AWARD OF BID FOR CONTRACT NO. 2016-16 FOR THE CONSTRUCTION OF SANITARY & STORM SEWER MAINTENANCE.

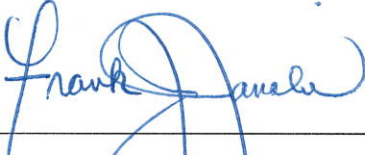
ADOPTED:

September 14, 2016

By the following vote:

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

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

  
\_\_\_\_\_  
Frank J. Janakovic, Mayor  
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9879** 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. 9880

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO INITIATE THE TRANSFER OF FUNDS TO ELIMINATE THE RESPECTIVE 2016 CITY OF JOHNSTOWN OPERATING BUDGET DEFICIT BALANCES, AND MORE SPECIFICALLY, BUDGET EXHIBIT (A) AS DETAILED BELOW:


<u>GENERAL FUND</u>				ADJ BUDGET
<u>DEPARTMENT</u>	<u>TR. TO LINE ITEM</u>	<u>TR FROM LINE ITEM</u>	<u>AMOUNT</u>	<u>BALANCE</u>
PW – Highway	01-440-37-072-00	01-442-37-072-00	\$10,000.00	\$32,000.00
Non-Dept	01-405-31-000-00	01-401-14-000-00	\$15,000.00	
Non-Dept	01-405-31-000-00	01-402-32-012-00	\$1,500.00	
Non-Dept	01-405-31-000-00	01-402-42-000-00	\$295.00	
Non-Dept	01-405-31-000-00	01-402-33-153-00	\$500.00	
Non-Dept	01-405-31-000-00	01-402-21-014-00	\$1,000.00	
Non-Dept	01-405-31-000-00	01-412-37-072-00	\$4,000.00	\$122,295.00
Police	01-410-29-475-00	01-411-32-091-00	\$2,000.00	\$7,000.00

ADOPTED:

September 14, 2016

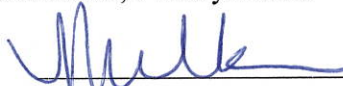
By the following vote~

Yeas: Mayor Janakovic, Mr. Johncola, Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza,  
       Mr. Williams.                     (7)  
 Nays: None                               (0)

  
 \_\_\_\_\_  
 Frank J. Janakovic, Mayor  
 Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9880 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.

  
 \_\_\_\_\_  
 Melissa Komar,  
 Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9881

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN PENNSYLVANIAIA AUTHORIZING THE INTERIM CITY MANAGER TO PROCEED WITH ACCEPTING THE TERMS OF THE CONSOLIDATING LOAN AS PROPOSED BY FIRST SUMMIT BANK IN THEIR TERM SHEET SUMMARY DATED AUGUST 24, 2016.

WHEREAS, The City of Johnstown has accumulated deficits as reported in the December 31, 2015 financial statement audit in excess of \$3,000,000.

WHEREAS, The City of Johnstown has outstanding debt eligible to be refinanced of approximately \$3,100,000, which consists of a parking note, capital leases and a capital line of credit.

WHEREAS, First Summit Bank submitted a proposal to issue a cumulative loan in the aggregate amount of \$6,000,000 to refinance the existing obligations eligible to be refinanced and provide the necessary funds to meet expected year-end obligations

WHEREAS, The terms of the note proposed by First Summit Bank is for a period of ten (10) years at a fixed rate of 2.65%.

WHEREAS, The final issuance of the note is subject to approval from Pennsylvania Department of Community and Economic Development, Court Approval, final approval from First Summit Bank and the appropriate documentation, applications and advertisement by the City Solicitor and First Summit Bank's Legal Council.

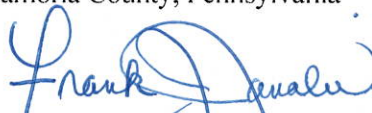
WHEREAS, The anticipated closing date is on or around November 15, 2016.

NOW THEREFORE IT BE RESOLVED, that the City of Johnstown and the Interim City Manager and Solicitor are hereby authorized to submit and sign the necessary documents and applications with First Summit Bank, County of Cambria Court of Common Pleas and Pennsylvania Department of Community and Economic Development as necessary to complete the transaction.

This Resolution shall be effective in accordance with the Act and any other required approvals.

DULY ADOPTED, by the City Council of this City of Johnstown, in lawful session duly assembled, this the 14<sup>th</sup> day of September, 2016.

CITY OF JOHNSTOWN  
Cambria County, Pennsylvania



Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

  
Secretary to City Council  
(SEAL)

Adopted by the following vote:

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

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

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9881** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



\_\_\_\_\_  
Melissa Komar, Interim City Manager