

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9955

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, REQUESTING COUNCIL AUTHORIZATION TO SELL CITY OWNED EQUIPMENT, AND OR MOTOR VEHICLES.

WHEREAS, the City of Johnstown, various departments are in possession of certain city-owned materials, public works equipment, and motor vehicles; and

WHEREAS, some of the above mentioned items may now be classified as unusable, surplus no longer in use, or for other reasons that are being kept for no justifiable reason.

NOW THEREFORE, be it resolved that all city-owned equipment in this resolution, for possible disposal by sale, salvage or other means so approved an ensuing resolution of Council, on June 14th 2017. Approval requested for the sale of the items listed below:

2001 Chevy Impala	2006 Chevy Cobalt	1974 Ward LaFrance fire truck
2005 Ford Explorer	1996 International/Vac-Con	Mikasa walk behind roller
2002 Ford F550 Dump Truck		


ADOPTED:

June 14, 2017

By the following vote:

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

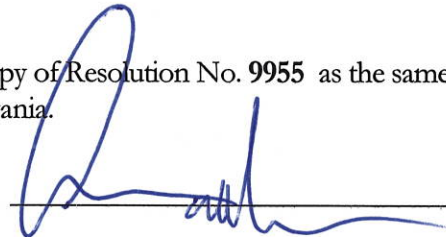
NAYS: None (0)



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. 9955 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9956

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING A MEMORANDUM OF AGREEMENT WITH THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL NO. 630.

WHEREAS, the City and The American Federal of State, County and Municipal Employees, AFL-CIO, Local No. 630 ("AFSCME") have engaged in negotiations following the expiration of the parties' previous collective bargaining agreement extending from January 1, 2014 through December 31, 2016; and

WHEREAS, the parties have successfully reached an extension agreement applicable to the period of January 1, 2017 through December 31, 2017; and

WHEREAS, the parties have negotiated and developed the attached Memorandum of Agreement addressing additional terms and conditions pertaining to healthcare coverage for retirees;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Council hereby ratifies the attached Memorandum of Agreement between the City and The American Federation of State, County and Municipal Employees, AFL-CIO, Local No. 630 effective immediately further ratifies and acknowledges the City Manager's authority to execute said Agreement on behalf of the City of Johnstown and to take any/all necessary actions to effectuate same.

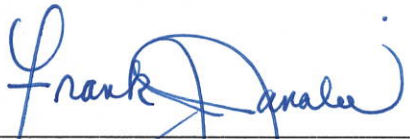
ADOPTED:

June 14, 2017

By the following Vote:

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

Nays: None (0)



Frank Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9956 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9957**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DECLARING ITS INTENT TO EXECUTE A TIMBER SALE AGREEMENT WITH PINE RIDGE FOREST PRODUCTS.

WHEREAS, the City of Johnstown would allow Pine Ridge Forest Products to timber a tract of land in Stoneycreek Township. The City of Johnstown desires to have timber removed and sold; and

WHEREAS, the City of Johnstown has identified and marked on a topographic map as Belmont Park Property for the removal and sale of the timber; and

WHEREAS, the City of Johnstown has agreed to the amount of \$45,846.65 for the removal and sale of timber. This payment will be made in 2 payment installments. The first installment of \$22,293.33 will be made upon execution of agreement. The 2nd installment will be made in the amount of \$22,923.32 when approximately one -fourth(1/4) complete or sixty (60) days from signing date, whichever comes first;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Johnstown, Cambria County, Pennsylvania, that it intends to sign the Timber Sale Agreement with Pine Ridge Forest Products for the removal and sale of the timber from the Belmont Park Property.


ADOPTED:

June 14, 2017

By the following Vote:

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

Nays: None (0)



Frank Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9957 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9958

A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA
AUTHORIZING THE CITY MANAGER TO EXECUTE THE SALE OF THE 1994 SIMON DUPLEX 75' LTI
AERIAL TO ROLLING HILLS FIRE DISTRICT, CLAREMORE, OKLAHOMA FOR THE AMOUNT OF
\$26,000

WHEREAS, The City of Johnstown Fire Department has advertised the sale of spare apparatus utilizing a
national broker, Brindlee Mountain Fire Apparatus; and

WHEREAS, as a condition of this award, the City must contribute 10 percent of the sale price; and.

WHEREAS, the City has received an offer of \$26,000.00 from Rolling Hills Fire District; and.

WHEREAS, the Fire Department shall make necessary changes to its current inventory reflecting the sale
of equipment.

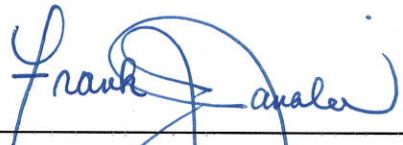
NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Johnstown, that the City
Manager is hereby authorized and directed to execute, on behalf of the City of Johnstown, a sale
agreement with the Rolling Hills Fire District, Claremore, Oklahoma for \$26,000.00.

ADOPTED: June 14, 2017

By the following vote:

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

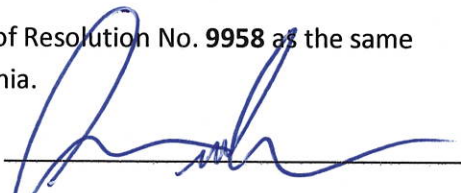
Nays: None (0)



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. 9958 as the same
adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9959**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DECLARING ITS INTENT TO GRANT A RIGHT OF WAY AGREEMENT AND EASEMENT TO THE CONEMAUGH VALLEY CONSERVANCY FOR THE PURPOSE OF A PUBLIC SCENIC RECREATION TRAIL.

WHEREAS, the City of Johnstown would grant access to Cambria County Tax Number: 90-038-400.000, Cambria County, and State of Pennsylvania to the Conemaugh Valley Conservancy through an Right-of -Way Agreement and Easement; and

WHEREAS, the City of Johnstown grant the Conemaugh Valley Conservancy a perpetual right-of-way to construct, install and maintain a public, scenic and recreational trail across the lands of the City of Johnstown; and

WHEREAS, the City of Johnstown and the Conemaugh Valley Conservancy permit others to use the ground; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Johnstown, Cambria County, Pennsylvania, that it intends to sign the Right-of-Way Agreement and Easement allowing the Conemaugh Valley Conservancy for the purpose of a recreational trail across the City of Johnstown owned property, Tax Number: 90-038-400.000.


ADOPTED:

June 14, 2017

By the following Vote:

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

Nays: None (0)



Frank Janakovic, Mayor
Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9959 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9960

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING THE CITY SOLICITOR TO FILE OBJECTIONS TO THE INITIATIVE PETITION FILED BY THE 2017 PETITIONER'S COMMITTEE AMENDING INNER-CITY SEWER LATERAL TESTING ORDINANCE NO. 5166, AS PREVIOUSLY AMENDED, IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, AND FURTHER AUTHORIZING THE CITY MANAGER AND CITY SOLICITOR TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INITIATION OF SAID ACTION.

WHEREAS, the City has been named as a Respondent in a Mandamus Action filed by the 2017 Petitioner's Committee Amending Inner-City Sewer Lateral Testing Ordinance No. 5166, as previously amended; and

WHEREAS, the contention has been raised that the City must file objections to the Initiative Petition that is the subject matter of said Mandamus Action; and

WHEREAS, the City does not agree objections are required but nonetheless wishes to preserve any/all opportunities to contest the Initiative Petition and to safeguard its rights in doing so; and

WHEREAS, the City has determined that it is in the best interest of its defense of the Mandamus Action to likewise file objections to the Petition concurrently with its defense of the above-referenced Mandamus Action;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Solicitor is hereby authorized to initiate a legal action by filing a Petition with Objections to the Initiative Petition submitted and filed by the 2017 Petitioner's Committee Amending Inner-City Sewer Lateral Testing Ordinance No. 5166, as previously amended, and further authorizes the City Manager and City Solicitor to take any and all actions necessary to effectuate the initiation of said action and any potential consolidation of it with the currently pending Mandamus Action.

ADOPTED:

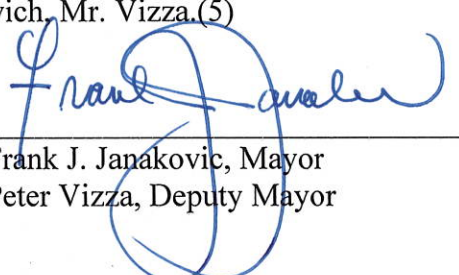
June 14, 2017

By the following Vote:

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

Nays: None

Abstentions: Mr. Williams, Mrs. Stanton. (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. 9960 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

Date: _____
The Beard Legal Group-City Solicitors

RESOLUTION NO. 9961

For consideration on June 14, 2017

Submitted by Councilpersons Stanton & Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA TO CONTACT, IN WRITING, ALL NON-PROFIT AND TAX EXEMPT OPERATIONS WITHIN THE CITY OF JOHNSTOWN SEEKING CONSIDERATION BY THEIR RESPECTIVE OPERATIONS FOR THE MAKING OF FINANCIAL CONTRIBUTIONS FOR THE ON GOING OPERATIONS AND SERVICES OF CITY OF JOHNSTOWN GOVERNMENT.

WHEREAS, the City of Johnstown after being a Distressed Municipality for over (25) twenty-five years continues to struggle in meeting the required and, residents expectations of having adequate municipal services, and

WHEREAS, this has in some budgetary years, required reductions in the number of city personnel, including positions in Police, Fire and Public Works, which have led to manpower levels which have become challenging in providing essential services as City residents deserve and expect, and

WHEREAS, the ongoing issues of having a limited and declining real property tax base, including many properties having been abandoned, cannot be placed on the many responsible existing property owners by increasing their property taxes, and

WHEREAS, the Members of City Council are jointly seeking the voluntary consideration by those City non-profit and tax exempt operations in making financial contributions in the City's efforts to maintain the City of Johnstown as a municipality that, hopefully, can be considered as striving for the "Health, Safety and Welfare" of all that reside within, visit and conduct businesses within the City of Johnstown municipal boundaries, and

WHEREAS, any financial donations being considered, can be ear-marked at the contributor's discretion for specific City operations including, but not limited to:

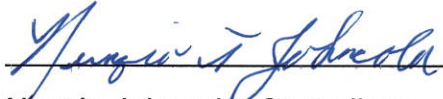
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|---------------------|---------------------------------|
| 1) PUBLIC SAFETY | (Police and Fire) |
| 2) PUBLIC WORKS | (Highway & Streets) |
| 3) RECREATION | (Parks & Playgrounds) |
| 4) CAPITAL PROJECTS | (Equipment, vehicles etc.) |
| 5) OTHER | <u>Contributors Designation</u> |

WHEREAS, the non-profit may provide in-kind contributions through services to the City to meet the needs of the community.

Respectfully submitted by Members of Johnstown City Council:



Frank J. Janakovic, Mayor



Nunzio Johncola, Councilman



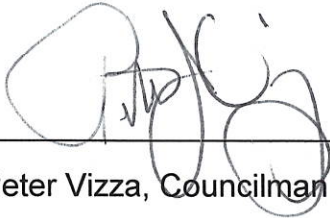
Marie Mock, Councilwoman



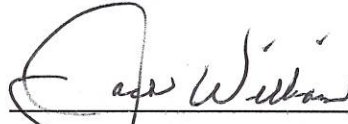
Charlene Stanton, Councilwoman



David Vitovich, Councilman



Peter Vizza, Councilman



Jack Williams, Councilman

Passed finally:

June 14, 2017

By the following vote~

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

Nays: None (0)

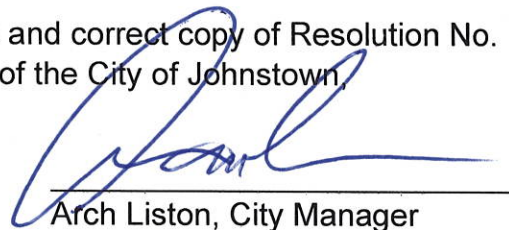


Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9961 as the same was adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9962

A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, RATIFYING THE EMPLOYMENT AGREEMENT FOR THE CITY OF JOHNSTOWN CHIEF OF POLICE FOR THE PERIOD OF JUNE 26, 2017 THROUGH JUNE 26, 2020.

WHEREAS, the City Manager desires to appoint a Chief of Police in relation to the supervision and administration of the City of Johnstown Police Department; and

WHEREAS, the City Manager has determined the terms and conditions pertaining to the Police Chief's employment;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, that the City Council hereby ratifies the Employment Agreement established for the Police Chief, to be effective June 26, 2017 through June 26, 2020, and further ratifies and acknowledges the City Manager's authority to execute said Agreement on behalf of the City of Johnstown and to take any and all actions to effectuate said Agreement.

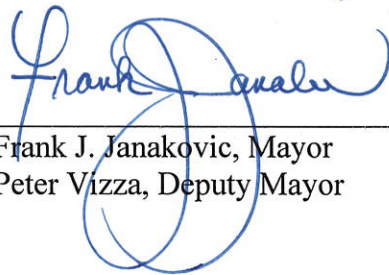
ADOPTED:

June 24, 2017

By the following Vote:

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

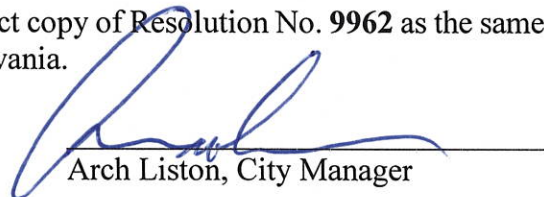
Nays: None (0)



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. 9962 as the same by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager

**CITY OF JOHNSTOWN, PENNSYLVANIA
RESOLUTION NO. 9963**

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA APPROVING FIVE OF THE SEVEN MEMBERS FOR THE LOAN REVIEW COMMITTEE WHO ARE NOMINATED BY THE CITY MANAGER.

WHEREAS, the City Manager of the City of Johnstown recommends the following members for the City of Johnstown Loan Review Committee:

- 1) John DeBartola (Citizen) – 1 year term
- 2) Ken Szczur (Business) – 3 year term
- 3) Melissa Komar (Business) – 3 year term
- 4) Susan Lavelly (Business) – 1 year term
- 5) Chad Physer (Business) – 2 year term

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Johnstown approves five of the seven members for the Loan Review Committee nominated by the City Manager.

ADOPTED:

June 14, 2017

By the following vote:

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

Mr. Williams. 7 – 0 on all except Melissa Komar; 5 – 2 with Mr. Williams & Mrs. Stanton against Melissa Komar.

Nays: Mr. Williams, Mrs. Stanton against M. Komar. (2)

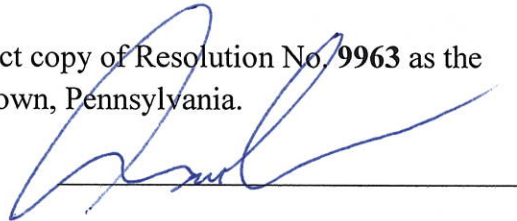


Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9963 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager