

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9906

Submitted By: Stephen Keith

TAX AND REVENUE ANTICIPATION NOTE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE; PROVIDING FOR THE INTEREST RATE, MATURITY DATE, AND REDEMPTION PROVISIONS IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL OF 1ST SUMMIT BANK FOR THE PURCHASE OF THE NO 1E; AUTHORIZING THE PROPER OFFICERS TO EXECUTE ALL ACTS NECESSARY FOR ISSUANCE AND SECURING THE NOTE; AUTHORIZING AND DIRECTING THE PREPARATION AND FILING OF ALL DOCUMENTS REQUIRED BY THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC

DEVELOPMENT; AND REPEALING INCONSISTENT RESOLUTIONS

WHEREAS, the City of Johnstown ("Local Government Unit") expects to receive current revenues, as yet uncollected, during the first two quarters of fiscal year ending December 31, 2017; and

WHEREAS, the Local Government Unit will have inadequate funds for operating expenditures during the first two quarters of 2017 based on funds flow analysis of tax receipts; and

WHEREAS, the Local Government Unit has determined that it is necessary to borrow for the purpose of meeting expenses during the first two quarters of 2017 by issuing a note, to be repaid from anticipated revenues, and

WHEREAS, 1st Summit Bank has submitted to the Local Government unit a proposal to purchase a tax anticipation note of the Local Government Unit and the Local Government Unit desires by the adoption of this resolution to accept such proposal and authorize the issuance and sale of its tax and revenue anticipation note;

NOW, THEREFORE, BE IT RESOLVED, by the City Council (hereafter the "Governing Body") of the Local Government Unit that:

SECTION 1. The Local Government Unit hereby authorizes the issuance of a tax and revenue anticipation note in the amount of up to \$1,500,000 in anticipation of the receipt of 2017 taxes and revenues to be sold at private sale.

SECTION 2. The note shall be in the denomination of \$1,500,000, shall be redeemable at any time at the option of the officers of the Local Government Unit without penalty or premium, shall bear interest at 1.70%, shall mature on December 31, 2017, and shall be payable at the 125 Donald Lane, Johnstown, PA 15904 office of the lender.

SECTION 3. The proposal of the 1st Summit Bank to purchase the note dated December 14, 2016 is hereby accepted and shall be incorporated into the minutes of this meeting. A true and correct copy of said Proposal is attached here to as Exhibit A, and the appropriate executive officers are hereby authorized and directed to execute and deliver a duplicate original of the acceptance of said proposal to the Lender.

SECTION 4. The Local Government Unit hereby pledges to the Lender and grants to the Lender a first lien and charge on its taxes and revenues to be received during the period when the note is outstanding to secure the payment of the indebtedness evidenced hereby and the interest thereon.

SECTION 5. Payment of principal and interest shall be made in the following amounts and on the following dates:

Interest due date -	Based on outstanding balance -	Monthly
Principal due -	\$1,500,000	December 31, 2017

SECTION 6. The appropriate executive officer be and hereby is authorized and directed to execute and deliver in the name of, on behalf of, and under the seal of, the Local Government Unit, the tax and revenue anticipation note in the form and containing terms described above, and the Director of Finance of the Local Government Unit be and hereby is authorized and directed to attest the same.

SECTION 7. The appropriate executive or fiscal officer be and hereby is authorized and directed to prepare or cause to be prepared and file a Certificate as to Taxes and Revenues to be Collected as required by Section 8128 of the Local Government Unit Debt Act.

SECTION 8. The executive officers of the Local Government Unit be and hereby are authorized and directed to perform all acts which are necessary and proper for the valid issuance and securing of the note.

SECTION 9. (a) The Local Government Unit hereby covenants with the registered owners from time to time of the Note that it will make no use of the proceeds of the Note which, if such use had been reasonably expected on the date of issue of the Note, would have caused the Note to be an "arbitrage bond" within the meaning of Section 148 of the Code and the regulations there under, and that it will comply with the requirements of that Section and such regulations throughout the term of the Note.

(b) If the principal amount of the Note plus the aggregate principal amount of all other tax-exempt obligations (other than private activity bonds) issued and to be issued by the Local Government Unit (including, without limitation, any deemed as issued by the Local Government Unit under the issuer aggregation rules of Section 148 (f) (4) (D) (ii) of the Code) during the calendar year in which the Note is to be issued exceeds \$5,000,000, and if the gross proceeds of the Note are invested at a yield greater than the yield on the Note and are not expended within six (6) months from the date of issuance or deemed to have been expended pursuant to the safe harbor rules for tax and revenue anticipation notes contained in Section 148 (0) (4) (B) (iii) of the Code, the Local Government Unit covenants that it will rebate to the U.S. Treasury, within sixty (60) days after the maturity date of the Note, an amount equal to the excess of (x) all investment income derived from investing the proceeds of the Note over (y) the amount which would have been derived from the investment of the proceeds of the Note at a yield not in excess of the Yield on the Note.

(c) The Local Government Unit reasonably anticipates that it will not issue more than \$10,000,000 principal amount of tax-exempt obligations during the calendar year ending December 31, 2017 and hereby designates the Note as a "qualified tax exempt obligation" within the meaning of Section 265 (h) (3) of the Code. The Local Government Unit hereby designates the Note as a "qualified tax exempt obligation" pursuant to Section 265 (b) (3) of the Code and represents and covenants that the total amount of its obligations so designated and to be designated during the calendar year in which the Note is to be issued does not and will not exceed \$10,000,000 (including, without limitation, any deemed as issued by the Local Government Unit under the issuer aggregation rules of Section 265 (b) (3) (E) of the Code or allocated thereto under the issue allocation rules of Section 265 (b) (3) (C) (iii) of the Code).

(d) The Local Government Unit hereby covenants that at the time of execution of the Note and at the time or times that it is issued funds pursuant to the Note, that it will have in place an approved and balanced budget and that it will not make a material amendment or change to the adopted budget without the consent of the Purchaser.

(e) The Local Government Unit hereby covenants that at the time of execution of the Note and at the time or times that it is issued funds pursuant to the Note, that it is in compliance with any applicable terms and conditions of the Financially Distressed Municipalities Act, 53 P.S. Sections 11701.101 et. seq., as may be amended from time to time (the "Distressed Municipalities Act"), as well as any regulations promulgated there under.

SECTION 10. All filing fees and all fees and expenses of the Local Government Unit's Solicitor, of the Purchaser, and of the counsel to the Purchaser incurred in connection with issuance of the Note will be paid by the Local Government Unit. The proper officers are hereby authorized and directed to pay all such reasonable fees and expenses at the time of settlement on the Note issue. In the event of any default under the Note or hereunder, the Local Government Unit agrees to pay the reasonable fees and expenses of the registered owners of the Note (including court costs and attorneys' fees) incurred in collecting the amounts due under the Note.

SECTION 11. This Resolution is hereby deemed to be, and shall be, a contract with the registered owners, from time to time, of the Note.

SECTION 12. All prior resolutions or parts thereof inconsistent herewith are hereby repealed.


ADOPTED:

By the following vote:

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

Nays:

Absent:



Frank Janakovic, Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No 9906 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. 9907

A RESOLUTION OF CITY COUNCIL OF THE CITY OF JOHNSTOWN
ESTABLISHING THE SCHEDULE OF CITY COUNCIL MEETINGS AND
WORKSHOPS FOR THE YEAR 2017.

WHEREAS, City Council of the City of Johnstown wishes to establish a public
advertisement of meetings for the year of 2017; and

WHEREAS, an advertisement will be placed upon approval by City Council establishing
the dates and times of the City of Johnstown City Council public meetings; and

WHEREAS, the schedule shall be known as Exhibit A and shall be attached to this
Resolution.

NOW, THEREFORE, BE IT RESOLVED, that City Council of the City of Johnstown
approves the schedule of meetings for the year 2017.

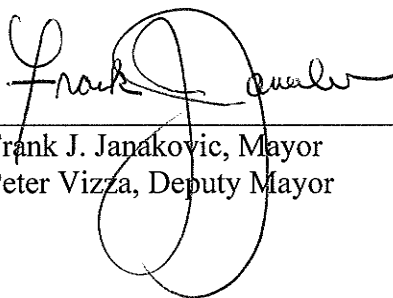
ADOPTED:

December 14, 2016

By the following vote:

Yeas: Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic,
Mr. Johncola, Mrs. Mock. (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. **9907**
as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar
Interim City Manager

PUBLIC NOTICE
CITY OF JOHNSTOWN
2017 MEETING SCHEDULE

EXHIBIT A

PLEASE TAKE NOTICE of the following dates and times for Public Meetings by the City Council of the City of Johnstown. All meetings will be conducted in Council Chambers, 4th floor of the Public Safety Building located at 401 Washington Street, Johnstown, PA 15901.

<u>DATE</u>	<u>MEETING</u>	<u>TIME</u>
January 11, 2017	Regular	6:00 PM
February 8, 2017	Regular	6:00 PM
March 8, 2017	Regular	6:00 PM
April 12, 2017	Regular	6:00 PM
May 10, 2017	Regular	6:00 PM
June 14, 2017	Regular	6:00 PM
July 12, 2017	Regular	6:00 PM
August 9, 2017	Regular	6:00 PM
September 13, 2017	Regular	6:00 PM
October 11, 2017	Regular	6:00 PM
October 30, 2017	Special Meeting (Presentation of 2018 Budget)	5:00 PM
November 8, 2017	Regular	6:00 PM
December 13, 2017	Regular	6:00 PM

City Council workshops will be conducted at 5:00 PM in Council Chambers prior to the regularly scheduled council meeting.

CITY OF JOHNSTOWN OF PENNSYLVANIA

MUNICIPAL RESOLUTION NO. 9908

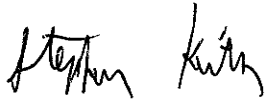
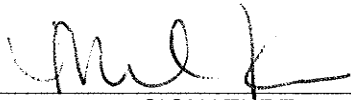
WHEREAS the Pennsylvania Department of Transportation and

Municipality Name

have agreed to use the **dotGrants** on-line reporting system to file the required Liquid Fuels forms annually; including but not limited to the MS-965, MS-329 and MS-999 forms.

NOW THEREFORE BE IT RESOLVED

1. that the Legislative Body of this Municipality enters into and agrees to the requirements and obligations of this on-line reporting program;
2. that the Legislative Body hereby designates the following persons and any Officers holding the following titles/positions

DIRECTOR OF FINANCE	STEPHEN KEITH	
TITLE	NAME	SIGNATURE
INTERIM CITY MANAGER	MELISSA KOMAR	
TITLE	NAME	SIGNATURE

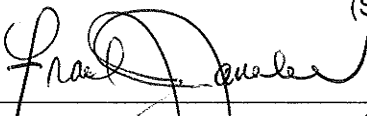
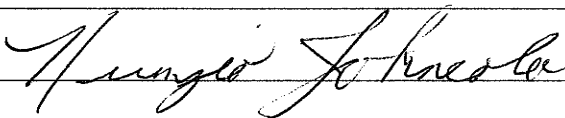
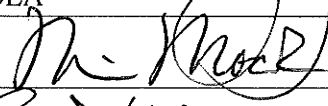
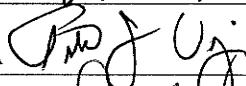
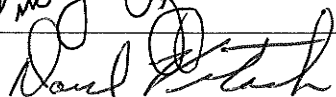
to execute and provide all information necessary for the completion of said application, and to execute all documents necessary to effect such an agreement, including but not limited to, an Electronic Access Licensing Agreement (EALA) on behalf of the Municipality.

Passed this 14th day of December, 2016.

LEGISLATIVE BODY

(Typed Name)

(Signature)

FRANK JANAKOVIC	
NUNZIO JOHNCOLA	
MARIE MOCK	
PETER VIZZA	
DAVID VITOVICH	

I certify that the foregoing is a true and correct copy of the Resolution as finally adopted at a meeting of the Legislative Body held on the 14th day of December, 20 16.

IN WITNESS WHEREOF, I hereunto set my hand on this 16th day of December, 20 16.

(SEAL)

(Signature of Municipal Secretary/Clerk)

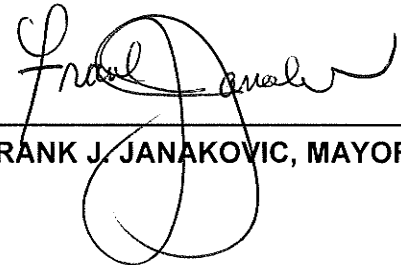


ADOPTED:

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

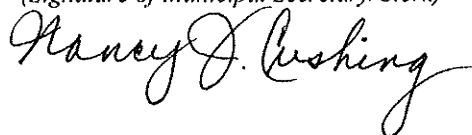
PETER VIZZA, DEPUTY MAYOR

I certify that the foregoing is a true and correct copy of the Resolution as finally adopted at a meeting of the Legislative Body held on the 14th day of December, 20 16.

IN WITNESS WHEREOF, I hereunto set my hand on this 16th day of December, 20 16.

(SEAL)

(Signature of Municipal Secretary/Clerk)

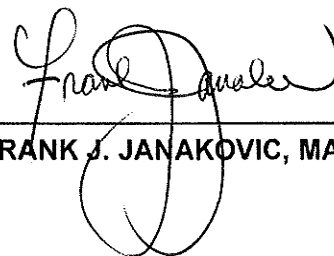


ADOPTED: December 14, 2016

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

RESOLUTION NO. 9909

Cambria County Hazard Mitigation Plan

Municipal Adoption Resolution

The City of Johnstown, Cambria County, Pennsylvania

WHEREAS, the City of Johnstown, Cambria County, Pennsylvania is most vulnerable to natural and human-caused hazards, which may result in loss of life and property, economic hardship, and threats to public health and safety, and

WHEREAS, Section 322 of the Disaster Mitigation Act of 2000 (DMA 2000) requires state and local governments to develop and submit for approval the President a mitigation plan that outlines processes for identifying their respective natural hazards, risks, and vulnerabilities, and

WHEREAS, the City of Johnstown acknowledges the requirement of Section 322 of DMA 2000 to have an approved hazard mitigation plan (HMP) as a prerequisite to receiving post disaster Hazard Mitigation Grant Program funds, and

WHEREAS, the County's HMP has been developed by the County's department of Public Safety in cooperation with other County departments, and officials and citizens of the City of Johnstown, and

WHEREAS, a public involvement process consistent with the requirements of DMA 2000 was conducted to update the County's HMP, and

WHEREAS, the County's HMP recommends mitigation activates that will reduce losses to life and property affected by both natural and human-caused hazards that affect the County and its municipal governments.

NOW THEREFORE BE IT RESOLVED by the governing body for the City of Johnstown:

- The County's HMP is hereby adopted as the official HMP for the City of Johnstown, and
- The respective officials and agencies identified in the implementation strategy of the County's HMP are hereby directed to implement the recommended activates assigned to them.

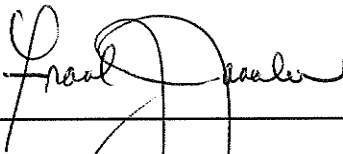
ADOPTED:

December 14, 2016

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. **9909** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

A handwritten signature in black ink, appearing to read 'Mel K', written over a horizontal line.

Melissa Komar, Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9910

The City of Johnstown, Cambria County, Pennsylvania

A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO SIGN A CONTRACT WITH WITMER PUBLIC SAFETY GROUP, INC. THE FIRE STORE, 430 ABBOTTSTOWN, PA 17301 TO PROVIDE AND DELIVER TO THE CITY SELF CONTAINED BREATHING APPARATUS.

WHEREAS, a FEMA Grant was awarded on behalf of the Department of Homeland Security under the Fiscal Year (FY) 2015 Assistance to Firefighters Grant in the amount of \$114,602.00; and

WHEREAS, as a condition of this award, the City must contribute a cost match in the amount of \$11,460.00 of non-federal funds, or 10 percent of the Federal contribution; and

WHEREAS, the City obtained COSTARS pricing through a COSTARS supplier to ensure the best value through an interactive partnership with the Commonwealth; and

WHEREAS, the Fire Department shall make necessary changes to its current inventory reflecting the new equipment; and

WHEREAS, Witmer Public Safety Group, Inc. The Fire Store provided the City with COSTARS pricing of \$126,975.00.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Johnstown, that the Interim City Manager is hereby authorized and directed to execute, on behalf of the City of Johnstown, with Witmer Public Safety Group, Inc. The Fire Store to provide and deliver self-contained breathing apparatus and associated equipment, as expressed above.


ADOPTED:

December 14, 2016

By the following vote:


Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola. (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. 9910 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. 9911

The City of Johnstown, Cambria County, Pennsylvania

A RESOLUTION OF CITY COUNCIL, OF THE CITY OF JOHNSTOWN, PENNSYLVANIA AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE THE SALE OF THE 2004 PIERCE FIRE ENGINE TO PINE VILLAGE FIRE DEPARTMENT, PINE VILLAGE, INDIANA FOR THE AMOUNT OF \$80,000.00 (PENDING FINAL INSPECTION)

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 \$80,000.00 from Pine Village Fire Department pending a final inspection; 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 Interim City Manager is hereby authorized and directed to execute, on behalf of the City of Johnstown, a sale agreement with the Pine Village Fire Department, Pine Village, Indiana (pending final inspection) for \$80,000.00.

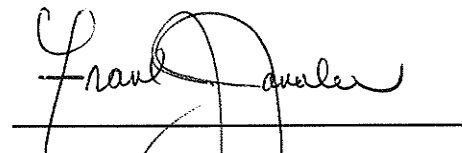
ADOPTED:

December 14, 2016

By the following vote:

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

Nays: None (0)

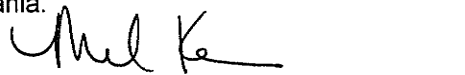


Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. **9911** 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. 9912

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE INTERIM CITY MANAGER TO SELL THE 2005 CASE BACKHOE.

WHEREAS, THE City of Johnstown desires to sell the 2005 CASE Backhoe for \$18,700.00.

WHEREAS, the City Council desires to sell the 2005 CASE Backhoe.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Johnstown, Pennsylvania that the Interim City Manager is hereby authorized and directed to sell the 2005 CASE Backhoe for \$18,700.00.


ADOPTED:
By the following vote:

December 14, 2016

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 preceding is a true and correct copy of Resolution No. 9912 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. 9913**

PIGGY BACK AGREEMENT FOR PAVING

MADE this 14th day of December, 2016, the date of the last signature here to,
By and Between:

The City of Johnstown, an organization of municipal government operating as a Third Class City under an optional charter utilizing the Council/Manager form of government, with an office at 401 Main Street, Johnstown, PA 15901, here in after "City".

AND

Peoples Natural Gas Company LLC, a Pennsylvania limited liability company with main office at 225 North Shore Drive, Pittsburgh, PA 15212, hereinafter called "PEOPLES".

WHEREAS, as a part of the system-wide improvements, the City of Johnstown is repairing and in many cases replacing sewer collection lines; and

WHEREAS, the City of Johnstown has previously advertised and awarded Contracts (hereinafter, the "contract") for pipe line replacement work in the City of Johnstown in connection with its rehabilitation of sanitary sewer lines throughout the City; and

WHEREAS, the bid documents included prices for paving and related items which might be affected by sewer line replacement work; and

WHEREAS, the City awards contracts to low bidders; and

WHEREAS, PEOPLES and the City have determined that it would be cost effective to both of them, and more importantly to their customers, to allow PEOPLES to piggy back on the contract to provide for the simultaneous paving repairs on various street throughout the City of Johnstown; and

WHEREAS, in order to facilitate a cooperative reconstruction program, along with the replacement of sanitary sewer lines in the City, the City of Johnstown has offered to permit PEOPLES to piggy back with a previous construction contract, and to act as the contact and account agent for the contractor, and to receive and forward payments for work completed.

NOW THEREFORE, be it agreed, by and between the City of Johnstown and PEOPLES that:

- 1) The City Contractor is authorized to perform paving throughout the City where sanitary/ storm sewer replacement is being performed. As well as PEOPLES has performed gas facility replacement/repair in the same area.

- 2) PEOPLES may provide on-site inspection of progress of the work through its representative. The on-site inspector shall have authority to reject unsatisfactory work or to approve minor divergences from the proposed price, not exceeding 5%.
- 3) The City shall receive, process and pay invoices on behalf of both the sewer and paving project from its Contractor and forward bills to PEOPLES which shall reimburse the City for all associated costs of the paving construction, relative to the repair/replacement of their gas facilities. Costs to be billed for construction of the paving shall be consistent with those set forth in the Contract for the area where work is being performed.
- 4) The City shall impose no charge on the PEOPLES for administrative or other costs associated with the construction documents, bidding, construction administration, or inspections related to paving.
- 5) PEOPLES shall make payment of all amounts due under this Agreement within 30 days of invoicing. Invoices shall include a copy of the contractor's requisition for payment to the City showing line items for direct construction costs for paving. Amounts unpaid after 30 days shall bear interest at a rate of 1% per month.
- 6) PEOPLES shall complete repairs, replacements and/or relocations, within the Contract area, in a reasonable time, which coincides with the Contract schedule, in order to prevent delays to the City Contractor. Failure to complete a PEOPLES project, resulting in a delay to the City Contract beyond the contracted time period, may result in additional costs to the City. Additional costs associated with a PEOPLES project delay, not including delays caused by the City Contractor or other utilities, may be reimbursable under this Agreement. The City reserves the right to proceed with paving activities, prior to the commencement of a PEOPLES project if the project is not completed within the agreed upon project schedule. The City will provide written notification of their intent to proceed with paving not less than ten business days prior to the scheduled start date of paving. Work completed by PEOPLES after the City's paving will be subject to the City Ordinance 5131 regarding street excavations.
- 7) This is an entire agreement and no part here of shall be modified except in a written document signed by both parties.

We enter this Agreement with full authority on behalf of our principal organizations by placing our hands and seals and intending to bind our respective principles thereby.

City of Johnstown

ATTEST :

By: Melissa Komar
Melissa Komar, Acting City Manager

(Seal)

Peoples Natural Gas Company LLC

ATTEST :

By : _____

(Seal)

ADOPTED:

December 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
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. **9913** as the same adopted by the City Council of the City of Johnstown, Pennsylvania.

Melissa Komar
Melissa Komar
Interim City Manager

CITY OF JOHNSTOWN, PENNSYLVANIA

RESOLUTION NO. 9914

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPOINTING BEARD LEGAL GROUP P.C., AS SPECIAL LABOR COUNSEL EFFECTIVE DECEMBER 7, 2016.

WHEREAS, the City of Johnstown previously appointed Beard Legal Group, P.C., effective August 1, 2016, as Interim Labor Counsel pending the completion of a process in which a Request for Proposals ("RFP") from candidates interested in the Special Labor Counsel position is completed; and

WHEREAS, the City has now issued a Request for Proposals from candidates interested in the Special Labor Counsel position, has completed review of all such proposals, and has reached a decision; and

WHEREAS, Council desires to appoint Beard Legal Group P.C. to serve as Special Labor Counsel effective December 7, 2016 and continuing for two (2) years through December 6, 2018.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Johnstown hereby appoints Beard Legal Group P.C. as Special Labor Counsel, effective December 7, 2016 through December 6, 2018.


ADOPTED:

December 14, 2016

By the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic,
Mr. Johncola. (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. 9914 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. 9915

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, APPROVING THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF JOHNSTOWN AND ARCH LISTON FOR A ONE-YEAR TERM AT A SALARY OF \$80,000 PER THE TERMS OF THE AGREEMENT BETWEEN THE PARTIES.

ADOPTED:

December 29, 2016

By the following vote:

Yeas: Mrs. Mock, Mrs. Stanton, Mr. Vitovich, Mr. Vizza, Mr. Williams, Mayor Janakovic, Mr. Johncola. (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. **9915** 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. 9916

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, PENNSYLVANIA, APPROVING SCOTT HAYMAKER'S REQUEST TO PURCHASE FIVE YEARS OF MILITARY SERVICE COMPLETED PRIOR TO EMPLOYMENT WITH THE CITY OF JOHNSTOWN TO INCREASE HIS LENGTH OF SERVICE TO THE CITY FOR POLICE PENSION CALCULATIONS.

WHEREAS, Ordinance 4460 of the Administrative Code of the City of Johnstown, passed finally on April 13, 1998, requires City Council's approval of a police officer's request for credit of up to five years of military service, where the member is making contributions to the Police Pension Fund and served in the Armed Forces of the United States after September 1, 1940, and who was not a member of the Police Pension Fund prior to such military service, upon payment to the Pension Fund of an amount equal to that which he or she would have paid had he or she been a member during the period for which he or she desires credit, and upon his or her payment to the Pension Fund of an additional amount as the equivalent of the contribution of the employer on account of such military service; and

WHEREAS, the purchase of prior military service is further authorized by the Pennsylvania Municipal Retirement Law, as amended, 53 P.S. § 881.305; and

WHEREAS, the current collective bargaining agreement between the City of Johnstown and the Fraternal Order of Police further authorizes the purchase of up to a maximum of five years of military service to extend the length of service to the City of Johnstown for purposes of measuring pension benefits, pending payments of necessary pension contributions; and

WHEREAS, Scott Haymaker has satisfactorily provided documentation in support of his request to purchase five years of military service performed prior to his employment with the City of Johnstown in 1997, and the Pension Board has approved his request; and

WHEREAS, Scott Haymaker shall make total contributions to the Pension Fund in the amount of \$9,954.58; and

WHEREAS, the City of Johnstown's Administrative Code nonetheless requires City Council's approval of Scott Haymaker's request for credit of five years of military service.

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes and approves Scott Haymaker's request for credit of five years of military service to increase his length of service to the City for police pension calculations.

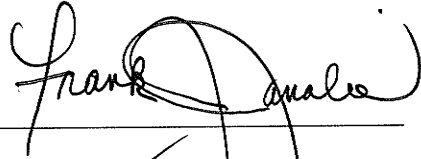
ADOPTED:

December 29, 2016

By the following vote:

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

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

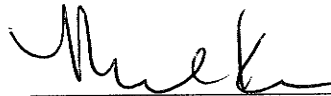


Frank J. Janakovic, Mayor

Peter Vizza, Deputy Mayor

ATTEST:

I do hereby certify that the foregoing is a true and correct copy of Resolution No. 9916 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Melissa Komar

Interim City Manager