

City Solicitor's Review and Approval

Pursuant to Home Rule Charter ARTICLE VIII. CITY SOLICITOR; Duties §11.8-801.

Date: _____

The Beard Legal Group-City Solicitors

RESOLUTION NO. 9917

For consideration on January 11, 2017

Submitted by Mrs. Stanton & Mr. Williams

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY PENNSYLVANIA DIRECTING THE INTERIM CITY MANAGER AND THE CITY SOLICITOR TO PREPARE DRAFT A WRITTEN CORRESPONDENCE FOR SIGNATURES OF ALL MEMBERS OF JOHNSTOWN CITY COUNCIL, TO THE SURROUNDING MUNICIPALITIES KNOWN TO BE PART OF THE GREATER JOHNSTOWN AREA TO DETERMINE IF THERE EXIST INTEREST BY THE RESIDENTS AND ELECTED OFFICIALS OF THE RESPECTIVE MUNICIPALITIES, AS TO THE FEASIBILITY OF ANY POSSIBLE MUNICIPAL CONSOLIDATION, and pursuant to the Act 47 Recovery Plans enacted on May 26, 1993 by Ordinance No. 4644,

WHEREAS, the City of Johnstown's initial Act 47 Recovery Plans enacted on May 26, 1993 by Ordinance No. 4644, under provisions of the Commonwealth of Pennsylvania's Municipalities Financial Recovery Act, (Act #47) included Chapter VIII titled Municipal Consolidation which states "The City Shall organize a regional committee of the local governments and citizens of the Johnstown metropolitan area to study local resource allocation, particularly in terms of functional consolidation of municipal services and eventual political consolidation in the Johnstown area."

WHEREAS, the City of Johnstown has been thru legally enacted Amended Act 47 Recovery Plans including the SECOND, THIRD, FOURTH, FIFTH and SIXTH, none of which removed or deleted the mandated provisions and language in Ordinance No. 4644, passed finally on May 26, 1993, and more specifically Chapter VIII titled Municipal Consolidation

WHEREAS, there has been comments made by numerous persons in and outside the municipal boundaries of the City of Johnstown expressing the need for "Municipal Consolidation"; and

WHEREAS, prior efforts at consolidation believed to have occurred in 1970, was and rejected by the registered electorate at that time, and

WHEREAS, correspondence for the purpose of this Resolution is to be sent by the Mayor to the Governing Bodies of the following municipalities.

Lower Yoder Township, Geistown Borough, Richland Township, Westmont Borough, Southmont Borough, Lorain Borough, Dale Borough, Franklin Borough, West Taylor Township, Ferndale Borough, Stonycreek Township, Daisytown Borough, Brownstown Borough, East Conemaugh Borough, Upper Yoder Township, Middle Taylor Township, and

WHEREAS, any all municipalities expressing interest in open and general discussions regarding possible Municipal Consolidation should be respectfully asked to direct any responses to the Johnstown City Council at City Hall, 401 Main Street, Johnstown, Pa. 15901, and

WHEREAS, it is understood that any responses received or attendance at any possible meetings held, is not and would not be considered or perceived as to any commitment to Municipal Consolidation efforts that may occur, and


WHEREAS, it would be the suggestion of City Council, subject to agreement of any and all municipalities, that any possible meeting being agreed on, that Dennis M. Davin, Secretary Commonwealth of Pennsylvania Department of Community & Economic Development be asked for a representative from his Department be made available to provide information as to Municipal Consolidation in Pennsylvania.

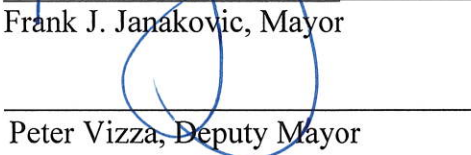
AMENDED/ADOPTED: January 11, 2017

By the following vote~

Yeas: Mock, Vitovich, Vizza, Janakovic, Johncola

Nays: Stanton and Williams

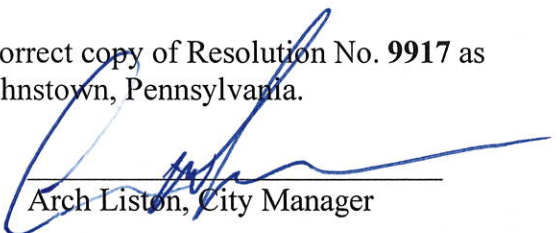
 (5)
(2)

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. 9917 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. 9918

BE IT RESOLVED, BY AUTHORITY OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AND IT IS HEREBY RESOLVED BY AUTHORITY OF THE SAME, THAT THE CITY MANAGER OF THE CITY OF JOHNSTOWN BE AUTHORIZED AND DIRECTED TO SIGN THE HIGHWAY RESTORATION AND MAINTENANCE BOND ON ITS BEHALF.

WHEREAS, the City of Johnstown and A. Liberoni, Inc. are required to sign a Highway Restoration and Maintenance Bond Agreement along with the Pennsylvania Department of Transportation; and

WHEREAS, the Pennsylvania Department of Transportation holds and firmly bounds A. Liberoni, Inc. in the full and just sum of One Hundred Ninety Two Thousand Dollars and 00/100 (\$192,000.00); and

WHEREAS, A. Liberoni, Inc. has applied, is about to apply or may in future from time to time apply to the Pennsylvania Department of Transportation for one or more Highway Occupancy Permits which require a bond to secure proper restoration of the highway pursuant to 67 Pa. Code Chapter 459.5(b), because a substantial amount of work may be performed for or by A. Liberoni, Inc. under such Permits.

NOW, THEREFORE, BE IT RESOLVED, that the City Manager is hereby authorized and directed to sign the Highway Restoration and Maintenance Bond Agreement with A. Liberoni, Inc. on behalf of the City of Johnstown, Pennsylvania.

ADOPTED:

January 11, 2017

By the following vote:

Yeas: Mrs. Mock, Mr. Vitovich, Mr. Vizza, Mayor Janakovic, Mr. Johncola. (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. 9918 as the same adopted by the City Council of the City of Johnstown, Pennsylvania.



Arch Liston, City Manager