



January 17, 2023

Resolution No. 1, 2023

Council Member Hayner presented the following Resolution and moved its adoption.

ADOPT RULES AND REGULATIONS OF THE COMMON COUNCIL FOR THE YEAR 2023

BE IT RESOLVED, that the Rules and Regulations covering the Proceedings of the Common Council of the City of Johnstown, New York for the year 2023 be, and the same are, hereby adopted as the Rules and Regulations of the Common Council for the year 2022 unless otherwise ordered.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor

RULES AND ORDERS OF THE
COMMON COUNCIL

CITY OF JOHNSTOWN, NEW YORK

Rule 1:

At each regular or special session the presiding officer shall take the chair at the hour to which the Common Council shall have adjourned. He shall immediately call the council to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules. As provided for in Section 45 of the Charter of the City of Johnstown, the Mayor shall be the presiding officer of the Common Council, but shall have no vote therein except as in a case of a tie, when He shall have the casting vote and the Alderman-at-Large shall be the presiding officer of the Common Council in the absence of the Mayor, but shall not lose his vote as Alderman by reason of his acting as such presiding officer and when He shall vote as Alderman He shall have no casting vote on a tie.

In the event of the absence of both the Mayor and Alderman-at-Large the Alderman in the following order shall act as temporary presiding officer: Alderman Ward 1, Alderman Ward 2, Alderman Ward 3, and then Alderman Ward 4. The temporary presiding officer shall only act for the following purposes:

1. If there is absence of a quorum he shall adjourn the meeting.
2. If there is a quorum he shall as the first order of business proceed to take nominations for presiding officer pro-tempore which shall be chosen by the members of the Common Council and the presiding officer pro-tempore upon election shall then proceed with the business of the meeting at hand.

Where applicable, reference to the Mayor in the rules hereinafter set forth, shall refer to the Alderman-at-Large or presiding officer pro-tempore, as such presiding officer. (Amended 6/29/64 – Resolution 105, 1964)

Rule 2:

As presiding officer, the Mayor shall possess the power and perform the duties herein prescribed, as follows:

1. He shall preserve order and decorum.
2. He shall decide all questions of order, subject to the appeal of the Common Council. On every appeal he shall have the right, in his place, to assign his or her reasons for his or her decision.
3. He shall appoint all committees, except the committee on auditing accounts provided for in Section 58 of the City Charter, unless otherwise ordered by the Common Council.
4. He shall have a casting vote only in the case of a tie between the members of the Common Council.
5. He shall promptly report to the Common Council all complaints against city officers for misconduct or neglect of duty.

6. He shall recommend to the Common Council, from time to time, such measures as he shall deem necessary or expedient for them to adopt.

Rule 3:

The Chief of Police shall be Sergeant-at-Arms of the Common Council, and in that capacity shall attend all meetings when not otherwise engaged in official duty. If so engaged in official duty He shall designate one of the patrolmen to act in his place. He shall have the power, when directed by the Common Council, to enforce the attendance of absent members, and shall at all time discharge promptly every duty imposed upon him.

Rule 4:

The presiding officer having taken the chair at the hour appointed and a quorum being present, the minutes of the preceding session shall be read to the end that any errors therein may be removed and the minutes corrected accordingly. If no error be claimed, the presiding officer may, upon his own motion and without a vote of the Common Council, order the minutes to stand approved as read. If error be claimed, the presiding officer may, if no objection be made, upon his own motion and without a vote of the council, order the error so claimed to be removed, the minutes to be corrected accordingly, and, as so corrected, to stand approved. If error be claimed and objection made to the removal thereof, the presiding officer shall order the minutes to stand approved as read, unless a majority of the council present and voting order that the minutes as read be corrected; and then, as so corrected, it shall stand approved. The minutes as first read shall not be altered on the face, nor shall any inter-lineations or erasures thereon be made, but all corrections shall form a part of the minutes of the session at which the same was order. After the reading and approval of the minutes, except in case of special meetings, or when any subject shall have been made a special order for a particular time, the order of business shall be as follows, and shall not be departed from, unless by unanimous consent of the Common Council:

1. Presentation of petitions
2. Presentation of claims and accounts
3. Matters pertaining to opening and widening of streets
4. Reports from City officers
5. Reports from standing committees
6. Report of select committees
7. Motions and Resolutions
8. Unfinished business of previous session
9. New business

Rule 5:

Petitions, memorials, or any other papers addressed to the Common Council, may be presented by the Mayor, or by any member in his place.

Rule 6:

Every member presenting a paper shall properly endorse the same; if a petition, memorial or report of city officer, with a brief statement of its subject or contents, adding his name; if a report of a committee, a statement of such report, with the name of the committee and member making the same, and every such petition, memorial or report of city officers, shall be referred by the Mayor to an appropriate committee. Resolutions not involving expenditure of money from the city treasury, and reports of committees may be acted upon at once, or postponed to any subsequent meeting of the Common Council. Every resolution or claim requiring the expenditure of money from the treasury, or touching the property or rights of any citizen, shall not be passed or considered at the same meeting of its presentation, provided any objection thereto shall be made when it is first present, and then, if such objection be made, it shall lie on the table at least one week or be referred to an appropriate committee.

Rule 7:

Every member who shall be in his seat, when a question is stated by the chair, shall vote thereon, unless He be excused by the Common Council, or directly interested in the questions. No member shall be obliged to vote on any question unless in his or her seat when his or her name is called.

Rule 8:

Any member requesting to be excused from voting, may make, when his or her name is called, a brief statement of the reasons for making such request, not exceeding five minutes in time. The question of excusing himself shall be taken without debate, and such request may be withdrawn at any time before He is excused, and He may vote.

Rule 9:

No member rising to debate, to make a motion or report, or to present a petition or other paper, shall proceed until He has addressed the Mayor, and has been recognized by him.

Rule 10:

While a member is speaking, no member shall entertain any private discourse or pass between him and the chair.

Rule 11:

While the Mayor is putting a question, a count is being had, or the roll called, no member shall speak or leave his place.

Rule 12:

When a motion to adjourn is carried, every member shall retain his seat until the Mayor declares the council adjourned.

Rule 13:

No member shall speak more than once to the same general question, without leave of the council, until every member desiring to speak on the question pending shall have spoken.

Rule 14:

If any member, in speaking, shall transgress the order of the Common Council the Mayor shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down, and shall not rise, unless to explain or proceed in order.

Rule 15:

All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided without debate.

Rule 16:

It shall not be in order for any member to make a motion, or debate any question, or to present any petition, report, or other paper without rising to his feet, or while away from his own proper place.

Rule 17:

Standing committees shall be appointed on the following subjects:

Fiscal	Public Safety	Public Works	Water	Public Utilities	Public Relations	Claims, Ordinances, & Rules	Sewer
-Auditing -Ways & Means -purchasing	-Judiciary -Police -Fire	-Parks -Streets, highways, & bridges -Sidewalks, gutters, & crosswalks -Pavements & Sewers -Public buildings -Construction of buildings	-water works	-electric -gas	-relations with City & County -relations with Chamber of Commerce	-Rules -Claims -Ordinances -Insurance & Bonds	-Joint sewer

(Amended January 6, 1965 – Resolution 14, 1964)

Rule 18:

Select committees shall be appointed from time to time, on such subjects, and for such purposes, as the exigencies of business shall seem to require.

Rule 19:

It shall be the duty of each of the several committees to inquire into the matter indicated by its name, and report thereon to the Common Council any information which it may deem conducive to the public good.

Rule 20:

It shall be the duty of the Auditing Committee and Committee of Ways and Means to examine into all the departments of the city government, with a view to the reduction of taxes, and the closest economy in public expenditures, and to that end they shall have the right of access at all times, to the books and papers of every officer.

Rule 21:

All reports from either standing or select committees shall be in writing, and shall be properly filed and carefully preserved by the Clerk.

Rule 22:

Any matter may be made a special order for any particular day by the assent of two-thirds of the members present, and no special order shall be postponed or rescinded except by vote of two-thirds of the members present.

Rule 23:

When a question shall be under consideration, no motion shall be received except as herein specified, which motions shall have precedence in the order stated:

1. For an adjournment of the council.
2. To lay on the table.
3. To postpone indefinitely.
4. To commit to a standing committee.
5. To commit to a select committee.
6. To amend.

Rule 24:

The motions to adjourn and to lay on the table shall be decided without amendment or debate of the main question.

Rule 25:

Every motion or resolution shall be personally read and introduced by the Alderman sponsoring the same, before any action shall be taken thereon, and every motion shall be reduced to writing, if the Mayor or any member shall request it.

Rule 26:

After a motion shall be stated by the Mayor it shall be deemed in the possession of the Council, but may be withdrawn at any time before it shall be decided or amended.

Rule 27:

The motion to adjourn or to take a recess shall always be in order.

Rule 28:

No motion for reconsideration of any vote shall be in order unless at the same session or the first subsequent regular session to that on which the decision propose to be reconsidered took place; nor unless one of the majority present and voting thereon shall move such reconsideration. A motion for a reconsideration being put and lost shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent.

Rule 29:

In all cases of the absence of a quorum during the session of the council, the members present may take such measures as they deem necessary to secure the presence of a quorum, and may inflict such censure or pecuniary penalty as they may deem just on those who, being called on for that purpose, shall render no sufficient excuse for their absence.

Rule 30:

If any question contains several distinct propositions, it shall be divided by the Mayor, at the request of any member; but a motion to strike out and insert shall be indivisible.

Rule 31:

The yeas and nays shall be taken on any question whenever so requested by two members, and when so taken shall be entered on the minutes.

Rule 32:

The Clerk shall keep an accurate record of the proceedings of every meeting, and such proceedings shall be fully written out in a book to be kept by him for that purpose immediately after his minutes shall have been approved, and such minutes of proceedings shall at all times be open to the inspection of any member of the Common Council. He shall also properly file and carefully preserve every petition, memorial, report, or other paper presented to the Common Council, and have same ready at all times for speedy use or reference if desired by the Common Council. He shall promptly serve on the chairman of any standing or select committee a written copy of any resolution, or a succinct statement of any subject matter, together with all papers in his possession relating thereto, to which such resolution or subject matter may have been referred and until such committee, through its chairman, shall have been so served it shall not proceed to the investigation of the matter referred to. All papers shall be returned to the Council by the committee with their reports, and place in the custody of the Clerk, and, except for the purpose herein specified, the Clerk shall not allow any papers to go out of his possession.

Rule 33:

All applications to the Common Council, for any purpose whatever, shall be made in writing and all arguments of any parties interested in the opening of streets, or other matters in which they are entitled to a hearing, previous to the action of the council, may be submitted in writing and read by the Clerk, or they may be heard orally as the council may elect, and all such applications and arguments, if in writing, shall be filed and preserved.

Rule 34:

Persons desiring to be heard orally may be heard before the committees of the Common Council but the council itself will only receive arguments as prescribed in Rule 33.

Rule 35:

No standing rule or order of the Council shall be changed, suspended, or rescinded until a regular meeting subsequent to one upon which notice to do shall be been given, nor shall such change be made unless by a vote of a majority of all the members elected tot eh council, nor shall such notice be give at any except a regular meeting of the council. The notice and motion shall in all cases state specifically the object of the suspension, and every case of suspension of a rule under such notice and motion shall be held to apply only to the objects specified therein, but any rule any at any time be suspended for a particular purpose by unanimous consent of all the members present.

Rule 36:

No member of this council shall occupy more than twenty minutes in the discussion of any one question, and the previous question may be ordered at any time by a two-thirds vote of the members present.

Rule 37:

Upon any question which may arise not especially provided for in these rules, the general principles of parliamentary law shall apply so far as the same are applicable.

Rule 38:

All requests for resolutions, all petitions to the Mayor and Common Council and any and all other matters to be presented at the Common Council meetings, except such matters as shall be determined by the Mayor and Common Council to be of an emergency nature,

Rule 39:

No broadcast or sound transcription of Common Council sessions shall be permitted.

Rule 40:

That on all questions of procedure not specifically covered herein shall be under general principal of parliamentary law as set forth in Rule 37 and Robert's Rules of Order shall be the authority.



January 17, 2023

Resolution No. 2 2023

Council Member Miller presented the following Resolution and moved its adoption.

FIX THE HOUR OF 6:00 P.M. AS THE STARTING TIME FOR BUSINESS
MEETINGS OF THIS COMMON COUNCIL FOR THE YEAR 2023

BE IT RESOLVED, that pursuant to Section 3.2(4) of the Charter of the City of Johnstown, this Common Council fixes the hour of 6:00 p.m. as the starting time for business and committee meetings of this Common Council for the year 2023; and be it further

RESOLVED, that all previous Resolutions pertaining to the time for starting business and committee meetings of the Common Council are hereby rescinded.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



Resolution No. 3, 2023

Council Member Parker presented the following Resolution and moved its adoption.

DESIGNATE THE LEADER HERALD AS THE CITY OF JOHNSTOWN'S OFFICIAL NEWSPAPER FOR THE YEAR 2023

BE IT RESOLVED, that the *Leader-Herald* newspaper is hereby designated as the official newspaper of the City of Johnstown for the year 2023 to publish, at the legal fee per line, not exceeding that fixed by Section 70-A of the Public Officers Law of the State of New York, for the publication of all notices, bylaws, rules and regulations of the Common Council and other boards and officials of this city and such other matters as the Common Council may direct to be published therein.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



January 17, 2023

Resolution No. 4, 2023

Council Member Spritzer presented the following Resolution and moved its adoption.

DESIGNATE LOCATIONS FOR VOTING IN THE CITY OF JOHNSTOWN FOR THE YEAR 2023

BE IT RESOLVED, that in accordance with the provisions of the Election Law of the State of New York, the following places are hereby designated as the places in each of the Wards of the City of Johnstown, New York, where voting for primaries and elections shall be held during the ensuing year:

WARD 1 – Trackside Homes (Community Hall), W. State Street (Robin Circle)

WARD 2 – Senior Citizens Center, 109 E. Main Street

WARD 3 – First Baptist Church, 325 South Comrie Avenue

WARD 4 – Grace Lutheran Church, 1 West Montgomery Street;

and be it further

RESOLVED, that the compensation be fixed at a sum not to exceed the sum of \$100.00 per day, for each polling place, including light and other necessary utilities and fixtures for holding the stated primaries and elections; and be it further

RESOLVED, that all prior Resolutions setting compensation and location of polling places, be and the same, are hereby rescinded.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



January 17, 2023

Resolution No. 5, 2023

Council Member Jeffer presented the following Resolution and moved its adoption:

DESIGNATE BANKS FOR THE DEPOSIT OF FUNDS FOR THE YEAR 2023

BE IT

RESOLVED, that the following banks are hereby designated as the banks for the deposit of City funds effective January 1, 2023 through December 31, 2023:

1. Key Bank, NA of New York
2. Berkshire Bank
3. NBT Bank
4. Citizens Bank
5. Kinderhook Bank
6. JP Morgan Chase
7. Green County Commercial Bank

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



January 17, 2023

Resolution No. 6, 2023

Council Member Hayner presented the following Resolution and moved its adoption:

SET THE COST OF LANDFILL PERMIT FEES FOR THE YEAR 2023

WHEREAS, pursuant to Section 11-602.1 of the City Code of Ordinances entitled Transfer Station charges, the Common Council shall set the cost of a landfill permit prior to the commencement of the fiscal year.

NOW, THEREFORE, BE IT

RESOLVED, the Common Council sets the cost for 2023 landfill permits at:

1. Annual Fee: \$35.00
2. Replacement Sticker: Users will be charged a fee of \$5.00 for each replacement sticker requested due to loss, damage or to transfer to a new vehicle.
3. Partial Year: After September 30th residents may purchase a Landfill Permit at a reduced cost of \$20.00.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



January 17, 2023

Resolution No. 7, 2023

Council Member Miller presented the following Resolution and moved its adoption:

APPOINT COMMISSIONERS OF DEEDS IN THE CITY OF JOHNSTOWN

BE IT RESOLVED, that the list of named individuals, attached hereto as Schedule "A", are hereby appointed as Commissioners of Deeds in the City of Johnstown for a two (2) year period commencing January 19, 2023 through January 31, 2025.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor

<u>Last</u>	<u>First</u>	<u>c/o</u>	<u>Street</u>	<u>City</u>
Auty	Amber	Fulton County Child Support	4 Daisy Lane, PO Box 549	Johnstown
Bonafardice	Colleen M.	Fulton County Family Court	11 N. William St.	Johnstown
Breander	Jennifer	Law Office of Robert M. Subik	26 N. Perry St.	Johnstown
Brockert	Shelley	Dept. of Social Services	4 Daisy Lane, PO Box 549	Johnstown
Brunetto -Miller	Lisa	Law Office of Thomas C. Walsh	122 W. Main St.	Johnstown
Clicquennoi	Michelle		416 Glebe St.	Johnstown
Cole	Catherine L.	Dept. of Social Services	4 Daisy Lane, PO Box 549	Johnstown
Gifford	Rebecca	Fulton County Family Court	11 N. William St.	Johnstown
Gilbo	David F.	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Hale	Gabrielle	Dept. of Social Services	4 Daisy Lane, PO Box 549	Johnstown
Hisert	Kirk	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
House	Christopher J.	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Johnson	Eric J.	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Kollar	Linda	Fulton County Clerk's Office	223 W. Main St.	Johnstown
Linart	Stacie L.	Fulton County Dept. of Social Services	4 Daisy Lane, PO Box 549	Johnstown
Millias	Michael J.	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Mitchell	Seth A.	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Newkirk	Marie	Fulton County Family Court	11 N. William St.	Johnstown
Pedrick	Michael	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Pesce	Amber M.	Fulton County Correctional Facility	2710 St. Hwy 29, PO Box 20	Johnstown
Rumrill	Crystal	Fulton County Child Support	4 Daisy Lane, PO Box 549	Johnstown
Silva	Jonathan	Johnstown Police Department	33-41 E. Main St., PO Box 160	Johnstown
Van Gorder	Dawn	Well's Nursing Home	201 W. Madison Ave.	Johnstown
Watrobski	Peter K.	Fulton County Correctional Facility	2710 St. Hwy 29, PO Box 20	Johnstown
Western	Lori A.	Fulton County Office Building	223 W. Main St.	Johnstown
Woods	Willis	Fulton County Correctional Facility	2710 St. Hwy 29, PO Box 20	Johnstown



January 17, 2023

Resolution No. 8, 2023

Council Member Parker presented the following Resolution and moved its adoption:

EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF JOHNSTOWN
AND JOHNSTOWN FIREFIGHTERS ASSOCIATION LOCAL 779

WHEREAS, the 2023 Adopted Budget for the City of Johnstown (City) indicated that there would be three (3) Emergency Medical Technician-Paramedics (EMT-P); and

WHEREAS, the City and Johnstown Firefighters Association Local 779 (Union) have been in discussions that there is a need for additional EMT-P's; and

WHEREAS; the City and Union have reached an agreement to add one (1) additional EMT-P at a rate of \$48,800 per year; and

WHEREAS, the hiring of an additional EMT-P will be at no additional cost to City tax payers, as the cost for EMT-P is paid from revenues earned by the Advanced Life Support First Response Service (Ambulance Service).

NOW, THEREFORE BE IT,

RESOLVED, that the Mayor is hereby authorized and directed to execute a Memorandum of Agreement, attached hereto, with the Johnstown Firefighters Association Local 779, effective January 1, 2023.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Carrie M. Allen, City Clerk

Resolution # _____, 2023 is hereby approved

Amy Praught, Mayor

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF JOHNSTOWN
AND THE JOHNSTOWN FIREFIGHTERS ASSOCIATION LOCAL 779**

WHEREAS, the City of Johnstown ("City") and the Johnstown Firefighters Association Local 779 ("Union") are parties to a collective bargaining agreement for the period of January 1, 2020 through December 31, 2023 ("CBA"); and

WHEREAS, the City has a need for employees with Emergency Medical Technician-Paramedic ("EMT-P") certifications to staff its ambulance; and

WHEREAS, the City and the Union have discussed the matter, reached an agreement and wish to commit their agreement to writing on measures to meet the City's needs.

NOW, THEREFORE, the parties agree to the following:

1. The City will hire a maximum of four medics with EMT-P certifications to assist the Fire Department on its ambulances.
2. The City will recognize these medics as part of the bargaining unit and they will be covered under the CBA, with the exception of Articles 10 and 37.
3. The City will provide the appropriate Workers' Compensation Insurance for the medics.
4. The medics will be paid in 2023 the following wage:

\$48,800.
5. The City voluntarily agrees that, should the Union and the City reach impasse and are unable to resolve their differences in mediation, to have the impasse resolved through voluntary interest arbitration, following all of the normal rules set forth in the Taylor Law and its regulations. This would include resolution of any proposed demands concerning mandatory subjects of negotiation for all employees, including the medics.
6. Once future Firefighters are hired and they obtain EMT-P certification, no additional Medic only positions will be filled, unless agreed upon in future negotiations between the City and the Union.

7. This Memorandum of Agreement will sunset upon the joint execution of a successor collective bargaining agreement to the CBA. The parties further agree that all provisions of this Memorandum of Agreement will be included in the successor agreement unless both parties specifically agree otherwise.
8. This shall constitute the complete agreement of the parties.

Dated: _____

CITY OF JOHNSTOWN

By: _____
Amy Praught, Mayor

Dated: _____

**JOHNSTOWN FIREFIGHTERS ASSOCIATION
LOCAL 779**

By: _____
Jeremiah VanEvery, President Local 779



January 17, 2023

Resolution No. 9. 2023

Council Member Spritzer presented the following Resolution and moved its adoption:

AMEND THE CITY OF JOHNSTOWN BUDGET – FISCAL YEAR 2023

WHEREAS, the Common Council, by Resolution #76 approved the 2023 City of Johnstown Budget on November 21, 2022; and

WHEREAS, upon review of the 2023 Budget it was found that a calculation of the property tax rate was incorrectly calculated; and

WHEREAS, the correction reflects a reduction in the property tax rate from \$14.07 to \$13.91 per thousand of assessed valuation.

NOW, THEREFORE BE IT,

RESOLVED, that the Mayor's budget for the City of Johnstown's 2023 fiscal year, be amended as attached hereto as Schedule "A", and which budget is on file in the City Clerk's office.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor

BUDGET SUMMARY - 2023

2023

BUDGET

TENTATIVE

REQUEST

2022

2021

DESCRIPTION

PAGE

REVENUE

1-3	*REAL PROPERTY TAXES	\$ 5,876,000	\$ 6,062,246.00	\$ 6,575,743	\$ 6,344,768	\$ 6,429,125
	OTHER REVENUE	\$ 8,724,100	\$ 10,162,475.00	\$ 11,134,183	\$ 11,279,774	\$ 11,279,774
	TAX RESERVE	\$ -	\$ -	\$ -	\$ -	\$ -
	REVENUE TOTAL	\$ 14,600,100	\$ 16,224,721.00	\$ 17,709,926	\$ 17,624,542	\$ 17,708,899
	EXPENDITURE TOTAL	\$ 15,433,900	\$ 16,427,694.17	\$ 18,309,926	\$ 18,224,542	\$ 18,224,542
	DIFFERENCE	\$ (833,800)	\$ (202,973.17)	\$ (600,000)	\$ (600,000)	\$ (515,643)
	FUND BALANCE (USED/ADDED)	\$ 833,800	\$ 202,973.17	\$ 600,000	\$ 600,000	\$ 515,643
	TOTAL	\$ 15,433,900	\$ 16,427,694.17	\$ 18,309,926	\$ 18,224,542	\$ 18,224,542

EXPENDITURES

1	COMMON COUNCIL	23,100	23,100	24,100	24,100	24,100
1	MAYOR	18,800	25,500	26,500	26,500	26,500
2	CITY TREASURER	233,600	205,342	194,344	194,344	194,344
3	CITY CLERK	90,200	93,025	95,199	96,257	96,257
4	CITY ASSESSOR	50,100	50,700	50,700	52,228	52,228
5	ELECTIONS	16,100	18,177	18,177	18,177	18,177
6	PUBLIC HEALTH	5,000	5,000	5,000	5,000	5,000
7	HISTORIAN	2,300	3,200	3,290	3,290	3,290
8	CITY ATTORNEY	107,100	142,000	142,000	142,000	142,000
9-19	PUBLIC WORKS	3,169,000	3,073,992	4,052,673	3,884,650	3,884,650
20	INTERNAL CONTROL OFFICER	91,800	-	-	-	-
21	WATER DEPT. - BUILDING	-	3,000	3,000	3,000	3,000
22	WATER DEPT. - ADMIN	167,000	231,404	189,765	164,765	164,765
23	WATER DEPT. - SOURCE/SUPPLY/PURIFICATION	260,400	271,800	469,966	607,966	607,966
24	WATER DEPT. - TRANSMISSION/DISTRIBUTION	361,800	624,306	711,134	834,734	834,734
25	FIRE DEPT.	2,060,700	2,154,103	2,371,564	2,287,577	2,287,577
26	POLICE DEPT.	2,290,100	2,469,384	2,543,505	2,543,505	2,543,505
27	TRAFFIC CONTROL	19,000	19,000	19,000	19,000	19,000
28	ANIMAL CONTROL	38,000	39,250	39,250	39,250	39,250
29	PROGRAM FOR THE AGING	171,200	181,730	178,120	177,120	177,120
30	HUMAN RESOURCE	-	50,000	46,625	46,625	46,625
31	UNALLOCATED EXPENDITURES	844,700	956,100	983,800	983,800	983,800

BUDGET SUMMARY - 2023

PAGE	DESCRIPTION	2023			
		2021	2022	REQUEST	TENTATIVE BUDGET
32	DEBT	369,800	422,000	397,714	397,714
33	EMPLOYEE BENEFITS	5,044,100	5,365,581	5,744,500	5,672,940
34					
	BUDGET TOTAL	15,433,900	16,427,694	18,309,926	18,224,542
	ASSESSED VALUATION	456,307,738	464,830,504	470,821,361	470,821,361
	PROPERTY TAX RATE	\$13.14	\$13.40	\$14.53	\$13.91

*assessed value / 1000 x property tax rate

BUDGET SUMMARY - 2023 REVENUE

ACCOUNT	DESCRIPTION	2023		
		2021	2022	2023
				TENTATIVE
			REQUEST	BUDGET
REVENUE				
A 1001	*REAL PROPERTY TAXES	5,995,884	6,551,719	6,549,125
	UNCOLLECTED TAXES	(119,884)	(120,000)	(120,000)
	TOTAL	5,876,000	6,431,719	6,429,125
REVENUES				
A 1051	GAIN ON SLAE OF TAX ACQUIRED	-	-	-
A 1081	PAYMENT IN LIEU OF TAXES	3,300	10,000	10,000
A 1090	INT & PENALTIES	150,000	150,000	150,000
A 1110	SALES TAX	4,100,000	4,800,000	4,920,591
A 1130	UTILITIES TAX	125,000	150,000	175,000
A 1230	TREASURER FEES	3,000	3,000	3,000
A 1235	TAX ADVERTISTING	7,000	7,000	7,000
A 1255	CITY CLERK FEES	5,000	5,000	5,000
A 1601	PUBLIC HEALTH FEES	4,000	4,000	4,000
A 1710	PUBLIC WORKS	2,000	2,000	2,000
A 2140.291	METERED WATER SALES - RESIDENTIAL	850,000	1,300,000	1,300,000
A 2140.292	METERED WATER SALES - COMMERCIAL	760,000	1,100,000	1,100,000
A 2140.293	METERED WATER MONTHLY	21,400	18,000	18,000
A 2144.29	CHARGES FOR SERVICES	1,000	1,000	1,000
A 2144.297	CHARGES FOR SERVICES - DIST SURCHAF	3,000	750	750
A 2144.29T	CHARGES FOR SERVICES - TAPS	40,000	1,500	1,500
A 2148.29	INTEREST & PENALTIES - WATER RENTS	15,000	20,000	20,000
A 2378	WATER SERVICES - OTHER GOVT	50,000	50,000	50,000
A 2401	INTEREST & EARNINGS	2,700	2,000	2,000
A 2401.29	INTEREST & EARNINGS	2,000	1,500	1,500
A 2410	RENTAL OF REAL PROEPRTY	2,100	2,000	2,000
A 2450	COMMISSIONS (TV)	90,000	100,000	100,000
A 2540	BINGO - CITY SHARE	-	-	-
A 2544	DOG LICENSE - CITY SHARE	4,000	4,000	4,000
A 2555	PERMITS - BUILDING	35,000	50,000	50,000
A 2590	LANDFILL PERMITS	30,000	30,000	30,000
A 2610	FINES & FORFEIT	97,000	110,000	110,000

BUDGET SUMMARY - 2023 REVENUE

ACCOUNT	DESCRIPTION	2023			
		2021	2022	REQUEST	TENTATIVE BUDGET
A 2650	SALE OF SCRAP METAL	2,000	2,000	2,000	2,000
A 2660	SALE OF REAL PROPERTY	-	-	-	-
A 2665	SALE OF EQUIPMENT	20,000	20,000	20,000	20,000
A 2680	INSURANCE RECOVERIES	20,000	20,000	20,000	20,000
A 2701	REFUND - PRIOR YEAR EXP	-	-	-	-
A 2705	GIFTS & DONATIONS	-	-	-	-
A 2706	GRANTS FROM LOCAL GOVT	3,500	3,500	3,500	3,500
A 2710	PREMIUM OBLIGATION	-	-	-	-
A 2715	PROCEEDS FROM SEIZED PROPERTY	-	-	-	-
A 3001	STATE AID - PER CAP	1,111,100	1,388,900	1,549,235	1,549,235
A 3005	STATE AID - MORTGAGE TAX	105,000	105,000	105,000	105,000
A 3021	STATE AID - COURT FACILITIES	36,000	22,000	22,698	22,698
A 3040	REAL PROPERTY TAX ADMIN	-	-	-	-
A 3330	STATE AID - COURT SEC COSTS	39,000	40,000	40,000	40,000
A 3389	STATE AID - OTHER PUBLIC SAFETY	-	-	-	-
A 3397	PUBLIC SAFETY CAPITAL	-	-	-	-
A 3501	CONS. HWY. AID	385,000	385,000	1,200,000	1,200,000
A 3591	STATE AID - HWY CAPITAL PROJECTS	500,000	685,000	150,000	150,000
A 3785	STATE AID - DISASTER ASSISTANCE	-	-	-	-
A 3820	STATE AID - YOUTH	-	-	-	-
A 3910	STATE AID - CONS. PROG	-	-	-	-
A 4389	FEDERAL AID - OTHER	-	-	-	-
A 4731	FEDERAL PROGRAM AID	-	-	-	-
A 4785	FEDERAL & DISASTER ASSISTANCE	-	-	-	-
A 5031	TRANSFERS	100,000	100,000	100,000	100,000
SUB TOTAL		8,724,100	10,162,475	11,134,183	11,279,774
TOTAL PROP TAX & OTHER REVENUE		14,600,100	16,224,721	17,709,926	17,627,107
TAX RESERVE		-	-	-	-
FUND BALANCE USED / ADDED		833,800	202,973	600,000	515,643
TOTAL		15,433,900	16,427,694	18,309,926	18,142,750

* assessed value / 1000 x property tax rate



January 17, 2023

Resolution No. 10, 2023

Council Member Jeffers presented the following Resolution and moved its adoption:

ACCEPT OFFER FOR CITY OWNED PROPERTY LOCATED AT 237 NORTH PERRY STREET

WHEREAS, the City of Johnstown owns vacant, commercial property located at 237 North Perry Street (SBL#162.16-20-7); and

WHEREAS, the City received an offer from PHJ Holdings, LLC to purchase the property for the amount of \$1,500.00; and

WHEREAS, the offer was previously rejected by the City per Resolution #84, 2022, attached hereto; and

WHEREAS, upon further discussion it is the judgment of the City to accept the offer of PHJ Holdings, LLC.

NOW, THEREFORE, BE IT

RESOLVED, that PHJ Holdings, LLC shall have thirty (30) days, from this date, to pay the full offer price, along with closing costs; and be it further

RESOLVED, that the Mayor is hereby authorized to execute any and all documents necessary to transfer said property to PHJ Holdings, LLC.

Seconded by Council Member _____

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TOTALS				
RESULT	Passed / Failed			

Adopted by the Common Council on January 17, 2023

Resolution # _____, 2023 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor



December 19, 2022

Resolution No. 84, 2022

Council Member Hayner presented the following Resolution and moved its adoption:

ACCEPT OFFER FOR CITY OWNED PROPERTY LOCATED AT 237 NORTH PERRY STREET

WHEREAS, the City of Johnstown owns vacant, commercial property located at the following location:

STREET	ACREAGE	PARCEL ID #
237 N. Perry Street	.18	162.16-20-7

; and

WHEREAS, the City received an offer from PHJ Holdings, LLC to purchase the property for the amount of \$1,500.00; and

WHEREAS, it is the judgment of the City to accept the offer of PHJ Holdings, LLC.

NOW, THEREFORE, BE IT

RESOLVED, that PHJ Holdings, LLC shall have thirty (30) days from this date to pay the full offer price, along with closing costs; and be it further

RESOLVED, that the Mayor is hereby authorized to execute any and all documents necessary to transfer said property to PHJ Holdings, LLC.

Seconded by Council Member Spritzer

Adopted by the following vote:

	YES	NO	ABSTAIN	ABSENT
Ward 1 – Council Member Hayner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 2 – Council Member Miller	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 3 – Council Member Parker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ward 4 – Council Member Spritzer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member-at-Large Jeffers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
TOTALS	3	1		1
RESULT	Passed / Failed			

Adopted by the Common Council on December 19, 2022

Resolution # 84 , 2022 is hereby approved

Carrie M. Allen, City Clerk

Amy Praught, Mayor