

June 15, 2015

Resolution No. _____, 2015

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

BE IT RESOLVED, that the following individuals be appointed to the Johnstown Library Board of Trustees, with terms to expire June 30, 2018:

- Beth Connelie, residing at 403 S. William Street, Johnstown;
- Susan Palmer Johnson, residing at 7 Jane Drive, Johnstown;
- Shannon Kline, residing at 5 Irving Street, Johnstown;
- Thomas Roehl, residing at 104 Whitmore Avenue, Johnstown; and
- Amy Praught, residing at 4 Cady Street, Johnstown

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

WHEREAS, the City of Johnstown is the owner of certain property known as the former Johnstown City Landfill located on West Fulton Street, Ext., Johnstown, with a Tax ID# of 148.-1-59, and is known as New York State Department of Environmental Conservation (DEC) site #518002; and

WHEREAS, DEC requires that the City of Johnstown enter into Environmental Easements covering the property and a portion of the surrounding lands to run with the land in favor of New York State, which Environmental Easements are required to comply with the requirements of New York Environmental Conservation Law (ECL) Article 71, Title 36; and

WHEREAS, the draft Environmental Easements, attached hereto as Schedule "A", shall include the following types of restrictions and requirements:

- Restrict use of groundwater; and
- Prohibit vegetable gardens on the site, though community vegetable gardens may be considered with approval by DEC, and
- Continued monitoring of groundwater; and
- Restrict disturbance of soils deeper than 15' below grade without notification of the DEC; and
- Excavation of soil must be done in accordance with the Excavation Plan contained in the Soil Management Plan, and
- Monitoring and Inspection; and
- Periodic reporting to the DEC; and
- Annual Certification, and
- Any restrictions established by the Site Management Plan, as approved by the DEC; and
- Any other restrictions or requirements of the DEC

NOW, THEREFORE BE IT

RESOLVED, that the Mayor be, and he is hereby authorized, empowered and directed to execute all documents and take all actions necessary to comply with the DEC requirements including, but not limited to, execution and recording of the Environmental Easements covering the property known as the Johnstown City Landfill and DEC site #518002 in favor of the NYSDEC and execution of such other documents as are necessary to convey the Environmental Easements to NYSDEC, and to otherwise act for the City of Johnstown in all matters related to the Environmental Easements; and be it further

RESOLVED, the Environmental Easements shall include the following types of restrictions and requirements:

- Restrict use of groundwater; and
- Prohibit vegetable gardens on the site, though community vegetable gardens may be considered with approval by DEC, and
- Continued monitoring of groundwater; and
- Restrict disturbance of soils deeper than 15' below grade without notification of the DEC; and
- Excavation of soil must be done in accordance with the Excavation Plan contained in the Soil Management Plan, and
- Monitoring and Inspection; and
- Periodic reporting to the DEC; and
- Annual Certification, and
- Any restrictions established by the Site Management Plan, as approved by the DEC; and
- Any other restrictions or requirements of the DEC; and be it further

RESOLVED, that the execution and delivery on behalf of, and in the name of, the City of Johnstown by the Mayor of the City of Johnstown and the Environmental Easements presented to the members of the Common Council at this meeting, in this Resolution, is hereby authorized and directed, with such changes therein as the DEC may require, the City of Johnstown Mayor may accept, and the City Attorney may approve; and be it further

RESOLVED, that the execution and delivery of such Environmental Easements shall be conclusive evidence of approval of any such changes and of the authorization and direction thereof by this Common Council; and be it further

RESOLVED, that one (1) certified copy of this Resolution shall be prepared and sent to the DEC; and be it further

RESOLVED, this Common Council, being the State Environmental Quality Review Act (SEQRA) Lead Agency, hereby finds and determines that the adoption of this law is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment. As a Type II action, the Common Council has no further responsibilities under SEQRA.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

WHEREAS, National Grid offers an energy savings incentive program to businesses who install energy efficient equipment to reduce energy costs and improve energy efficiency; and

WHEREAS, National Grid will pay up to two-thirds of the cost to replace old and insufficient electrical equipment with new cost-cutting, energy efficient equipment; and

WHEREAS, Fulton County Electrical and Electronics contracts with National Grid and has inspected the lighting and electrical usage in City Hall; and

WHEREAS, Fulton County Electrical and Electronics recommends that the city upgrade the lighting at City Hall (attached hereto as Schedule "A"); and

WHEREAS, savings in power usage from completing this project is expected to be approximately \$7,557.09 per year.

NOW, THEREFORE, BE IT

RESOLVED, that the City authorize Fulton County Electrical and Electronics to replace old insufficient electrical equipment with new cost-cutting, energy efficient equipment at City Hall.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

WHEREAS, the City of Johnstown is required to conduct semi-annual groundwater and surface water monitoring sampling as part of the Post-Closure Monitoring Plan for the closed Johnstown Landfill; and

WHEREAS, Arcadis (formerly Malcolm Pirnie, Inc.) has successfully provided this service to the city in the past; and

WHEREAS, it is the City Engineer's recommendation to hire Arcadis for continued consulting support and 2015 monitoring activities of the closed Johnstown Landfill.

NOW, THEREFORE BE IT

RESOLVED, that Arcadis be retained to perform continued consulting support and 2015 compliance monitoring of the closed Johnstown Landfill within the scope of services of the proposal provided by Arcadis, attached hereto as Schedule "A", for an amount not to exceed \$65,200.00; and be it further

RESOLVED, that the Mayor be and he is hereby authorized and directed to execute any and all documents associated with the project.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

WHEREAS, in 2008 the City of Johnstown was awarded a grant in the amount of \$185,000.00 under the New York State Environmental Restoration Program (ERP), and

WHEREAS, the City of Johnstown determined to use the funding to complete cleanup of Brownfields sites within the city and revitalize city neighborhoods, and

WHEREAS, Arcadis (formerly Malcolm Pirnie, Inc.) was selected to assist the City with the implementation of its ERP Grant of the former Karg Brothers Tannery and adjacent off-site properties; and

WHEREAS, Arcadis has notified the City that additional work is required in order to complete the Interim Remedial Measures and project close-out; and

WHEREAS, additional compensation in the amount of \$15,000.00 is requested in order to cover the additional scope of services, with work being performed in accordance with the existing contract.

NOW THEREFORE, BE IT

RESOLVED, that the Mayor be and he is hereby authorized to execute the Request for Authorization, for additional compensation, to complete the Environmental Restoration Program at the former Karg Brothers Site, a copy of which is annexed hereto as Schedule "A".

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

WHEREAS, in 2013, the New York State Department of Transportation notified the City of Johnstown, that \$150,000.00 was appropriated for the Transportation Enhancement Program for the FJ&G Rail Trail – Phase III Project and;

WHEREAS, the City of Johnstown selected Greenman-Pedersen, Inc. (GPI) to complete the conceptual and design services for rehabilitation of the existing trail; and

WHEREAS, on behalf of the City of Johnstown, GPI solicited Request for Proposals for the construction/reconstruction of the FJ&G Rail Trail, specifically at the intersection of North Market Street and North Perry Street, to reshape and stabilize a ditch along the FJ&G Rail Trail north of Water Street; and

WHEREAS, Requests for Proposals were opened on March 30, 2015 and reviewed by GPI; and

WHEREAS, GPI recommends to award the contract for the completion of the work on the FJ&G Rail Trail to the low bidder, Rifenburg Construction, Inc., at a bid price of \$125,750.00, with construction inspection and management services provided by GPI.

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor be and he is hereby authorized and directed to execute a Recommendation of Award, a copy of which is annexed hereto as Schedule "A", with Greenman-Pedersen, Inc. to retain the services of Rifenburg Construction, Inc. for work to be completed on the FJ&G Rail Trail for the amount of \$125,750.00.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

June 15, 2015

Resolution No. _____, 2015

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

BE IT

RESOLVED, that the Mayor be and he is hereby authorized and directed to execute an Agreement for Application Software and Support Services relating to tax collection software for the City of Johnstown, a copy of which is annexed hereto as Schedule 'A,' with Systems East, Inc. for a term commencing on January 1, 2015 and ending December 31, 2015. The yearly cost for services is in the amount of \$6,360.00, expenses included.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent: