

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, the City needs to resurface certain city streets each year to maintain the streets in an acceptable condition; and

WHEREAS, the New York State Department of Transportation has notified the City of Johnstown that \$279,203.82 has been appropriated for CHIPS Capital Funding for the SFY 2015-16 and that the City of Johnstown has a balance of \$24,749.35 in available funds from the \$40 Million Extreme Winter Recovery Appropriation.

NOW, THEREFORE, BE IT

RESOLVED, that the City Clerk be and she is hereby authorized to advertise once in the Leader-Herald, the official newspaper for the City of Johnstown, and the Daily Gazette, that the City is accepting sealed written bids for the resurfacing of certain city streets. Specifications and Bid Forms will be available by Thursday, July 23rd in the City Clerk's Office, City Hall, 33-41 East Main Street, Johnstown, New York. Said bids will be publicly opened by the City Clerk and City Engineer on the 11th day of August, 2015 @ 11:00 a.m. in the City Clerk's Office. The City hereby reserves the right to reject any, and all, bids.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, the City of Johnstown desires to apply to the New York State Division of Homes and Community Renewal, Community Development Block Grant (CDBG) Program for projects that support Low to Moderate income (LMI) residents of the community; and

WHEREAS, the City of Johnstown has developed an application to the New York State Office of Community Renewal: Community Development Block Grant (CDBG) program for the 2015 funding round for the execution of such a project.

NOW, THEREFORE BE IT,

RESOLVED, that the City of Johnstown is hereby authorized to file an application for funds from NYS Homes & Community Renewal (CDBG) program to support the NOAH food pantry and soup kitchen at One Church Street; and be it further

RESOLVED, that the Mayor be, and he is hereby, authorized to execute any grant agreements and funding approvals and to take actions necessary to implement the proposed program upon approval from the New York State Office of Community Renewal: Community Development Block Grant (CDBG) Program for the 2015 funding year; and be it further

RESOLVED, that Michael Julius, City of Johnstown Mayor, is the Applicant Contact Person and is authorized to execute all necessary financial and/or administrative processes relating to grant program issues that arise; and be it further

RESOLVED, that upon approval of said grant request, the City of Johnstown will begin implementation of the project.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

STATE OF NEW YORK: COUNTY OF MONTGOMERY: ss.:

I, the undersigned City Clerk of the City of Johnstown, **DO HEREBY CERTIFY**, that I have compared the above copy of a resolution with the original resolution adopted by the City Board of said City on the ____ day of _____, 2015, at a regular monthly meeting of said Board, and said copy is a true copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this ____ day of _____, 2015.

Signature

Printed

City Clerk, City of Johnstown

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, St. John's Episcopal Church is applying to the Office of Parks, Recreation and Historic Preservation for a grant under the 2015 NYS Environmental Protection Fund Municipal Grant Program through Round V of the Consolidated Funding Application (CFA) program for an historic preservation project located at 1 North Market Street, a site located within the territorial jurisdiction of the City of Johnstown, and

WHEREAS, it is a requirement under the rules of these programs that said not-for-profit corporation must obtain the "approval and/or endorsement of the governing body of the municipality in which the project will be located," and

WHEREAS, St. John's Episcopal Church is an historic building located within the City's historic district, that is also listed on the State and/or National Registers of Historic Places.

NOW, THEREFORE BE IT,

RESOLVED, that the Common Council of the City of Johnstown hereby approves and endorses the application by St. John's Episcopal Church for an historic preservation grant under the Environmental Protection Fund for the project entitled: *St. John's Church 2015 Historic Preservation Project*, and be it further

RESOLVED, that St. John's Episcopal Church will be responsible for all match funding obligations under the Office of Parks, Recreation and Historic Preservation's Historic Preservation grant program; and be it further

RESOLVED, that St. John's Episcopal Church will also be responsible for all other contractual obligations set forth in the grant agreement with the Office of Parks, Recreation and Historic Preservation.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

STATE OF NEW YORK: COUNTY OF MONTGOMERY: ss.:

I, the undersigned City Clerk of the City of Johnstown, **DO HEREBY CERTIFY**, that I have compared the above copy of a resolution with the original resolution adopted by the City Board of said City on the ____ day of _____, 2015, at a regular monthly meeting of said Board, and said copy is a true copy of said resolution and the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Board this ____ day of _____, 2015.

Signature

Printed

City Clerk, City of Johnstown

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, Eric A. and Emily V. Cheney, currently residing at 708 South Perry Street, Johnstown, New York own property and are constructing a home on St. Hwy. 67 in the Town of Johnstown, New York (SBL #174.10-9-1.5 and 174.11-4-4); and

WHEREAS, Mr. & Mrs. Cheney have petitioned the City requesting they be permitted to tie into the City's existing sanitary sewer.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby approves the Cheney's request to connect to the existing sanitary sewer line for their property on St. Hwy. 67, located in the Town of Johnstown; and be it further

RESOLVED, that any connection fees and/or charges connected with laying the sewer lateral to the City's sewer main are to be paid by the Cheney's; and be it further

RESOLVED, that it is requested that the City of Gloversville and the Gloversville-Johnstown Joint Sewer Board adopt similar Resolutions authorizing said connection.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, Eric A. and Emily V. Cheney, residing at 708 South Perry Street, Johnstown, New York own property located on St. Hwy. 67 in the Town of Johnstown, New York (SBL #174.10-9-1.5 and 174.11-4-4); and

WHEREAS the Cheney's are desirous of obtaining water services from the City of Johnstown; and

NOW, THEREFORE BE IT,

RESOLVED, that the that the Common Council hereby approves the Cheney's request to connect to the existing water line for their property on St. Hwy. 67, located in the Town of Johnstown; and be it further

RESOLVED, that any connection fees and/or charges assessed by the City of Johnstown Water Department be paid by the Cheney's; and be it further

RESOLVED, that the Cheney's are to execute the standard service contract with the City of Johnstown Water Department.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

July 20, 2015

Resolution No. _____, 2015

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

WHEREAS, the City of Johnstown is in receipt of a Stipulation of Settlement, a copy of which is annexed hereto as Schedule "A", to settle a proceeding commenced by the City of Johnstown challenging the assessments on its real property (Parcel #147.-1-55 and Parcel #147.-1-53.2); and

WHEREAS, the City of Johnstown Water Board passed Resolution #14 at its meeting on July 13, 2015 accepting the terms of the Stipulation of Settlement.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council does hereby authorize Daniel Vincelette, Esq., of the Vincelette Law Firm, to execute the Stipulation of Settlement and submit to the court, along with the Order and Judgment, to settle said proceedings.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:

July 20, 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 Supplemental Agreement #2, a copy of which is annexed hereto as Schedule "A", between the City of Johnstown and the New York State Department of Transportation. This Agreement will allow the City to be reimbursed, up to \$2,418,700.00, for the construction phase of the North Perry Street Bridge Replacement Project.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

June 20, 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 Karg Brothers Tannery located on the South side of Crescendoe Road, Johnstown, with Tax ID# of 162.20-11-6.11 & East Fulton Street, Johnstown with a Tax ID# of 162.20-11-63, and is known as New York State Department of Environmental Conservation (DEC) site #E518022; 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 #E518002 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: