



April 20, 2026

Local Law #1, 2026

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

ADOPT LOCAL LAW #1, 2026 TO AMEND CHAPTER 80; TRAFFIC VIOLATIONS BUREAU IN ORDER TO ESTABLISH A CIVIL ADMINISTRATIVE ENFORCEMENT SYSTEM FOR UNPAID PARKING VIOLATIONS

WHEREAS, a Public Hearing was held for all interested parties to be heard on Monday, April 20, 2026 regarding a Local Law to amend Chapter 80; Traffic Violations Bureau in order to establish a civil administrative enforcement system for unpaid parking violations, attached hereto.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Johnstown hereby adopts Local Law No. 1 of 2026, being “A Local Law amending the Charter of the City of Johnstown Chapter 80; Traffic Violations Bureau to establish a civil administrative enforcement system for unpaid parking violations”; and be it further

RESOLVED, that the City Attorney is hereby directed to file said Local Law with the New York State Department of State.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

LOCAL LAW NO. 1 OF 2026

A LOCAL LAW AMENDING CHAPTER 80 OF THE CODE OF THE CITY OF JOHNSTOWN RELATING TO CIVIL ENFORCEMENT OF PARKING VIOLATIONS

SECTION 1 LEGISLATIVE INTENT.

The Common Council finds that unpaid parking violations undermine parking compliance, municipal revenue stability, and equitable enforcement. The prior warrant-based enforcement model is inefficient and places unnecessary burden on the City Court.

This Local Law establishes a civil administrative enforcement system utilizing late fees, installment agreements, vehicle immobilization and towing authority, and referral to the New York State Department of Motor Vehicles for registration suspension pursuant to Vehicle and Traffic Law §1640 and 237.

SECTION 2. CHAPTER 80 OF THE CODE OF THE CITY OF JOHNSTOWN IS HEREBY AMENDED TO READ AS FOLLOWS:

§ 80-1 PURPOSE.

The City Court of Johnstown is authorized to establish a Traffic Violations Bureau to assist the court in the disposition of infractions relating to traffic violations. The court is authorized to designate the City Treasurer as head of the Traffic Violations Bureau for the disposition of parking violations.

This Chapter further establishes a civil administrative enforcement system for unpaid parking violations, including late fees, DMV registration suspension referral, installment agreements, hardship waiver authority, and vehicle immobilization and towing.

§ 80-2 JURISDICTION.

The Traffic Violations Bureau is authorized to dispose of violations of traffic laws, ordinances, rules and regulations relating to stopping, standing and parking of motor vehicles within the City of Johnstown.

Unpaid parking violations constitute civil liabilities enforceable pursuant to this Chapter.

§ 80-3 PROCEDURE.

A. Answering a Parking Violation.

A person charged with a parking violation may answer within thirty (30) days by appearing at the Traffic Violations Bureau or by written power of attorney, pleading guilty, waiving a hearing, and paying the prescribed fine.

Acceptance of payment constitutes satisfaction of the violation.

B. Form of Written Power of Attorney.

(Existing statutory form retained.)

C. Default.

If a person fails to answer or pay within thirty (30) days:

1. The violation shall be deemed in administrative default.
2. A late fee shall be imposed pursuant to § 80-4.
3. The City may certify the violation to the New York State Department of Motor Vehicles pursuant to Vehicle and Traffic Law § 1640 and 237.
4. The vehicle may become eligible for immobilization or towing pursuant to § 80-6.
5. The City may pursue lawful civil collection remedies.

No arrest warrant shall be issued solely for nonpayment of a parking violation unless otherwise required by law.

§ 80-4 FINES AND LATE FEES.

The City Court shall designate base parking fines.

The following late fees are hereby established:

- A. After 30 days: \$10
- B. After 60 days: additional \$20
- C. After 90 days: administrative enforcement fee of \$50

DMV referral eligibility shall occur when:

- A. Three (3) or more violations are unpaid; or
- B. Aggregate unpaid balance equals or exceeds \$150.

All late fees constitute civil penalties.

§ 80-5 RECORDS.

The Traffic Violations Bureau shall maintain records of all violations, payments, defaults, DMV certifications, and enforcement actions sufficient to comply with state law and audit requirements.

§ 80-6 VEHICLE IMMOBILIZATION AND TOWING.

A vehicle shall be eligible for immobilization or towing when:

- A. Three (3) or more violations are in default; or
- B. Aggregate unpaid balance equals or exceeds \$200.

Prior to immobilization or towing, written notice shall be mailed to the registered owner at least ten (10) days before enforcement.

Vehicles shall be released upon:

- A. Full payment of all amounts due; or
- B. Execution of an installment agreement and payment of applicable boot/tow fees.
 1. Boot fee: \$75
 2. Tow fee: actual contracted rate
 3. Storage: actual daily rate

An administrative review may be requested within five (5) business days of enforcement.

§ 80-7 INSTALLMENT AGREEMENTS.

The Treasurer may enter installment agreements subject to:

- A. Minimum 20% down payment
- B. Minimum \$25 monthly payments
- C. Maximum 12-month duration

Failure to comply results in reinstated enforcement eligibility.

While compliant, DMV referral and immobilization shall be stayed.

§ 80-8 HARDSHIP WAIVER.

- A. The Treasurer may waive late fees and administrative fees upon written application demonstrating financial hardship.
- B. Waivers shall not exceed \$100 per applicant per calendar year.
- C. Base fines shall not be waived absent court order.

SECTION 3. SEVERABILITY.

If any portion of this Local Law is declared invalid, the remaining provisions shall remain in effect.

SECTION 4. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the Secretary of State pursuant to Municipal Home Rule Law § 27.



April 20, 2026

Local Law #2, 2026

Council Member *McCallum* presented the following Resolution and moved its adoption.

ADOPT LOCAL LAW #2, 2026 TO ESTABLISH A TEMPORARY MORATORIUM ON BATTERY ENERGY STORAGE SYSTEMS IN THE CITY OF JOHNSTOWN

WHEREAS, the City’s Zoning Code does not presently regulate Battery Energy Storage Systems; and

WHEREAS, the Council finds it necessary to preserve the status quo while appropriate land use regulations are studied and developed; and

WHEREAS, a Public Hearing was held for all interested parties to be heard on Monday, April 20, 2026 regarding a Local Law Establishing a Temporary Moratorium on Battery Energy Storage Systems, attached hereto; and

WHEREAS, pursuant to General Municipal Law this matter was referred to the Fulton County Planning Board and no recommendations were offered.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Johnstown hereby adopts Local Law No. 2 of 2026, being “A Local Law Establishing a Temporary Moratorium on Battery Energy Storage Systems”; and be it further

RESOLVED, that the City Attorney is hereby directed to file said Local Law with the New York State Department of State.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

LOCAL LAW NO. 2 OF 2026

A Local Law Establishing a Temporary Moratorium on Battery Energy Storage Systems

Section 1 – Legislative Findings and Intent

The Common Council of the City of Johnstown hereby finds and determines as follows:

1. In February 2024, the City adopted Section 22-508 of the City Code prohibiting the construction of solar farms within the corporate limits of the City of Johnstown.
2. Battery Energy Storage Systems (BESS) constitute a distinct and independent land use separate from solar energy generation facilities.
3. The City's current Zoning Code does not contain definitions, use classifications, siting criteria, dimensional standards, operational requirements, decommissioning requirements, or emergency response provisions governing Battery Energy Storage Systems.
4. Commercial and utility-scale Battery Energy Storage Systems involve specialized equipment, including lithium-ion or similar battery technologies, which present unique land use, fire safety, hazardous material management, environmental, noise, screening, and emergency response considerations.
5. The Common Council finds that national and state fire codes, including NFPA 855, establish technical safety standards that require local coordination with fire and emergency services.
6. The City of Johnstown Fire Department and emergency response personnel must have adequate opportunity to evaluate operational protocols, hazard mitigation plans, and response capabilities prior to the siting of such facilities.
7. In the absence of local zoning regulations specifically governing Battery Energy Storage Systems, such facilities could potentially be proposed under general or industrial use classifications without appropriate safeguards tailored to their unique impacts.
8. The Common Council further finds that it is in the interest of public health, safety, and welfare to undertake a comprehensive review of:
 - a. Appropriate zoning districts for such uses;
 - b. Setback and dimensional standards;
 - c. Screening and buffering requirements;
 - d. Emergency response coordination;
 - e. Decommissioning and financial security requirements; and
 - f. Ongoing inspection and compliance standards.
9. The Common Council determines that a temporary moratorium is necessary to preserve the status quo while such study and regulatory development is conducted.

10. This moratorium is not intended as a permanent prohibition, nor is it directed at any pending application. Rather, it is a temporary planning measure to allow for the orderly development of land use regulations.

11. Tier 1 accessory residential battery systems serving one- or two-family dwellings are exempt from this moratorium, as such systems are regulated under the New York State Uniform Fire Prevention and Building Code and do not present the same land use impacts as commercial or utility-scale facilities.

Accordingly, the Common Council enacts this temporary moratorium pursuant to Municipal Home Rule Law §10 to protect the public health, safety, and welfare while appropriate regulations are developed.

Section 2 – Definition

“Battery Energy Storage System” shall mean a rechargeable energy storage system consisting of one or more battery modules, battery management systems, inverters, and associated equipment designed to store and discharge electrical energy at commercial or utility scale.

Section 3 – Moratorium Imposed

For a period of one (1) year from the effective date of this Local Law:

1. No application shall be accepted, reviewed, approved, or issued for:
 - a. Site plan approval
 - b. Special use permit
 - c. Building permit
 - d. Zoning permit
 - e. Subdivision approval
 - f. Certificate of occupancy
 - g. Any other municipal approval relating to the construction, installation, expansion, or operation of a Battery Energy Storage System.

Section 4 – Hardship Relief

An applicant may apply to the Zoning Board of Appeals for relief upon demonstrating:

1. The moratorium causes undue hardship, and
2. Granting relief will not undermine the legislative intent of this Local Law.

The burden shall rest on the applicant.

Section 5 – Duration

This moratorium shall expire one (1) year from its effective date unless extended by subsequent Local Law.

Section 6 – Supersession

This Local Law is adopted pursuant to Municipal Home Rule Law §10 and supersedes any inconsistent provisions

of the City Code to the extent necessary to give effect to this moratorium.

Section 7 – Severability

If any provision is held invalid, the remainder shall not be affected.

Section 8 – Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.



County of Fulton

FORT JOHNSTOWN BUILDING
1 EAST MONTGOMERY STREET
JOHNSTOWN, NEW YORK 12095

PLANNING DEPARTMENT
Scott D. Henze, Director

Dave Rackmyre, Jr.,
Chairman

John Kessler
Vice Chairman

March 17, 2026

Carrie Allen, City Clerk
33-41 East Main Street
Johnstown, NY 12095

Re: 239-m Referral Response – Moratorium on Battery Energy Storage Systems.

Dear: Ms. Allen

On Tuesday, March 17, 2026, the Fulton County Planning Board reviewed the abovementioned project and offered the following recommendation:

<input checked="" type="checkbox"/>	No Recommendation
<input type="checkbox"/>	Disapproval
<input type="checkbox"/>	Approval
<input type="checkbox"/>	Approval with Modification:

Sincerely,

Dave Rackmyre, Jr.
Chairman, Fulton County Planning Board

Cc: Fulton County Planning Board

DESCRIPTION OF PROPOSED ACTION

Name of Proposed Action: Moratorium on Battery Storage Systems

Name of Municipality: City of Johnstown
Name of Referring Body: Planning Board
Submitted By: Carrie Allen, City Clerk
Submittal Date:

Type of Action*

<input type="checkbox"/>	Adoption or Amendment of a Zoning Ordinance or Local Law
<input type="checkbox"/>	Issuance of Special Use Permit
<input type="checkbox"/>	Moratorium on a specific Land Use
<input type="checkbox"/>	Approval of Site Plan
<input type="checkbox"/>	Granting of Use Variance
<input type="checkbox"/>	Adoption of the Comprehensive Plan
<input type="checkbox"/>	Other authorizations which a referring body may issue under the provisions of any zoning ordinance or local law

Pursuant to the Fulton County Board of Supervisors, Subdivisions and Use Variances do not need to come before the Fulton County Planning Board. For a Use Variance, please identify the relief being sought from the Zoning Ordinance.

Project Description

The City of Johnstown Common Council is seeking to establish a Moratorium on BESS for the next 12 months to develop a solution for siting them within the City. Reasons it is being established include:

1. The City's current Zoning Code does not contain definitions, use classifications, siting criteria, dimensional standards, operational requirements, decommissioning requirements, or emergency response provisions governing Battery Energy Storage Systems.
2. Commercial and utility-scale Battery Energy Storage Systems involve specialized equipment, including lithium-ion or similar battery technologies, which present unique land use, fire safety, hazardous material management, environmental, noise, screening, and emergency response considerations.
3. The Common Council finds that national and state fire codes, including NFPA 855, establish technical safety standards that require local coordination with fire and emergency services.
4. The City of Johnstown Fire Department and emergency response personnel must have adequate opportunity to evaluate operational protocols, hazard mitigation plans, and response capabilities before the siting of such facilities.
5. In the absence of local zoning regulations specifically governing Battery Energy Storage Systems, such facilities could potentially be proposed under general or industrial use classifications without appropriate safeguards tailored to their unique impacts.

Property Location

Tax Map Parcel No. 174.18-1-7.2
Property Address 605 South Comrie Avenue, Johnstown, NY 12095

The proposed action is within 500 ft. of the following boundary:

- X Municipal boundary
 - X County or state existing or proposed road
 - X County or state existing or proposed park or recreation area
 - X County or state-owned property, existing or proposed, on which a public building or institution is located
- Farm operation located in Fulton County Agricultural Rural District #1

Under NYS General Municipal Law Section §239-m, the Fulton County Planning Board must review specific planning and zoning actions before any final decision is taken at the municipal level. The Board is responsible for examining the inter-community and countywide or regional impacts of a proposed project and recommending approval, modification, or disapproval of the proposed action pursuant to GML §239-l, which may include, but is not limited to:

1. Compatibility of various land uses with one another;
2. Traffic-generating characteristics of various land uses in relation to the effect of such traffic on other land uses, regarding the impact of such traffic on other land uses, and to the adequacy of existing and proposed thoroughfare facilities;
3. Impact of proposed land uses on existing and proposed county or state institutional or other uses;
4. Protection of community character as regards predominant land uses, population density, and the relation between residential and nonresidential areas;
5. Drainage;
6. Community facilities;
7. Official municipal and county development policies, as may be expressed through comprehensive plans, capital programs, or regulatory measures; and
8. Such other matters as may relate to the public convenience, to governmental efficiency, and to the achieving and maintaining of a satisfactory community environment.

The County Planning Board shall have thirty (30) days after receiving a complete application to issue its recommendation, unless a mutual agreement is made with the County and the referring body. The Board holds regular meetings on the third Tuesday of each month at 8:45 a.m. in the Planning Department Conference Room at 1 East Montgomery Street, Johnstown, NY.

Application and the Full Statement of the proposal as defined below shall be delivered to the Planning Department by 5:00 p.m. on the second Tuesday of each month to be on the Agenda for that month's meeting.

A referring board must forward a "Full Statement of such proposal action" to the County Planning Board. A Full Statement is defined as all materials required by and submitted to the referring body as an application on the proposed action, including the completed Environmental Assessment Form (EAF). For more information on the process, please visit: <https://www.fultoncountyny.gov/planning-department>.

The referring board must have a supermajority vote to override the County Planning Board's recommendation on any application (a majority plus one).



April 20, 2026

Ordinance #2, 2026

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

**ADOPT ORDINANCE #2, 2026 TO AMEND CHAPTER 98,
TO ADD ARTICLE III – KEEPING OF CHICKENS**

WHEREAS, the Common Council of the City of Johnstown has proposed an ordinance amending Chapter 98 – Animals of the Code of the City of Johnstown to add Article III – Keeping of Chickens, subject to certain regulations, within the City of Johnstown; and

WHEREAS, a Public Hearing was held on Monday, April 20, 2026 so all interested parties may be heard.

NOW, THEREFORE, BE IT

ORDAINED, that the Code of Ordinances of the City of Johnstown be amended as set forth in a document on file in the City Clerk’s Office and attached hereto, entitled “Chapter 98 – Animals Article III – Keeping of Chickens; and be it further

ORDAINED, that the amendments to the Zoning Ordinances, of the City of Johnstown, shall take effect immediately upon its adoption.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

Chapter 98 – Animals
Article III – Keeping of Chickens

§ 98-18 Definitions.

For the purposes of this article, the following terms shall have the meanings indicated:

CHICKEN. A domesticated fowl of the species *Gallus gallus domesticus*.

HEN. A female chicken.

ROOSTER. A male chicken.

CHICKEN COOP. A fully enclosed structure designed to provide shelter for chickens.

CHICKEN RUN. A fenced or enclosed outdoor area attached to or associated with a chicken coop which allows chickens access to the outdoors while remaining confined.

§ 98-19 Keeping of hens permitted.

- A. The keeping of hen chickens only shall be permitted as an accessory use to a single-family residence within the City of Johnstown, subject to the requirements of this article.
- B. Chickens shall be kept for personal household use only and not for commercial agricultural purposes.
- C. Chickens shall be properly housed and maintained in accordance with the provisions of this article.

§ 98-20 Roosters prohibited.

The keeping of roosters is prohibited within the City of Johnstown.

§ 98-21 Number of chickens permitted.

- A. No more than six (6) hens may be kept on any residential property.
- B. Chickens shall not be permitted on properties containing multi-family dwellings, unless otherwise authorized by the Common Council.

§ 98-22 Location and setbacks.

- A. Chicken coops and runs shall be located in the rear yard only.
- B. Chicken coops and runs shall not be located:
 - 1. Within five (5) feet of any property line; or
 - 2. Within twenty-five (25) feet of any dwelling on an adjacent property.
- C. Chicken coops shall comply with all applicable zoning, building, and property maintenance regulations of the City.

§ 98-23 Enclosure requirements.

- A. Chickens shall be kept within a secure coop and enclosed run at all times.
- B. Chickens shall not be permitted to roam freely off the property.
- C. Coops and runs shall be constructed and maintained so as to:
 - 1. Protect chickens from predators;
 - 2. Provide adequate ventilation and shelter; and
 - 3. Prevent escape of chickens.

§ 98-24 Sanitation and maintenance.

- A. Chicken coops, runs, and surrounding areas shall be maintained in a clean and sanitary condition.
- B. Feed shall be stored in rodent-proof containers.
- C. Manure and waste shall be managed so as to prevent offensive odors, pest infestation, or unsanitary conditions.

§ 98-25 Registration and inspection required.

- A. No person shall keep chickens within the City of Johnstown without first registering with and obtaining a permit from the City Code Enforcement Office.
- B. The registration application shall include:
 - 1. The name and address of the property owner;
 - 2. If the property is not owner-occupied, written consent from the property owner authorizing the keeping of chickens on the property.
 - 3. The address of the property where the chickens will be kept;
 - 4. The number of hens to be kept; and
 - 5. The location of the chicken coop and run on the property.
- C. The Code Enforcement Office may require a site sketch or plan showing the proposed location of the chicken coop and run in relation to property lines and adjacent dwellings.
- D. A permit fee shall be established by resolution of the Common Council and shall be paid at the time of registration.
- E. The Code Enforcement Officer or their designee shall have the authority to inspect the property, chicken coop and run at reasonable times to ensure compliance with the provisions of this article.
- F. The permit issued pursuant to this section may be revoked by the Code Enforcement Officer if the permit holder is found to be in violation of any provision of this article and fails to correct such violation within the time period specified in a written notice of violation.

- G. Upon revocation of a permit, the permit holder shall remove all chickens from the property within a reasonable period of time, as determined by the Code Enforcement Officer.
- H. Permits issued pursuant to this section shall not be transferable and shall expire upon any change in ownership of the property where the chickens are kept.

§ 98-26 Slaughtering prohibited.

The slaughtering of chickens within the City of Johnstown is prohibited.

§ 98-27 Nuisances prohibited.

The keeping of chickens in a manner that results in excessive noise, odor, pest infestation, or other nuisance conditions shall be prohibited.

§ 98-28 Enforcement and penalties.

Any person who violates the provisions of this article shall be subject to enforcement and penalties as provided in the Code of the City of Johnstown and applicable law.



April 20, 2026

Ordinance #3, 2026

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

**ADOPT ORDINANCE #3,2026 TO ESTABLISH A COST RECOVERY
POLICY FOR THE CITY OF JOHNSTOWN PLANNING BOARD**

WHEREAS, the City of Johnstown Planning Board is authorized pursuant to the City Zoning Ordinance and the General City Law to review certain land use applications, including but not limited to subdivisions, lot line adjustments, site plan approvals, and special use permits; and

WHEREAS, applications require publication of legal notices and/or public hearing notices in accordance with applicable law, including environmental review pursuant to the State Environmental Quality Review Act (SEQRA) and referrals under General Municipal Law §239-m; and

WHEREAS, the Common Council finds it appropriate and equitable that applicants bear the direct costs associated with required public notice of their applications; and

WHEREAS, a Public Hearing was held on Monday, April 20, 2026 so all interested parties may be heard.

NOW, THEREFORE, BE IT

ORDAINED, that the Code of Ordinances of the City of Johnstown be amended as set forth in a document on file in the City Clerk’s Office and attached hereto, entitled “Chapter 54 – Cost Recovery Policy; and be it further

ORDAINED, that the amendments to the Zoning Ordinances, of the City of Johnstown, shall take effect immediately upon its adoption.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

Chapter 54 COST RECOVERY POLICY

Section 54-13; Cost Recovery Policy

A. No General Planning Board Application Fee

At the time of adoption of this section, the City of Johnstown does not impose a general Planning Board application fee for routine site plan review or standard Planning Board matters. The Common Council may establish such fees in the future by resolution or by adoption of a fee schedule.

B. Subdivision and Lot Line Adjustment Cost Responsibility

Applicants seeking Minor Subdivision, Major Subdivision, or Lot Line Adjustment approval shall be responsible for reimbursing the City for reasonable costs incurred by the City in connection with review and processing of the application, including but not limited to:

1. Public hearing publication costs;
2. Required mailing or notice costs;
3. Recording fees, filing fees, or Mylar or map reproduction costs;
4. Reasonable professional review costs, including engineering, planning, or legal services, when such review is deemed necessary by the Planning Board.

C. Public Hearing Publication Costs

When a public hearing or legal notice is required as part of a Planning Board application, the applicant shall be responsible for the full cost of such publication and any associated notice requirements.

D. Collection Method

The City Clerk, or other designated official, shall arrange for all required public hearing notices or legal publications associated with a Planning Board application. Upon receipt of an invoice for such publication or notice, the City shall bill the applicant for the **actual cost incurred**. The applicant shall reimburse the City for such costs prior to the issuance of any final Planning Board approval, permit, endorsement, or filing authorization.

E. Payment Requirement

No building permit, plat signature, endorsement, or filing authorization shall be issued and no final Planning Board approval shall be released until all applicable fees, publication costs, and other reimbursable expenses have been paid in full.



Resolution No. 39, 2026

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

AUTHORIZE THE CITY ATTORNEY TO EXECUTE A STIPULATION AND ORDER ON CONSENT IN THE MATTER OF ADIRONDAC LEATHER INC.

WHEREAS, the Gloversville-Johnstown Joint Sewer Board, has investigated certain non-permitted chemical discharge incidents attributed to Adirondac Leather Inc.; and

WHEREAS, Notices of Violation were issued to Adirondac Leather Inc. in October 2025 and March 2026 regarding intentional chemical discharges into the municipal sewer system; and

WHEREAS, the City of Johnstown, together with the Gloversville-Johnstown Joint Sewer Board and Adirondac Leather Inc., has negotiated a Stipulation and Order on Consent to resolve said violations, impose a civil penalty, and establish conditions for compliance and enforcement; and

WHEREAS, the Common Council finds it to be in the best interests of the City of Johnstown to authorize execution of the Stipulation and Order on Consent in order to resolve the violations and ensure continued compliance with applicable sewer use and environmental regulations.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby authorizes the City Attorney to execute the Stipulation and Order on Consent with Adirondac Leather Inc., subject to review and approval as to form and content; and be it further

RESOLVED, that the City Attorney is authorized to take any and all actions necessary to effectuate the terms of said Stipulation and Order on Consent on behalf of the City of Johnstown.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

In the Matter of
ADIRONDAC LEATHER INC.

**STIPULATION AND ORDER
ON CONSENT**

Respondent

WHEREAS:

- I. The Gloversville-Johnstown Joint Sewer Board (the Board) of the Cities of Gloversville and Johnstown (collectively, the Cities) is charged with the administration and enforcement of the Cities' Wastewater Pretreatment Program pursuant to the Cities' Sewer Use Laws, Code of the City of Gloversville, Article I, Code of the City of Johnstown, Article I.
- II. In December of 2024 and 2025, the Board issued Wastewater Discharge Permits to all Major Contributing Industries (MCI's). The Respondent was issued Wastewater Discharge Permits No. 216 for its facility located at 7-11 Fisher Avenue, Johnstown, New York. The Wastewater Discharge Permit contained limitations upon the wastewater which the Respondent could discharge into the system owned and operated by the Cities.
- III. A Notice of Violation was issued to Respondent on or about October 15, 2025, for an intentional chemical discharge by your facility on September 30, 2025. On March 13, 2026, a second Notice of Violation was issued to Respondent for a second intentional chemical discharge that occurred at your facility on March 9, 2026.
- IV. The Respondent, desiring to settle these various matters without the expense or inconvenience of a hearing or trial, has consented to the issuing and entering of this Stipulation and Order on Consent and agrees to be bound by the terms, provisions and conditions contained herein. However, the terms and provisions of this Stipulation and Order on Consent are not intended nor shall be construed as an admission of fact or law by the Respondent in any proceeding related or unrelated to this matter.

- V. That in consideration of assessing a penalty in this matter, the Board has taken into consideration that ADIRONDAC LEATHER INC. is taking appropriate, good faith steps to prevent any future intentional discharge of chemicals.

NOW THEREFORE, UPON consent of the Parties herein, it is ORDERED THAT:

1. The Respondent, upon signing this Stipulation and Order on Consent, pays a civil penalty in the amount of One Thousand Dollars (\$1000) for the recurrence of an intentional pigment discharge occurring on March 9, 2026. This civil penalty is to be paid to the Gloversville-Johnstown Joint Wastewater Treatment Facility within thirty (30) days of the signing of this Stipulation and Order on Consent.
2. The Parties agree that, in the event of the Respondent's failure to fulfil the requirements set forth in section 1, above, including payment of the above-mentioned civil penalty within the required time frame, and all requirements set forth in the Notice of Violation dated March 15, 2026, the Respondent consents to the revocation of the Respondent's wastewater discharge permit without any further proceeding.
3. The Parties herein acknowledge and agree that fulfilling all requirements set forth in the section 1. Above, and all requirements set forth in the Notice of Violation dated March 15, 2026, shall constitute final and complete resolutions of the October 2025 and March 2026 intentional discharges.
4. Nothing in this Stipulation and Order on Consent shall be construed as relieving Respondent of any obligation or waiving any potential penalty for any other alleged exceedance or violation of Respondent's Wastewater Discharge Permit.
5. The Parties hereto agree to the continuing jurisdiction of the Gloversville City Court for the purposes of enforcement of this Stipulation and Order on Consent.

6. The provisions of this Stipulation and Order on Consent shall be deemed to bind Respondent, its officers, directors, agents, employees, successors and assigns, and all persons, firms and corporations acting under or for it.

DATED: _____, 2026

CITY OF JOHNSTOWN

BY: _____
JOHNSTOWN CITY ATTORNEY

DATED: _____, 2026

ADIRONDAC LEATHER INC.

BY: _____
OFFICER

BOARD

DATED: _____, 2026

GLOVERSVILLE-JOHNSTOWN JOINT SEWER

BY: _____
LABORATORY DIRECTOR



April 20, 2026

Resolution No. 40, 2026

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

**RESCIND ORDINANCE #4, 2016 & ORDINANCE #2, 2017 REGARDING
CHAPTER 20; STREETS WHERE PARKING IS LIMITED**

WHEREAS, the following Ordinances were adopted to amend Chapter 20, Streets Where Parking is Limited:

1. Ordinance #4 of 2016, attached hereto, established:
 - Pleasant Avenue – “No Parking Any Time” on the east side of the roadway, between Matthew Street and Elmwood Avenue; and
2. Ordinance #2 of 2017, attached hereto, established:
 - Pleasant Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the west side of the roadway, between Matthew Street and Elmwood Avenue; and
 - Linden Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the south side of the roadway to the end of the school property; and

WHEREAS, in the best interest of public safety, the Chief of Police has recommended that Pleasant Avenue be designated as “No Parking between the hours of 7:00 a.m. to 4:00 p.m. on School Days” on both sides of the roadway, between Matthew Street and Elmwood Avenue; and

WHEREAS, in the best interest of public safety, the Chief of Police has recommended that Linden Avenue shall remain designated as “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the south side of the roadway to the end of the school property.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby rescinds Ordinance #4 of 2016 and Ordinance #2 of 2017 for the purpose of adopting new legislation to amend Chapter 20, Streets Where Parking is Limited, consistent with the recommendations of the Chief of Police.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

February 21, 2017

Resolution No. _____, 2017

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

WHEREAS, Ordinance #4, 2016, attached hereto as Schedule "A", was adopted on November 21, 2016 to amend Chapter 20, Section 20-209, entitled Streets where parking is limited, to include the following in subsection (c) Schedule of Streets:

- Pleasant Avenue – "No Parking Any Time" on the east side of the roadway; between Matthew Street and Elmwood Avenue.

; and

WHEREAS, in the best interest of the public, it is the recommendation of the City Engineer, that Pleasant Avenue should be "No Parking between the hours of 7:00 a.m. to 4:00 p.m. on School Days" on the west side of the roadway; between Matthew Street and Elmwood Avenue.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby rescinds Ordinance #4, 2016.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstains:

Absent:

January 18, 2017

Resolution No. _____, 2017

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

WHEREAS, it is in the interest of public health and safety that the City of Johnstown deems it necessary to add certain no parking signs in the city; and

WHEREAS, the Common Council wishes to amend the City of Johnstown Code of Ordinances, Chapter 20, Section 20-209, entitled Streets where parking is limited, to include the following in subsection (c) Schedule of Streets:

- Pleasant Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the west side of the roadway; between Matthew Street and Elmwood Avenue.
- Linden Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the south side of roadway; entire street.

WHEREAS, a Public Hearing is required so all interested parties may be heard concerning said Ordinance.

NOW, THEREFORE BE IT

RESOLVED, that the City Clerk be and she is hereby authorized and directed to prepare a Notice of Public Hearing and to publish same in the Leader-Herald, the official newspaper, as aforesaid, which Public Hearing is set for Tuesday, February 21, 2017 at 7:00 p.m. in the Common Council Chambers, City Hall, Johnstown, New York, at which anyone interested or affected may be heard.

Seconded by Council Member _____

Adopted by the following vote:

Ayes:

Noes:

Abstain:

Absent:



Resolution # 41, 2026

Council Member *McCallum* presented the following Resolution and moved its adoption.

**ADVERTISE FOR PUBLIC HEARING TO AMEND CHAPTER 20,
STREETS WHERE PARKING IS LIMITED**

WHEREAS, it is in the interest of public health and safety that the City of Johnstown deems it necessary to add certain no parking signs in the city; and

WHEREAS, the Common Council wishes to amend the City of Johnstown Code of Ordinances, Chapter 20, Section 20-209, entitled Streets where Parking is Limited, to include the following in subsection (c) Schedule of Streets:

- Pleasant Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on both sides of the roadway; between Matthew Street and Elmwood Avenue.
- Linden Avenue – “No Parking 7:00 a.m. to 4:00 p.m. on School Days” on the south side of roadway; to the end of school property.

WHEREAS, a Public Hearing is required so all interested parties may be heard.

NOW, THEREFORE BE IT

RESOLVED, that the City Clerk is hereby authorized and directed to prepare a Notice of Public Hearing and to publish same in the Leader-Herald, the official newspaper, which Public Hearing is set for Monday, May 18, 2026 at 7:00 p.m. in the Common Council Chambers, City Hall, Johnstown, New York, at which anyone interested or affected may be heard.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor



Resolution No. 42 2026

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

AUTHORIZE THE DONATION OF AN ABANDONED MUNICIPALLY OWNED MOTORCYCLE TO THE GREATER JOHNSTOWN SCHOOL DISTRICT FOR EDUCATIONAL PURPOSES

WHEREAS, the City of Johnstown Police Department took possession of a 2000 Yamaha motorcycle (VIN# JYAVP11E7YA003299) as abandoned or found property in or about 2018; and

WHEREAS, the City of Johnstown Police Department made reasonable and documented efforts to identify and notify the lawful owner of said motorcycle, including investigation utilizing the vehicle identification number, and no lawful owner has claimed ownership of the motorcycle; and

WHEREAS, pursuant to applicable provisions of the New York State Vehicle and Traffic Law and related legal guidance, ownership of said motorcycle has vested in the City of Johnstown; and

WHEREAS, the motorcycle has remained in the custody of the City of Johnstown Police Department since 2018, well beyond the statutory holding period required for such property; and

WHEREAS, the Johnstown Police Department desires to donate the motorcycle to the Greater Johnstown School District for the purpose by supporting vocational education; and

WHEREAS, donation of the motorcycle will not disadvantage City taxpayers.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby authorizes the donation of the above-described motorcycle to the Greater Johnstown School District; and be it further

RESOLVED, that the Mayor and/or Chief of Police are hereby authorized to execute any documents necessary to effectuate the transfer of said motorcycle; and be it further

RESOLVED, that the transfer of said motorcycle shall be made “as-is”, without warranty of condition, fitness, or title beyond that held by the City.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			



April 20, 2026

Resolution No. 43, 2026

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

RESCIND RESOLUTION NO. 37 OF 2026 AUTHORIZING PARTICIPATION IN THE NEW YORK STATE PAID FAMILY LEAVE PROGRAM

WHEREAS, the Common Council previously adopted Resolution No. 37 of 2026 on March 16, 2026 authorizing participation in the New York State Paid Family Leave Program; and

WHEREAS, subsequent review has determined that the City of Johnstown’s Workers’ Compensation benefits are administered through a county-governed plan rather than a locally managed program; and

WHEREAS, due to this structure the City does not have the flexibility required to independently implement Paid Family Leave coverage or adjust associated benefit costs at this time; and

WHEREAS, the City of Johnstown recognizes the importance of family-related leave benefits and intends to continue evaluating available options should future circumstances allow participation.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby rescinds Resolution No. 37 of 2026, which authorized participation in the New York State Paid Family Leave Program; and be it further

RESOLVED, that no payroll deductions or administrative actions related to implementation of the New York State Paid Family Leave Program shall be initiated under the previously adopted resolution unless and until further authorization is granted by the Common Council.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor



March 16, 2026

Resolution No. 37, 2026

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

AUTHORIZE PARTICIPATION IN THE NEW YORK STATE PAID FAMILY LEAVE PROGRAM

WHEREAS, the City of Johnstown recognizes the importance of supporting employees during significant family events and medical circumstances; and

WHEREAS, the New York State Paid Family Leave program provides eligible employees with job-protected paid leave for qualifying family situations; and

WHEREAS, the program allows eligible employees to receive up to twelve (12) weeks of paid leave to:

1. Bond with a newly born, adopted, or fostered child;
2. Care for a family member with a serious health condition; or
3. Assist loved ones when a family member is deployed abroad on active military service; and

WHEREAS, Paid Family Leave benefits run concurrently with the Family and Medical Leave Act when applicable; and

WHEREAS, the NYS Paid Family Leave program is funded entirely through employee payroll contributions and does not require direct employer funding; and

WHEREAS, the contribution rate established by New York State is 0.432% of an employee's gross weekly wages, with a maximum annual employee contribution of \$411.91; and

WHEREAS, eligible employees may receive a benefit equal to sixty-seven percent (67%) of their Average Weekly Wage (AWW), up to the New York State established maximum weekly benefit of \$1,228.53. Employees may supplement benefits with accrued leave in accordance with City policy; and

WHEREAS, the City intends to administer the Paid Family Leave program through Guardian Life Insurance Company of America.

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Johnstown hereby authorizes participation in the New York State Paid Family Leave program for eligible City employees; and be it further

RESOLVED, that payroll deductions shall be implemented in accordance with New York State requirements to fund the employee-paid program; and be it further

RESOLVED, that the program shall be administered through Guardian Life Insurance Company of America, and the appropriate City officials are authorized to take all actions necessary to implement and administer the program; and be it further

RESOLVED, that this program shall become effective June 1, 2026, or the first payroll period thereafter.

Seconded by Council Member: Jeffers

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RESULT	5			
	<i>Passed – Failed – Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor



Resolution No. 44, 2026

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

**AUTHORIZE A CONTRACT WITH THE JOHNSTOWN
SENIOR CITIZENS SERVICE CENTER, INC. FOR 2026**

BE IT, RESOLVED, that the Mayor is hereby authorized and directed to execute a contract, a copy of which is annexed hereto, with the Johnstown Senior Citizens Service Center, Inc. for the period commencing on January 1, 2026 through December 31, 2026 at a yearly cost of \$133,280.00, payable in quarterly installments of \$33,320.67.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

AGREEMENT

01/01/2025

Agreement made this 1st day of January, 2026 to 31st day of December, 2026 by and between the City of Johnstown, a municipal corporation in and of the State of New York, with offices at 33-41 East Main St., Johnstown, N.Y., hereinafter referred to as "City", party of the first part, and the Johnstown Senior Citizen's Service Center, Inc., a not-for-profit corporation, with offices at 109 East Main St., hereinafter referred to as "Senior Center", party of the second part.

WITNESSETH

WHEREAS, in accordance with Section 95 (a) of the General Municipal Law of the State of New York, any City is authorized and empowered to establish, maintain and operate programs devoted in whole or in part to the welfare of the aging and to contract with private non-profit corporations for the operation of such programs; and further, any City may appropriate, raise and expend monies for the purposes of maintaining and operating such programs, and

WHEREAS, the Johnstown Senior Citizens Service Center, Inc. is a not-for-profit corporation chartered under Section 402 of the not-for-profit corporation laws of the State of New York in 1977 to develop and operate programs in accordance with the aforesaid purposes, and

WHEREAS, the parties are desirous of establishing a contractual relationship.

NOW, THEREFORE, in consideration of their mutual promises and covenants, the parties hereto agree as follows:

1. The Senior Center, in consideration of the payment to it set forth below, hereby covenants and agrees to administer a program for the aging pursuant to its mission statement as set forth in Exhibit "A", a copy of which is annexed hereto and made a part hereof.
2. The City agrees to make payment to the Senior Center in the total sum of One Hundred Thirty Three Thousand Two Hundred Eighty dollars and no cents (\$133,280.00 DOLLARS, for the calendar year commencing January 1, 2026, said payments to be made in quarterly installments of \$33,320.00 in January, April, July, and October of 2026.
3. The City further agrees to pay for a full time Director, who shall be an employee of the City with salary, overheads and benefits to be paid by the City.
4. The Senior Center will obtain all services as required to carry out its program and will pay all costs from its funds, including building services and maintenance (except major repairs or

renovations), office and program supplies, equipment, personnel services (except the Director) and telephone service.

5. The City will provide fire and liability insurance coverage for the building.
6. The Senior Center shall, in its dealings with independent contractors/teachers for its various programs, comply with all New York State Laws and regulations as they pertain to Workers Compensation, Disability, and Unemployment Insurance.
7. The failure of either party to insist on the strict adherence to any of the above contract terms shall not be deemed a waiver of said term or provision.
8. This agreement constitutes the entire understanding of the parties and may not be altered except by a writing subscribed by the parties hereto.

IN WITNESS WHEREOF, the parties hereto have here in under set their hands and seals on the date first written above.

By _____
Amy Praught, Mayor
City of Johnstown


By  _____
John Billa, Board President
Johnstown Senior Citizens Service Center, Inc.

EXHIBIT A

Mission Statement

Of

The Johnstown Senior Citizen's Service Center, Inc.

The mission of the Johnstown Senior Citizen's Service Center, Inc., is based on the premise that aging is normal, that human beings need peers with whom to interact and who are available as a source of encouragement and support and that older adults have a right to determine matters in which they have a vital interest. In accordance with this philosophy, the Johnstown Senior Citizens Service Center is a multipurpose facility committed to:

PROVIDE an atmosphere that recognizes the value of human life, and where older adults can maintain their dignity, self-worth and well-being.

PROVIDE a program of meaningful, educational, cultural, social, recreational and volunteer activities which will foster continued personal and group development.

PROVIDE opportunities for personal choices and decision making for demonstrating individual capacities, creative potential and uniqueness for developing attitudes of caring, sharing, supporting, and rendering services to others.

ACTS AS A PROVIDER of information, referral, counseling and nutritional needs that will encourage independence and community involvement, and

BE RESPONSIVE AND ACCESSIBLE to the changing needs of the older adults in the community regardless of color, national origin, race, religion, sex or physical disabilities.

SERVE as a linkage for older adults and their families to resources in the community.

PROVIDE supportive services to the older adults and their families with any problems they may have with such things as transportation, nutrition, aging issues and wellness concerns.

PROVIDE enrichment services as social, educational, recreational programs.

FACILITATE employment and volunteer opportunities for older adults.

ADVOCATE for appropriate services for older adults in the community.



Resolution No. 45, 2026

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

AUTHORIZE AGREEMENT BETWEEN NIAGARA MOHAWK POWER CORPORATION
(NATIONAL GRID) AND THE CITY OF JOHNSTOWN

BE IT

RESOLVED, that the Mayor is hereby authorized and directed to execute an agreement, a copy of which is annexed hereto, between the City of Johnstown and Niagara Mohawk Power Corporation (National Grid) for the purpose of attaching seasonal decorations, announcements, etc. to utility poles, for the period from May 1, 2026 through May 1, 2031.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

Date: _____

NIAGARA MOHAWK
144 Kensington Ave
Buffalo, NY 14214

Dear Sirs/Madams:

In consideration of your permitting the Public Works of Johnstown New York, hereinafter called licensee, and/or its contractor, to attach street decorations to your electric poles or other facilities in the City of Johnstown, New York, during the period from 5/1 26 to 5/1 31, the Licensee, hereby agrees to defend, protect and save harmless Niagara Mohawk Power Corporation, its successors, assigns, officers and employees from all injury and damage to its or their property or persons and from and against any and all claims, demands, orders, injuries, damages, proceedings, suits, actions, judgments, and liabilities of every kind and nature, including but not limited to attorneys fees, arising out of, or resulting at any time hereafter from the attachment, maintenance or removal of said decorations to any and all poles and other fixtures, facilities or properties owned or used by Niagara Mohawk Power Corporation in said City of Johnstown, New York.

Furthermore, we understand that Niagara Mohawk does not make any representation of warranty as to the present or future strength, condition, or state of repair of any poles, wires, or apparatus. Individuals shall by test or observation determine that poles are safe to climb. If the integrity of any pole is in question or is marked as unsafe, individuals shall confirm said condition with Niagara Mohawk and refrain from ascending the pole. Should the Licensee, or its contractor, objectively decide to ascend a questionable pole, Licensee shall assume all risk of loss and liability to any person(s) who may be injured or any property that may be damaged as a result of that action, and shall indemnify and hold harmless NMPC as indicated herein.

Before any such attachment(s) are made, the Licensee will furnish a current certificate of insurance to the System Risk Management Department at 300 Erie Boulevard West, Syracuse, New York, 13202. For the duration of this agreement, the License shall maintain at its own expense, insurance policies issued by reputable insurance companies acceptable to Niagara Mohawk, which meet or exceed the requirements listed below:

1. A public liability policy insuring the Licensee against liability for injuries to persons (including death of any time resulting therefrom) and damage to property, resulting or arising from or connected with Licensee operations under this Agreement with the following minimum limits of liability per occurrence:
 - Bodily injury - \$1,000,000/1,000,000
 - Property Damage - \$1,000,000/1,000,000
 - OR
 - Combined Single Limit - \$1,000,000
 - OR
 - BI & PD per Occurrence - \$1,000,000
 - General Aggregate & Product Aggregate - \$2,000,000 each

This policy shall include Contractual Liability and include Niagara Mohawk as an additional insured.

Very truly yours,

By: _____
Name, Title

Approval of the above offer granted
contingent upon receipt of insurance
specified above.

NIAGARA MOHAWK POWER CORPORATION
By: _____

Date: _____

(Upon execution, one copy of this Agreement is to be forwarded immediately to the Manager of Insurance, System Risk Management Dept.)

Revised: August 28, 1995



Resolution No. 46, 2026

Council Member *McCallum* presented the following Resolution and moved its adoption.

AMEND THE CITY OF JOHNSTOWN EMPLOYEE HANDBOOK; RETIREE HEALTH INSURANCE

WHEREAS, an Employee Handbook documents the legal obligations of an employer, the rights of an employee, contains important information on policies and procedures, and details what employees need to know about their workplace and benefits; and

WHEREAS, the Human Resource Manager is requesting to update the Employee Handbook to include the following language regarding Retiree Health Insurance:

Employees promoted from a union position to a non-union position shall be eligible to receive full non-union employee benefit coverage only upon meeting the following service requirements:

- *A minimum of five (5) years of continuous service in the non-union position; and*
- *A minimum of twenty (20) total years of service within Civil Service.*

Employees who do not meet both of the above service requirements shall not be eligible for full non-union benefit coverage. In such cases, the employee's benefit package shall revert to the applicable benefits provided under the collective bargaining agreement of the union of which the employee was previously a member, to the extent permitted by law and applicable agreements.

NOW, THEREFORE BE IT,

RESOLVED, The Common Council hereby authorizes and directs the Human Resource Manger to incorporate this policy into the City of Johnstown Employee Handbook and any applicable personnel policy documents; and be it further

RESOLVED, that nothing in this Resolution shall be interpreted to supersede any applicable collective bargaining agreement, Civil Service Law, or other governing law. Implementation of this policy shall be subject to review by the City Attorney and, where required, negotiation pursuant to applicable labor law; and be it further

RESOLVED, this Resolution shall take effect immediately upon adoption.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	Passed – Failed - Tabled			



Resolution No. 47, 2026

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

AMEND THE CITY OF JOHNSTOWN EMPLOYEE HANDBOOK TO INCLUDE THE FOLLOWING POLICIES: MILITARY LEAVE, LACTATION ACCOMMODATIONS, AND MENTAL HEALTH

WHEREAS, the City of Johnstown maintains an Employee Handbook to establish uniform personnel policies and procedures governing employment practices; and

WHEREAS, the City desires to ensure compliance with applicable federal and New York State laws and to promote employee wellness, workplace equity, and operational consistency; and

WHEREAS, the City has developed the following policies to support employees and ensure compliance with legal requirements and best employment practices:

1. Military Leave Policy
2. Lactation Accommodations Policy
3. Mental Health Policy

WHEREAS, the Common Council finds it to be in the best interest of the City of Johnstown to formally adopt and incorporate these policies into the City of Johnstown Employee Handbook;

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby approves and adopts the following policies and directs that said policies be incorporated into the City of Johnstown Employee Handbook:

1. Military Leave Policy
2. Lactation Accommodations Policy
3. Mental Health Policy

; and be it further

RESOLVED, that nothing in this Resolution shall be interpreted to supersede any applicable collective bargaining agreement, Civil Service Law, or other governing law. Implementation of these policies shall be subject to review by the City Attorney and, where required, negotiation pursuant to applicable labor law; and be it further

RESOLVED, this Resolution shall take effect immediately upon adoption.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	Passed – Failed - Tabled			

Carrie M. Allen, City Clerk

Amy Praught, Mayor



City of Johnstown

33-41 East Main Street
Johnstown, New York 12095



Military Leave Policy

1. Purpose

City of Johnstown recognizes and honors the commitment of employees who serve in the U.S. Armed Forces, including the Reserves and National Guard. This policy outlines the rights, responsibilities, and benefits for employees taking military leave in accordance with the **Uniformed Services Employment and Reemployment Rights Act (USERRA)** and applicable state laws.

2. Eligibility

This policy applies to all full-time and part-time employees who are members of:

- The U.S. Army, Navy, Air Force, Marine Corps, Coast Guard
- The Reserves of these branches
- The National Guard
- Any other uniformed service as defined by USERRA

3. Notification Requirements

Employees must provide advance written or verbal notice of their military service obligations to their supervisor and HR as soon as possible, unless military necessity prevents timely notice.

4. Compensation During Military Leave

Unpaid Leave with Benefits

- The company will provide **unpaid military leave** but will continue **healthcare benefits** for up to **three (3) months** while the employee is on active duty; or, may be extended if contributions are made throughout active duty. Otherwise, employees will make **make-up contributions** upon return.

5. Benefits During Military Leave

- **Health Insurance:** Employees may elect to continue health insurance under COBRA or **City of Johnstown's** policy for up to 24 months.
- **Retirement Plans:** Military leave does not affect vesting in company-sponsored retirement plans. Employees may make **make-up contributions** upon return.



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6. Reemployment Rights

- Employees who return from military service within **five years** are entitled to **reemployment in the same or equivalent position** with full seniority, benefits, and pay adjustments as if they had not been absent.
- Employees must notify the company of their intent to return to work within:
 - **30 days** (for service over 180 days)
 - **14 days** (for service between 31–180 days)
 - **Immediately** (for service under 30 days)

7. Non-Discrimination & Protection

City of Johnstown strictly prohibits discrimination or retaliation against employees due to their military service.

8. Questions & Contact Information

For any questions about military leave, employees should contact **Betty Daley** at bdaley@cityofjohnstown.ny.gov or (518) 736-4026.



Lactation Accommodation Policy

1. Purpose

The **City of Johnstown** is committed to supporting employees who choose to express breast milk in the workplace, consistent with **New York State Labor Law § 206-c**, applicable collective bargaining agreements, and New York Civil Service Law. This policy is intended to ensure compliance with state law while respecting existing labor agreements and operational requirements.

2. Scope and Union-Safe Statement

This policy applies to all employees of the **City of Johnstown** regardless of title, status, or bargaining unit.

3. Nothing in this policy is intended to:

- Alter, diminish, or expand the terms of any collective bargaining agreement;
- Waive the City's management rights;
- Create a contractual entitlement beyond what is required by law; or
- Supersede negotiated provisions related to work schedules, breaks, or workplace assignments, except where required by law.

Where a conflict exists between this policy and a collective bargaining agreement, the applicable agreement shall govern **to the extent permitted by law**.

4. Paid Break Time

Employees are entitled to **thirty (30) minutes of paid break time** each time they have a reasonable need to express breast milk, for up to **three (3) years following childbirth**, in accordance with New York State law.

- Employees may use existing paid break time or meal periods for additional time beyond thirty (30) minutes if needed.
- Employees will not be required to make up paid lactation break time or extend their workday solely because of such breaks.
- Break scheduling will be coordinated consistent with departmental operations and supervisory guidance, where practicable.

5. Lactation Room / Space

Upon written request (Completed *Lactation Accommodation Form), the City's Departments will provide a room or other location for expressing breast milk that:



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- Is in close proximity to the employee's work area;
- Is private, well lit, and shielded from view;
- Is free from intrusion;
- Is **not a restroom or toilet facility**; and
- Includes, at minimum, a chair, flat surface, and access to electricity (if available), with nearby access to clean running water.

If a dedicated space is not feasible, the City will make reasonable efforts to provide a **temporary or alternative space** that meets legal requirements.

If refrigeration is available in the workplace, employees may use it for temporary storage of expressed milk.

6. Request Procedure

Employees requesting lactation accommodations must submit a **written request** (email a Lactation Accommodation Form) to:

The Department Head or the Human Resource Department.

The City will respond in writing **within five (5) business days** of receiving the request.

7. Confidentiality

Requests for lactation accommodation will be handled discreetly and shared only with those who need the information to evaluate and implement the accommodation.

8. Non-Retaliation

No employee will be discriminated against, disciplined, or retaliated against for requesting or using lactation accommodations as provided by law.

Policy Distribution

This policy will be:

- Provided to employees **upon hire**
- Distributed **annually and/or upon request**
- Provided upon an employee's **return to work following childbirth**, in accordance with New York State law.

**This form includes a reference to the Lactation Accommodation Form. Employees may obtain the Lactation Accommodation Form through the Human Resources Office.*



City of Johnstown

33-41 East Main Street
Johnstown, New York 12095



Mental Health Policy

1. Purpose

City of Johnstown's Mental Health Policy outlines our commitment to fostering a supportive, inclusive, and healthy work environment. We recognize mental health as a crucial aspect of overall well-being and are dedicated to promoting mental well-being, preventing work-related stress, and supporting employees experiencing mental health challenges.

2. Scope

This policy applies to all employees, contractors, and stakeholders associated with the organization. It covers mental health support, accommodations, and proactive measures to create a psychologically safe workplace.

3. Commitment to Mental Health

We are committed to:

- Raising awareness and reducing stigma around mental health.
- Providing resources and support for mental well-being.
- Encouraging open dialogue about mental health concerns.
- Ensuring mental health considerations are integrated into workplace policies and practices.

4. Responsibilities

- **Management:** Ensure a culture of openness and support, provide resources, and respond appropriately to mental health concerns.
- **Employees:** Foster a supportive environment, communicate needs, and seek support when necessary.
- **HR and Leadership:** Implement and review mental health strategies, ensure compliance, and offer training and resources.

5. Workplace Support and Accommodations

- Access to Employee Assistance Programs (EAP) or counseling services.



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Johnstown, New York 12095



- Flexible work arrangements where feasible.
- Training for managers on recognizing and addressing mental health concerns.
- Confidentiality and respect in handling mental health matters.

6. Prevention and Awareness Initiatives

- Regular mental health awareness programs.
- Stress management and resilience-building workshops.
- Encouragement of work-life balance through policies and practices.

7. Reporting and Support Mechanisms

Employees are encouraged to report mental health concerns to HR or designated contacts. All reports will be handled with confidentiality, and appropriate action will be taken to support affected employees.

8. Policy Review

This policy will be reviewed annually to ensure effectiveness and relevance. Feedback from employees and stakeholders will be considered in updates.



April 20, 2026

Resolution No. 48, 2026

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

ADVERTISE FOR PUBLIC HEARING TO AMEND CHAPTER 262 & 267 OF THE CODE OF ORDINANCES AT IT RELATES TO GARBAGE COLLECTION AND PROPERTY MAINTENANCE

WHEREAS, the Common Council of the City of Johnstown has proposed amending Chapter 262 & 267 of the Code of Ordinance specifically relating to Garbage Collection and Snow, Ice, and Property Maintenance; and

WHEREAS, said proposed amendments include revisions to enforcement procedures, clarification of municipal authority to perform remedial services, and the establishment of standardized service fees for violations requiring municipal corrective action; and

WHEREAS, a Public Hearing is required so all interested parties can be heard.

NOW, THEREFORE, BE IT

RESOLVED, that the City Clerk is hereby authorized to prepare a Notice of Public Hearing and to publish same in the Leader-Herald, the official newspaper of the City of Johnstown, which Public Hearing is set for Monday, May 18, 2026 at 6:00 p.m. in the Common Council Chambers, City Hall, Johnstown, New York, at which anyone interested or affected may be heard.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

Chapter 262: Solid Waste
Article III – Garbage Collection

§262-11 — Definition of Garbage

C. Excluded Materials

Construction or demolition debris, including but not limited to wood, carpet, drywall, paints, or other chemicals, shall not be considered garbage and shall not be subject to municipal collection.

Household or commercial appliances, including but not limited to refrigerators, ranges, blenders, toaster ovens, and other similar appliances, shall not be considered garbage and shall not be subject to municipal collection.

Residential or household furniture, including but not limited to chairs, couches, recliners, tables, desks, and other similar items, shall not be considered garbage and shall not be subject to municipal collection.

Any material requiring special handling, disposal, or removal beyond normal residential garbage collection shall not be considered municipal garbage.

Any item not considered garbage and not subject to municipal collection that is placed curbside with regular municipal garbage shall constitute a violation of this section and shall be subject to the remedial fee process outlined in §262-22.

D. Hazardous Materials - The City reserves the right to refuse municipal collection of any garbage that contains items which may pose a hazard to human health or safety.

Hazardous materials include, but are not limited to:

- Needles not placed in proper sharps containers
- Hazardous medical waste not properly contained
- Unidentified sharps
- Animal carcasses
- Uncontained or abnormal human waste, excluding properly bagged disposable diapers
- Materials infested with insects or vermin
- Any other materials reasonably determined by authorized City personnel to pose a risk to the health or safety of City employees or the public

Garbage containing such materials shall be tagged and left uncollected and shall be subject to the remedial fee process outlined in §262-22.

§262-13 — Preparation of Garbage

B. To ensure garbage placed for municipal collection conforms to §262-11, all garbage shall be securely contained within white or clear plastic bags that are fully closed and of sufficient strength to prevent tearing, leaking, or spillage during normal handling. Pursuant to Fulton County Law effective March 1, 1993 states all bagged material entering the Fulton County Waste System shall be placed in a clear or a white bag.

Garbage shall not be placed curbside in loose form or in containers that allow contents to escape during collection.

§262-15 — Placement Time of Containers

Garbage containers shall be placed curbside only during the timeframes authorized by the City for municipal collection.

Any container placed curbside outside of the authorized collection timeframes shall constitute a violation of this chapter.

The City may take remedial action to correct improperly placed containers when necessary to maintain public safety or right-of-way access, and any such remedial action shall be subject to the remedial fee process outlined in §262-22.

§262-17 — Storage of Containers

Garbage containers shall be stored in accordance with all applicable building and health regulations.

This section shall apply to both garbage containers and recycling containers supplied to residents.

Garbage containers shall be maintained with lids securely closed in order to prevent the accumulation of snow, ice, or water. Accumulated snow, ice, or water that increases the weight of a container to an unsafe level may pose a risk of injury to City employees.

Any container determined by authorized City personnel to be unsafe to handle due to excess weight caused by accumulated snow, ice, or water shall be tagged and left uncollected until the condition is corrected by the property owner or resident.

The City shall not be responsible for missed collection resulting from unsafe container conditions or for damage to containers resulting from excessive weight caused by snow, ice, or water accumulation.

Any garbage bag that becomes frozen or stuck in a container due to the accumulation of snow, ice, or water shall not be collected until the resident dislodges the bag and places it for collection in accordance with this chapter.

§262-20 — Landlord and Owner Responsibility

- A. Municipal Collection Eligibility - Municipal garbage collection services shall be provided to residential properties containing four (4) or fewer dwelling units.

Residential properties containing more than four (4) dwelling units shall be responsible for arranging private garbage collection services at the property owner's sole expense.

Existing residential properties containing more than four (4) dwelling units that currently receive municipal garbage collection services shall comply with this subsection within twelve (12) months of the effective date of this Local Law.

The Common Council may, upon written request and for good cause shown, grant one extension not to exceed six (6) additional months to allow for compliance.

- B. **Yard Waste:** It shall be a violation of this chapter to place any leaves, grass, brush, or other yard or property waste on the curb outside of a designated curbside collection program conducted by the City.

It shall also be a violation to place leaves, grass, brush, or other yard waste within the limits of any City street at any time.

Any yard waste determined to be in violation of this section shall be tagged in a conspicuous manner by City personnel.

Once a warning tag is affixed, the property owner shall have twenty-four (24) hours to remove the violating waste.

If the violating waste remains after twenty-four (24) hours, the City may remove and dispose of the waste without further notice.

The cost of such remedial action shall be charged to the property owner as provided in the adopted Fee Schedule.

If subsequent similar violations occur within a calendar year requiring remedial action, the associated remedial fee may increase as outlined in the adopted Fee Schedule.

Written notice of the remedial action and associated fees shall be sent to the property owner by regular and certified mail.

Any unpaid fees remaining after thirty (30) days may be added to the next City real property tax bill.

§262-21 — Warning Tags

Any garbage, container, or other item tagged as a violation of this chapter shall be removed from the curb area by 6:00 a.m. on the day following the normally scheduled municipal collection day.

Failure to remove tagged items within the required timeframe may result in remedial action by the City in accordance with §262-22.

§262-22 — Remedial Fees

The City shall have the authority, in the event of any violation of this chapter, to take corrective action necessary to remediate the violating condition after the timeframe associated with warning procedures has expired.

The City may charge a remedial service fee for labor, equipment, and administrative costs associated with correcting the violation, as established in the adopted Fee Schedule.

Subsequent similar violations within a calendar year may require additional administrative and operational resources, and the associated remedial fee may increase accordingly as outlined in the adopted Fee Schedule.

Written notice of the violation, remedial action taken, and associated fee(s) shall be sent to the property owner by both regular and certified mail.

Any fee not paid within thirty (30) days may be added to the next City real property tax bill.

In cases involving repeated violations that pose ongoing public health or safety concerns, the City Engineer may recommend additional corrective actions to the Common Council as permitted by law.

§267-20 — Authority of City Engineer

If the City performs remedial work to correct a violation, the cost of such work shall be charged to the property owner as provided in the adopted Fee Schedule.

If subsequent violations requiring remedial action occur within a calendar year, the associated fee may increase as outlined in the adopted Fee Schedule.

The property owner shall have thirty (30) days to pay the associated fee(s).

Any unpaid fees may be added to the next City real property tax bill for the property.

§267-50 — Removal of Snow and Ice

If the City performs snow or ice removal after notice to the property owner, the cost of such work shall be charged to the property owner as provided in the adopted Fee Schedule.

If subsequent violations requiring remedial action occur within a calendar year, the associated fee may increase as outlined in the adopted Fee Schedule.

The property owner shall have thirty (30) days to pay the associated fee(s).

Any unpaid fees may be added to the next City real property tax bill.



April 20, 2026

Resolution No. 49, 2026

Council Member *Jeffers* presented the following Resolution and moved its adoption.

ADVERTISE FOR PUBLIC HEARING TO ADOPT A REMEDIAL SERVICE FEE SCHEDULE RELATING TO GARBAGE COLLECTION AND PROPERTY MAINTENANCE

WHEREAS, The City of Johnstown provides municipal services for the collection of garbage, and property maintenance enforcement, and other remedial services necessary to protect public health, safety, and welfare; and

WHEREAS, Chapters 262 (Garbage Collection) and 267 (Snow, Ice, and Property Maintenance) of the Code of Ordinances authorize the City to take corrective or remedial action when violations occur and to recover the reasonable costs associated with such services; and

WHEREAS, the Common Council further finds that establishing a standardized schedule of remedial service fees will promote fairness, consistency, and transparency in the recovery of costs incurred by the City; and

WHEREAS, a Public Hearing is required so all interested parties can be heard.

NOW, THEREFORE, BE IT

RESOLVED, that the City Clerk is hereby authorized to prepare a Notice of Public Hearing and to publish same in the Leader-Herald, the official newspaper of the City of Johnstown, which Public Hearing is set for Monday, May 18, 2026 at 6:00 p.m. in the Common Council Chambers, City Hall, Johnstown, New York, at which anyone interested or affected may be heard.

Seconded by Council Member:

I, the undersigned, attest that the foregoing Resolution was adopted and passed by the Common Council of the City of Johnstown, on this date by the following:

	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 McCallum	<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"/>
RESULT	<i>Passed – Failed - Tabled</i>			

Carrie M. Allen, City Clerk

Amy Praught, Mayor

SCHEDULE OF REMEDIAL SERVICE FEES

Adopted Pursuant to Chapters 262 and 267 of the Code of Ordinances

Section 1: Purpose and Authority

These fees are established to recover the reasonable costs incurred by the City in performing remedial services necessary to correct violations of Chapters 262 and 267 of the Code of Ordinances.

Such costs include:

- Labor
- Equipment usage
- Materials
- Disposal costs
- Administrative processing

Fees established herein are remedial in nature and are intended to recover costs associated with services performed by the City.

Any unpaid fees remaining after thirty (30) days may be added to the next City real property tax bill as authorized by City Code.

Section 2: General Garbage Collection Violations

These fees apply when the City must take action to correct improperly prepared or placed garbage.

Service	Base Fee
Transfer of garbage from non-compliant bags (including black bags, torn bags, leaking bags, or loose garbage) into compliant containers	\$75 per occurrence
Garbage placed curbside without required container	\$50 per occurrence
Removal of garbage improperly placed curbside requiring City handling	\$75 minimum
Repositioning or removal of improperly placed containers obstructing public right-of-way or sidewalks	\$50 per occurrence
Removal of garbage left curbside after required removal deadline	\$75 minimum

Section 3: Prohibited Materials and Special Collection

These fees apply when prohibited materials are placed curbside and must be removed by the City.

Service	Base Fee
Removal of construction or demolition debris	\$200 minimum
Removal of prohibited non-household materials	\$200 minimum
Removal of furniture	\$100 per item
Removal of household appliances	\$100 per item

Service	Base Fee
Removal of mattresses or box springs	\$125 per item
Removal of large bulk items requiring additional handling	\$150 minimum

Section 4: Hazardous or Unsafe Materials

These fees apply when materials create safety risks to employees or the public and reflect additional safety precautions and handling requirements.

Service	Base Fee
Removal of improperly disposed sharps or needles	\$200 minimum
Removal of improperly disposed medical or biohazard materials	\$250 minimum
Removal of insect-infested garbage or materials	\$150 minimum
Removal of animal carcasses improperly disposed of	\$150 minimum
Cleanup of abnormal or unsafe waste conditions	\$250 minimum

Section 5: Yard Waste and Brush Violations

These apply when yard waste is improperly placed or left curbside in violation of City programs.

Service	Base Fee
Removal of yard waste placed outside authorized collection period	\$100 minimum
Removal of brush or small limbs	\$150 minimum
Removal of large brush piles	\$250 minimum
Removal of yard waste placed in roadway	\$150 minimum

Section 6: Property Maintenance and Seasonal Services

These fees apply when the City performs work required by property maintenance or seasonal requirements.

Service	Base Fee
Snow removal from sidewalks	\$300 minimum
Ice removal requiring treatment	\$300 minimum
Mowing of overgrown property	\$250 minimum
Additional mowing during same growing season	\$350 minimum
Removal of accumulated debris from property	\$200 minimum

Section 7: Container Safety and Handling Violations

These apply when unsafe container conditions prevent collection.

Service	Base Fee
Failure to correct unsafe container condition after tagging	\$50 per occurrence
Removal of frozen or stuck garbage requiring City handling	\$75 minimum

Service	Base Fee
Removal of excessively heavy containers requiring special handling	\$75 minimum

Section 8: Administrative and Notification Fees

These recover administrative costs associated with enforcement.

Service	Base Fee
Administrative processing of violation	\$25 per notice
Certified mailing of violation notice	Actual Cost
Reinspection following failure to correct violation	\$50 per occurrence

Section 9: Repeat Violation Escalation

When repeated violations occur at the same property within a calendar year, additional resources are required.

Fees shall increase as follows:

Violation Number	Fee Adjustment
First Violation	Base Fee
Second Similar Violation	2 × Base Fee
Third Similar Violation	4 × Base Fee
Fourth or Subsequent Violation	Subject to review by City Engineer and possible additional action

Section 10: Minimum Service Charge

A minimum service charge of \$50 shall apply to any remedial action performed by the City when a specific fee is not listed.

Section 11: Large or Extraordinary Cleanup

For violations requiring extended labor, equipment, or disposal services the City may charge the actual cost of labor, equipment, disposal, and administrative time incurred.

Section 12: Unpaid Fee Recovery

Any unpaid remedial service fees remaining unpaid after thirty (30) days from the date of billing may be added to the next City real property tax bill for the property upon which the violation occurred.

Section 13: Annual Review Recommendation

The Common Council shall review this fee schedule annually and may amend the fees as necessary to

reflect actual operating costs.