

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**March 5, 2018**  
**6:00 PM**

1. ROLL CALL

2. READING OF MINUTES

3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES

3.A AGENDA FOR THE BOARD OF ZONING APPEALS MEETING TO BE HELD MARCH 14, 2018.

[Zoning Board Meeting 03-14-18.pdf](#)

3.B MINUTES OF THE SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING HELD JANUARY 18, 2018.

[Scranton Lacka Health & Welfare Authority Meeting 01-18-18.pdf](#)

3.C AGENDA FOR THE LACKAWANNA COUNTY TAX COLLECTION COMMITTEE MEETING HELD FEBRUARY 22, 2018.

[Agenda for Lacka County Tax Collection Committee Meeting 2-22-18.pdf](#)

4. CITIZENS PARTICIPATION

5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENT AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS MOTIONS & REPORTS OF COMMITTEES:

5.A MOTIONS.

5.B FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 95, 2015, AN ORDINANCE, ENTITLED “AMENDING FILE OF THE COUNCIL NO. 79 OF 2015, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 145 OF 2007 ENTITLED “AN ORDINANCE RENAMING THE EMERGENCY AND MUNICIPAL SERVICES TAX (“EMST”) TO LOCAL SERVICE TAX (“LST”) AND BY IMPOSING A WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR 2015 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER BY INCREASING THE LOCAL SERVICES TAX WITHHOLDING FROM \$52.00 TO \$156.00 FOR THE CALENDAR YEAR 2015, AND PROVIDING FOR AN EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER AND PURSUANT TO THE LOCAL TAX ENABLING ACT, ACT 511 OF 1965, P.L. 1257, 53 P.S. §6924.101 ET. SEQ. AND THE MUNICIPALITIES RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53 P.S. §11701.101 ET. SEQ. AND THEIR RESPECTIVE AMENDMENTS” EFFECTIVE RETROACTIVE TO JANUARY 1, 2018. THIS TAX IS EXPECTED TO GENERATE APPROXIMATELY FOUR-MILLION EIGHT-HUNDRED TEN-THOUSAND (\$4,810,000.00) DOLLARS IN REVENUE IN CALENDAR YEAR 2018 BY ENABLING THE CITY OF SCRANTON TO CONTINUE TO LEVY THE LOCAL SERVICES TAX AT THE FISCAL YEAR 2017 RATE FOR FISCAL YEAR 2018 FOR A TOTAL MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED FIFTY SIX (\$156.00) DOLLARS FOR THE FISCAL YEAR 2018 EFFECTIVE RETROACTIVE TO JANUARY 1, 2018 AND PROVIDING FOR AN EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00 FOR THE CALENDAR YEAR 2018.

[Ordinance-2018 Local Service Tax for 2018.pdf](#)

5.C FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A SIDEWALK EASEMENT SUBSTANTIALLY IN THE FORM ATTACHED HERETO AS EXHIBIT “A” BY AND BETWEEN PPL ELECTRIC UTILITIES CORPORATION

(“GRANTOR”) AND THE CITY OF SCRANTON (“GRANTEE”) FOR THE STR 3B-3 STRUCTURE ACROSS FROM THE NEIL ARMSTRONG SCHOOL IDENTIFIED AS THE “EASEMENT AREA” ON THE PLAN AND METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT “B”.

[Resolution-2018 Sidewalk Easement Neil Armstrong School.pdf](#)

- 5.D FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SCRANTON (“CITY”) AND THE SCRANTON SCHOOL DISTRICT (“SCHOOL DISTRICT”) SETTING FORTH THE TERMS AND CONDITIONS REGARDING THE OBLIGATIONS OF THE SCHOOL DISTRICT TO THE CITY AND THE DISBURSEMENT AND USE OF EDUCATIONAL AND GOVERNMENTAL (“EG”) CAPITAL GRANT FUNDS.

[Resolution-2018 MOU City of Scranton and Scranton School District.pdf](#)

- 5.E FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE FORMATION OF A SHARED SERVICES TASK FORCE IN COOPERATION WITH THE SCRANTON SCHOOL DISTRICT TO EXPLORE SHARED SERVICES, COSTS AND EXPENSES.

[Resolution-2018 Shared Services Task Force with SSD.pdf](#)

## 6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A READING BY TITLE - FILE OF THE COUNCIL NO. 5, 2018 - AN ORDINANCE - CREATING AND ESTABLISHING SPECIAL CITY ACCOUNT NO.02.229625 ENTITLED “SERRENTI EMERGENCY CENTER” FOR THE RECEIPT AND DISTRIBUTION OF GRANT FUNDS FROM THE PENNSYLVANIA GOVERNOR’S OFFICE LAW ENFORCEMENT ACTIVITIES APPROPRIATIONS GRANT FUNDING IN ORDER TO PROVIDE FUNDING TO CONVERT THE SERRENTI MEMORIAL ARMY RESERVE CENTER INTO AN EMERGENCY SERVICES CENTER.

[Ordinance-2018 Special City Account Serrenti Emergency Center.pdf](#)

- 6.B READING BY TITLE - FILE OF THE COUNCIL NO. 6, 2018 - AN ORDINANCE - ESTABLISHING PERMIT PARKING ON THE EVEN SIDE OF THE 900 BLOCK OF OLIVE STREET FROM 912 OLIVE STREET EAST TO QUINCY AVENUE AND ON THE ODD SIDE FROM 915 OLIVE STREET EAST TO QUINCY AVENUE.

[Ordinance-2018 Permit Parking 900 block Olive Street.pdf](#)

- 6.C READING BY TITLE - FILE OF THE COUNCIL NO. 7, 2018 - AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE SIX THOUSAND DOLLARS (\$6,000.00) FROM THE UDAG REPAYMENT ACCOUNT INTO WHICH URBAN DEVELOPMENT ACTION GRANTS (UDAG) REPAYMENTS ARE DEPOSITED. THIS WILL COVER THE CITY OF SCRANTON'S SHARE OF COSTS FOR THE UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA TO ADMINISTER THE CONTINUUM OF CARE FOR LACKAWANNA COUNTY DURING THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018.

[Ordinance-2018 Disburse \\$6K from UDAG Repayment Account.pdf](#)

## 7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - FILE OF THE COUNCIL NO. 3, 2018 - ESTABLISHING PERMIT PARKING ON THE EASTERLY (EVEN) SIDE ONLY OF THE 300 BLOCK OF TAYLOR AVENUE FROM 316 TO 330 TAYLOR AVENUE (316-322, 324-326 AND 328-330).

[Ordinance-2018 Permit Parking 300 block Taylor Avenue.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 4, 2018 - AMENDING FILE OF THE COUNCIL NO. 17, 1994 ENTITLED "AN ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT 'A WASTE DISPOSAL AND COLLECTION FEE' FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE", BY IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$300.00 FOR CALENDAR YEAR

2018 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2018 Waste Disposal Fee for 2018.pdf](#)

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - RESOLUTION NO. 15, 2018 - AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF SCRANTON TO SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ("PENNDOT") APPLICATION FOR TRAFFIC SIGNAL APPROVAL FOR TRAFFIC SIGNAL PERMIT NO.6358 TO UPGRADE EXISTING TRAFFIC SIGNAL AT GREEN RIDGE STREET (SR 011) AND SANDERSON AVENUE.

[Resolution-2018 Traffic Signal Permit Green Ridge and Sanderson.pdf](#)

- 7.D FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 16, 2018 - RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE UNITED NEIGHBORHOOD CENTERS (UNC)/UNITED NEIGHBORHOOD COMMUNITY DEVELOPMENT CORPORATION (UNCDC), TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$120,000.00 FOR THE PROJECT TO BE KNOWN AS "SOUTH SCRANTON WOMEN'S BUSINESS INCUBATOR PROJECT" LOCATED AT 526-530 CEDAR AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$120,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

Resolution-2018 Grant South Scranton Women's Business Incubator  
Project.pdf

8. ADJOURNMENT



DEPARTMENT OF LICENSING, INSPECTIONS AND PERMITS

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4193 • FAX: 570-348-4171

# NOTICE

**THE BOARD OF ZONING APPEALS OF THE CITY OF SCRANTON**  
HEREBY GIVES NOTICE THAT IT WILL HOLD A MEETING AT CITY HALL, IN  
**CITY COUNCIL CHAMBERS ( 2<sup>nd</sup> Floor ) ON WEDNESDAY,**  
**MARCH 14, 2018 @ 6 PM.**

**MEETING AGENDA AS FOLLOWS:**

- 1) Lackawanna County seeks a Special Exception in order to use the existing building located at 1360 Wyoming Ave. for Court and Administrative functions that relate to the adjoining Prison.**

**ANYONE INTERESTED IN BECOMING A PARTY TO THE ABOVE LISTED CASES ARE DIRECTED TO CONTACT THE CITY ZONING OFFICER @ 570-348-4193, EXT 4512. HEARING DATE: 3/14/2018, TIME: 6 PM. ALAN O'NEIL, CHAIRMAN, SCRANTON ZONING BOARD. PUBLIC PARTICIPATION WELCOME.**

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OFFICE OF CITY  
COUNCIL/CITY CLERK

**SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY  
MINUTES OF MEETING  
JANUARY 18, 2018**

**Attended By:**

**Authority Members:**

**Vincent O’Bell, Chairman  
William Lazor, Vice Chairman  
Jerry Preschutti, 2<sup>nd</sup> Vice Chairman  
Jerry Weinberger, Secretary  
John Granahan, Asst. Secretary**

**David Phaneuf, Treasurer  
Gary Cicerini, Member  
William Boyle, Member  
Joseph DeAntona, Member**

**Staff Members**

**Mary Ellen Clarke, Asst. Administrator**

The Annual Reorganization Meeting of the Scranton Lackawanna Health and Welfare Authority was called to order at 5:30PM by the Chairman, Mr. O’Bell. Mr. O’Bell turned the meeting over to Jerry Preschutti, 2<sup>nd</sup> Vice Chairman for the election of officers. Mr. Preschutti presented the slate of officers recommended by the Nominating Committee for the year 2018.

<b>Chairman</b>	<b>Vincent O’Bell</b>
<b>Vice Chairman</b>	<b>William Lazor</b>
<b>2<sup>nd</sup> Vice Chairman</b>	<b>Jerry Preschutti</b>
<b>Secretary</b>	<b>Jerry Weinberger</b>
<b>Assistant Secretary</b>	<b>John Granahan</b>
<b>Treasurer</b>	<b>David Phaneuf</b>
<b>Assistant Treasurer</b>	<b>Victor Giambrone</b>

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**FEB 26 2018**

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Mr. Preschutti asked if there were any other nominations. There being none, a motion was made by Mr. Granahan to accept the recommendations of the Nominating Committee for 2018. It was seconded by Mr. Boyle and passed unanimously. Mr. Preschutti congratulated all the officers and turned the gavel over to the Chairman, Mr. O’Bell.

Mr. O’Bell then called the Regular Board Meeting of the Scranton Lackawanna Health and Welfare Authority to order at 5:35PM.

**I. APPROVAL OF MINUTES**

Mr. O’Bell presented the Minutes of the October 19, 2017, meeting which had previously been e-mailed to the board members. Mr. Preschutti moved that the minutes be approved as presented. Mr. Lazor seconded the motion and it passed unanimously. Mr. O’Bell asked the board if receiving the minutes by email instead of thru the mail is satisfactory to everyone. No one objected.

**II. TREASURER’S REPORT**

**A. Approval of Expenditures**

Mr. Phaneuf presented the Treasurer’s Reports for October, November and December 31, 2017, a copy of which is incorporated with the Minutes of this Meeting. As of December 31, 2017, expenditures total \$60,009.33. The balance in the Budget is \$2,590.67. The balance in the operating fund is \$18,962.34. Income received for the month was \$.85. A motion to approve the

Treasurer's Report for December 31, 2017 was made by Mr. Preschutti. It was seconded by Mr. Granahan and it passed unanimously.

**B. Investment Report**

Mr. Phaneuf presented the Investment Report and stated that two CD's matured in November; one at Fidelity and one at PS Bank. The money was combined and equally divided between the two banks. Two new CD's were opened (one at Fidelity and one at PS Bank) both earning 1.65%. Mr. Preschutti motioned to accept the Investment Report and Mr. Boyle seconded. It passed unanimously.

**III. OTHER BUSINESS**

**A. New Tax Law**

Mr. O'Bell noted that Atty. Koscelansky could not be in attendance this evening and was hoping to hear Atty. Koscelansky's opinion on the new tax laws and how they will affect Tax Free Financing. Atty. Koscelansky notified Ms. Clarke that currently it only affects advanced refunding. Hopefully, Atty. Koscelansky will attend the Authority's next meeting with a more detailed explanation.

**B. Financial Survey**

Ms. Clarke reported that there were four replies to the Annual Financial Survey. Elan Gardens, Marywood University and St. Mary's Villa do not plan on using the Authority in 2018. The Jewish Home hopes to use the Authority in their efforts to build a new facility. The amount is to be determined. There were no responses from Allied, Lackawanna College, University of Scranton or the Wright Center.

Mr. Weinberger asked if anyone has been in touch with Lackawanna College. They may be doing some business. Mr. O'Bell will look into it.

**C. Ethic Forms**

Ms. Clarke reminded the board that all Ethic Forms are due back as quickly as possible.

**D. Other Business**

Ms. Clarke noted that most 2018 Admin Fees have been received. Only Scranton Parking and Lackawanna College have not paid as of today. Second Notices will be sent out in February.

With no further business, Mr. O'Bell asked for a motion to adjourn the meeting. Mr. Weinberger motioned and Mr. Preschutti seconded. The meeting adjourned at 5:55PM

  
\_\_\_\_\_  
CHAIRMAN

  
\_\_\_\_\_  
ASST. SECRETARY

# SCRANTON/LACKAWANNA HEALTH AND WELFARE AUTHORITY

LACKAWANNA COUNTY ADMINISTRATION BUILDING • P.O Box 860 • 200 ADAMS AVENUE, • SCRANTON, PA 18501-0860

(570) 342-2353

FAX (570) 342-4088

February 16, 2018

Scranton City Council  
Attention: Ms. Lori Reed, City Clerk  
340 N. Washington Avenue  
Scranton, PA 18503

**RE: SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY MINUTES**

Dear Ms. Reed:

Pursuant to the Pennsylvania Municipality Authorities Act of 1945, enclosed you will find the Minutes of the Scranton-Lackawanna Health & Welfare Authority's Regular Board Meeting of January 18, 2017.

If you have any questions, or need additional information, please call at any time.

Sincerely,



Mary Ellen Clarke  
Asst. Administrator

Enc.



Re: TCC

2/25/18  
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FEB 27 2018

Chris, Nancy, & Lori

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Enclosed are copies of the January & February 2018 meeting materials for the TCC. The 1/25/18 materials were also distributed @ the 2/22/18 meeting since there was no quorum @ the January meeting.

also enclosed are copies of 2 resolutions adopted by the TCC  
1 = Regarding costs of appeal incurred by the TCC  
2 = Regarding a 2018 assessment for members of the TCC.

Please call w/ any questions. Thanks  
Bill Lazor



# Tax Collection Committee

Chairman – William Lazor – City of Scranton  
 Vice Chairman – David Cerra – Carbondale SD  
 Secretary – Alexander J. Chelik – Mayfield Borough  
 Treasurer – Antoinette Lopatka – Dunmore SD

**AGENDA –February 22, 2018 – 7:00 p.m**  
**South Abington Municipal Building**

1. Call to Order
  - a) Pledge of Allegiance
  - b) Roll Call
  - c) Approve Agenda - *add draft 7/s*
  - d) Approve Minutes of December 7, 2017
  - e) Board Reports
    - Treasurer's Report
2. Public Participation
3. Action/Discussion
4. Approve Bills paid since last meeting
5. Information
6. Old Business
7. New Business
  - a) Election of mandated Board of Appeals members
  - b) Decision on allocation of operating costs/expenses of Board of Appeals  
(TCC to assume costs or PSD whose case is under appeal).
  - c) Approval of Audit for 2017
8. Adjournment

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# Tax Collection Committee

Chairman – William Lazor – City of Scranton  
Vice Chairman – David Cerra – Carbondale SD  
Secretary – Alexander J. Chelik – Mayfield Borough  
Treasurer – Antoinette Lopatka – Dunmore SD

## Minutes of December 7, 2017

The meeting was called to order by President Bill Lazor at 7:05 p.m. with the Pledge to the Flag.

Motion by Jermyn second by Mayfield to have William Heim serve as temporary chairperson. Motion carried.

The following PSD's were present:

Glenburn Township	South Abington Township	Ransom Township
Dunmore Borough	Jermyn Borough	Mayfield Borough
Covington Township	Spring Brook Township	Greenfield Township
Thornhurst Township	Madison Township	City of Scranton
Riverside SD		Abington Heights SD
Dunmore SD		Lakeland SD

As there was no quorum at the October scheduled meeting, a total of 14 PSDs were needed this meeting. A quorum was established with 16 PSDs in attendance.

The minutes of January 26, 2017 were approved by acclimation.

**The Treasurer's report listing a bank balance of \$7,774.22 was approved unanimously on a motion by Abington Heights SD and a second by Madison Township.**

**There was no public participation.**

**Motion by Ransom Township second by Abington Heights SD to accept the Audit of 2016 prepared by Kelly Associates in September. Motion carried, unanimously.**

**Chairman Lazor discussed the Audit of Berkheimer for our funds that they collected for 2016 and the Service Organization Controls (SOC) Report. Also the renewal of the liability policy coverage, both items included in the September reports.**

**Motion by Glenburn Township second by Riverside SD to approve the bills paid since the last meeting. Approved unanimously.**

**Motion by Madison Township second by Ransom Township to approve the actions of the officers since the last meeting. Approved unanimously.**

**Chairman Lazor opened the floor for nomination for officers of the TCC for 2018. Motion by Covington Township second by River SD that the current officers be nominated to serve in their current positions for 2018.**

**Motion by Madison Township second by Ransom Township to close the nominations. Approved unanimously.**

**The Chairman Lazor directed the secretary to cast the vote to re-elect the current officers. So ordered.**

**Motion by Glenburn Township second by Greenfield Township to approved the 2018 budget which anticipates expenditures of \$6,500.00 and a balance of**

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**\$1,274.00 by December 31, 2018. There will be no need for assessments for 2018. Approved unanimously.**

**Motion by South Abington Township second by Springbrook Township to adjourn at the call of the chair. So ordered.**

**Earned Income Tax (EIT) Collections, Receipts, Distributions and Disbursements for TCD**

Collections and Receipts:	Monthly Total	Year-to-Date Total
<b>Collections:</b>		
Resident EIT From Employers/Taxpayers within the TCD	2,613,762.82	2,613,762.82
Resident EIT from Other TCD's	962,194.36	962,194.36
Non-Resident EIT for Political Subdivisions within the TCD	70,077.51	70,077.51
Non-Resident EIT Received for Other TCD's	715,627.61	715,627.61
EIT for PSDs Within the TCD, Due Other Tax Officers	1,118.68	1,118.68
Delinquent Earned Income Taxes Collected	135,388.37	135,388.37
Unidentified Collections		
Unidentified Collections	1,687,252.05	
Less Previously Unidentified Collections, Identified in the Current Month	67,347.94	
Net Unidentified Collections	<u>1,619,904.11</u>	<u>2,089,605.39</u>
<b>Total Collections</b>	<b>6,118,073.46</b>	<b>6,587,774.74</b>
<b>Receipts:</b>		
Investment Income	0.01	0.01
Cost Collected by Tax Officer	12,403.96	12,403.96
Court Fees Reimbursed to PSD	<u>55.00</u>	<u>55.00</u>
<b>Total Receipts</b>	<b>12,458.97</b>	<b>12,458.97</b>
<b>Total Collections and Receipts</b>	<b><u>6,130,532.43</u></b>	<b><u>6,600,233.71</u></b>
<b>Distributions and Disbursements:</b>		
<b>Distributions:</b>		
Distributions to TCD Members (See Schedule A)	3,730,306.41	3,730,306.41
Distributions to Other Tax Officers For TCD Members	1,118.68	1,118.68
Distributions to Other TCD's (See Schedule B)	<u>715,627.61</u>	<u>715,627.61</u>
<b>Total Distributions</b>	<b>4,447,052.70</b>	<b>4,447,052.70</b>
<b>Disbursements:</b>		
Taxpayer Refunds	3,408.00	3,408.00
Tax Officer Commissions on Collections	46,506.18	46,506.18
Tax Officer Commissions on Sterling Credits	9.02	9.02
Investment Income Retained by Tax Officer	0.01	0.01
Postage Fees	1,248.45	1,248.45
Cost Retained by Tax Officer	<u>12,403.96</u>	<u>12,403.96</u>
<b>Total Disbursements</b>	<b>63,575.62</b>	<b>63,575.62</b>
<b>Total Distributions and Disbursements</b>	<b><u>4,510,628.32</u></b>	<b><u>4,510,628.32</u></b>
<b>Cash Balance Reconciliation:</b>		
Collections Over/(Under) Disbursements	1,619,904.11	
Undistributed/Unidentified Cash Balance Beginning	469,701.28	
Undistributed/Unidentified Cash Balance Ending	2,089,605.39	
Total Commission (Invoiced and Netted)	51,734.33	51,734.33



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
January, 2018

Summary of Distributions to TCC Members From Schedule A Report

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 030 000 Abington Heights SD	254,844.86	254,844.86
00 35 030 004 Waverly Twp	33,620.64	33,620.64
00 35 030 008 Clarks Green Boro	19,935.12	19,935.12
00 35 030 012 Clarks Summit Boro	46,947.10	46,947.10
00 35 030 016 Glenburn Twp	15,934.51	15,934.51
00 35 030 020 Newton Twp	26,185.46	26,185.46
00 35 030 024 North Abington Twp	7,818.97	7,818.97
00 35 030 028 Ransom Twp	10,203.74	10,203.74
00 35 030 032 South Abington Twp	99,417.34	99,417.34
00 35 130 000 Carbondale ASD	50,394.86	50,394.86
00 35 130 004 Carbondale City	134,606.40	134,606.40
00 35 130 008 Fell Township	17,892.05	17,892.05
00 35 220 000 Dunmore SD	86,241.47	86,241.47
00 35 220 004 Dunmore Boro	104,853.51	104,853.51
00 35 460 000 Lakeland SD	78,170.59	78,170.59
00 35 460 004 Carbondale Twp	7,162.73	7,162.73
00 35 460 008 Greenfield Twp	17,723.81	17,723.81
00 35 460 012 Jermyrn Boro	13,512.19	13,512.19
00 35 460 016 Mayfield Boro	8,577.55	8,577.55
00 35 460 020 Scott Twp	31,907.44	31,907.44
00 35 550 000 Mid Valley S D	82,924.24	82,924.24
00 35 550 004 Dickson City Borough	33,340.41	33,340.41
00 35 550 008 Olyphant Boro	30,469.52	30,469.52
00 35 550 012 Throop Boro	21,746.58	21,746.58
00 35 650 000 North Pocono SD	146,029.09	146,029.09
00 35 650 004 Clifton Twp	7,035.82	7,035.82
00 35 650 008 Covington Twp	16,332.33	16,332.33
00 35 650 012 Elmhurst Twp	4,715.45	4,715.45
00 35 650 016 Jefferson Twp	25,480.43	25,480.43
00 35 650 020 Thornhurst Twp	6,033.05	6,033.05
00 35 650 022 Lehigh Twp	12,204.71	12,204.71
00 35 650 024 Madison Twp	18,518.40	18,518.40
00 35 650 028 Moscow Boro	18,018.86	18,018.86
00 35 650 032 Roaring Brook Twp	21,207.14	21,207.14
00 35 650 036 Spring Brook Twp	20,419.99	20,419.99
00 35 660 000 Old Forge S D	54,321.24	54,321.24
00 35 660 004 Old Forge Boro	55,264.22	55,264.22
00 35 700 000 Riverside SD	75,925.65	75,925.65
00 35 700 004 Moosic Boro	52,472.68	52,472.68
00 35 700 008 Taylor Boro	27,629.26	27,629.26
00 35 740 000 Scranton SD	490,721.99	490,721.99
00 35 740 004 City of Scranton	1,202,323.64	1,202,323.64
00 35 840 000 Valley View SD	118,900.38	118,900.38
00 35 840 004 Archbald Boro	57,552.09	57,552.09



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
January, 2018

Summary of Distributions to TCC Members From Schedule A Report

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 840 008 Blakely Boro	37,021.46	37,021.46
00 35 840 012 Jessup Boro	<u>27,747.44</u>	<u>27,747.44</u>
<b>Total Distributions</b>	<b><u>3,730,306.41</u></b>	<b><u>3,730,306.41</u></b>

*These figures represent funds received by the Political Subdivision after any netted commission, postage, TCC Operational Fees, etc., as applicable. Please note, this is not the collections figure. The actual Schedule A report provided to the member PSD shows the total collections.*

**Schedule B: Distributions to Other Tax Collection Districts**

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
01 Adams Tax Collection District	40.02	40.02
03 Armstrong Tax Collection District	-132.09	-132.09
04 Beaver Tax Collection District	222.18	222.18
06 Berks Tax Collection District	19,003.69	19,003.69
07 Blair Tax Collection District	217.15	217.15
08 Bradford Tax Collection District	6,432.60	6,432.60
09 Bucks Tax Collection District	17,239.54	17,239.54
10 Butler Tax Collection District	314.49	314.49
11 Cambria Tax Collection District	1,608.07	1,608.07
13 Carbon Tax Collection District	5,289.32	5,289.32
14 Centre Tax Collection District	247.89	247.89
15 Chester Tax Collection District	13,609.98	13,609.98
16 Clarion Tax Collection District	319.65	319.65
18 Clinton Tax Collection District	390.38	390.38
19 Columbia Tax Collection District	16,962.87	16,962.87
20 Crawford Tax Collection District	115.12	115.12
21 Cumberland Tax Collection District	1,377.16	1,377.16
22 Dauphin Tax Collection District	2,464.03	2,464.03
23 Delaware Tax Collection District	8,146.49	8,146.49
25 Erie Tax Collection District	1,234.03	1,234.03
26 Fayette Tax Collection District	721.93	721.93
28 Franklin Tax Collection District	179.24	179.24
30 Greene Tax Collection District	614.73	614.73
31 Huntingdon Tax Collection District	165.18	165.18
32 Indiana Tax Collection District	209.46	209.46
34 Juniata Tax Collection District	21.72	21.72
36 Lancaster Tax Collection District	1,261.16	1,261.16
37 Lawrence Tax Collection District	1,267.89	1,267.89
38 Lebanon Tax Collection District	1,343.10	1,343.10
39 Lehigh Tax Collection District	49,314.61	49,314.61
40 Luzerne Tax Collection District	300,256.11	300,256.11
41 Lycoming Tax Collection District	5,644.40	5,644.40
43 Mercer Tax Collection District	10,094.04	10,094.04
44 Mifflin Tax Collection District	1,041.94	1,041.94
45 Monroe Tax Collection District	41,248.45	41,248.45
46 Montgomery Tax Collection District	23,206.05	23,206.05
47 Montour Tax Collection District	1,880.63	1,880.63
48 Northampton Tax Collection District	27,971.66	27,971.66
49 Northumberland Tax Collection District	3,231.35	3,231.35
50 Perry Tax Collection District	187.75	187.75
52 Pike Tax Collection District	2,227.39	2,227.39
53 Potter Tax Collection District	13.52	13.52
54 Schuylkill Tax Collection District	9,555.48	9,555.48
55 Snyder Tax Collection District	1,423.75	1,423.75
56 Somerset Tax Collection District	41.29	41.29
57 Sullivan Tax Collection District	304.04	304.04
58 Susquehanna Tax Collection District	43,102.07	43,102.07
59 Tioga Tax Collection District	1,855.14	1,855.14
60 Union Tax Collection District	296.00	296.00
62 Warren Tax Collection District	260.23	260.23

**Schedule B: Distributions to Other Tax Collection Districts**

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
63 Washington Tax Collection District	2,969.70	2,969.70
64 Wayne Tax Collection District	13,735.22	13,735.22
65 Westmoreland Tax Collection District	436.66	436.66
66 Wyoming Tax Collection District	62,957.77	62,957.77
67 York Tax Collection District	9,641.29	9,641.29
71 Allegheny North Tax Collection District	8.84	8.84
72 Allegheny Southeast Tax Collection District	87.79	87.79
73 Allegheny Southwest Tax Collection District	<u>1,747.46</u>	<u>1,747.46</u>
<b>Total Distributions</b>	<u><u>715,627.61</u></u>	<u><u>715,627.61</u></u>

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 Not Assigned	-3,214.77	-3,214.77
01 Adams Tax Collection District	455.89	455.89
04 Beaver Tax Collection District	1,016.11	1,016.11
05 Bedford Tax Collection District	84.86	84.86
06 Berks Tax Collection District	730.18	730.18
07 Blair Tax Collection District	1,298.13	1,298.13
08 Bradford Tax Collection District	1,211.46	1,211.46
09 Bucks Tax Collection District	497.35	497.35
10 Butler Tax Collection District	88,343.30	88,343.30
11 Cambria Tax Collection District	476.61	476.61
12 Cameron Tax Collection District	50.62	50.62
13 Carbon Tax Collection District	2,344.46	2,344.46
14 Centre Tax Collection District	1,061.00	1,061.00
15 Chester Tax Collection District	3,188.95	3,188.95
16 Clarion Tax Collection District	261.78	261.78
17 Clearfield Tax Collection District	46.38	46.38
18 Clinton Tax Collection District	347.96	347.96
19 Columbia Tax Collection District	11,598.61	11,598.61
20 Crawford Tax Collection District	163.99	163.99
21 Cumberland Tax Collection District	1,124.86	1,124.86
22 Dauphin Tax Collection District	5,564.59	5,564.59
23 Delaware Tax Collection District	246.54	246.54
24 Elk Tax Collection District	759.92	759.92
25 Erie Tax Collection District	17,789.64	17,789.64
26 Fayette Tax Collection District	239.37	239.37
28 Franklin Tax Collection District	282.82	282.82
29 Fulton Tax Collection District	209.24	209.24
31 Huntingdon Tax Collection District	1,009.60	1,009.60
32 Indiana Tax Collection District	78.42	78.42
33 Jefferson Tax Collection District	1,189.60	1,189.60
34 Juniata Tax Collection District	20.77	20.77
35 Lackawanna Tax Collection District	2,806,188.98	2,806,188.98
36 Lancaster Tax Collection District	132.34	132.34
37 Lawrence Tax Collection District	570.19	570.19
38 Lebanon Tax Collection District	177.14	177.14
39 Lehigh Tax Collection District	19,258.24	19,258.24
40 Luzerne Tax Collection District	269,819.42	269,819.42
41 Lycoming Tax Collection District	3,969.60	3,969.60
42 McKean Tax Collection District	23.60	23.60
43 Mercer Tax Collection District	659.48	659.48
44 Mifflin Tax Collection District	6.71	6.71
45 Monroe Tax Collection District	129,731.26	129,731.26
46 Montgomery Tax Collection District	136,305.94	136,305.94
47 Montour Tax Collection District	8,800.73	8,800.73
48 Northampton Tax Collection District	2,968.25	2,968.25
49 Northumberland Tax Collection District	4,370.16	4,370.16
50 Perry Tax Collection District	33.74	33.74
52 Pike Tax Collection District	43,048.47	43,048.47
54 Schuylkill Tax Collection District	732.29	732.29
55 Snyder Tax Collection District	726.41	726.41

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
56 Somerset Tax Collection District	147.11	147.11
57 Sullivan Tax Collection District	200.77	200.77
58 Susquehanna Tax Collection District	47,692.06	47,692.06
59 Tioga Tax Collection District	156.74	156.74
60 Union Tax Collection District	185.49	185.49
63 Washington Tax Collection District	91.88	91.88
64 Wayne Tax Collection District	90,391.62	90,391.62
65 Westmoreland Tax Collection District	1,385.54	1,385.54
66 Wyoming Tax Collection District	44,695.92	44,695.92
67 York Tax Collection District	6,149.63	6,149.63
70 Allegheny Central Tax Collection District	14,016.18	14,016.18
71 Allegheny North Tax Collection District	340.67	340.67
72 Allegheny Southeast Tax Collection District	67.22	67.22
73 Allegheny Southwest Tax Collection District	1,711.21	1,711.21
88 Out of State	8,189.83	8,189.83
<b>Total Collections</b>	<b><u>3,781,423.06</u></b>	<b><u>3,781,423.06</u></b>

*Report can be reconciled by adding the monthly totals from the TCC Report of the following amounts:*

- \* Resident EIT from Employers/Taxpayers within the TCD*
- \* Resident EIT from Other TCD's*
- \* Non-Resident EIT for Political Subdivisions within the TCD*
- \* Delinquent Earned Income Taxes Collected*

**LACKAWANNA COUNTY TAX COLLECTION COMMITTEE  
(UNAUDITED)  
MANAGEMENT'S DISCUSSION AND ANALYSIS**

This section of the Lackawanna County Tax Collection Committee (TCC) annual financial report presents our discussion and analysis of the TCC's financial performance during the fiscal year ended on December 31, 2016. Please read it in conjunction with the TCC's financial statements, which follow this section.

**FINANCIAL HIGHLIGHTS**

- The total cost of the TCC's activities was \$3,845 (principally audit, and insurance costs).
- The total assets of the TCC were \$12,184 (principally cash in the bank) and there were no liabilities.

**OVERVIEW OF FINANCIAL STATEMENTS**

The financial statements are prepared using the economic resources measurement focus. All assets and liabilities associated with the operation of the TCC are included on the statement of fiduciary net position. The statement of changes in fiduciary net position presents additions to and deductions from the TCC's total net position.

The TCC's basis of accounting refers to the point at which revenues and expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

We are a fiduciary fund. Financial statements for fiduciary funds are prepared using the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred. TCC assessments are recognized in the year assessed.

**ECONOMIC CONDITION AND OUTLOOK**

In future periods, a comparative analysis of financial performance will be presented. The TCC negotiated a five year extension of its contract with Berkheimer Tax Administrator for the collection of Earned Income Taxes beginning January 1, 2015 through December 31, 2019, in accordance with Act 32. The cash balance is adequate to finance activities for the upcoming year and no assessment is planned for the next year. The TCC will use its computer for the purpose of centralizing and maintaining the TCC's financial and administrative records. The TCC will also monitor the collection and remittance of taxes by the collector to insure that Act 32 is being complied with and that the taxing bodies are receiving taxes properly due to them in a timely manner.

**CONTACTING THE TCC'S FINANCIAL MANAGEMENT**

This financial report is designed to provide our citizens, taxpayers, customers, creditors and other stakeholders with a general overview of the TCC's finances and to demonstrate the TCC's accountability for the money it receives. If you have questions about this report or need additional information, contact the TCC by US Mail at the following address: Tax Collection Committee of Lackawanna County, c/o 200 East Grove Street, Clarks Summit, PA 18411.

LACKAWANNA COUNTY TAX COLLECTION COMMITTEE

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FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
DECEMBER 31, 2017  
&  
INDEPENDENT AUDITORS' REPORT  
&  
INTERNAL CONTROL, COMPLIANCE  
AND OTHER MATTERS REPORT

DRAFT

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## INDEPENDENT AUDITORS' REPORT

To the Board of Delegates of the  
Lackawanna County Tax Collection Committee:

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Lackawanna County Tax Collection Committee (the "TCC") as of and for the year ended December 31, 2017, and the related notes to the financial statements, which collectively comprise the TCC's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditors' Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### **Opinion**

In our opinion, the financial statements referred to on the previous page present fairly, in all material respects, the financial position of the Lackawanna County Tax Collection Committee as of December 31, 2017 and the changes in its financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

### **Other Matters**

#### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on page 4 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquires of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

#### **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated February XX, 2018 on our consideration of the TCC's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

LACKAWANNA COUNTY TAX COLLECTION COMMITTEE

STATEMENT OF FIDUCIARY NET POSITION  
DECEMBER 31, 2017

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ASSETS

CASH \$ 7,669

NET POSITION

NET POSITION HELD FOR TAX COLLECTION ACTIVITIES \$ 7,669

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See Notes to Financial Statements

DRAFT

LACKAWANNA COUNTY TAX COLLECTION COMMITTEE

STATEMENT OF CHANGES IN FIDUCIARY NET POSITION  
FOR THE YEAR ENDED DECEMBER 31, 2017

ADDITIONS,	
Assessments	\$ -
DEDUCTIONS:	
Insurance	2,345
Professional fees	1,500
Office expense	473
Advertising	197
Total deductions	<u>4,515</u>
CHANGE IN NET POSITION	(4,515)
NET POSITION, BEGINNING	<u>12,184</u>
NET POSITION, ENDING	<u>\$ 7,669</u>

See Notes to Financial Statements

# LACKAWANNA COUNTY TAX COLLECTION COMMITTEE

## NOTES TO FINANCIAL STATEMENTS

### 1. NATURE OF OPERATIONS AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The major accounting principles and practices followed by the Lackawanna County Tax Collection Committee (the "TCC") are summarized below.

#### NATURE OF OPERATIONS

The TCC was created and organized under Commonwealth of Pennsylvania Act 32 of 2008 to administer the collection of earned income, and possibly other taxes on a county-wide basis, and to oversee tax collection within the Lackawanna County Tax Collection District.

The TCC is governed by a Board of Delegates that consists of voting delegates from each of the taxing authorities in the County of Lackawanna, Pennsylvania that impose an income tax. The following are the 46 taxing authorities included in the TCC:

Abington Township	South Abington Township	Olyphant Borough
Carbondale Township	Spring Brook Township	Taylor Borough
Clifton Township	Thornhurst Township	Throop Borough
Covington Township	Archbald Borough	City of Carbondale
Elmhurst Township	Blakely Borough	City of Scranton
Fell Township	Clarks Green Borough	Abington Heights School District
Glenburn Township	Clarks Summit Borough	Carbondale Area School District
Greenfield Township	Dickson City Borough	Dunmore School District
Jefferson Township	Dunmore Borough	Lakeland School District
Lehigh Township (Wayne County)	Jermyn Borough	Mid Valley School District
Madison Township	Jessup Borough	North Pocono School District
Newton Township	Mayfield Borough	Old Forge School District
North Abington Township	Moosic Borough	Riverside School District
Ransom Township	Moscow Borough	Scranton School District
Roaring Brook Township	Old Forge Borough	Valley View School District
Scott Township		

Each taxing authority is assessed annually, as necessary, for a portion of the TCC's operating budget in direct proportion to income tax revenues collected within the taxing authority based on the taxing authority's most recent audited financial statements.

LACKAWANNA COUNTY TAX COLLECTION COMMITTEE  
NOTES TO FINANCIAL STATEMENTS

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**REPORTING ENTITY**

The reporting entity has been defined in accordance with the criteria established in Statement 14, as amended by Statements 39 and 61, issued by the Governmental Accounting Standards Board ("GASB"): The specific criteria used in determining whether other organizations should be included in the TCC's financial reporting entity, or if the TCC should be included in another reporting entity, are financial accountability, fiscal dependency and legal separation.

As defined above, there are no other related organizations that should be included in the TCC's financial statements, nor should the TCC be included in another entity's financial statements.

**BASIS OF PRESENTATION**

The operations of a fund are accounted for within a separate set of self-balancing accounts that comprise its assets, deferred outflows of resources, liabilities, deferred inflows of resources, net position, revenues and expenditures/expenses. Resources are allocated to and accounted for in individual funds based upon the purpose for which they are to be spent. The TCC accounts for all of its operations as a single fiduciary fund type.

Fiduciary fund types account for assets held as a trustee or agent for individuals, private organizations and/or other governmental units. The TCC accounts for all of its operations as a private purpose trust fund.

**MEASUREMENT FOCUS**

The financial statements are prepared using the economic resources measurement focus. With this measurement focus, assets, deferred outflows of resources, liabilities and deferred inflows of resources associated with the operation of the TCC are included on the statement of fiduciary net position. The statement of changes in fiduciary net position presents additions to (i.e., revenues) and deductions from (i.e., expenses) the TCC's total net position.

**BASIS OF ACCOUNTING**

Basis of accounting refers to the point at which revenues or expenditures/expenses are recognized in the accounts and reported in the financial statements. It relates to the timing of the measurements made regardless of the measurement focus applied.

Fiduciary fund type financial statements are prepared using the accrual basis of accounting. Revenues are recognized when earned and expenses are recognized when incurred. Taxing authority assessments are recognized in the year assessed.

#### **BUDGET**

An operating budget is adopted each year for the TCC on the accrual basis of accounting. The TCC has no legal requirement to adopt a budget.

#### **RESTRICTED RESOURCES**

When both restricted and unrestricted resources are available for use, the TCC's policy is to use restricted resources first, and then unrestricted resources as needed.

#### **USE OF ESTIMATES**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

## **2. DEPOSITS WITH FINANCIAL INSTITUTIONS**

#### **CUSTODIAL CREDIT RISK**

Custodial credit risk is the risk that in the event of a bank failure the government's deposits may not be returned to it. The TCC does not have a policy for custodial credit risk. At December 31, 2017, the bank balance of the TCC's deposits with financial institutions was \$7,774 compared to the carrying amount of \$7,669. None of the TCC's deposits were exposed to custodial credit risk.

**INDEPENDENT AUDITORS' REPORT  
ON INTERNAL CONTROL OVER  
FINANCIAL REPORTING AND ON COMPLIANCE  
AND OTHER MATTERS BASED ON AN AUDIT  
OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE  
WITH GOVERNMENT AUDITING STANDARDS**

To the Board of Delegates of the  
Lackawanna County Tax Collection Committee:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the accompanying statements of fiduciary net position and changes in fiduciary net position of the Lackawanna County Tax Collection Committee (the "TCC") as of and for the year ended December 31, 2017, and the related notes to the financial statements, which collectively comprise the TCC's basic financial statements, and have issued our report thereon dated February XX, 2018.

**Internal Control Over Financial Reporting**

In planning and performing our audit, we considered the TCC's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the TCC's internal control. Accordingly, we do not express an opinion on the effectiveness of the TCC's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the TCC's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

### **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Carbondale, Pennsylvania  
February XX, 2018

**LACKAWANNA TAX COLLECTION COMMITTEE  
200 GROVE STREET  
CLARKS SUMMIT, PA 18411**

February 21, 2018

Brian T Kelly, CPA & Associates LLC  
32-34 North Scott Street  
Carbondale, PA 18407

This representation letter is provided in connection with your audit of the financial statements of the Lackawanna County Tax Collection Committee (the "TCC"), which comprise the net position as of December 31, 2017 and the respective changes in net position for the year then ended in conformity with accounting principles generally accepted in the United States of America (U.S. GAAP).

We confirm, to the best of our knowledge and belief, as of February 21, 2018, the following representations made to you during your audit.

**Financial Statements**

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated January 30, 2018, including our responsibility for the preparation and fair presentation of the financial statements in accordance with the applicable criteria.
2. The financial statements referred to above are fairly presented in conformity with U.S. GAAP and include all properly classified funds and other financial information of the primary government and all component units required by generally accepted accounting principles to be included in the financial reporting entity.
3. We acknowledge our responsibility for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
5. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements.
6. We are not aware of any pending or threatened litigation, claims, or assessments or unasserted claims or assessments that are required to be accrued or disclosed in the financial statements, and we have not consulted a lawyer concerning litigation, claims, or assessments.

7. We have appropriately disclosed the TCC's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available and have determined that net assets were properly recognized under the policy.
8. We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.

### **Information Provided**

9. We have provided you with:
  - a. Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters and all audit or relevant monitoring reports, if any, received from funding sources.
  - b. Additional information that you have requested from us for the purpose of the audit.
  - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
  - d. Minutes of the meetings of the Board of Delegates or summaries of actions of recent meetings for which minutes have not yet been prepared.
10. All material transactions have been recorded in the accounting records and are reflected in the financial statements.
11. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
12. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
  - a. Management,
  - b. Others where the fraud could have a material effect on the financial statements.
13. We have no knowledge of any allegations of fraud or suspected fraud affecting the entity's financial statements communicated by delegates, regulators, or others.
14. We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or abuse, whose effects should be considered when preparing financial statements.
15. We have disclosed to you the identity of the entity's related parties and all the related party relationships and transactions of which we are aware.

16. We have made available to you all financial records and related data and all audit or relevant monitoring reports, if any, received from funding sources.
17. There have been no communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices.
18. The TCC has no plans or intentions that may materially affect the carrying value or classification of assets, liabilities, or equity.
19. We are responsible for compliance with laws, regulations, and provisions of contracts and grant agreements applicable to us, including debt limits and debt contracts; and we have identified and disclosed to you all laws, regulations and provisions of contracts and grant agreements that we believe have a direct and material effect on the determination of financial statement amounts or other financial data significant to the audit objectives, including legal and contractual provisions for reporting specific activities in separate funds.
20. There are no violations or possible violations of laws and regulations, provisions of contracts and grant agreements, debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
21. As part of your audit, you assisted with the preparation of the financial statements and related notes. We have designated an individual with suitable skill, knowledge, or experience to oversee your services and have made all management decisions and performed all management functions. We have reviewed, approved, and accepted responsibility for those financial statements and related notes.
22. The TCC has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.
23. The TCC has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
24. The financial statements properly classify all funds and activities.

Signature William R. Lopez

Title Chair

Signature Antoinette Lapatka

Title Treasurer

Brian T Kelly CPA & Associates LLC

32-34 North Scott Street  
 Carbondale, PA 18407

# Invoice

Date	Invoice #
2/20/2018	7016

Bill To
Tax Collection Committe of Lackawanna CTY 200 E Grove Street Clarks Summitt, PA 18411

P.O. No.	Terms	Project
	Due on receipt	

Quantity	Description	Rate	Amount
1	2017 Independent Audit Services Lackawanna County Tax Collection Committee. (Per signed engagement letter fixed fee, standard charges \$5,500 discounted \$4,000)	1,500.00	1,500.00
		<b>Total</b>	\$1,500.00

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**RESOLUTION SETTING FORTH REIMBURSEMENT OF LEGAL FEES AND ANY OTHER COST RELATIVE TO THE FILING OF A PETITION FOR APPEAL REFUND**

**Whereas**, the Lackawanna County Tax Collection Committee, (TCC), is a duly organized tax collection committee for the collection of certain 511 taxes; and

**Whereas**, pursuant to Act 32 of 2008, the TCC is required to establish a Board of Appeals to hear any petitions for appeals filed by taxpayers; and

**Whereas**, if petitions for appeals are filed, it is in the best interest of all Political Subdivisions, (PSDs), that the PSD or PSD's on where the tax matter on appeal is based shall be responsible for any and all costs and legal fees relating to petitions heard by the Board of Appeals.

NOW, therefore, be it resolved and it is hereby resolved as follows:

1. If a petition for appeal is filed with the TCC, any costs and legal fees incurred by the TCC relative to that specific appeal shall be assessed directly against the PSD from which taxes, the petition for refund is based upon
2. That the amount due and owing to the TCC relating to any costs and attorney fees relative to appeals shall be deducted from that PSD's future distributions from the Tax Collector employed by the TCC.
3. Any resolution or part of said resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this \_\_\_\_\_ day of 2018.

BY: \_\_\_\_\_

WILLIAM LAZOR  
CHAIRMAN TCC

ATTEST:

\_\_\_\_\_  
SECRETARY TCC

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# LACKAWANNA COUNTY TAX COLLECTION COMMITTEE

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## TCC Tax Appeal Board Regulations

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### ARTICLE I – Board Organization

#### **ARTICLE 1 – TAX APPEAL BOARD MEMBERS**

The Tax Appeal Board shall be comprised of three (3) regular members and two (2) alternate members appointed by the TCC. A panel of three (3) members shall hear and decide each appeal. If a regular member is unavailable to participate in an appeal, one of the alternate members shall participate in place of the regular member. All Tax Appeal Board members shall be TCC delegates.

#### **ARTICLE 2 – TAX APPEAL BOARD MEMBER QUALIFICATIONS**

No member of the Tax Appeal Board may be an employee, agent, or attorney of the Tax Collector.

#### **ARTICLE 3 – TERM OF SERVICE**

The initial appointed Tax Appeal Board members shall serve until a successor has been appointed, or earlier death, resignation, or removal. Thereafter, each Tax Appeal Board member shall hold office for a term of two (2) years commencing January 1 and until a successor has been appointed, or earlier death, resignation, or removal.

## **ARTICLE 4 – CHAIRPERSON / VICE CHAIRPERSON**

The Tax Appeal Board (“Board”) shall annually elect a Chairperson who will guide the activities of the Board, and a Vice-Chairperson who will act as the Chairperson in the absence or unavailability of the Chairperson. The Chairperson may direct legal counsel or another designee to act on behalf of the Board. If a regular member is unavailable to participate in an appeal, the Chairperson shall designate an alternate member to participate in place of the regular member.

## **ARTICLE 5 – LEGAL COUNSEL**

The Board shall be advised by legal counsel. The Board legal counsel will be the TCC solicitor unless the TCC solicitor has a conflict of interest with respect to an appeal, in which case the TCC will appoint other legal counsel to consult the Board regarding the appeal.

## **ARTICLE 6 – APPLICABILITY OF REGULATIONS / TCC TAXES**

The school districts and municipalities are all of such located in Lackawanna County and Lehigh Township which is in Wayne County but is a member of the TCC. Further the TCC is authorized by Act 32 to collect certain taxes imposed by the respective political subdivisions (“PSD”). These specific taxes are referred to in these Regulations as “TCC Tax.”

## **ARTICLE 7 – PETITIONS**

7.1 Any taxpayer, employer, political subdivision, tax collector, or tax collection committee aggrieved by a Tax Collector determination relating to the assessment, collection, refund, withholding, remittance, or distribution of a TCC Tax may file a petition with the Board in accordance with these Regulations.

### **7.2 FILING DEADLINES**

The following rules apply to petitions under these Regulations:

7.2.1 Refund Petitions. A tax refund petition must be filed within the later of: (1) Three (3) years after the due date for filing the return for the TCC Tax for which the refund is requested; or if no return is required, the due date for payment. (2) One (1) year after actual payment of the TCC Tax for which the refund is requested. Taxpayers are required, to file a simple written request addressed to the Tax Collector for a refund prior to filing a formal tax refund petition.

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7.2.2 Reassessment Petitions. Petitions for reassessment of a TCC Tax assessed by the Tax Collector must be filed within ninety (90) days of the date of the assessment notice.

7.2.3 Other Tax Collector Claim Petitions. A petition by another tax collector for a claim with the Tax Collector for distribution of a TCC Tax which the Tax Collector has not paid or responded within the time required under § 513 of the LTEA, 53 P.S. 6924.513, must be filed within the later of: (1) One (1) year after the claim was filed with the Tax Collector. (2) One (1) year after receipt of the Tax Collector response to the claim.

7.2.4 Other Petitions. All other petitions challenging Tax Collector determinations relating to TCC Tax must be filed within one (1) year after the petitioner discovers facts that a reasonable person would deem as giving rise to the grounds for challenge set forth in the petition. The Board may request the petitioner provide proof of when such facts were discovered.

7.2.5 Manner of Filing. Petitions can be filed by certified mail, at the address of the TCC or by email at the TCC email address.

### 7.3 FORM OF PETITIONS

7.3.1 All petitions filed with the Board shall contain the following information:

- a. Name, address, phone, SSN or EIN, and email address of petitioner.
- b. Specific tax year(s) and tax appeal from
- c. PSD which imposes said tax
- d. Whether this matter is subject to mandatory DCED mediation and whether notice has been received that the matter is subject to DCED mediation.
- e. State the specific nature of the appeal, what is being complained of and the legal basis for such appeal.
- f. If petitioner is represented by an attorney or other representative, the name, address, phone number and email address of said attorney or another representative. If represented by an attorney, or other representative said person must file a notice of representation with this Board.
- g. Copies of any tax return or other document on which the petition is based.
- h. Legal basis for such appeal

i. All documents which support the petition

j. A petitioner who files a petition by mail (rather than by email) shall file 4 copies of the petition and all attachments with the Board.

k. Within three (3) days of filing with the Board, a petitioner will provide a copy of the petition and all attachments to the Tax Collector and PSD.

j. The petitioner is responsible to ensure a complete and accurate petition is filed. The Board may deem a petition incomplete if either: (1) The Board determines the petition does not satisfy the requirements of these Regulations. (2) The Board determines that it needs additional information to make a decision. If the Board makes such a determination, the Board may ask the petitioner to submit the additional information.

## **ARTICLE 8 BOARD DECISION/PROCEDURE**

### **8.1 – LACK OF JURISDICTION**

The Board may dismiss a petition by giving written notice to the petitioner and any other party interested in the appeal if any of the following apply: (1) The petition challenges a determination relating to a tax that is not a TCC Tax. (2) The Board determines for some other reason it does not have jurisdiction.

### **8.2 PARTIES**

The parties to any appeal shall be the petitioner, Tax Collector and PSD.

### **8.3 BURDEN OF PROOF**

The petitioner has the burden of proving that the petitioner is entitled to the relief sought.

### **8.4 DCED MEDIATION**

8.4.1 If a challenge raised in a petition is subject to DCED mediation (whether by agreement of the parties, or mandatory because it is a claim by a Taxing Authority, tax collection committee, or another tax collector involving 10% or greater deviation from taxes received in the prior tax year), the Board will request that the petitioner sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition, and upon receipt of such written

waiver, the Board shall stay its review of the petition until the petitioner notifies the Board that DCED mediation has concluded and notifies the Board of the outcome of such mediation.

8.4.2 If the ~~8.4.2~~ Board receives notice that DCED mediation has resulted in a settlement agreement resolving the petition, the Board shall dismiss the petition. If the Board receives notice that DCED mediation did not result in a settlement agreement addressing all issues raised in the petition, the Board shall address any unresolved issues over which the Board has jurisdiction.

## **8.5 INFORMATION REQUESTS**

1. **Party Requests.** If a party believes additional information is necessary for resolution of the petition, the party shall submit to the Board a written request that the Board require the other party to provide the information. The written request shall include an explanation of the relevance of the information. Board legal counsel will rule on the request. If the request is granted, the party from whom the information is requested shall provide the information by the date specified by the Board legal counsel, which shall be no less than 30 days after submission of the request.
2. **Board Requests.** If the Board or its legal counsel believes additional information is necessary for resolution of the petition, the Board legal counsel will make a written request for the information, and the party from whom the information is requested shall provide the information by the date specified by Board legal counsel.
3. **Time Extension.** A party may request an extension of time within which to respond to an information request. The Board through its legal counsel has sole discretion whether to grant such an extension. As a condition to granting an extension to the petitioner, the Board may require the petitioner to sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition.

## **8.6 EQUITABLE AND LEGAL PRINCIPLES APPLY**

Per 53 Pa.C.S.A. § 8435, the Board may make decisions according to principles of law and equity.

## **8.7 BOARD VOTING**

All decisions of the Board shall be made by a majority of the regular Board members; or if one or more alternates is serving with respect to an appeal, a majority of the regular members and alternates serving with respect to the appeal.

## 8.8 WRITTEN DECISION

The Board shall dispose of petitions over which it has jurisdiction by written decision dated and signed by a Board member. The written decision may, but is not required to, include an explanation.

## 8.9 DECISION TIMING/60-DAY RULE

1. **Taxpayer Petitions.** Decisions on petitions from taxpayers relating to the assessment, determination, or refund a TCC Tax shall be issued within sixty (60) days of the date a petition that complies with the requirements of these Regulations is filed, unless the petitioner has signed a written waiver of the sixty (60) day time. If the petitioner complied with all requirements of the Regulations, no waiver has been signed, and the Board fails to issue a decision within the (60) day time, the petition shall be deemed approved. Notwithstanding the foregoing, if the Board determines that it does not have sufficient information to make a decision on the merits of the petition within sixty (60) days and the petitioner has not signed a waiver, the petitioner will be deemed to have failed to meet the burden of proof, and the petition will be denied. Please note that a simple written request for a refund or a letter disputing a deficiency assessment is not considered a petition for purposes of the 60-day rule or any other part of these Regulations.
2. **Other Petitions.** Unless Board legal counsel determines that under applicable law the 60-day rule is not mandated for the petition, decisions on petitions filed by political subdivisions, other tax collectors, and other tax collection committees relating to a TCC Tax shall be issued within (60) days of the date a petition that complies with the requirements of these Regulations is filed.
3. If the political subdivision, tax collector, or tax collection committee petitioner complied with all requirements of these Regulations, no waiver has been signed. Board legal counsel has determined that under applicable law the petition must be decided within sixty (60) days, and the Board fails to issue a decision within sixty (60) day time period, the petition shall be deemed approved. Notwithstanding the foregoing, if the Board determines that it does not have sufficient information to make a decision on the merits of

the petition within the applicable decision deadline and the petitioner has not signed a waiver, the petitioner will be deemed to have failed to meet the burden of proof, and the petition will be denied.

## **8.9 APPEAL BOARD**

The Board will retain the appeals records for eight (8) years after the later of its decision or the final decision on any court appeal. Act 32 § 514, 53 P.S. § 6924.514, that provides that all information gathered by the Board is confidential. Accordingly, an appeal record is not a “public record”, that is subject to disclosure.

## **8.10 RECUSAL**

A Board member shall disqualify himself or herself from reviewing, hearing, considering, and deciding an appeal if any of the following apply: (1) The Board member’s participation would in any way violate the Pennsylvania Public Official and Employee Ethics Act, 65 Pa.C.S.A. § 1101, *et seq.*, or any other law. (2) The Board member believes that he or she has or might reasonably be perceived to have a conflict of interest.

## **8.11 HEARING**

If the board can decide based on the information received the Board shall make such decision without a hearing. If the board determines a hearing is necessary, such will be scheduled. If a hearing cannot be scheduled within the sixty-day approval and no written waiver is filed, the Board will render a decision without a hearing.

## **8.12 HEARING NOTICE**

If the Board determines a hearing is necessary or appropriate, the Chairperson or his or her designee will give notice specifying the date, time, and place of the hearing.

## **8.12 CONTINUANCES**

If the Board schedules a hearing, it may, in its sole discretion, grant a requested continuance. Any continuance request must be in writing and specify reasonable grounds for the continuance. The Board may as a condition to granting a continuance require that the petitioner sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition.

### **8.13 PRIVACY**

Board hearings are private and not open to the public.

### **8.14 EVIDENCE**

The Board need not conduct hearings in strict conformity with the Pennsylvania Rules of Evidence. However, the Board will be guided by the evidentiary principles contained in the Pennsylvania Rules of Evidence, Pennsylvania statutory law, and Pennsylvania common law. Testimony before the Board will always be under oath or affirmation.

### **8.15 CONDUCT OF HEARING**

The Chairperson or his or her designee shall conduct Board hearings and shall have authority to:

1. Regulate the conduct of the hearing, including scheduling, recessing, reconvening, and adjournment of hearings, and all acts proper for the efficient conduct of the hearing.
2. Decide whether to create a transcript or recording of a hearing.
3. Administer oaths and affirmations.
4. Require production of books, records, documents, and other pertinent information.
5. Determine whether testimony over telephone, web conferencing, or other technology will be received in lieu of live testimony.
6. Determine whether a deposition or affidavit will be received in lieu of oral testimony.
7. Make other rulings on admissibility of evidence.
8. Require the parties to file a concise legal brief or memorandum.
9. Resolve any issue involving interpretation of these Regulations.

## **ARTICLE 9 APPEALS FROM BOARD DECISIONS**

Any person aggrieved by a written decision of the Board disposing of a petition who has a direct interest in the decision has the right to appeal to the Lackawanna County Court of Common Pleas within thirty (30) days after the date of the decision being appealed.

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Adopted this 22nd Day of February 2018

BY: \_\_\_\_\_  
WILLIAM LAZOR  
CHAIRMAN TCC

ATTEST:

\_\_\_\_\_  
SECRETARY TCC

Lackawanna County Tax Collection Committee

## WILLIAM LAZOR

---

**From:** John Brazil <brazillaw310@gmail.com>  
**Sent:** Thursday, February 22, 2018 11:47 AM  
**To:** WILLIAM LAZOR  
**Subject:** Meeting  
**Attachments:** January 2018.docx; FEBRUARY2018.docx

Bill:

Relative to the meeting, we will need to adopt the resolution relative to having the cost reimbursed by the td, Motion to appoint Board of Appeal and Motion to Adopt Rules.

Also find a monthly retainer and bill. If the resolution is adopted I will break out the portion of the bill to be reimbursed by Scranton.

I don't believe preparation of the resolution and rules of the appeal Board should be borne by Scranton, as they apply to all TDs

**John J. Brazil, Jr.**  
Attorney at Law  
P: (570) 343-2431  
F: (570) 343-2433

**TCC BILL**

<b>DATE</b>	<b>SERVICE</b>	<b>TIME</b>
1/4/2018	Telephone BL	0.10
1/4/2018	Review Documents	0.70
1/4/2018	Research	2.20
1/5/2018	Telephone Dave Gordan/ review documents/file/research	3.00
1/5/2018	Telephone Kevin C	0.70
1/5/2018	Telephone Bill Laz	0.10
1/6/2018	Telephone JM	0.20
1/6/2018	Research	2.30
1/7/2018	Research	0.80
1/8/2018	Telephone DG	0.10
1/12/2018	Telephone JM	0.20
1/12/2018	Email BL	0.10
1/13/2018	Prepare Agreement	1.10
1/13/2018	Prepare Resolution	1.00
1/19/2018	Review File/ Prepare Rule and Agreement	1.80
1/20/2018	Review Agreement	.70
1/21/2018	Review Agreement	1.10
1/23/2018	Revision to agreement	1.00
2/05/2018	Email to DG with agreement	.20
2/06/2018	Email from DG/review agreement with revisions	.40
2/08/2018	Email to KC with attachment	.20
2/09/2018	Email to JM with attachment	.20
2/12/2018	Email from JM	.20
2/13/2018	Email from JM	.20
2/13/2018	Email to JM	.20

2/15/2018	Email to JM	.20
2/16/2018	Email BL	.20
2/18/2018	Research/revise resolution/revise rules/email BL	1.30
2/19/2018	revise resolution/revise rules/agreement/email BL	.30
2/21/2018	Review email/email JM	.20
Total	19.90@ \$100.00 = \$1,990.00	
	<b>TOTAL DUE:</b>	<b>\$1990.00</b>

*Law Offices*  
**John J. Brazil Jr.**  
310 Adams Avenue, Suite 200  
Scranton, PA 18503  
Phone (570) 343-2431  
FAX (570) 343-2433

*John J. Brazil Jr.*

**TAX COLLECTION COMMITTEE  
LEGAL SERVICES**

February 22, 2018

<b>DATE</b>	<b>SERVICE</b>	<b>TIME</b>
	<b>FEBRUARY 2018 RETAINER</b>	<b>200.00</b>
<b>TOTAL</b>		<b>200.00</b>



# Tax Collection Committee

Chairman – William Lazor – City of Scranton  
Vice Chairman – David Cerra – Carbondale SD  
Secretary – Alexander J. Chelik – Mayfield Borough  
Treasurer – Antoinette Lopatka – Dunmore SD

AGENDA – January 25, 2018 – 7:00 p.m.  
South Abington Municipal Building

*Quorum Not Present*

1. Call to Order
  - a) Pledge of Allegiance
  - b) Roll Call
  - c) Approve Agenda
  - d) Approve Minutes of January 26, 2017
  - e) Board Reports
    - Treasurer's Report
2. Public Participation
3. Action/Discussion
4. Approve Bills paid since last meeting
5. Information
6. Old Business
7. New Business
  - a) Election of mandated Board of Appeals members
  - b) Decision on expenses of Board of Appeals, TCC to assume costs or PSD whose case is under appeal.
8. Adjournment

RECEIVED  
FEB 27 2018  
OFFICE OF CITY  
COUNCIL/CITY CLERK

## WILLIAM LAZOR

---

**From:** Alexander <alchelik@echoes.net>  
**Sent:** Tuesday, January 23, 2018 8:45 AM  
**To:** Louise Brzuchalski; Jim Mirabelli; Dennis Cawley; Keira Motichka; John Masco; Walter Martzen; Justin Taylor; Antoinette Lopatka; David Cerra; WILLIAM LAZOR; Nancy Krake; Randy Campbell; Glenburn Township; Kevin Carr; Newton Township; Betty Opsasnick; Denise Hokien; Covington Township; Tony Jordan; Robert Farischo; Roaring Brook Township; Joe Smith; Joann Wilson; Steve Armillay; Brian Fallon; Thornhurst Township; Janice Joyce; Neil Furiosi; Dave Repchik; Christine Capozzin; Joseph Surr ridge; Paul Brennan; Atty Raymond Rinaldi; John Brostoski; Springbrook Township; Dennis Macheska; Tom Wascura; Jennifer Krzan; Carol Scrimalli; Cori Castellani; Merle Lyons; Ron Cosklo; Ann Marie Torch; Cesare Forconi; Pearl Salvo; Archbald Boro; Joe Simon; Joe Slebodnik; Jefferson Township; Randy Grandinetti; Andy Nazarenko; Jim Burke; Virginia Kehoe; Don Frederickson; Jane Sterling; James Baldan; Jerry Brown; John Brazil; Chris Griswold; Michele bannon; Madison Township; Tom Wicks; Carl Ferraro; Anthony Adamitis; Cesare Forconi; Beth Murray; William Heim; Arthur Pencek; Vince Byrne; Ellen Quinn; Richard McDonald; Patrick McLaine; John Brostoski; Cheryl Bosley; Mike Savitsky; Mike Savitsky; Doreen Salt; George VanBrun t jr; Joanne Pesota; Dan Lane; Brian Foley; Pat Laffey  
**Subject:** January 25, 2018 meeting  
**Attachments:** TCC Agenda January 25, 2018.docx; TCC Minutes of december 7, 2017.docx

There will be a very important meeting of the Lackawanna County Tax Collection Committee (TCC) on Thursday, January 25, 2018 at 7:00 pm at the South Abington Municipal Building. Please plan to attend or send your delegate.

The TCC must elect a Board of Appeals, 3 members and 2 alternates, to serve and hear appeals to EIT assessments and controversies.

Also the TCC must consider the manner in which the expenses for Appeals will be allocated, either as a cost to the TCC as an operating expenses or allocated to the PSD whose case is under appeal.

If you are not able to attend please send your alternate delegate.

Al Chelik  
Secretary



# Tax Collection Committee

Chairman – William Lazor – City of Scranton  
Vice Chairman – David Cerra – Carbondale SD  
Secretary – Alexander J. Cheik – Mayfield Borough  
Treasurer – Antoinette Lopatka – Dunmore SD

**Minutes of December 7, 2017**

The meeting was called to order by President Bill Lazor at 7:05 p.m. with the Pledge to the Flag.

Motion by Jermyn second by Mayfield to have William Heim serve as temporary chairperson. Motion carried.

The following PSD's were present:

Glenburn Township	South Abington Township	Ransom Township
Dunmore Borough	Jermyn Borough	Mayfield Borough
Covington Township	Spring Brook Township	Greenfield Township
Thornhurst Township	Madison Township	City of Scranton
Riverside SD		Abington Heights SD
Dunmore SD		Lakeland SD

As there was no quorum at the October scheduled meeting, a total of 14 PSDs were needed this meeting. A quorum was established with 16 PSDs in attendance.

The minutes of January 26, 2017 were approved by acclimation.

**The Treasurer's report listing a band balance of \$7,774.22 was approved unanimously on a motion by Abington Heights SD and a second by Madison Township.**

**There was no public participation.**

**Motion by Ransom Township second by Abington Heights SD to accept the Audit of 2016 prepared by Kelly Associates in September. Motion carried, unanimously.**

**Chairman Lazor discussed the Audit of Berkheimer for our funds that they collected for 2016 and the Service Organization Controls (SOC) Report. Also the renewal of the liability policy coverage, both items included in the September reports.**

**Motion by Glenburn Township second by Riverside SD to approve the bills paid since the last meeting. Approved unanimously.**

**Motion by Madison Township second by Ransom Township to approve the actions of the officers since the last meeting. Approved unanimously.**

**Chairman Lazor opened the floor for nomination for officers of the TCC for 2018. Motion by Covington Township second by River SD that the current officers be nominated to serve in their current positions for 2018.**

**Motion by Madison Township second by Ransom Township to close the nominations. Approved unanimously.**

**The Chairman Lazor directed the secretary to cast the vote to re-elect the current officers. So ordered.**

**Motion by Glenburn Township second by Greenfield Township to approved the 2018 budget which anticipates expenditures of \$6,500.00 and a balance of**

**\$1,274.00 by December 31, 2018. There will be no need for assessments for 2018. Approved unanimously.**

**Motion by South Abington Township second by Springbrook Township to adjourn at the call of the chair. So ordered.**

**RESOLUTION SETTING FORTH REIMBURSEMENT OF LEGAL FEES AND ANY  
OTHER COST RELATIVE TO THE FILING OF A A PETITION FOR REFUND AND A  
HEARING BY THE BOARD OF APPEALS**

**Whereas**, the Lackawanna County Tax Collection Committee, TCC, is a duly organized tax collection committee for the collection of certain 511 taxes; and

**Whereas**, pursuant to Act 32 of 2008, the TCC is required to establish a Board of Appeals to hear any petitions for a refund filed by taxpayers; and

**Whereas**, if petitions for a refund are filed and the Board of Appeals is impaneled to hear said Matter, it is in the best interest of all Municipalities that the Municipality on which the tax or refund on appeal is based shall be responsible for any and all costs and legal fees relating to petitions heard by the Board of Appeals.

NOW, therefore, be it resolved and it is hereby resolved as follows:

1. If the TCC is compelled to impanel a Board of Appeals to hear a petition for a refund, any costs and legal fees incurred by the TCC relative to that specific appeal shall be assessed directly against the Municipality from which taxes, the petition for refund is based upon
2. That the amount due and owing to the TCC relating to any costs and attorney fees relative to appeals shall be deducted from that Municipality's future distributions.
3. Any resolution or part of said resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this \_\_\_\_\_ day of 2018.

BY: \_\_\_\_\_  
WILLIAM LAZOR  
CHAIRMAN TCC

ATTEST:

\_\_\_\_\_  
SECRETARY TCC

# **LACKAWANNA COUNTY TAX COLLECTION COMMITTEE**

## **TCC Tax Appeal Board Regulations**

### **ARTICLE I – Board Organization**

#### **ARTICLE 1 – TAX APPEAL BOARD MEMBERS**

The Tax Appeal Board shall be comprised of three (3) regular members and two (2) alternate members appointed by the TCC. A panel of three (3) members shall hear and decide each appeal. If a regular member is unavailable to participate in an appeal, one of the alternate members shall participate in place of the regular member. All Tax Appeal Board members shall be TCC delegates.

#### **ARTICLE 2 – TAX APPEAL BOARD MEMBER QUALIFICATIONS**

No member of the Tax Appeal Board may be an employee, agent, or attorney of the Tax Collector.

#### **ARTICLE 3 – TERM OF SERVICE**

The initial appointed Tax Appeal Board members shall serve until a successor has been appointed, or earlier death, resignation, or removal. Thereafter, each Tax Appeal Board member shall hold office for a term of two (2) years commencing January 1 and until a successor has been appointed, or earlier death, resignation, or removal.

#### **ARTICLE 4 – CHAIRPERSON / VICE CHAIRPERSON**

The Board shall annually elect a Chairperson who will guide the activities of the Board, and a Vice-Chairperson who will act as the Chairperson in the absence or unavailability of the Chairperson. The Chairperson may direct legal counsel or another designee to act on behalf of the Board. If a regular member is unavailable to participate in an appeal, the Chairperson shall designate an alternate member to participate in place of the regular member.

#### **ARTICLE 5 – LEGAL COUNSEL**

The Board shall be advised by legal counsel. The Board legal counsel will be the TCC solicitor unless the TCC solicitor has a conflict of interest with respect to an appeal, in which case the TCC will appoint other legal counsel to consult the Board regarding the appeal.

#### **ARTICLE 6 – APPLICABILITY OF REGULATIONS / TCC TAXES**

The school districts and municipalities are all of such located in Lackawanna County. Further the TCC is authorized by Act 32 to collect certain taxes imposed by the respective municipalities. These specific taxes are referred to in these Regulations as “TCC Tax.”

#### **ARTICLE 7 – PETITIONS**

7.1 Any taxpayer, employer, political subdivision, tax collector, or tax collection committee aggrieved by a Tax Collector determination relating to the assessment, collection, refund, withholding, remittance, or distribution of an TCC Tax may file a petition with the Board in accordance with these Regulations.

#### **7.2 FILING DEADLINES**

The following rules apply to petitions under these Regulations:

7.2.1 Refund Petitions. A tax refund petition must be filed within the later of: (1) Three (3) years after the due date for filing the return for the TCC Tax for which the refund is request; or if no return is required, the due date for payment. (2) One (1) year after actual payment of the TCC Tax for which the refund is requested. Taxpayers are required, to file a simple written request addressed to the Tax Collector for a refund prior to filing a formal tax refund petition.

7.2.2 Reassessment Petitions. Petitions for reassessment of an TCC Tax assessed by the Tax Collector must be filed within ninety (90) days of the date of the assessment notice.

7.2.3 Other Tax Collector Claim Petitions. A petition by another tax collector for a claim with the Tax Collector for distribution of an TCC Tax which the Tax Collector has not paid or responded within the time required under § 513 of the LTEA, 53 P.S. 6924.513, must be filed within the later of: (1) One (1) year after the claim was filed with the Tax Collector. (2) One (1) year after receipt of the Tax Collector response of the claim.

7.2.4 Other Petitions. All other petitions challenging Tax Collector determinations relating to TCC Tax must be filed within one (1) year after the petitioner discovers facts that a reasonable person would deem as giving rise to the grounds for challenge set forth in the petition. The Board may request the petitioner provide proof of when such facts were discovered.

7.2.5 Manner of Filing. Petitions can be filed by certified mail, at the address of the TCC or by email at the TCC email address.

### 7.3 FORM OF PETITIONS

7.3.1 All petitions filed with the Board shall contain the following information:

- a. Name, address, phone, SSN or EIN, and email address of petitioner.
- b. Specific tax year(s) and tax appeal from
- c. Municipality which imposes said tax
- d. Whether this matter is subject to mandatory DCED mediation and whether notice has been received that the matter is subject to DCED mediation.
- e. State the specific nature of the appeal, what is being complained of and the legal basis for such appeal.
- f. If petitioner is represented by an attorney or other representative, the name, address, phone number and email address of said attorney or another representative. If represented by an attorney, or other representative said person must file a notice of representation with this Board.
- g. Copies of any tax return or other document on which the petition is based.
- h. Legal basis for such appeal
- i. All documents which support the petition

j. A petitioner who files a petition by mail (rather than by email) shall file 4 copies of the petition and all attachments with the Board.

k. Within three (3) days of filing with the Board, a petitioner will provide a copy of the petition and all attachments to the Tax Collector and Municipality.

j. The petitioner is responsible to ensure a complete and accurate petition is filed. The Board may deem a petition incomplete if either: (1) The Board determines the petition does not satisfy the requirements of these Regulations. (2) The Board determines that it needs additional information to make a decision. If the Board makes such a determination, the Board may ask the petitioner to submit the additional information.

## **ARTICLE 8 BOARD DECISION/PROCEDURE**

### **8.1 – LACK OF JURISDICTION**

The Board may dismiss a petition by giving written notice to the petitioner and any other party interested in the appeal if any of the following apply: (1) The petition challenges a determination relating to a tax that is not an TCC Tax. (2) The Board determines for some other reason it does not have jurisdiction.

### **8.2 PARTIES**

The parties to any appeal shall be the petitioner, Tax Collector and Municipality.

### **8.3 BURDEN OF PROOF**

The petitioner has the burden of proving that the petitioner is entitled to the relief sought.

### **8.4 DCED MEDIATION**

8.4.1 If a challenge raised in a petition is subject to DCED mediation (whether by agreement of the parties, or mandatory because it is a claim by a Taxing Authority, tax collection committee, or another tax collector involving 10% or greater deviation from taxes received in the prior tax year), the Board will request that the petitioner sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition, and upon receipt of such written waiver, the Board shall stay its review of the petition until the petitioner notifies the Board that DCED mediation has concluded and notifies the Board of the outcome of such mediation. If the

8.4.2 Board receives notice that DCED mediation has resulted in a settlement agreement resolving the petition, the Board shall dismiss the petition. If the Board receives notice that DCED mediation did not result in a settlement agreement addressing all issues raised in the petition, the Board shall address any unresolved issues over which the Board has jurisdiction.

## 8.5 INFORMATION REQUESTS

1. . **Party Requests.** If a party believes additional information is necessary for resolution of the petition, the party shall submit to the Board a written request that the Board require the other party to provide the information. The written request shall include an explanation of the relevance of the information. Board legal counsel will rule on the request. If the request is granted, the party from whom the information is requested shall provide the information by the date specified by the Board legal counsel, which shall be no less than 30 days after submission of the request.
2. **Board Requests.** If the Board or its legal counsel believes additional information is necessary for resolution of the petition, the Board legal counsel will make a written request for the information, and the party from whom the information is requested shall provide the information by the date specified by Board legal counsel.
3. **Time Extension.** A party may request an extension of time within which to respond to an information request. The Board through its legal counsel has sole discretion whether to grant such an extension. As a condition to granting an extension to the petitioner, the Board may require the petitioner to sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition.

## 8.6 EQUITABLE AND LEGAL PRINCIPLES APPLY

Per 53 Pa.C.S.A. § 8435, the Board may make decisions according to principles of law and equity.

## 8.7 BOARD VOTING

All decisions of the Board shall be made by a majority of the regular Board member; or if one or more alternates is serving with respect to a particular appeal, a majority of the regular members and alternates serving with respect to the appeal.

## 8.8 WRITTEN DECISION

The Board shall dispose of petitions over which it has jurisdiction by written decision dated and signed by a Board member. The written decision may, but is not required to, include an explanation.

## 8.9 DECISION TIMING/60-DAY RULE

1. **Taxpayer Petitions.** Decisions on petitions from taxpayers relating to the assessment, determination, or refund an TCC Tax shall be issued within sixty (60) days of the date a petition that complies with the requirements of these Regulations is filed, unless the petitioner has signed a written waiver of the sixty (60) day time period. If the petitioner complied with all requirements of the Regulations, no waiver has been signed, and the Board fails to issue a decision within the (60) day time period, the petition shall be deemed approved. Notwithstanding the foregoing, if the Board determines that it does not have sufficient information to make a decision on the merits of the petition within sixty (60) days and the petitioner has not signed a waive, the petitioner will be deemed to have failed to meet the burden of proof, and the petition will be denied. Please note that a simple written request for a refund or a letter disputing a deficiency assessment is not considered a petition for purposes of the 60-day rule or any other part of these Regulations.
2. **Other Petitions.** Unless Board legal counsel determines that under applicable law the 60-day rule is not mandated for the petition, decisions on petitions filed by political subdivisions, other tax collectors, and other tax collection committees relating to an TCC Tax shall be issued within (60) days of the date a petition that complies with the requirements of these Regulations is filed.
3. If the political subdivision, tax collector, or tax collection committee petitioner complied with all requirements of these Regulations, no waiver has been signed. Board legal counsel has determined that under applicable law the petition must be decided within sixty (60) days, and the Board fails to issue a decision within sixty (60) day time period, the petition shall be deemed approved. Notwithstanding the foregoing, if the Board determines that it does not have sufficient information to make a decision on the merits of the petition within the applicable decision deadline and the petitioner has not signed a waiver, the petitioner will be deemed to have failed to meet the burden of proof, and the petition will be denied.

## **8.9 APPEAL BOARD**

The Board will retain the appeals records for eight (8) years after the alter of its decision or the final decision on any court appeal. Act 32 § 514, 53 P.S. § 6924.514, that provides that all information gathered by the Board is confidential. Accordingly, an appeal record is not a “public record”, that is subject to disclosure.

## **8.10 RECUSAL**

A Board member shall disqualify himself or herself from reviewing, hearing, considering, and deciding an appeal if any of the following apply: (1) The Board member’s participation would in any way violate the Pennsylvania Public Official and Employee Ethics Act, 65 Pa.C.S.A. § 1101, *et seq.*, or any other law. (2) The Board member believes that he or she has or might reasonably be perceived to have a conflict of interest.

## **8.11 HEARING**

If the board can decide based on the information received the Board shall make such decision without a hearing, If the petitioner request a hearing and sets forth the basis for such or if the Board desires a hearing such will be scheduled. If a hearing cannot be scheduled within the sixty-day approval and no written waiver is filed, the Board will render a decision without a hearing.

## **8.12 HEARING NOTICE**

If the Board determines a hearing is necessary or appropriate, the Chairperson or his or her designee will give notice specifying the date, time, and place of the hearing.

## **8.12 CONTINUANCES**

If the Board schedules a hearing, it may, in its sole discretion, grant a requested continuance. Any continuance request must be in writing and specify reasonable grounds for the continuance. The Board may as a condition to granting a continuance require that the petitioner sign a written waiver of the right to receive a decision within sixty (60) days after filing of the petition.

## **8.13 PRIVACY**

Board hearings are private and not open to the public.

#### **8.14 EVIDENCE**

The Board need not conduct hearings in strict conformity with the Pennsylvania Rules of Evidence. However, the Board will be guided by the evidentiary principles contained in the Pennsylvania Rules of Evidence, Pennsylvania statutory law, and Pennsylvania common law. Testimony before the Board will always be under oath or affirmation.

#### **8.15 CONDUCT OF HEARING**

The Chairperson or his or her designee shall conduct Board hearings and shall have authority to:

1. Regulate the conduct of the hearing, including scheduling, recessing, reconvening, and adjournment of hearings, and all acts proper for the efficient conduct of the hearing.
2. Decide whether to create a transcript or recording of a hearing.
3. Administer oaths and affirmations.
4. Require production of books, records, documents, and other pertinent information.
5. Determine whether testimony over telephone, web conferencing, or other technology will be received in lieu of live testimony.
6. Determine whether a deposition or affidavit will be received in lieu of oral testimony.
7. Make other rulings on admissibility of evidence.
8. Require the parties to file a concise legal brief or memorandum.
9. Resolve any issue involving interpretation of these Regulations.

### **ARTICLE 9 APPEALS FROM BOARD DECISIONS**

Any person aggrieved by a written decision of the Board disposing of a petition who has a direct interest in the decision has the right to appeal to the Montgomery County Court of Common Pleas within thirty (30) days after the date of the decision being appealed.

Adopted this 15th Day of January 2018.

Lackawanna County Tax Collection Committee

## PRESERVATION AND ABEYANCE AGREEMENT

This Agreement, made the \_\_\_\_\_ day of \_\_\_\_\_, 2018, by and between the City of Scranton, (hereinafter the “Municipality”), the Lackawanna County Tax Collection Committee, (hereinafter the “TCC”), Berkheimer, ( hereinafter the “Tax Collector”), and Gary St. Fleur, Nicholas Gettel, Casey Durkin, Damian Biancarelli, Rich Johnson, Ethan Green, Angela Gilgallon, and Michelle McGovern, (collectively hereinafter known as the “Plaintiffs”):

**Whereas**, the Municipality is a duly organized municipality, and as such has adopted certain taxes, commonly referred to as 511 taxes; and

**Whereas**, the TCC is the Lackawanna County Tax Collection Committee organized pursuant to Act 32 of 2008, for the purpose of income tax collection; and

**Whereas**, Tax Collector is the tax collector appointed by the TCC to collect the various taxes collected by the TCC; and

**Whereas**, the Plaintiffs have filed an action, ( hereinafter the “Lawsuit”), against the Municipality pursuant to 53 PS 6924.320, essentially asserting that the Municipalities 511 taxes exceed the overall limit as set forth in section 53 PS 6924.311; and

**Whereas**, said Lawsuit is a mandamus action pursuant to the statute, seeking to compel the City to correct the imposition of their taxes to comply with to 53 PS 6924.320; and

**Whereas**, the Municipality has denied the allegations and is challenging the Lawsuit; and

**Whereas**, the Plaintiffs made a request to the Tax Collector for a refund of their taxes pursuant to 53 Pa. C.C. Sec. 8425, and

**Whereas**, 53 Pa. C.C. Sec. 8425, provides “A request for a refund shall be made within three years of the due date for filing the report as extended or one year after the actual payment of the eligible tax, whichever is later.”; and

**Whereas**, the Tax Collector determined to hold the request for a refund in abeyance until a final order of Court; and

**Whereas**, the Plaintiffs also filed a Petition for a Refund based on the Lawsuit and pursuant to 53 Pa. C.C. Sec. 8431; and

**Whereas** 53 Pa. C.C. Sec. 8431(a)(1) , provides “Refund petitions shall be made within three years of the due date for filing the report as extended or one year after the actual payment of the eligible tax, whichever is later.”; and

**Whereas** 53 Pa. C.C. Sec. 8433 provides; if the Administrative Board established to hear the Refund petition does not issue a decision within sixty days of the file of the petition the petition shall be deemed approved;

**Whereas**, the parties have come to an agreement wherein the Plaintiffs and other individual seeking a refund based on the Lawsuit, can make a request for a refund and if said request is made as outlined herein, then the Municipality, TCC, and Tax Collector will not raise as a legal issue the appropriate limitation actions under 53 PA.C.S. 8425.

**Whereas** to foster judicial economy and avoid multiple petitions and hearings and subsequent appeals prior to a final ruling on the Lawsuit and the right to and amount of refunds, the parties have agreed as follows:

NOW, therefore, be it agreed, and it is agreed as follows:

1. Plaintiff and/or any other party seeking a refund of taxes pursuant to the claims as set forth in the Lawsuit shall file a request for a refund with the Tax Collector and said request shall be sent to  

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2. That any request for a refund shall strictly comply with the statutory requirements for requesting a refund, and the person requesting a refund shall set forth with specificity the basis for the refund.
3. That the Tax Collector shall coordinate and collate the claims made for refunds pursuant to the Lawsuit, but will hold rendering

any decision on those claims until the obligation of the TCC, Tax Collector and Municipality becomes final as to the right to a refund and amount of refund.

4. The Tax Collector agrees to maintain an ongoing records of those persons who have filed for a refund based on the Lawsuit.
5. For Plaintiffs and any other person filing a request for a refund based upon the Lawsuit, then for purposes of the statute of limitations set forth in 53 Pa. C.C. Sec. 8425 and 53 Pa. C.C. Sec. 8431, accepted filing date under both sections shall be the date the request for a refund is filed with the Tax Collector.
6. Any Plaintiff or person my request at file at any time a Petition for a Refund.
7. The Parties agree that by Plaintiffs or any person filing a request for a refund based on the Lawsuit, then the Statute of Limitation for purposes of 53 Pa. C.C. Sec. 8431(a)(1), shall be the date of filing the Request for a Refund.
8. The Tax Collector shall hold those requests in abeyance.
9. The TCC Board of Appeal will not hear any claims based on the Request, but only on actual petitions.

10. The Request shall not be deemed a petition for purposes of the Board of Appeal hearing the matter or rendering a decision.

11. Other than as provided herein, all Plaintiffs, parties to this agreement or other persons, right to make claims, defend claims or raise defenses as to any claims or action made are in no manner modified by this agreement and all such rights are preserved.

12. Plaintiffs agree to withdraw their pending petition for a refund.

**Lackawanna County Earned Income Tax Collection Committee  
Financial Report  
January 25, 2018**

	<u>Inception through</u> <u>12/31/17</u>	<u>1/1/18-1/25/18</u>	<u>Inception through</u> <u>1/25/18</u>
Revenue:			
Assessment-See Attached Detail	\$39,999.99		\$39,999.99
Grant Revenue	\$4,227.50		\$4,227.50
Right to Know Revenue	\$10.00		\$10.00
<b>Total Revenue</b>	<u>\$44,237.49</u>	<u>\$0.00</u>	<u>\$44,237.49</u>
Expenses:			
Web Site Registration	\$1,175.51		\$1,175.51
Auditor Fee	\$10,500.00		\$10,500.00
Checkbook Fee	\$21.00		\$21.00
Advertising	\$3,096.85		\$3,096.85
Laptop	\$1,246.24		\$1,246.24
Legal Fees	\$5,620.00		\$5,620.00
Insurance Expense	\$14,660.00		\$14,660.00
Supplies	\$53.97		\$53.97
Webinar Fee	\$195.25		\$195.25
<b>Total Expenses</b>	<u>\$36,568.82</u>	<u>\$0.00</u>	<u>\$36,568.82</u>
<b>Net</b>	<u>\$7,668.67</u>		<u>\$7,668.67</u>
		O/S Ck#1046	\$105.55
		Bank Balance 1/25/18	<u><u>\$7,774.22</u></u>



**Peoples Security**  
Bank & Trust Est. 1905

82 Franklin Avenue | Hallstead, PA 18822

Date 12/29/17  
Check Images

Page 1

LACKAWANNA COUNTY EARNED  
INCOME TAX COLLECTION COMMITTEE  
WILLIAM LAZOR  
200 E GROVE STREET  
CLARKS SUMMIT PA 18411

**PSBT CHECKING ACCOUNT**

Small Business Checking	Acct Ending 4286	Check Safekeeping	
Account Number		Statement Dates	12/01/17 thru 12/31/17
Previous Balance	7,774.22	Days in the statement period	31
Deposits/Credits	.00	Average Ledger	7,774.22
Checks/Debits	.00	Average Collected	7,774.22
Service Charge	.00		
Interest Paid	.00		
Current Balance	7,774.22		

**DAILY BALANCE INFORMATION**

Date	Balance
12/01	7,774.22

**Home Equity Loan Sale**  
Visit your local branch or  
call 888-868-3858 for details

**Earned Income Tax (EIT) Collections, Receipts, Distributions and Disbursements for TCD**

<b>Collections and Receipts:</b>	<b>Monthly Total</b>	<b>Year-to-Date Total</b>
<b>Collections:</b>		
Resident EIT From Employers/Taxpayers within the TCD	697,430.81	52,802,507.50
Resident EIT from Other TCD's	625,822.70	17,265,237.46
Non-Resident EIT for Political Subdivisions within the TCD	17,036.65	1,805,176.49
Non-Resident EIT Received for Other TCD's	457,957.61	13,681,211.85
EIT for PSDs Within the TCD, Due Other Tax Officers	5,289.26	21,972.81
Delinquent Earned Income Taxes Collected	80,569.16	2,295,566.65
Unidentified Collections		
Unidentified Collections	67,118.52	
Less Previously Unidentified Collections, Identified in the Current Month	14,720.05	
Net Unidentified Collections	52,398.47	469,701.28
<b>Total Collections</b>	<b>1,936,504.66</b>	<b>88,341,374.04</b>
<b>Receipts:</b>		
Investment Income	1,230.61	3,571.63
Cost Collected by Tax Officer	13,529.85	316,693.56
Court Fees Reimbursed to PSD	159.00	2,775.50
<b>Total Receipts</b>	<b>14,919.46</b>	<b>323,040.69</b>
<b>Total Collections and Receipts</b>	<b>1,951,424.12</b>	<b>88,664,414.73</b>
<b>Distributions and Disbursements:</b>		
<b>Distributions:</b>		
Distributions to TCD Members (See Schedule A)	1,393,967.02	72,105,666.52
Distributions to Other Tax Officers For TCD Members	5,289.26	21,972.81
Distributions to Other TCD's (See Schedule B)	457,957.61	13,681,211.85
<b>Total Distributions</b>	<b>1,857,213.89</b>	<b>85,808,851.18</b>
<b>Disbursements:</b>		
Taxpayer Refunds	7,922.00	1,091,507.00
Tax Officer Commissions on Collections	17,146.63	908,069.78
Tax Officer Commissions on Sterling Credits	40.37	1,593.34
Court Fees Due Tax Officer	91.05	10,168.85
Investment Income Retained by Tax Officer	1,230.61	3,571.63
Postage Fees	1,851.25	54,258.11
Cost Retained by Tax Officer	13,529.85	316,693.56
<b>Total Disbursements</b>	<b>41,811.76</b>	<b>2,385,862.27</b>
<b>Total Distributions and Disbursements</b>	<b>1,899,025.65</b>	<b>88,194,713.45</b>
<b>Cash Balance Reconciliation:</b>		
Collections Over/(Under) Disbursements	52,398.47	
Undistributed/Unidentified Cash Balance Beginning	417,302.81	
Undistributed/Unidentified Cash Balance Ending	469,701.28	



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
December, 2017

Summary of Distributions to TCC Members From Schedule A Report

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 030 000 Abington Heights SD	72,511.72	3,917,204.88
00 35 030 004 Waverly Twp	9,257.37	469,717.96
00 35 030 008 Clarks Green Boro	3,838.82	292,724.15
00 35 030 012 Clarks Summit Boro	11,911.38	706,002.92
00 35 030 016 Glenburn Twp	5,203.47	277,184.54
00 35 030 020 Newton Twp	11,242.53	430,507.43
00 35 030 024 North Abington Twp	1,845.58	135,049.05
00 35 030 028 Ransom Twp	3,491.50	165,734.95
00 35 030 032 South Abington Twp	28,122.75	1,577,746.96
00 35 130 000 Carbondale ASD	15,307.05	841,834.14
00 35 130 004 Carbondale City	43,386.93	2,360,658.64
00 35 130 008 Fell Township	4,210.48	272,296.50
00 35 220 000 Dunmore SD	29,148.60	1,597,828.77
00 35 220 004 Dunmore Boro	30,590.02	1,760,297.95
00 35 460 000 Lakeland SD	25,125.52	1,366,648.97
00 35 460 004 Carbondale Twp	2,839.64	123,931.84
00 35 460 008 Greenfield Twp	4,325.94	282,553.75
00 35 460 012 Jermyn Boro	4,089.68	217,071.88
00 35 460 016 Mayfield Boro	3,538.09	194,754.98
00 35 460 020 Scott Twp	10,314.52	587,958.80
00 35 550 000 Mid Valley S D	29,955.59	1,640,302.84
00 35 550 004 Dickson City Borough	11,546.02	679,679.70
00 35 550 008 Olyphant Boro	11,069.40	596,587.95
00 35 550 012 Throop Boro	8,572.82	488,519.43
00 35 650 000 North Pocono SD	45,089.56	2,560,548.91
00 35 650 004 Clifton Twp	1,042.75	108,670.68
00 35 650 008 Covington Twp	5,950.04	352,182.80
00 35 650 012 Elmhurst Twp	1,035.07	106,357.92
00 35 650 016 Jefferson Twp	8,705.03	481,546.60
00 35 650 020 Thornhurst Twp	1,764.35	95,260.02
00 35 650 022 Lehigh Twp	4,875.27	170,920.58
00 35 650 024 Madison Twp	5,196.02	297,203.60
00 35 650 028 Moscow Boro	5,845.89	329,087.68
00 35 650 032 Roaring Brook Twp	5,291.52	343,646.81
00 35 650 036 Spring Brook Twp	7,247.15	362,333.75
00 35 660 000 Old Forge S D	18,844.50	936,607.14
00 35 660 004 Old Forge Boro	18,875.17	945,304.28
00 35 700 000 Riverside SD	22,316.20	1,339,088.61
00 35 700 004 Moosic Boro	14,469.73	949,507.26
00 35 700 008 Taylor Boro	10,181.83	573,384.67
00 35 740 000 Scranton SD	218,304.93	10,638,786.77
00 35 740 004 City of Scranton	531,704.89	26,061,281.64
00 35 840 000 Valley View SD	42,356.20	2,025,015.35
00 35 840 004 Archbald Boro	20,733.44	950,769.90



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
December, 2017

Summary of Distributions to TCC Members From Schedule A Report

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 840 008 Blakely Boro	13,519.65	666,753.92
00 35 840 012 Jessup Boro	<u>9,172.41</u>	<u>828,608.65</u>
<b>Total Distributions</b>	<b><u><u>1,393,967.02</u></u></b>	<b><u><u>72,105,666.52</u></u></b>

*These figures represent funds received by the Political Subdivision after any netted commission, postage, TCC Operational Fees, etc., as applicable. Please note, this is not the collections figure. The actual Schedule A report provided to the member PSD shows the total collections.*



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
December, 2017

Schedule B: Distributions to Other Tax Collection Districts

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
01 Adams Tax Collection District	0.00	2,766.26
03 Armstrong Tax Collection District	44.84	2,342.91
04 Beaver Tax Collection District	135.09	6,554.29
05 Bedford Tax Collection District	270.83	6,143.42
06 Berks Tax Collection District	15,692.02	205,300.28
07 Blair Tax Collection District	0.00	1,900.17
08 Bradford Tax Collection District	3,293.58	106,874.88
09 Bucks Tax Collection District	13,087.78	209,975.40
10 Butler Tax Collection District	310.70	10,383.97
11 Cambria Tax Collection District	237.79	8,940.79
12 Cameron Tax Collection District	0.00	467.24
13 Carbon Tax Collection District	3,268.18	109,080.46
14 Centre Tax Collection District	143.49	33,142.08
15 Chester Tax Collection District	14,503.73	87,097.20
16 Clarion Tax Collection District	0.00	4,059.99
17 Clearfield Tax Collection District	0.00	8,172.42
18 Clinton Tax Collection District	543.29	10,130.22
19 Columbia Tax Collection District	17,044.90	173,118.27
20 Crawford Tax Collection District	-244.40	1,678.88
21 Cumberland Tax Collection District	607.11	32,313.88
22 Dauphin Tax Collection District	1,328.94	57,862.93
23 Delaware Tax Collection District	5,825.26	78,395.27
24 Elk Tax Collection District	0.00	1,236.18
25 Erie Tax Collection District	669.29	22,008.14
26 Fayette Tax Collection District	289.58	4,771.49
28 Franklin Tax Collection District	173.57	4,937.27
29 Fulton Tax Collection District	0.00	685.75
30 Greene Tax Collection District	698.94	9,130.54
31 Huntingdon Tax Collection District	244.84	13,973.92
32 Indiana Tax Collection District	36.12	1,380.72
33 Jefferson Tax Collection District	-520.45	2,430.75
34 Juniata Tax Collection District	37.66	2,003.73
36 Lancaster Tax Collection District	1,765.51	31,186.16
37 Lawrence Tax Collection District	1,719.33	4,160.70
38 Lebanon Tax Collection District	1,174.02	21,467.51
39 Lehigh Tax Collection District	37,840.81	539,899.36
40 Luzerne Tax Collection District	179,029.43	6,721,654.38
41 Lycoming Tax Collection District	4,235.93	105,148.25
42 McKean Tax Collection District	0.00	-246.88
43 Mercer Tax Collection District	12,547.94	24,112.24
44 Mifflin Tax Collection District	427.42	11,413.19
45 Monroe Tax Collection District	26,265.63	968,163.66
46 Montgomery Tax Collection District	18,757.12	217,617.39
47 Montour Tax Collection District	944.62	31,328.77
48 Northampton Tax Collection District	22,232.18	420,301.51
49 Northumberland Tax Collection District	1,396.57	56,007.00
50 Perry Tax Collection District	493.82	18,803.73
52 Pike Tax Collection District	728.06	48,944.67
54 Schuylkill Tax Collection District	2,561.88	103,709.31
55 Snyder Tax Collection District	353.73	18,365.70

**Schedule B: Distributions to Other Tax Collection Districts**

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
56 Somerset Tax Collection District	38.80	4,458.73
57 Sullivan Tax Collection District	295.77	11,318.61
58 Susquehanna Tax Collection District	16,833.83	1,021,641.71
59 Tioga Tax Collection District	1,192.53	53,718.78
60 Union Tax Collection District	702.88	15,836.20
61 Venango Tax Collection District	0.00	1,418.20
62 Warren Tax Collection District	28.94	530.58
63 Washington Tax Collection District	3,456.60	42,634.35
64 Wayne Tax Collection District	6,075.56	335,041.87
65 Westmoreland Tax Collection District	-15.67	25,072.32
66 Wyoming Tax Collection District	26,129.88	1,480,706.26
67 York Tax Collection District	10,951.72	77,789.04
70 Allegheny Central Tax Collection District	0.00	10,653.92
71 Allegheny North Tax Collection District	44.51	4,814.44
72 Allegheny Southeast Tax Collection District	81.12	5,981.52
73 Allegheny Southwest Tax Collection District	<u>1,944.46</u>	<u>28,298.97</u>
<b>Total Distributions</b>	<b><u>457,957.61</u></b>	<b><u>13,681,211.85</u></b>

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 Not Assigned	-14,120.94	-36,190.02
01 Adams Tax Collection District	165.45	4,618.62
03 Armstrong Tax Collection District	0.00	283.31
04 Beaver Tax Collection District	1,807.86	25,672.05
05 Bedford Tax Collection District	932.89	3,786.13
06 Berks Tax Collection District	33,870.87	99,504.01
07 Blair Tax Collection District	546.85	7,982.28
08 Bradford Tax Collection District	487.35	75,572.42
09 Bucks Tax Collection District	14,489.99	76,473.93
10 Butler Tax Collection District	129,684.94	783,916.30
11 Cambria Tax Collection District	180.28	12,988.34
12 Cameron Tax Collection District	51.31	589.32
13 Carbon Tax Collection District	1,732.24	107,074.61
14 Centre Tax Collection District	6,435.98	28,906.62
15 Chester Tax Collection District	17,066.80	87,442.81
16 Clarion Tax Collection District	206.43	5,531.06
17 Clearfield Tax Collection District	401.41	3,500.02
18 Clinton Tax Collection District	650.56	4,674.15
19 Columbia Tax Collection District	6,719.81	741,559.53
20 Crawford Tax Collection District	0.00	1,175.67
21 Cumberland Tax Collection District	9,972.74	68,793.63
22 Dauphin Tax Collection District	29,576.27	240,138.67
23 Delaware Tax Collection District	15,029.98	94,720.84
24 Elk Tax Collection District	0.00	5,149.24
25 Erie Tax Collection District	13,291.68	186,085.88
26 Fayette Tax Collection District	468.24	31,177.57
28 Franklin Tax Collection District	22.35	3,000.71
30 Greene Tax Collection District	482.34	341.60
31 Huntingdon Tax Collection District	-1.61	4,347.66
32 Indiana Tax Collection District	0.00	1,884.60
33 Jefferson Tax Collection District	1,452.52	20,830.38
34 Juniata Tax Collection District	4.63	-27.44
35 Lackawanna Tax Collection District	789,779.24	56,613,153.68
36 Lancaster Tax Collection District	8,023.99	39,586.08
37 Lawrence Tax Collection District	969.38	11,255.47
38 Lebanon Tax Collection District	1,313.56	10,746.53
39 Lehigh Tax Collection District	6,444.93	309,941.42
40 Luzerne Tax Collection District	87,034.59	6,833,735.15
41 Lycoming Tax Collection District	3,434.27	44,968.01
42 McKean Tax Collection District	13.65	1,700.94
43 Mercer Tax Collection District	203.85	16,504.07
44 Mifflin Tax Collection District	5.07	1,089.94
45 Monroe Tax Collection District	24,335.52	2,424,196.62
46 Montgomery Tax Collection District	107,136.75	1,716,015.88
47 Montour Tax Collection District	91.53	65,157.07
48 Northampton Tax Collection District	40,458.90	157,847.55
49 Northumberland Tax Collection District	3,122.45	22,216.17
50 Perry Tax Collection District	0.00	36.67
52 Pike Tax Collection District	5,127.11	336,543.17
53 Potter Tax Collection District	0.00	2,458.63

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
54 Schuylkill Tax Collection District	654.74	36,809.58
55 Snyder Tax Collection District	462.37	11,583.95
56 Somerset Tax Collection District	331.75	6,964.26
57 Sullivan Tax Collection District	77.03	2,272.32
58 Susquehanna Tax Collection District	4,181.41	482,036.69
59 Tioga Tax Collection District	354.93	6,288.77
60 Union Tax Collection District	164.62	13,943.87
61 Venango Tax Collection District	0.00	-129.74
62 Warren Tax Collection District	0.00	436.90
63 Washington Tax Collection District	1,350.60	7,412.13
64 Wayne Tax Collection District	33,716.33	1,147,559.66
65 Westmoreland Tax Collection District	1,115.47	28,395.29
66 Wyoming Tax Collection District	3,560.95	812,971.04
67 York Tax Collection District	7,710.47	51,179.87
70 Allegheny Central Tax Collection District	7,256.61	54,858.27
71 Allegheny North Tax Collection District	1,049.90	11,110.19
72 Allegheny Southeast Tax Collection District	643.25	5,221.20
73 Allegheny Southwest Tax Collection District	3,283.03	17,878.68
88 Out of State	5,308.12	170,276.28
99 Unknown	533.73	2,761.34
<b>Total Collections</b>	<b><u>1,420,859.32</u></b>	<b><u>74,168,488.10</u></b>

*Report can be reconciled by adding the monthly totals from the TCC Report of the following amounts:*

- \* Resident EIT from Employers/Taxpayers within the TCD*
- \* Resident EIT from Other TCD's*
- \* Non-Resident EIT for Political Subdivisions within the TCD*
- \* Delinquent Earned Income Taxes Collected*



**ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
November, 2017**

**Earned Income Tax (EIT) Collections, Receipts, Distributions and Disbursements for TCD**

Collections and Receipts:	Monthly Total	Year-to-Date Total
<b>Collections:</b>		
Resident EIT From Employers/Taxpayers within the TCD	9,796,964.88	52,105,076.69
Resident EIT from Other TCD's	2,881,011.95	16,639,414.76
Non-Resident EIT for Political Subdivisions within the TCD	462,395.71	1,788,139.84
Non-Resident EIT Received for Other TCD's	2,486,100.28	13,223,254.24
EIT for PSDs Within the TCD, Due Other Tax Officers	1,089.51	16,683.55
Delinquent Earned Income Taxes Collected	255,305.50	2,214,997.49
Unidentified Collections		
Unidentified Collections	147,840.33	
Less Previously Unidentified Collections, Identified in the Current Month	1,627,226.52	
Net Unidentified Collections	-1,479,386.19	417,302.81
<b>Total Collections</b>	<b>14,403,481.64</b>	<b>86,404,869.38</b>
<b>Receipts:</b>		
Investment Income	217.01	2,341.02
Cost Collected by Tax Officer	38,939.26	303,163.71
Court Fees Reimbursed to PSD	412.70	2,616.50
<b>Total Receipts</b>	<b>39,568.97</b>	<b>308,121.23</b>
<b>Total Collections and Receipts</b>	<b>14,443,050.61</b>	<b>86,712,990.61</b>
<b>Distributions and Disbursements:</b>		
<b>Distributions:</b>		
Distributions to TCD Members (See Schedule A)	13,210,155.13	70,711,699.50
Distributions to Other Tax Officers For TCD Members	1,089.51	16,683.55
Distributions to Other TCD's (See Schedule B)	2,486,100.28	13,223,254.24
<b>Total Distributions</b>	<b>15,697,344.92</b>	<b>83,951,637.29</b>
<b>Disbursements:</b>		
Taxpayer Refunds	16,589.00	1,083,585.00
Tax Officer Commissions on Collections	168,383.88	890,923.15
Tax Officer Commissions on Sterling Credits	41.96	1,552.97
Court Fees Due Tax Officer	0.00	10,077.80
Investment Income Retained by Tax Officer	217.01	2,341.02
Postage Fees	920.77	52,406.86
Cost Retained by Tax Officer	38,939.26	303,163.71
<b>Total Disbursements</b>	<b>225,091.88</b>	<b>2,344,050.51</b>
<b>Total Distributions and Disbursements</b>	<b>15,922,436.80</b>	<b>86,295,687.80</b>
<b>Cash Balance Reconciliation:</b>		
Collections Over/(Under) Disbursements	-1,479,386.19	
Undistributed/Unidentified Cash Balance Beginning	1,896,689.00	
Undistributed/Unidentified Cash Balance Ending	417,302.81	

**Summary of Distributions to TCC Members From Schedule A Report**

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 030 000 Abington Heights SD	644,763.28	3,844,693.16
00 35 030 004 Waverly Twp	74,713.96	460,460.59
00 35 030 008 Clarks Green Boro	48,473.95	288,885.33
00 35 030 012 Clarks Summit Boro	124,873.52	694,091.54
00 35 030 016 Glenburn Twp	42,993.15	271,981.07
00 35 030 020 Newton Twp	68,891.69	419,264.90
00 35 030 024 North Abington Twp	22,847.35	133,203.47
00 35 030 028 Ransom Twp	30,654.63	162,243.45
00 35 030 032 South Abington Twp	259,693.42	1,549,624.21
00 35 130 000 Carbondale ASD	147,666.02	826,527.09
00 35 130 004 Carbondale City	434,902.09	2,317,271.71
00 35 130 008 Fell Township	48,497.29	268,086.02
00 35 220 000 Dunmore SD	292,928.16	1,568,680.17
00 35 220 004 Dunmore Boro	327,302.88	1,729,707.93
00 35 460 000 Lakeland SD	239,542.18	1,341,523.45
00 35 460 004 Carbondale Twp	23,468.42	121,092.20
00 35 460 008 Greenfield Twp	46,948.11	278,227.81
00 35 460 012 Jermyn Boro	39,545.94	212,982.20
00 35 460 016 Mayfield Boro	35,057.65	191,216.89
00 35 460 020 Scott Twp	103,725.80	577,644.28
00 35 550 000 Mid Valley S D	302,323.40	1,610,347.25
00 35 550 004 Dickson City Borough	125,717.48	668,133.68
00 35 550 008 Olyphant Boro	111,181.19	585,518.55
00 35 550 012 Throop Boro	94,614.51	479,946.61
00 35 650 000 North Pocono SD	458,392.46	2,515,459.35
00 35 650 004 Clifton Twp	19,707.23	107,627.93
00 35 650 008 Covington Twp	64,755.56	346,232.76
00 35 650 012 Elmhurst Twp	18,633.95	105,322.85
00 35 650 016 Jefferson Twp	87,794.30	472,841.57
00 35 650 020 Thornhurst Twp	17,516.77	93,495.67
00 35 650 022 Lehigh Twp	29,567.17	166,045.31
00 35 650 024 Madison Twp	53,134.74	292,007.58
00 35 650 028 Moscow Boro	59,906.15	323,241.79
00 35 650 032 Roaring Brook Twp	58,145.07	338,355.29
00 35 650 036 Spring Brook Twp	68,095.16	355,086.60
00 35 660 000 Old Forge S D	168,916.30	917,762.64
00 35 660 004 Old Forge Boro	170,741.15	926,429.11
00 35 700 000 Riverside SD	246,514.07	1,316,772.41
00 35 700 004 Moosic Boro	189,803.34	935,037.53
00 35 700 008 Taylor Boro	112,019.89	563,202.84
00 35 740 000 Scranton SD	1,978,316.62	10,420,481.84
00 35 740 004 City of Scranton	4,853,756.12	25,529,576.75
00 35 840 000 Valley View SD	354,396.05	1,982,659.15
00 35 840 004 Archbald Boro	166,534.51	930,036.46



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
November, 2017

Summary of Distributions to TCC Members From Schedule A Report

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 35 840 008 Blakely Boro	115,857.89	653,234.27
00 35 840 012 Jessup Boro	<u>226,324.56</u>	<u>819,436.24</u>
<b>Total Distributions</b>	<b><u>13,210,155.13</u></b>	<b><u>70,711,699.50</u></b>

*These figures represent funds received by the Political Subdivision after any netted commission, postage, TCC Operational Fees, etc., as applicable. Please note, this is not the collections figure. The actual Schedule A report provided to the member PSD shows the total collections.*

**Schedule B: Distributions to Other Tax Collection Districts**

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
01 Adams Tax Collection District	511.59	2,766.26
03 Armstrong Tax Collection District	860.85	2,298.07
04 Beaver Tax Collection District	484.40	6,419.20
05 Bedford Tax Collection District	1,847.15	5,872.59
06 Berks Tax Collection District	25,722.18	189,608.26
07 Blair Tax Collection District	787.67	1,900.17
08 Bradford Tax Collection District	18,409.64	103,581.30
09 Bucks Tax Collection District	22,252.10	196,887.62
10 Butler Tax Collection District	1,273.56	10,073.27
11 Cambria Tax Collection District	1,919.52	8,703.00
12 Cameron Tax Collection District	220.12	467.24
13 Carbon Tax Collection District	21,477.49	105,812.28
14 Centre Tax Collection District	8,018.09	32,998.59
15 Chester Tax Collection District	11,498.81	72,593.47
16 Clarion Tax Collection District	547.12	4,059.99
17 Clearfield Tax Collection District	2,496.10	8,172.42
18 Clinton Tax Collection District	2,680.24	9,586.93
19 Columbia Tax Collection District	34,404.91	156,073.37
20 Crawford Tax Collection District	344.57	1,923.28
21 Cumberland Tax Collection District	5,070.98	31,706.77
22 Dauphin Tax Collection District	7,015.80	56,533.99
23 Delaware Tax Collection District	6,353.39	72,570.01
24 Elk Tax Collection District	97.47	1,236.18
25 Erie Tax Collection District	3,551.43	21,338.85
26 Fayette Tax Collection District	724.43	4,481.91
28 Franklin Tax Collection District	615.90	4,763.70
29 Fulton Tax Collection District	156.83	685.75
30 Greene Tax Collection District	1,716.40	8,431.60
31 Huntingdon Tax Collection District	3,212.41	13,729.08
32 Indiana Tax Collection District	379.30	1,344.60
33 Jefferson Tax Collection District	1,004.91	2,951.20
34 Juniata Tax Collection District	415.98	1,966.07
36 Lancaster Tax Collection District	7,937.59	29,420.65
37 Lawrence Tax Collection District	801.98	2,441.37
38 Lebanon Tax Collection District	2,863.26	20,293.49
39 Lehigh Tax Collection District	62,210.45	502,058.55
40 Luzerne Tax Collection District	1,274,880.16	6,542,624.95
41 Lycoming Tax Collection District	20,323.53	100,912.32
42 McKean Tax Collection District	26.71	-246.88
43 Mercer Tax Collection District	6,496.13	11,564.30
44 Mifflin Tax Collection District	1,118.66	10,985.77
45 Monroe Tax Collection District	173,696.46	941,898.03
46 Montgomery Tax Collection District	27,110.32	198,860.27
47 Montour Tax Collection District	3,335.62	30,384.15
48 Northampton Tax Collection District	58,913.18	398,069.33
49 Northumberland Tax Collection District	10,403.55	54,610.43
50 Perry Tax Collection District	1,293.63	18,309.91
52 Pike Tax Collection District	9,487.81	48,216.61
54 Schuylkill Tax Collection District	22,992.71	101,147.43
55 Snyder Tax Collection District	4,048.11	18,011.97



ACT 32 Earned Income Tax Monthly Report  
Lackawanna Tax Collection District  
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Schedule B: Distributions to Other Tax Collection Districts

<u>Distributions</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
56 Somerset Tax Collection District	1,029.77	4,419.93
57 Sullivan Tax Collection District	2,423.05	11,022.84
58 Susquehanna Tax Collection District	206,397.25	1,004,807.88
59 Tioga Tax Collection District	10,567.37	52,526.25
60 Union Tax Collection District	3,102.41	15,133.32
61 Venango Tax Collection District	274.17	1,418.20
62 Warren Tax Collection District	275.65	501.64
63 Washington Tax Collection District	5,758.92	39,177.75
64 Wayne Tax Collection District	67,874.67	328,966.31
65 Westmoreland Tax Collection District	3,740.40	25,087.99
66 Wyoming Tax Collection District	286,264.53	1,454,576.38
67 York Tax Collection District	12,492.42	66,837.32
70 Allegheny Central Tax Collection District	3,418.71	10,653.92
71 Allegheny North Tax Collection District	1,564.14	4,769.93
72 Allegheny Southeast Tax Collection District	1,754.28	5,900.40
73 Allegheny Southwest Tax Collection District	<u>5,151.34</u>	<u>26,354.51</u>
<b>Total Distributions</b>	<b><u><u>2,486,100.28</u></u></b>	<b><u><u>13,223,254.24</u></u></b>

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
00 Not Assigned	-5,787.70	-22,069.08
01 Adams Tax Collection District	207.17	4,453.17
03 Armstrong Tax Collection District	0.19	283.31
04 Beaver Tax Collection District	2,918.04	23,864.19
05 Bedford Tax Collection District	57.40	2,853.24
06 Berks Tax Collection District	1,663.03	65,633.14
07 Blair Tax Collection District	-123.74	7,435.43
08 Bradford Tax Collection District	16,949.65	75,085.07
09 Bucks Tax Collection District	8,041.33	61,983.94
10 Butler Tax Collection District	80,228.98	654,231.36
11 Cambria Tax Collection District	1,813.08	12,808.06
12 Cameron Tax Collection District	97.81	538.01
13 Carbon Tax Collection District	8,578.85	105,342.37
14 Centre Tax Collection District	0.00	22,470.64
15 Chester Tax Collection District	4,167.42	70,376.01
16 Clarion Tax Collection District	606.95	5,324.63
17 Clearfield Tax Collection District	46.14	3,098.61
18 Clinton Tax Collection District	432.12	4,023.59
19 Columbia Tax Collection District	25,836.46	734,839.72
20 Crawford Tax Collection District	434.58	1,175.67
21 Cumberland Tax Collection District	4,801.65	58,820.89
22 Dauphin Tax Collection District	8,190.53	210,562.40
23 Delaware Tax Collection District	1,147.99	79,690.86
24 Elk Tax Collection District	1,838.37	5,149.24
25 Erie Tax Collection District	17,388.65	172,794.20
26 Fayette Tax Collection District	574.94	30,709.33
28 Franklin Tax Collection District	275.97	2,978.36
30 Greene Tax Collection District	0.00	-140.74
31 Huntingdon Tax Collection District	0.00	4,349.27
32 Indiana Tax Collection District	162.76	1,884.60
33 Jefferson Tax Collection District	1,811.58	19,377.86
34 Juniata Tax Collection District	33.54	-32.07
35 Lackawanna Tax Collection District	10,500,223.11	55,823,374.44
36 Lancaster Tax Collection District	467.39	31,562.09
37 Lawrence Tax Collection District	1,003.39	10,286.09
38 Lebanon Tax Collection District	1,037.22	9,432.97
39 Lehigh Tax Collection District	50,873.67	303,496.49
40 Luzerne Tax Collection District	1,401,568.38	6,746,700.56
41 Lycoming Tax Collection District	3,329.18	41,533.74
42 McKean Tax Collection District	446.96	1,687.29
43 Mercer Tax Collection District	1,033.36	16,300.22
44 Mifflin Tax Collection District	8.53	1,084.87
45 Monroe Tax Collection District	447,928.70	2,399,861.10
46 Montgomery Tax Collection District	191,064.07	1,608,879.13
47 Montour Tax Collection District	13,317.59	65,065.54
48 Northampton Tax Collection District	7,682.03	117,388.65
49 Northumberland Tax Collection District	2,491.13	19,093.72
50 Perry Tax Collection District	0.00	36.67
52 Pike Tax Collection District	48,047.02	331,416.06
53 Potter Tax Collection District	697.93	2,458.63

**Schedule C: Collections From Other Tax Collection Districts**

<u>Collections</u>	<u>Monthly Total</u>	<u>Year-to-Date Total</u>
54 Schuylkill Tax Collection District	8,854.95	36,154.84
55 Snyder Tax Collection District	1,362.20	11,121.58
56 Somerset Tax Collection District	126.42	6,632.51
57 Sullivan Tax Collection District	417.13	2,195.29
58 Susquehanna Tax Collection District	107,105.54	477,855.28
59 Tioga Tax Collection District	222.40	5,933.84
60 Union Tax Collection District	3,777.08	13,779.25
61 Venango Tax Collection District	50.67	-129.74
62 Warren Tax Collection District	181.80	436.90
63 Washington Tax Collection District	1,295.87	6,061.53
64 Wayne Tax Collection District	229,503.21	1,113,843.33
65 Westmoreland Tax Collection District	4,755.12	27,279.82
66 Wyoming Tax Collection District	149,072.76	809,410.09
67 York Tax Collection District	1,020.81	43,469.40
70 Allegheny Central Tax Collection District	1,809.53	47,601.66
71 Allegheny North Tax Collection District	879.29	10,060.29
72 Allegheny Southeast Tax Collection District	71.78	4,577.95
73 Allegheny Southwest Tax Collection District	555.78	14,595.65
88 Out of State	30,617.83	164,968.16
99 Unknown	384.47	2,227.61
<b>Total Collections</b>	<b><u>13,395,678.04</u></b>	<b><u>72,747,628.78</u></b>

*Report can be reconciled by adding the monthly totals from the TCC Report of the following amounts:*

- \* Resident EIT from Employers/Taxpayers within the TCD
- \* Resident EIT from Other TCD's
- \* Non-Resident EIT for Political Subdivisions within the TCD
- \* Delinquent Earned Income Taxes Collected

**RESOLUTION NO. 2018-1**

**RESOLUTION SETTING FORTH REIMBURSEMENT OF LEGAL FEES AND ANY OTHER COST RELATIVE TO THE FILING OF A PETITION FOR APPEAL**

**Whereas**, the Lackawanna County Tax Collection Committee, (TCC), is a duly organized tax collection committee for the collection of certain 511 taxes; and

**Whereas**, pursuant to Act 32 of 2008, the TCC is required to establish a Board of Appeals to hear any petitions for appeals filed by taxpayers; and

**Whereas**, if petitions for appeals are filed, it is in the best interest of all Political Subdivisions, (PSDs), that the PSD or PSD's on where the tax matter on appeal is based shall be responsible for any and all costs and legal fees relating to petitions heard by the Board of Appeals.

NOW, therefore, be it resolved and it is hereby resolved as follows:

1. If a petition for appeal is filed with the TCC, any costs and legal fees incurred by the TCC relative to that specific appeal shall be assessed directly against the PSD from which taxes, the petition is based upon
2. That the amount due and owing to the TCC relating to any costs and attorney fees relative to appeals shall be deducted from that PSD's future distributions from the Tax Collector employed by the TCC.
3. Any resolution or part of said resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this 22ND day of 2018, *February*.

BY: *William R Lazor*  
WILLIAM LAZOR  
CHAIRMAN TCC

ATTEST:

\_\_\_\_\_  
SECRETARY TCC

RESOLUTION NO. 2018-2

A RESOLUTION OF THE GOVERNING BOARD OF LACKAWANNA COUNTY TAX COLLECTION COMMITTEE, LACKAWANNA COUNTY, PENNSYLVANIA, AUTHORIZING AN ASSESSMENT AGAINST THE POLITICAL SUBDIVISIONS WITHIN THE TAX COLLECTION DISTRICT TO FUND THE EXPENSES OF THE TAX COLLECTION COMMITTEE.

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania, enacted December 31, 1965, and effective January 1, 1966, known as the "Local Tax Enabling Act" ("LTEA"), authorizes certain political subdivisions to levy, assess and collect a tax on salaries, wages, commissions, compensation and Earned Income and Local Services of individuals, as therein with more particularity specified, generally and hereinafter referred to as the "Earned Income and Local Services Tax"; and

WHEREAS, municipalities and school districts ("Taxing Authorities") located within the Lackawanna County Tax Collection District ("TCD") have levied, assessed and provided for the collection of an Earned Income and Local Services Tax under the LTEA; and

WHEREAS, 53 P.S. § 69204.505(I)(2) provides that the expenses of the tax collection district shall be shared among and paid by all political subdivisions within the tax collection district.

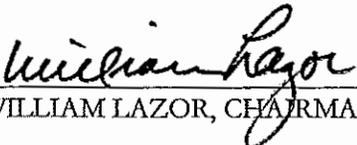
NOW THEREFORE, BE IT RESOLVED that;

1. LACKAWANNA COUNTY TAX COLLECTION COMMITTEE, LACKAWANNA COUNTY hereby approves an assessment of \$15,000.00 for the operating expenses of the Tax Collection Committee such to be shared by the political subdivisions within the Taxing Collection District allocated as provided by law.

2. FURTHER, the Tax Collector is directed to remit each political subdivision share of the assessment from monies due the political subdivision.

3. Any resolution or part of said resolution conflicting with the provisions of this resolution be and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this 22nd day of February 2018

BY:   
WILLIAM LAZOR, CHAIRMAN

ATTEST:

---

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**AMENDING FILE OF THE COUNCIL NO. 95, 2015, AN ORDINANCE, ENTITLED "AMENDING FILE OF THE COUNCIL NO. 79, OF 2015, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 145 OF 2007 ENTITLED "AN ORDINANCE RENAMING THE EMERGENCY AND MUNICIPAL SERVICES TAX ("EMST") TO LOCAL SERVICE TAX ("LST")" AND BY IMPOSING A WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR 2015 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER BY INCREASING THE LOCAL SERVICES TAX WITHHOLDING FROM \$52.00 TO \$156.00 FOR THE CALENDAR YEAR 2015, AND PROVIDING FOR AN EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER AND PURSUANT TO THE LOCAL TAX ENABLING ACT, ACT 511 OF 1965, P.L. 1257, 53 P.S. §6924,101 ET. SEQ., AND THE MUNICIPALITIES RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53 P.S. § 11701.101 ET. SEQ. AND THEIR RESPECTIVE AMENDMENTS" EFFECTIVE RETROACTIVE TO JANUARY 1, 2018. THIS TAX IS EXPECTED TO GENERATE APPROXIMATELY FOUR-MILLION EIGHT-HUNDRED TEN-THOUSAND (\$4,810,000.00) DOLLARS IN REVENUE IN CALENDAR YEAR 2018 BY ENABLING THE CITY OF SCRANTON TO CONTINUE TO LEVY THE LOCAL SERVICES TAX AT THE FISCAL YEAR 2017 RATE FOR FISCAL YEAR 2018 FOR A TOTAL MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED FIFTY-SIX (\$156.00) DOLLARS FOR THE FISCAL YEAR 2018 EFFECTIVE RETROACTIVE TO JANUARY 1, 2018 AND PROVIDING FOR AN EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00 FOR THE CALENDAR YEAR 2018.**

WHEREAS, the Local Tax Enabling Act (hereinafter "LTEA"), specifically 53 P.S. § 6924.311 (8), limits a municipality to levying a \$52.00 Local Services Tax on individuals who are employed within its limits; and

WHEREAS, the Municipalities Financial Recovery Act (hereinafter "MFRA"), 53 P.S. § 11701.123 (c)(1) and (d)(1), allows a Municipality that has adopted a Plan under 53 P.S. § 11701.241, et.seq. to petition the Court of Common Pleas of proper jurisdiction to increase its Local Services Tax beyond the maximum amount allowed by the LTEA up to a new maximum rate of \$156.00 on individuals who are employed within its limits; and

WHEREAS, the City of Scranton approved and adopted the Act 47 Exit Plan under 53 P.S. § 11701.245 on July 28, 2017, via File of the Council No. 111, 2017, which specifically recommended an increase in the Local Services Tax to the new maximum rate allowed by law of \$156.00 for fiscal year 2015 and going forward; and

**WHEREAS**, based on the foregoing, the City of Scranton Petitioned and received Court approval to increase the Local Services Tax from \$52.00 per year to \$156.00 per year in and for fiscal year 2015; and

**WHEREAS**, File of the Council No. 95, 2015, which amended File of the Council No. 79, 2015, which amended File of the Council No. 145 of 2007, passed final reading by City Council on May 7, 2015 and was signed into law on May 8, 2015 imposing a withholding of \$156.00 for the fiscal year 2015 and exempting any person from the local services tax whose total earned income and net profits from all sources within the municipality is less than \$15,600.00 for the calendar year in which the local services tax is levied.

**WHEREAS**, MFRA requires Municipalities seeking to continue utilizing an increased Local Services Tax to Petition the Court annually for authorization of the same; and

**WHEREAS**, the City of Scranton Petitioned the Court of Common Pleas of Lackawanna County for approval to continue levying the Local Services Tax at the Fiscal Year 2017 rate for Fiscal Year 2018 for a total maximum Local Services Tax rate of One Hundred Fifty-Six (\$156.00) dollars for Fiscal Year 2018; and

**WHEREAS**, the Court of Common Pleas of Lackawanna County granted the City's Petition to continue levying the Local Services Tax at the Fiscal Year 2017 rate for Fiscal Year 2018 for a total maximum Local Services Tax rate of One Hundred Fifty-Six (\$156.00) dollars for Fiscal Year 2018 and exempting any person from the local services tax whose total earned income and net profits from all sources within the municipality is less than \$15,600.00 for Calendar Year 2017 pursuant to the Court's Order, a copy of which is attached hereto as Exhibit "A".

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON**, that Section 1 of File of the Council No. 95 of 2015 shall be amended to read as follows:

**SECTION 1.**

**§ 231-9. Levy of tax**

For specific revenue purposes, an annual tax is hereby levied and assessed, commencing January 1, 2018; upon the privilege of engaging in an occupation with a primary place of employment within the City of Scranton during the tax year. Each natural person who exercises such privilege for any length of time during any tax year shall pay the tax for that year in the amount of \$156.00, assessed on a pro rata basis, in accordance with the provisions of this article.

This tax may be used solely for the following purposes as the same may be allocated by the City of Scranton from time to time: (1) emergency services, which shall include emergency medical services, police services and/or fire services; (2) road construction and/or maintenance; (3) reduction of property taxes; or (4) property tax relief through implementation of a homestead and farmstead exclusion in accordance with 53 Pa.C.S. Ch. 85, Subch. F (relating to homestead property exclusion). The political subdivision shall use no less than twenty-five percent of the funds derived from the tax for emergency services. This tax is in addition to all other taxes of any kind or nature heretofore levied by the political subdivision. The tax shall be no more than \$156.00 on each person for each calendar year, irrespective of the number of political subdivisions within which a person may be employed.

**SECTION 2.** Section 6 of File of the Council No.95 of 2015, is hereby amended as follows:

The tax imposed herein is effective for fiscal year 2018.

**SECTION 3.** In all other respects, File of the Council No. 95 of 2015 shall remain in full force and effect.

**SECTION 4.** This Ordinance is enacted under and pursuant to the Municipalities Financial Recovery Act, 53 P.S. § 11701.123 (c)(1) and (d)(1).

**SECTION 5.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this ordinance, and the effective administration thereof.

**SECTION 6.** This Ordinance shall be effective retroactive to January 1, 2018.

**SECTION 7.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

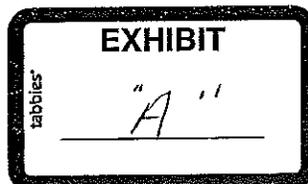
IN RE: CITY OF SCRANTON REQUEST : IN THE COURT OF COMMON PLEAS  
 TO INCREASE LOCAL SERVICES TAX : OF LACKAWANNA COUNTY  
 FOR FISCAL YEAR 2018 :  
 : CIVIL ACTION -- LAW  
 :  
 :  
 :  
 : 2018 - CV - 338

**ORDER**

AND NOW this 16<sup>th</sup> day of February, 2018, upon consideration of: 1) Petitioner City of Scranton's Petition for Approval to Continue Levying the Local Services Tax at the Fiscal Year 2017 Rate for Fiscal Year 2018; 2) the Response and Objections Raised by Respondents Gary St. Fleur, Timothy Walsh, Michele McGovern, and Adam Guiffrida; 3) the letter objections of Marie A. Schumacher; 4) the credible evidence of record from a hearing on the matter; and 5) the arguments by counsel for Petitioners and Respondents at the hearing on February 13, 2018; it is **HEREBY ORDERED** as follows:

- 1) The Objections to the Petition by Respondents St. Fleur, Walsh, McGovern, and Guiffrida raised at the hearing on February 13, 2018 are **OVERRULED** without prejudice in regard to other pending matters before this Court.
- 2) The City of Scranton's Petition for Approval to Continue Levying the Local Services Tax at the Fiscal Year 2017 Rate for Fiscal Year 2018 is **GRANTED**.
- 3) Petitioner City of Scranton is **HEREBY AUTHORIZED** to enact an Ordinance increasing the Local Services Tax to One Hundred Fifty-Six (\$156.00) dollars for Fiscal Year 2018. The tax will be effective retroactive to January 1, 2018.
- 4) The Ordinance shall "exempt any person from the local services tax whose total earned income and net profits from all sources within the municipality is less than \$15,600.00 for the calendar year in which the local services tax is levied." 53 P.S. § 11701.123(d)(1).

RECEIVED  
 CIVIL DIVISION  
 FEB 16 11:32 AM  
 COURT OF COMMON PLEAS  
 LACKAWANNA COUNTY



BY THIS COURT:

  
\_\_\_\_\_, J.  
HONORABLE JOHN L. BRAXTON

*cc: Written notice of the entry of the foregoing Order has been provided to each party pursuant to Pa. R. Civ. P. 236 (a) and (d) by transmitting time-stamped copies to:*

Jessica L. Eskra, Esq.  
Joseph Gardner Price, Esq.  
City of Scranton  
City Hall – Law Department  
340 N. Washington Ave.  
Scranton, PA 18503  
**Counsel for Petitioners**

John L. McGovern, Jr., Esq. CPA  
321 Spruce Street  
Suite 201  
Scranton, PA 18503  
**Counsel for Respondents St. Fleur, Walsh, McGovern, and Guiffrida.**

Marie Schumacher  
1799 E. Mountain Rd.  
Scranton, PA 18510  
**Respondent – pro se**



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 26, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 95, 2015, AN ORDINANCE, ENTITLED "AMENDING FILE OF THE COUNCIL NO. 79, OF 2015, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 145 OF 2007 ENTITLED "AN ORDINANCE RENAMING THE EMERGENCY AND MUNICIPAL SERVICES TAX ("EMST") TO LOCAL SERVICE TAX ("LST")" AND BY IMPOSING A WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR 2015 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER BY INCREASING THE LOCAL SERVICES TAX WITHHOLDING FROM \$52.00 TO \$156.00 FOR THE CALENDAR YEAR 2015, AND PROVIDING FOR AN EXEMPTION FROM TAXATION FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00 FOR THE CALENDAR YEAR 2015 UNDER AND PURSUANT TO THE LOCAL TAX ENABLING ACT, ACT 511 OF 1965, P.L. 1257, 53 P.S. §6924,101 ET. SEQ., AND THE MUNICIPALITIES RECOVERY ACT, ACT 47 OF 1987, P.L. 246, 53 P.S. § 11701.101 ET. SEQ. AND THEIR RESPECTIVE AMENDMENTS" EFFECTIVE RETROACTIVE TO JANUARY 1, 2018. THIS TAX IS EXPECTED TO GENERATE APPROXIMATELY FOUR-MILLION EIGHT-HUNDRED TEN-THOUSAND (\$4,810,000.00) DOLLARS IN REVENUE IN CALENDAR YEAR 2018 BY ENABLING THE CITY OF SCRANTON TO CONTINUE TO LEVY THE LOCAL SERVICES TAX AT THE FISCAL YEAR 2017 RATE FOR FISCAL YEAR 2018 FOR A TOTAL MAXIMUM LOCAL SERVICES RATE OF ONE HUNDRED FIFTY-SIX (\$156.00) DOLLARS FOR THE FISCAL YEAR 2018 EFFECTIVE RETROACTIVE TO JANUARY 1, 2018 AND PROVIDING FOR AN EXEMPTION FROM TAXATION \

RECEIVED

FEB 26 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

FOR ANY PERSON WHOSE TOTAL EARNED INCOME AND NET PROFITS  
FROM ALL SOURCES WITHIN THE MUNICIPALITY IS LESS THAN \$15,600.00  
FOR THE CALENDAR YEAR 2018.

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RESOLUTION NO. \_\_\_\_\_

2018

**AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A SIDEWALK EASEMENT SUBSTANTIALLY IN THE FORM ATTACHED HERETO AS EXHIBIT "A" BY AND BETWEEN PPL ELECTRIC UTILITIES CORPORATION ("GRANTOR") AND THE CITY OF SCRANTON ("GRANTEE") FOR THE STR 3B-3 STRUCTURE ACROSS FROM THE NEIL ARMSTRONG SCHOOL IDENTIFIED AS THE "EASEMENT AREA" ON THE PLAN AND METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "B."**

**WHEREAS**, the Grantor hereby grants and conveys to have and to hold, unto Grantee a permanent sidewalk easement over and across the land identified as the "Easement Area" on the plan and metes and bounds description attached hereto as Exhibit "B" and incorporated by referenced herein for the purpose of a public sidewalk and appurtenant work; and

**WHEREAS**, Grantor shall install, maintain and replace the sidewalk, and any reconstruction of such facility within the area of the easement; and

**WHEREAS**, the rights granted herein shall not be construed to interfere with or restrict Grantor and his/her/its successors and assigns from the use of the Easement Area with respect to the construction and maintenance of improvements and electric transmission system facilities adjacent to the Easement Area so long as the same are so constructed as not to interfere with the use and maintenance of the sidewalk within the Easement Area; and

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON** that the Mayor and other appropriate City officials are hereby authorized to execute and enter into a Sidewalk Easement substantially in the form attached hereto as Exhibit "A" by and between PPL Electric Utilities Corporation ("Grantor") and the City of Scranton ("Grantee") for the STR 3B-3 structure across from the Neil Armstrong identified as the "Easement Area" on the Plan and Metes and Bounds Description attached as Exhibit "B."

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any

portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania

Prepared by and return to:  
PPL Electric Utilities  
Attn: Rachel Spradlin  
2 North 9th Street, GENN4  
Allentown, PA 18101

PARCEL ID: 1341105000201

**Sidewalk Easement**  
**Individual**

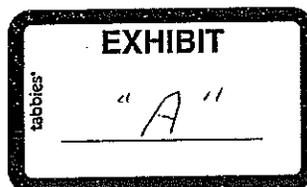
THIS SIDEWALK EASEMENT, made this 29 day of November, 2017 by **PPL Electric Utilities Corporation** ("Grantor"), for the benefit of, The City of Scranton a 340 North Washington Ave, Scranton, PA 18503, hereinafter referred to as "Grantee,"

**Witnesseth:**

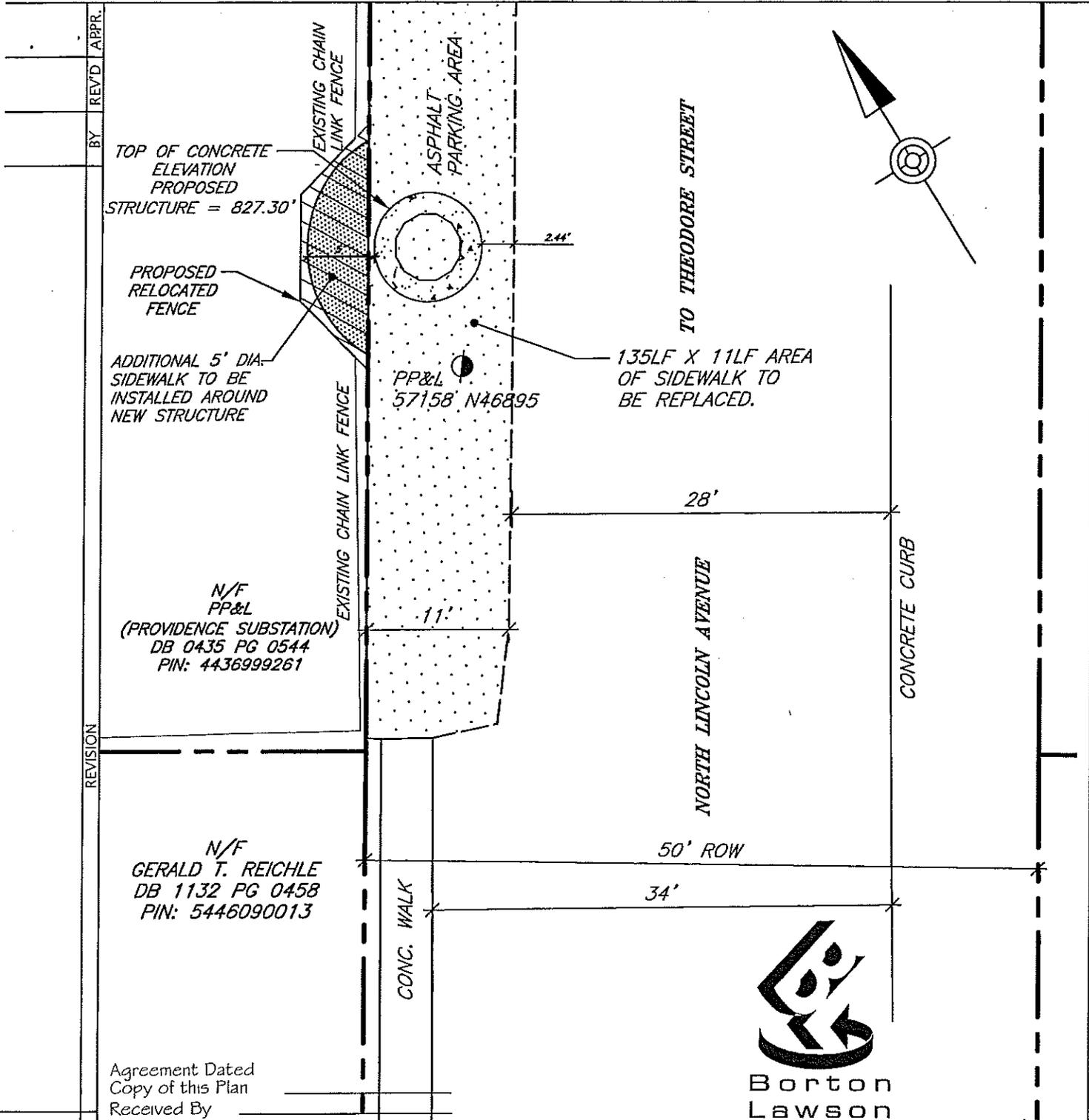
For and in consideration of the payment by Grantee of the sum of one dollar (\$1.00) and other valuable consideration, the receipt of which is hereby acknowledged, Grantor grants to Grantee a perpetual easement and right of way and agrees as follows:

1. Grantor hereby grants and conveys, to have and to hold, unto Grantee a permanent sidewalk easement over and across the land identified as the "Easement Area" on the plan attached hereto as Exhibit "A" and incorporated by reference herein, for the purpose of a public sidewalk and appurtenant work.
2. Grantor shall install, maintain and replace the sidewalk, and any reconstruction of such facility within the area of the easement.
3. The rights granted herein shall not be construed to interfere with or restrict Grantor and his/her/its successors and assigns from the use of the Easement Area with respect to the construction and maintenance of improvements and electric transmission system facilities adjacent to the Easement Area so long as the same are so constructed as not to interfere with the use and maintenance of the sidewalk within the Easement Area.
4. This Agreement is between a public utility and a municipal corporation and is therefore subject to Pennsylvania Public Utility Commission ("PUC") review pursuant to 66 Pa.C.S.A. § 507. The Effective Date of this Agreement shall be the later of i) thirty (30) days from the date that PPL submits the Agreement to the PUC; or ii) if the PUC opens an investigation of the Agreement, on the date the PUC approves the Agreement.

[SIGNATURES TO FOLLOW]







TOP OF CONCRETE ELEVATION PROPOSED STRUCTURE = 827.30'

PROPOSED RELOCATED FENCE

ADDITIONAL 5' DIA. SIDEWALK TO BE INSTALLED AROUND NEW STRUCTURE

N/F PP&L (PROVIDENCE SUBSTATION) DB 0435 PG 0544 PIN: 4436999261

N/F GERALD T. REICHLE DB 1132 PG 0458 PIN: 5446090013

Agreement Dated  
Copy of this Plan  
Received By \_\_\_\_\_  
Date \_\_\_\_\_

NOTE: FOR EXACT LOCATION OF RW AND/OR FACILITIES WITHIN THE RW, CONTACT THE LOCAL PPL ELECTRIC UTILITIES CORPORATION OFFICE.



Borton Lawson

SHEET 1 OF 2



PLAN AND PROFILE
N SHARE
C SORTS
LOC CODE
LOC CODE
LOC CODE
RY LOC CODE
43432

ACCT. NO.	10025829
ECN #	9212
SCALE	NONE
BY	RRC
REV'D	RJK

**SCRANTON PROVIDENCE TIE**  
 PLAN SHOWING SIDEWALK EASEMENT TO BE GRANTED TO CITY OF SCRANTON  
 BY PPL ELECTRIC UTILITIES CORPORATION  
 PPL GSR PROJECT  
 STRUCTURE 3B-3 SKETCH

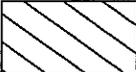
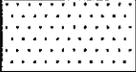
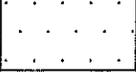
CITY OF SCRANTON APPROVAL DATE 12/15/2017  
 MICHAEL J. SKOKOSKI

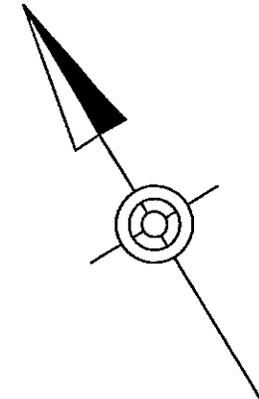
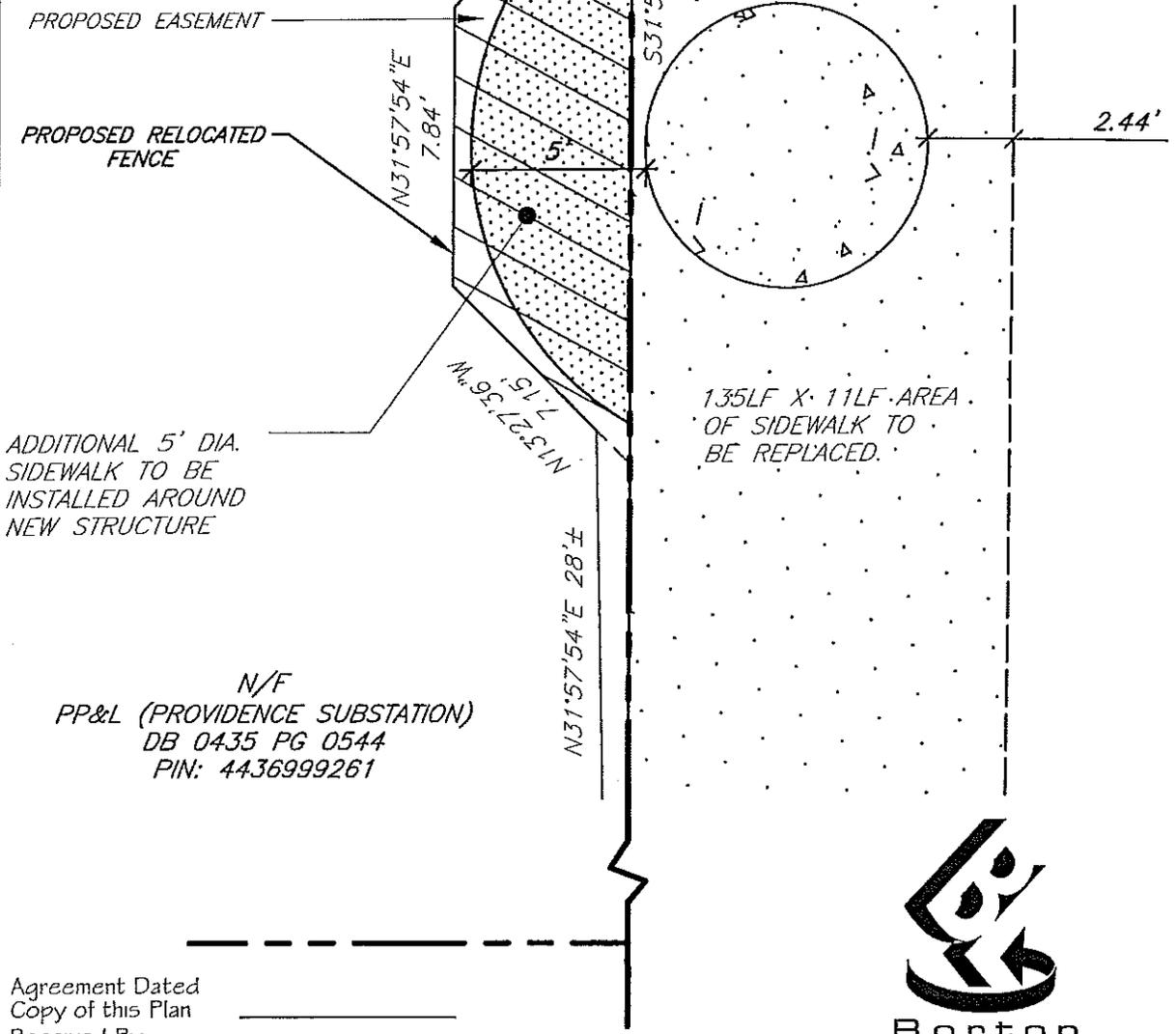
LACKAWANNA COUNTY, PA.  
**PPL ELECTRIC UTILITIES**



NO.	EU00536077	SHEET NO.	1	REVISION	0
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-  PROPOSED EASEMENT
-  PROPOSED ADDITIONAL SIDEWALK
-  SIDEWALK TO BE REPLACED



N/F  
 PP&L (PROVIDENCE SUBSTATION)  
 DB 0435 PG 0544  
 PIN: 4436999261

Agreement Dated \_\_\_\_\_  
 Copy of this Plan Received By \_\_\_\_\_  
 Date \_\_\_\_\_

NOTE: FOR EXACT LOCATION OF RW AND/OR FACILITIES WITHIN THE RW, CONTACT THE LOCAL PPL ELECTRIC UTILITIES CORPORATION OFFICE.



SHEET 2 OF 2  
 PPL ELECTRIC UTILITIES

NO. \_\_\_\_\_

DATE \_\_\_\_\_

REV'D- RJK

BY- RRC

SCALE- NONE

ECN #- 9212

ACCT.- 10025829

ACCT.- 10025829		SCRANTON PROVIDENCE TIE	
ECN #- 9212		PLAN SHOWING SIDEWALK EASEMENT TO BE GRANTED TO CITY OF SCRANTON	
SCALE- NONE		BY PPL ELECTRIC UTILITIES CORPORATION	
BY- RRC		PPL GSR PROJECT	
REV'D- RJK		STRUCTURE 3B-3 SKETCH	
CITY OF SCRANTON		LACKAWANNA COUNTY, PA.	
APPROVAL	DATE	PPL ELECTRIC UTILITIES	
MICHAEL J. SKOKOSKI	12/15/2017		
AC	A	DRAWING NO.	SHEET NO.
CAD ID	FORMAT	EU00536077	2
			REVISION
			0

PLAN AND PROFILE

N SHARE

C SORTS

LOC CODE

LOC CODE

LOC CODE

43432 RY LOC CODE

105

# Metes and Bounds Description

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**Project No. & Subdivision Name:** 2016-2206-029 Sidewalk easement STR 3B-3  
**Description Name:** Sidewalk easement STR 3B-3  
**Date Written and Written By:** November 27, 2017 TPH  
**Date Checked:** November 30, 2017 JAK

---

ALL that certain sidewalk easement situated in the City of Scranton, Lackawanna County Pennsylvania, said easement being bounded and described as follows:

BEGINNING at a point on the northwesterly right of way line of North Lincoln Avenue, Said point being north thirty-one degrees, fifty-seven minutes, fifty-four seconds East (N 31°57'54" E) twenty-eight (28) feet more or less from the southeasterly corner of lands now or formerly of PP&L Providence substation;

THENCE through the lands now or formerly of PP&L Province Substation, North thirteen degrees twenty-seven minutes thirty-six seconds West (N13° 27' 36"W) seven and fifteen hundredths feet (7.15') to a point;

THENCE through the same, North thirty-one degrees fifty-seven minutes fifty-four seconds East (N 31° 57' 54"E) seven and eighty-four hundredths feet (7.84') to a point;

THENCE through the same, North seventy-six degrees thirty two minutes twenty-four seconds East (N 76° 32' 24"E) seven and twenty-five hundredths feet (7.25') to a point on the northwesterly right of way line of North Lincoln Avenue;

THENCE along the northwesterly right of way line of North Lincoln Avenue, South thirty-one degrees, fifty-seven minutes, fifty-four seconds West (S 31°57'54" W) eighteen and two hundredths (18.02) feet to the POINT OF BEGINNING

CONTAINING 65.82 SQ.FT. +/-



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

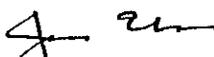
February 26, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A SIDEWALK EASEMENT SUBSTANTIALLY IN THE FORM ATTACHED HERETO AS EXHIBIT "A" BY AND BETWEEN PPL ELECTRIC UTILITIES CORPORATION ("GRANTOR") AND THE CITY OF SCRANTON ("GRANTEE") FOR THE STR 3B-3 STRUCTURE ACROSS FROM THE NEIL ARMSTRONG SCHOOL IDENTIFIED AS THE "EASEMENT AREA" ON THE PLAN AND METES AND BOUNDS DESCRIPTION ATTACHED HERETO AS EXHIBIT "B."

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED  
FEB 26 2018  
OFFICE OF CITY  
COUNCIL/CITY CLERK

RESOLUTION NO. \_\_\_\_\_

2018

**AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SCRANTON ("CITY") AND THE SCRANTON SCHOOL DISTRICT ("SCHOOL DISTRICT") SETTING FORTH THE TERMS AND CONDITIONS REGARDING THE OBLIGATIONS OF THE SCHOOL DISTRICT TO THE CITY AND THE DISBURSEMENT AND USE OF EDUCATIONAL AND GOVERNMENTAL ("EG") CAPITAL GRANT FUNDS.**

WHEREAS, the current Cable Franchise Agreement between the City and Comcast requires Comcast to provide the City with one Educational Channel and one Government Channel (collectively, the "EG Channels") for the City's exclusive use to provide community programming related to educational and governmental activities; and

WHEREAS, the School District utilizes the City's Educational Channel to cablecast local educational programming; and

WHEREAS, the School District's obligations to the City and the Disbursement and Use of Educational and Governmental "EG" Capital Grant Funds are more fully described in the Memorandum of Understanding, a copy of which is attached hereto, marked as Exhibit "A", and incorporated herein by reference hereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON** that the Mayor and other appropriate City officials are hereby authorized to execute and enter into the Memorandum of Understanding by and between the City and the School District attached hereto as Exhibit "A", setting forth the terms and conditions regarding the obligations of the School District to the City and disbursement and use of EG Capital Grant Funds.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

# MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SCRANTON AND THE SCRANTON SCHOOL DISTRICT

This Memorandum of Understanding ("MOU") is executed as of this \_\_\_\_\_ day of \_\_\_\_\_, 2018 ("Effective Date") by and between the City of Scranton ("City"), a municipal corporation of the Commonwealth of Pennsylvania, and the Scranton School District ("School District"), which is a non-profit organization that operates, administers, and oversees the public K-12 educational system serving the City of Scranton. The purpose of this MOU is to set forth the terms and conditions regarding the obligations of the School District to the City and the disbursement and use of Educational and Governmental ("EG") capital grant funds.

**WHEREAS**, Section 611 of the federal Communications Act, 47 U.S.C. § 531, authorizes municipalities to require cable operators to set aside channel capacity for public access, educational, and governmental ("PEG") programming; and

**WHEREAS**, the current Cable Franchise Agreement ("Agreement") between the City and Comcast requires Comcast to provide the City with one Educational Channel and one Governmental Channel (collectively, the "EG Channels") for the City's exclusive use to provide community programming related to educational and governmental activities; and

**WHEREAS**, pursuant to Section 7.3 of the Agreement, Comcast has agreed to provide the City with an EG Capital Grant to be used to support of the production of programming for the EG Channels; and

**WHEREAS**, the School District utilizes the City's Educational Channel to cablecast local educational programming.

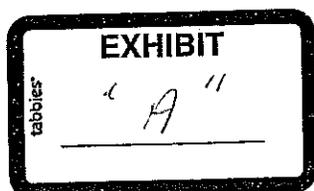
**NOW, THEREFORE**, in consideration of the mutual promises contained herein and intended to be legally bound hereby, the City and the School District agree as follows:

**1. Responsibility of Administration**

The City Law Department shall be responsible for the administration of this MOU.

**2. Disbursement and Payment Schedule of Capital Grant Funds to the School District**

a. The Agreement between the City and Comcast provides for financial support to the City for the City's EG Channels in the form of an EG Capital Grant ("Capital Grant"). Section 7.3 of the Agreement states that Comcast shall provide the City with a monetary EG Capital Grant in the amount of Two Hundred Thousand Dollars (\$200,000) to be used in the support of the production of programming for the EG Channels. This EG Capital Grant is to be dispersed in two installments: 1) \$100,000 on or before thirty (30) days after the effective date of the Agreement; and 2) \$100,000 on or before twelve (12) months after the effective date of the Agreement.



b. The City agrees to remit Thirty Thousand Dollars (\$30,000) of the Capital Grant it receives from Comcast to the School District on or before thirty (30) days following the Effective date of this MOU. This sum shall be used by the School District for its use in the production of EG Channel programming, provided that the School District complies with its obligations as prescribed in this MOU and as reviewed by the City Law Department. The City's disbursement of these funds is further conditioned upon receipt of the funds from Comcast.

c. The disbursements of funds as set forth above in Section 2(b) will occur if, and only if:

(i) The School District complies with its obligations as prescribed in this MOU and as reviewed by the City Law Department; and

(ii) The Agreement between Comcast and the City is not revoked or otherwise terminated prior to the next disbursement of funds.

### **3. Programming Requirements**

It shall be a requirement that the School District produce and cablecast on the Educational Channel a minimum of three (3) hours of locally produced, non-repetitive, and non-character generated community programming on a weekly basis only when school is in session. This programming requirement does not pertain to the School District when school is not in session.

### **4. Non-Commercial Use**

The Educational Channel may not be used for advertising or commercial fundraising. The School District may, however, enter into underwriting or sponsorship arrangements with third party entities that conform to the sponsorship guidelines utilized by the Public Broadcasting Service (PBS).

### **5. Permitted Uses for Capital Grant Funds**

Any Capital Grant funds that the City remits to the School District pursuant to this MOU shall be used for capital costs only related to the production of Educational Channel programming.

### **6. The School District's Fiscal Responsibility**

a. The School District shall administer all funds received by the City in a fiscally prudent manner consistent with the requirements of this MOU and all applicable laws and

regulations. The School District is prohibited from using such funds in a manner that is wasteful or financially irresponsible.

b. The School District shall implement and maintain internal financial controls, record-keeping and financial management consistent with the reasonable practices applicable to non-profit organizations.

## **7. Reporting Requirements**

Within thirty (30) days following the first anniversary of the Effective Date of this MOU, the School District shall submit to the City's Law Department the following:

- i. A report detailing how the Capital Grant funds have been expended in the prior year; and
- ii. A report detailing how any remaining Capital Grant funds are expected to be used in the upcoming year.

These annual reporting requirements shall cease once the School District has expended all of the Capital Grant funds.

## **8. Audit Rights**

On an annual basis, upon thirty (30) days prior written notice, the City shall have the right to conduct an independent audit of the School District's financial records that are related to the School District's operation of the Educational Channel and the use of Capital Grant funds. The School District shall provide the City with copies of any documentation requested by the City relative to the audit.

## **9. Term**

This MOU shall commence on the Effective Date and shall expire on the same date as the expiration date of the Agreement, unless terminated earlier by the City. The City may terminate this MOU for any reason upon thirty (30) days written notice to the School District. Should the School District no longer wish to utilize the Educational Access Channel, it shall provide the City with thirty (30) days prior written notice at which point this MOU shall terminate.

## **10. Independent Contractor**

The School District is an independent contractor with no principal/agent or other relationship created as a result of this MOU. If any third persons or other entities are employed or otherwise engaged by the School District, such third persons or other entities shall be exclusively under the control of the School District and shall have no legal relationship with the City. As such, all terms of such engagement such as hours, wages, working conditions, discipline, etc. shall be determined by the School District. Any volunteers or employees of The

School District, including but not limited to, directors and community producers, shall be exclusively under the control of the School District. The School District assumes all liability for all acts and omissions of such persons or other entities which occur within the scope of their engagement as it relates to the School District's business.

**11. Indemnification and Insurance**

a. The School District shall indemnify and hold the City, its elected and appointed officials, officers, agents, and employees harmless from any liability arising from EG access programming or the School District's use of access facilities or equipment. The obligation to indemnify shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, attorneys' fees, court costs, and all other costs of such indemnification. Claims related to such liability include, but are not limited to, libel, slander, invasion of privacy, infringement of common law or statutory copyright, unauthorized use of trademark, breach of contract, obscenity, personal injury, property damage, or any other claims for damage or injury in law or equity.

b. The School District must obtain and maintain adequate insurance of types and amounts prescribed by the City Law Department and which identify the City as additional named insured.

**12. Assignment**

Neither this MOU nor any interest herein shall be assigned by the School District to any other entity without the prior express written authorization of the City.

**13. No Third-Party Beneficiaries.**

Nothing in this MOU is intended to confer third-party beneficiary status on any member of the public to enforce the terms of this MOU.

**14. Governing Law**

The laws of the Commonwealth of Pennsylvania shall govern the terms and conditions of this MOU.

**15. Notices**

All formal notices to be given by either party must be given in writing via regular mail and addressed as follows:

If to the City:

City Law Department  
City of Scranton  
340 North Washington Avenue  
Scranton, PA 18503

The City may specify any change of address in writing to the School District.

If to the School District:

Scranton School District  
Attention: Chief Information Officer  
425 N. Washington Avenue  
Scranton, PA 18503

The School District may specify any change of address in writing to the City.

**16. Entire Agreement**

This MOU is the entire agreement of the parties regarding the operation of the Educational Channel and the obligations of the parties with respect to such Channel and supersedes all prior negotiations and agreements whether written or oral regarding the subject matter contemplated herein. This MOU may only be amended by a written instrument signed by both parties.

**WITNESS** our hands and official seals, this \_\_\_ day of \_\_\_\_\_ 2018.

[SIGNATURE PAGE TO FOLLOW]

**CITY OF SCRANTON**

\_\_\_\_\_  
City Controller

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Business Administrator

APPROVED AS TO FORM:

\_\_\_\_\_  
City Solicitor

ATTEST:

\_\_\_\_\_

**SCRANTON SCHOOL DISTRICT**

By: \_\_\_\_\_

Name (Print): \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

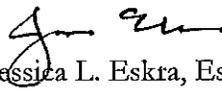
February 26, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF SCRANTON ("CITY") AND THE SCRANTON SCHOOL DISTRICT ("SCHOOL DISTRICT") SETTING FORTH THE TERMS AND CONDITIONS REGARDING THE OBLIGATIONS OF THE SCHOOL DISTRICT TO THE CITY AND THE DISBURSEMENT AND USE OF EDUCATIONAL AND GOVERNMENTAL ("EG") CAPITAL GRANT FUNDS.

Respectfully,

  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 26 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

RESOLUTION NO. \_\_\_\_\_

2018

**AUTHORIZING THE FORMATION OF A SHARED SERVICES TASK FORCE IN COOPERATION WITH THE SCRANTON SCHOOL DISTRICT TO EXPLORE SHARED SERVICES, COSTS AND EXPENSES.**

**WHEREAS**, the City of Scranton and the Scranton School District are municipal bodies, encompassing the same taxpayers; and

**WHEREAS**, the City of Scranton and the Scranton School District are desirous to share services in order to increase efficiencies, enhance intergovernmental relationships and improve the quality of governmental services; and

**WHEREAS**, the City of Scranton has adopted a Recovery Plan pursuant to Act 47; and

**WHEREAS**, the Recovery Plan for the City of Scranton recommends the City make efforts to share services, costs and expenses with other municipal bodies; and

**WHEREAS**, to advance dialogue and ensure the success of shared services, costs and expenses, the City of Scranton and the Scranton School District have agreed to form a "Shared Services Task Force" to explore/recommend shared services opportunities; and

**WHEREAS**, the City of Scranton City Council shall appoint two members to said TASK FORCE, along with four members from the Scranton School District; and

**WHEREAS**, Council representatives will invite administration personnel to meetings of said TASK FORCE to accomplish the above; and

**WHEREAS**, Council representatives will provide regular updates on the progress of said TASK FORCE to full Council.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Scranton City Council approve the formation of a "SHARED SERVICES TASK FORCE" in conjunction with the Scranton School District and hereby appoints Councilmen Bill Gaughan and Kyle Donahue to represent City Council on such "Task Force."

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council

\_\_\_\_\_  
Receiving the Affirmative votes of Council Persons

Negative \_\_\_\_\_

\_\_\_\_\_  
President

Approved \_\_\_\_\_

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Certified Copy

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**CREATING AND ESTABLISHING SPECIAL CITY ACCOUNT NO. 02.229625 ENTITLED "SERRENTI EMERGENCY CENTER" FOR THE RECEIPT AND DISTRIBUTION OF GRANT FUNDS FROM THE PENNSYLVANIA GOVERNOR'S OFFICE LAW ENFORCEMENT ACTIVITIES APPROPRIATIONS GRANT FUNDING IN ORDER TO PROVIDE FUNDING TO CONVERT THE SERRENTI MEMORIAL ARMY RESERVE CENTER INTO AN EMERGENCY SERVICES CENTER.**

WHEREAS, this Special City Account is being established for receiving and distribution of grant funds from the Pennsylvania Governor's Office Law Enforcement Activities appropriations in order to provide funding to convert the Serrenti Memorial Army Reserve Center into an emergency Services Center.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that Special City Account No. 02.229625 is hereby established and that any and all appropriate City officials are authorized to execute any and all documents necessary to set up said account.

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



DEPARTMENT OF BUSINESS ADMINISTRATION

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4118 • FAX: 570-348-4225

February 5, 2018

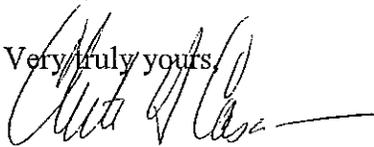
Jessica Eskra, Esq.  
City Solicitor  
Municipal Building  
Scranton, PA 18503

Dear Attorney Eskra:

Please prepare an Ordinance for Scranton City Council creating a new special city account for the purpose of receiving grant funds from the Pennsylvania Governor's Office Law Enforcement Activities appropriations grant funding in order to provide funding to convert the Serrenti Memorial Army Reserve Center into an Emergency Services Center.

**02.229625**  
**Serrenti Emergency Center**

If you should have any questions regarding this matter, please do not hesitate to contact me.

Very truly yours,  
  
Christe Casciano  
Business Administrator

CAC:nmk

Encls.

Cc: Roseann Novembrino, City Controller  
Wayne Beck, City Treasurer  
Lori Reed, City Clerk  
Andy Marichak, Financial Analyst  
Adam Joyce, Senior Accountant  
Rebecca McMullen, Financial Manager



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 12, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE CREATING AND ESTABLISHING SPECIAL CITY ACCOUNT NO. 02.229625 ENTITLED "SERRENTI EMERGENCY CENTER" FOR THE RECEIPT AND DISTRIBUTION OF GRANT FUNDS FROM THE PENNSYLVANIA GOVERNOR'S OFFICE LAW ENFORCEMENT ACTIVITIES APPROPRIATIONS GRANT FUNDING IN ORDER TO PROVIDE FUNDING TO CONVERT THE SERRENTI MEMORIAL ARMY RESERVE CENTER INTO AN EMERGENCY SERVICES CENTER.

Respectfully,

*Jessica Eskra (S)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 12 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**ESTABLISHING PERMIT PARKING ON THE EVEN SIDE OF THE 900 BLOCK OF OLIVE STREET FROM 912 OLIVE STREET EAST TO QUINCY AVENUE AND ON THE ODD SIDE FROM 915 OLIVE STREET EAST TO QUINCY AVENUE.**

WHEREAS, the City of Scranton has developed a permit parking program whereby a citizen or group of citizens may request that a given right of way be designated permit parking; and

WHEREAS, residents of the 900 Block of Olive Street have petitioned City Council for permit parking for the 900 Block of Olive Street, and a copy of the petition is attached hereto as Exhibit "A" and incorporated herein and made a part hereof; and

WHEREAS, the petition was been sent to the Highway Division of the Scranton Police Department for review and evaluation; and

WHEREAS, the Scranton Police Department conducted a parking study at this location, and, based on the results of that study, are recommending that permit parking be established on the even side of the 900 block of Olive Street from 912 Olive Street east to Quincy Avenue and on the odd side from 915 Olive Street east to Quincy Avenue. See correspondence dated February 2, 2018 from Chief Carl R. Graziano of the Scranton Police Department confirming this designation attached hereto marked as Exhibit "B and made a part hereof.

WHEREAS, the Ordinance establishing the permit parking program requires that streets or parts thereof to be designated as permit parking be designated by the Police Department (the "Administrator") and approved by the governing body after public hearing on the issue.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the even side of the 900 block of Olive Street from 912 Olive Street east to Quincy Avenue and on the odd side from 915 Olive Street east to Quincy Avenue are hereby designated as permit parking only subject to the rules and restrictions as set forth in the Scranton Code pertaining to the residential permit parking program.

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

# Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

Lori Reed  
City Clerk

Amil Minora, Esq.  
Counsel



Pat Rogan, President  
Timothy Perry, Vice President  
William Gaughan  
Wayne Evans  
Kyle Donahue

January 2, 2018

Chief Carl Graziano  
Scranton Police Department  
100 South Washington Avenue  
Scranton, PA 18503

Dear Chief Graziano:

Scranton City Council has received a petition for **Permit Parking** on the 900 block of Olive Street. (A copy of the petition is attached).

We would appreciate if you could please have your department assess this situation and let our office know the findings and recommendations.

Sincerely,

Lori Reed  
City Clerk

Enclosure

cc: Mrs. A. Turin  
Scranton City Council



# Scranton Police Department

Superintendent of Police

Chief Carl R. Graziano

Scranton Police Headquarters  
100 South Washington Avenue  
Scranton, Pennsylvania 18503  
Tel: (570) 558-8300  
Email: [cgraziano@scrantonpa.gov](mailto:cgraziano@scrantonpa.gov)



**Be Part of  
The Solution**

SCRANTON

February 02, 2018

Jessica Eskra, Esquire  
City Solicitor  
City of Scranton

Attorney Eskra,

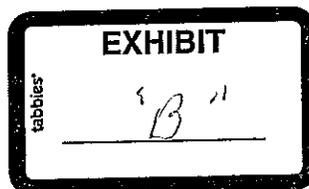
We had received a petition from residents on the 900 block of Olive Street requesting that their block be considered for residential permit parking. We conducted a parking study at this location, as per city ordinance, and based on the results of that study we are recommending that residential permit parking be established on the even side of the 900 block of Olive Street from 912 Olive Street east to Quincy Avenue and on the odd side from 915 Olive Street east to Quincy Avenue.

Can you please draft an ordinance establishing limited residential permit parking at the above location? Please contact me if you have any questions or concerns on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Graziano".

Chief Carl R. Graziano





DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 12, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE ESTABLISHING PERMIT PARKING ON THE EVEN SIDE OF THE 900 BLOCK OF OLIVE STREET FROM 912 OLIVE STREET EAST TO QUINCY AVENUE AND ON THE ODD SIDE FROM 915 OLIVE STREET EAST TO QUINCY AVENUE.

Respectfully,

*Jessica Eskra (S)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 12 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE SIX THOUSAND DOLLARS (\$6,000.00) FROM THE UDAG REPAYMENT ACCOUNT INTO WHICH URBAN DEVELOPMENT ACTION GRANTS (UDAG) REPAYMENTS ARE DEPOSITED. THIS WILL COVER THE CITY OF SCRANTON'S SHARE OF COSTS FOR THE UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA TO ADMINISTER THE CONTINUUM OF CARE FOR LACKAWANNA COUNTY DURING THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018.**

**WHEREAS**, the City of Scranton's Office of Economic and Community Development administers Urban Development Action grants (UDAG) for which repayments are received (UDAG Repayments) that are deposited into the UDAG Repayment Account, and

**WHEREAS**, File of Council No. 47, 2008 requires legislation approved by the Governing Body of the City of Scranton prior to disbursement of UDAG Repayments from the UDAG Repayment Account, and

**WHEREAS**, Scranton City Council has requested legislation that would allow the City to provide UDAG "Re-Re" funds to the United Neighborhood Centers of Northeastern Pennsylvania to administer the Continuum of Care for Lackawanna County during the period July 1, 2017 through June 30, 2018. The total cost is \$12,000.00 for a one-year period. Lackawanna County will cover one half (\$ 6,000.00) of the total and the City of Scranton will cover the other half (\$6,000.00).

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON**, that the Mayor and other appropriate City Officials are hereby authorized to disburse Six Thousand dollars (\$6,000.00) from the UDAG Repayment Account into which Urban Development Action Grants (UDAG) repayments are deposited. This will cover the City of Scranton's share of costs for the United Neighborhood Centers of Northeastern Pennsylvania to Administer the Continuum of Care for Lackawanna County during the period July 1, 2017 through June 30, 2018.

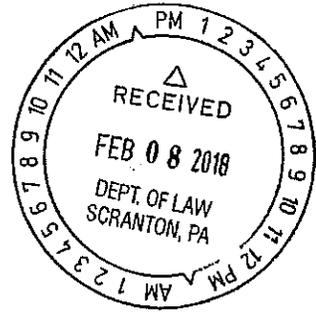
**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect

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any other section, clause, provision, or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



February 8, 2018

Atty. Jessica Eskra  
340 North Washington Avenue  
City Hall  
Scranton, PA 18503

Re: Ordinance  
UDAG Funding  
Lackawanna County Continuum of Care

Dear Atty. Eskra:

Attached is a Ordinance requesting City Council to approve funding from the UDAG restricted account. This will allow United Neighborhood Centers of NEPA to administer for the City and Lackawanna County the Continuum of Care. See attached agreement. This is a yearly expense that OECD has been covering for the City for years; however, our unrestricted funds are depleted and must use restricted.

If you have any questions, please contact me at [laebli@scrantonpa.gov](mailto:laebli@scrantonpa.gov).

Sincerely,

Linda B. Aebli  
Executive Director

Lba/  
Attachments



# UNITED NEIGHBORHOOD CENTERS of Northeastern Pennsylvania

777 Keystone Industrial Park Road, Throop, Pennsylvania 18512  
Phone: (570) 346-0759  
www.uncnepa.org

2018 FEB 5 PM 3 33

## CHILD CARE

Administrative Office  
570-344-9882  
Bellevue Center  
570-342-5251  
Progressive Center  
570-207-4950  
Green Ridge Center  
570-961-2224

## COMMUNITY YOUTH

Bellevue Center  
570-342-5251  
Progressive Center  
570-207-4950  
Leaders in Training  
570-961-1592  
Adventure Course  
570-961-1592  
Project Hope  
570-344-9882  
Creative Arts  
570-961-1592

## COMMUNITY SERVICES

Emergency Assistance  
570-343-8835  
Energy Assistance  
570-343-8835  
Transitional Housing  
570-343-8835  
Permanent Supportive Housing  
570-343-8835  
One Stop Shop  
570-343-8835  
Rental Assistance  
570-343-8835  
Angel's Attic  
570-343-8835  
First Time Homebuyers  
570-343-8835  
Violence Intervention  
570-343-8835  
Foreclosure Prevention  
570-343-8835  
Post Foster Care Housing  
570-343-8835  
Community Organizing  
570-343-8835

## SENIOR CENTERS

West Side Center  
570-961-1592  
South Side Center  
570-346-2487  
Carbondale Center  
570-282-6167  
Mid Valley Center  
570-489-4415

## SCOLA

570-346-6203

## COMMUNITY HEALTH

570-880-7130

January 31, 2018

Ms. Linda Aebli  
Executive Director  
Office of Economic and Community Development  
340 North Washington Avenue  
Scranton, PA 18503

Dear Ms. Aebli:

Enclosed please find an agreement between United Neighborhood Centers and the City of Scranton for writing the Continuum of Care for Lackawanna County. This document is a comprehensive study of the homeless population and the capacity of agencies in the county to provide services. United Neighborhood Centers has been writing this document, which is required by HUD for the submission of grants to serve the homeless, for the past fourteen years.

Last year this submission generated over \$2.3 million dollars for a number of programs operated by six different agencies in the county. We are again expecting over \$2 million through this year's process including the addition of new beds for chronic homeless individuals and families and a renewed emphasis on ending Veteran Homelessness in the City of Scranton per the direction of Mayor Courtwright

As in previous years, Lackawanna County will cover one half of the total cost of \$12,000. The City's share will once again be \$6,000.

Shannon Quinn-Sheeran will be coordinating this effort on behalf of United Neighborhood Centers. I have enclosed an agreement between UNC and the City for these services.

Should you have any questions please feel free to contact me at 570-346-0759.

Sincerely,

Michael J. Hanley  
Chief Executive Officer



Member, United Way  
of Lackawanna and  
Wayne Counties  
Member of  
Alliance for Strong  
Families and Communities

# SUPER NOFA – CONTINUUM OF CARE AGREEMENT

## Introduction

Each year, the Scranton/Lackawanna County Housing Collaborative reviews, evaluates, and updates the community's Continuum of Care (CoC), its system of programs and services, for individuals and families who are in need of shelter, transitional or supportive housing. The process is jointly administered by the City of Scranton Office of Economic and Community Development, the Lackawanna County Department of Human Services, and the Housing Coalition of Lackawanna County, an association of nonprofit service providers and funders.

The CoC review produces data, evaluative comments, and recommendations concerning the community's system of programs and services. These form the basis of the Continuum of Care Exhibit One, a document describing the current system and presenting a one-year plan to maintain and improve it. Exhibit One sets forth local priorities for development of new programs that fill critical gaps in the Continuum; it documents the need for the programs proposed by local agencies for HUD Supported Housing Program funding.

United Neighborhood Centers proposes to manage the annual Continuum of Care review and related work during the period July 1, 2017 through June 30, 2018. Specifics of this proposal are as follows:

## Scope of Work

UNC will provide all local assistance to complete this project including data collection, meeting set up and scheduling and local mailing etc. The entire scope of work delivered directly by UNC is as follows:

### **1. Homeless Continuum of Care Assessment, Evaluation, and Planning**

Structured provider interviews and point-in-time provider surveys will be used to obtain

- Assessment of consumer needs: e.g., emergency shelter for families, individuals.
- Inventory/Assessment of provider resources and needs: e.g., available services, funds

Relevant data on population trends, demographics, etc. will be incorporated as available

Gaps Analysis---data and discussion---based on above data

Dissemination of gaps analysis to prospective Super NOFA applicants

### **2. Development of a Continuum of Care Plan**

A plan for strengthening the Scranton/Lackawanna Continuum of Care will be developed using the above data and public/agency input from evaluation sessions throughout the year.

The sessions will be coordinated with the Lackawanna County Continuum of Care Board, the Housing Coalition and other provider organizations.

The plan will include,

- A recommended structure/plan of organization for the Continuum (lead agency, committees, etc.)

- Goals, Objectives, Timelines and Responsibilities of Participant Agencies
- Recommended Resource Development strategy
- Recommended next steps for the Scranton/Lackawanna CoC

**3. Super NOFA Response**

Coordination of public meetings/planning meetings, including issuing notices, arranging space, providing RFP announcements, recording the minutes, etc.

Development of CoC Exhibit One, including narrative, forms, statistics

Assembly of the final Super NOFA submittal, including circulation for signatures, copying, mailing, etc.

**Contract Period**

The work will be performed during the period July 1, 2017 through June 30, 2018.

**Responsibilities/Relationship of Participants**

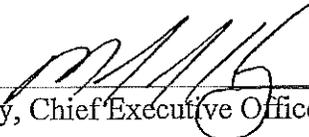
The Housing Coalition for Lackawanna County will serve as lead organization for the Scranton/Lackawanna Continuum of Care. The City of Scranton, and Lackawanna County Department of Human Services will contract with United Neighborhood Centers in provision of the above services. A representative of Lackawanna County DHS and the City of Scranton OECD will serve as points of contact for United Neighborhood Centers.

United Neighborhood Centers will circulate to prospective grantees the Exhibit One Continuum of Care (in draft or final form) to allow them the opportunity to develop their grant applications accordingly. United Neighborhood Centers will not provide consulting/advisory services to prospective applicants and will not review grant applications.

**Fee**

United Neighborhood Center's fee for above services for the City of Scranton will be \$6,000.

for United Neighborhood Centers

  
 \_\_\_\_\_  
 Michael Hanley, Chief Executive Officer

Date: 1.31.18

Acceptance: for Scranton Office of Economic and Community Development

\_\_\_\_\_  
 Date: \_\_\_\_\_



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 12, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE SIX THOUSAND DOLLARS (\$6,000.00) FROM THE UDAG REPAYMENT ACCOUNT INTO WHICH URBAN DEVELOPMENT ACTION GRANTS (UDAG) REPAYMENTS ARE DEPOSITED. THIS WILL COVER THE CITY OF SCRANTON'S SHARE OF COSTS FOR THE UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA TO ADMINISTER THE CONTINUUM OF CARE FOR LACKAWANNA COUNTY DURING THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018.

Respectfully,

Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 12 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**ESTABLISHING PERMIT PARKING ON THE EASTERLY (EVEN) SIDE ONLY OF THE 300 BLOCK OF TAYLOR AVENUE FROM 316 TO 330 TAYLOR AVENUE (316-322, 324-326 AND 328-330).**

WHEREAS, the City of Scranton has developed a permit parking program whereby a citizen or group of citizens may request that a given right of way be designated permit parking; and

WHEREAS, residents of the 300 Block of Taylor Avenue have petitioned City Council for permit parking for the Easterly (even) side only of the 300 Block of Taylor Avenue a copy of the petition is attached hereto as Exhibit "A" and incorporated herein and made a part hereof; and

WHEREAS, the petition was been sent to the Highway Division of the Scranton Police Department for review and evaluation; and

WHEREAS, the Highway Division has determined that the Easterly (even) side only of the 300 Block of Taylor Avenue from 316 to 330 Taylor Avenue (316-322, 324-326 and 328-330) meets the eligibility requirements for permit parking (see correspondence dated December 12, 2017 from Cpl. David J. Mitchell to Chief Carl R. Graziano of the Scranton Police Department confirming this designation attached hereto marked as Exhibit "B and made a part hereof); and

WHEREAS, the Ordinance establishing the permit parking program requires that streets or parts thereof to be designated as permit parking be designated by the Police Department (the "Administrator") and approved by the governing body after public hearing on the issue.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON** that the Easterly (even) side only of the 300 Block of Taylor Avenue from 316 to 330 Taylor Avenue (316-322, 324-326 and 328-330) are hereby designated as permit parking only subject to the rules and restrictions as set forth in the Scranton Code pertaining to the residential permit parking program.

**SECTION 1.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

**SECTION 2.** This Ordinance shall become effective immediately upon approval.

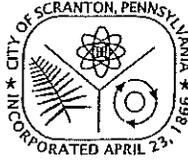
**SECTION 3.** This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

# Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

Lori Reed  
City Clerk

Amil Minora, Esq.  
Counsel



Joseph Wechsler, President  
Pat Rogan, Vice President  
William Gaughan  
Wayne Evans  
Timothy Perry

November 2, 2017

Chief Carl Graziano  
Scranton Police Department  
100 South Washington Avenue  
Scranton, PA 18503

Dear Chief Graziano:

Scranton City Council has received a petition for **Permit Parking** on the 300 block of Taylor Avenue – even side only. (A copy of the petition is attached).

We would appreciate if you could please have your department assess this situation and let our office know the findings and recommendations.

Sincerely,

Lori Reed  
City Clerk

Enclosure

cc: Karan Desai  
Scranton City Council

## PERMIT PARKING PETITION

We, the undersigned residents and taxpayers, residing at

318 Taylor Ave Apt #3 in the City of Scranton, PA

respectfully petition your Honorable Body to designate

300 Block of Taylor Ave <sup>on even side</sup> as a "Permit Parking Only" area

Contact person circulating petition: Karan J. Desai

Phone #: 570-862-3151 <sup>(name)</sup> 318 Taylor Ave, Apt #3  
(address)

NAME	ADDRESS
<u>Karan J. Desai</u>	<u>318 Taylor Ave</u>
<u>Krishna J. Desai</u>	<u>318 Taylor Ave</u>
<u>Jayash M Desai</u>	<u>318 Taylor Ave.</u>
<u>Prajna S. Desai</u>	<u>316 Taylor Ave apt #4</u>
<u>Trupanski Desai</u>	<u>316 Taylor Ave. apt #4</u>
<u>Dhanya Desai</u>	<u>318 Taylor Ave Apt # 11</u>
<u>Rakesh Desai</u>	<u>318 Taylor Ave. apt # 11</u>
<u>Trisha Desai</u>	<u>320 Taylor Ave apt # 10</u>
<u>Manan Patel</u>	<u>318 Taylor Ave Apt # 2</u>
<u>Jay Patel</u>	<u>318 Taylor Ave apt #2</u>
<u>Bharat Tamang</u>	<u>316 Taylor Ave apt #16</u>
<u>Surab Karki</u>	<u>318 Taylor Ave Apt # 15</u>
<u>Vishant Patel</u>	<u>322 Taylor Ave Apt #</u>
<u>Susmit Patel</u>	<u>322 Taylor Ave apt # 5</u>
<u>Dinesh Desai</u>	<u>320 Taylor Ave Apt # 10</u>
<u>Dharmistha Patel</u>	<u>320 Taylor Ave Apt 14</u>

REMARKS:

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**PERMIT PARKING PETITION**

We, the undersigned residents and taxpayers, residing at

318 Taylor Ave Apt #3 in the City of Scranton, PA

respectfully petition your Honorable Body to designate

300 Block on Taylor Ave on Even Side as a "Permit Parking Only" area

Contact person circulating petition: Karan J. Desai

Phone #: 570-862-3151 318 Taylor Ave Apt #3  
(name)  
(address)

**NAME**

**ADDRESS**

<u>Millesh A Patel</u>	<u>322 Taylor ave apt #9</u>
<u>Sonali J. Desai</u>	<u>318 TAYLOR AVE APT-3</u>
<u>SRIVOG GANDHI</u>	<u>320 Taylor Ave APT#6</u>
<u>KARMENDRA GANDHI</u>	<u>320 Taylor Ave APT#6</u>
<u>Dilip Patel</u>	<u>316 Taylor Ave, Apt #8</u>
<u>Zalaf Patel</u>	<u>316 Taylor Ave, Apt #8</u>
<u>Millesh Shah</u>	<u>316 Taylor ave, apt #12</u>
<u>Parth Shah</u>	<u>316 Taylor ave, apt #12</u>
_____	_____
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REMARKS:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Scranton Police Department**  
**Highway Corporal David J. Mitchell**  
**Patrol Division**

Scranton Police Headquarters  
100 South Washington Avenue  
Scranton, Pennsylvania 18503  
Tel: (570) 558-8415  
Fax: (570) 207-0417  
Email: dmitchell@scrantonpa.gov



**Be Part of  
The Solution**

SCRANTON

Dec 12, 2017

Chief Carl Graziano,

I received your request for a study regarding the petition for permit parking in the 300 Blk of Taylor Ave (even side only). I have made the following observations conducting a survey of the area:

- 1) 300 blk of Taylor Ave is between Mulberry St and Linden St. Approximately 1 block east of the University of Scranton campus.
- 2) The even side is made up of multi-unit apartment buildings and property owned by the University of Scranton.
- 3) There are more than 70% of available parking spots being used during the statutorily set hours of 7 am to 830pm.
- 4) A limited need for permit parking under the following parameters should be approved. Permit parking on even side (eastern side) of the street from 316-330 Taylor Ave (316-322, 324-326 and 328-330).
- 5) Permitting, permit parking outside these parameters will push the parking further into the neighborhoods causing a greater need for permit parking.

Yours in Service,

Cpl. David J. Mitchell

Cc Lt. Glenn Thomas

# Scranton Police Department

Superintendent of Police

Chief Carl R. Graziano

Scranton Police Headquarters  
100 South Washington Avenue  
Scranton, Pennsylvania 18503  
Tel: (570) 558-8300  
Email: cgraziano@scrantonpa.gov



**Be Part of  
The Solution**

SCRANTON

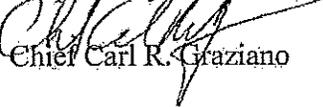
December 18, 2017

Jessica Eskra, Esquire  
City Solicitor  
City of Scranton

Attorney Eskra,

Our Department had been asked by City Council to evaluate the need for residential permit parking in the 300 block of Taylor Avenue. As per city ordinance, we conducted an evaluation to determine if this block meets the requirements for permit parking. Our evaluation determined that residential permit parking should only be approved for the easterly side of the 300 block of Taylor Avenue specifically between 316-330 Taylor Avenue. Can you please have legislation drafted and sent to City Council for consideration? Please contact me with any questions and/or concerns and thank you.

Respectfully Submitted,

  
Chief Carl R. Graziano



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 2, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE ESTABLISHING PERMIT PARKING ON  
THE EASTERLY (EVEN) SIDE ONLY OF THE 300 BLOCK OF TAYLOR AVENUE  
FROM 316 TO 330 TAYLOR AVENUE (316-322, 324-326 AND 328-330).

Respectfully,

*Jessica Eskra (S)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB - 5 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. \_\_\_\_\_

2018

AN ORDINANCE

**AMENDING FILE OF THE COUNCIL NO. 17, 1994 ENTITLED "AN ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT 'A WASTE DISPOSAL AND COLLECTION FEE' FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE", BY IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$300.00 FOR CALENDAR YEAR 2018 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.**

WHEREAS, File of the Council No. 27, 2016 as Amended amended File of the Council No. 5, 2016 to impose interest at the rate of ten percent (10%) per annum on the Waste Disposal and Collection Fee and to insert under Section 3. Fees a sub-part 5. File of the Council No. 27, 2016 as Amended shall remain in full force and effect.

**SECTION 1.** Be it ordained by the Council of the City of Scranton that Section 3 of File of the Council No. 17, 1994 (as amended) shall be amended to read as follows:

**"SECTION 3. FEES.**

The fees for the payment of waste disposal collection costs shall be as follows:

- (A) The property owner is responsible for the payment of waste disposal and collection fee for each equivalent dwelling unit (EDU) he/she owns. The fee set herein provided may be paid by the owner, tenant, lessee, or occupant of a particular dwelling unit, but shall be the ultimate responsibility of the property owner.
- (B) The annual fee for the payment of the Waste Disposal Collection Costs shall be \$300.00.
- (C) All fees fixed by this subsection shall be payable semi-annually.
  - 1. Fees paid on a semi-annually basis shall be due each year on May 1<sup>st</sup> and September 1<sup>st</sup> in the amount of ONE HUNDRED FIFTY (\$150.00) DOLLARS PER PAYMENT.
  - 2. The fees shall be considered delinquent if not paid within thirty (30) days from due date. A delinquent charge of Twelve (12%) percent will be added to each unpaid balance.
  - 3. All fees shall be deposited in a Special City Interest-Bearing Account to be established by the Business Administrator. This Account will be used to reimburse the General City Operating Fund for costs incurred directly for the disposal of refuse.
  - 4. All fees and associated penalties that remain unpaid as of January 1, 2017 shall constitute a lien against the property and will accrue interest at the rate of ten percent (10%) per annum.

5. If the annual waste disposal fee, that is \$300.00, is paid in full by May 1<sup>st</sup> of the year in which the fee is due, the payor may take a ten percent (10%) discount from the annual fee.
- (D) The Director of the Department of Public Works may discontinue all refuse collection service to any delinquent account. If service is stopped, service will be resumed only on payment of all accumulated fees during the delinquent period as well as all interest and penalties assessed against the account.
- (E) Any persons whose refuse is not being collected by the City under terms of this Ordinance shall furnish the Director of the Department of Public Works with a statement of the method and means of disposal of their garbage/ashes and furnish a statement of the reasons for which said person is not having his/her garbage/ashes disposed of by the City under the terms of this Ordinance.

**SECTION 2.** If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Ordinance and the effective administration thereof.

**SECTION 3.** In all other respects, File of the Council No. 11, 1993 shall remain in full force and effect.

**SECTION 4.** This Ordinance shall be retroactive to January 1, 2018.

**SECTION 5.** This Ordinance is enacted by the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 5, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 17, 1994 ENTITLED "AN ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT 'A WASTE DISPOSAL AND COLLECTION FEE' FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE", BY IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$300.00 FOR CALENDAR YEAR 2018 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

*Jessica Eskra (s)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB - 5 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

RESOLUTION NO. \_\_\_\_\_

2018

**AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF SCRANTON TO SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ("PENNDOT") APPLICATION FOR TRAFFIC SIGNAL APPROVAL FOR TRAFFIC SIGNAL PERMIT NO. 6358 TO UPGRADE EXISTING TRAFFIC SIGNAL AT GREEN RIDGE STREET (SR 011) AND SANDERSON AVENUE.**

WHEREAS, it is necessary for the Director of the Department of Public Works to sign and submit the traffic signal application on behalf of the City of Scranton. A copy of the application is attached hereto as Exhibit "A" and incorporated herein by reference thereto.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON** that the Director of the Department of Public Works is authorized to sign and submit the traffic signal application on behalf of the City of Scranton for the modification of the existing traffic signal at Green Ridge Street and Sanderson Avenue.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof

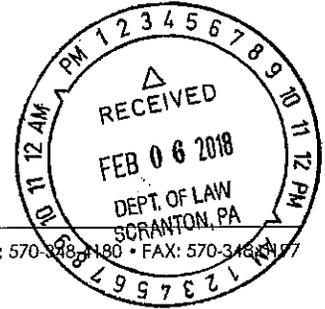
SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



**BUREAU OF ENGINEERING**

101 WEST POPLAR STREET • SCRANTON, PENNSYLVANIA 18508 • PHONE: 570-348-1180 • FAX: 570-348-1177



**MEMORANDUM**

**TO:** Jessica Eskra, Esquire, City Solicitor

**FROM:**  John J. Pocius, P.E., P.L.S., City Engineer  
LaBella Associates

**DATE:** February 6, 2018

**RE:** *Application for Traffic Signal Approval  
Traffic Signal Permit No. 6358  
Green Ridge Street (SR 6011) and Sanderson Avenue*

Enclosed is one copy (1) copy of TE-160 (6-12) Application for Traffic Signal Approval. The attached TE form is associated with the Green Light-Go-Eastern Region, Year 2 (District 4) project. L&V is a sub-consultant to Michael Baker International, doing work under PennDOT Agreement E03581 to complete the design portion of the project at this location.

We recommend that a Resolution be prepared and forwarded to City Council indicating that *“The Director of the Department of Public Works of the City of Scranton is authorized and directed to submit the attached Application for Traffic Signal Approval to the Pennsylvania Department of Transportation and to sign this Application on behalf of the City of Scranton”*.

The Application cannot be signed and dated and witnessed until after the Resolution is passed by City Council and approved by the Mayor. If there are any questions on this matter, please do not hesitate to contact our office at (570) 342-3101.

JJP/lmh

Z-11-04-30 ESKRA MEMO-2-6-18

Enclosures

c Dennis Gallagher, Director, Department of Public Works  
Donald J. King, AICP, City Planner  
Lori Reed, City Clerk  
QA/QC C. File

# Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : Lackawanna  
 Engineering District : 4-0  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

### A - Applicant's (Municipal) Contact Information

Municipal Contact's Name : Dennis Gallagher Title : Director of Public Works  
 Municipal Name : City of Scranton  
 Municipal Address : 340 North Washington Avenue, Scranton, PA 18503  
 Municipal Phone Number : ( 570 ) 348-4180 Alternative Phone Number : ( 570 ) 357-4988  
 E-mail Address : dgallagher @ scrantonpa.gov  
 Municipal Hours of Operation : 6:00 a.m. to 2:00 p.m.

### B - Application Description

Location (*intersection*) : Green Ridge Street ( SR 6011 ) and Sanderson Avenue  
 Traffic Control Device is :  NEW Traffic Signal  EXISTING Traffic Signal (Permit Number) : 6358  
 Type of Device (*select one*)  Traffic Control Signal (MUTCD Section 4D, 4E, 4G)  Flashing Beacon (MUTCD Section 4L)  School Warning System (MUTCD Section 7B)  
 Other : \_\_\_\_\_  
 Is Traffic Signal part of a system? :  YES  NO System Number (*if applicable*) : \_\_\_\_\_  
 If YES, provide locations of all signalized intersections in system.  
Green Ridge Street ( SR 6011 ) and Sanderson Avenue, Green Ridge Street ( SR 6011 ) and Capouse Avenue and Green Ridge Street ( SR 6011 ) and Wyoming Avenue ( SR 3025 )  
 Explain the proposed improvements :  
Upgrade existing traffic signal to replace all equipment; add mast arms and new controller; add pedestrian signals and push buttons; add video detection and luminaires.  
 Associated with Highway Occupancy Permit (HOP)? :  YES  NO If YES, HOP Application # : \_\_\_\_\_

### C - Maintenance and Operation Information

Maintenance and Operations are typically performed by? :  
 Municipal Personnel  Municipal Contractor  Municipal Personnel & Contractor  
 Other : \_\_\_\_\_  
 Maintenance and Operations Contact Name : Dennis Gallagher Company/Organization : City of Scranton  
 Phone # : (570) 357-4988 Alternative Phone # : (570) 348-4180 E-mail : dgallagher@scrantonpa.gov

### D - Attachments Listing

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> Municipal Resolution ( <i>required</i> ) | <input type="checkbox"/> Location Map               | <input type="checkbox"/> Traffic Volumes / Pedestrian Volumes |
| <input type="checkbox"/> Letter of Financial Commitment                      | <input type="checkbox"/> Photographs                | <input type="checkbox"/> Turn Lane Analysis                   |
| <input type="checkbox"/> Traffic Signal Permit                               | <input type="checkbox"/> Straight Line Diagram      | <input type="checkbox"/> Turn Restriction Studies             |
| <input type="checkbox"/> Warrant Analysis                                    | <input type="checkbox"/> Capacity Analysis          | <input type="checkbox"/> Other : _____                        |
| <input type="checkbox"/> Crash Analysis                                      | <input type="checkbox"/> Traffic Impact Study (TIS) |   |
| <input type="checkbox"/> Traffic Signal Study                                | <input type="checkbox"/> Condition Diagram          |   |

# Application for Traffic Signal Approval

Please Type or Print all information in Blue or Black Ink



County : Lackawanna  
 Engineering District : 4-0  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

## E - Applicant (Municipal) Certification

The applicant desires to own, operate, and maintain the traffic control device in the location indicated above; and the Vehicle Code requires the approval of the Department of Transportation ("Department") before any traffic signals may be legally erected or modified. A signed Application for Traffic Signal Approval (TE-160) must be submitted in conformance with the instructions provided by the Department, and a Traffic Signal Permit must be issued, before any work can begin.

If the Department approves a traffic signal after a traffic engineering study and engineering judgment indicates the need, the traffic signal shall be installed, owned, operated, and maintained within the parameters indicated in the Vehicle Code and the Department's regulations relating to traffic signs, signals, and markings. The Department may direct appropriate alterations to the design or operation (including, but not limited to, hours of operation) of the traffic signal, or require removal of the traffic signal, if traffic conditions or other considerations necessitate alteration or removal.

All items associated with the traffic control device (geometric features, signs, signals, pavement markings, pedestrian accommodations, and other traffic control device associated items) are the applicant's responsibility. The Traffic Signal Permit will then document all of the items associated with operation of each traffic control device. The applicant, at its sole expense, shall provide the necessary inspection, maintenance, and operation activities in conformance with the Department's Publication 191 or as otherwise agreed to by the Department. The applicant shall perform the preventative and responsive maintenance requirements and recordkeeping in accordance with the exhibits specified below. If the applicant fails to provide the required inspection, maintenance, or operation services within thirty (30) days of receipt of written notice from the Department, the Department shall have the right to perform the required inspection, maintenance, or operation services in the applicant's stead and the applicant shall reimburse the Department for all costs incurred. Federal- and/or state-aid participation may be withheld on all future projects if the applicant fails to demonstrate to the Department the ability to provide all required maintenance and operation services. The applicant certifies that it has funds available and committed for the operation and maintenance of the traffic control device and that it will make available sufficient funds for all required future inspection, maintenance, and operation activities.

The applicant shall indemnify, save harmless and, defend (if requested) the Commonwealth of Pennsylvania, its agents, representatives, and employees from and against any damages recoverable under the Sovereign Immunity Act, 42 Pa. C.S. §§ 8521-8528, up to the limitations on damages under said law, arising out of any personal injury or damage to property which is finally determined by a court to be caused by or result from acts or omissions of the applicant and for which a court has held applicant, its officials, or employees to be liable. This provision shall not be construed to limit the applicant in asserting any rights or defenses. Additionally, the applicant shall include in any contracts into which it enters for maintenance, operation, or inspection of the traffic control device this same obligation to indemnify the Commonwealth and its officers, agents, and employees; and it shall require its contractor(s) to provide public liability insurance coverage, naming the Commonwealth and the applicant as additional insureds for bodily injury, including death and property damage, in the minimum amounts of \$500,000 per person, \$1,000,000 per occurrence, it being the intention of parties to have the contractor fully insure and indemnify the Commonwealth and the applicant.

The applicant shall comply with the study and ordinance requirements of 75 Pa. C.S. § 6109. The applicant submits this application with the intention of being legally bound.

Neither this application nor any Traffic Signal Permit creates any rights or obligations with respect to parties other than the applicant and the Department. Third parties may not rely upon any representations made by either the applicant or the Department in connection with the submission or approval of this application or any work permitted or approved that is related to this application, as regards either payment of funds or performance of any particular item of maintenance precisely as specified.

The applicant agrees to comply with the attached Exhibits:

- Exhibit "A": Preventative and Response Maintenance Requirements (Sheet 3 of 5 )
- Exhibit "B": Recordkeeping (Sheet 4 of 5 )
- Exhibit "C": Signal Maintenance Organization (Sheet 5 of 5 )

Printed Municipal Contact Name : Dennis Gallagher Date : \_\_\_\_\_  
 Signed By : \_\_\_\_\_ Witness or Attest : \_\_\_\_\_  
 Title of Signatory : Director of Public Works Title of Witness or Attester: City Solicitor

**Exhibit "A":**  
**Preventative and Response Maintenance**  
**Requirements**



County : Lackawanna  
 Engineering District : 4-0  
 Department Tracking # : \_\_\_\_\_  
 Initial Submission Date : \_\_\_\_\_

**Preventive Maintenance**

The APPLICANT or its contractor will provide preventive maintenance for each individual component of the traffic signal installation covered by this application at intervals not less than those indicated in the Preventive Maintenance Summary, PA DOT Publication 191, current version. This is the recommended level of maintenance to keep the intersection control equipment and signals in mechanically, structurally and aesthetically good condition.

**Response Maintenance**

The APPLICANT or its contractor will provide response maintenance in accordance with the provisions of the Response Maintenance Schedule. It encompasses the work necessary to restore a traffic signal system to proper and safe operation. Includes Emergency Repair and Final Repair.

**FINAL REPAIR:**

Repair or replace failed equipment to restore system to proper and safe operation in accordance with permit within a 24-hour period.

**EMERGENCY REPAIR:**

Use alternative means or mode to temporarily restore system to safe operation within a 24-hour period. Final repair must then be completed within 30 days unless prohibited by weather conditions or availability of equipment.

**Response Maintenance Schedule**

<u>KNOCKDOWNS</u>	<u>TYPE OF REPAIR PERMITTED</u>
Support - Mast arm	Emergency or Final
Support - Strain pole	Emergency or Final
Span wire/tether wire	Final Only
Pedestal	Emergency or Final
Cabinet	Emergency or Final
Signal heads	Final Only
 <b><u>EQUIPMENT FAILURE</u></b>	
Lamp burnout (veh. & ped.)	Final Only
Local controller	Emergency or Final
Master controller	Emergency or Final
Detector sensor	
- Loop	Emergency or Final
- Magnetometer	Emergency or Final
- Sonic	Emergency or Final
- Magnetic	Emergency or Final
- Pushbutton	Emergency or Final
Detector amplifier	Emergency or Final
Conflict monitor	Final Only
Flasher	Final Only
Time clock	Emergency or Final
Load switch/relay	Final Only
Coordination unit	Emergency or Final
Communication interface, mode	Emergency or Final
Signal cable	Final Only
Traffic Signal Communications	Final Only
Traffic Signal Systems	Final Only

**Exhibit "B":  
Recordkeeping**County : LackawannaEngineering District : 4-0

Department Tracking # : \_\_\_\_\_

Initial Submission Date : \_\_\_\_\_

**Recordkeeping**

Accurate and up-to-date recordkeeping is an essential component of a good traffic signal maintenance program. In recognition of this fact, the APPLICANT must prepare, retain, and make available to the COMMONWEALTH, on request, a record of all preventive and response maintenance activities performed on the traffic signal equipment covered by this application.

The APPLICANT shall establish a separate file for each installation and keep its records in the municipal building, signal maintenance shop, or other weather-protected enclosure.

At a minimum, the following records will be kept by the APPLICANT or its contractor for each traffic signal. These forms can be found in Section 10.0, Maintenance Record Forms, PA DOT Publication 191, current version.

**FORM 1 - Master Intersection Record**

This form, which lists all maintenance functions performed at the intersection, should be updated within one day of the activity but no more than one week later.

**FORM 2 - Response Maintenance Record**

Each time response maintenance is required at the intersection, this form is to be completed. Once the pertinent information is transferred to the master intersection record, this form is to be placed in the intersection file.

**FORM 3 - Preventive Maintenance Record**

This form will be used to provide a record of the preventive maintenance activities performed at each intersection. The date, the activities performed, and the signature of the person in charge of the work must be recorded in the form.

This form may be kept at the intersection, if it is adequately protected from the weather. Form 1 must be updated at the central file, however, to reflect the date and activity.

**Exhibit "C":  
Signal Maintenance Organization**

County :Lackawanna

Engineering District :4-0

Department Tracking # :

Initial Submission Date :

**Personnel Classifications**

In order to properly maintain the traffic signal equipment covered by this applicant, the APPLICANT agrees to provide, as minimum, the following staff throughout the useful life of equipment. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Traffic Engineer** - The administrative position which has prime responsibility for the proper operation of traffic signal equipment. The principal function of this position is the supervision and control of subordinate personnel and the planning of their activities to ensure adequate preventive and response maintenance programs.

**Minimum Position Requirements**

1. A thorough understanding of traffic signal design, installation and maintenance.
2. A working knowledge of the interaction between the following traffic characteristics: Intersection geometry, traffic flow theory, control type (fixed time, actuated, etc.), signal phasing and timing, and interconnection.
3. An ability to supervise subordinate personnel effectively in the assignment of their work.
4. Possession of a college degree in engineering, which includes course work in traffic engineering.
5. Either four years experience in the field of traffic engineering or its equivalent in graduate college work.

**Signal Specialist** - The individual responsible for the diagnostics and repair of all traffic signal equipment including solid state equipment.

**Minimum Position Requirements**

1. Extensive training and troubleshooting skills in electronics and software.
2. Ability to repair modules in the shop and to design test equipment needed to diagnose and repair a problem.
3. Ability to make design and modifications to implement or omit special functions.
4. Ability to implement a recordkeeping system to include maintenance activities, inventory control and identification of recurring problems.
5. Ability to perform all tasks required of a signal technician.

**Signal Technician** - Individual responsible for the operation and maintenance of traffic signals and electromechanical equipment.

**Minimum Position Requirements**

1. Ability to perform response maintenance on solid state equipment up to the device exchange level.
2. Capability to diagnose a vehicle loop failure and initiate corrective action.
3. Ability to tune detector amplifiers.
4. Ability to follow wiring schematics, check and set timings from plan sheet and check all field connections.
5. Ability to perform preventive maintenance on all equipment and to maintain accurate records of all work perform.

**Training**

The APPLICANT agrees to secure training in order to upgrade the ability of its present staff to properly perform the required maintenance functions. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191.

**Budget Requirements**

The APPLICANT agrees to provide, in its annual operating budget, dedicated funds which are sufficient to cover the cost of the personnel, training, contractors (if utilized) and specialized maintenance equipment which are required, by virtue of this application. The APPLICANT agrees to abide by all guidance provided in PA DOT Publication 191..



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 12, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF SCRANTON TO SIGN AND SUBMIT THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION ("PENNDOT") APPLICATION FOR TRAFFIC SIGNAL APPROVAL FOR TRAFFIC SIGNAL PERMIT NO. 6358 TO UPGRADE EXISTING TRAFFIC SIGNAL AT GREEN RIDGE STREET (SR 011) AND SANDERSON AVENUE.

Respectfully,

*Jessica Eskra (S)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 12 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK

RESOLUTION NO. \_\_\_\_\_

2018

**RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE UNITED NEIGHBORHOOD CENTERS (UNC) / UNITED NEIGHBORHOOD COMMUNITY DEVELOPMENT CORPORATION (UNCDC), TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$120,000.00 FOR THE PROJECT TO BE KNOWN AS "SOUTH SCRANTON WOMEN'S BUSINESS INCUBATOR PROJECT" LOCATED AT 526-530 CEDAR AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$120,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.**

**WHEREAS**, the City of Scranton, through the Office of Economic and Community Development, submitted a grant application on behalf of the United Neighborhood Community Development Corporation (UNCDC) to the Commonwealth of Pennsylvania ("the Commonwealth") acting through the Commonwealth Financing Authority (the "Grantor") for a Local Share Account Grant, pursuant to the PA Race Horse Development and Gaming Act, for "South Scranton Women's Business Incubator Project" ("Project") located at 526-530 Cedar Avenue, Scranton, Pennsylvania; a copy of such grant application ("Grant Application") is attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

**WHEREAS**, the City of Scranton intends herein to ratify and approve the execution and submission of the Grant Application; and

**WHEREAS**, the Commonwealth of Pennsylvania has reviewed and approved the Grant Application for funding for the Local Share Account Grant in the amount of \$120,000.00 ("Grant") for the "Project;" and

**WHEREAS**, the City of Scranton intends herein to authorize the execution of the Local Share Account Grant Contract and Commitment Letter, and the acceptance, disbursement and utilization of the Grant for the Project.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON** that the execution and submission of the Grant Application is hereby ratified and

if approved, Mayor and other appropriate City Officials are hereby authorized to enter into and execute and submit any additional related paperwork for this Grant, and if successful to accept the grant funds to be used for the Project as detailed in the Grant Application. This approval anticipates and authorizes the execution of any and all related documentation necessary for the Grant or to accept, disburse and utilize the Grant for the Project.

**SECTION 1.** If any section, clause, provision or portion of this Resolution shall be held invalid, or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

**SECTION 2.** This Resolution shall become effective immediately upon approval.

**SECTION 3.** This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, Known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

# Scranton OECD

Office of Economic and  
Community Development

February 5, 2018

Jessica Eskra, Esquire  
City Solicitor  
340 North Washington Avenue  
Scranton, Pennsylvania 18503

Re: Scranton City  
Local Share Account  
United Neighborhood Centers of NEPA  
Penn Security Bank  
South Scranton Women's Business Incubator  
Resolution - \$120,000.00

Dear Atty. Eskra:

Attached please find a Resolution to accept and disburse funding from the Commonwealth of Pennsylvania Local Share Account in the amount \$120,000.00. This funding will be used to renovate 526-530 Cedar Avenue (Penn Security Bank Building).

If you have any questions regarding this project, please contact me or Linda Aebli at 348-4216.

Sincerely,



Linda B. Aebli  
Executive Director

lba/

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP) **LSA**

## Applicant Information

Applicant Entity Type:	Non-Profit Corporation
Applicant Name:	United Neighborhood Centers of Northeastern PA
Charitable organization?	True
NAICS Code	8133
FEIN/SSN Number	XXXXXXXXXX
CEO:	Michael Hanley
CEO Title:	Chief Executive Officer
SAP Vendor #:	XXXXXX
Contact Name:	Michael Hanley
Contact Title:	Chief Executive Officer
Phone:	(570)-346-0759 Ext. 103
Fax:	(570)-346-0759
E-mail:	mhanley@uncnepa.org
Mailing Address:	777 Keystone Industrial Park Road
City:	Throop
State:	PA
Zip Code:	18512

## Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: ~~Redevelopment Assistance Capital Program (RACP)~~  
~~Child Care Center, Community Dev. Provider, Economic Dev. Provider, Social Services Provider,~~

## Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Project Overview

Project Name:

South Scranton Women's Business Incubator

Is this project related to another previously submitted project?

Yes

If yes, indicate previous project name:

South Scranton Women's Business Incubator

Have you contacted anyone at Office of the Budget about your project?

Yes

If yes, indicate who:

Elias Joseph

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Project Site Locations

Address:	530 Cedar Avenue
City:	Scranton
State:	PA
Zip Code:	18505
County:	Lackawanna
Municipality:	Scranton City
PA House:	Frank Farina (112)
PA Senate:	John P. Blake (22)
US House:	Lou Barletta (11)
Current Employees:	5
Jobs To Be Created:	48
Jobs that Pay:	\$31,612.00
	Created 48 Retained 3
	<p><b><u>Jobs that Pay</u></b></p> <p>Jobs that Pay is Part Of Governor Wolf's initiative to improve Pennsylvania's overall job climate and job growth through partnering with the private sector to encourage the creation and retention of jobs that pay at least 80% of the annual average wage in the county where the jobs are located. (See current county listings). Job creation and retention will help ensure that businesses and communities provide employment opportunities for all of the state's residents, improve the local tax base, and achieve prosperity and a higher quality of life for families and communities.</p> <p><b>NOTE:</b> Jobs that Pay required data by the Department is for reporting purposes only and will <b>NOT</b> be used as a criteria for awarding loans, loan guarantees, grants or tax credits.</p>
Designated Areas:	Act 47 Distressed Community

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Project Budget

	Redevelopment Assistance Capital Program (RACP)	Donation Private	Total
General Construction	\$1,500,000.00	\$1,685,560.00	
Construction	\$1,500,000.00	\$1,685,560.00	\$3,185,560.00
Total	\$1,500,000.00	\$1,685,560.00	
		<b>Budget Total:</b>	\$3,185,560.00

### Basis of Cost

Provide the basis for calculating the costs that are identified in the Project Budget.

Appraisals, Engineer Estimates, Sales Agreements

### Budget Narrative

The narrative must specifically address each of the cost items identified in the Project Budget section. If an amount is placed in any of the OTHER categories, you must specify what the money will be used for. NOTE: Some programs have specific guidelines regarding the narrative necessary to qualify for that particular resource. Please read the Program Guidelines for details.

The property which is appraised at \$550,000 has been donated to United Neighborhood Centers of Northeastern PA (UNC).

UNC will renovate the building in the following manner:

Two new floor levels of about 4,000 square feet each will be added to the 35 foot high main floor area. An atrium will be created through the new floors to the ornamental ceiling. The existing aluminum windows will be retained. A new elevator will be added to connect the basement, 1st, 2nd and 3rd floors.

Plumbing system will be entirely new from the street. Piping will be PEX, with manifold control blocks. New rest rooms will be wheelchair user accessible. Fixtures will have water saving devices; water heaters will be instantaneous natural gas. The existing HVAC system will be replaced with high efficiency gas furnaces, with electric AC.

Electric service will be retained. All interior wiring and lighting will be replaced.

The first floor will have multiple incubator offices of about 120 sq. ft. each; the bank will remain with approx 1500 sq. ft.; there will be a coffee shop, community meeting room and private conference rooms. The 4,000 sq. ft. second floor will be finished for use as United Neighborhood Center offices. The third floor will be unfinished and available for future use. The 7500 sq. ft. in the basement will be available to be fitted out for photo, arts and crafts studios as well as additional meeting and storage areas.

## Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

### Project Narrative

#### What do you plan to accomplish with this project?

Identify the problem(s) that need to be resolved.

South Scranton, once a bustling neighborhood, suffered during recent hard economic times. As a result of several initiatives, this once struggling neighborhood is in the midst of a complete transformation and is beginning to flourish as it continues to preserve its historic roots, promote economic development, and improve public image. These revitalization efforts were spurred by a \$15 million investment from United Neighborhood Centers of Northeastern Pennsylvania (UNC) that successfully revitalized a two-block, mixed use corridor of Cedar Avenue, one of the major arteries in South Scranton. In 2014, impressed by UNC's successful efforts, People's Security Bank donated their historic bank building which has been a landmark along Cedar Avenue since its construction in the 1930's. The current underutilization of this major landmark is a detriment to the other work being done in the neighborhood and UNC will transform it into an anchor building for the Cedar Avenue corridor.

#### How do you plan to accomplish it?

Include expected outcomes that are measurable, obtainable, clear and understandable, and valid. Examples of measurable outcomes include jobs created or retained, people trained, land or building acquired, housing units renovated or built, etc.

This project will renovate an underutilized anchor property in Scranton's Elm Street area into an incubator targeted to provide intensive business support and training to women. The first floor of the building will be renovated to house a unique business incubator for low to moderate income women interested in starting their own small businesses. The incubator will provide intensive business support and training to help women grow their businesses to create additional jobs and ensure a decent and livable wage for themselves and their employees. Through a competitive selection process, women will be selected to incubate their businesses in a supportive environment with an ecosystem designed to foster success, growth and sustainability. The renovation of the building will allow for the creation of jobs while boosting economic activity and reducing blight in the neighborhood.

#### How do you plan to use the funds?

Should include specific use of funds and reflect the budget provided with the application.

The RACP funds will be used for the renovation of the former People's Security bank.

The work includes re pointing of the exterior, roof replacement, addition of two new floors on the interior of the building, interior fit-out, painting and addition of an elevator. The project will also perform landscaping, parking lot improvements and closure of existing oil tanks.

Significant HVAC, plumbing, and electrical upgrades will be made.

#### Projected Schedule and Key Milestones and Dates

A detailed schedule of activities, including key milestones and dates, must accompany this application if applicable to the project.

Design Phase Start 05/15/2017

Design Phase Complete 06/14/2017

Bid Date 08/01/2017

Bid Opening 08/01/2017

Obtain All Permits 08/31/2017

Award Contracts 08/31/2017

Construction Start 09/14/2017

Completion Date 06/14/2018

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Program Addenda

### Section 1. Project Viability

1. Fill in your main Itemization Information.

(If you are anticipating the passage of a new Itemization Act, please utilize Act 001 of 2017)

A. Item No. from Excel File link

1st Itemization

8329

2nd Itemization

B. Indicate Act No. & Authorization (Effective)

Year

1st Itemization

2013

2nd Itemization

Act Number

1st Itemization

085

2nd Itemization

C. Act Description

1st Itemization

Acquisition, construction, infrastructure and other related costs for South Scranton Area Elm Street revitalization project

2nd Itemization

D. Act Amount

1st Itemization (\$X,XXX,XXX.00)

\$2,500,000.00

2nd Itemization (\$X,XXX,XXX.00)

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Program Addenda

### 2. Financial Necessity.

What were the factors that the Candidate relied on to arrive at the requested amount?

There is a gap in project financing.

The cost to renovate the property in a way that will add value to the community and and create "Jobs that Pay" is in excess of the amount of debt the project can bear. Without RACP funding, UNC will not be able to renovate the property, and subsequently, the South Scranton Women's Business Incubator program will not have a viable location and therefore will not become a reality.

3. Is your RACP total project cost at least \$1,000,000?

Yes

4. Are at least 50% of the total project cost paid for by another non-state funding source?

Yes

5. Will your project be completed by the 1st day of the submission period for this round?

(generally determined by the issuance of the occupancy permit, if any)

No

6. Is the anticipated construction start date within 1 year of the last day of the submission period for this round?

Yes

7. Indicate that you have reviewed the RACP Key Compliance Items and you acknowledge and agree to follow these items.

A. Link

Yes

8. Is your project eligible for City Revitalization and Improvement Zone (CRIZ) benefits?

No

9. Can your project be funded through other State programs (i.e. PENNDOT and PENNVEST)?

No

A. If yes, does your project fit one of the following exceptions; when associated with a project that is part of an economic development project stormwater, water and sewer infrastructure or tunnels, bridges or roads?

10. Please indicate the status of Site Control (for example, leasing arrangements, sales agreement, recorded deed, etc.).

Recorded deed

11. Is the project located in one of the designated areas?

(KOZ, KOEZ, KIZ, KSDZ, EZ, KOIZ)

No

13. Indicate below whether the project is comprised of any of these Strategic Clusters

A. Biotech/Pharmaceutical/Life Science

No  
**Single Application for Assistance**

Web Application Id: 8085219  
B. High Tech & Advanced Manufacturing Materials  
Applicant: United Neighborhood Centers of Northeastern PA  
Program Selected: Redevelopment Assistance Capital Program (RACP)

No  
**Program Addenda**

No

D. Business & Financial and Service

Yes

E. Healthcare/Medical Research and/or Education

No

F. Agriculture

No

14. Does your project involve any housing construction? If yes, elaborate below.

(Housing projects are only eligible when specialized funding is approved and remains unused under Acts 87 of 2005 & 82 of 2010. Outside of this special funding housing projects are only eligible if they support and generate economic activity and are part of a community revitalization plan.)

There is no housing in this project.

**Section 2. Source & Uses of Funds (RDA Forms)**

15. Download and Complete RDAs & Construction Cost breakdown Document

Download RDAs & Construction Cost Document

**Uploaded Documents**

16. Qualified Professional

The Capital Facilities Debt Act requires a RACP grant candidate to identify who produced the cost estimates for their project. It further requires that such project cost estimate must be prepared by a qualified professional.

Please identify who prepared the project's cost estimate, and give their title and/or professional qualifications below

Ralph J. Melone, AIA  
Registered Architect  
Melone Architects  
211 South Main Street  
Wilkes-Barre PA, 18701

**Section 3 Involved Organization**

(Candidate normally the beneficiary of the grant)

17. Candidate's Board President or Top Executive or Officer

(If a grantee is not known, this is whom the RACP letter will be directed).

Please make sure to include the following in the text area:

Organization, Contact Person, Title, Complete Address, Email & Phone Number  
United Neighborhood Centers of Northeastern Pennsylvania

Michael Hanley

Chief Executive Officer

Web Application Industries Park Road

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

Michael.Hanley@unchea.org

## Program Addenda

### 18. Candidate's person to contact for project information

(If different from above)

Please make sure to include the following in the text area:

Organization, Contact Person, Title, Complete Address, Email & Phone Number

Hailstone Economic, LLC

Sara Hailstone

Principal

550 Clay Ave

Suite 5B

Scranton, PA 18510

shailstone@hailstoneeconomic.com

570-687-6112

### 19. Grantee's Chief Elected Official or Officer

(This is to whom the RACP letter will be directed).

Please make sure to include the following in the text area:

Organization, Contact Person, Title, Complete Address, Email & Phone Number

Patrick M. O'Malley

Commissioner

Lackawanna County

Administration Building

200 Adams Avenue, 6th Floor

Scranton, PA 18503

omalley@lackawannacounty.org

570-963-6800

### 20. Grantee's Contact Person

(If different from above)

Please make sure to include the following in the text area:

Organization, Contact Person, Title, Complete Address, Email & Phone Number

Lackawanna County Planning and Economic Development

George Kelly, Director

135 Jefferson Avenue, 2nd Floor

Scranton, PA 18503

kellyg@lackawannacounty.org

570-963-6830

and

Sandra Opshinsky, Grants Manager

135 Jefferson Avenue, 2nd Floor

Scranton, PA 18503

opshinskys@lackawannacounty.org

570-963-6830

21. Please list the amount of any prior RACP Grants (if none, enter \$0.00) (\$X,XXX,XXX.00)

# Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

## Program Addenda

Please identify prior RACP grants awarded to the entity applying for the grant or a related candidate. Provide the award amount, name of the project, award amount, and the recipient for each prior grant. If the past recipient is not the current candidate, provide the connection to the current candidate (if no prior grants, enter none).

N/A

### 23. Other commonwealth Assistance

A. Have you or a related company received an economic benefit in the form of a grant, loan or tax credit from a Commonwealth program within the last 2 years for this project?

No

If so, please provide details

B. Do you or a related company currently have an application for economic benefits in the form of a grant, loan or tax credit pending with a Commonwealth program for this project?

Yes

If so, please provide details

United Neighborhood Centers has applied to the Pennsylvania Department of Community and Economic Development (DCED) for Monroe County Local Share Account funds for \$310,000 to assist in making the project viable. The \$310,000 of LSA funds will be used toward the RACP match requirement.

## Single Application for Assistance

Web Application Id: 8085219

Applicant: United Neighborhood Centers of Northeastern PA

Program Selected: Redevelopment Assistance Capital Program (RACP)

### Program Requirements

"By choosing the "Yes" box below, Candidates understand that the submission of an e-RACP Application requires a fee of \$500 payable to the Commonwealth of PA. The address is below and is also inscribed on the certification page that will be displayed once the application has been completed. Once submitted, please print one (1) copy of the certification and the electronic signature pages and forward to the Office of the Budget via US Mail.

Please reference the Application ID number on any documents sent with the signature page, including the \$500 check. Please be advised that if the fee is not received within 30 days of the window closing (2/3/2017) from the Candidates, the Office of the Budget is authorized to consider the e-RACP Application void and said application will not be placed on the list of projects for grant consideration by the Governor.

OB Address is:

333 Market Street, 18th Floor,

Harrisburg, PA 17101.

Yes

**CORPORATE RESOLUTION**  
**PENN SECURITY BANK AND TRUST COMPANY**

The following is a true and correct copy of a Resolution duly adopted at a meeting of the Board of Directors of Penn Security Bank and Trust Company held at the office of Penn Security Bank and Trust Company, 150 North Washington Avenue Scranton, Pennsylvania 18503 the 30 day of August, 2013, and that the same is now in full force and effect:

Corporation resolved that Patrick Scanlon, Senior Vice President of Penn Security Bank and Trust Company is authorized to execute a certain Deed by and between Penn Security Bank and Trust Company and United Neighborhood Center for the transfer of a certain property located at 520 Cedar Avenue Scranton Pennsylvania 18505 dated August 29, 2013, and to take such actions before and at closing as may be necessary and/or reasonable to effect the terms and conditions of the Agreement of Sale.

IN WITNESS WHEREOF, I hereunto affix my name Penn Security Bank and Trust Company by Patrick Scanlon, Senior Vice President as this 29th day of August, 2013.

PENN SECURITY BANK AND TRUST COMPANY

WITNESS  
ATTEST: *Jane Marie Landa*

BY: *Patrick Scanlon*  
PATRICK SCANLON, SENIOR VICE PRESIDENT

**DEED**

This Deed made this 29 day of AUGUST, 2013, between

**PENN SECURITY BANK & TRUST COMPANY**, formerly known as The South Side Bank, South Side Bank of Scranton, Pennsylvania and South Side Bank and Trust Company, 150 North Washington Avenue, Scranton, Pennsylvania, a corporation organized and existing under the laws of the Commonwealth of Pennsylvania (the "Grantor"),

**AND**

**UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA, INC.**, 425 Alder Street, Scranton, Pennsylvania, a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania (the "Grantee"),

**WITNESSETH**, that in consideration of the sum of Seven Hundred Twenty Five Thousand (\$725,000.00) Dollars, the receipt of which is hereby acknowledged, the Grantor hereby grants, bargains, sells and conveys unto the Grantee, its successors and assigns, all the following lots, pieces and parcels of land, each located in the City of Scranton, Lackawanna County, Pennsylvania:

**PARCEL ONE:**

**BEING** more particularly described in **Exhibit A**, attached hereto and incorporated herein.

**BEING** the premises conveyed as the first parcel in a deed to The South Side Bank by Mina Robinson, which deed is dated October 1, 1913, and is recorded in the Office of the Recorder of Deeds of Lackawanna County in Deed Book 267 at page 163.

**PARCEL TWO:**

**BEING** more particularly described in **Exhibit B**, attached hereto and incorporated herein.

**BEING** a parcel assembled by Grantor from the following conveyances:

- (a) The premises conveyed as the second parcel in a deed to The South Side Bank from Mina Robinson, which deed is dated October 1, 1913, and is recorded in the Office aforesaid in Deed Book 267 at page 163;
- (b) The premises conveyed to South Side Bank of Scranton, Pennsylvania by deed of Pennsylvania Central Brewing Company, which deed is dated July 26, 1927, and is recorded in the Office aforesaid in Deed Book 366 at page 465;
- (c) The premises conveyed to South Side Bank and Trust Company by deed of Carl Carey, which deed is dated June 8, 1939, and is recorded in the Office aforesaid in Deed Bok 421 at page 490; and
- (d) The premises conveyed to South Side Bank and Trust Company by deed of Edgar B. Cawley, et ux., which deed is dated September 20, 1955 and is recorded in the Office aforesaid in Deed Book 460 at page 358.

**PARCEL THREE:**

BEING more particularly described in Exhibit C, attached hereto and incorporated herein.

BEING a parcel assembled by Grantor from the following conveyances:

- (a) The premises conveyed to Penn Security Bank and Trust Company by deed of A.B. Timms, et ux., et al., which deed is dated October 25, 1973, and is recorded in the Office aforesaid in Deed Book 815 at page 572;
- (b) The premises conveyed to Penn Security Bank and Trust Company by deed of Merle J. McGowan, et ux., which deed is dated May 31, 1974, and is recorded in the Office aforesaid in Deed Book 827 at page 722.

**PARCEL FOUR:**

BEING more particularly described in Exhibit D, attached hereto and incorporated herein.

BEING the premises conveyed to South Side Bank and Trust Company by deed of Anna Mechler, which deed is dated February 2, 1971, and is recorded in the Office aforesaid in Deed Book 738 at page 862.

THIS DOCUMENT DOES NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHT OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREBIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND, IN THAT CONNECTION, DAMAGE SHALL RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT.

TAX MAP NO. PARCEL I: 156.15-010-064  
PARCEL II: 156.15-010-059  
PARCEL III: 156.15-010-063  
PARCEL IV: 156-15-010-049

And the Grantor hereby warrants Specially the property conveyed.

In Witness Whereof, the Grantor has caused this Deed to be executed the day and year first above written.

WITNESS:  
~~WITNESS:~~ PENN SECURITY BANK AND TRUST COMPANY  
Andrew H. Stone By [Signature]  
Title SVP

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF LACKAWANNA : SS:

On this, the 29<sup>th</sup> day of August, 2013, before me, the undersigned officer, personally appeared PATRICK SCARLO who acknowledged himself to be the SR VICE PRESIDENT of PENN SECURITY BANK AND TRUST COMPANY, a corporation, and that he as such officer being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as such officer.

In Witness Whereof, I hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Rose Marie Geueke, Notary Public  
City of Scranton, Lackawanna County  
My Commission Expires April 13, 2017

[Signature]  
Notary Public

I hereby certify the precise address of the Grantee herein is: 425 Alder Street, Scranton, Pennsylvania 18505

Andrew H. Stone  
Attorneys for the Grantee

EXHIBIT A

PARCEL I:

ALL that certain lot, piece or parcel of land situate in the City of Scranton, County of Lackawanna and State of Pennsylvania bounded and described as follows:

BEGINNING at a point located along the right of way of S. R. 0011, Cedar Avenue, said point marking a common corner of lots 23 and 24 in Block 6 as shown on plot of lots of the Lackawanna Iron and Coal Company; said point of beginning being further identified as being located N 48° 00' 00" E 91.76' along the right of way of said Cedar Avenue from its intersection with the right of way of Alder Street; Thence along the division line between said lots 23 and 24, N 42° 00' 00" W 150.00' to a point along the right of way of Schimpff Court; Thence along said Court N 48° 00' 00" E 40.00' to a common corner of lands of Allan C. Leach; Thence along the division line between said lots 23 and 22, lands of Leach, S 42° 00' 00" E 150.00' to a point along the right of way, S 48° 00' 00" W 40.00' to the place of beginning.

Containing 6,000.00 sq. ft. of land and being all of lot 23 in Block 6 as shown on plot of lots of the Lackawanna Iron and Coal.

Exhibit B

PARCEL II:

ALL that certain lot, piece or parcel of land situate in the City of Scranton, County of Lackawanna and State of Pennsylvania bounded and described as follows:

BEGINNING at a point marking the intersection of the right of way of Cedar Avenue, S. R. 0011, with the right of way of Alder Street corner of lot 25 n Block 6 as shown on plot of lots of Lackawanna Iron and Coal Company; thence along the right of way of said Alder Street, N 42° 00' 00" W 150.00' to the intersection of the right of way of said Alder Street with the right of way of Schimpff Court; thence along the right of way of said Court N 48° 00' 00" E 91.76' to a common corner of lots 24 and 23, in said Block 6; thence along the division line between lots 24 and 23 to a point along the right of way of the aforementioned Cedar Avenue, SR. 0011; thence along said right of way S48° 00' 00" W 91.76' to the place of beginning.

CONTAINING 13,764 sq. ft. of land and being all of lots 24 and 25 in Block 6 as shown on plot of lots of the Lackawanna Iron and Coal Company.

Exhibit C

PARCEL III:

(A)

All the following described piece or parcel of land situate on the Northerly side of Alder Street and Westerly side of Schimpff Court, in the Eleventh Ward, City of Scranton, Lackawanna County, Pennsylvania, being land composed of a front portion of Lot No. 26 and a front Easterly portion of Lot No. 28 in Square or Block No. 6 and upon "the Lackawanna Iron and Coal Company's town plot, and being a part of premises conveyed by Mina Robinson to the Pennsylvania Central Brewing Company by deed dated October 6, 1987, recorded in Lackawanna County in Deed Book 156, at page 152.

Beginning at a point in the fence line on the Northerly side of Alder Street, said point being distant North forty-two (42) degrees no (00) minutes West, two hundred forty-eight and thirteen one-hundredths (248.13) feet from the curb on the Westerly side of Cedar Avenue;

Thence from said beginning North forty-eight (48) degrees no (00) minutes East, sixty-five and one one-hundredths (65.01) feet to the outside face of a building wall called and known as "Silk Mill Building";

Thence along said wall North forty-two (42) degrees no (00) minutes West seventy-two one-hundredths (.72) feet to a point in line with the center line of the Westerly wall of said building;

Thence along said center line North forty-seven (47) degrees forty-seven (47) minutes East fifty and thirty-four one-hundredths (50.34) feet to the outside of the Northerly foundation wall of said building;

Thence along said foundation wall North forty-two (42) degrees no (00) minutes West one and ninety-one one-hundredths (1.91) feet;

Thence North forty-eight (48) degrees no (00) minutes East ten and forty-two one-hundredths (10.42) feet;

Thence South forty-two (42) degrees no (00) minutes East seventy-four and twelve one-hundredths (74.12) feet to the Westerly side of Schimpff Court;

Thence along the Westerly side of said Court South forty-eight (48) degrees no (00) minutes West one hundred twenty-five and seventy-two one-hundredths (125.72) feet to the fence line on the Northerly side of Alder Street;

Thence along said fence line North forty-two (42) degrees no (00) minutes West seventy-one and thirty one-hundredths (71.30) feet to the place of beginning.

Containing about nine thousand thirty-five (9,035) square feet of land.

Exhibit C

(B)

All that certain piece or parcel of land situate on the Northerly side of Alder Street in the Eleventh Ward of the City of Scranton, Lackawanna County, Pennsylvania, being composed of Lot 30 together with a Westerly part of lot 28 and an Easterly part of Lot 32 in square or block 6 upon the Lackawanna Iron and Coal Company's town plot of Scranton, particularly described as follows:

Beginning at a point in the fence line on the Northerly side of Alder Street, said point being distant North forty-two degrees no minutes West (N. 42° 0' W.) two hundred forty-eight and thirteen one-hundredths (248.13) feet from the curb, on the Westerly side of Cedar Avenue; thence from said beginning North forty-eight degrees no minutes East (N. 48° 0' E.) sixty-five and one one-hundredths (65.01) feet to the outside face of a building wall, known as Silk Mill Building; thence along said wall North forty-two degrees no minutes West (N. 42° 0' W.) seventy-two one-hundredths (0.72) feet to a point in line with the center line of the Westerly wall of said building; thence along the center line of said Westerly building wall North forty-seven degrees forty-seven minutes East (N. 47° E.) fifty and thirty-four one-hundredths (50.34) feet to the outside of the Northerly foundation wall of said building, thence along said foundation wall North forty-two degrees no minutes West (N. 42° 0' W.) one and ninety-one one-hundredths (1.91) feet, thence North forty-eight degrees no minutes East (N. 48° 0' E.) about forty-eight and forty-four one-hundredths (48.44) feet to the Southerly side of an alley; thence along the Southerly side of said alley North forty-two degrees no minutes West (N. 42° 0' W.) fifty-five and three one-hundredths (55.03) feet to a point; thence along an old fence South forty-seven degrees fifteen minutes West (S. 47° 15' W.) forty-eight and forty-four one-hundredths (48.44) feet, thence North forty-two degrees no minutes West (N. 42° 0' W.) one and sixty-nine one-hundredths (1.69) feet to a point at the Westerly side of a two foot wide stone wall that is now used for a foundation or base for a building that is erected on a portion of the within described premises; thence along the Westerly side of said wall or foundation South forty-seven degrees fifty-three minutes West (S. 47° 53' W.) one hundred fifteen and thirty-six one-hundredths (115.36) feet to the fence line on the Northerly side of Alder Street; thence along said fence line South forty-two degrees no minutes East (S. 42° 0' E.) fifty-eight and seventy-one one-hundredths (58.71) feet to the place of beginning. Containing about 9,393 square feet of land.

Exhibit D

PARCEL IV:

ALL the Northwesterly or rear half part of Lot Number 37 in Block Number Four (4) on the Plot of the Lackawanna Iron and Coal Company of the City of Scranton, County of Lackawanna and Commonwealth of Pennsylvania, and being Seventy (70) feet on Alder Street by Forty (40) feet along an alley. Together with the right to enclose and occupy ten (10) feet in front of the front line of said lot on Alder Street for yard, porch, piazza, cellarway and bay windows, but for no other purpose.



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

February 12, 2018

To the Honorable Council  
Of the City of Scranton  
Municipal Building  
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF THE GRANT APPLICATION BY THE CITY OF SCRANTON, ON BEHALF OF THE UNITED NEIGHBORHOOD CENTERS (UNC) / UNITED NEIGHBORHOOD COMMUNITY DEVELOPMENT CORPORATION (UNCDC), TO THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT, PURSUANT TO THE PA RACE HORSE DEVELOPMENT AND GAMING ACT IN THE AMOUNT OF \$120,000.00 FOR THE PROJECT TO BE KNOWN AS "SOUTH SCRANTON WOMEN'S BUSINESS INCUBATOR PROJECT" LOCATED AT 526-530 CEDAR AVENUE, SCRANTON, PENNSYLVANIA, AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL AND EXECUTE AND ENTER INTO A LOCAL SHARE ACCOUNT GRANT CONTRACT AND COMMITMENT LETTER WITH THE COMMONWEALTH OF PENNSYLVANIA TO ACCEPT AND UTILIZE THE GRANT IN THE AMOUNT OF \$120,000.00 AWARDED BY THE COMMONWEALTH OF PENNSYLVANIA FOR SUCH PROJECT.

Respectfully,

*Jessica Eskra (s)*  
Jessica L. Eskra, Esquire  
City Solicitor

JLE/sl

RECEIVED

FEB 12 2018

OFFICE OF CITY  
COUNCIL/CITY CLERK