

AGENDA  
REGULAR MEETING OF COUNCIL  
DECEMBER 8, 2005  
7:00 P.M.

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES:

A.  
ANNUAL FINANCIAL REPORT FROM THE OFFICE OF THE CITY CONTROLLER FOR THE YEAR ENDED DECEMBER 31, 2004.

B.  
AGENDA FOR THE NON-UNIFORM PENSION BOARD MEETING TO BE HELD ON WEDNESDAY, DECEMBER 14, 2005.

CLERK'S NOTES

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

5.  
A.  
MOTIONS

B.  
FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL NO. 82, 2004, AN ORDINANCE "ENTITLED GENERAL CITY OPERATING BUDGET 2005" BY TRANSFERRING \$4,450.00 FROM ACCOUNT NO. 01.080.00083.4460 (STREET LIGHTING) TO ACCOUNT NO. 01.401.10030.4299 (ZONING BOARD OPERATING EXPENSES) TO PROVIDE FUNDING TO COVER ZONING BOARD EXPENSES THROUGH YEAR END.

5.

C.

FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF COUNCIL NO. 135, 2005, AN ORDINANCE "ENTITLED SALE OF TAX DELINQUENT PROPERTY AT 659 WALES STREET NEAR LEGGETT'S CREEK, SCRANTON, PENNSYLVANIA, TO PENNSYLVANIA AMERICAN WATER COMPANY (PAWC), 100 NORTH PENNSYLVANIA AVENUE, WILKES-BARRE, PENNSYLVANIA, 18701, FOR THE SUM OF \$4,000.00" IN ORDER TO REFLECT THE CORRECT ADDRESS WHICH IS 600 BLOCK OF WALES STREET BY LEGGETT'S CREEK.

D.

FOR INTRODUCTION - AN ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A FIVE MILLION DOLLARS (\$5,000,000.00) PRINCIPAL AMOUNT, TAX AND REVENUE ANTICIPATION NOTE OF THE CITY OF SCRANTON KNOWN AS TAN SERIES A, AWARDED TO COMMUNITY BANK & TRUST COMPANY; DETERMINING THE FORM AND TERM OF SAID NOTE; AWARDED SAID NOTE; AUTHORIZING AND DIRECTING THE FILING OF CERTAIN DOCUMENTS; AND DIRECTING THE PROPER OFFICIALS OF THE CITY OF SCRANTON TO TAKE ANY AND ALL OTHER ACTIONS AS MAY BE REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID NOTE.

E.

FOR INTRODUCTION - AN ORDINANCE - AUTHORIZING THE ISSUANCE AND SALE OF A NINE AND ONE HALF MILLION (\$9,500,000.00) DOLLARS PRINCIPAL AMOUNT, TAX AND REVENUE ANTICIPATION NOTE OF THE CITY OF SCRANTON KNOWN AS TAN SERIES B, AWARDED TO COMMUNITY BANK & TRUST COMPANY; DETERMINING THE FORM AND TERM OF SAID NOTE; AWARDED SAID NOTE; AUTHORIZING AND DIRECTING THE FILING OF CERTAIN DOCUMENTS; AND DIRECTING THE PROPER OFFICIALS OF THE CITY OF SCRANTON TO TAKE ANY AND ALL OTHER ACTIONS AS MAY BE REQUIRED IN CONNECTION WITH THE ISSUANCE OF SAID NOTE.

F.

FOR INTRODUCTION - AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT, RECEIVE AND RECORD A GIFT OF REAL ESTATE FROM THE UNIVERSITY OF SCRANTON CONSISTING OF PARTIAL PARCEL AT THE INTERSECTION OF MULBERRY STREET AND JEFFERSON AVENUE TO ENLARGE TO TURNING RADIUS FOR VEHICLES TURNING RIGHT FROM MULBERRY TO JEFFERSON.

5.

G.

FOR INTRODUCTION - AN ORDINANCE - VACATING ANY AND ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SCRANTON IN THE RIGHT-OF-WAY OF A PORTION OF WRIGHT COURT IN THE CITY OF SCRANTON, AS MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

H.

FOR INTRODUCTION - AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND DELIVER A DEED OR DEEDS OF EASEMENT TO THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF GENERAL SERVICES, CONVEYING PERMANENT AND TEMPORARY EASEMENTS UPON PROPERTY ON PENN AVENUE, GREEN RIDGE STREET, CAPOUSE AVENUE, MONSEY AVENUE, MARION STREET, SANDERSON AVENUE AND GLENN STREET, LEGAL DESCRIPTIONS OF WHICH ARE ATTACHED AS EXHIBIT "A" AND MAPS OF WHICH ARE ATTACHED AS EXHIBIT "B", IN FURTHERANCE OF A FLOOD CONTROL PROJECT TO CONTROL FLOODING ALONG CERTAIN STREAMS WITHIN THE CITY.

I.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH NORTHEAST CREDIT AND COLLECTION FOR THE COLLECTION OF DELINQUENT REFUSE FEES; THE CONTRACT TO RUN FOR THE YEARS 2006, 2007 AND 2008.

J.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH NORTHEAST CREDIT AND COLLECTION FOR THE COLLECTION OF DELINQUENT REAL ESTATE FEES; THE CONTRACT TO RUN FOR THE YEARS 2006, 2007 AND 2008.

5.

K.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A REIMBURSEMENT AGREEMENT NO. 048606-A WITH THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION PHASE OF THE NAY AUG PEDESTRIAN BRIDGE.

L.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A QUALIFIED SELLER AGREEMENT ("QSA") WITH COMMUNITY REINVESTMENT FUND, INC. ("CRF") WHICH AGREEMENT WOULD QUALIFY THE CITY TO SELL OUTSTANDING LOANS FROM THE CITY OF SCRANTON, OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

M.

FOR INTRODUCTION - A RESOLUTION - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LOAN PURCHASE AGREEMENT WITH COMMUNITY REINVESTMENT FUND, INC. ("CRF") FOR THE PURCHASE OF FOURTEEN LOANS MADE BY THE CITY OF SCRANTON, OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE:

A.

READING BY TITLE - FILE OF COUNCIL NO. 162, 2005 - AN ORDINANCE - APPROPRIATING FUNDS FOR THE EXPENSES OF THE CITY GOVERNMENT FOR THE PERIOD COMMENCING ON THE FIRST DAY OF JANUARY, 2006 TO AND INCLUDING DECEMBER 31, 2006 BY THE ADOPTION OF THE GENERAL CITY OPERATING BUDGET FOR THE YEAR 2006.

B.

READING BY TITLE - FILE OF COUNCIL NO. 163, 2005 - AN ORDINANCE - AUTHORIZING THE LEASE OF CERTAIN REAL PROPERTY TO THE SEWER AUTHORITY OF THE CITY OF SCRANTON, PENNSYLVANIA PURSUANT TO A LEASE AGREEMENT; DECLARING THE GUARANTY OF SAID AUTHORITY'S GUARANTEED LEASE REVENUE NOTE FOR THE BENEFIT OF THE CITY OF SCRANTON TO BE A PROJECT OF THE CITY FOR WHICH LEASE RENTAL DEBT IS

TO BE INCURRED; STATING THE REALISTIC ESTIMATED USEFUL LIFE OF THE FACILITY RELATING TO THE NOTE; DETERMINING TO INCUR LEASE RENTAL DEBT IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$12,000,000 IN RESPECT OF SAID PROJECT, SUCH DEBT TO BE EVIDENCED BY THE CITY'S SUBLEASE AND GUARANTY AGREEMENT WITH RESPECT TO SAID NOTE; AUTHORIZING CERTAIN CITY OFFICERS TO PREPARE, CERTIFY AND FILE WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT THE DEBT STATEMENT REQUIRED BY SECTION 8110 OF THE LOCAL GOVERNMENT UNIT DEBT ACT AND AUTHORIZING THE PREPARATION OF A BORROWING BASE CERTIFICATE; APPROVING THE FORM OF, AND AUTHORIZING, SUBJECT TO CERTAIN CONDITIONS, EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT; REPEALING INCONSISTENT PRIOR ORDINANCES; SETTING FORTH CERTAIN CONDITIONS TO THE EXECUTION AND DELIVERY OF THE AFORESAID LEASE AGREEMENT AND SUBLEASE AND GUARANTY AGREEMENT; AND AUTHORIZING THE PROPER OFFICERS OF THE CITY TO TAKE ALL REQUIRED, NECESSARY OR DESIRABLE RELATED ACTION IN CONNECTION WITH SUCH PROJECT AND THE EXECUTION AND DELIVERY OF THE LEASE AGREEMENT AND THE SUBLEASE AND GUARANTY AGREEMENT.

6.

C.

READING BY TITLE - FILE OF COUNCIL NO. 164, 2005 - AN ORDINANCE - AUTHORIZING THE TRANSFER OF A PARCEL OF LAND ACQUIRED BY THE CITY THROUGH THE FLOOD CONTROL PROJECT TO THERESA STEVENS AS PARTIAL COMPENSATION FOR THE ACQUISITION OF A PORTION OF THE STEVENS PROPERTY FOR THE LACKAWANNA RIVER FLOOD CONTROL PROJECT.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES - CONSIDERATION FOR ADOPTION:

A.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 142, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO AN AMENDMENT TO THE WORKERS' COMPENSATION TRUST AGREEMENT TO REFLECT MODIFIED FUNDING REQUIREMENT FOR THE RESERVE ACCOUNT.

7.

B.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 173, 2005 - RE-APPOINTMENT OF DAVID SMITH, 1115 ELECTRIC STREET, SCRANTON, PENNSYLVANIA, 18509, AS A MEMBER OF THE ARCHITECTURE AND URBAN DESIGN COMMISSION, EFFECTIVE OCTOBER 12, 2005. MR. SMITH'S TERM EXPIRED ON OCTOBER 11, 2005 AND HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2009.

C.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 174, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A CONTRACT FOR WORKERS COMPENSATION EXCESS INSURANCE FOR A THIRTEEN (13) MONTH POLICY AS SET FORTH IN THE PROPOSAL OF WEXFORD/CNA.

D.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 175, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A RENEWAL OF THE CITY'S STOP LOSS COVERAGE FOR MAJOR MEDICAL HEALTH INSURANCE WITH AMERICAN FIDELITY ASSURANCE COMPANY FOR 2006.

E.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 176, 2005 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LOAN AGREEMENT AND RELATED DOCUMENTS WITH NORTH SCRANTON PARTNERSHIP, L.P. A PENNSYLVANIA LIMITED PARTNERSHIP FOR THE PURPOSE OF RENOVATION AND REHABILITATION OF THE FORMER NORTH SCRANTON JUNIOR HIGH SCHOOL PROPERTY.

8. ADJOURNMENT:

KAY GARVEY  
ASSISTANT CITY CLERK  
SCRANTON, PENNSYLVANIA