

AGENDA  
REGULAR MEETING OF COUNCIL  
JANUARY 22, 2008  
6:30 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. CONTROLLER'S REPORT FOR THE MONTH ENDING DECEMBER 31, 2007.
  - B. MINUTES OF THE COMPOSITE PENSION BOARD MEETING HELD ON DECEMBER 19, 2007.
4. CITIZENS PARTICIPATION
5. INTRODUCTION OF ORDINANCES, RESOLUTIONS, APPOINTMENTS AND/OR RE-APPOINTMENTS TO BOARDS & COMMISSIONS. MOTIONS & REPORTS OF COMMITTEES:
  - A. MOTIONS
  - B. FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATED WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TAX AT 2.5% FOR THE CALENDAR YEAR 2008.

5

C.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 7, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES”, BY IMPOSING THE MERCANTILE LICENSE TAX AT 1 MILL FOR CALENDAR YEAR 2008.

D.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 8, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF 2 MILL UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES”, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF 1 MILL FOR CALENDAR YEAR 2008.

E.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF 2% ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAX PAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS”, BY IMPOSING THE WAGE TAX AT 2.4% ON EARNED INCOME FOR THE YEAR 2008 FOR RESIDENTS.

5

F.

FOR INTRODUCTION – 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 \$178.00 FOR CALENDAR YEAR 2008.

G.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977”, BY SETTING THE MILLAGE FOR THE YEAR 2008.

H.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF COUNCIL NO. 74, 1993, (AS AMENDED), ENTITLED “THE ZONING ORDINANCE FOR THE CITY OF SCRANTON”, BY CHANGING THE MAP IN THE VICINITY OF THE SCRANTON HIGH SCHOOL AND ITS SURROUNDING AREA, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO FROM I-L(LIGHT INDUSTRIAL) TO INS-G(GENERAL INSTITUTIONAL) AND C-G(GENERAL COMMERCIAL).

I.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF COUNCIL NO. 49, 2006, ENTITLED, “AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE CONSOLIDATED SUBMISSION FOR COMMUNITY PLANNING AND DEVELOPMENT PROGRAMS (AS AMENDED) TO BE FUNDED UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM, HOME INVESTMENT PARTNERSHIP (HOME) PROGRAM AND EMERGENCY SHELTER GRANT (ESG) PROGRAM”, BY TRANSFERRING \$50,000.00 FROM PROJECT NO 96-204 AND \$9,493.80 FROM PROJECT NO. 99-212 AND \$88.75 FROM PROJECT NO. 03-005.9 AND \$400.00 FROM PROJECT NO. 05-152 AND \$680.59 FROM PROJECT NO. 06-182 AND \$49.20 FROM PROJECT NO. 06-05.12 FOR A TOTAL AMOUNT OF \$60,712.34 TO PROJECT NO. 07-18 TREE PLANTING PROJECT.

5

J.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A CONTRACT FOR PROFESSIONAL SERVICES WITH THE LAW FIRM OF CARL J. GRECO, P.C. FOR LEGAL SERVICES INCLUDING BUT NOT LIMITED TO GENERAL COUNSEL TO THE OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT (“OECD”), URBAN RENEWAL PROCESS AND PROCEDURE, EMINENT DOMAIN AND RELATED LITIGATION, DISPOSITION OF SURPLUS URBAN RENEWAL LANDS, TITLE SEARCHES AND DEED PREPARATION.

K.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE ZONING HEARING BOARD OF THE CITY OF SCRANTON TO EXTEND THE CONTRACT FOR PROFESSIONAL SERVICES WITH DANIEL L. PENETAR, JR., ESQUIRE TO ACT AS ITS SOLICITOR FROM JULY 1, 2007 THROUGH JULY 1, 2008.

L.

FOR INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF JOSEPH DEANTONA, 1331 CORNELL STREET, SCRANTON, PENNSYLVANIA, 18504, AS A MEMBER OF THE SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY. MR. DEANTONA’S TERM EXPIRED ON DECEMBER 31, 2007 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2012.

6. CONSIDERATION OF ORDINANCES – READING BY TITLE

A.

READING BY TITLE – FILE OF COUNCIL NO. 1, 2008 – AN ORDINANCE – VACATING ANY AND ALL RIGHT, TITLE AND INTEREST OF THE CITY OF SCRANTON IN THE RIGHT-OF-WAY KNOWN AS SMALLACOMBE DRIVE AS MORE PARTICULARLY DESCRIBED ON THE MAP ATTACHED HERETO.

6

B.

READING BY TITLE – FILE OF COUNCIL NO. 2, 2008 – AN ORDINANCE – PROVIDING FOR THE ACCEPTANCE AND DEDICATION OF JAMESTOWN WAY CIRCLE AND PARK EDGE LANE; AS WELL AS ALL THE STORM DRAINAGE SYSTEM UNDERLYING SAID STREETS AND RIGHTS-OF-WAY; ALL OF THE AFOREMENTIONED IMPROVEMENTS BEING LOCATED IN THE KEYSER TERRACE SUBDIVISION IN THE CITY OF SCRANTON, PENNSYLVANIA; ALSO AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT FOR THE SUM OF ONE DOLLAR (\$1.00) AND TO RECORD IN THE OFFICIAL RECORDS AT THE OFFICE OF THE RECORDER OF DEEDS FOR LACKAWANNA COUNTY A DEED FOR THE AFORESAID PUBLIC STREETS AND IMPROVEMENTS.

C.

READING BY TITLE – FILE OF COUNCIL NO. 3, 2008 – AN ORDINANCE – AUTHORIZING THE AUCTION AND SALE OF CITY-OWNED PROPERTY ACQUIRED PURSUANT TO THE LACKAWANNA RIVER FLOOD CONTROL PROJECT, SITUATED AT THE CORNER OF DIAMOND AVENUE AND WOOD STREET, THE FORMER CORDARO BUILDING AND RECORDED AT RECORD BOOK 0720 PAGE 325.

D.

READING BY TITLE – FILE OF COUNCIL NO. 4, 2008 – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 86, 1998 ENTITLED AN ORDINANCE “AMENDING FILE OF THE COUNCIL NO. 148, 1993, ENTITLED “AN ORDINANCE GOVERNING THE DESIGN CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, CONVERSION, USE AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES KNOWN AS THE BUILDING CODE; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTION, PROVIDING PENALTIES FOR THE VIOLATION THEREOF, ESTABLISHING MINIMUM REQUIREMENTS FOR BUILDING UNDERWRITER INSPECTORS, DECLARING AND ESTABLISHING FIRE LIMITS” BY ADOPTING THE BOCA NATIONAL BUILDING CODE 1993, ALSO REFERRED TO AS THE HOUSING CODE, TWELFTH EDITION” TO INSERT A NEW SECTION 2(d) AND ADJUSTING ALL LETTERS AND NUMBERS ACCORDINGLY.

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

A.

FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC SAFETY -  
FOR ADOPTION - RESOLUTION NO. 2, 2008 - APPROVING  
THE MODIFICATION OF EXISTING TRAFFIC SIGNALS ON SOUTH  
MAIN AVENUE (SR 3013) AND LUZERNE STREET (SR 3014)  
TRAFFIC SIGNAL PERMIT NO. 6192.

B.

FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS -  
FOR ADOPTION - RESOLUTION NO. 3, 2008 -  
AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY  
OFFICIALS TO EXECUTE AND ENTER INTO SUPPLEMENTAL  
ENGINEERING AGREEMENT NUMBER 041746-B WITH BUCHART-  
HORN, INC. TO AMEND PART II OF THE AGREEMENT TO COVER  
ADDITIONAL WORK AND SERVICES FOR RIGHT-OF-WAY PLANS AND  
FINAL STRUCTURE DESIGN OF THE ROCKWELL AVENUE BRIDGE  
PROJECT FOR AN ADDITIONAL COST OF \$73,404.55.

C.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY  
DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 4,  
2008 - AMENDING RESOLUTION NO. 185, 2007 A RESOLUTION  
"AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY  
OFFICIALS TO EXECUTE AND APPLY FOR A GRANT FOR HOUSING  
AND REDEVELOPMENT ASSISTANCE THROUGH THE COMMONWEALTH  
OF PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC  
DEVELOPMENT (DCED); ACCEPTING THE GRANT IF THE  
APPLICATION IS SUCCESSFUL, AND COORDINATING THE USE OF  
THE GRANT FUNDS FOR THE PROJECT TO BE NAMED AS "SKYVIEW  
PARK APARTMENTS" WITH THE NATIONAL HOUSING TRUST (NHT)-  
ENTERPRISE PRESERVATION CORPORATION" TO INCLUDE THE  
APPROPRIATE BLIGHT LANGUAGE REQUIRED BY DCED.

7

D.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 5, 2008 – ACCEPTING THE GIFT OF A POLICE VEHICLE, VIN NUMBER 2FPFP71W02X134275 FROM POLICE OFFICER JEFF GILROY FOR USE IN THE CITY’S FLEET PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY AND OFFICER GILROY.

E.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 6, 2008 AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE/POLICY AGREEMENT WITH OFFICER JEFF GILROY GOVERNING THE USE OF OFFICER GILROY’S “PRIVATE CRUISER” AS DEFINED HEREIN.

8. ADJOURNMENT:

KAY GARVEY  
CITY CLERK  
SCRANTON, PENNSYLVANIA

