

AGENDA
REGULAR MEETING OF COUNCIL
JANUARY 29, 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. MINUTES OF THE NON-UNIFORM MUNICIPAL PENSION BOARD MEETING HELD ON DECEMBER 19, 2007.
 - B. MINUTES OF THE FIREMEN'S PENSION COMMISSION MEETING HELD ON DECEMBER 19, 2007.
 - C. MINUTES OF THE SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING HELD ON DECEMBER 20, 2007.
 - D. AGENDA FOR THE NON-UNIFORM MUNICIPAL PENSION BOARD MEETING HELD ON JANUARY 23, 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 - APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE CURRENTLY OWNED BY N&L VENDING, INC., 143 COUNTRY CLUB ESTATES, THORNHURST PA 18424, LICENSE NO. R-11639 TO POWER MAC, INC. FOR USE AT 1175 KANE STREET, SCRANTON, PA. THE CURRENT LOCATION OF ANGELINA'S RESTAURANT AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

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C.

FOR INTRODUCTION - A RESOLUTION - ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR ELITE SIGNS & AWNINGS, 220 CLARK ROAD, DURYEA, PA FOR INSTALLATION OF NON-ILLUMINATED SIGNAGE TO BUSINESS FAÇADE, LOCATED AT 321 LACKAWANNA AVENUE.

D.

FOR INTRODUCTION - A RESOLUTION - APPOINTMENT OF MARY T. GARDIER PATERSON, 1030 PARK STREET, SCRANTON, PENNSYLVANIA, 18509, TO THE POSITION OF CITY SOLICITOR EFFECTIVE JANUARY 14, 2008. MS. PATERSON WILL BE REPLACING ROBERT B. FARRELL WHO RESIGNED ON JANUARY
11, 2008.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

A.

READING BY TITLE - FILE OF COUNCIL NO. 5, 2008 - 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 TRANSFER TAX AT 2.5% FOR THE CALENDAR YEAR 2008.

B.

READING BY TITLE - FILE OF COUNCIL NO. 6, 2008 - 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.

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C.

READING BY TITLE – FILE OF COUNCIL NO. 7, 2008 – 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.

D.

READING BY TITLE – FILE OF COUNCIL NO. 8, 2008 – 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.

E.

READING BY TITLE – FILE OF COUNCIL NO. 9, 2008 – 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.

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F.

READING BY TITLE - FILE OF COUNCIL NO. 10, 2008 - 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.

G.

READING BY TITLE - FILE OF COUNCIL NO. 11, 2008 - 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).

H.

READING BY TITLE - FILE OF COUNCIL NO. 12, 2008 - 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.

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

A.

FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS –
FOR ADOPTION – FILE OF COUNCIL NO. 2, 2008 – 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.

B.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR
ADOPTION – FILE OF COUNCIL NO. 3, 2008 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.

C.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR
ADOPTION – FILE OF COUNCIL NO. 4, 2008 – AS AMENDED –
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.

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D.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 7, 2008 – 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.

E.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 8, 2008 – 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.

F.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR ADOPTION – RESOLUTION NO. 9, 2008 – 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.

8. ADJOURNMENT:

KAY GARVEY
CITY CLERK
SCRANTON, PENNSYLVANIA

