

AGENDA
REGULAR MEETING OF COUNCIL
JANUARY 26, 2010
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, 2009.
 - B. MINUTES OF THE COMPOSITE PENSION BOARD MEETING HELD ON DECEMBER 16, 2009.
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 - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO AN AGREEMENT OF CLARIFICATION TO LAND USE RESTRICTIONS AND EXCEPTIONS MADE IN ACCORDANCE WITH FEDERAL AND COMMONWEALTH REQUIREMENTS MADE AMONG THE CITY OF SCRANTON ("THE CITY"), THE COMMONWEALTH OF PENNSYLVANIA ("THE COMMONWEALTH"), AND THE UNITED STATES OF AMERICA, ACTING THROUGH THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ("FEMA") IN REFERENCE TO THE REAL PROPERTY ("PROPERTY") HEREINAFTER REFERRED TO AS THE "HAZARD MITIGATION LAND" IN ORDER TO CLARIFY THAT THE DEED RESTRICTIONS DO NOT PROHIBIT THE CITY FROM ERECTING A FLOOD LEVEE UPON THE HAZARD MITIGATION LAND

DESCRIBED MORE FULLY IN EXHIBIT "A" OF THE AGREEMENT.

5

C.

FOR INTRODUCTION - A RESOLUTION - AMENDING RESOLUTION NO. 173, 2009 ENTITLED "AMENDING RESOLUTION NO. 122, 2009 ENTITLED 'AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO SUPPLEMENTAL REIMBURSEMENT AGREEMENT NO. 040809-F WITH THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION REGARDING THE LACKAWANNA AVENUE BRIDGE PROJECT FOR THE PURPOSE OF INCREASING THE CONSTRUCTION PHASE OF THE PROJECT DUE TO CONSTRUCTION COSTS OVER-RUNS' TO REFLECT LOWER CONSTRUCTION COSTS AS SET FORTH ON EXHIBIT 'AAAAAAA' PROJECT COSTS APPENDED TO SUPPLEMENTAL AGREEMENT NO. 040809-F" BY MAKING FURTHER REVISIONS PURSUANT TO CORRESPONDENCE DATED NOVEMBER 13, 2009 FROM PENNDOT.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE -

A.

READING BY TITLE - FILE OF COUNCIL NO. 9, 2010 - AN ORDINANCE - REPEALING FILE OF THE COUNCIL NO. 95, 2009 (AS AMENDED) AN ORDINANCE ENTITLED "SIGNIFYING THE INTENTION AND DESIRE OF THE COUNCIL OF THE CITY OF SCRANTON TO ORGANIZE AN AUTHORITY TO BE KNOWN AS THE SCRANTON PUBLIC LIBRARY AUTHORITY UNDER PROVISIONS OF THE ACT OF THE GENERAL ASSEMBLY, KNOWN AS THE MUNICIPALITY AUTHORITIES ACT, 53 PA. C.S. 56; SETTING FORTH AND AUTHORIZING EXECUTION OF ARTICLES OF INCORPORATION; APPOINTING AND FIXING THE TERMS OF THE FIRST MEMBERS OF THE BOARD OF SUCH AUTHORITY; AND UPON ORGANIZATION CONVEYING TITLE TO THE AUTHORITY FOR THE PROPERTIES ON WHICH THE ALBRIGHT MEMORIAL LIBRARY, THE GREEN RIDGE LIBRARY AND THE SILKMAN HOUSE ARE LOCATED; AUTHORIZING ALL OTHER NECESSARY ACTION; AND REPEALING ALL INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES, RESOLUTIONS OR PARTS OF RESOLUTIONS."

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

A.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 1, 2010 – 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 SITUATE 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 TWO AND FIVE TENTHS PERCENT
(2.5%) FOR CALENDAR YEAR 2010.

B.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 2, 2010 – 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 ONE (1) MILL FOR CALENDAR
YEAR 2010.

C.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 3, 2010 – 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 TWO (2) MILLS UPON THE
PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE
CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS
THEREFROM; REQUIRING 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 ONE (1) MILL FOR CALENDAR YEAR
2010.

7

D.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 4, 2010 – 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 TWO PERCENT (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 TAXPAYERS 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 TWO AND FOUR TENTHS PERCENT (2.4%) ON EARNED
INCOME FOR THE YEAR 2010 FOR RESIDENTS.

E.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 5, 2010 – 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
2010.

F.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 6, 2010 – 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 2010.

7

G.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 7, 2010 – 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 2010.

H.

FOR CONSIDERATION BY THE COMMITTEE ON FINANCE – FOR
ADOPTION – FILE OF COUNCIL NO. 8, 2010 – AMENDING FILE
OF COUNCIL NO. 49, 2008, AN ORDINANCE ENTITLED “GENERAL
CITY OPERATING BUDGET 2009” BY TRANSFERRING \$1,410.00
FROM ACCOUNT NO. 01.011.00011.4470 (TRAINING &
CERTIFICATION) TO ACCOUNT NO. 01.011.00011.4101 (UNIFORM
ALLOWANCE- MILEAGE) TO PROVIDE FUNDING TO REIMBURSE
EMPLOYEES IN THE PUBLIC SAFETY DEPARTMENT FOR MILEAGE.

I.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR
ADOPTION – RESOLUTION NO. 4, 2010 – APPOINTMENT OF MRS.
COLLEEN GLEASON, 2104 CAPOUSE AVENUE, SCRANTON,
PENNSYLVANIA, 18509 AS A MEMBER OF THE SCRANTON
MUNICIPAL RECREATION AUTHORITY TO SERVE THE UNEXPIRED
TERM OF JOSEPH S. GUIDO THROUGH DECEMBER 31, 2012.

J.

FOR CONSIDERATION BY THE COMMITTEE ON RULES – FOR
ADOPTION – RESOLUTION NO. 5, 2010 – AUTHORIZING THE
DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS TO ACT AS
AGENT FOR THE CITY OF SCRANTON FOR EMERGENCY AND DISASTER
RELIEF PURSUANT TO THE ROBERT T. STAFFORD DISASTER RELIEF
AND EMERGENCY ASSISTANCE ACT.

8. ADJOURNMENT:

NANCY KRAKE
CITY CLERK
SCRANTON, PENNSYLVANIA

