

AGENDA
REGULAR MEETING OF COUNCIL
July 11, 2013
6:00 P.M.

- OF
1. ROLL CALL
 2. READING OF MINUTES
 3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS
DEPARTMENTS AND INTERESTED PARTIES AND CITY
CLERK'S NOTES:
 - A. AUDIT STATUS REPORT RECEIVED FROM ROBERT ROSSI & COMPANY DATED JUNE 19, 2013.
 - B. TAX ASSESSOR'S REPORT APPEAL HEARING RESULTS DATED JUNE 12, 2013.
 - C. TAX ASSESSOR'S REPORT FOR HEARING DATE OF JULY 10, 2013.
 - D. MINUTES OF THE SCRANTON/LACKAWANNA HEALTH & WELFARE AUTHORITY'S REGULAR MEETING HELD ON MAY 16, 2013.
 - E. 2012 COMBINED AUDIT REPORT FOR THE SCRANTON/LACKAWANNA HEALTH AND WELFARE AUTHORITY.
 - F. MINUTES OF THE FIREMEN'S PENSION COMMISSION MEETING HELD ON MARCH 27, 2013.
 - G. NOTIFICATION FROM THE FIREMEN'S PENSION COMMISSION THAT MEETINGS WERE NOT HELD ON APRIL 24, 2013 AND MAY 22, 2013 DUE TO LACK OF QUORUM.

4. CITIZENS PARTICIPATION

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

A. MOTIONS

B.
APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE CURRENTLY OWNED BY GREAT UNCLE PETER'S, LLC, 1582 NEWTON RANSOM BOULEVARD, CLARKS SUMMIT, PA 18411 (NEWTON TOWNSHIP) LICENSE NO. R-2782 TO TERRA PRETA, LLC FOR USE AT 222 WYOMING AVENUE, SCRANTON, PA AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

C.
AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT AND DISBURSE GRANT FUNDS FROM THE PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY, VOLUNTARY FIRE COMPANY AND VOLUNTEER AMBULANCE SERVICES GRANT AWARDED TO THE CITY OF SCRANTON FIRE DEPARTMENT.

D.
AMENDING FILE OF COUNCIL NO. 77, 2012, AN ORDINANCE ENTITLED "GENERAL CITY OPERATING BUDGET 2013" BY TRANSFERRING FUNDS NOT TO EXCEED SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00) FROM ACCOUNT NO.01.401.13090.4299 (NON-DEPARTMENTAL OPERATING EXPENSES - CONTINGENCY) TO ACCOUNT NO.01.040.00040.4250 (BUSINESS ADMINISTRATION - ADVERTISING) TO PROVIDE FUNDING FOR DELINQUENT REFUSE AND RENTAL REGISTRATION ADVERTISING COSTS.

E.
CREATING AND ESTABLISHING SPECIAL CITY ACCOUNT NO.

02.229606 ENTITLED "PAVING PROJECT-PENNSYLVANIA GAMING ACT" FOR THE RECEIPT AND DISBURSEMENT OF THE COMMONWEALTH OF PENNSYLVANIA ACTING THROUGH THE COMMONWEALTH FINANCING AUTHORITY FOR A LOCAL SHARE ACCOUNT GRANT IN THE AMOUNT OF \$2,044,000.00 FOR PAVING THE STREETS THROUGHOUT THE CITY OF SCRANTON.

F.

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO AGREE TO EXTEND THE MATURITY DATE OF THE \$1,163,500 SUBORDINATE LOAN MADE TO SCRANTON MALL ASSOCIATES FROM DECEMBER 12, 2011 TO DECEMBER 31, 2013 WITH THE UNDERSTANDING THAT THE MATURITY DATE OF SAID SUBORDINATE LOAN COULD BE FURTHER EXTENDED (AT THE DISCRETION OF PENNSTAR BANK) TO JULY 11, 2025 TO ACCOMMODATE A RESTRUCTURING OF PENNSTAR BANK'S SENIOR LOAN, THUS AVOIDING A FORECLOSURE OF PENNSTAR BANK'S SENIOR LOAN AND CERTAIN LOSS OF THE CITY'S SUBORDINATE LOAN.

G.

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A COLLECTIVE BARGAINING AGREEMENT WITH LOCAL LODGE 2305 OF THE INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF A MEMORANDUM OF UNDERSTANDING DATED MAY 30, 2013 AND RATIFIED BY THE MEMBERSHIP.

H.

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) ACT 101 RECYCLING PROGRAM PERFORMANCE GRANT IN THE AMOUNT OF \$34,488.00 FOR THE CITY OF SCRANTON RECYCLING PROGRAM.

I.

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT GRANT FUNDS FROM THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) ACT 101 RECYCLING PROGRAM PERFORMANCE GRANT IN THE AMOUNT OF \$80,283.00 FOR THE CITY OF SCRANTON RECYCLING

PROGRAM.

J.

ACCEPTING A DONATION OF THREE (3) OPTICOM UNITS FROM THE BOARD OF AMOS TOWERS PRESENTED TO THE CITY OF SCRANTON FIRE DEPARTMENT.

K.

ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR THE UNIVERSITY OF SCRANTON, 800 LINDEN STREET, SCRANTON, PENNSYLVANIA, FOR DEMOLITION OF LEAHY HALL; TO INCLUDE COURTESY REVIEW BY THE HARB FOR PUBLIC INCORPORATION OF THE LINDEN STREET PORTICO; PUBLIC RECOGNITION OF THE 1907 BUILDING VIA EXHIBIT PHOTO AND TEXT, INCLUDING ACKNOWLEDGEMENT OF THE YWCA BUILDING AND ITS ROLE IN THE CITY; AT 630 LINDEN STREET AND 235 JEFFERSON AVENUE, SCRANTON, PENNSYLVANIA.

L.

APPOINTING JOSEPH GILHOOLEY, 952 NORTH WEBSTER AVENUE, SCRANTON, PENNSYLVANIA 18510 AS AN ALTERNATE NO.2 MEMBER TO THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. GILHOOLEY WILL REPLACE DOMINIC GEORGETTI WHOSE TERM EXPIRED ON JULY 1, 2013. MR. GILHOOLEY'S TERM WILL COMMENCE ON JULY 2, 2013 AND EXPIRE ON JULY 1, 2015.

M.

RE-APPOINTING CHARLIE SPANO, 718 STAFFORD AVENUE, SCRANTON, PENNSYLVANIA 18505 AS AN ALTERNATE NO.1 MEMBER TO THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. SPANO'S TERM EXPIRED ON JULY 1, 2013 AND HIS NEW TERM WILL COMMENCE ON JULY 2, 2013 AND EXPIRE ON JULY 1, 2015.

6. CONSIDERATION OF ORDINANCES – READING BY TITLE –

A.

READING BY TITLE - FILE OF COUNCIL NO. 33, 2013 -AN ORDINANCE - AMENDING SECTION 340-1, 340-8, 340-9 AND 340-13(A) OF THE CODE OF THE CITY OF SCRANTON GOVERNING PEDDLING AND SOLICITING WITHIN THE CITY OF SCRANTON.

B.

READING BY TITLE - FILE OF COUNCIL NO. 34, 2013 -AN ORDINANCE - ESTABLISHING THE DUTIES, RESPONSIBILITIES AND QUALIFICATIONS OF THE CITY HEALTH INSPECTOR, PROVIDING FOR THE PAYMENT OF AN ANNUAL LICENSE FEE FOR PUBLIC EATING AND DRINKING ESTABLISHMENTS WITHIN THE CITY OF SCRANTON, ESTABLISHING ANNUAL APPLICATION AND RENEWAL REQUIREMENTS, IMPOSING CERTAIN DUTIES UPON THE DIRECTOR OF LICENSING, INSPECTIONS AND PERMITS AND THE CITY HEALTH INSPECTOR, PROVIDING GUIDELINES FOR REVOCATION AND REINSTATEMENT OF LICENSES, AND PROVIDING FOR IMPOSITION OF PENALTIES.

C.

READING BY TITLE - FILE OF COUNCIL NO. 35, 2013 -AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO DISBURSE THIRTY THOUSAND DOLLARS (\$30,000.00) FROM THE ACCOUNT INTO WHICH REPAYMENT OF URBAN DEVELOPMENT ACTION GRANTS (UDAG) ARE DEPOSITED (UDAG REPAYMENT ACCOUNT) FOR THE CONNELL PARK AND NOVEMBRINO SWIMMING POOLS TO BE OPENED IN TIME FOR THE 2013 SWIM SEASON.

D.

READING BY TITLE - FILE OF COUNCIL NO. 36, 2013 -AN ORDINANCE - AUTHORIZING THE ACQUISITION BY EMINENT

DOMAIN OF THE PARCEL AFFECTED BY THE ROCKWELL AVENUE BRIDGE REPAIR PROJECT SUPPLEMENTAL AGREEMENT NO. 041222-C AND FEDERAL PROJECT NO. 117-X042-060.

E.

READING BY TITLE - FILE OF COUNCIL NO. 37, 2013 -AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE AGREEMENT WITH NORTHEAST INSPECTION CONSULTANTS ("NEIC") FOR THE FORMER SUPPLY ROOM IN THE LICENSING, INSPECTIONS AND PERMITS DEPARTMENT(LIPS), FOURTH FLOOR, CITY HALL TO BE USED FOR THIRD-PARTY INSPECTIONS.

F.

READING BY TITLE - FILE OF COUNCIL NO. 38, 2013 -AN ORDINANCE - SALE OF TAX DELINQUENT PROPERTY MORE COMMONLY KNOWN AS 2314 PITTSTON AVENUE, TAX MAP NO. 16714-010-046, SCRANTON, PENNSYLVANIA, TO GEORGE J. LANGAN, JR., 2313 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505, FOR THE CONSIDERATION OF \$5,000.

G.

READING BY TITLE - FILE OF COUNCIL NO. 39, 2013 -AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO ENTER INTO A LEASE AGREEMENT WITH THE UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA KNOWN AS THE CABRINI CENTER LOCATED AT 1004 JACKSON STREET, SCRANTON, PENNSYLVANIA FOR A TEN (10) YEAR PERIOD WITH THREE (3) SUCCESSIVE TEN (10) YEAR RENEWAL TERMS AT TENANT'S OPTION.

H.

READING BY TITLE - FILE OF COUNCIL NO. 40, 2013 -AN ORDINANCE - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE OFFICIALS OF THE CITY OF SCRANTON TO ENTER INTO A LEASE AGREEMENT WITH THE UNITED NEIGHBORHOOD CENTERS OF NORTHEASTERN PENNSYLVANIA KNOWN AS THE BELLEVUE CENTER LOCATED AT 531 EMMETT

STREET, SCRANTON, PENNSYLVANIA FOR A TEN (10) YEAR PERIOD WITH THREE (3) SUCCESSIVE TEN (10) YEAR RENEWAL TERMS AT TENANT'S OPTION.

7. FINAL READING OF RESOLUTIONS AND ORDINANCES-

A.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION -RESOLUTION NO. 24, 2013 -APPOINTING ALAN O'NEILL REAR 1440 CHURCH STREET, SCRANTON, PENNSYLVANIA, 18508, AS A MEMBER OF THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. O'NEILL WILL REPLACE LANCE STANGE JR., WHOSE TERM EXPIRES ON JULY 1, 2013. ALAN O'NEILL'S TERM WILL COMMENCE ON JULY 2, 2013 AND EXPIRE ON JULY 1, 2018.

B.

FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION -RESOLUTION NO. 25, 2013 -APPOINTING SHAWN WALSH, 2821 CEDAR AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE BOARD OF ZONING APPEALS FOR THE CITY OF SCRANTON. MR. WALSH WILL REPLACE MARY ANN WARDELL WHOSE TERM EXPIRES ON JULY 1, 2013. SHAWN WALSH'S TERM WILL COMMENCE ON JULY 2, 2013 AND EXPIRE ON JULY 1, 2018.

C.

FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - ORDINANCE NO. 29, 2013 (PREVIOUSLY TABLED) - AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO ACCEPT, RECEIVE AND RECORD A GIFT OF REAL ESTATE FROM FMP REALTY, LLC CONSISTING OF A PARCEL AT THE INTERSECTION OF CAPOUSE AVENUE AND MARION STREET, ON THE NORTHEAST CORNER OF SAID INTERSECTION TO PROVIDE FOR ADDITIONAL PARKING IN THE NEIGHBORHOOD.

8.
ADJOURNMENT:

NANCY KRAKE
CITY CLERK
SCRANTON, PENNSYLVANIA