

AGENDA
REGULAR MEETING OF COUNCIL
July 28, 2020
6:30 PM

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES
 - 3.A TAX ASSESSOR'S REPORTS FOR HEARING DATES HELD JULY 22 AND JULY 23, 2020.

[Tax Assessor's Reports for 7-22, 23-2020.pdf](#)
 - 3.B TAX ASSESSOR'S REPORTS FOR HEARING DATES TO BE HELD JULY 29, JULY 30, AUGUST 6 AND AUGUST 13, 2020.

[Tax Assessor's Reports for 7-29, 30, 8-6, 8-13-2020.pdf](#)
 - 3.C RESUME RECEIVED JULY 20, 2020 FROM SCRANTON PARKING AUTHORITY APPOINTEE MICAH S. WOODARD.

[Resume of Scranton Parking Authority Appointee.pdf](#)
 - 3.D OVERTIME REVIEW FOR ALL DEPARTMENTS AS PROVIDED BY CITY CONTROLLER DATED JULY 21, 2020 FOR THE PERIOD JANUARY TO JUNE 2020.
[Overtime figures from January to June 2020 received 7-21-2020.pdf](#)
 - 3.E FUEL CARD ANALYSIS RECEIVED FROM OFFICE OF THE CITY CONTROLLER FOR THE PERIOD APRIL 24 THROUGH MAY 23, 2020.

[Fuel Card Analysis received from City Controller dated](#)

[7-24-2020.pdf](#)

- 3.F CORRESPONDENCE RECEIVED FROM KOHANSKI COMPANY, PC DATED JULY 23, 2020 REGARDING UPDATE ON PROGRESS OF 2019 FINANCIAL STATEMENT AUDIT.

[Correspondence received from Kohanski Company PC re 2019 Audit dated 7-23-2020.pdf](#)

- 3.G MEMORANDUM RECEIVED FROM CITY COUNCIL SOLICITOR TO SCRANTON CITY COUNCIL DATED JULY 23, 2020 REGARDING AMENDMENTS TO FILE OF THE COUNCIL NO. 14, 2020 AND FILE OF THE COUNCIL NO. 15, 2020.

[Memorandum from Council Solicitor dated July 23, 2020.pdf](#)

- 3.H LIQUID FUELS TAX FUND INDEPENDENT AUDITOR'S REPORT FOR THE PERIOD JANUARY 1, 2018 TO DECEMBER 31, 2018 RECEIVED JULY 24, 2020 FROM COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF THE AUDITOR GENERAL.

[Liquid Fuels Tax Fund Independent Auditor's Report for 2018.pdf](#)

4. CITIZENS PARTICIPATION

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

- 5.A MOTIONS.

- 5.B NO BUSINESS AT THIS TIME.

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A READING BY TITLE - FILE OF THE COUNCIL NO. 19, 2020 - AN ORDINANCE - PROHIBITING THE USE OF COMMERCIAL VEHICLE BRAKE RETARDERS ON THIRD AVENUE IN THE CITY OF SCRANTON BETWEEN ELM STREET AND BROADWAY STREET.

[Ordinance-2020 Prohibit Commercial Brake Retarders 3rd Avenue.pdf](#)

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF THE COUNCIL NO. 14, 2020 - AMENDING FILE OF THE COUNCIL NO. 29, 2018 ENTITLED "ACKNOWLEDGING THE ADOPTION BY THE COMMONWEALTH OF PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW, ACT 43 OF 2017, ACKNOWLEDGING THAT THE FIREWORKS LAW PROHIBITS THE IGNITING OR DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF THE OWNER, PROVIDING THAT THE CITY OF SCRANTON DOES NOT GRANT PERMISSION FOR ANYONE TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON THE STREETS OR SIDEWALKS OF THE CITY OF SCRANTON OR PROPERTY OWNED BY THE CITY OF SCRANTON INCLUDING, WITHOUT LIMITATION, ALL OF THE CITY OWNED PARKS AND PUBLIC BUILDINGS; DIRECTING THAT THE CITY OF SCRANTON PROVIDE CERTIFIED COPIES OF THE ORDINANCE TO ALL MAGISTERIAL DISTRICT JUDGES WITHIN THE CITY; PROVIDING FOR A REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW" TO INCLUDE TIME RESTRICTIONS FOR THE USE OF FIREWORKS TO BE IN COMPLIANCE WITH THE CITY OF SCRANTON'S ZONING ORDINANCE FOR NOISE LEVELS.

[Ordinance-2020 Amending the Fireworks Law.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC SAFETY - FOR ADOPTION - FILE OF THE COUNCIL NO. 15, 2020 - REGULATING THE SALE AND DISTRIBUTION OF GASOLINE DIRECTLY INTO THOSE VEHICLES THAT FALL UNDER THE CLASS OF VEHICLES DEFINED BY 75 PA.C.S.A. 7702 AS BEING AN "ALL-TERRAIN VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID VEHICLES ARE RUNNING AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

[Ordinance-2020 Regulating the Sale and Distribution of Gasoline.pdf](#)

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - FILE OF THE COUNCIL NO. 16, 2020 - AMENDING FILE OF THE COUNCIL NO. 74, 1993, (AS AMENDED), ENTITLED "THE ZONING ORDINANCE FOR THE CITY OF SCRANTON" BY REPEALING SECTION 516 ENTITLED FLOOD-PRONE AREAS AND ENACTING SECTION 516 ENTITLED FLOODPLAIN MANAGEMENT REGULATIONS.

[Ordinance-2020 Amending the Zoning Ordinance.pdf](#)

- 7.D FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC SAFETY - FOR ADOPTION - FILE OF THE COUNCIL NO. 17, 2020 - AMENDING FILE OF THE COUNCIL NO. 11, 2018 ENTITLED "ESTABLISHING A "NO PARKING ZONE" ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) FROM A POINT 175 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO A POINT 325 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY ("PNRRA") TO EXTEND THE NO PARKING ZONE ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) TO A POINT 160 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO A POINT 415 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY (PNRRA).

[Ordinance-2020 Extend No Parking Wyoming Ave for PNRRA.pdf](#)

- 7.E FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - FILE OF THE COUNCIL NO. 18, 2020 - AUTHORIZING

THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ARC PROGRAM IN THE AMOUNT OF \$50,000.00 TO BE USED TO DEVELOP AN ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR THE CITY.

[Ordinance-2020 Grant Application OECD \\$50,000.pdf](#)

- 7.F FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 48, 2020 - APPOINTMENT OF MICAH S. WOODARD, 920 MOOSIC STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE JULY 9, 2020. MICAH S. WOODARD WILL BE REPLACING JOSEPH MATYJEVICH WHOSE TERM EXPIRED. MICAH S. WOODARD WILL BE APPOINTED TO A FIVE (5) YEAR TERM EFFECTIVE JULY 9, 2020 AND WILL EXPIRE ON JUNE 1, 2025.

[Resolution-2020 Appt. Micah Woodard to Parking Authority.pdf](#)

- 7.G FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - RESOLUTION NO. 49, 2020 - AUTHORIZING THE ACCEPTANCE BY THE CITY OF SCRANTON BY KEYSTONE SANITARY LANDFILL OF A JOHN DEERE 410 L BACKHOE LOADER SN:1T0410LXVLF382297 PER COSTARS DGS CONTRACT #4400011444 FROM FIVE STAR EQUIPMENT.

[Resolution-2020 Acceptance of John Deere Backhoe.pdf](#)

- 7.H FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 50, 2020 - RATIFYING AND APPROVING THE EXECUTION AND SUBMISSION OF A GRANT APPLICATION BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE "COVID-19 COUNTY RELIEF BLOCK GRANT PROGRAM" BY AND THROUGH THE PENNSYLVANIA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO ACCEPT AND UTILIZE THE GRANT IN AN AMOUNT UP TO \$824,553.23 AWARDED BY LACKAWANNA COUNTY OFFICE OF ECONOMIC

AND COMMUNITY DEVELOPMENT.

[Resolution-2020 Grant Application COVID 19 County Relief Block Grant Program.pdf](#)

- 7.I FOR CONSIDERATION BY THE COMMITTEE ON RULES - FOR ADOPTION - RESOLUTION NO. 51, 2020 - RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF AN APPLICATION BY THE CITY OF SCRANTON TO THE COMMONWEALTH OF PENNSYLVANIA SECRETARY OF HEALTH REQUESTING A CERTIFICATE OF APPROVAL PURSUANT TO 16 P.S. § 12005(a) CONFIRMING THE CITY OF SCRANTON'S ABILITY TO ESTABLISH A MUNICIPAL DEPARTMENT OF HEALTH.

[Resolution-2020 Application to Establish a Municipal Department of Health.pdf](#)

8. ADJOURNMENT

TAX ASSESSOR'S REPORT

Hearing Date: 07/22/20

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	ARCURIE GRAIG	ROARING BROOK TWP	1700101001185	JOSEPH MARIOTTI	52830	
10:15 AM	CHANG CHRISTOPHER & MICHELLE	SCOTT	08203020019		26000	
10:30 AM	MASLAR WILLIAM J & ANNETTE M	SCOTT TWP	0830301000101		23750	
10:45 AM	MOLFETAS ALEX & KELLY	SCOTT TWP	0820302004103		16500	
11:00 AM	WNUK ANDREW R & MARISA R	SCOTT TWP	0710202000601	PATRICK LAVELLE	43750	
11:15 AM	BONK KENNETH R & ELLEN M S	SOUTH ABINGTON TWP	0910301003712	PATRICK LAVELLE	68400	
11:30 AM	MARPED INC	DUNMORE	13502020015	MATTHEW BARRETT	18300	
11:45 AM	PANE MARTIN J & MARGARET	ELMHURST	1800203000701	JOSEPH HAGGERTY	51000	
12:00 PM	CAVANAUGH RYAN & BRITTANY	MOOSIC	1850102001126	JAMES TRESSLER	37000	
12:15 PM	MANSURI FAIZ M & TARANNUM	MOOSIC	18504030060	MARK CONWAY	44500	
12:45 PM	FAUVER BIANCA M & JOHN	OLD FORGE	1750302000408	MICHAEL GALLACHER	6000	
12:45 PM	DUNBAR NICOLE M	OLD FORGE	1750302000407	MICHAEL GALLACHER	6000	
1:30 PM	WILLOW TREE HOME INC	ARCHBALD	0940402000121	STEPHEN BRESSET	9000	
1:30 PM	WILLOW TREE HOMES INC	ARCHBALD	0940402000122	STEPHEN BRESSET	9000	
1:45 PM	NEW VENTURE REALTY INC	ARCHBALD	0730301000209	RAYMOND C. RINALDI	32500	
1:45 PM	NEW VENTURE REALTY INC	ARCHBALD	0730301000210	RAYMOND C. RINALDI	27000	
2:00 PM	TOTSKY ERIKA & MAURO RAYMOND	FELL	0060303001105		31900	
2:15 PM	FARBER WILLIAM III & LAUREN L	GREENFIELD TWP	0230405000114		54550	
2:30 PM	WATRAL JOSEPH & PEIL EMILY	THROOP	1250302000152	MICHAEL FISCUS	42750	
3:00 PM	BIANCARELLI SUSAN	GREENFIELD TWP	01402020006		23000	

TOTAL RECORDS 20

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(02/07) 07/20/2020 10:20:26 PM

Melissa Maguire 5709636385

TAX ASSESSOR'S REPORT

Hearing Date: 07/23/20

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	DAVIS WILLIAM JR & KIMBERLY	JEFFERSON	1500101000199		5000	
10:00 AM	DAVIS WILLIAM JR & KIMBERLY	JEFFERSON TWP	1500101001200		5000	
10:15 AM	CHORBA STEPHEN J & KAREN ANN	JEFFERSON TWP	1400101000223		40000	
10:30 AM	PYPIAK GRANTOR TRUST ZEOLI KY	JEFFERSON	1500101001201		5000	
10:30 AM	PYPIAK GRANTOR TRUST ZEILI K	JEFFERSON	1500101001202		5000	
10:45 AM	HUBBARD FRANK W & JEAN B	MOSCOW	1900401012000	JOHN MERCURI	48750	
11:00 AM	ROARING BROOK LOG HOMES LLC	ROARING BROOK TWP	1700101000119	JOHN MERCURI	61000	
11:15 AM	MINKOFF STEPHANIE S	SPRINGBROOK	2180101000304		23550	
11:30 AM	WATSON WILLIAM&COONS DANIELL	ROARING BROOK	1700101000135		53500	
11:45 AM	SEDIK STACEY	BLAKELY	10315050047		12500	
12:00 PM	MARSHALL GLENN S JR&JENNIFER	ARCHBALD	09418020005		8000	
12:15 PM	SABATELLE LA & CONFLITTI AE	ARCHBALD	09518050009		18000	
12:30 PM	SABATELLE WILLIAM A & LINDA A	ARCHBALD	09518050010		18000	
12:45 PM	BOHENEK THOMAS	OLYPHANT	11408010011		17500	
1:00 PM	HAMPTON JOSEPH A & MIX TRICIA	OLYPHANT	1141905000113		40300	
1:15 PM	ALFIERI KRISTEN	OLYPHANT	1250208000109	JOSEPH HAGGERTY	50750	
1:30 PM	VUOSO ANTHONY & PEGGY	GREENFIELD TWP	01415030023		34000	
1:45 PM	ZLOTUCHA JOHN JR & KATHY	BENTON TWP	02804040001		19500	
2:00 PM	CERMINARO JOSEPH & MARY JANE	SCRANTON	15710080017	SEAN GALLAGHER	27500	
2:15 PM	BARRESE SAMUEL & DOREEN	SCRANTON	16807020023		16000	
2:30 PM	ABDALLA MAURICE & LOUISE	SCRANTON	15719010035		32000	
2:45 PM	BARILLO GLEN & JENNIFER	SCRANTON	13510080017	JAMES TRESSLER	20000	
3:00 PM	EXTRAORDINARY PROPERTIES LLC	SCRANTON	13518020009		30000	
TOTAL RECORDS					23	

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TAX ASSESSOR'S REPORT

Hearing Date: 07/29/20

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	MAZZATTA SAMUEL P & ERMINIA	THROOP	12517020026		10000	
10:15 AM	ZABROWSKI RONALD & ANN MARIE	GREENFIELD TWP	0210102000103		16500	
10:30 AM	JERMYN HISTORICAL SOCIETY	JERMYN	0731202002800		5000	
10:45 AM	ANDREWS WILLIAM P & TRACEY	CARBONDALE CITY	0541202003401		1000	
11:00 AM	WOLFE INDUSTRIES I LLC	SCRANTON CITY	15615010008		18000	
11:15 AM	CAMPBELL ROBERT & ELAINE TRUS	SCRANTON CITY	14507030054		17157	
11:30 AM	DORAN MICHAEL J & AYANA N	DALTON	0690304000301	MARK CONWAY	35000	
11:45 AM	KOPA GREGORY & DENISE	SCOTT TWP	0420403001003	DAVID TOMAINE	41400	
12:00 PM	KONOSKY PAUL & KAREN	SCOTT	05204020018		5500	
12:15 PM	BATOVKINA OKSANA	CLIFTON	2310201000703		70400	
12:30 PM	LELII RALPH & LINDA	CLIFTON	23303010039		45250	
12:45 PM	WHETSTONE WADE	JEFFERSON	11702020005		10850	
12:45 PM	WHETSTONE WADE	JEFFERSON	11702020004		9625	
1:00 PM	PELLIGRINO GERRY & MELISSA AN	JEFFERSON TWP	1510101001031		37400	
1:15 PM	WHITE CASSANDRA R	SOUTH ABINGTON	09103010023	CHRISTOPHER SZEWC	21500	
1:30 PM	YOUNG JACOB S & LARAYNE	COVINGTON TWP	1980302000114	CHRISTOPHER SZEWC	43500	
1:45 PM	MCCARTHY KEVIN & ROBIN	COVINGTON TWP	22701020422		5000	
2:00 PM	RINDICH STEPHEN & DONNA L	TAYLOR	16615020009		2000	
2:15 PM	LIR GROUP LLC	TAYLOR	16615020036		6000	
2:30 PM	JOYCE MARICAY L ETAL	SCRANTON	17705010020		2000	
2:45 PM	GRILL MARLA	MOOSIC	17615040012		18000	
TOTAL RECORDS					21	

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TAX ASSESSOR'S REPORT

Hearing Date: 07/30/20

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	KEYSTONE SERVICE SYSTEMS INC	SCRANTON	1340101000476	BRETT WOODBURN	19500	
10:15 AM	929 S WEBSTER AVE LLC	SCRANTON	16708010048		13950	
10:30 AM	NGUYEN NGOC	SCRANTON	15609010038		17000	
10:45 AM	DONCSES NOAH	SCRANTON CITY	15719040010		19000	
11:00 AM	GREGORY DEREK & AMY M	SCOTT TWP	0910404001406		2500	
11:00 AM	GREGORY DEREK & AMY M	SCOTT TWP	0910404001405		31500	
11:30 AM	PARLOPANO SALVATORE P III-GOR	SOUTH ABINGTON	10115010010		26000	
11:45 AM	SNYDER WM J JR & MELISSA L	SPRINGBROOK TWP	2030201002504		43000	
12:00 PM	DUBOV LEONID	COVINGTON TWP	22701020555		5650	
12:15 PM	LOIACONO D & MACKIEWICZ L	COVINGTON TWP	22002090572		5900	
12:30 PM	BISHER BARBARA	COVINGTON	22004040002		10000	
12:45 PM	SHVARTSMAN OLEG & NATAL	COVINGTON	22004070076		7200	
1:00 PM	CANNON TROY D	JEFFERSON TWP	1490205000157		45000	
1:15 PM	BELOUSVA YULIYA-PIMOUTKINE R	CLIFTON	23401030022		24000	
1:30 PM	BRUINOOG CHAD & SAMANTHA	ROARING BROOK	18802010012		32000	
1:45 PM	WEISSMAN BRAD & MELISSA	ROARING BROOK	1890104002301		24000	
2:00 PM	LITTS BRIAN J & JAIME M	ROARING BROOK	1700101001139	JAMES J POWELL III	58697	
2:15 PM	PAUKOVITS MATTHEW JOSEPH	SPRINGBROOK	21003010007	JOSEPH O HAGGERTY	35114	
2:30 PM	WEILAND MARK	DUNMORE	14608040026		11000	
2:45 PM	ELMHURST SUPPLY LLC	OLD FORGE	17519060033	JOEL WOLFF	13500	

TOTAL RECORDS 20

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TAX ASSESSOR'S REPORT

Hearing Date: 08/06/20

Time	Name	Boro/Twp.	Pia Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	WIESTLING BRANDON C & KAYLYN	JEFFERSON TWP	1510101001028	JEFFREY NEPA	47000	
10:15 AM	KEATING NEIL	JEFFERSON TWP	16002020013	GEORGE GRETZ	22500	
10:30 AM	COELLO JAMES L & LAURIE	JEFFERSON	11803010002		52000	
10:45 AM	DOLL AMY LYNN & MARTIN MICHAEL	MADISON	1910402001401		23700	
11:00 AM	KRAMER WARREN III & MICHELE	SPRINGBROOK	21801010009		48800	
11:15 AM	RINALDI PAUL	ROARING BROOK TWP	18102020012		58000	
11:30 AM	WALLACE STEVEN J & DAVIS ADAM	JEFFERSON TWP	13802050013		23500	
11:45 AM	PODRASKY CHRISTINA	JESSUP	1150102000249		24500	
12:00 PM	MULLEN JAMES & SANDRA	MAYFIELD BORO	06414010002		33000	
12:15 PM	CORRIGAN GERALD	CARBONDALE TWP	06601030008		14500	
12:30 PM	MISHURA COREY M & CHRISTEN R	OLYPHANT	1250209000126		28000	
12:45 PM	HILLEBRAND THOMAS G & GRACE D	S ABINGTON TWP	0910301003708	GRACE HILLEBRAND	54500	
1:00 PM	BURNS TIMOTHY P & O'SHEA SUSAN	SOUTH ABINGTON TWP	0910301003702		66000	
1:15 PM	DOHERTY PATRICK & KATHLEEN	SOUTH ABINGTON TWP	0910301003706		67800	
1:30 PM	TUNIS JUSTIN G & CASSANDRA LYN	GLENBURN	0890201001908	MARK TUNIS	50700	
1:40 PM	HOMICK SHARON	SPRINGBROOK	20401010051	MARK TUNIS	34750	
1:45 PM	SUTOR DAVID	SCRANTON	1440402000326		22000	
2:00 PM	SIRIANNNA EUGENE & LENA	SCRANTON	16718020044		18000	
2:15 PM	JIYA REALTY LLC	SCRANTON CITY	14416020008		43000	
2:30 PM	RADER GENEVIEVE (MCMULLEN)	SCRANTON	14606050023		5000	
2:45 PM	JONES DEBRA A-PASSENTI ESTHER	SCRANTON	16711030030		9000	
TOTAL RECORDS					21	

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TAX ASSESSOR'S REPORT

Hearing Date: 08/13/20

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assessed Value	After Appeal Value
10:00 AM	SANDERSON JOHN P III & SCOTT	ARCHBALD	0930402000102		19500	
10:15 AM	MUSTICA JOHN	FELL TWP	00703010002		78850	
10:15 AM	MUSTICA JOHN M	FELL TWP	0070301000202		14650	
10:30 AM	LEWIS EVAN A & ANN L	SOUTH ABINGTON TWP	0910301003715	JAMES TRESSLER	63100	
10:45 AM	LOMBARDO PATRICK&MCDONALD E	WAVERLY TWP	08003060002	JAMES TRESSLER	100300	
11:00 AM	FARRELL STEVEN & CARRIE E	WAVERLY TWP	0800105000312	JAMES TRESSLER	62000	
11:15 AM	PAOLUCCI MICHAEL F & KATHLEEN	NEWTON TWP	11002020006		35600	
11:30 AM	FRANKOWSKI JAMES M & COREY A	WAVERLY	0690201000115	MARK RUDALAVAGE	61200	
11:45 AM	FRANZA MARIE	SCRANTON	1440402000348		18000	
12:00 PM	DONOVAN KEVIN P	SCRANTON	14518020053	JASON SHRIVE	10000	
12:15 PM	330 N SUMNER LLC	SCRANTON	14514040036	JASON SHRIVE	13000	
12:15 PM	PRIMARY INVESTMENT GROUP	SCRANTON	13517050004	JASON SHRIVE	26000	
12:15 PM	1145 ST ANN LLC	SCRANTON	15613040040	JASON SHRIVE	14000	
12:30 PM	MCCLAIN JILL & VINCE	SCOTT TWP	0510401000202		27750	
12:45 PM	SREBRO KENNETH P	SCOTT TWP	06211020001		39000	
1:00 PM	SARNOSKI JOHN JR TRUSTEE LIV T	NORTH ABINGTON	05003010007		40330	
1:15 PM	PLATONOV DMITRY	COVINGTON	22002090568		4150	
1:20 PM	PLATONOV DMITRY & ANASTASIA	COVINGTON	22002090569		5650	
1:30 PM	FARRINGTON DAVID R & SUZANNE	MADISON TWP	1720401001802		27150	
1:45 PM	INSALACO MICHAEL L & DOLORES M	MOOSIC BOROUGH	1860301000190	JOSEPH MARIOTTI	130000	
2:00 PM	WINSLOW DARREN L & MELISSA	ELMHURST	1710302000326		28000	
2:15 PM	KURILLA PATRICK & BROOKE	ROARING BROOK	1700101000197		35000	
2:30 PM	JUDGE MICHAEL W & LISA A	DUNMORE BOROUGH	1470503002300		18000	

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JUL 20 2020

MICAH WOODARD

Co Owner - LAVISH Body & Home
920 Moosic St. ~ Scranton, PA ~ 18505

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In 2014, my wife (Lauren) and I purchased Lavish Skincare. We reinvented the company with a rebranding as Lavish Body & Home :: The Salon @ Lavish. We grew with a full salon renovation and expansion in 2016 which gave us the ability to create multiple new jobs. When we purchased Lavish in 2014, Lavish had 6 employees and a healthy financial status. This year we hired our nineteenth employee and 2019 showed a revenue growth of 275% over our first year.

A staple of Lavish has been our partnership with local designers and artisans. Our strongest and first partnership was Valerie Kiser Design with her iconic Electric City design. She was soon followed by Tig & Cooneys, Kikki's Flustered Mustard, Electric City Bakehouse and many more. We are currently occupying a temporary spa location and we will soon finalize our plans to move all Lavish operations to a new permanent location by January of 2021. This move will triple the square footage of the business and create an additional 30+ jobs.

In 2015 my wife and I became involved with the American Cancer Society's Coaches vs. Cancer and for the past three years have chaired the gala. This was a natural fit because our son both loves basketball and is a cancer survivor. Our local program has raised over \$2,000,000 and is a leader nationally for high school based programs. Alongside coaching soccer at Scranton High School, owning Lavish has given me the opportunity to be heavily involved in the community through multiple organizations like The American Cancer Society (executive committee), Scranton Tomorrow (board), Marley's Mission, AJR Foundation, First Friday, the Economic Development Committee, the Everhart Museum, Lackawanna College (board) and more.

Unfortunately, the terrible disease of cancer affects everyone and many of our friends and Lavish clients are no exception. Since 2014 we have informally offered private, off hours services and gifts to women undergoing treatment free of charge. No woman should have to go through one of her darkest days in the bathroom at home shaving her hair. She should be able to smile through the tears with friends in a beautiful salon. This year, we established "Lavish Cares.". Lavish Cares. is a formal non profit that will soon go public with information on how women undergoing treatment in NEPA can receive salon services free of charge, so that no woman has to go through this alone.

I believe that the future is very bright for my family, Lavish and Scranton. I am grateful to be a small part of it and be of service in any way I can.

Lori Reed

From: John Murray
Sent: Tuesday, July 21, 2020 3:15 PM
To: Paige Cognetti; Carl Deeley; Carl Graziano; Allen Lucas; Tom Preambo; Tom Oleski; Eileen Cipriani; Wayne Beck; Brian Fallon; Lori Reed; Joe O'Brien
Cc: William Gaughan; Kyle Donahue; Mark McAndrew; Jessica Rothchild; Thomas S. Schuster; Mary Lynn Carey (mcarey@scrantonpa.gov); Elizabeth Callela; Marie Gallagher
Subject: 6 Month Overtime Review
Attachments: Payroll Overtime Jan to June by Department.xlsx

Dear Mayor Cognetti, President Gaughan, Members of City Council and Department Heads,

I just finished completing a review of overtime salaries for all departments and I have attached a spreadsheet for your perusal. I thought it would be good for you to know where you stand on overtime compared to budget during this fiscally difficult time. The information was taken from the payroll reports January 2020 through June 2020. If a department is not included there is no overtime listed on the payroll report. The budget number is the total budget divided by 2. As you will see there are a couple of items that are being charged that are funded by grants, NPP for the Police Department through OECD and the Safer Grant in the Fire Department. I left the NPP as its own entity and included the Safer Grant in the Fire Department totals. NPP can be added to Police if this grant is exhausted and the Safer Grant can be excluded from the Fire totals if this grant is still available. Percentage changes would be minimal.

I hope you find this information helpful.

If you have any questions please let me know.

Stay safe,

John J. Murray
City Controller
City of Scranton
340 N. Washington Avenue
Scranton, PA 18503
(570)348-4125
jmurray@scrantonpa.gov

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DEPARTMENT	ACCOUNT CENTER	MONTH	TOTALS	6 MONTH BUDGET	DIFFERENCE(OVER/UNDER)	% Used vs Total Budget		
Total City Council	101020	January	\$180.86	\$250.00	(\$69.14)	36.17%		
LIPS	101051	January	\$173.72					
LIPS	101051	February	\$116.53					
Total LIPS	101051	Total	\$290.25	\$1,750.00	(\$1,459.75)	8.29%		
Law Dept	101060	January	\$772.01					
Law Dept	101060	March	\$389.73					
Total Law Dept	101060	Total	\$1,161.74	\$0.00	\$1,161.74	100.00%	* No O/T Budget	
Police	101071	January	\$90,075.23					
Police	101071	February	\$38,369.86					
Police	101071	March	\$93,403.69					
Police	101071	April	\$48,192.67					
Police	101071	May	\$53,461.65					
Police	101071	June	\$101,085.87					
Total Police	101071	Total	\$424,588.97	\$350,000.00	\$74,588.97	60.66%		
Fire (Safer Grant)	101077	January	\$2,797.55					
Fire (Safer Grant)	101077	February	\$2,399.76					
Fire (Safer Grant)	101077	March	\$4,546.14					
Fire (Safer Grant)	101077	April	\$1,206.73					
Fire (Safer Grant)	101077	May	\$671.89					
Fire (Safer Grant)	101077	June	\$685.26					
Fire (Safer Grant)	101077	Total	\$12,307.33					
Fire	101078	January	\$30,904.15					
Fire	101078	February	\$31,271.17					
Fire	101078	March	\$60,836.74					
Fire	101078	April	\$31,429.21					
Fire	101078	May	\$11,436.38					
Fire	101078	June	\$15,746.09					
Fire	101078	Total	\$181,623.74					
Total Fire Department			\$193,931.07	\$162,500.00	\$31,431.07	59.67%		
DPW Admin	101080	February	\$1.75	\$125.00	(\$123.25)	0.70%		
DPW Engineering	101081	January	\$87.40					
DPW Engineering	101081	February	\$501.95					
DPW Engineering	101081	April	\$0.34					
DPW Engineering	101081	May	\$193.61					
DPW Engineering	101081	June	\$831.10					
DPW Engineering	101081	Total	\$1,614.40	\$2,750.00	(\$1,135.60)	29.35%		
DPW Cleaning and Maintenance(1)	101082	March	\$217.04					
DPW Cleaning and Maintenance(1)	101082	June	\$649.38					
DPW Cleaning and Maintenance(1)	101082	Total	\$866.42	\$1,000.00	(\$133.58)	43.32%		
DPW Highways	101083	January	\$15,542.94					
DPW Highways	101083	February	\$22,911.55					
DPW Highways	101083	March	\$6,523.16					
DPW Highways	101083	April	\$5,576.24					
DPW Highways	101083	May	\$11,365.76					
DPW Highways	101083	June	\$5,673.99					
DPW Highways	101083	Total	\$67,593.64	\$82,500.00	(\$14,906.36)	40.97%		
DPW Refuse	101084	January	\$26,135.71					
DPW Refuse	101084	February	\$16,131.57					
DPW Refuse	101084	March	\$1,739.70					
DPW Refuse	101084	April	\$993.19					
DPW Refuse	101084	May	\$11,062.44					
DPW Refuse	101084	June	\$11,532.19					
DPW Refuse	101084	Total	\$67,594.80	\$100,000.00	(\$32,405.20)	33.80%		
DPW Garages	101085	January	\$4,349.61					
DPW Garages	101085	February	\$6,013.84					
DPW Garages	101085	March	\$2,010.55					
DPW Garages	101085	April	\$144.34					
DPW Garages	101085	May	\$832.40					
DPW Garages	101085	June	\$1,065.91					
DPW Garages	101085	Total	\$14,416.65	\$12,500.00	\$1,916.65	57.67%		
Total DPW			\$152,087.66	\$198,875.00	(\$46,787.34)	38.24%		
Single Tax Office	101090	January	\$360.34					
Single Tax Office	101090	February	\$389.25					
Single Tax Office	101090	March	\$389.25					
Single Tax Office	101090	April	\$389.25					
Single Tax Office	101090	May	\$778.50					
Single Tax Office	101090	June	\$389.25					
Total Single Tax Office	101090	Total	\$2,695.84	\$1,875.00	\$820.84	71.89%		

Parks and Recreation	101100	January	\$1,078.96					
Parks and Recreation	101100	February	\$4,775.33					
Parks and Recreation	101100	March	\$2,973.43					
Parks and Recreation	101100	April	\$473.61					
Total Parks and Recreation	101100	Total	\$9,301.33	\$22,500.00	(\$13,198.67)	20.67%		
NPP (OECD)	102515	January	\$2,167.37					
NPP (OECD)	102515	February	\$793.85					
NPP (OECD)	102515	March	\$3,373.86					
NPP (OECD)	102515	April	\$1,190.78					
NPP (OECD)	102515	May	\$1,587.70					
NPP (OECD)	102515	June	\$1,488.47					
NPP (OECD)	102515	Total	\$10,602.03					
Total NPP (OECD)	102515	Total	\$21,204.06	\$0.00	\$21,204.06	100.00%	* No O/T Budget	
Total OECD	150513	Total	\$1,157.69	\$0.00	\$1,157.69	100.00%	* No O/T Budget	
			\$806,599.47	\$737,750.00	\$68,849.47	54.67%		
(1) under LIPS Supervision and budgeted to DPW								

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Fuel Card Analysis						
Summary By Department						
2020						
All Department Summary						
Department	Dec24/Jan23	Jan 24/Feb23	Feb 24/Mar23	Mar 24/Apr 23	Apr 24/May 23	
DPW	1149.84	931.45	1,150.06	347.98	818.67	
Fire	340.18	266.74	173.83	124.54	111.95	
IT	99.50	118.31	68.40	42.94	53.63	
Mayor (No Card)	0.00	0.00	0.00	0.00	0	
Parks	114.87	109.22	105.77	71.98	68.42	
Permits	53.05	76.59	25.82	56.07	44.89	
Police	2,065.66	2,202.02	1,681.78	1,383.76	1198.13	
Unsigned	10,702.93	9,999.27	10,976.52	8,147.55	6019.72	
	14,526.03	13,703.60	14,182.18	10,174.82	8315.41	
					-12	
	** There is a \$12.00 Credit to D.P.W.				8,303.41	
	See attached					

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JUL 24 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

WEL
KWIK-EZ

(570)871-4652
276125
SUNOCO
220 S. 7TH AVE
SCRANTON, PA 18505

REFUND

<CUSTOMER COPY>

Description	Qty	Amount
R UNLD #03	6.2216	-12.00
@ 1.929 / G		
MANUAL FUEL		
Subtotal		-12.00
Tax		0.00
TOTAL		-12.00
CREDIT \$		-12.00

WRIGHT EXP USD(\$12.00)

Acct/Card #: *****4946

Entry Method: Swiped

Auth #: 041965

Odometer: 8508

Veh #: 00081

Resp Code: 000

Stan: 07632007028

Invoice #: 993735

SITE ID: 276125

TERMINAL ID: 003

CUSTOMER COPY

APPROVED

THANKS FOR
CHOOSING SUNOCO

ST#: AB123 TILL XXXX DR# 1 TRAM# 1020746

CSH: 9 05/18/20 09:49:51

WEL
KWIK-EZ

(570)871-4652
276125
SUNOCO
220 S. 7TH AVE
SCRANTON, PA 18505

AUTHORIZED RECEIPT

Qty	Amount
	12.00
10.3646	19.99
G	
Subtotal	31.99
Tax	0.00
L	31.99
PREAUTH \$	150.00

0.00

*****4946

d

Needs

be
reordered

SIGNATURE

I agree to pay the amount charged
by the merchant for fuel, merchandise
and applicable taxes

APPROVED

THANKS FOR

174

CITY OF SCRANTON

107

VOUCHER NUMBER

May 26, 2020

DATE

Public Works

DEPARTMENT

Garages

BUREAU OF

01.080.00085.4301

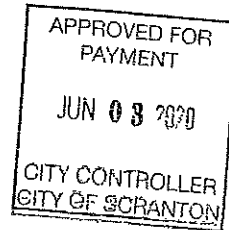
APPROPRIATION

DEPT. OF ADMINISTRATION

AY TO

Wex Bank

PURCHASE ORDER NO.



FOR: Gas for period of April 24 to May 23, 2020

00601

APPROVED - BUREAU HEAD

Tom Palmer DPW
APPROVED - DEPT. DIRECTOR

APPROVED - BUREAU OF PURCHASING

APPROVED - DEPT. OF ADMINISTRATION

\$8,303.41

AMOUNT APPROVED

APPROVED - CITY CONTROLLER

TREASURER'S COPY

not charged
by the merchant for fuel, merchandise
and applicable taxes

APPROVED

THANKS FOR



REPORT FOR:
City of Scranton
0496-00-264494-6
APR-24-2020 TO MAY-23-2020

PAGE 2
END OF REPORT

Financial Summary

ACCOUNT NUMBER	FLEET NAME
0496-00-264494-6	City of Scranton

DEPARTMENT	DESCRIPTION	UNITS	COST OR FEE	TOTAL FEES	FUEL \$	OTHER \$	EXEMPTED TAX	NET \$	TOTAL FEES & PURCHASES
ACCOUNT TOTALS	Sunoco Volume Rebate	7,267.19	0.050	-363.36	0.00	0.00	0.00	0.00	0.00
	PERIOD			-363.36	14,187.23	0.00	5,520.46	8,666.77	8,303.41
	YTD			-1,696.06	88,741.45	0.00	-27,488.05	61,253.40	59,557.34

ACCOUNTS RECEIVABLE SUMMARY - Invoice 65581843

PREVIOUS BALANCE	9,807.73
PAYMENTS	-9,807.73
PURCHASES	8,666.77
DEBITS	0.00
CREDITS	0.00
ANCILLARIES	-363.36
AMOUNT DUE	8,303.41

**SUNTRAK®**

Invoice Statement

INVOICE NUMBER: 65581843
ACCOUNT NAME: City of Scranton

PAGE 1

ACCOUNT NUMBER	CREDIT LIMIT	DAYS THIS PERIOD	BILL CLOSING DATE	PAYMENT DUE DATE	AMOUNT DUE
0496-00-264494-6	39,500.00	30	MAY-23-2020	JUN-12-2020	8,303.41

DATE	ACTIVITY DESCRIPTION	CHARGES / DEBITS	PAYMENTS / CREDITS
MAY-11-2020	Payment - Thank You	8,666.77	9,807.73
MAY-22-2020	Fuel Purchases		363.36
MAY-22-2020	Rebates and Rebate Reversals		
The Finance Charge is determined by applying a periodic rate of 0%			

PURCHASES, RETURNS AND PAYMENTS MADE JUST PRIOR TO BILLING DATE MAY NOT APPEAR UNTIL THE NEXT INVOICE/STATEMENT.

PREVIOUS BALANCE	(-) PAYMENTS	(+) ACTIVITY THIS PERIOD	(-) SAVINGS THIS PERIOD	(=) NEW BALANCE
9,807.73	9,807.73	8,666.77	363.36	8,303.41

CALL CUSTOMER SERVICE TO PAY BY PHONE
FEDERAL TAX ID: 841425616SEE REVERSE SIDE FOR IMPORTANT INFORMATION AND TERMS.
TO ENSURE PROPER CREDIT, TEAR AT PERFORATION AND INCLUDE BOTTOM PORTION WITH YOUR PAYMENT**Sunoco SunTrak**P.O. Box 639
Portland, ME 04104-0639

ACCOUNT NAME	City of Scranton
ACCOUNT NUMBER	0496-00-264494-6
INVOICE NUMBER	65581843
BILL CLOSING DATE	MAY-23-2020
AMOUNT DUE	8,303.41
AMOUNT ENCLOSED	
PAYMENT DUE DATE	JUN-12-2020

PAYMENTS RECEIVED AFTER THIS DATE SUBJECT TO A FINANCE CHARGE.

Make check payable to: WEX BANK
To avoid processing delays, remit all payments to:Nancy Krake
City of Scranton
340 North Washington Avenue
Scranton, PA 18503WEX BANK
P. O. BOX 4337
CAROL STREAM IL 60197-4337

04960026449460000000830341 200612



REPORT FOR:
City of Scranton
0496-00-264494-6
APR-24-2020 TO MAY-23-2020

PAGE 1

Financial Summary

ACCOUNT NUMBER	FLEET NAME
0496-00-264494-6	City of Scranton

DEPARTMENT	DESCRIPTION	UNITS	COST OR FEE	TOTAL FEES	FUELS	OTHER \$	EXEMPTED TAX	NET \$	TOTAL FEES & PURCHASES
BUILDINGS	Unleaded Regular	11.87	1.769	0.00	21.00	0.00	-9.01	11.99	11.99
	PERIOD			0.00	21.00	0.00	-9.01	11.99	11.99
	YTD			0.00	84.50	0.00	-28.25	56.25	56.25
DIET	Unleaded Regular	59.01	1.941	0.00	114.58	0.00	-44.78	69.79	69.79
	PERIOD			0.00	114.58	0.00	-44.78	69.79	69.79
	YTD			0.00	956.28	0.00	-292.51	663.77	663.77
DPW	Unleaded 4	35.89	2.428	0.00	87.17	0.00	-27.24	59.93	59.93
	Unleaded Regular	654.37	1.775	0.00	1,248.13	0.00	-501.39	746.74	746.74
	PERIOD			0.00	1,335.30	0.00	-528.63	806.67	806.67
FIRE	Unleaded Regular	95.72	1.924	0.00	184.60	0.00	-72.65	111.95	111.95
	PERIOD			0.00	184.60	0.00	-72.65	111.95	111.95
	YTD			0.00	1,453.57	0.00	-436.33	1,017.24	1,017.24
IT	Unleaded Regular	49.21	1.883	0.00	90.97	0.00	-37.34	53.63	53.63
	PERIOD			0.00	90.97	0.00	-37.34	53.63	53.63
	YTD			0.00	555.22	0.00	-172.44	382.78	382.78
PARKS	Unleaded Regular	57.79	1.943	0.00	112.30	0.00	-43.88	68.42	68.42
	PERIOD			0.00	112.30	0.00	-43.88	68.42	68.42
	YTD			0.00	686.82	0.00	-216.56	470.26	470.26
PERMITS	Unleaded Regular	27.07	1.974	0.00	53.44	0.00	-20.54	32.90	32.90
	PERIOD			0.00	53.44	0.00	-20.54	32.90	32.90
	YTD			0.00	289.06	0.00	-88.89	200.17	200.17
POLICE	Unleaded Regular	943.68	1.954	0.00	1,844.57	0.00	-716.23	1,128.34	1,128.34
	PERIOD			0.00	1,844.57	0.00	-716.23	1,128.34	1,128.34
	YTD			0.00	11,410.13	0.00	-3,542.55	7,867.58	7,867.58
Unassigned	Unleaded 4	14.28	2.368	0.00	32.42	0.00	-10.83	21.59	21.59
	Unleaded Plus	58.88	2.399	0.00	142.48	0.00	-44.71	97.77	97.77
	Unleaded Regular	5,250.63	1.949	0.00	10,231.94	0.00	-3,984.95	6,246.99	6,246.99
Sunoco Volume Rebate	Unleaded Super	9.08	2.598	0.00	23.63	0.00	-6.90	16.73	16.73
	PERIOD			0.00	23.63	0.00	-6.90	16.73	16.73
	YTD			0.00	0.00	0.00	0.00	0.00	0.00
ACCOUNT TOTALS	Unleaded 4	50.17	4.797	0.00	119.59	0.00	-38.07	81.52	81.52
	Unleaded Plus	58.88	2.399	0.00	142.48	0.00	-44.71	97.77	97.77
	Unleaded Regular	7,149.35	17.112	0.00	13,901.53	0.00	-5,430.78	8,470.75	8,470.75
	Unleaded Super	9.09	2.599	0.00	23.63	0.00	-6.90	16.73	16.73
				0.00	10,430.47	0.00	-4,047.39	6,383.08	6,383.08
				0.00	66,927.25	0.00	-20,717.90	46,209.35	46,209.35



REPORT FOR:
City of Scranton
0496-00-264494-6
APR-24-2020 TO MAY-23-2020

PAGE 2
END OF REPORT

Financial Summary

ACCOUNT NUMBER	FLEET NAME
0496-00-264494-6	City of Scranton

DEPARTMENT	DESCRIPTION	UNITS	COST OR FEE	TOTAL FEES	FUEL \$	OTHER \$	EXEMPTED TAX	NET \$	TOTAL FEES & PURCHASES
ACCOUNT TOTALS	Sunoco Volume Rebate PERIOD YTD	7,267.19	0.050	-363.36 -363.36 -1,696.06	14,187.23 88,741.45	0.00	0.00	0.00	8,666.77 61,263.40 8,303.41 69,557.34
ACCOUNTS RECEIVABLE SUMMARY - Invoice 65581843 PREVIOUS BALANCE 9,807.73 PAYMENTS -9,807.73 PURCHASES 8,666.77 DEBITS 0.00 CREDITS 0.00 ANCILLARIES -363.36 AMOUNT DUE 0.00 8,303.41									

Office of the City Controller				
Fuel Card Analysis				
2020				
	DPW			
		Apr 24/May 23		
Card #	NAME/JOB TITLE	Dates	Units	Amount
1	C. Anzulewicz- Parts Mgr DPW		19.63	23.35
2	Coggins-Tire Repair DPW		0	0
5	J. Murphy-Mechanic DPW		54.096	62.94
7	G. Boyd- Mechanic DPW		0	0
8	M. Lynady- Mechanic DPW		0	0
9	D. Gallagher - Supervisor		25.17	31.4
11	T. Lynch - Recycling		0	0
26	T. Santoli - Tree Maint.		0	0
81	Flood Control		184.383	213.03
91	C. Jenkins - Supervisor		534.35	327.67
93	L. Wynne - Parks		140.908	160.28
94	Hillcoat - Parks Foreman		0	0
			958.537	818.67

Controllers Office				
Fuel Card Analysis				
2020				
	FIRE			
		Apr 24/May 23		
Card #	Issued	Dates	Units	Amount
18	DeSarno - Chief		0	0
19	Lucas-Dept. A/ Chief		13.37	15.24
20	Costa-Mechanic		0	0
21	S.Flynn-Fire Pervention		0	0
22	J. Joyce-Inspector		0	0
23	J. Lunney-Inspector		30.027	35.64
25	Car 22		0	0
90	Car 21		52.322	61.07
			95.719	111.95

Office of the City Controller				
Fuel Card Analysis				
2020				
	IT			
		Apr24/May23		
Card #	Issued	Dates	Units	Amount
14	F. Swietnicki-Director		49.21	53.63
			49.21	53.63

Office of the City Controller				
Fuel Card Analysis				
2020				
	PERMITS			
		Apr 24/May 23		
Card #	Issued	Dates	Units	Amount
15	O'Hora-Bldg Maint		11.869	11.99
17	Oleski-Act Director		27.074	32.9
			38.943	44.89

Office of the City Controller				
Fuel Card Analysis				
2020				
POLICE				
Apr 24/May 23				
Card #	Issued	Dates	Units	Amount
71	Dombrowski		33.578	40.4
72	DET - Beahan		25.428	29.39
27	Graziano-Chief		14.017	18.36
28	Lieut.R.Martin		39.717	48.24
29	Brenzel-Lieut		12.943	14.75
30	Moran - SGT		62.755	72.21
31	Namiotka-Lieut		0	0
32	Parking 1		0	0
33	Parking 2		0	0
35	SID - Mayer		0	0
36	SID - McDonald		0	0
37	SID - Spathelf		0	0
39	SID- McIntyre		38.807	45.4
40	SID - P.Gerrity		0	0
41	SID - Hegedus		0	0
42	SID - Gula		72.413	87.24
43	DET - Spinosi		0	0
44	DET - McLane		53.182	60.63
45	DET - Castellano		57.15	68.19
46	DET - Jones		41.401	48.57
47	DET- Albanesi		16.481	17.96
48	DET - Forsette		46.02	53.19
49	DET - Pappas		28.041	34.3
50	DET - Mayo		13.245	16.43
51	DET - V. Uher		52.927	63.73
52	DET- J. Gerrity		0	0
53	DET - Gilroy		27.636	32.71
54	DET - Barrett		10.783	12.84
55	DET- Lafferty		53.6222	63.51
56	DET - Fueshko		22.586	28.01
57	DET - Lukasewicz		18.43	21.01
58	DET- Gowarty		14.388	17.84
60	DET - Passmore		40.235	48.76
61	DET - K. Uher		15.494	17.2
62	DET - Denaples		12.891	14.69
70	T. Garvey		0	0
75	Turner		52.148	64.6
83	Celuck-Training		59.583	78.78
85	DET - Schultz		13.084	17.53
86	M. Phillips		0	0
88	B. Lynady		0	0
92	Monahan-Inspec		53.7	61.66
			1002.6852	1198.13

Office of the City Controller				
Fuel Card Analysis				
2020				
	UNASSIGNED			
		Apr 24/May 23		
Card #	Issued	Dates	Units	Amount
82	K. Neary - Anim ctrl		38.407	44.68
89	K. Eiden - Parks		0	0
64	551 Moosic (HOUSE CARD)		2,988.03	3592.06
65	220 S 7th (HOUSE CARD)		1,185.25	1368.54
67	1227 S Main (HOUSE CARD)		1,943.27	1204.74
95	Ford Van - Fire Dept		0.00	0
96	C. Hallock - Police		12.53	16.79
97	B. Ritter -Parks		0.00	0
98	McMullen - DPW		41.532	46.66
99	Master Mechanic		45.388	50.29
100	D. Mitchell -Police		37.299	45.56
101	M. Schultz- Police		0	0
104	J. Hoban - Fire Dept		0	0
106	J. Weaver-Police		11.096	13.76
			6302.8	6383.08

Lori Reed

From: Kelley Lindsay <klindsay@kohanskico.com>
Sent: Thursday, July 23, 2020 10:03 AM
To: Lori Reed
Subject: RE: City of Scranton Audit

RECEIVED
JUL 23 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

Hi Lori,

Our update to Council on the progress of the 2019 financial statement audit is as follows:

- Audit testing for the following funds is complete:
 - Pension trust fund
 - Liquid fuels
 - Debt service
 - Internal service fund
- Year-end accounting and audit prep for the following funds is still in process by Rebecca and Rainey & Rainey :
 - General fund
 - OECD
 - Special cities
- Component Units:
 - Scranton Sewer Authority – the March 31, 2019 audit is complete. Draft financial statements should be issued next week.
 - Redevelopment Authority – December 31, 2019 financial statements are outstanding (auditors are Murphy Dougherty).
- Single Audit:
 - Need final schedule of expenditures of Federal awards
- Other Areas:
 - Capital assets and long-term debt – some information has been provided. Testing will be completed when general fund and OECD have been finalized for audit.
 - Other Post-Employment Benefits – I believe the updated report from the actuary is still outstanding.
 - We will be at City Hall on Monday, July 27 to complete tests of controls over payroll and census data testing for the pensions.

We have had regular communications with Carl and Rebecca over the last several weeks and expect to have the remaining information soon, but no date has been scheduled for us to complete the audit.

We expect that time to complete the audit will be 4-6 weeks from the time we receive all off the open items.

Let me know if there are any questions.

Kelley

KOHANSKI
Company, P.C.

Kelley Lindsay, CPA
3939 Birney Avenue
Moosic, PA 18507
Tel 570.941.2248 Fax 570.941.2236
klindsay@kohanskico.com

MEMORANDUM

RECEIVED
JUL 23 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

TO: Members of Scranton City Council

FROM: Kevin C. Hayes, Esq., City Council Solicitor

DATE: July 23, 2020

RE: Suggested Amendments to **File of Council No. 14, 2020** (Amending Fireworks Ordinance) and **File of Council No. 15, 2020** (Regulating the Sale of Gasolines to Operators of ATVs/Snowmobiles)

As you know, appearing in the Agenda's Seventh Order for Council's July 28, 2020 Public Meeting are File of Council No. 14, 2020 (Amending Fireworks Ordinance) and File of Council No. 15, 2020 (Regulating the Sale of Gasolines to Operators of ATVs/Snowmobiles). I have reviewed these proposed ordinances and suggest certain revisions to the same. Those suggested revisions are attached hereto and described below. My suggested revisions are largely technical in nature and do not significantly alter the substance of the ordinances as drafted by the administration. Accordingly, these ordinances can be approved by Council as amended by my suggested revisions at the July 28th meeting.

1. File of Council No. 14, 2020 (Amending Fireworks Ordinance)

- For purposes of consistency, I revised the fourth "Whereas" clause to add the term "consumer".
- In order to ensure clarity with regard to the interpretation and enforcement of this Ordinance, I added a "Definitions" section and defined the terms "APA 87-1"; "Consumer fireworks"; and "Person".
 - The definitions of "APA 87-1" and "Consumer fireworks" are identical to those provided in in section 2401 of the Act of March 4, 1971 (P.L.6, No.2), known as the Pennsylvania Tax Reform Code of 1971 and utilized in Senate Bill 932 of 2019.
 - The term "Person" is defined in order to apply to both individuals and entities that violate this ordinance.

2. File of Council No. 15, 2020 (Regulating the Sale of Gasolines to Operators of ATVs/Snowmobiles)

- Throughout the proposed ordinance, I made technical corrections relating to the citation to Section 7702 and 7721 of the Pennsylvania Vehicle Code, as the section (§) symbol was omitted.
- In order to ensure clarity with regard to the interpretation and enforcement of this Ordinance, I defined the following terms: “Gas station”, “Highway”, “Person” and “Street”.
 - The definition of “Gas station” and the use of the term “gasoline products” are consistent with Chapter 269 of the City Code adopted by City Council on Sept. 26, 1979 as Chapter 16 of the 1979 Code.
 - The terms “Highway” and “Street” are identical to those provided Section 7702 of the Vehicle Code.
 - I add the term “Street” because it is distinct from “Highway” in the Vehicle Code.
 - The term “Person” is defined in order to apply to both individuals and entities that violate this ordinance.

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 29, 2018 ENTITLED "ACKNOWLEDGING THE ADOPTION BY THE COMMONWEALTH OF PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW, ACT 43 OF 2017, ACKNOWLEDGING THAT THE FIREWORKS LAW PROHIBITS THE IGNITING OR DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF THE OWNER, PROVIDING THAT THE CITY OF SCRANTON DOES NOT GRANT PERMISSION FOR ANYONE TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON THE STREETS OR SIDEWALKS OF THE CITY OF SCRANTON OR PROPERTY OWNED BY THE CITY OF SCRANTON INCLUDING, WITHOUT LIMITATION, ALL OF THE CITY OWNED PARKS AND PUBLIC BUILDINGS; DIRECTING THAT THE CITY OF SCRANTON PROVIDE CERTIFIED COPIES OF THE ORDINANCE TO ALL MAGISTERIAL DISTRICT JUDGES WITHIN THE CITY; PROVIDING FOR A REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW" TO INCLUDE TIME RESTRICTIONS FOR THE USE OF FIREWORKS TO BE IN COMPLIANCE WITH THE CITY OF SCRANTON'S ZONING ORDINANCE FOR NOISE LEVELS.

WHEREAS, the City of Scranton enacted File of Council No. 29 of 2018 on September 25, 2018 in order to address concerns regarding the Pennsylvania Fireworks Law, Act 43 of 2017; and

WHEREAS, it is necessary to amend File of Council No. 29 of 2018 in order to better protect the public health, comfort, convenience, safety and welfare of the City and its residents; and

WHEREAS, Section 317-7 of the City's General Code defines a "Noise Disturbance" as being "[a] sound which:

- (1) Disrupts or injures the comfort, repose, health, hearing, peace or safety of persons or animals;
- (2) Annoys, disturbs or perturbs a reasonable person with normal sensitivities;

(3) Endangers or injures personal or real property; or

(4) Is in excess of the sound levels by zoning districts established by this chapter;
and

WHEREAS, consumer fireworks have proven to be a Noise Disturbance, especially when ignited during night-time hours; and

WHEREAS, the City of Scranton and its residents have the right to the quiet and beneficial use and enjoyment of their property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that File of the Council No. 29 of 2018 is hereby amended to include the following:

SECTION 1. DEFINITIONS. The following words and phrase when used in this Ordinance shall have the meaning given to them in this section unless the context clearly indicates otherwise:

“APA 87-1.” The American Pyrotechnics Association Standard 87-1: Standard for Construction and Approval for Transportation of Fireworks, Novelties, and Theatrical Pyrotechnics, 2001 edition, or any subsequent edition.

“Consumer fireworks.”

(1) Any combustible or explosive composition or any substance or combination of substances which is intended to produce visible or audible effects by combustion, is suitable for use by the public, complies with the construction, performance, composition and labeling requirements promulgated by the Consumer Products Safety Commission in 16 CFR (relating to commercial practices) or any successor regulation and complies with the provisions for “consumer fireworks” as defined in APA 87-1 or any successor

standard, the sale, possession and use of which shall be permitted throughout this Commonwealth.

(2) The term does not include devices as "ground and hand-held sparkling devices," "novelties" or "toy caps" in APA 87-1 or any successor standard, the sale, possession and use of which shall be permitted at all times throughout this Commonwealth.

"Person." A natural person, corporation, foundation, organization, business trust, estate, limited liability company, licensed corporation, trust, partnership, limited liability partnership, association or other form of legal business entity. Whenever used in any clause prescribing and imposing a penalty, a "person" includes the individual members, partners, officers and managers of the association, general or limited partnership, corporation, limit liability company, professional corporation or other similar entity.

SECTION 2. It is hereby ordained and enacted that no permission is granted by the City to any person to ignite or discharge consumer fireworks on the streets of the City of Scranton, the sidewalks of the City of Scranton or any property owned by the City of Scranton, including, without limitation, all of the City's parks and public buildings.

SECTION 23. No person or persons shall intentionally ignite or discharge consumer fireworks between the hours of 9:00 P.M. to 7:00 A.M. other than New Year's Eve, Fourth of July, Labor Day and Memorial Day in any area of the City.

SECTION 34. A person deemed to have violated any section of this Ordinance shall be subjected to citation and up to a three hundred (\$300.00) dollar fine to be issued by the proper magistrate district in which the violation occurred.

SECTION 45. The City hereby directs that certified copies of this Ordinance be provided to all magisterial judges within the City of Scranton to provide judicial notice that no permission has been granted by the City for any person to intentionally ignite or discharge consumer fireworks on the City streets and sidewalks or on any real estate owned by the City of Scranton.

SECTION 56. All Ordinances or Resolutions or parts of Ordinances or Resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 67. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 78. This Ordinance shall become effective immediately upon approval.

SECTION 89. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

REGULATING THE SALE AND DISTRIBUTION OF GASOLINE DIRECTLY INTO THOSE VEHICLES THAT FALL UNDER THE CLASS OF VEHICLES DEFINED BY 75 Pa.C.S.A. § 7702 AS BEING AN "ALL-TERRAIN VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID VEHICLES ARE RUNNING AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, 75 Pa.C.S.A. § 7702 defines those class of vehicles that fall under the category of "All-Terrain Vehicles" or "ATVs" and "Snowmobiles; and

WHEREAS, 75 Pa.C.S.A. § 7702 defines the terms "Highway" and "Street"; an

WHEREAS, the City of Scranton adopts ~~these~~ the definitions of "All-Terrain Vehicle", "ATV", "Snowmobile", "Highway" and "Street" as set forth in 75 Pa.C.S.A. § 7702 for the purpose of this Ordinance; and

WHEREAS, 75 Pa.C.S.A. § 7721 makes it unlawful to operate a snowmobile or an ATV on any street or highway which is not designated and posted as a snowmobile or an ATV road by the governmental agency having jurisdiction; and

WHEREAS, in order to better protect the public health, comfort, convenience, safety and welfare of the City and its residents, the City looks to further enforce 75 Pa.C.S.A. § 7721, *et seq.* by restricting the ability of operators of an ATVs and a Snowmobiles ability to purchase gasoline at gas stations within the City of Scranton; and

WHEREAS, it has been determined that the best way to do this is to prohibit the Gas Station's from distributing gasoline products directly into an ATVs and a Snowmobiles that are

operating-operates on highways or streets in the City of Scranton in violation of 75 Pa.C.S.A. § 7721, *et seq.*

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the following Ordinance is hereby adopted.

SECTION 1. DEFINITIONS. The following words and phrases, when used in this Ordinance, shall have the meaning given to them in this section, unless the context clearly indicates otherwise:

“All-Terrain Vehicle” or “ATV” – As defined in 75 Pa.C.S.A. § 7702.

“Gas station” – Any and all gasoline filling stations, gasoline service stations or consumer stations where gasoline products of any kind are stored for delivery by means of pumps, standards, pipelines or other devices directly to and into the tanks of any motor-driven vehicle which are subject to the licensing and inspection by City officials under Chapter 269 of the City Code adopted by the City Council of the City of Scranton on Sept. 26, 1979 as Chapter 16 of the 1979 Code.

“Highway” – As defined in 75 Pa.C.S.A. § 7702.

“Person.” – “Person.” A natural person, corporation, foundation, organization, business trust, estate, limited liability company, licensed corporation, trust, partnership, limited liability partnership, association or other form of legal business entity. Whenever used in any clause prescribing and imposing a penalty, a “person” includes the individual members, partners, officers and managers of the association, general or limited partnership, corporation, limit liability company, professional corporation or other similar entity. Whenever used in any clause prescribing and imposing a penalty, a “person” includes the individual members, partners,

officers and managers of the association, general or limited partnership, corporation, limit liability company, professional corporation or other similar entity.

"Snowmobile" – As defined in 75 Pa.C.S.A. § 7702.

"Street" – As defined in 75 Pa.C.S.A. § 7702.

~~The terms and definitions of "All-Terrain Vehicle" or "ATV" and "Snowmobile" as defined by 75 Pa.C.S.A. 7702 are incorporated and hereby apply to this Ordinance.~~

SECTION 2. Any person owning a gas station in the City of Scranton ~~disbursing gas from gas pumps located on said property to the general public~~ is hereby prohibited from disbursing or allowing to be disbursed gasoline products directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a street or highway located in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

SECTION 3. Any person owning a gas station in the City of Scranton ~~disbursing gas to the general public~~ is hereby prohibited from allowing any person, including customers, to disburse gasoline products from gas pumps located on said property directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a street or highway located in the City of Scranton in violation of 75 Pa.C.S.A. § 7721, *et seq.*

SECTION 4. All persons are hereby prohibited from disbursing gasoline products from gas pumps located at gas stations directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a street or highway located in the City of Scranton in violation of 75 Pa.C.S.A. § 7721, *et seq.*

SECTION 5. The City of Scranton Police Department are authorized to enforce and cite any individual person or gas station owner found to be in violation of any Section of this ordinance.

SECTION 6. Any ~~individual person~~ or gas station owner found to be in violation of any section of this Ordinance shall be issued a Non-Traffic Citation and a fine not to exceed three hundred (\$300.00) dollars.

SECTION 7. The City hereby directs that certified copies of this Ordinance be provided to all magisterial judges within the City of Scranton to provide judicial notice that no person shall be permitted to purchase or disburse gasoline products directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a street or highway located in the City of Scranton in violation of 75 Pa.C.S.A. § 7721, *et seq.*

SECTION 8. All Ordinances or Resolutions or parts of Ordinances or Resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 9. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 10. This Ordinance shall become effective immediately upon approval.

SECTION 11. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

ATTESTATION ENGAGEMENT

City of Scranton
Lackawanna County, Pennsylvania
35-302
Liquid Fuels Tax Fund
For the Period
January 1, 2018 to December 31, 2018

July 2020

RECEIVED
JUL 24 2020

OFFICE OF CITY
COUNCIL/CITY CLERK



Commonwealth of Pennsylvania
Department of the Auditor General
Eugene A. DePasquale • Auditor General



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Harrisburg, PA 17120-0018
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EUGENE A. DePASQUALE
AUDITOR GENERAL

Independent Auditor's Report

Yassmin Gramian, P.E.
Acting Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Form MS-965 With Adjustments for the Liquid Fuels Tax Fund of the City of Scranton, Lackawanna County, for the period January 1, 2018 to December 31, 2018. The municipality's management is responsible for presenting the Form MS-965 in accordance with the criteria set forth in Note 1. Our responsibility is to express an opinion on the Form MS-965 With Adjustments based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Form MS-965 is presented in accordance with the criteria described above, in all material respects. An examination involves performing procedures to obtain evidence about the Form MS-965. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material misstatement of the Form MS-965, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are mandated by Section 403 of *The Fiscal Code*, 72 P.S. § 403, to audit each municipality's Liquid Fuels Tax Fund to ensure that funds received are expended in accordance with applicable laws and regulations. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Section 403 of *The Fiscal Code*.

Independent Auditor's Report (Continued)

In our opinion, the Form MS-965 With Adjustments presents, in all material respects, the information required by the Pennsylvania Department of Transportation for the Liquid Fuels Tax Fund of the City of Scranton, Lackawanna County, for the period January 1, 2018 to December 31, 2018, in accordance with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Form MS-965; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the Form MS-965. We are also required to obtain and report the views of responsible officials concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. We performed our examination to express an opinion on whether the Form MS-965 is presented in accordance with the criteria described above and not for the purpose of expressing an opinion on internal control over reporting on the Form MS-965 or on compliance and other matters; accordingly, we express no such opinions.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Form MS-965 will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over reporting on the Form MS-965 was for the limited purpose of expressing an opinion on whether the Form MS-965 is presented in accordance with the criteria described above and would not necessarily identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our engagement we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

As part of obtaining reasonable assurance about whether the Form MS-965 is free from material misstatement, we performed tests of the City of Scranton, Lackawanna County's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of amounts on the Form MS-965. However, providing an opinion on compliance with those provisions was not an objective of our engagement, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Independent Auditor's Report (Continued)

The purpose of this report is to determine whether the municipality's Liquid Fuels Tax Fund money is spent in accordance with the laws and regulations identified in the Background section of this report and the Department of Transportation's *Publication 9*. This report is not suitable for any other purpose.

We appreciate the courtesy extended by the City of Scranton, Lackawanna County, to us during the course of our examination. If you have any questions, please feel free to contact the Bureau of County Audits at 717-787-1363.

A handwritten signature in black ink, appearing to read "Eugene A. DePasquale", with a long horizontal flourish extending to the right.

Eugene A. DePasquale
Auditor General

July 13, 2020

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CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

Background

The Liquid Fuels Tax Municipal Allocation Law, Act 655 of 1956, as amended, (72 P.S. § 2615.5 et seq.), provides municipalities other than counties (townships, boroughs, cities, towns, home rule, and optional plan governments) with an annual allocation of liquid fuels taxes from the state's Motor License Fund to be used for the maintenance and repair of streets, roads, and bridges for which the municipality is responsible. The allocation of these funds to municipalities is based: (1) 50 percent on the municipality's proportion of local road mileage to the total local road mileage in the state, and (2) 50 percent on the proportion of a municipality's population to the total population in the state.

The Vehicle Code, Title 75 P.S. § 9511, provides municipalities with annual maintenance payments to be received from the Motor License Fund for functionally local highways that were transferred to a municipality from the Commonwealth of Pennsylvania.

Each municipality must deposit the allocation of Liquid Fuels Tax funds and annual maintenance payments that it receives into a special fund called either the Municipal Liquid Fuels Tax Fund or State Fund. A municipality may not deposit any other monies into this fund except when the municipality does not have enough money in the special fund to meet the payments called for by its current annual budget for road and bridge purposes. In such a case, the municipality may borrow money or transfer money from its General Fund to its Liquid Fuels Tax Fund.

The Department of Transportation has been given the regulatory authority for the administration of these funds. Department of Transportation's *Publication 9* includes the policies and procedures for the administration of Act 655, as amended, and the Liquid Fuels Tax Fund money. However, if there is a difference between *Publication 9* and any legislation, the legislation shall govern.

To qualify for the annual allocation of Liquid Fuels Tax funds, *Publication 9* indicates that each municipality shall:

1. Submit annual reports (MS-965, Actual Use Report, MS-965P, Project and Miscellaneous Receipts, and MS-965S, Record of Checks).
2. Make deposits and payments or expenditures in compliance with Act 655 of 1956, as amended. Failure to do so may result in not receiving allocations from PennDOT until all discrepancies are resolved. *Publication 9*, Section 2.6, includes information about investing Liquid Fuels Tax monies, using loan or bond proceeds, and types of receipts into the Liquid Fuels Tax Fund.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

Background (Continued)

3. Submit the Pennsylvania Department of Community and Economic Development's (DCED) Report of Elected and Appointed Officials by January 31st and the Survey of Financial Condition By March 15th.
4. Ensure resolution of all Contractor Responsibility Program (CRP) holds and blocks imposed by the Department of Revenue and the Department of Labor and Industry.
5. Ensure resolution of all reimbursements required as a result of audits performed by the Department of the Auditor General or monitoring reviews performed by the Department of Transportation's Financial Consultants.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
2018 FORM MS-965 – SECTION 1
WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	-	-	-
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	1,791,789.17	-	1,791,789.17
Miscellaneous	-	-	-
Total (To Section 2, Line 5)	<u>\$ 1,791,789.17</u>	<u>\$ -</u>	<u>\$ 1,791,789.17</u>

Notes to Form MS-965 With Adjustments are an integral part of this report.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
2018 FORM MS-965 – SECTION 2
WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2018	\$ 104,863.52	\$ -	\$ 104,863.52
Receipts:			
2. State allocation	2,334,621.53	-	2,334,621.53
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	9,411.13	-	9,411.13
2c. Miscellaneous	-	-	-
3. Total receipts	<u>2,344,032.66</u>	<u>-</u>	<u>2,344,032.66</u>
4. Total funds available	<u>2,448,896.18</u>	<u>-</u>	<u>2,448,896.18</u>
5. Expenditures (Section 1)	<u>1,791,789.17</u>	<u>-</u>	<u>1,791,789.17</u>
6. Balance, December 31, 2018	<u>\$ 657,107.01</u>	<u>\$ -</u>	<u>\$ 657,107.01</u>

Notes to Form MS-965 With Adjustments are an integral part of this report.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
2018 FORM MS-965 – SECTION 3
WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 104,863.52	\$ -	\$ 104,863.52
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	466,924.31	-	466,924.31
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	571,787.83	-	571,787.83
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>571,787.83</u>	<u>-</u>	<u>571,787.83</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 571,787.83</u>	<u>\$ -</u>	<u>\$ 571,787.83</u>

Notes to Form MS-965 With Adjustments are an integral part of this report.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORM MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

1. Criteria

Section 1

This section of Form MS-965 With Adjustments provides a summary of Liquid Fuels Tax Fund expenditures by category. Categories requiring explanation include:

- Major equipment purchases are purchases of road machinery and road equipment with varying yearly costs in excess of the amounts indicated below:

<u>2014</u>	<u>2015/2016</u>	<u>2017</u>	<u>2018</u>
<u>\$10,300.00</u>	<u>\$10,500.00</u>	<u>\$10,700.00</u>	<u>\$10,900.00</u>

- Minor equipment purchases are purchases of road machinery and road equipment with varying yearly costs that are less than or equal to the amounts indicated below:

<u>2014</u>	<u>2015/2016</u>	<u>2017</u>	<u>2018</u>
<u>\$10,300.00</u>	<u>\$10,500.00</u>	<u>\$10,700.00</u>	<u>\$10,900.00</u>

- Agility projects are exchanges of services with the Department of Transportation.

Section 2

This section of Form MS-965 With Adjustments provides information on the fund balance. Categories requiring explanation include:

- The state allocation is available from the Department of Transportation in March of each year. The amount the municipality receives is based half on its population and half on its road mileage.
- Municipalities that transferred roads from the Commonwealth of Pennsylvania to the municipality through the Highway Transfer Program receive annual turnback allocations in March of each year from the Department of Transportation. Turnback allocations are based on the mileage of the roads transferred.
- Expenditures include the total transferred from Section 1.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORM MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

1. Criteria (Continued)

Section 3

This section of Form MS-965 With Adjustments determines if the municipality expended Liquid Fuels Tax Fund money in excess of the permissible amount for equipment and the balance that the municipality may carry forward for the purchase of equipment to the subsequent year.

Department of Transportation *Publication 9* requires that the amount expended for equipment purchases in a given year not exceed the sum of the equipment balance carried forward from the previous year and 20 percent of the current year's Liquid Fuels Tax Fund allocation and, if applicable, 20 percent of the turnback allocation plus other Department of Transportation approved adjustments.

If the municipality spent in excess of the amount listed on Line 4, the excess must be reimbursed to the Liquid Fuels Tax Fund.

The equipment balance to be carried forward for the subsequent year is the lesser of the amount on Line 6 or the ending fund balance on Line 6 of Section 2, but not less than zero.

Basis Of Presentation

The financial activities of the municipality are accounted for in separate funds. The Liquid Fuels Tax Fund is used to account for state aid revenues from the Pennsylvania Department of Transportation used primarily for building and improving local roads and bridges. The Form MS-965 has been prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation as a result of the Fuels Tax Act 655, dated 1956 and as amended, which does not constitute a complete presentation of the entity's assets, liabilities, expenses, and fund balance. Accordingly, the presentation of Form MS-965 With Adjustments is restricted to the Liquid Fuels Tax Fund, which represents a segment of the entity.

Basis Of Accounting

The accompanying Form MS-965 With Adjustments is prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation. Under this method, revenues are recognized when received and expenditures are recorded when paid.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORM MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

1. Criteria (Continued)

General Fixed Assets

General fixed assets are recognized as expenditures at the time of purchase. No depreciation has been provided on the heavy equipment used to maintain and repair roads and bridges.

2. Deposits

The Third Class City Code, Title 53 P.S. § 36804.1, authorizes the city to deposit its funds in the following:

- Deposits in savings accounts or time deposits, other than certificates of deposit or share accounts, of institutions having their principal place of business in the Commonwealth of Pennsylvania and insured by the Federal Deposit Insurance Corporation (FDIC) or other like insurance. For any amount above the insured maximum, the depository shall pledge approved collateral.
- Certificates of deposit purchased from institutions insured by the FDIC or other like insurance to the extent that such accounts are so insured. For any amounts in excess of the insured maximum, such deposits shall be collateralized by a pledge or assignment of assets. Certificates of deposit may not exceed 20 percent of a bank's total capital surplus or 20 percent of a savings and loan's or savings bank's assets minus liabilities.

Deposits consist of receipts and deposits in a financial institution. Pennsylvania statutes require all deposits to be insured and, for any amount above the insured maximum, to be secured with approved collateral as defined.

There were no deposits exposed to custodial credit risk as of December 31, 2018. Custodial credit risk, as defined by GASB No. 40, as amended, includes deposits that are not covered by depository insurance and the deposits are uncollateralized, collateralized with securities held by the pledging financial institution, or collateralized with securities held by the pledging financial institution's trust department or agent but not in the municipality's name.

Fund Balance

The fund balance as of December 31, 2018, consists of the following:

Cash	<u>\$657,107.01</u>
------	---------------------

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORM MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

3. Interest On Investments

Our examination disclosed that the municipality deposited idle liquid fuels tax money in an interest-bearing account which earned \$9,411.13 during 2018, thus providing additional funds for road maintenance and repairs.

4. Bank Loan

On September 1, 2003, the municipality borrowed \$12,400,000.00 from Penn Security Bank for the East Mountain Road project. Of the \$12,400,000.00, \$282,000.00 is eligible to be paid from the Liquid Fuels Tax Fund. The term of the loan was for 28 years at an interest rate of 4.33 percent. Prior years' principal payments from the Liquid Fuels Tax Fund were \$90,074.58. Additionally, the municipality paid principal of \$7,093,129.19 and interest of \$4,921,694.66 from the General Fund.

On September 28, 2017, the municipality paid principal of \$5,216,796.23 from the General Fund to restructure the bonds. The reissued bonds closed any prior obligations leveraged against the Liquid Fuels Tax Fund, therefore the remaining portion of \$191,925.42 eligible to be paid from the Liquid Fuels Tax Fund was fully satisfied. The restructured bond does not include any new debts, prior service debts, or prior obligations relating to the Liquid Fuels Tax Fund.

5. Bank Loan

On August 1, 2014, the municipality borrowed \$7,500,000.00 from J.P. Morgan to purchase the city's street lights. Of the \$7,500,000.00 borrowed, \$4,469,009.42 or 59.59 percent, of the loan is eligible to be paid from the Liquid Fuels Tax Fund. The term of the loan was for 25 years at a variable interest rate. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$1,303,370.50 and \$987,101.62, respectively. Additionally, the municipality paid principal of \$2,091,629.50 and interest of \$1,526,347.90 from the General Fund.

During the current examination period the municipality paid principal of \$310,000.00 and interest of \$142,974.15 from the General Fund. The outstanding balance of the loan as of December 31, 2018, was \$3,795,000.00, plus interest. The outstanding balance of the Liquid Fuels Tax Fund portion of the loan as of December 31, 2018, was \$3,165,638.92.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORM MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

6. Bank Loan

On December 1, 2015, the municipality borrowed \$2,242,820.00 from Pennsylvania Infrastructure Bank for paving projects. The term of the loan was for ten years at an interest rate of 1.625 percent. Principal and interest payments of \$244,811.66 are due annually. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$420,117.61 and \$69,505.71, respectively.

During the current examination period the municipality paid principal of \$215,192.75, interest of \$29,618.91, and a late fees of \$157.22 from the Liquid Fuels Tax Fund. These amounts are reflected in highway construction and rebuilding projects on the 2018 Form MS-965 - Section 1. The outstanding balance of the loan as of December 31, 2018, was \$1,607,509.64, plus interest.

7. Lease-Purchase Agreement

On October 24, 2016, the municipality entered into a \$4,000,000.00 lease-purchase agreement with M&T Bank for the upgrading of city owned street lights to LED light fixtures and painting of some existing poles. The agreement was for a term of 12 years at an interest rate of 3.50 percent. Principal and interest payments are due annually. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$321,796.64 and \$73,678.36, respectively.

During the current examination period the municipality paid principal of \$282,522.51 and interest of \$130,822.49 from the Liquid Fuels Tax Fund. These amounts are reflected in highway construction and rebuilding projects on the 2018 Form MS-965 - Section 1. The outstanding balance of the lease-purchase agreement as of December 31, 2018, was \$3,395,680.85, plus interest.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF PRIOR EXAMINATION RECOMMENDATION
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

Summary Of Prior Examination Recommendation

In our prior report we recommended that, in the future, the municipality complies with the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations regarding permissible expenditures.

During our current examination we noted that the municipality complied with our recommendation.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

An exit conference was held February 27, 2020. Those participating were:

CITY OF SCRANTON

Ms. Rebacca McMullen, Finance Manager

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Raymond J. Insalaco, Audit Supervisor

The results of the examination were presented and discussed in their entirety.

CITY OF SCRANTON
LACKAWANNA COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2018

This report was initially distributed to:

Yassmin Gramian, P.E.
Acting Secretary
Department of Transportation

City of Scranton
Lackawanna County
340 North Washington Avenue
Scranton, PA 18503

The Honorable William Gaughan
President of Council

Mr. Patrick Sheridan
Business Administrator

Ms. Rebecca McMullen
Finance Manager

This report is a matter of public record and is available online at www.PaAuditor.gov. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: news@PaAuditor.gov.

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

**PROHIBITING THE USE OF COMMERCIAL VEHICLE BRAKE RETARDERS ON
THIRD AVENUE IN THE CITY OF SCRANTON BETWEEN ELM STREET AND
BROADWAY STREET,**

WHEREAS, the City of Scranton Police Department and the City of Scranton Engineer have requested that the City enact an Ordinance prohibiting the use of commercial vehicle brake retarders on Third Avenue in the City of Scranton between Elm Street and Broadway Street; and

WHEREAS, City Council believes that an enactment of such an Ordinance will further the peace and tranquility of the City and therefore is in the best interest of the City and its citizens.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Scranton that the use of commercial vehicle brake retarders is hereby prohibited on Third Avenue in the City of Scranton between the Elm Street and Broadway Street intersections. This prohibition shall not apply to fire protection equipment or other emergency vehicles;

BE IT FURTHER ORDAINED, that the City of Scranton's Traffic Maintenance Personnel shall purchase, maintain and install at the intersections of Third Avenue on Elm Street and Third Avenue on Broadway Street in the City of Scranton traffic signs reflecting the prohibition against the use of commercial brake retarders at that location. The signs will be installed by the City's Traffic Maintenance Personnel under the supervision of the Director of the Department of Public Works, who shall approve the signs when installed. The signs must be installed in accordance with PennDOT standards and specifications and under the supervision and with approval of the Chief of Police, City Engineer and the City of Scranton Director of Public Works.

BE IT FURTHER ORDAINED that any person or organization violating any provisions of this ordinance shall, upon summary conviction, before a district magistrate having jurisdiction, be sentenced to pay a fine of not less than \$50.00 and not more than \$300, plus costs, and in default thereof shall be sentenced to a term of imprisonment of a period not to exceed 10 days.

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance of any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1971, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State and Pennsylvania.



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 14, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE PROHIBITING THE USE OF
COMMERCIAL VEHICLE BRAKE RETARDERS ON THIRD AVENUE
IN THE CITY OF SCRANTON BETWEEN ELM STREET AND BROADWAY
STREET.

Very truly yours,

Joseph A. O'Brien /s/
Joseph A. O'Brien, Esquire
Acting City Solicitor

JAO/sl

RECEIVED

JUL 15 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 29, 2018 ENTITLED "ACKNOWLEDGING THE ADOPTION BY THE COMMONWEALTH OF PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW, ACT 43 OF 2017, ACKNOWLEDGING THAT THE FIREWORKS LAW PROHIBITS THE IGNITING OR DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF THE OWNER, PROVIDING THAT THE CITY OF SCRANTON DOES NOT GRANT PERMISSION FOR ANYONE TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON THE STREETS OR SIDEWALKS OF THE CITY OF SCRANTON OR PROPERTY OWNED BY THE CITY OF SCRANTON INCLUDING, WITHOUT LIMITATION, ALL OF THE CITY OWNED PARKS AND PUBLIC BUILDINGS; DIRECTING THAT THE CITY OF SCRANTON PROVIDE CERTIFIED COPIES OF THE ORDINANCE TO ALL MAGISTERIAL DISTRICT JUDGES WITHIN THE CITY; PROVIDING FOR A REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW" TO INCLUDE TIME RESTRICTIONS FOR THE USE OF FIREWORKS TO BE IN COMPLIANCE WITH THE CITY OF SCRANTON'S ZONING ORDINANCE FOR NOISE LEVELS.

WHEREAS, the City of Scranton enacted File of Council No. 29 of 2018 on September 25, 2018 in order to address concerns regarding the Pennsylvania Fireworks Law, Act 43 of 2017; and

WHEREAS, it is necessary to amend File of Council No. 29 of 2018 in order to better protect the public health, comfort, convenience, safety and welfare of the City and its residents; and

WHEREAS, Section 317-7 of the City's General Code defines a "Noise Disturbance" as being "[a] sound which:

- (1) Disrupts or injures the comfort, repose, health, hearing, peace or safety of persons or animals;
 - (2) Annoys, disturbs or perturbs a reasonable person with normal sensitivities;
 - (3) Endangers or injures personal or real property; or
 - (4) Is in excess of the sound levels by zoning districts established by this chapter;
- and

WHEREAS, fireworks have proven to be a Noise Disturbance, especially when ignited during night-time hours; and

WHEREAS, the City of Scranton and its residents have the right to the quiet and beneficial use and enjoyment of their property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that File of the Council No. 29 of 2018 is hereby amended to include the following:

SECTION 1. It is hereby ordained and enacted that no permission is granted by the City to any person to ignite or discharge consumer fireworks on the streets of the City of Scranton, the sidewalks of the City of Scranton or any property owned by the City of Scranton, including, without limitation, all of the City's parks and public buildings.

SECTION 2. No person or persons shall intentionally ignite or discharge consumer fireworks between the hours of 9:00 P.M. to 7:00 A.M. other than New Year's Eve, Fourth of July, Labor Day and Memorial Day in any area of the City.

SECTION 3. A person deemed to have violated any section of this Ordinance shall be subjected to citation and up to a three hundred (\$300.00) dollar fine to be issued by the proper magistrate district in which the violation occurred.

SECTION 4. The City hereby directs that certified copies of this Ordinance be provided to all magisterial judges within the City of Scranton to provide judicial notice that no permission has been granted by the City for any person to intentionally ignite or discharge consumer fireworks on the City streets and sidewalks or on any real estate owned by the City of Scranton.

SECTION 5. All Ordinances or Resolutions or parts of Ordinances or Resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 6. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 7. This Ordinance shall become effective immediately upon approval.

SECTION 8. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4101

July 8, 2020

Legislative Cover Sheet

**AN ORDINANCE AMENDING FILE OF COUNCIL NO. 29 OF 2018 TO PROHIBIT
THE USE OF CONSUMER FIREWORKS BETWEEN THE HOURS OF 9:00 P.M. AND
7:00 A.M. WITH EXCEPTIONS MADE FOR THE FOLLOWING HOLIDAYS:
NEW YEAR'S EVE, FOURTH OF JULY, LABOR DAY AND MEMORIAL DAY**

Although presently legal in the City of Scranton and throughout the Commonwealth, the use of consumer grade fireworks has begun to take its toll on both the citizens of Scranton, who are denied the quiet and beneficial use and enjoyment of their residence, as well as the Scranton Police Department, who are having to respond to an influx of fireworks centric complaints.

In an effort to lessen the above-mentioned problems, the administration is proposing an amendment to File of Council No. 28 of 2018, more commonly known as the Fireworks Ordinance. The amendment would prohibit the use of consumer grade fireworks between the hours of 9:00 P.M. and 7:00 A.M. with exceptions made for certain holidays: New Year's Eve, Fourth of July, Labor Day and Memorial Day. The proposed amendment further creates a three hundred (\$300.00) fine for individuals found to have violated this, and any other section of the Fireworks Ordinance.

It is our belief that these proposed amendments strike an appropriate balance between individuals' right to legally use consumer grade fireworks and individuals' rights to enjoy the quiet and beneficial use of their property. Further, we believe that this will lessen the Police force's burden by lowering the amount of complaints to which they need to respond.

Attachments:

_____ Ordinance



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 8, 2020

RECEIVED

JUL 08 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 29, 2018 ENTITLED "ACKNOWLEDGING THE ADOPTION BY THE COMMONWEALTH OF PENNSYLVANIA OF THE PENNSYLVANIA FIREWORKS LAW, ACT 43 OF 2017, ACKNOWLEDGING THAT THE FIREWORKS LAW PROHIBITS THE IGNITING OR DISCHARGE OF CONSUMER FIREWORKS ON PUBLIC OR PRIVATE PROPERTY WITHOUT THE EXPRESS PERMISSION OF THE OWNER, PROVIDING THAT THE CITY OF SCRANTON DOES NOT GRANT PERMISSION FOR ANYONE TO IGNITE OR DISCHARGE CONSUMER FIREWORKS ON THE STREETS OR SIDEWALKS OF THE CITY OF SCRANTON OR PROPERTY OWNED BY THE CITY OF SCRANTON INCLUDING, WITHOUT LIMITATION, ALL OF THE CITY OWNED PARKS AND PUBLIC BUILDINGS; DIRECTING THAT THE CITY OF SCRANTON PROVIDE CERTIFIED COPIES OF THE ORDINANCE TO ALL MAGISTERIAL DISTRICT JUDGES WITHIN THE CITY; PROVIDING FOR A REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE ORDINANCE; AND PROVIDING THAT THE ORDINANCE SHALL TAKE EFFECT IN ACCORDANCE WITH PENNSYLVANIA LAW" TO INCLUDE TIME RESTRICTIONS FOR THE USE OF FIREWORKS TO BE IN COMPLIANCE WITH THE CITY OF SCRANTON'S ZONING ORDINANCE FOR NOISE LEVELS.

Very truly yours,

Joseph A. O'Brien

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAB/sl

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

REGULATING THE SALE AND DISTRIBUTION OF GASOLINE DIRECTLY INTO THOSE VEHICLES THAT FALL UNDER THE CLASS OF VEHICLES DEFINED BY 75 Pa.C.S.A. 7702 AS BEING AN "ALL-TERRAIN VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID VEHICLES ARE RUNNING AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

WHEREAS, 75 Pa.C.S.A. 7702 defines those class of vehicles that fall under the category of "All-Terrain Vehicles" or "ATVs" and "Snowmobiles; and

WHEREAS, the City of Scranton adopts those definitions for the purpose of this Ordinance; and

WHEREAS, 75 Pa.C.S.A. 7721 makes it unlawful to operate a snowmobile or an ATV on any street or highway which is not designated and posted as a snowmobile or an ATV road by the governmental agency having jurisdiction; and

WHEREAS, in order to better protect the public health, comfort, convenience, safety and welfare of the City and its residents, the City looks to further enforce 75 Pa.C.S.A. 7721, *et seq.* by restricting ATVs and Snowmobiles ability to purchase gasoline at gas stations within the City of Scranton; and

WHEREAS, it has been determined that the best way to do this is to prohibit the Gas Station's from distributing gasoline directly into ATVs and Snowmobiles that are operating on highways in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the following Ordinance is hereby adopted.

SECTION 1. The terms and definitions of "All-Terrain Vehicle" or "ATV" and "Snowmobile" as defined by 75 Pa.C.S.A. 7702 are incorporated and hereby apply to this Ordinance. A copy of 75 Pa.C.S.A. 7702 is attached hereto as Exhibit "A".

SECTION 2. Any person owning a gas station in the City of Scranton disbursing gas from gas pumps located on said property to the general public is hereby prohibited from disbursing or allowing to be disbursed gasoline directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a highway located in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

SECTION 3. Any person owning a gas station in the City of Scranton disbursing gas to the general public is hereby prohibited from allowing any person, including customers, to disburse gasoline from gas pumps located on said property directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a highway located in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

SECTION 4. All persons are hereby prohibited from disbursing gasoline from gas pumps located at gas stations directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a highway located in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

SECTION 5. The City of Scranton Police Department are authorized to enforce and cite any individual or gas station owner found to be in violation of any Section of this ordinance.

SECTION 6. Any individual or gas station owner found to be in violation of any section of this Ordinance shall be issued a Non-Traffic Citation and a fine not to exceed three hundred (\$300.00) dollars.

SECTION 7. The City hereby directs that certified copies of this Ordinance be provided to all magisterial judges within the City of Scranton to provide judicial notice that no person shall be permitted to purchase or disburse gasoline directly into any All-Terrain Vehicle or ATV and Snowmobile that is operating on a highway located in the City of Scranton in violation of 75 Pa.C.S.A. 7721, *et seq.*

SECTION 8. All Ordinances or Resolutions or parts of Ordinances or Resolutions insofar as they are inconsistent herewith are hereby repealed and rescinded.

SECTION 9. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 10. This Ordinance shall become effective immediately upon approval.

SECTION 11. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule

Charter and Optional Plans Law” and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4101

July 8, 2020

Legislative Cover Sheet

**AN ORDINANCE REGULATING THE SALE AND DISTRIBUTION OF GASOLINE
DIRECTLY INTO THOSE VEHICLES THAT FALL UNDER THE CLASS OF
VEHICLES DEFINED BY 75 Pa.C.S.A. 7702 AS BEING AN "ALL-TERRAIN
VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID VEHICLES ARE
RUNNING AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR
VIOLATIONS OF THIS ORDINANCE.**

Commonwealth Statute 75 Pa.C.S.A. 7701, *et seq.* presently outlaws the use of All-Terrain Vehicles, "ATVs", and Snowmobiles on City of Scranton streets and highways. This prohibition has done little to deter those vehicles being used on City highways.

It is commonly understood that the use of these vehicles on public highways creates a danger to both the vehicle's operator and others using the highway. In an effort to aide in the enforcement of the Commonwealth's regulations and further deter the use and operation of these vehicles on City highways, we seek to enact an Ordinance that would prohibit the sale and distribution of gasoline to these vehicles while they are operating in violation of 75 Pa.C.S.A. 7701, *et seq.*

Gas station owners would be allowed to distribute gasoline to individuals who have these vehicles on a trailer, however, would be prohibited from distributing gasoline to those presently operating the vehicles on the City's public highways: would be impossible to get the vehicle on its own to the gas station without using a public highway in violation of 75 Pa.C.S.A. 7701, *et seq.*

Individuals caught in violation of this Ordinance AND the gas station owner who allows for the distribution of gasoline into the vehicle would be subjected to a non-traffic citation and up to a three hundred (\$300.00) fine.

Enacting this Ordinance would better protect the public health, comfort, convenience, safety and welfare of the City and its residents.

Attachments:

____ Ordinance

____ Exhibit "A"

EXHIBIT A

75 Pa.C.S.A. 7702

The following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

“All-terrain vehicle” or “ATV.” A motorized off-highway vehicle which travels on three or more off-highway tires and which has:

- (1) a maximum width of 50 inches and a maximum dry weight of 1,200 pounds; or
- (2) a width which exceeds 50 inches or a dry weight which exceeds 1,200 pounds.

ATV's described in paragraph (1) may be referred to as Class I ATV's, and ATV's described in paragraph (2) may be referred to as Class II ATV's. This term does not include snowmobiles, trail bikes, motorboats, golf carts, aircraft, dune buggies, automobiles, construction machines, trucks or home utility machines; military, fire, emergency and law enforcement vehicles; implements of husbandry; multipurpose agricultural vehicles; vehicles used by the department; or any vehicle that is or is required to be registered under Chapter 13 (relating to registration of vehicles). In addition, this term does not include off-road motor vehicles used exclusively as utility vehicles for agricultural or business operations and incidentally operated or moved upon the highway.

“Snowmobile.” An engine-driven vehicle which is all of the following:

- (1) Is designed to travel over snow or ice.
- (2) Has an endless belt track or tracks.
- (3) Is steered by a ski or skis.
- (4) Has an overall width of 48 inches or less.

The term does not include a farm tractor, construction equipment, military vehicle, vehicle with inflatable tires or machinery used strictly for the grooming of snowmobile trails. The term includes vintage snowmobiles.



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 8, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE REGULATING THE SALE AND DISTRIBUTION OF GASOLINE DIRECTLY INTO THOSE VEHICLES THAT FALL UNDER THE CLASS OF VEHICLES DEFINED BY 75 Pa.C.S.A. 7702 AS BEING AN "ALL-TERRAIN VEHICLE" OR "ATV" OR A "SNOWMOBILE" WHILE SAID VEHICLES ARE RUNNING AND PROVIDING FOR ENFORCEMENT AND PENALTIES FOR VIOLATIONS OF THIS ORDINANCE.

Very truly yours,

Joseph A. O'Brien
Joseph A. O'Brien, Esquire
Acting City Solicitor

JAB/sl

RECEIVED

JUL 08 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

FILE OF THE COUNCIL NO. _____
2020

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 74, 1993, (AS AMENDED), ENTITLED "THE ZONING ORDINANCE FOR THE CITY OF SCRANTON" BY REPEALING SECTION 516 ENTITLED FLOOD-PRONE AREAS AND ENACTING SECTION 516 ENTITLED FLOODPLAIN MANAGEMENT REGULATIONS.

WHEREAS, The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry; and

WHEREAS, The Planning Commission of the City of Scranton has recommended such amendments; and

WHEREAS, FEMA has produced a updated Flood Insurance Study Report and Flood Insurance Rate Map for Lackawanna County set to become effective 08/05/2020; and

WHEREAS, In order to remain compliant with the National Flood Insurance Program and the Pennsylvania Flood Plain Management Act, the City of Scranton must adopt Floodplain Management regulations recognizing the updated Flood Insurance Study Report and Flood Insurance Rate Map and current regulations.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON AND IT IS HEREBY ORDAINED BY AND WITH THE AUTHORITY OF THE SAME THAT File of the Council No. 74, 1993, as amended, is further amended as follows:

Section 516 FLOODPLAIN MANAGEMENT REQUIREMENTS is hereby repealed and the following is hereby enacted:

Section 516 FLOODPLAIN MANAGEMENT REQUIREMENTS

516.A GENERAL PROVISIONS

516.A.1 Intent

The intent of this Ordinance is to:

- A. Promote the general health, welfare, and safety of the community.
- B. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- E. Comply with federal and state floodplain management requirements.

516.A.2 Applicability

- A. It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within the City of Scranton unless a Permit has been obtained from the Floodplain Administrator.

516.A.3 Abrogation and Greater Restrictions

This ordinance supersedes any other conflicting provisions which may be in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

516.A.4 Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on accepted engineering methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas or that land uses permitted within such areas will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of the City of Scranton or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

516.B ADMINISTRATION

516.B.1 Designation of the Floodplain Administrator

The City Planner within the Department of Licensing, Inspections and Permits is hereby appointed to administer and enforce this section (516 **FLOODPLAIN MANAGEMENT REQUIREMENTS**) of City of Scranton Zoning Ordinance, File of Council #74, 1993, (as amended) and is referred to herein as the Floodplain Administrator.

516.B.2 Permits Required

A Permit shall be required before any construction or development is undertaken within any area of the City of Scranton.

516.B.3 Duties and Responsibilities of the Floodplain Administrator

The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.

- A. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as

amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.

- B. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.

- C. In the discharge of his/her duties, the Floodplain Administrator shall have the

authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.

- D. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Director of Licensing, Inspections and Permits for whatever action it considers necessary.
- E. The Floodplain Administrator shall maintain all records associated with the requirements of this ordinance including, but not limited to, permitting, inspection and enforcement in perpetuity, or for the lifetime of the structure.
- F. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC or later revisions adopted by the City of Scranton.

516.B.4 Application Procedures and Requirements

- A. Application for such a Permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the City of Scranton. Such application shall contain the following:
 - 1. Name and address of applicant.
 - 2. Name and address of owner of land on which proposed construction is to occur.
 - 3. Name and address of contractor.
 - 4. Site location including address.
 - 5. Listing of other permits required.
 - 6. Brief description of proposed work and estimated cost, including a breakout of flood-related cost and the market value of the building before the flood damage occurred where appropriate.
 - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
 - 1. all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - 2. all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - 3. adequate drainage is provided so as to reduce exposure to flood hazards.
 - 4. structures will be anchored to prevent floatation, collapse, or lateral movement.
 - 5. building materials are flood-resistant.
 - 6. appropriate practices that minimize flood damage have been used.

7. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.

C. Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:

1. A completed Permit Application Form.
2. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:

north arrow, scale, and date;

- a. topographic contour lines, if available;
- b. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;
- c. the location of all existing streets, drives, and other access ways; and
- d. the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.

3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:

- a. the proposed lowest floor elevation of any proposed building based upon North American Vertical Datum of 1988;
- b. the elevation of the base flood;
- c. supplemental information as may be necessary under 34 PA Code, the 2009 IBC or the 2009 IRC or later revisions adopted by the City of Scranton..

4. The following data and documentation:

- a. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood; and
- b. detailed information concerning any proposed floodproofing measures and corresponding elevations.
- c. documentation, certified by a registered professional engineer

or architect, to show that the cumulative effect of any proposed development within an AE Area/District without floodway (See section 516.C.2.B) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1) foot at any point.

- d. documentation, certified by a registered professional engineer or architect, to show that the effect of any proposed development within a Floodway Area (See section 516.C.2.A) will not increase the base flood elevation at any point.
- e. a document, certified by a registered professional engineer or architect, which states that the proposed construction or

development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood.

Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.

- f. detailed information needed to determine compliance with Section 516.D.3.F., Storage, and Section 516.E, Development Which May Endanger Human Life, including:
 - i. the amount, location and purpose of any materials or substances referred to in Sections 516.D.3.F. and 516.E which are intended to be used, produced, stored or otherwise maintained on site.
 - ii. a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 516.E during a base flood.
- g. The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
- h. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.

5. Applications for Permits shall be accompanied by a fee, payable to the municipality based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

516.B.5 Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Floodplain Administrator to any other appropriate agencies and/or individuals (e.g. planning commission, city engineer, etc.) for review and comment.

516.B.6 Changes

After the issuance of a Permit by the Floodplain Administrator, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Floodplain Administrator. Requests for any such change shall be in writing, and shall be submitted by the applicant to Floodplain Administrator for consideration.

516.B.7 Placards

In addition to the Permit, the Floodplain Administrator shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the Permit the date of its issuance and be signed by the Floodplain Administrator.

516.B.8 Start of Construction

Work on the proposed construction or development shall begin within 180 days

after the date of issuance and shall be completed within twelve (12) months after the date of issuance of the Permit or the permit shall expire unless a time extension is granted, in writing, by the Floodplain Administrator. The issuance of development permit does not refer to the zoning approval.

The actual start of construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Floodplain Administrator to approve such a request and the original permit is compliant with the ordinance and FIRM/FIS in effect at the time the extension is granted.

516.B.9 Enforcement

A. Notices

Whenever the Floodplain Administrator or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, or of any regulations adopted pursuant thereto, the Floodplain Administrator shall give notice of such alleged violation as hereinafter provided. Such notice shall:

be in writing;

1. include a statement of the reasons for its issuance;
2. allow a reasonable time not to exceed a period of thirty (30) days for the performance of any act it requires;
3. be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State;
4. contain an outline of remedial actions which, if taken, will effect compliance with the provisions of this Ordinance.

B. Penalties

See Section 103 of the City of Scranton Zoning Ordinance, File of Council #74, 1993, (as amended).

516.B.10 Appeals

- ##### A. Any person aggrieved by any action or decision of the Floodplain

Administrator concerning the administration of the provisions of this Ordinance, may appeal to the *Zoning Hearing Board*. Such appeal must be filed, in writing, within thirty (30) days after the decision, determination or action of the Floodplain Administrator.

B. Upon receipt of such appeal the *Zoning Hearing Board* shall set a time and place and conduct a hearing in accordance with section 112 of the City of Scranton Zoning Ordinance, File of Council #74, 1993, (as amended).

C. Any person aggrieved by any decision of the *Zoning Hearing Board* may seek relief there from by appeal to court, as provided by Section 113 of the City of Scranton Zoning Ordinance, File of Council #74, 1993 (as amended) and the Pennsylvania Flood Plain Management Act.

§16.C. IDENTIFICATION OF FLOODPLAIN AREAS

§16.C.1 Identification

The identified floodplain area shall be:

- A. Any areas of *City of Scranton*, classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated 8/05/2020 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and,

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by *City of Scranton* and declared to be a part of this ordinance.

§16.C.2 Description and Special Requirements of Identified Floodplain Areas

The identified floodplain area shall consist of the following specific areas:

- A. The Floodway Area/District shall be those areas identified as Floodway on the FIRM as well as those floodway areas which have been identified in other available studies or sources of information for those special floodplain areas where no floodway has been identified in the FIS. The floodway represents the channel of a watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation by more than one (1) foot at any point. This term shall also include floodway areas which have been identified in other available studies or sources of information for those Special Flood Hazard Areas where no floodway has been identified in the FIS and FIRM.

1. Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Within the floodway area, no new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection (DEP) Regional Office.

- B. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood

elevations have been provided

1. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
 2. AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined:
 - i. No permit shall be granted within any AE Zone without floodway, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed development together with all other existing and anticipated development, would not result in an increase in flood levels of more than one foot within the entire community during the occurrence of the base flood discharge.
 - ii. No new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless the appropriate permit is obtained from the Department of Environmental Protection Regional Office.
- C. The A Area/District shall be those areas identified as Zones A or A99 on the FIRM included in the FIS prepared by FEMA and for which no one-percent (1%) annual chance flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, the City of Scranton may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the municipality. In the absence of any of the above data or documentation, the community may require elevation of the lowest floor to be at least three feet above the highest adjacent grade.

- D. The AO and AH Area/ District shall be those areas identified as Zones AO

and AH on the FIRM and in the FIS. These areas are subject to inundation by 1-percent-annual-chance shallow flooding where average depths are between one and three feet. In Zones AO and AH, drainage paths shall be established to guide floodwaters around and away from structures on slopes.

516.C.3 Changes in Identification of Area

The identified floodplain area may be revised or modified by the City of Scranton where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the FEMA. Additionally, as soon as practicable, but not later than six (6) months after the date such information becomes available, a community shall

notify the FEMA of the changes by submitting technical or scientific data.

516.C.4 Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the City of Scranton Planning Commission and any party aggrieved by this decision or determination may appeal to the Zoning Hearing Board. The burden of proof shall be on the appellant.

516.C.5 Jurisdictional Boundary Changes

Prior to development occurring in areas where annexation or other corporate boundary changes are proposed or have occurred, the community shall review flood hazard data affecting the lands subject to boundary changes. The community shall adopt and enforce floodplain regulations in areas subject to annexation or corporate boundary changes which meet or exceed those in CFR 44 60.3.

516.D TECHNICAL PROVISIONS

516.D.1 General

A. Alteration or Relocation of Watercourse

No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office.

1. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.
2. In addition, the FEMA and Pennsylvania Department of Community and Economic Development, shall be notified prior to any alteration or relocation of any watercourse.

B. When the City of Scranton proposes to permit the following encroachments:

- any development that causes a rise in the base flood elevations within the floodway; or

- any development occurring in Zones A1-30 and Zone AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation; or

- alteration or relocation of a stream (including but not limited to installing culverts and bridges) the or applicant shall (as per 44 CFR Part 65.12):

1. apply to FEMA for conditional approval of such action prior to permitting the encroachments to occur.
2. Upon receipt of the FEMA Administrator's conditional approval of map change and prior to approving the proposed encroachments, a community shall provide evidence to FEMA of the adoption of floodplain management ordinances incorporating the increased base flood elevations and / or revised floodway reflecting the post-project condition.
3. Upon completion of the proposed encroachments, the applicant shall provide as-built certifications. FEMA will initiate a final map revision upon receipt of such certifications in accordance with 44 CFR Part 67.

C. Any new construction, development, uses or activities allowed within any identified floodplain area shall be undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations.

D. Within any Identified Floodplain Area (See Section 516.C.2), no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless a permit is obtained from the PA Department of Environmental Protection.

516.D.2 Elevation and Floodproofing Requirements

A. Residential Structures

In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.

1. In A and A99 Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with Section 516.C.2.C of this ordinance.
2. In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
3. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or later revisions adopted by the City of Scranton thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized.

B. Non-residential Structures

1. In AE, A1-30 and AH Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:

a. is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,

b. has structural components with the capability of resisting

hydrostatic and hydrodynamic loads and effects of buoyancy;

2. In A and A99 Zones, where there no Base Flood Elevations are specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with Section 516.C.2.C of this ordinance.
3. In AO Zones, any new construction or substantial improvement shall have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.

4. Any non-residential structure, or part thereof, made watertight below the Regulatory Flood Elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards. There should be a statement submitted with the permit application and a statement submitted with the as-built Floodproofing Certificate prior to the issuance of the Certificate of Occupancy..
5. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or later revisions adopted by the City of Scranton thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized.

C. Space below the lowest floor

Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.

1. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
 - b. the bottom of all openings shall be no higher than one (1) foot above grade.
 - c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

D. Historic Structures

See Section 516H.2.D for requirements for the substantial improvement of any historic structures.

E. Accessory structures

Structures accessory to a principal building need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:

the structure shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.

1. floor area shall not exceed 200 square feet.
2. The structure will have a low damage potential.
3. the structure will be located on the site so as to cause the least obstruction to the flow of flood waters.
4. power lines, wiring, and outlets will be elevated to the regulatory flood elevation.
5. permanently affixed utility equipment and appliances such as

furnaces, heaters, washers, dryers, etc. are prohibited.

6. sanitary facilities are prohibited.

7. the structure shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:

- a. a minimum of two openings having a net total area of not less than one (1) square inch for every square foot of enclosed space.
- b. the bottom of all openings shall be no higher than one (1) foot above grade.
- c. openings may be equipped with screens, louvers, etc. or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

8. For accessory structures that are 200 square feet or larger in area (footprint) and that are below the base flood elevation, a variance is required as set forth in Article VIII. If a variance is granted, a signed Declaration of Land Restriction (Nonconversion Agreement) shall be recorded on the property deed prior to issuance of the Certificate of Occupancy.

516.D.3 Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

Fill

If fill is used, it shall:

- a. extend laterally at least fifteen (15) feet beyond the building line from all points;
 - b. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
 - c. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
 - d. be no steeper than one (1) vertical to two (2) horizontal, feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Floodplain Administrator;
- and
- e. be used to the extent to which it does not adversely affect adjacent properties.

B. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.

C. Water and Sanitary Sewer Facilities and Systems

All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.

1. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
2. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
3. The design and construction provisions of the UCC and FEMA #348, Protecting Building Utilities From Flood Damages and The International Private Sewage Disposal Code shall be utilized.

D. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

E. Streets

The finished elevation of all new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

F. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 516.E, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation or flood proofed to the maximum extent possible.

G. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.

H. Anchoring

1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.

I. Floors, Walls and Ceilings

1. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
2. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
4. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-

resistant" material.

J. Paints and Adhesives

1. Paints and other finishes used at or below the regulatory flood elevation shall be of "marine" or "water-resistant" quality.
2. Adhesives used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.
3. All wooden components (doors, trim, cabinets, etc.) used at or below the regulatory flood elevation shall be finished with a "marine" or "water-resistant" paint or other finishing material..

K. Electrical Components

1. Electrical distribution panels shall be at least three (3) feet above the base flood elevation.
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

L. Equipment

1. Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

M. Fuel Supply Systems

All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

N. Uniform Construction Code Coordination

The Standards and Specifications contained 34 PA Code (Chapters 401-405), as amended and not limited to the following provisions shall apply to the above and other sections and sub-sections of this ordinance, to the extent that they are more restrictive and supplement the requirements of this ordinance.

International Building Code (IBC) 2009 or later revisions adopted by the City of Scranton thereof: Secs. 801, 1202, 1403, 1603, 1605, 1612, 3402, and Appendix G. International Residential Building Code (IRC) 2009 or later revisions adopted by the City of Scranton thereof: Secs. R104, R105, R109, R323, Appendix AE101, Appendix E and Appendix J.

516.E Development Which May Endanger Human Life

In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any new or substantially improved

structure which:

- A. will be used for the production or storage of any of the following dangerous materials or substances; or,
- B. will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
- C. will involve the production, storage, or use of any amount of radioactive substances;

shall be subject to the provisions of this section, in addition to all other

applicable provisions. The following list of materials and substances are considered dangerous to human life:

Acetone

- Ammonia
- Benzene
- Calcium carbide
- Carbon disulfide
- Celluloid
- Chlorine
- Hydrochloric acid
- Hydrocyanic acid
- Magnesium
- Nitric acid and oxides of nitrogen
- Petroleum products (gasoline, fuel oil, etc.)
- Phosphorus
- Potassium
- Sodium
- Sulphur and sulphur products
- Pesticides (including insecticides, fungicides, and rodenticides)
- Radioactive substances, insofar as such substances are not otherwise regulated.

2. Within any Floodway Area, any structure of the kind described in Subsection A., above, shall be prohibited.
3. Within any Identified Floodplain Area, any new or substantially improved structure of the kind described in Subsection 1, above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
4. Where permitted within any Identified Floodplain Area, any new or substantially improved structure of the kind described in Subsection 1., above, shall be:
 - A. elevated, or in the case of a non-residential structure elevated or designed, and constructed to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation,
 - B. designed to prevent pollution from the structure or activity during the course of a base flood.

Any such structure, or part thereof, that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

516.F Special Requirements for Subdivisions

All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a licensed professional engineer in a format required by FEMA for a Conditional Letter of Map Revision or Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant.

516.G Special Requirements for Manufactured Homes

1. Where permitted within any Identified Floodplain Area, all manufactured homes, and any improvements thereto, shall be:

- a. placed on a permanent foundation.
- b. elevated so that the lowest floor of the manufactured home is at least one and one half (1 ½) feet above base flood elevation.
- c. anchored to resist flotation, collapse, or lateral movement.

2 Installation of manufactured homes shall be done in accordance with the manufacturers' installation instructions as provided by the manufacturer. Where the applicant cannot provide the above information, the requirements of Appendix E of the 2009 International Residential Building Code or the U.S. Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing, 1984 Edition, draft or latest revision thereto shall apply and 34 PA Code Chapter 401-405.

3 Consideration shall be given to the installation requirements of the 2009 IBC, and the 2009 IRC or later revisions adopted by the City of Scranton thereto and 34 PA Code, as amended where appropriate and/or applicable to units where the manufacturers' standards for anchoring cannot be provided or were not established for the unit(s) proposed installation.

516.H Special Requirements for Recreational Vehicles

Recreational vehicles in Zones A, A1-30, A99, AH and AE must either:

- 1. be on the site for fewer than 180 consecutive days,
- 2. be fully licensed and ready for highway use, or
- 3. meet the permit requirements for manufactured homes in Section 516.G

516.I ACTIVITIES REQUIRING SPECIAL PERMITS

516.I.1 General

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any Identified Floodplain Area unless a Special Permit has been issued by the City of Scranton:

- A. The commencement of any of the following activities; or the construction enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 - 1. Hospitals
 - 2. nursing homes
 - 3. jails or prisons
- B. The commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision.

516.I.2 Application Requirements for Special Permits

Applicants for Special Permits shall provide five copies of the following items:

- A. A written request including a completed Permit Application Form.
- B. A small scale map showing the vicinity in which the proposed site is located.

C. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:

1. north arrow, scale and date;
2. topography based upon the North American Vertical Datum (NAVD) of 1988, showing existing and proposed contours at intervals of two (2) feet;
3. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
4. the location of all existing streets, drives, other access ways, and parking areas, with information concerning widths, pavement types and construction, and elevations;
5. the location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or development;
6. the location of the floodplain boundary line, information and spot elevations concerning the base flood elevation, and information concerning the flow of water including direction and velocities;
7. the location of all proposed buildings, structures, utilities, and any other improvements; and
8. any other information which the municipality considers necessary for adequate review of the application.

D. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:

1. sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior building elevations, as appropriate;
2. for any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
3. complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood;
4. detailed information concerning any proposed floodproofing measures;
5. cross section drawings for all proposed streets, drives, other accessways, and parking areas, showing all rights-of-way and pavement widths;
6. profile drawings for all proposed streets, drives, and vehicular accessways including existing and proposed grades; and
7. plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.

E. The following data and documentation:

1. certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
2. certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the base flood;

3. a statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a base flood, including a statement concerning the effects such pollution may have on human life;
4. a statement certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on base flood elevation and flows;
5. a statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the base flood elevation and the effects such materials and debris may have on base flood elevation and flows;
6. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development;"
7. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control;
8. any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under Section 302 of Act 1978-166; and
9. an evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a base flood.

516.I.3 Application Review Procedures

- A. Upon receipt of an application for a Special Permit by the City of Scranton the following procedures shall apply in addition to those of Article III:
- B. Within three (3) working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the City of Scranton Planning commission and City of Scranton engineer for review and comment.
- C. If an application is received that is incomplete, the City of Scranton shall notify the applicant in writing, stating in what respect the application is deficient.
- D. If the City of Scranton decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
- E. If the City of Scranton approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered or certified mail, within five (5) working days after the date of approval.
- F. Before issuing the Special Permit, the City of Scranton shall allow the Department of Community and Economic Development thirty (30) days, after receipt of the notification by the Department, to review the application and decision made by the City of Scranton.
- G. If the City of Scranton does not receive any communication from the Department of Community and Economic Development during the thirty (30) day review period, it may issue a Special Permit to the applicant.

- H. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the City of Scranton and the applicant, in writing, of the reasons for the disapproval, and the City of Scranton shall not issue the Special Permit.

516.I.4 Special Technical Requirements

- A. In addition to the requirements of 516.D of this Ordinance, the following minimum requirements shall also apply to any proposed development requiring a Special Permit. If there is any conflict between any of the following requirements and those in 516.D of this Ordinance or in any other code, ordinance, or regulation, the more restrictive provision shall apply.
- B. No application for a Special Permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
1. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located, and constructed so that:
 - a) any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the BFE.
 - b) the lowest floor (including basement) will be elevated to at least one and one half (1 ½) feet the structure will survive inundation by waters of the base flood without above base flood elevation.
 - c) the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the base flood.
 2. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.

All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the City of Scranton and the Department of Community and Economic Development.

516.H EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

516.H.1 Existing Structures

The provisions of this Ordinance do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of Section 516.H.2 shall apply.

516.H.2 Improvements

- A. The following provisions shall apply whenever any improvement is made to an existing structure located within any Identified Floodplain Area:
- B. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area/District that would cause any increase in BFE.
- C. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
- D. Any modification, alteration, reconstruction, or improvement, of any kind to an existing structure, to an extent or amount of fifty (50) percent or more of

its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.

- E. The above activity shall also address the requirements of the 34 PA Code, as amended and the 2009 IBC and the 2009 IRC or later revisions adopted by the City of Scranton.
- F. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

516.I VARIANCES

516.I.1 General

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the City of Scranton may, upon request, grant relief from the strict application of the requirements.

516.I.2 Variance Procedures and Conditions

Requests for variances shall be considered by the City of Scranton in accordance with the procedures contained in Section 111.E.3 of the City of Scranton Zoning Ordinance, File of Council #74, 1993, (as amended) and the following:

- A. No variance shall be granted for any construction, development, use, or activity within any Floodway Area/District that would cause any increase in the BFE.
- B. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE than one (1) foot at any point.
- C. Except for a possible modification of the regulatory flood elevation requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by Special Permit or to Development Which May Endanger Human Life (Section 516.E).
- D. If granted, a variance shall involve only the least modification necessary to provide relief.
- E. In granting any variance, the City of Scranton shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Ordinance.
- F. Whenever a variance is granted, the City of Scranton shall notify the applicant in writing that:
 - 1. The granting of the variance may result in increased premium rates for flood insurance.
 - 2. Such variances may increase the risks to life and property.
- G. In reviewing any request for a variance, the City of Scranton shall consider,

at a minimum, the following:

1. That there is good and sufficient cause.
2. That failure to grant the variance would result in exceptional hardship to the applicant.
3. That the granting of the variance will
 - a. neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense,
 - b. nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.

H. A complete record of all variance requests and related actions shall be maintained by the City of Scranton. In addition, a report of all variances granted during the year shall be included in the annual report to the FEMA.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-percent (1%) annual chance flood.

516.J DEFINITIONS

516.J.1 General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its' most reasonable application.

516.J.2 Specific Definitions

- A. Accessory use or structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- B. Base flood - a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood" or one-percent (1%) annual chance flood).
- C. Base flood discharge - the volume of water resulting from a Base Flood as it passes a given location within a given time, usually expressed in cubic feet per second (cfs).
- D. Base flood elevation (BFE) - the elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.
- E. Basement - any area of the building having its floor below ground level on all sides.
- F. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
- G. Development - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
- H. Existing manufactured home park or subdivision - a manufactured home park or subdivision for which the

construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

- I. Existing structure - means a structure for which the "start of construction" commenced 08/15/1980 or before January 1, 1975 for FIRMs effective before that date. "Existing structure" may also be referred to as "existing construction."
- J. Expansion to an existing manufactured home park or subdivision - the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
- K. Flood - a temporary inundation of normally dry land areas.
- L. Flood Insurance Rate Map (FIRM) - the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- M. Flood Insurance Study (FIS) - the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
- N. Floodplain area - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- O. Floodproofing - any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- P. Floodway - the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- Q. Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
- R. Historic structures - any structure that is:
 - 1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - 2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - 3. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
 - 4. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:
 - i. By an approved state program as determined by the Secretary of the Interior

- or
 - ii. Directly by the Secretary of the Interior in states without approved programs.
- S. Lowest floor - the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.
- T. Manufactured home - a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.
- U. Manufactured home park or subdivision - a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- V. Minor repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- W. New construction - structures for which the start of construction commenced on or after the effective start date of this floodplain management regulation amendment adopted by the City of Scranton and includes any subsequent improvements to such structures. Any construction started after 08/15/1980 is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
- X. New manufactured home park or subdivision - a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
- Y. Person - an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
- Z. Post-FIRM Structure - is a structure for which construction or substantial improvement occurred after December 31, 1974 or on or after the community's initial Flood Insurance Rate Map (FIRM) dated 08/15/1980, whichever is later, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.
- AA. Pre-FIRM Structure - is a structure for which construction or

substantial improvement occurred on or before December 31, 1974 or before the community's initial Flood Insurance Rate Map (FIRM) dated 08/15/1980, and, as such, would not be required to be compliant with the regulations of the National Flood Insurance Program.

- BB. Recreational vehicle - a vehicle which is:
1. built on a single chassis;
 2. not more than 400 square feet, measured at the largest horizontal projections;
 3. designed to be self-propelled or permanently towable by a light-duty truck,
 4. not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- CC. Regulatory flood elevation - the base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet.
- DD. Repetitive loss (or Cumulative Substantial Damage) - flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.
- EE. Special permit - a special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
- FF. Special flood hazard area (SFHA) - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.
- GG. Start of construction - includes substantial improvement and other proposed new development and means the date the Permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction

means the first, alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- HH. Structure – a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
- II. Subdivision - the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs, or devisees, transfer of ownership or building or lot development: Provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.
- JJ. Substantial damage - damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
- KK. Substantial improvement - any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.
- LL. Uniform Construction Code (UCC) – The statewide building code adopted by The Pennsylvania General Assembly in 1999 applicable to new construction in all municipalities whether administered by the municipality, a third party or the Department of Labor and Industry. Applicable to residential and commercial buildings, The Code adopted The International Residential Code (IRC) and the International Building Code (IBC), by reference, as the construction standard applicable with the State floodplain construction. For coordination purposes, references to the above are made specifically to various sections of the IRC and the IBC.
- MM. Violation - means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

SECTION 1. In all other respects, File of Council No. 74, 1993, as amended, shall remain in full force and effect.

SECTION 2. If any section, clause, provision or portion of this ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision

shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this ordinance or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes & intent of this ordinance, & the effective administration thereof.

SECTION 3. This Ordinance will take effect immediately upon passage.

SECTION 4. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", Act 247 of 1968, as reenacted and amended, known as the "Pennsylvania Municipalities Planning Code", Act 166 of 1978, known as the "Pennsylvania Flood Plain Management Act" and any other applicable law arising under the laws of the State of Pennsylvania.



BUREAU OF CITY PLANNING

CITY HALL : 340 NORTH WASHINGTON AVENUE : SCRANTON, PENNSYLVANIA 18503 : PHONE 570-348-4280 : FAX 570-

July 1, 2020

Jessica Eskra, Esq.
City Solicitor
City Hall
Scranton, PA 18503

Re: Proposed amendment to the Zoning Ordinance, Floodplain Management Regulations

Dear Atty. Eskra:

Enclosed please find a proposed amendment to our Zoning Ordinance, specifically the Floodplain Management Section.

FEMA has prepared a new Flood Insurance Study and Flood Insurance Rate Maps for Lackawanna County. The new study and maps are set to become effect on August 8, 2020. In order to remain in compliance with the National Flood Insurance Program regulations the City of Scranton must amend its Floodplain Management regulations to reference the revised study and maps as well as some minor changes in regulations themselves.

As our Floodplain Management regulations are contained in our Zoning Ordinance we must follow the regulations regarding Zoning Ordinance amendments contained in the Pennsylvania Municipalities Planning Code at Section 609. As such by copy of this letter I am referring the proposed amendment to both the City Planning Commission and Lackawanna County Regional Planning Commission for their review.

Would you please review this information and forward to City Council the proper legislation for their consideration.

If you have any further questions regarding this matter please call me at 570-348-4280.

Sincerely,

Donald J. King, AICP, CFM
City Planner

cc: Lori Reed, City Clerk
Steve Pitoniak, Transportation Planning Manager
James Thomas, Chairman, City Planning Commission



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 8, 2020

RECEIVED

JUL 08 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 74, 1993, (AS AMENDED), ENTITLED "THE ZONING ORDINANCE FOR THE CITY OF SCRANTON" BY REPEALING SECTION 516 ENTITLED FLOOD-PRONE AREAS AND ENACTING SECTION 516 ENTITLED FLOODPLAIN MANAGEMENT REGULATIONS.

Very truly yours,

Joseph A. O'Brien (s)

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAB/sl

FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 11, 2018 ENTITLED "ESTABLISHING A "NO PARKING ZONE" ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) FROM A POINT 175 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO A POINT 325 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY (PNRRA)" TO EXTEND THE NO PARKING ZONE ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) TO A POINT 160 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO A POINT 415 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY (PNRRA).

WHEREAS, parking along the west side of Wyoming Avenue (SR 3025) from a point 160 feet south of the center line of East Gibson Street to a point 415 feet south of the center line of East Gibson Street shall be restricted and/or prohibited; and

WHEREAS, Pennsylvania Department of Transportation's ("PennDOT's") minimum safe site distance for driveways requirements mandate certain parking restrictions be implemented.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that File of the Council No. 11, 2018 is hereby amended to extend the no parking zone along the West Side of Wyoming Avenue (SR 3025) to a point 160 feet south of the center line of East Gibson Street to a point 415 feet south of the center line of East Gibson Street to allow for driveway sight distance purposes for the Pennsylvania Northeast Regional Railroad Authority (PRRNA).

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Option Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.



pennsylvania
DEPARTMENT OF TRANSPORTATION

Date: 06/11/2018
Subject: Highway Occupancy Permit Application No. 154353, Cycle No.2 - Returned For Revisions
To: Pennsylvania Northeast Regional Railroad Authority
280 Cliff Street
Scranton, PA 18503
From: PennDOT Engineering District 4-0
55 Keystone Industrial Park
Dunmore, PA 18512

Dear Applicant,

PennDOT has reviewed your application for completeness, consistency and compliance with applicable Department Regulations. This review has identified issues that must be addressed in order for our review to continue.

The Department's review comments are attached.

Once the comments have been addressed, please resubmit the application and associated material for further review.

Upon resubmission, the applicant's engineer should put together a letter that describes how each comment has been addressed and where each can be found. This will help expedite the review. For guidance on HOP applications refer to 67 PA Code, Chapter 441, Chapter 459 and PennDOT Publication 282, "Highway Occupancy Permit Guidelines". Additional comments may follow upon review of the resubmitted application.

If you have any questions regarding this matter, you may contact Bob Kretschmer, District Permit Manager, at (570) 963-4067.

Response Comments

Date: 06/11/2018

Application Number: 154353, Cycle No.2

General

- (1) * Upon resubmission, the applicant's engineer should put together a letter that describes how each comment has been addressed and where each can be found in the plan set.

* Additional comments may follow upon review of the resubmitted application. If you have any questions pertaining to the technical aspects of this review, please contact the Department's representative, Kevin Miluszusky at (570) 963-3311.

* For guidance on Highway Occupancy Permit applications refer to PA Code Title 67, Chapter 441, Chapter 459 and PennDOT Publication 282. This will help expedite the review.

- (2) Explain why the estimate is for "Evergreen Scranton" and the HOP application is for "Pennsylvania Northeast Regional Railroad Authority", the estimate needs to be provided for the later.
- (3) You provided a deed which seems to be mostly for the rails and some support buildings. You must provide some type of legal document that indicates that Pennsylvania Northeast Regional Railroad Authority physically owns the property where the existing access is being removed and the new access is proposed.
- (4) The provided engineer's line item unit cost estimate was reviewed for the amounts. The quantity and cost of the estimate are acceptable, pending there are no other changes require from addressing these comments, the applicant will need to provided the approved amount, currently \$37,004.00 in the form of a Letter-of-Credit Security (in a form acceptable to the Department)prior to the HOP being issued.
- (5) Due to the extent of these comments and the lack of information supplied, the Department reserves the right to make additional comments on future submissions.

Application

- (1) Repeat Comment, not addressed. It is required by the Central Permit Office in Harrisburg that all applicants of Low, Medium, or High Volume driveways or utility lines must obtain their own Business Partner Identification (BPID) Number which must be provided on the Application Information screen of the application. This will aid in the billing and invoicing of all costs associated with the Highway Occupancy Permit.

Plan Presentation

- (1) You need to call out the curbing radius along the exit lane of the driveway.
- (2) The turning template of the design vehicle exiting and turning right utilizes the Center lane TWLTL, the vehicle exiting cannot utilize the TWLTL for exiting to the right, there may be a vehicle occupying that area, so this cannot occur, adjust the exiting radius to accommodate the Design vehicle.
- (3) For the curb radius along the entrance lane you call out a 75' radius, if this is only a 75' radius (not a compound radius)it needs to extend full quadrant to tie into the existing curbing.

Sight Distance- Driveways/Local Roads

- (1) The sight distance at the proposed access location is restricted by parking adjacent to the driveway. Access driveways must be located at a point within the property frontage limits which provides at least the minimum sight distances listed in the regulations. Please address with your resubmission. Pa Code, Title 67, Chapter 441.8.h. In accordance with the attached parking ordinance enacted April 16, 2018, I measured exactly 175 feet from the centerline(not specified in ordinance) of East Gibson Street and put the front bumper of my car at that point. The maximum length of roadway along which a driver at the driveway location can continuously see another vehicle approaching from the north is 121' and 147' is the minimum required. The ordinance needs to read 'from a point 160' south of the centerline of East Gibson Street' to achieve the minimum 147' of required sight distance.

PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY AND
CITY OF SCRANTON AGREEMENT

FOR

WYOMING AVENUE DRIVEWAY IN CITY OF SCRANTON

THIS AGREEMENT entered into as of this _____ day of _____, 2019 by and between the **Pennsylvania Northeast Regional Railroad Authority**, 280 Cliff Street, Scranton, Pennsylvania 18503 (hereinafter called the "Authority"), and the **CITY OF SCRANTON**, a municipality, with offices at 340 North Washington Avenue, Scranton, Pennsylvania 18503 (hereinafter called the "City").

WITNESSETH:

WHEREAS, the Authority is applying to the Pennsylvania Department of Transportation (PennDOT) for a Highway Occupancy Permit (HOP) to relocate the access driveway off of Wyoming Avenue (SR 3025) on property under its ownership. The property is located on the east side of Wyoming Avenue south of its intersection with East Gibson Street.

WHEREAS, parallel parking is currently allowed on the east side of Wyoming Avenue in the area of the driveway, and parked cars could inhibit the sight distance for vehicles egressing from the new driveway.

WHEREAS, PennDOT, as a condition of issuing the HOP, will require parking be prohibited along the east side of Wyoming Avenue for a distance as required to allow adequate sight distance for vehicles egressing from the new driveway, and the Authority has requested the City to pass an Ordinance prohibiting the parking as required by PennDOT and will provide signs to adequately delineate the limits of the No Parking zone.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto covenant and agree as follows, to wit:

1. Construction of Driveway Improvements.

The Authority agrees to furnish and install all materials and to construct in a workmanlike manner, at its own cost and expense, in accordance with the plans and specifications as approved by PennDOT through issuance of the HOP, the driveway improvements including installation of the No Parking signs.

2. Maintenance of No Parking Signs

The Authority will be responsible for maintenance and repair and/or replacement of the No Parking signs constructed by the Authority.

3. No Assignment

The Authority shall not assign, transfer, sublease, pledge, hypothecate, surrender, or otherwise dispose of this Agreement, or of any rights created by this Agreement, or permit any other person or persons, company or corporation to assume its obligations hereunder without prior written consent of City Council of the City of Scranton.

4. Invalidity Clause

Should any article or sub-article of this Agreement be declared by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of the Agreement as a whole or any part or provision thereof other than the part so declared to be invalid.

5. Notices

Notices required hereunder, or any correspondence concerning this Agreement shall be directed to the following addresses and shall be deemed properly given (a) if delivered by hand; (b) if sent by certified mail, return receipt requested, postage prepaid, or by recognized overnight courier service (including, without limitation, Federal Express or United Parcel Service overnight service), charges prepaid; or if sent by facsimile, with a copy sent by first class U.S. Mail, postage prepaid:

If to Authority:
Pennsylvania Northeast Regional Railroad Authority
280 Cliff Street
Scranton, PA 18503
Attention: Charlene Wagner Doyle, Director of Administration
Email: cdoyle@pnrra.org
Fax: 570-963-6718

If to City:
Lori Reed, City Clerk
340 North Washington Avenue
Scranton, PA 18503
Email: lreed@scrantonpa.gov
Fax: 570-348-4207

Notices and communications hereunder shall be deemed sufficiently given when dispatched pursuant to the foregoing provisions. Notices and communications delivered by hand shall be effective upon receipt; notices and communications sent by fax, with a copy by first class U.S. Mail, shall be effective upon dispatch; notices and communications sent by recognized overnight courier service shall be effective on the business day following dispatch; and notices sent by certified mail shall be effective on the third business day following dispatch. The parties hereto may, by a notice given

hereunder, designate any further or different addresses to which any subsequent notice or communication hereunder shall be sent.

6. **Binding Agreement**

This agreement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written, intending thereby to be legally bound.

**Pennsylvania Northeast Regional Railroad
Authority**

By: Larry C. Molecki

City of Scranton

By: _____

CITY OF SCRANTON

ATTEST:

BY: _____
Lori Reed, City Clerk

BY: _____
Paige G. Cagnetti, Mayor

Date: _____

Date: _____

BY: _____
John Murray, City Controller

Date: _____

APPROVED AS TO FORM:

BY: _____
Joseph A. O'Brien, Esq., Acting City Solicitor

Date: _____



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 8, 2020

RECEIVED

JUL 09 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 11, 2018 ENTITLED "ESTABLISHING A "NO PARKING ZONE" ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) FROM A POINT 175 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO A POINT 325 FEET SOUTH OF THE INTERSECTION WITH EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY (PNRRA)" TO EXTEND THE NO PARKING ZONE ALONG THE WEST SIDE OF WYOMING AVENUE (SR 3025) TO A POINT 160 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO A POINT 415 FEET SOUTH OF THE CENTER LINE OF EAST GIBSON STREET TO ALLOW FOR DRIVEWAY SIGHT DISTANCE PURPOSES AS SHOWN ON THE ATTACHED HIGHWAY OCCUPANCY PERMIT FOR THE PENNSYLVANIA NORTHEAST REGIONAL RAILROAD AUTHORITY (PNRRA).

Very truly yours,

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAB/sl

+
FILE OF THE COUNCIL NO. _____

2020

AN ORDINANCE

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ARC PROGRAM IN THE AMOUNT OF \$50,000.00 TO BE USED TO DEVELOP AN ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR THE CITY.

WHEREAS, the City of Scranton is desirous of obtaining funds from the Pennsylvania Department of Community and Economic Development ARC Program in the amount of \$50,000.00. The Grant funding will cover 50% of the cost, the City has committed \$25,000.00 to the project and the Greater Scranton Chamber of Commerce will commit a \$25,000.00 funding match; total project cost \$100,000.00. A copy of the ARC Project Summary is attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

WHEREAS, Scranton will develop a Strategic Plan that will focus on local impact but with sustained economic development will benefit the county and the entire geographic region. The City of Scranton's proposed plan will be consistent with the Northeastern Pennsylvania Alliance Comprehensive Economic Development Strategy (CEDS) and the Commonwealth of Pennsylvania ARC Development Plan by focusing on the same goals of building capacity and leadership as well as stimulating economic growth; and

WHEREAS, the City of Scranton seeks to develop a Strategic Plan that focuses community and economic development strategies that will engage community leaders, leverage the involvement of the private sector, and establish a strategic blueprint for inter-collaboration to create the environment for economic prosperity in around the City of Scranton.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the Mayor and other appropriate city officials are hereby authorized to apply for and execute a Grant Application, and if successful, a Grant Agreement, and any and all related documentation which may be necessary to complete the grant application including but not limited to the Grant Application.

SECTION 1. If any section, clause, provision or portion of this Ordinance shall be held invalid or unconstitutional by any Court of competent jurisdiction such decision shall not affect any other section, clause, provision or portion of this Ordinance so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Ordinance or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Ordinance, and the effective administration thereof.

SECTION 2. This Ordinance shall become effective immediately upon approval.

SECTION 3. This Ordinance is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law" and any other applicable law arising under the laws of the State of Pennsylvania.

Legislative Cover Sheet – Scranton City Council

What Department is this legislation originating from? Where did the initiative for this legislation originate?

Office of Economic and Community Development

Summary and Facts of the legislation

OECD is requesting legislation to apply for and execute a grant application through DCEC ARC Program.

Purpose – please include the following in the explanation:

What does the legislation do – what are the specific goals/tasks the legislation seek to accomplish

What are the benefits of doing this/Down-side of doing this

How does this legislation relate to the City's Vision/Mission/Priorities

This legislation will be included as part of the City's grant application to the DCED ARC Program. The funding will be used to develop a Economic Development Strategic Plan for the City.

Financial Impact – please include the following in the explanation:

Cost (initial and ongoing)

Benefits (initial and ongoing)

The estimated cost for the Strategic Plan is \$100,000. There will be no ongoing cost as the plan will be completed by the end of the grant term. The benefits for this plan will be tremendous. The City will be more competitive for federal grant funding, additionally it will strengthen our relationship with public and private stakeholders throughout the region as well as encourage economic development and job growth in the area.

Funding Sources – please include the following in the explanation:

If transferring funds, please ensure specific accounts are noted; if appropriating funds from a grant, list the agency awarding the grant.

The estimated cost for the CEDS is \$100,000. The City is requesting \$50,000 in grant funding from the DCED ARC Program. The City will contribute \$25,000 through OECD Administrative federal funding and the City is pursuing financial contributions for the remaining \$25,000 from the Greater Scranton Chamber of Commerce and a Scranton Area Foundation grant.

Priority Status/Deadlines, if any

This grant application is a high priority and is due July 31, 2020

Why should the Council unanimously support this legislation?

Legislative Cover Sheet – Scranton City Council

The Strategic Plan is something that the City is severely lacking. This plan will provide structure and a clear path forward on encouraging economic, community, and workforce development in our area.

Include any other pertinent details and/or relevant information that the Council should be aware of:

If you should have any questions please feel free to reach out to Maggie Perry, Grant Manager at mamclane@scrantonpa.gov or 570-313-7764

**Pennsylvania Department of Community & Economic Development
ARC Project Summary**

Project Title: *City of Scranton Community & Economic Development Strategic Plan*

Project Applicant: City of Scranton

Point of Contact (Name, Title): Maggie Perry, Grant Manager
Agency Address: 340 N. Washington Avenue Scranton, Pa 18503
Telephone Number: 570-558-8335
Email Address: mamclane@scrantonpa.gov

County(ies) to be served: Lackawanna County, transitional economic status, the service area is the City of Scranton: Census Tracts: Lackawanna County: 1002, 1003, 1004, 1005, 1006, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1025, 1026, 1027, 1028, 1029, 1030, 1031;(Yellow =Distressed)

Basic Federal Agency: N/A

Goals/Strategies: *Primary ARC goal, objective and state strategy the project will address*
ARC Goals to be addressed:

ARC Goal 5: Leadership and Community Capacity- Build the capacity and skills of current and next-generation leaders and organizations to innovate, collaborate, and advance community and economic development. Action Objective 4: Support visioning, strategic planning and implementation, and resident-engagement approaches to foster increased community resilience and generate positive economic impacts.

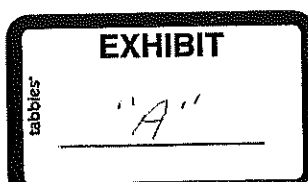
Commonwealth of Pennsylvania ARC Development Plan- PA Strategy Objective to be addressed: Goal 5; Objective 5; PA Strategy (5.2.1) Support local and regionally-based leadership development programs to encourage cooperation and collaboration as well as strategic planning and information sharing.

Purpose:

The City of Scranton seeks to develop a Strategic Plan to that focuses community and economic development strategies that will engage community leaders, leverage the involvement of the private sector, and establish a strategic blueprint for inter-collaboration to create the environment for economic prosperity in and around the City of Scranton.

Funding: The City of Scranton is requesting \$50,000 from ARC for the proposed project. The City has committed \$25,000 to the project and the Greater Scranton Chamber of Commerce will commit a \$25,000 funding match.

Source	Non-Construction Activity	Equipment	Construction	Total	Percent	Status of Funds
ARC:	50,000			50,000	50%	Requested
Other Federal Funds:						
State:						



Local:	25,000			25,000	25%	Secured
Other:	25,000			25,000	25%	Commitment from Greater Scranton Area Chamber of Commerce and the Scranton Area Foundation
TOTAL					100%	

Project Description:

The City of Scranton's Strategic Plan will be develop goal, objectives and strategies that capitalize on local assets to assist and ensures the most efficient and effective use of OECD resources. The plan will also target industries for local investment to encourage economic growth and revitalization. The City will work with the private and public partners to guide the development of the CEDS. These stakeholders will work with the City of Scranton to develop an action plan that identifies potential economic and community development goals, objectives and initiatives that will benefit the City and the region.

- The major activity is the creation of a Comprehensive Economic Development Strategy
 - Develop partnership with public and private stakeholders to form a Committee to guide the development of a plan
 - Develop a Scope of Work and an RFP (or RFQ) to assist in identifying and choosing a consultant to lead the process, facilitate discussions and develop the plan.

Timeline:

October 2020-Janaury 2021

- Finalize Scope of Work & RFP/RFQ
- Release Public Notice
- Form Full Streeting Committee and Consultant Selection Committee
- Choose Consultant

February 2021-May 2021

- Kickoff meeting
- Data gathering and survey
- Focus group formation and kickoff
- SWOT Analysis

June 2021-September 2021

- Goals & objectives development
- Evaluation criteria development
- Finalize plan

Period of Performance: list the start and end date of the project

October 1, 2020- September 30, 2021

Strategic Rationale:

Scranton, once a booming industrial city and railway hub with over 140,000 residents, was the capital of the anthracite coal and silk textile industries. However, after oil replaced coal and textile industries moved overseas, Scranton went into an economic spiral and has been designated a financially distressed local government by the Pennsylvania Department of Community and Economic Development Act 47 since 1992. A major issue that has prevented Scranton from shedding its finally distressed status and moving toward economic security is the lack of a Strategic Plan specific to Scranton that would identify and target industries for local and regional investment in order to encourage economic growth and prosperity.

Scranton is the largest city in Northeastern Pennsylvania, with a population of 76,000. In many ways a leader of Northeastern Pennsylvania with some of the best institutes of higher education, hospitals and small businesses in the commonwealth, Scranton's poverty and unemployment rates are significantly higher than the state and national averages.

Data	Scranton	Pennsylvania	National
Unemployment Rate January 2020	6.3	4.7	3.6
Unemployment Rate April 2020	17.8	15.1	14.7
Poverty Rate	23.7%	12.5%	12.3%
Median Household Income	\$39,066	\$60,905	\$61,937
Education- bachelor's degree or higher	21.5%	30.8%	31.5%

Scranton will develop a Strategic Plan that will focus on local impact but with sustained economic development will benefit the county and the entire geographic region. The City of Scranton's proposed plan will be consistent with the Northeastern Pennsylvania Alliance Comprehensive Economic Development Strategy (CEDS) and the Commonwealth of Pennsylvania ARC Development Plan by focusing on the same goals of building capacity and leadership as well as stimulating economic growth. The project is also The Greater Scranton Chamber of Commerce's "The Scranton Plan" and City's Act 47 Recovery Plan. The goal of the Strategic Plan is to support community development and economic prosperity; the long-range outcome of this initiative is decreased unemployment and poverty rates in the area.

Collaborative Partnerships: *Identify local, regional, state and/or federal partnerships that will support the project.*

The City of Scranton will be working closely with private and public stakeholders, including:

- The Greater Scranton Chamber of Commerce (Match Funding and Program Partner)
- The Scranton Area Community Foundation (Match Funding)
- Scranton Tomorrow (Committee Partner)
- University of Scranton Small Business Development Center (Committee Partner)
- Lackawanna College (Committee Partner)
- Johnson College (Committee Partner)
- University of Scranton (Committee Partner)
- Northeastern Pennsylvania Alliance (Business Finance Support)

- NeighborWorks (Committee Partner)
- United Neighborhood Centers (Committee Partner)
- Scranton School District (Committee Partner)
- Governor Action Team (GAT)
- Lackawanna County OECD (Committee Partner)
- PA DCED (Program Partner)
- Senator John Blake (Supporter)
- Representative Marty Flynn (Supporter)
- Representative Kyle Mullen (Supporter)

Project Sustainability & Capacity:

What is your agency's previous experience in managing federal funds for a similar activity?

Explain how the project will be sustained once ARC funding is no longer available.

The City of Scranton Office of Economic and Community Development manages and distributes over \$3.6 million in federal funds annually. This funding is distributed through three programs: Community Development Block Grant, Emergency Shelter Grant and the HOME grant. Additionally, this office develops a comprehensive plan annually for the disbursement of the federal funds.

Regarding sustainability, the proposed project will be complete once ARC funding is expanded. The City of Scranton will work closely with partners to utilize the completed Comprehensive Economic Development Strategy to pursue grant funding, stimulate economic development and encourage business growth. Furthermore, we will commit to updating the plan every 3-5 years to assure we are following plan with input from partners and stakeholders.

Impact Measures: It is estimated that the following impacts will be achieved within three years of the completion of the grant.

<u>Output Measure</u>	<u>Outcome Measure</u>
Strategic Plan	Increased grants applications, programming, internal office efficiencies and stakeholder partnerships

Congressional and Legislative Districts of:

House of Representatives

- Representative Matthew Cartwright, 8th District of Pennsylvania

PA State Senators

- Senator John P. Blake, 22nd District of Pennsylvania

PA State Representatives

- Representative Kyle Mullins, 112th District of Pennsylvania
- Representative Marty Flynn, 113th District of Pennsylvania
- Representative Bridget Malloy Kosierowski, 114th District of Pennsylvania
- Representative Maureen E. Madden, 115th District of Pennsylvania



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 10, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT ARC PROGRAM IN THE AMOUNT OF \$50,000.00 TO BE USED TO DEVELOP AN ECONOMIC DEVELOPMENT STRATEGIC PLAN FOR THE CITY.

Very truly yours,

Joseph A. O'Brien (S)

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAB/sl

RECEIVED

JUL 10 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

RESOLUTION NO. _____

2020

APPOINTMENT OF MICAH S. WOODARD, 920 MOOSIC STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE JULY 9, 2020. MICAH S. WOODARD WILL BE REPLACING JOSEPH MATYJEVICH WHOSE TERM EXPIRED. MICAH S. WOODARD WILL BE APPOINTED TO A FIVE (5) YEAR TERM EFFECTIVE JULY 9, 2020 AND WILL EXPIRE ON JUNE 1, 2025.

WHEREAS, Joseph Matyjevich's term as a member of the Scranton Parking Authority expired; and

WHEREAS, the Mayor of the City of Scranton desires to appoint Micah S. Woodard as a member of the Scranton Parking Authority effective July 9, 2020 to replace Joseph Matyjevich. Micah S. Woodard's term will expire on June 1, 2025; and

WHEREAS, Micah S. Woodard has the requisite, experience, education and training necessary to serve on the Board of the Scranton Parking Authority.

NOW, THEREFORE, BE IT RESOLVED that Micah S. Woodard, 920 Moosic Street, Scranton, Pennsylvania is hereby appointed as a member of the Scranton Parking Authority replacing Joseph Matyjevich whose term expired. Micah S. Woodard's term will expire on June 1, 2025.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4101

July 9, 2020

Honorable Council of the City of Scranton
340 N. Washington Avenue
Scranton, PA 18503

RE: Scranton Parking Authority Appointment

Dear Council Members:

Please be advised that I am appointing Micah S. Woodard, 920 Moosic Street, Scranton, Pennsylvania 18505 as a member of the Scranton Parking Authority effective July 9, 2020.

Mr. Woodard will be replacing Joseph Matyjevich whose term expired.

Mr. Woodard's five (5) year term is effective July 9, 2020 and will expire on June 1, 2025.

I respectfully request City Council's concurrence in this appointment.

Sincerely,


Paige G. Cognetti,

PGC/dan

cc: Scranton Parking Authority
Joseph O'Brien, Esq., Acting City Solicitor
Carl Deeley, Business Administrator
Micah S. Woodard

To Whom It May Concern,

I have lived in Scranton for sixteen years and been a business owner here for almost six. Over the past few weeks Mayor Cignetti and I have had a few conversations about Scranton, business and the vacant Parking Authority seat. I think I would be a good fit and could be of service to the community by filling the vacant Parking Authority seat. Please receive this as my formal interest in fulfilling the seat.

Respectfully,
Micah S. Woodard

920 Moosic St.
Scranton, PA
18505



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 13, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

RECEIVED

JUL 15 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING APPOINTMENT OF MICAH S. WOODARD, 920 MOOSIC STREET, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE JULY 9, 2020. MICAH S. WOODARD WILL BE REPLACING JOSEPH MATYJEVICH WHOSE TERM EXPIRED. MICAH S. WOODARD WILL BE APPOINTED TO A FIVE (5) YEAR TERM EFFECTIVE JULY 9, 2020 AND WILL EXPIRE ON JUNE 1, 2025.

THE ADMINISTRATION HAS VERIFIED THAT THE APPOINTEE HAS NO DELINQUENT CITY TAX OR REFUSE PAYMENTS DUE.

Respectfully,

Joseph A. O'Brien / s /
Joseph A. O'Brien, Esquire
Acting City Solicitor

JAO/sl

RESOLUTION NO. _____

2020

AUTHORIZING THE ACCEPTANCE BY THE CITY OF SCRANTON BY KEYSTONE SANITARY LANDFILL OF A JOHN DEERE 410 L BACKHOE LOADER SN: 1T0410LXVLF382297 PER COSTARS DGS CONTRACT #4400011444 FROM FIVE STAR EQUIPMENT.

WHEREAS, Keystone Sanitary Landfill (Keystone) Waste Disposal Agreement with the City of Scranton in February of 1990; and

WHEREAS, said Waste Disposal Agreement contained a "life of the landfill" provision which granted the City of Scranton the option to extend the Agreement for the life of the landfill; and

WHEREAS, said Waste Disposal Agreement between the City of Scranton and Keystone was amended in October, 2000; and

WHEREAS, said amendment included, inter alia, the following provisions:

- A. The City exercised the option to extend the waste Disposal Agreement with Keystone for the life of the Landfill (estimate of 30 years) at the rate of 43.25 per ton;
- B. Keystone accepted the decision to extend the Waste Disposal Agreement for the life of the Landfill;
- C. Keystone agreed to contribute to the City \$100,000 in equipment an annual basis, which equipment would include "motorcycles, pacmasters, police cars, section trucks, and any other equipment necessary for the safety of city residents".

WHEREAS, correspondence between Keystone and the City of Scranton reflecting the amendment of the Waste Disposal Agreement is attached hereto as Exhibit A, B and C; and

WHEREAS, said John Deere 410 L Backhoe Loader has a Costars DGS Contract #4400011444 with a stated value of \$98,301.10; and

WHEREAS, Keystone has a balance of \$67,331.28 to the City of Scranton from its 2019 application; and

WHEREAS, the City and Keystone have agreed that Keystone's remaining obligation for 2019 and part of its obligation for 2020 will be satisfied by the gift of a John Deere 410 L Backhoe Loader SN: 1T0410LXVLF382297 by Keystone to the City leaving a balance due the City for 2020 of \$69,030.18 see Exhibit D attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON AS FOLLOWS :

- A. That the City of Scranton accept from Keystone a gift of a John Deere 410 L Backhoe Loader SN: 1T0410LXVLF382297 per Costars DGS Contract #4400011444;
- B. That the Mayor of the City of Scranton and other appropriate officials are authorized to execute any and all necessary documents to complete said transaction.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally

enforceable minus the invalid portion. The City reserves the right to amend this Resolution of any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1971, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State and Pennsylvania.

James P. Common
Mayor
(570) 348-4100

City of Scranton
Pennsylvania



Office of the Mayor

October 27, 2000

Keystone Sanitary Landfill, Inc.
Dunham Drive
Dunmore, PA 18512

Re: Election Of Option to Continue
Waste Disposal Agreement

Dear Sirs:

Please be advised that the City of Scranton is hereby electing to take the option granted it in the February 18, 1990, Settlement Agreement, paragraph 2.10, "Waste Disposal Agreement, as approved by Council in File of Council No. 22 of 1990."

The Settlement Agreement language which was approved by Council provides the following:

"If the life of Keystone Landfill exceeds ten (10) years, then the City shall be granted air space at the Landfill at reasonable rates to be negotiated, to dispose of its municipal waste, for the remaining life of the Landfill."

I elect to keep the present tipping fee of forty three dollars and twenty five cents (\$43.25) per ton for the remaining life of the landfill, which I understand is anticipated to be thirty (30) years. In event, however, tipping fees in the industry are reduced, the City reserves the right to renegotiate the said fees only. In addition, in the event the City privatizes the garbage collection, privatization would only include pick-up and transportation of trash; disposal would remain with Keystone for the life of the landfill.

This secures a site for waste disposal to protect the public health, safety, and welfare of the people of Scranton, on long term basis and at reasonable costs.

Exercising this option is in the best interest of the residents of the City of Scranton. All

11A11

Keystone Sanitary Landfill

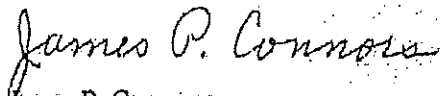
October 27, 2000

Page -2-

other terms and conditions of the Settlement Agreement shall remain the same, except the fee scale.

Kindly confirm your acceptance of this obligation at your earliest convenience.

Sincerely,



James P. Connors

Mayor

CITY OF SCRANTON

JPC/amh

cc: Brian Nixon, Business Administrator
Rocco Damiano, Director Public Works
James T. Mulligan, Jr., Esquire, City Solicitor
Roscam Novembrino, City Controller
City Council
Louis DeNaples

October 27, 2000

Honorable Mayor James P. Connors
Municipal Building
340 North Washington Avenue
Scranton, PA 18503

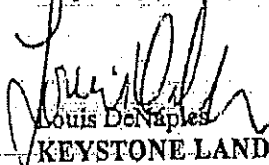
Dear Mayor Connors:

I acknowledge receipt of your letter dated October 27, 2000, electing to exercise the option in the Settlement Agreement to extend the Waste Disposal Agreement for the life of the landfill at the current rate of forty three dollars and twenty five cents (\$43.25) per ton. Keystone Landfill accepts and agrees to the continuation, with all other terms and conditions other than the rate schedule to remain in force.

It is further my understanding that in the event that the City privatizes the garbage collection, that such privatization would only include pick up and transportation of garbage; disposal would remain with Keystone for the life of the landfill.

Thank You.

Very Truly Yours,


Louis DeNaples
KEYSTONE LANDFILL, INC.

" B "

October 27, 2000

Mayor James P. Connors
Municipal Building
340 N. Washington Avenue
Scranton, PA 18503

Dear Mayor Connors,

Keystone is aware of the financial condition of the City of Scranton, and after careful consideration, has decided to offer a donation of equipment equivalent in value to \$100,000.00 per year commencing in 2000 and continuing for the life of the Settlement Agreement dated February 18, 1990. The expected life of the landfill is 30 years.

This equipment will include motorcycles, packmasters, police cars, section trucks, and any other equipment necessary for the health and safety of City residents.

We hope our donation will benefit the City, and promote its health and safety.

Very truly yours,


Louis DeNaples
Keystone Landfill

" C "



DEPARTMENT OF PUBLIC WORKS

101 WEST POPLAR STREET • SCRANTON, PENNSYLVANIA 18508 • PHONE: 570-348-4180 • FAX: 570-348-0197

April 7, 2020

Dan O'Brien
Business Manager
Keystone Sanitary Landfill, Inc
249 Dunham Drive
Dunmore, PA 18512

RE: Equipment Purchase Agreement

Dear Mr. O'Brien:

The City of Scranton acknowledges and is grateful to accept an equipment donation from the Keystone Sanitary Landfill per the Equipment Purchase Agreement.

The monetary value of the gift is \$98,301.10 will be used to purchase a John Deere 410 L Backhoe Loader SN: 1T0410LXVLF382297 per Costars DGS Contract # 4400011444 from Five Star Equipment, located at 1300 Dunham Drive Dunmore, PA 18512.


With the balance of \$67,331.28 from 2019 and the \$100,000.00 donation for 2020, will leave a balance of \$69,030.18 for future equipment purchases.

This donation will benefit the City, and promote health and safety.

Very truly yours,

Mayor, City of Scranton

Director, Department of Public Works

//  //



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 14, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

RECEIVED

JUL 15 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE ACCEPTANCE BY
THE CITY OF SCRANTON BY KEYSTONE SANITARY LANDFILL OF A JOHN
DEERE 410 L BACKHOE LOADER SN: 1T0410LXVLF382297 PER COSTARS DGS
CONTRACT #4400011444 FROM FIVE STAR EQUIPMENT.

Very truly yours,

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAO/sl

RESOLUTION NO. _____

2020

RATIFYING AND APPROVING THE EXECUTION AND SUBMISSION OF A GRANT APPLICATION BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE "COVID-19 COUNTY RELIEF BLOCK GRANT PROGRAM" BY AND THROUGH THE PENNSYLVANIA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO ACCEPT AND UTILIZE THE GRANT IN AN AMOUNT UP TO \$824,553.23 AWARDED BY LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

WHEREAS, Lackawanna County Office of Economic and Community Development applied for and was approved for the COVID-19 County Relief Block Grant Program by Pennsylvania Department of Economic and Community Development Office in the amount of Nineteen Million Dollars (\$19,000,000.00); and

WHEREAS, the COVID-19 County Relief Block Grant Program provides Assistance to Cities, Boroughs, Incorporated Towns or Townships located within the approved County for response and planning efforts related to COVID-19; and

WHEREAS, the City of Scranton, through the Office of Economic and Community Development, submitted a grant application to the Lackawanna County Office of Economic and Community Development for the "COVID-19 County Relief Block Grant Program. A Copy of said Grant submission and Project details is attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

WHEREAS, due to the COVID-19, the City of Scranton has incurred expenses in the amount of \$308,753.23 as a response to this pandemic; and

WHEREAS, the City has estimated future expenses through December of this year, in the amount of \$515,800.00 in order to continue to respond to this pandemic; and

WHEREAS, the City of Scranton intends herein to ratify and approve the execution and submission of the Grant Application; and

WHEREAS, Lackawanna County Office of Economic and Community Development will review the Grant Application for funding in an amount up to \$824,553.23; and

WHEREAS, if the Grant Application is approved, the City of Scranton intends herein to reimburse itself for expenses incurred as well as pay for future expenses in order to combat this pandemic.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the execution and submission of the "Grant" Application is hereby ratified and if approved, the Mayor and other appropriate City Officials are hereby authorized to enter into and execute and submit any additional related paperwork for this Program, and if successful, to accept the grant funds to be used to reimburse and pay for expenses to combat the COVID-19. This approval anticipates and authorizes the execution of any and all related documentation necessary for the "Grant" or to accept, disburse, and utilize the "Grant" for the Program.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Legislative Cover Sheet - Scranton City Council

RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF GRANT APPLICATION BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE "COVID-19 COUNTY RELIEF BLOCK GRANT PROGRAM" BY AND THROUGH THE PENNSYLVANIA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO ACCEPT AND UTILIZE THE GRANT IN AN AMOUNT UP TO \$824,553.23 AWARDED BY LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

What Department is this legislation originating from? Where did the initiative for this legislation originate?

OECD originated the legislation. The City of Scranton through OECD will submit a grant application to Lackawanna County Office of Economic Community Development for the COVID-19 County Relief Block Grant Program. Lackawanna County received around Nineteen Million(19,000,000.00) Dollars as Part of the COVID-19 County Relief Block Grant Program which provides assistance to cities, boroughs, incorporated towns or townships located within the approved County for response and planning efforts related to COVID-19.

The City can utilize this Grant to reimburse itself for certain expenses incurred in combating COVID-19 as well as pay for future expenses to combat COVID-19 and will allow City Hall to continue to operate under the COVID-19 guidelines and restrictions.

Summary and Facts of the legislation

The City of Scranton has incurred expenses in the amount of \$308,753.23 as a response to this pandemic and the City estimates future expenses in the amount of \$515,800.00 to continue to combat this pandemic. Total Grant request is \$824,553.23.

Purpose – please include the following in the explanation:

What does the legislation do -what are the specific goals/tasks the legislation seek to accomplish?

The Legislation would allow the City to Apply for a Grant up to \$824,553.23 and if successful, authorize the Mayor and other City Officials to execute and enter into a Grant Contract with Lackawanna County Office of Economic and Community Development in effort to reimburse for expenses incurred in combating COVID-19 as well as pay for future expenses itemized in Grant Application. This Grant will help City Hall continue to operate under the COVID-19 guidelines and restrictions.

What are the benefits of doing this/Down-side of doing this?

Benefit – Helps City reimburse for expenses incurred thus far as well as helps the City pay for future expenses in combating the COVID-19 pandemic.

Downside – As this is grant opportunity that would reimburse the City for expenses as well as pay for future COVID-19 expenses, there is not really a downside.

How does this legislation relate to the City's Vision/Mission/Priorities?

Helps City recover from COVID-19 Pandemic and allows the City to continue to operate under COVID-19 guidelines and restrictions.

Financial Impact - please include the following in the explanation:

Cost (initial and ongoing) – up to \$824,553.23 grant if awarded

Benefits – Will not cost City anything.

Funding Sources –Lackawanna County Office of Economic and Community Development by and through Pennsylvania Department of Community and Economic Development.

Priority Status/Deadlines – High City Would like this Legislation passed as soon as possible.

Why should the Council unanimously support this legislation?

This Grant will Reimburse the City for Expenses Incurred and Help Pay for future estimated expenses throughout the end of the year to help combat the COVID-19 and so City Hall can continue to operate under the COVID-19 Guidelines and restrictions.

Include any other pertinent details and/or relevant information that the Council should be aware of:



Ms Margaret Piccatti
Contract Manager, Lackawanna County
123 Wyoming Avenue 5thFloor
Scranton, Pa. 18503

RE: Lackawanna County COVID-19 County Relief Block Grant program
City of Scranton COVID -19 Expenditures March 1, 2020 to June 26, 2020

Contact Eileen Cipriani ecipriani@scrantonpa.gov

Phone 570-407-0173

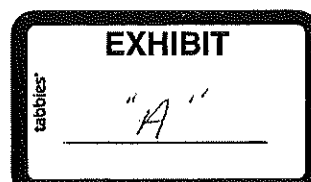
Dear Ms Piccatti

Due to the public health emergency related to the potential spread of the Coronavirus [COVID-19] that exists in the U.S. and the Commonwealth of Pennsylvania, on March 15, 2020 Mayor Paige Gebhardt Cagnetti declared a State of Emergency in the City of Scranton and signed a Mayoral Proclamation outlining certain immediate measures and guidance for residents of the City of Scranton. The city has documented expenses it has incurred to respond to the pandemic and developed an estimate of future spending to respond to the virus through December.

Due to the COVID -19 pandemic PA Governor Tom Wolf issued a at "Stay at Home" order for Lackawanna County on March 27, 2020. To comply and respond to this order and still provide services to the residents of the City of Scranton, the mayor ordered staff to work from home. Scranton had to rapidly expand its capacity for remote access to the network and to greatly expand work from home capabilities to make this happen. It was necessary to purchase software, hardware and accessories. Hardware purchased included laptops, surface pros, ruggedized laptops (for public safety use), headsets, and web cams. Software purchased to achieve this included additional VPN licensing (Netmotion), remote support software (TeamViewer), virtual meeting licensing (zoom), productivity software (adobe) and cloud storage licensing (box). Other accessories that were purchased included laptop cases and stands for smart devices.

1- To date the following has been purchased.

- 16 -Panasonic TOUGHBOOK 55 14" Core i5-8365U 8GB RAM 512GB Windows - \$49,600
- 11 -Panasonic TOUGHBOOK 55 14" Core i5-8365U 8GB RAM 512GB Windows - \$34,100
- 1 -Panasonic TOUGHBOOK 55 14" Core i5-8365U 8GB RAM 512GB Windows - \$3100



- 2 -Panasonic TOUGHBOOK 55 14" Core i5-8365U 8GB RAM 512GB Windows - \$6200
- 20- LOGI C930E HD WEBCAM 6-18-20 -\$2,300
- 60 -NETMOTION MOBILITY WIN SUB 2599 4-30-20 - \$15,000
- 15 -StarTech.com Phone and Tablet Stand 5-1-20 -\$375
- 3 -Microsoft Surface Pro 7 - 12.3" – Core + accessories 6-12-20 -\$7590
- 1 -TEAMVIEWER CORP SUB 5-7-20 -\$1,600
- 3- JABRA ELITE 75T TW IN-EAR HEADPHONES 4-20-20 -\$390
- 10-JABRA STEALTH UC BT HEADSET/tablet stand 5-7-20 -\$1750
- 65- Targus CityLite 15.6" Notebook Case 5-3-20 -\$2340
- 50-HP ProBook 640 G5 - 14" - Core i5 4-23-20 -\$51,000
- ADO GOV CC ALL APP RNML1 5-20-20 -\$4,875
- ADO GOV ACROBAT/ADO GOV CC ALL APP 4-20-20 -\$14,025
- Zoom meeting services (invoice to follow) -\$7,800
- Cloud storage licensing (box). (invoice to follow) -\$17,350

Total **\$219,395.00**

2- Due to COVID -19 the City of Scranton purchased Personal Protective Equipment to protect employees and citizens, purchases included masks, respirators, and thermometers.

- James Doherty Inc – Facemasks DPW 5-6-20 -\$445
- James Doherty Inc – Facemasks DPW 5-22-20 - \$ 459.95
- Amazon Thermometer probe covers 3-31-20 -\$29.93
- Arrowhead Scientific police dept respirators 3-13-20 -\$97.85
- Arrowhead Scientific police particulate filters 3/24/20 -\$30.10
- James Doherty Inc – Facemasks DPW 5-28-20 -\$1780
- James Doherty Inc – Facemasks& N95 DPW 4-20-20 -\$1232.50
- James Doherty Inc – Facemasks& N95 DPW 4-23-20 -\$445
- DePietro's Pharmacy Thermometers 4-28-20 -\$170
- American Janitor – gloves/ cleaning supplies 4-21-20 -\$329.22
- American Janitor –cleaning supplies 4-23-20 -\$150
- Dash Gloves – case of disposable gloves 5-13-20 -\$119.80
- S&S Tools gloves – parks 4-30-20 -\$89.00
- Nunzi's Advertising Specialties –Floor Stickers -\$89
- Mesko Glass- Sneezeguard 6-17-20 Fire -\$1073.50
- Mesko Glass- Sneezeguard 6-19-20 Treasurer -\$1271.88
- S&S Tools – facemasks 4-17-20 -\$890
- Nunzi's Advertising Specialties Inc Thermometers 4-16-20 -\$350
- Nunzi's Advertising Specialties Inc Facemasks 4-16-20 -\$1782.50

• Sirchie- Surgical Mask 4-27-20	-\$1431.32
• Arrowhead Scientific respirators 3/13/20	-\$97.85
• Arrowhead Scientific respirators 3/24/20	-\$30.10
• Dash Gloves – case of disposable gloves 3-17-20	-\$215.70
• Arrowhead Scientific gloves 3/18/20	-\$1688.55
• Arrowhead Scientific gloves 3/18/20	-\$1688.55
• Galls – Spit Shield – 4-6-20	-\$125.02
• Fastenal – Safety Googles 3-30-20	-\$3,128.40
• Road Safe – Safety Signage to display COVID messaging 4-12-20	-\$16350.00

Total	\$35,590.32
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3- The city purchased cleaning supplies, equipment and sanitation services to respond to the pandemic in order to disinfect city office space, vehicles and playground equipment to prevent the spread of COVID -19.

• American Janitor & Paper Supply - Cleaning supplies 3-16-20	-\$666.86
• Cintas – ultra cleaning & disinfecting DPW 4-16-20	-\$858.32
• Cintas cleaning and disinfecting police department 4-8,4-15,4-27	-\$1485.59
• Foam Sanitizer DPW 5-5-20	-\$475.24
• G&S Carwash Inc –sanitize refuse trucks 6-16-20	-\$500
• G&S Carwash Inc –sanitize refuse trucks 4-9-20	-\$500
• May Equipment – power washer for playgrounds 3-26-20	-\$9119
• S&S Tools Hand Cleaner Towels – parks 3-16-20	-\$43.98
• American Janitor -parks cleaning supplies 3-16-20	-\$110.52
• American Janitor -parks cleaning supplies 3-13-20	-\$96.96
• American Janitor -parks cleaning supplies 3-31-20	-\$166.86
• American Janitor -parks cleaning supplies 3-25-20	-\$190.36
• S&S Tools Pressure Washer – parks 3-30-20	-\$91.96
• S&S Tools Safety glasses/cleaner – parks 3-31-20	-\$39.77
• S&S Tools Safety Fence/ fuel– parks 3-31-20	-\$86.23
• S&S Tools Safety clear poly homeless shelter– parks 4-10-20	-\$119.99
• S&S Tools Safety poly premier homeless shelter– parks 4-1-20	-\$89.99
• S&S Tools Safety caution tape– parks 3-16-20	-\$17.98
• Cintas cleaning and disinfecting police department 5-12-20	-\$1485.59
• Pest Practice Building Cleaning and sanitizing 6-11-20	-\$2756
• Pest Practice Building Cleaning and sanitizing 6-10-20	-\$2400
• Pest Practice Building Cleaning and sanitizing 6-10-20	-\$580
• Pest Practice Building Cleaning and sanitizing 6-10-20	-\$3000
• American Janitor -DPW cleaning supplies 4-30-20	-\$31.50
• American Janitor -Fire cleaning supplies 5-1-20	-\$98.55
• American Janitor -Police cleaning supplies 5-1-20	-\$144.41

• American Janitor -Fire cleaning supplies 5-1-20	-\$108.45
• American Janitor -Fire cleaning supplies 5-1-20	-\$324.55
• American Janitor -Fire cleaning supplies 5-1-20	-\$47.96
• American Janitor –City Hall cleaning supplies 5-1-20	-\$160.73
• American Janitor -Fire cleaning supplies 5-1-20	-\$80.54
• American Janitor -Fire cleaning supplies 5-5-20	-\$142.02
• American Janitor -Fire cleaning supplies 5-1-20	-\$46.74
• American Janitor -Fire cleaning supplies 5-1-20	-\$23.37
• American Janitor -Fire cleaning supplies 5-5-20	-\$46.74
• American Janitor -Fire cleaning supplies 4-6-20	-\$38.95
• American Janitor -Fire cleaning supplies 5-1-20	-\$38.95.
• Stran- sanitizer gel 4-14-20	-\$1198.00
• Galls – Police cleaning supplies 3-24-20	-\$532.38
• Carquest – cleaning supplies – 3-19-20	-\$171.37
• Ceekay – cleaning supplies 3-19-20	- \$213.10

Total \$28,329.51

- 4- In order to prepare for potential large numbers of critically ill COVID -19 patients in the Scranton area hospitals, emergency planners needed to find alternate treatment sites. The city of Scranton made available the Serrenti building, which is the site of the future Public Safety facility on Colfax & Pine St. The facility was in the early stages of renovation, but did not have adequate plumbing electrical and ventilation systems. The site was currently being used as a storage facility for police and fire equipment. To prepare the facility to handle overflow patients from the local hospitals the city upgraded and repaired plumbing and electrical systems in the building.

• Plumbing upgrades and repairs 6-22-20	-\$5,806.00
• Electrical and ventilation repairs 4-20-20	-\$19,632.00

Total \$25,438.00

Total expenditures

\$308,753.23



Ms Margaret Piccatti
Contract Manager, Lackawanna County
123 Wyoming Avenue 5thFloor
Scranton, Pa. 18503

RE: Lackawanna County COVID-19 County Relief Block Grant program

City of Scranton COVID -19 Future projected costs for response and planning due to the COVID -19 pandemic June 27, 2020- December 30, 2020

Contact Eileen Cipriani ecipriani@scrantonpa.gov

Phone 570-407-0173

Dear Ms Piccatti

As the City of Scranton plans and prepares for the future we need to account for the possibility that staff will need to continue to work from home and services will need to be available to residents remotely or in a contactless manner. The city also needs to sanitize facilities and maintain a safe environment for staff and residents with proper PPE.

1-To expand the city's employees ability to work more efficiently and effectively at home the city is currently planning to migrate from an all on premise design network to a hybrid cloud design for our network back end. This will allow the city to support additional remote workers and streamline the onboarding process for remote work. To develop a functioning hybrid model, we will need to purchase additional software licensing – VMware, Veeam, and additional Microsoft products. The city will also need to engage professional services to help migrate to a hybrid model.

Estimate total cost for this is **\$250,000.**

2-In order to respond to the pandemic and protect city employees as well as residents the following expenses for cleaning, sanitizing, PPE and other COVID -19 mitigation efforts will be required.

Cleaning supplies for city owned buildings /DPW/Parks ----- \$ 50,500.00

PPE for City Employees
Gloves, Masks, Shields, Etc ----- \$ 70,000.00

Sanitizing of City owned buildings/parks & vehicles ----- \$ 40,000.00

Partition Glass installed throughout City
Owned buildings ----- \$ 4,800.00

Moving of Desks, Phone Lines, and Data Lines Partition Walls build in offices
Floor stickers to meet CDC requirements hardware for doors in offices and entry doors that
would allow remote opening And Visual communications And Visual communications ----- \$ 29,500.00

Making a drive through drop box in alley way for dropping of Payments, Permits, Contracts
And picking up will need plans and bid out. In addition we will add technology to electronically collect
payments and plans. ----- \$ 60,000.00

Vehicle air filters 125 needed ----- \$8,000.00

Vehicle washes for 6 months ----- \$3,000.00

Total ----- \$265,800.00

Total Estimate future expenses ----- \$515,800.00



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 14, 2020

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RATIFYING AND APPROVING THE EXECUTION AND SUBMISSION OF A GRANT APPLICATION BY THE CITY OF SCRANTON TO LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT FOR THE "COVID-19 COUNTY RELIEF BLOCK GRANT PROGRAM" BY AND THROUGH THE PENNSYLVANIA DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT AND AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS OF THE CITY OF SCRANTON TO ACCEPT THE GRANT, IF SUCCESSFUL, AND EXECUTE AND ENTER INTO A GRANT AGREEMENT TO ACCEPT AND UTILIZE THE GRANT IN AN AMOUNT UP TO \$824,553.23 AWARDED BY LACKAWANNA COUNTY OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph A. O'Brien (s)".

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAO/sl

RECEIVED

JUL 15 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

RESOLUTION NO. _____

2020

RATIFYING AND APPROVING OF THE EXECUTION AND SUBMISSION OF AN APPLICATION BY THE CITY OF SCRANTON TO THE COMMONWEALTH OF PENNSYLVANIA SECRETARY OF HEALTH REQUESTING A CERTIFICATE OF APPROVAL PURSUANT TO 16 P.S. § 12005(a) CONFIRMING THE CITY OF SCRANTON'S ABILITY TO ESTABLISH A MUNICIPAL DEPARTMENT OF HEALTH.

WHEREAS, the City of Scranton, in an attempt to better protect and promote the health and well-being of the City's residents, seeks to explore the establishment of a Municipal Department of Health pursuant to 16 P.S. §12001, *et seq*, more commonly known as Act 315; and

WHEREAS, 16 P.S. §12005(a) requires the City of Scranton to obtain a Certificate of Approval from the State Secretary of Health granting the City permission to establish a Municipal Department of Health; and

WHEREAS, the receipt of the aforementioned Certificate of Approval does not require the City of Scranton to establish a Department of Health, but nonetheless is a prerequisite for the creation of the Department of Health; and

WHEREAS, the formal exploratory phase in which it would be determined if the creation of a City of Scranton Department of Health would be in the City's best interests would be done at no cost to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the execution and submission of an application to the State Secretary of Health requesting a Certificate of Approval is hereby ratified and if approved, the Mayor and other appropriate City Officials are hereby authorized to create a committee tasked with the duty of exploring the costs, benefits, and/or detrimental effects that the establishment of a City of Scranton Department of Health would create for the City's various residential and business communities.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decisions shall not affect any other section, clause, provision or portion of this

Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or any portion thereof from time to time as it shall deem advisable in the best interest of the promotion of the purposes and intent of this Resolution, and the effective administration thereof.

SECTION 2. This Resolution shall become effective immediately upon approval.

SECTION 3. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of the Legislature, April 13, 1972, Act No. 62, known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.



OFFICE OF THE MAYOR

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4101

July 15, 2020

Legislative Cover Sheet

**A RESOLUTION RATIFYING AND APPROVING OF THE EXECUTION AND
SUBMISSION OF AN APPLICATION BY THE CITY OF SCRANTON TO THE
COMMONWEALTH OF PENNSYLVANIA SECRETARY OF HEALTH REQUESTING
A CERTIFICATE OF APPROVAL PURSUANT TO 16 P.S. § 12005(a) CONFIRMING
THE CITY OF SCRANTON'S ABILITY TO ESTABLISH A MUNICIPAL
DEPARTMENT OF HEALTH.**

The global COVID-19 pandemic has made everyone, including the City of Scranton, rethink the way that health services are provided, health data is collected, and health and wellness programs are offered. It is our belief that the most efficient and effective way to evaluate whether we are optimizing the resources available to the City of Scranton regarding the health and wellness of our communities is to explore the creation of a City of Scranton Municipal Health Department.

After consultation with representatives of the Pennsylvania Department of Health and a review of the relevant statutes, it was determined that the first step in this exploratory process is to submit an application to the State Secretary of Health requesting a Certificate of Approval to form a Municipal Department of Health. The enclosed resolution will authorize the appropriate City officials to execute and submit this application. If and when a Certificate of Approval is received, the exploratory phase would commence; a phase that would cost the City zero (\$0) dollars.

The City of Scranton is in a unique position in that we have several top-rated medical facilities and a medical school in our municipality. The City of Scranton is unique in another way as well: the various communities throughout our City contain incredible leaders capable of organizing their local residents to engage in outreach programs, community clean ups, and more. Are we maximizing our ability to tap into these unique resources? Would a Municipal Department of Health allow for a more autonomous approach and appropriation of funds to City of Scranton health and wellness programs? Would the costs of a Municipal Department of Health outweigh the benefits? Submitting an application to the State Secretary of Health for a Certificate of Approval is the first step in answering these questions. The next step, exploring whether or not creation of a City of Scranton Department of Health is in the City's best interests, would cost zero (\$0) dollars. There is much to gain and little, if anything, to lose.

Attachments:

____ Resolution



DEPARTMENT OF LAW

City Hall | 340 North Washington Avenue | Scranton, PA 18503 | 570.348.4105

July 15, 2020

RECEIVED

JUL 16 2020

OFFICE OF CITY
COUNCIL/CITY CLERK

To the Honorable Council
Of the City of Scranton
Municipal Building
Scranton, PA 18503

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RATIFYING AND APPROVING OF
THE EXECUTION AND SUBMISSION OF AN APPLICATION BY THE CITY
OF SCRANTON TO THE COMMONWEALTH OF PENNSYLVANIA
SECRETARY OF HEALTH REQUESTING A CERTIFICATE OF APPROVAL
PURSUANT TO 16 P.S. § 12005(a) CONFIRMING THE CITY OF SCRANTON'S
ABILITY TO ESTABLISH A MUNICIPAL DEPARTMENT OF HEALTH.

Very truly yours,

Joseph A. O'Brien (s)

Joseph A. O'Brien, Esquire
Acting City Solicitor

JAO/sl