

AGENDA
REGULAR MEETING OF COUNCIL
December 2, 2019
6:00 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 MINUTES OF THE SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY MEETING HELD OCTOBER 17, 2019.

[Scranton Lackawanna Health & Welfare Authority Minutes
10-17-19.pdf](#)

- 3.B CORRESPONDENCE SENT TO MAYOR EVANS REGARDING AN ALTERNATIVE ANALYSIS OF THE 2020 BUDGET.

[Correspondence to Mayor Evans 11-26-19.pdf](#)

- 3.C CORRESPONDENCE SENT TO MAYOR EVANS REGARDING COUNCIL QUESTIONS CONCERNING THE CITY'S 2020 OPERATING BUDGET.

[Correspondence to Mayor Council Questions 2020 Budget
11-27-19.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 FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED “AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING THE DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES”, BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Realty Transfer Tax 2020.pdf](#)

- 5.C FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS”, BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Earned Income Tax 2020.pdf](#)

- 5.D FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL

NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER" BY AMENDING SECTION 1 REVERTING BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE .232521 MILLS LEVY ON LAND AND .050564 MILLS LEVY ON ALL BUILDINGS AND BY ELIMINATING THE DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED IN SECTION 2 AND REPLACING THE DEDICATED MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES COLLECTED ON A CURRENT YEAR BASIS.

[Ordinance-2019 Millage for 2020.pdf](#)

- 5.E FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Business Privilege Tax 2020.pdf](#)

- 5.F FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 148, 1986, ENTITLED "AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 98, 1976 AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

[Ordinance-2019 Mercantile License Tax 2020.pdf](#)

- 5.G FOR INTRODUCTION – AN ORDINANCE – APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR CONTROL BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

[Ordinance-2019 Transfer Liquor License KayGeeCee.pdf](#)

- 5.H FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$418,774.00 TO BE USED TO INSTALL NEW AND MORE EFFICIENT INLETS AND LARGER PIPES TO ADEQUATELY CONVEY THE RUNOFF ON BRIGGS STREET TO KEYSER CREEK, ITS ORIGINAL OUTLET POINT.

[Resolution - 2019 Grant Application Brigg Street.pdf](#)

- 5.I FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$179,575.00 TO BE USED TO REPLACE EXISTING STORM ARCH STRUCTURE WITH A NEW CONCRETE ARCH STRUCTURE ON BLOOM AVENUE.

[Resolution - 2019 Grant Application, Bloom Avenue.pdf](#)

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A READING BY TITLE – FILE OF THE COUNCIL NO. 79, 2019 – AN ORDINANCE – AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$12,750,000; PROVIDING FOR THE DATED DATE, INTEREST RATE, MATURITY DATE, REDEMPTION PROVISIONS, PAYMENT AND PLACE OF PAYMENT IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL ATTACHED HERETO AS EXHIBIT “B” FROM THE FINANCIAL INSTITUTION NAMED THEREIN FOR THE PURCHASE OF THE NOTE; NAMING A SINKING

FUND DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO EXECUTE AND DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS AND CERTIFICATES IN CONNECTION THEREWITH; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE NECESSARY DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE.

[Ordinance-2019 Tax Anticipation Note 2020.pdf](#)

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC SAFETY - FOR ADOPTION - RESOLUTION NO. 193, 2019 - ACCEPTING A ONE THOUSAND (\$1,000.00) DOLLAR DONATION FROM BRIDON AMERICAN GIVEN TO THE CITY OF SCRANTON POLICE DEPARTMENT SPECIAL OPERATIONS GROUP.

[Resolution-2019 Donation to Police Department from Bridon American.pdf](#)

- 7.B FOR CONSIDERATION BY THE COMMITTEE ON COMMUNITY DEVELOPMENT - FOR ADOPTION - RESOLUTION NO. 194, 2019 - ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR CHARLES JEFFERSON, 2030 TILGHMAN STREET, SUITE 203, ALLENTOWN, PA 18104 FOR THE FOLLOWING ALTERATIONS, RESTORATIONS AND RENOVATIONS TO TRIM AND DECORATIVE WOODWORK, SIDING AND MASONRY, WINDOWS, DOORS, AND ASSOCIATED HARDWARE, LIGHT FIXTURES AND DEMOLITION AT SCRANTON-SPRUCE, LP, 200 ADAMS AVENUE, SCRANTON, PA 18503 THE FORMER STOEHR AND FISTER BUILDING.

[Resolution-2019 HARB Scranton-Spruce, LP.pdf](#)

8. ADJOURNMENT

SCRANTON LACKAWANNA HEALTH & WELFARE AUTHORITY
MINUTES OF MEETING
October 17, 2019

RECEIVED
NOV 25 2019

Attended By:

Authority Members:

Vincent O'Bell, Chairman
William Lazor, Vice Chairman
Jerry Preschutti, 2nd Vice Chairman
Jerry Weinberger, Secretary
John Granahan, Asst. Secretary

OFFICE OF CITY
COUNCIL/CITY CLERK

David Phaneuf, Treasurer
Victor Giambrone, Asst. Treasurer
William Boyle, Member
Tim Farrell, Member
Gary Cicerini, Member

Staff Members

Brian Koscelansky, Solicitor
Mary Ellen Clarke, Asst. Administrator

Mr. O'Bell, the Chairman of the Scranton Lackawanna Health and Welfare Authority called the regular board meeting to order at 5:30PM.

I. APPROVAL OF MINUTES

Mr. O'Bell presented the Minutes of the June 20, 2019, meeting which had previously been sent to the board members. Mr. Preschutti moved that the minutes be approved as presented. Mr. Farrell seconded the motion and it passed unanimously.

II. TREASURER'S REPORT

A. Approval of Expenditures

Mr. Phaneuf, Treasurer, presented the Treasurer's Reports for June, July, August and September 2019, copies of which are incorporated with the Minutes of this Meeting. As of September 30, 2019, expenditures total \$51,887.06. The balance in the Budget is \$16,112.94. The balance in the Operating Fund is \$34,658.50. Income received and deposited for the month was \$.94. A motion was made by Mr. Granahan to approve the Treasurer's Report for September 30, 2019. Mr. Weinberger seconded and it passed unanimously.

B. Investment Report

A copy of the Investment Report was distributed to all. Mr. Phaneuf noted that in August 3 CD's matured and in September 4 CD's matured. They were all re-invested at the best rate offered after taking \$25,000 for operating expenses. A motion was made by Mr. Lazor to accept the Investment Report. It was seconded by Mr. Boyle and passed unanimously.

III. NEW BUSINESS

A. Review and Approval of 2020 Budget

Mr. Phaneuf presented a proposed 2020 Budget for the board's approval noting that copies had previously been sent to all members of the Finance Committee for their review.

Scranton Lackawanna Health & Welfare Authority
October 17, 2019

Mr. Phaneuf went over Schedules 1 thru 6 noting that the 2020 Budget is in line with the 2019 Budget with no substantial increases in any line item.

With no questions from the board on the proposed 2020 Budget, Mr. Giambrone motioned to accept the 2020 Budget as presented. Mr. Lazor seconded and it passed unanimously.

The board thanked Mr. Phaneuf and Mr. Giambrone for their work on the 2020 Budget.

B. Other Business

1) Approval of Engagement Letter – Michael A. Barbetti LLC

A copy of an Engagement Letter was received from Michael Barbetti for the years of 2017, 2018 and 2019 with a fee of \$14,500 for each year. This is the last year of this Engagement Letter. This engagement was previously approved in the prior years. A motion to accept the Engagement Letter was made by Mr. Farrell and seconded by Mr. Preschutti. It passed unanimously.

2) 2020 Meeting Dates

Ms. Clarke asked if the board members wanted to keep meeting on the Third Thursday of the month in 2020 at 5:30PM. There was a discussion on changing the time of the meetings and it was agreed to change the time to 5PM for 2020.

Ms. Clarke will advertise the 2020 Meeting Dates before the end of the year.

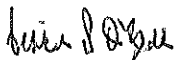
3) Other Business

Ms. Clarke informed the board that the Commissioners have re-appointed Mr. O'Bell, Mr. Preschutti, Mr. Giambrone, and Mr. Farrell. Mr. Pazzaglia notified the Commissioners that he did not want to be re-appointed so they will have to appoint a new member to take his place.

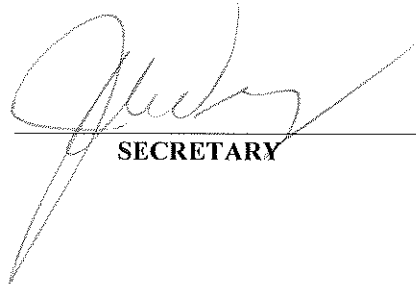
Mr. Granahan and the board expressed wishes for a Happy Holiday to Mr. Weinberger.

IV. ADJOURNMENT

With no further business, Mr. Giambrone moved to adjourn the meeting. Mr. Granahan seconded and the meeting adjourned at 5:50PM.



CHAIRMAN



SECRETARY

SCRANTON/LACKAWANNA HEALTH AND WELFARE AUTHORITY

LACKAWANNA COUNTY GOVT CENTER • P.O Box 860 • 123 WYOMING AVENUE, • SCRANTON, PA 18501-0860

(570) 342-2353

FAX (570) 342-4088

November 22, 2019

RECEIVED

NOV 25 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Scranton City Council
Attention: Ms. Lori Reed, City Clerk
340 N. Washington Avenue
Scranton, PA 18503

RE: SCRANTON-LACKAWANNA HEALTH & WELFARE AUTHORITY MINUTES

Dear Ms. Reed:

Pursuant to the Pennsylvania Municipality Authorities Act of 1945, enclosed you will find the Minutes of the Scranton-Lackawanna Health & Welfare Authority's Regular Board Meeting of October 17, 2019.

If you have any questions, or need additional information, please call at any time.

Sincerely,



Mary Ellen Clarke
Asst. Administrator

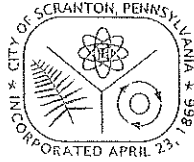
Enc.

Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

Lori Reed
City Clerk

Amil Minora, Esq.
Counsel



Pat Rogan, President
Timothy Perry, Vice President
William Gaughan
Kyle Donahue
Mary Walsh Dempsey, Esq.

November 22nd, 2019

The Honorable Wayne E. Evans
Mayor, City of Scranton
340 North Washington Avenue
Scranton, PA 18503

Dear Mayor Evans:

At the November 25th Scranton City Council meeting, a motion was made and unanimously passed, respectfully requesting that the Administration provide an alternative analysis of the 2020 budget; which takes into account the prospect that the following revenue sources aren't fully realized:

- A. The sale of assets in the amount of \$2,256,796.05.
- B. The conversion of the refuse bill into the real estate tax bill, along with the lowering of the refuse fee from \$300 to \$250.
- C. The conversion from the Business Privilege and Mercantile Tax to the Payroll Preparation Tax.
- D. A refuse amnesty program.

Since there are so many moving parts to the 2020 budget, Council wishes to look at other options, if possible, should any of these revenue sources not materialize.

Respectfully,

Lori Reed
City Clerk

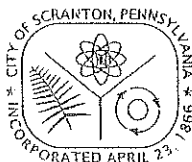
cc: Mr. David M. Bulzoni, Business Administrator
Scranton City Council

Council of the City of Scranton

340 No. Washington Avenue • Scranton, Pennsylvania 18503 • Telephone (570) 348-4113 • Fax (570) 348-4207

Lori Reed
City Clerk

Amil Minora, Esq.
Counsel



Pat Rogan, President
Timothy Perry, Vice President
William Gaughan
Kyle Donahue
Mary Walsh Dempsey, Esq.

November 27, 2019

The Honorable Wayne E. Evans
Mayor, City of Scranton
340 North Washington Avenue
Scranton, PA 18503

Dear Mayor Evans:

The following are a listing of Scranton City Council's questions concerning the City's 2020 Operating Budget. Please respond to these questions, in writing, prior to the caucus scheduled for December 4th, in order to have a productive discussion.

2020 Budget Questions

1. In the narrative for expenditures it states "the 2020 budget continues the process of investment and fiscal management in conjunction with the revised recovery plan and exit strategy."
 - a. According to Exit plan projects over the last 5 years the City has exceeded projections by \$17,674,121 in capital expenditures, department expenditures and non-departmental expenditures. Please explain how this is fiscally sound and in conjunction with the revised recovery plan and exit strategy.
2. Please provide more details on the plan to convert the refuse bill into the real estate tax bill. Please include answers to the following questions:
 - a. It's our understanding that commercial properties will have to pay the \$250 refuse fee under this new plan even though they pay a private hauler. Please explain how the City can legally charge someone a fee without providing the service. Is there any concern that this will be challenged with the potential of the city losing and our revenue being negatively affected?
 - b. Under this new process, it's our understanding that owners of apartment buildings will now only have to pay one refuse bill of \$250 where in the past they had to pay for each unit. Please explain how this is fair to city residents.
 - c. Under this new process, it's our understanding that owners of apartment buildings with more than 4 units will have to pay a refuse bill of \$250 and also a private hauler. Please explain how the City can legally charge someone a fee without providing the service. Is there any concern that this will be challenged with the potential of the city losing and our revenue being negatively affected?

- d. Please advise where the shift from \$300 to \$250 came from? Are there statistically based figures or concrete evidence to back up this figure? If so, please provide the same.
 - e. The narrative states "The optionality of this modification may be impacted by a reassessment of real property in Lackawanna County." What impact does reassessment have on the optionality of embedding fee into tax bill?
 - f. Is the Single Tax Office equipped and prepared to collect refuse delinquencies so the City will not suffer any loss of any monthly revenue?
 - g. According to the budget narrative "The City will seek to review alternative collection processes for delinquent refuse payments." Please update council on progress towards the alternative collection process.
 - h. The budget narrative says the further review of programs for either a refuse amnesty program and/or the sale of refuse receivables is projected in the 2020 budget. Is the "sale of assets" figure in the budget a combination of both the amnesty program and the sale of refuse receivables or just the sale of receivables? Please explain how you arrived at the figure located under the sale of assets line item.
 - i. What is the plan B if either of these options fail or don't come to fruition?
3. The budget narrative states that "The improvement in Mercantile and BP Tax collection percentages through the use of analytics by the Single Tax Office was never fully realized."
 - a. Please explain why the improvement in collections never materialized?
 4. The budget states that there will be an effort to convert from enacting a Business Privilege and Mercantile Tax to a Payroll Preparation tax.
 - a. Is it correct that the plan would be to repeal the Business Privilege and Mercantile Tax after everyone has paid it in 2020 and then enact the payroll preparation tax and expect businesses to pay that in 2020 as well?
 - b. When does the administration expect the school district to decide whether or not they will convert to a payroll preparation tax? If they don't will that affect our conversion and expected revenue?
 - c. Could the city be opening itself up to additional lawsuits?
 - d. Are overtime and/or bonuses included in payroll figures?
 - e. What constitutes the payroll that will be collected from a non-profit?
 - f. Do you have any knowledge of the success or failures that Pittsburgh experienced when they converted to a payroll preparation tax?
 5. The budget narrative states that "The City budget reflects optimism that tax abatement legislation will have a positive effect on development." What kind of effect has the legislation had so far in terms of development in the city?
 6. Please provide Council with a list of current projects that the City is engaged in and the current cost of those projects. For example: the Serrenti Center, the Firehouse Improvement Project... Please note where the City is over budget or under budget for these projects and when they expect to be completed.
 7. The budget narrative states "The budget also includes a transfer of funds to meet the debt service requirements of the proposed pension obligation note" Please provide council with the amount of funds that will be necessary to meet the debt service requirement of the pension obligation note.

REVENUE

8. SALE OF ASSETS - The budget states that revenue is expected to be of \$2,256,796.05 (sale of refuse receivables)
 - a. Please explain your calculations for this budgeted amount.
 - b. Please explain how the transaction works and what the administration's plan will be if this doesn't pan out.
 - c. What would the tax increase look like if the City were not expecting this revenue (\$2,256,796.05)?
9. The City's 2020 Budget reports no Non-Resident Wage Tax revenue collected for the nine months ending September 30, 2019. Please provide an explanation of this line item and the amount of non-resident wage tax revenue received to date.
10. Why is the 2020 budget decrease revenue from the non-resident wage tax by \$420,000?
11. Scranton realtors have mentioned the difficulty of selling City properties because of potential buyers concern with high city and school taxes and the financial uncertainty of the outcome of numerous lawsuits against the City. Please produce the City's budget Real Estate Transfer Tax Revenue calculations. Also, please provide the actual 2019 Real Estate transfer Tax revenue in order to access the reasonableness of the City's budgeted amount for 2020.
12. Are you expecting the City to fall short of the 2019 budgeted amount for Wage Tax Revenue? Please provide your calculations for these figures. What did the City collect in 2018 wage tax revenue?
2019 budget - \$29,212,533
Actual as of 9/30/19 - \$21,021,102
2019 Annualized - \$28,028,136
2020 Budget - \$28,860,288
13. Are you expecting the City to fall short of the 2019 budgeted amount for Local Service Tax Revenue? Please provide your calculations for the 2020 figure. What was the actual 2018 LST revenue?
2019 budget - \$4,810,000
Actual as of 9/30/19 - \$2,495,117
2019 annualized - \$3,326,823
2020 Budget - \$4,653,335
14. The 2019 City's reported mercantile tax is significantly lagging behind the budgeted amount. Please explain in detail what the issues are with the collection process. What was the actual 2018 Mercantile Tax Revenue?
2019 budget - \$3,585,250
Actual 9/30/19 - \$2,301,938
2019 Annualized - \$3,069,251
2020 Budget - \$2,575,000
15. Why is the amusement tax revenue 23% less than the 2019 budgeted amount of \$385,000?

16. Please provide your rationale and calculations for the Pave Cut UGI Revenue budgeted amount of \$245,000.
17. CATV Revenue - The budgeted amount reflects an approximate 15% increase from the 2019 budgeted amount. The 2020 budget narrative indicates the amount budgeted reflects the execution of revised contract. Please advise if the revised contract amount is an annual amount that starts on Jan 1, 2020.
18. Small Cell Tower Revenue - Please advise if the City has signed a contract for the cell tower and if the 2020 budgeted amount is a \$100,000 upfront payment or an annual fee.
19. What does the Other-Not classified revenue consist of? The City budgeted \$200,000 in 2019 budget has only collected \$86,612.10. The city expects to collect \$100,000 in 2020.
20. Please provide an update on negotiations with the Commonwealth of Pennsylvania Department of Labor and Industry regarding the potential release of \$6 million in excess funds reserved for the self-funded workers' compensation program.
21. The 2019 and 2020 budgets include \$2,339,541 in Liquid Fuel revenue. As of Sept 30, 2019 the City reported \$657,107 in liquid fuels revenue. Please explain when and how much additional 2019 liquid fuel revenue the City is expected to receive.
22. Please explain why only \$20,000 budgeted for quality of life tickets for 2020.
23. The budget states that 2020 will be a "continuation of the targeted contribution approach of the U of S". Can you please specifically spell out who is in charge of the PILOT program and what is the anticipated financial goal of this program for 2020? Are there any written parameters of this program that Council should be aware of?
24. The 2019 budget included \$1,475,000 for delinquent real estate taxes and \$3,370,270.51 has been collected as of 9/30/19. What has been done differently in 2019 to achieve that increase? Since \$2,975,000 is budgeted for 2020, what is the justification for that increased collection rate to continue?

EXPENDITURES

25. Please explain why interest and debt service is rising nearly 5 million dollars in 2020?
26. In order to have a better understanding of the under budgeting of health care costs in 2019 and the reasonableness of the 2020 budgeted amounts please provide the following:
- i. The amount of expected under budgeting health care costs by department.
 - ii. A comparison of the 2018 budgeted and actual health care costs by department.
 - iii. How much, if any, 2018 health care costs are included in the actual health insurance costs through September 30, 2019.
 - iv. What is the industry percentage used by the City in projecting costs in 2020. What was the industry percentage the City used in 2019?
 - v. Please provide: (i) a copy of any third party independent consultant report (not an audit) that was performed, at any time, within the last three years to analyze the City's claims as well as to determine whether any other cost efficient alternatives, of any sort, remain on the open market in order to avoid an increase in health care costs for the police of 13.6%, for the Fire of 39%

(which seems particularly high under any equitable or comparative analysis) and for the DPW of 19%; (b) the date for the last time the City met with the Union's health Care Committee including the name(s) of the person(s) who met with the Committee and the results of such meetings. If there are minutes or notes of that meeting, please provide the same; (ii) a copy of the National Health Care Consultant's report to "contain health care costs" as noted in Section 3, Para. A of the Police CBA.

27. Flood Protection System Maintenance

a. Please explain why the City has an approximate 75% reduction in city funds devoted to flood protection maintenance in 2020.

b. The City budgeted \$1,073,900 for the flood protection system maintenance in 2019. Less than 50% of the funds have been expended through September 30th, 2019. Will these funds be expended before the end of the year? Please provide a breakdown of what this money has been spent on.

28. Why is the budgeted amount for street light maintenance increasing from \$60,000 in 2019 to \$150,000 in 2020?

29. Will the City be over budget in regards to its roadway resurfacing program for 2019? The budget states that as of 9/30/19 no funds have been expended out of the \$875,000 that are budgeted. Please explain.

30. Please explain why the City has not expended any recycling funds as of 9/30/19. The 2019 budgeted amount was \$175,000. Please also explain your calculations and rationale for the \$350,000 budgeted for recycling in 2020.

31. The 2019 budget narrative indicated that the cost of professional services to complete the energy evaluation of the public works facility will be incorporated into the ESCO lease. Please provide the cost of professional services that were incorporated into the ESCO lease, if the energy evaluation was completed and if the 2020 budgeted amount includes the professional services component.

32. Under the narrative for the Bureau of Administration it states "The budget will continue to be expansive because of its collective nature for many related costs associated both current and proposed capital projects. Generally, these costs support related engineering and design services or professional contracts not specifically embedded into the various departmental budgets."

a. Why are these costs not embedded into departmental budgets? Wouldn't that give us a true sense of what is going on in each department? Why are these being combined into the BA's budget?

33. Please give us an update on the potential addition of GPS in city vehicles and what the cost might be.

34. Information Technology

a. What is the new fleet management software?

b. The budget narrative states "The training budget will be increased to provide additional staff training to bypass the need to add a network administrator to the budget" Please explain what this entails and how many people will have to be trained.

c. Why does this department need another dedicated vehicle? How many vehicles does it have now? What are they used for?

d. If the employees receive mileage payments, please provide a copy of their job descriptions and a copy of the written analysis that was performed to determine that it is more economically feasible for the department to have a car rather than submitting mileage payments.

i. This paperwork will assist Council in determining (1) whether mileage payments are even appropriate under the circumstances and (2) if they are appropriate, how much they equal per year, so we can determine, in fact a vehicle would be the most cost effective approach to this mileage issue.

e. Please breakdown the cost of:

- i. Replacement of outdated MTD's in police vehicles
- ii. Additional servers including those situated in the new public safety building
- iii. Access control update
- iv. Cameras at city facilities, including the parks system
- v. A new central firewall

35. The budget states that the building demolition line item was expanded for greater activity in 2019. Building demolition line item

- i. How many homes were demolished in the City in 2019?
- ii. Please explain why the City has only utilized \$20,775 of a \$150,000 budget for the demolition of buildings when blight continues to be a significant issue in all neighborhoods.

36. The budget narrative states "It remains unknown at the time of budget submission whether the City will seek to assume the legal responsibilities of the Scranton Sewer Authority" Please explain this statement.

37. The Police Department narrative states "The capital expenditure budget will increase by \$75,000 to include patrol vehicle purchases, training simulator costs, additional firearms, and costs associated with the public safety building, including plumbing and the paving of the parking lot"

- a. Breakdown the costs/projects mentioned above. What is the total cost to date of the new public safety building?

38. Fire Department - please provide a status update including costs to date of the firehouse improvement project. Are we over budget on this project from what was disclosed at the start?

39. Single Tax Office: The budget narrative states "Salary increases are included in the budget for office employees based on the additional efforts required to manage changes to the City of Scranton refuse billing and payment program" ---- please explain what the additional efforts are? Has it been finalized that the single tax office would handle the refuse billing and payment program?

40. The budget narrative states "The other salary budget is funded for the possibility that the single tax office is designated as collector of the payroll preparation tax. The office would be required to add personnel for the collection of the tax."

- a. When will this be decided?
- b. How many personnel?

41. Pension Obligation Note, Series 2018
- a. The budget narrative states "Upon repayment, the City will owe the difference, or net value, based on the spread between the earnings and the note rate. The present interest earnings rate is 1.65%
- i. What will the difference, or net value be?
- ii. When will this note be paid off?
42. Is it necessary to put \$50,000 into OPEB since we are placing a minimum of 5,750,000 (if not the whole 6,000,000) as reimbursement from the state? Can that money be used elsewhere to make an impact?
43. Please provide the date of the last time that the Liability and Casualty Insurance - which is currently budgeted at \$1,175,000 was bid out?
44. According to the budget narrative the administration is planning on adding funds to the "other salary" for the potential of adding several positions next year. Please provide a breakdown of how much money has been placed in the other salary account for these positions.

PERSONNEL

45. Is there a written job description for the proposed position "Fleet Coordinator" at the DPW? Will this be a union or non-union position? It says the position is being added to better "manage the gas card and GPS programs" - is there any reason these functions cannot be managed better and more efficiently out of the Controller's office since the Controller is responsible to manage and review all vouchers for the expenditures for city monies and verification that such expenditures are within the respective budget amount? Why was this title changed from fleet manager?
46. Is there a written job description for the proposed position of Chief of Staff for the Mayor? If the same is not in writing, please provide the administration's vision for this position? If there is not, exactly why types of essential functions will this individual be tasked with performing?
47. Also, please explain the total cost of the 14 firemen who were hired in 2016 under the SAFER Grant. Explain the rationale behind absorbing the cost of these employees and not laying them off which the administration suggested may be the plan a few years ago when it was clear the City may not receive the SAFER grant again.
48. Is there a written job description for the title of "Asst. City Solicitor", and if so, please provide a copy of the same.
49. The full-time Asst. City Solicitor Salary is at \$60,000 and then the additional part-time Asst. City Solicitor was decreased from \$35,000 to \$10,000. What is the job description for the part-time Assistant City Solicitor? Is it realistic to hire a part-time solicitor for only \$10,000?
50. What justification is there for raising the salary of the Finance Manager/Asst. Business Administrator over 20%? If there is not, exactly why types of essential functions will this individual be tasked with performing?

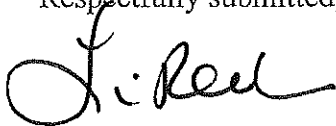
51. DPW - Dept. of Highways - is adding a "watchperson." Is there a written job description for this position? If so, please provide. If there is not, exactly why types of essential functions will this individual be tasked with performing?

COURT AWARDS

52. In 2019, the City budgeted \$725,000 for Court Awards and spent 357,839.35 and has budgeted \$500,000 for 2020. In particular, the Council is interested in whether these amounts include the potential resolutions or jury verdict involving the ACT 511 lawsuit and the Refuse Fee Lawsuit. In the event that this amount of 553,000 does affirmatively include the City's potential exposure on these two matters, assuming the City is not successful, please provide a clear, brief and concise analysis of how the City determined how much money to set aside for "reserves" relative to these two class action lawsuits as if there is a likelihood that the City would have to repay any money to taxpayers such amounts would have to be set aside thereby causing an unbalanced budget. The council would like to request an executive session with the administration to discuss ongoing litigation and its effect on this line item in 2020.

In addition, City Council did receive questions from one member of the public: Joan Hodowanitz; which are attached for your review. If you would kindly address her questions/concerns as well.

Respectfully submitted,



Lori Reed
City Clerk

Attachment

cc: Mr. David M. Bulzoni, Business Administrator
Scranton City Council

2020 BUDGET NOTES

QUESTIONS FROM JOAN HODOWANITZ

RECEIVED

NOV 25 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

1. FINANCIAL OVERVIEW:

- a. WHY HAVE REAL ESTATE LAND AND IMPROVEMENT VALUES DECREASED BY \$12 MILLION (OR 3 PERCENT) SINCE THE LAST BUDGET YEAR? WHAT MEASURES, OTHER THAN REASSESSMENT, WILL REVERSE THIS TREND?
- b. "AN EFFECTIVE STORM WATER MANAGEMENT PROGRAM PORTENDS TO BE A PRINCIPAL INITIATIVE IN 2020." WHERE ARE THE NUMBERS TO SUPPORT THIS STATEMENT?

2. 2020 GENERAL FUND REVENUES:

- a. REFUSE REVENUE: IF THE REFUSE FEE IS FOLDED BACK INTO THE REAL ESTATE TAX, WHAT WOULD A LANDLORD PAY IF HIS RENTAL PROPERTY (WITH FOUR UNITS) SITS ON ONE PARCEL OF LAND?
 - i. WILL THE REFUSE REVENUE BE FOLDED BACK INTO THE REAL ESTATE TAX IN 2020 OR 2021?
- b. WHAT HAPPENS TO THE PAYROLL PREPARATION TAX REVENUE IF THE SCRANTON SCHOOL DISTRICT KEEPS THE MERCANTILE/BUSINESS PRIVILEGE TAX? DO BOTH TAXING AUTHORITIES HAVE TO AGREE TO A PAYROLL PREPARATION TAX, OR CAN THE CITY DO IT BY ITSELF? IS THERE A PLAN B?
- c. WHAT HAPPENS TO THE LST AFTER WE COME OUT OF DISTRESSED STATUS? IS IT STILL \$156?

- d. REVENUE SUMMARY: WHY THE INCREASE IN INTERFUND TRANSFERS (\$4,147,743 IN 2019 AND \$9,398,901 IN 2020)?
 - e. WHY DOES THE NON-RESIDENT WAGE TAX GO FROM \$520,000 IN 2019 TO \$100,000 IN 2020?
 - f. MISCELLANEOUS REVENUES: WHAT IS THE "SALE OF ASSETS" FOR \$2,256,796.05? WHAT ARE WE SELLING?
3. 2020 GENERAL FUND EXPENDITURES:
- a. MAYOR'S OFFICE: "AN OPTIONAL SALARY COMPONENT WAS ADDED FOR A CHIEF OF STAFF POSITION." THIS IS NOT REFLECTED LATER IN THE BUDGET – MAYOR'S OFFICE SHOWS ONLY THREE PEOPLE – NO CHIEF OF STAFF. HOW MUCH MONEY IS SET ASIDE FOR THIS? WHERE IS IT SHOW IN THE BUDGET?
 - b. WHY WAS HEALTHCARE FOR THE POLICE, FIRE AND DPW UNDER-BUDGETED IN 2019?
 - c. IF THE INFORMATION TECHNOLOGY DEPARTMENT HAS ONLY THREE PEOPLE, WHY DO THEY NEED ANOTHER DEDICATED VEHICLE? HOW MANY VEHICLES DO THEY HAVE NOW? IN 2020?
 - d. WHY ARE ALL THREE EMPLOYEES IN THE INFORMATION TECHNOLOGY DEPARTMENT GETTING A RAISE (\$7,000 FOR THE DIRECTOR, \$5,000 FOR THE DEPUTY DIRECTOR, AND \$5,000 FOR THE NETWORK SYSTEM ASSISTANT)?

- e. WHY IS THE CITY CONTROLLER PAID ONLY \$40,000 – LESS THAN SOME CONFIDENTIAL SECRETARIES/EXECUTIVE ASSISTANTS? THIS IS THE CITY'S INTERNAL WATCHDOG.
- f. WHY HAS THE MANNING IN THE BUREAU OF FIRE GONE FROM 124 IN 2019 TO 139 IN 2020 – AN INCREASE OF 15 EMPLOYEES?

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

SECTION 1. Be it ordained by the Council of the City of Scranton that the following

Sections of File of the Council No. 6, 1976 shall be amended to read as follows:

- A. Section 2. **IMPOSITION OF TAX.** For calendar year 2020, the City of Scranton adopts the provisions of Article XI-D of the Tax Reform Code of 1971 and imposes a realty transfer tax as authorized under that Article subject to the rate limitations therein on each transfer of real property situate within the City of Scranton, or any interest therein, regardless of where the instruments making the transfers are made, executed or delivered, or where the actual settlements on such transfers take place. On and after the effective date of this Ordinance, every person who accepts delivery of any document or on whose behalf delivery of any document is accepted, shall be subject to pay a tax of 2.2 percentum of the value of the property represented by such documents which tax shall be payable at the time of the acceptance of delivery of the document. Where any document is delivered to the Commonwealth, to a political subdivision or to an authority created by the Commonwealth, or a political subdivision, the person by whom the document was made, executed, issued or delivered shall be subject to pay the tax, unless the transfer is between such governmental agencies, in which case no tax shall be paid. Where any lands, tenements or hereditament are situate partly within and partly without the boundaries of the City of Scranton, the tax shall be paid on the value of the portion of the lands, tenements or hereditament situate within the City of Scranton, the tax shall be paid on the value of the portion of the lands, tenements or hereditament situate within the City of Scranton."
- B. Section 6. **INTEREST.** Any tax under Section 2 that is not paid by the date the tax is due shall bear interest as prescribed for interest on delinquent municipal claims under the Act of May 16, 1923 (P.L. 207, No. 153) (53 P.S. Section 7101, et seq.) as amended, known as "The Municipal Claims and Tax Liens Act". The interest rate shall be the lesser of the interest rate imposed upon delinquent Commonwealth taxes as provided in Section 806 of the Act of April 9, 1929 (P.L. 343, No. 176) (72 P.S. S806), as amended, known as "The Fiscal Code", or the maximum interest rate permitted under the Municipal Claims and Tax Liens Act for tax claims.
- C. Section 11. **EFFECTIVE DATE.** The provisions of this ordinance shall become effective on and be applicable to any document made, executed, delivered, accepted or presented for recording on or after October 5, 2005 and shall be effective annually thereafter, without annual reenactment unless and until there is a change in the rate of taxation, pursuant to the Local Tax Enabling Act, 53 Pa. C.S. § 6924.306.

SECTION 2. In all other respects, File of the Council No. 6, 1976 shall remain in full force and effect.

SECTION 3. 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 and intent of this ordinance and the effective administration thereof.

SECTION 4. This Ordinance shall become effective January 1, 2020.

SECTION 5. If the correct amount of the tax is not paid by the last date prescribed for timely payment, The City of Scranton, pursuant to Section 1102-D of the Tax Reform Code of 1971 (72 P.S. S 8102-D), authorizes and directs the Department of Revenue of the Commonwealth of Pennsylvania to determine, collect and enforce the tax, interest and penalties.

SECTION 6. This Ordinance 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.



DEPARTMENT OF LAW

P E N N S Y L V A N I A CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 25, 2019

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NOV 25 2019

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. 6, 1976 ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES", BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND TWO TENTHS PERCENT (2.2%) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

Joseph Price (B)
Joseph G. Price, Esquire
Assistant City Solicitor

JLE/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, and it is hereby ordained that Part II of File of the Council No. 11, 1976 is hereby amended to read as follows:

"II. IMPOSITION OF TAX.

An annual tax for general revenue purposes of two and four tenths percent (2.4%) is hereby imposed on the earned income received and net profits earned in the period beginning January 1ST and ending December 31ST annually by all persons, individuals, associations, and businesses who are residents of the City of Scranton, and one percent (1%) on non-residents of the City of Scranton, for work done, services performed or businesses conducted within the City of Scranton."

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 and intent of this ordinance and the effective administration thereof.

SECTION 3. In all other respects, File of the Council No. 11, 1976 shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective January 1, 2020.

SECTION 5. This Ordinance is enacted by the Council of the City of Scranton and said taxes are levied pursuant to the authority of the Act of the Legislature, April 13, 1972, Act No.



DEPARTMENT OF LAW

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COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY RE-ENACTING THE IMPOSITION OF THE WAGE TAX AT TWO AND FOUR TENTHS (2.4%) PERCENT ON EARNED INCOME FOR RESIDENTS AND ONE (1%) PERCENT ON EARNED INCOME FOR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 43, 2018, AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 100, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) LEVYING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 1977", BY SETTING THE MILLAGE FOR THE YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER" BY AMENDING SECTION 1 REVERTING BACK TO THE MILLAGE RATES FROM 2016 WHICH ARE .232521 MILLS LEVY ON LAND AND .050564 MILLS LEVY ON ALL BUILDINGS AND BY ELIMINATING THE DEDICATED MILLAGE FOR DEBT SERVICE CONTAINED IN SECTION 2 AND REPLACING THE DEDICATED MILLAGE FOR DEBT SERVICE WITH A DEDICATED DEBT PERCENTAGE OF 33% OF REAL ESTATE TAX REVENUES COLLECTED ON A CURRENT YEAR BASIS.

SECTION 1. Be it ordained by the Council of the City of Scranton, that Section 1 of File of the Council No. 100, 1976 shall be amended to read as follows:

"The Council of the City of Scranton ordains that for the purpose of defraying the expense of the City of Scranton for the fiscal year commencing on the first day of January, 2020 and certain other deficiencies prior thereto, a tax is hereby levied on all real, personal and mixed property within the limits of the City of Scranton, Pennsylvania taxable according to the laws of the Commonwealth of Pennsylvania as follows:

To provide for the payment of general expenses and to provide for the various interest and sinking funds as required by law, there is hereby levied on each thousand dollar of valuation in the Scranton Twenty-Four Ward area:

For General Expense and Sinking Fund purposes:

Levy on all Land	.232521 millage rate
Levy on all buildings	.050564 millage rate

The total levy for general and special purpose is two hundred thirty two dollars and .521 cents (\$232.521) on each one thousand dollars of said valuation of land, and fifty dollars and .564 cents (\$50.564) on each one thousand dollars of said valuation on all buildings."

The total levy remains unchanged from 2016 at 283.085 mills.

SECTION 2. Eliminating the dedicated millage for debt service and imbedding a dedicated percentage of revenues thereby meeting the intent of a segregated stream of revenues assigned to debt service. To address the continued dedication of real estate tax revenue, the Single Tax Office will be notified, and the amended legislation will certify, that 33% of real estate tax revenue on a current year basis will be remitted to the City's Single Point Paying Agent to meet the budgeted debt service requirement for the fiscal year.

SECTION 3. This Ordinance shall become effective January 1, 2020.

SECTION 4. In all other respects, File of the Council No. 100, 1976 shall remain in full force and effect.

SECTION 5. 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 and intent of this Ordinance and the effective administration thereof.

SECTION 6. The tax imposed herein is effective for calendar year 2020 and shall remain in full force and effect annually thereafter, without annual reenactment unless and until there is a change in the rate of taxation, pursuant to the Local Tax Enabling Act, 53 Pa. C.S. § 6924.306 and the Act of the Legislature, April 13, 1972, Act No. 62.

SECTION 7. This Ordinance 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.



DEPARTMENT OF LAW

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Respectfully,

Joseph Price (s)
Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

SECTION 1. Be it ordained by the Council of the City of Scranton that Section 3 of File of the Council No. 147, 1986 shall be amended to read as follows:

"Section 3. Imposition and rate of tax:
Beginning with the tax year 2020, and
annually thereafter, every person engaging
in any business in the City of Scranton shall
pay an annual tax at the rate of one (1) mill
(.001) on each dollar of volume of the
gross annual receipts thereof."

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 and intent of this ordinance, and the effective administration thereof.

SECTION 3. In all other respects, File of the Council No. 147, 1986 shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective January 1, 2020.

SECTION 5. This Ordinance is enacted by the Council of the City of Scranton and said taxes are levied pursuant to 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.



DEPARTMENT OF LAW

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Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 147, 1986, ENTITLED "AN ORDINANCE PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES", BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

Joseph G. Price (s)

Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AMENDING FILE OF THE COUNCIL NO. 148, 1986, ENTITLED "AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 98, 1976, AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON, that

Section 4 of File of the Council No. 148, 1986 shall be amended to read as follows:

"Section 4. Imposition and rate of tax.

Every person engaging in any of the following occupations or businesses in the City shall pay a Mercantile License Tax for the year 2020 and annually thereafter at the rate set forth:

- (a) Wholesale vendors or dealers in goods, wares and merchandise, at the rate of one (1) mill (.001) on each dollar of the volume of the annual gross business transacted by them;
- (b) Retail vendors or dealers in goods, wares and merchandise, at the rate of one (1) mill (.001) on each dollar of the volume of annual gross business transacted by them;
- (c) All persons or entities engaged in conducting restaurants or other places where food, drink or refreshments are sold, whether or not the same be incidental to some other business or occupation, and all persons or entities conducting places of amusement or entertainment, whether or not the same be incidental to some other business or occupation, at the rate of one (1) mill (.001) on each dollar of the volume of the annual gross business transacted by them; and
- (d) The tax imposed by this Section shall not apply to the dollar volume of annual business covering the resale of goods, wares or merchandise taken by a dealer as a trade-in or part-payment for other goods or wares, except to the extent that the resale price exceeds the trade-in allowance."

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



DEPARTMENT OF LAW

PENNSYLVANIA CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 25, 2019

RECEIVED

NOV 25 2019

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. 148, 1986, ENTITLED "AN ORDINANCE, AMENDING FILE OF THE COUNCIL NO. 98, 1976, AS AMENDED, AND IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1987 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES EFFECTIVE JANUARY 1, 1987", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL (.001) FOR CALENDAR YEAR 2020 AND THE SAME SHALL REMAIN IN FULL FORCE AND EFFECT ANNUALLY THEREAFTER.

Respectfully,

Joseph Price (s)
Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

WHEREAS, the Pennsylvania Liquor Control Board ("PLCB") requires that the governing body of a municipality pass legislation approving an inter-municipal transfer of a liquor license when a municipality has met its quota of liquor licenses; and

WHEREAS, Grappa, LLC wishes to transfer Pennsylvania Liquor License Number R-15715 owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safe keeping with the Pennsylvania Liquor Control Board, formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania, 18411 to the City of Scranton to be used by Grappa, LLC, 100 North Main Avenue Scranton, Lackawanna County, Pennsylvania to operate a restaurant; and

WHEREAS, the Council of the City of Scranton approves the transfer of this license subject to its authority regarding inter-municipal transfers and subject to public comment on the same.

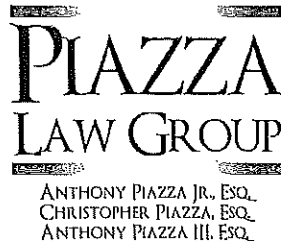
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the inter-municipal transfer request of Grappa, LLC wishes to transfer Liquor License Number R-15715 owned by KayGeeCee, Inc., d/b/a J.J. Bridges currently in safe keeping by the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to the City of Scranton for use at 100 North Main Avenue, Scranton, Pennsylvania is hereby approved.

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.



November 19, 2019

Jessica Eskra, Esquire
Sally Locker slocker@scrantonpa.gov
City of Scranton Solicitor-Scranton City Hall
340 North Washington Avenue
Scranton, Pennsylvania 18503

Re: Pennsylvania Liquor Control Board License Number R-15715 currently owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc.

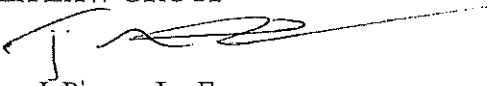
Dear Jessica and Sally:

I represent Grappa, LLC regarding the transfer of the Liquor License from KayGeeCee, Inc., d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc. for use at 100 N. Main Avenue, Scranton, Lackawanna County, Pennsylvania.

Grappa, LLC seeks to transfer Pennsylvania Liquor Control Board License Number R-15715 currently owned by KayGeeCee, Inc. d/b/a J.J. Bridges, currently in safekeeping with the Pennsylvania Liquor Control Board formerly used at 925 Northern Boulevard, South Abington Township, Pennsylvania to Grappa, Inc. for use at 100 N. Main Avenue, Scranton, Lackawanna County, Pennsylvania to operate a restaurant. I respectfully request that the matter be presented to the City Council as soon as possible. Enclosed is a draft Ordinance for review and approval.

Should you have any questions or any additional information is needed, please feel free to contact me. Thank you.

Very truly yours,
PIAZZA LAW GROUP


Anthony J. Piazza, Jr., Esq.

AJP/taw
encl.

Phone: 570-382-3143 Facsimile 570-483-4684
801 Boulevard Avenue, Dickson City, PA 18519
or
1500 Walnut Street, Suite 1060, Philadelphia, PA 19102
1-855-LAW-NEPA WWW.PIAZZALAWGROUP.COM



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 25, 2019

RECEIVED

NOV 25 2019

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 APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDGES, CURRENTLY IN SAFE KEEPING WITH THE PENNSYLVANIA LIQUOR BOARD FORMERLY USED AT 925 NORTHERN BOULEVARD, SOUTH ABINGTON TOWNSHIP, PENNSYLVANIA, 18411, FOR USE AT 100 NORTH MAIN AVENUE, SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA, 18504 AS REQUIRED BY THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Respectfully,

Joseph Price (S)
Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

RESOLUTION NO. _____

2019

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$418,774.00 TO BE USED TO INSTALL NEW AND MORE EFFICIENT INLETS AND LARGER PIPES TO ADEQUATELY CONVEY THE RUNOFF ON BRIGGS STREET TO KEYSER CREEK, ITS ORIGINAL OUTLET POINT.

WHEREAS, the City of Scranton is desirous of obtaining funds from the Pennsylvania Department of Community and Economic Development ("DCED") Small Water and Sewer Program in the amount of \$418,774.00 while committing a \$73,902.00 cash match; total project cost \$492,676.00. A copy of the grant application ("Grant Application") and supplemental items are attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

WHEREAS, the existing Briggs Street Storm water conveyance system was constructed in 1967; since then additional storm water conveyance piping has been connected to the system due to additional development in the area. Because of this, in heavy storm events the existing inlets bubble over and storm water sheets flow across Briggs Street while overwhelming the pump house at Merrifield Avenue impacting residential properties on both Briggs and Merrifield; and

WHEREAS, the Project will consist of installing new and more efficient inlets and larger pipes along Briggs Street to adequately convey runoff to Keyser Creek, the original outlet point.

NOW, THEREFORE, BE IT RESOLVED 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 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.

**City of Scranton
Maggie Perry
Grant Manager**

100 South Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 558-8335
Fax: (570) 207-0412
mamclane@scrantonpa.gov



Date: November 22, 2019

To: Attorney Jessica Eskra

From: Maggie Perry- Grant Manager

Re: City of Scranton's Application for the DCED Small Water and Sewer Program

Atty. Eskra,

I am requesting that legislation be sent to Scranton City Council to apply for and execute grant funding from the Pennsylvania Department of Community and Economic Development Small Water and Sewer Program. This funding will be used to install new and more efficient inlets and larger pipes to adequately convey the runoff to on Briggs Street to Keyser Creek, its original outlet point.

The City of Scranton is requesting \$418,774 in grant funding while committing a \$73,902 cash match.

If you have any questions or concerns please feel free to contact me at any time.

Respectfully,


Maggie Perry

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Applicant Information

Applicant Entity Type:	Government
Applicant Name:	City of Scranton
NAICS Code	9211
FEIN/SSN Number	XXXXXXXXXX
DUNS Number:	
CEO:	Wayne Evans
CEO Title:	Mayor
SAP Vendor #:	XXXXXX
Contact Name:	Maggie
Contact Title:	Perry
Phone:	(570)-558-8335 Ext.
Fax:	(570)-207-0412
E-mail:	MaMcLane@scrantonpa.gov
Mailing Address:	340 N. Washington Avenue
City:	Scranton
State:	PA
Zip Code:	18503

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Enterprise Type

Indicate the types of enterprises that describe the organization listed above. You may select more than one type.

<input type="checkbox"/> Advanced Technology	<input type="checkbox"/> Agri-Processor	<input type="checkbox"/> Agri-Producer
<input type="checkbox"/> Authority	<input type="checkbox"/> Biotechnology / Life Sciences	<input type="checkbox"/> Business Financial Services
<input type="checkbox"/> Call Center	<input type="checkbox"/> Child Care Center	<input type="checkbox"/> Commercial
<input type="checkbox"/> Community Dev. Provider	<input type="checkbox"/> Computer & Clerical Operators	<input type="checkbox"/> Defense Related
<input type="checkbox"/> Economic Dev. Provider	<input type="checkbox"/> Educational Facility	<input type="checkbox"/> Emergency Responder
<input type="checkbox"/> Environment and Conservation	<input type="checkbox"/> Exempt Facility	<input type="checkbox"/> Export Manufacturing
<input type="checkbox"/> Export Service	<input type="checkbox"/> Food Processing	<input checked="" type="checkbox"/> Government
<input type="checkbox"/> Healthcare	<input type="checkbox"/> Hospitality	<input type="checkbox"/> Industrial
<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Mining	<input type="checkbox"/> Other
<input type="checkbox"/> Professional Services	<input type="checkbox"/> Recycling	<input type="checkbox"/> Regional & National Headquarters
<input type="checkbox"/> Research & Development	<input type="checkbox"/> Retail	<input type="checkbox"/> Social Services Provider
<input type="checkbox"/> Tourism Promotion	<input type="checkbox"/> Warehouse & Terminal	

Government,

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Overview

Project Name:

Briggs Street System

Is this project related to another previously submitted project?

No

If yes, Indicate previous project name:

Have you contacted anyone at DCED about your project?

No

If yes, Indicate who:

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Overview

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Site Locations

Address:	Briggs Street
City:	Scranton
State:	PA
Zip Code:	18504
County:	Lackawanna
Municipality:	Scranton City
PA House:	Marty Flynn (113)
PA Senate:	John P. Blake (22)
Designated Areas:	Act 47 Distressed Community

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Budget

	PA Small Water	Cash Match Local	Total
Related Costs	\$40,000.00	\$0.00	
Engineering	\$40,000.00	\$0.00	\$40,000.00
Miscellaneous	\$378,774.00	\$73,902.00	
Construction	\$273,818.00	\$73,902.00	\$347,720.00
Mobilization	\$8,622.40	\$0.00	\$8,622.40
Trench Restoration	\$83,400.00	\$0.00	\$83,400.00
Maintenance and Protection of Traffic During Construction	\$12,933.60	\$0.00	\$12,933.60
Total	\$418,774.00	\$73,902.00	
		Budget Total:	\$492,676.00

Basis of Cost

Provide the basis for calculating the costs that are identified in the Project Budget.

Engineer Estimates

Budget Narrative

The narrative must specifically address each of the cost items identified in the Project Budget section. If an amount is placed in any of the OTHER categories, you must specify what the money will be used for. **NOTE:** Some programs have specific guidelines regarding the narrative necessary to qualify for that particular resource. Please read the Program Guidelines for details.

The cost is based on a Preliminary Estimate provided by City of Scranton Bureau of Engineering on November 18, 2019

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Narrative**What do you plan to accomplish with this project?**

Identify the problem(s) that need to be resolved.

The existing Briggs Street Storm water conveyance system was constructed in 1967; since then additional storm water conveyance piping has been connected to the system due to additional development in the area. Because of this, in heavy storm events the existing inlets "bubble over" and storm water sheets flow across Briggs Street while overwhelming the pump house at Merrifield Avenue impacting residential properties on both Briggs and Merrifield.

How do you plan to accomplish it?

Include expected outcomes that are measurable, obtainable, clear and understandable, and valid. Examples of measurable outcomes include jobs created or retained, people trained, land or building acquired, housing units renovated or built, etc.

The project will consist of installing new and more efficient inlets and larger pipes along Briggs Street to adequately convey runoff to Keyser Creek, the original outlet point.

How do you plan to use the funds?

Should include specific use of funds and reflect the budget provided with the application.

Funding will be used for:

Construction: \$347,720

Maintenance and Protection of Traffic During Construction: \$12,933.60

Mobilization: \$8,622.40

Trench Restoration: \$83,400

Engineering (less than 10% of project cost): \$40,000

Projected Schedule and Key Milestones and Dates

A detailed schedule of activities, including key milestones and dates, must accompany this application if applicable to the project.

Once funded the project will take approximately 18 months to complete.

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Program Addenda

In addition to the Electronic Single Application (ESA), the Applicant shall upload the following to the ESA . All items marked with a red diamond are required to be uploaded to the application for electronic submission. The items that are not marked with a red diamond should also be uploaded if they are applicable to the project. For a more detailed explanation of the below items, please refer to Appendix I of the program guidelines.

I understand this application requires a \$100 application fee to be paid electronically before submitting the online application and I will send it along with the signature page, the original single application and all required supplemental information stated in the program guidelines.

1. Project Description.**Uploaded Documents****2. Ownership Letter.****Uploaded Documents****3. Cost Estimate.****Uploaded Documents****4. Matching Funds Commitment.****Uploaded Documents**

5. Flood Construction Documents. (Note: The flood documents are a requirement of the application, but the electronic upload is not required if the documents are not in an easily submitted format.)

Uploaded Documents

6. Color-Coded Map. (Note: The map is a requirement of the application, but the electronic upload is not required if the map is not in an easily submitted format.)

Uploaded Documents**7. Planning Letter.****Uploaded Documents**

Single Application for Assistance

Web Application Id: 8360733

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Program Addenda**8. Resolution.****Uploaded Documents****9. Permits.****Uploaded Documents**

Once submitted, please print one (1) copy of the completed application, to include copies of all required uploads and additional applicable supplemental information, and send to the address listed in the program guidelines. Please reference the Application ID number on all submissions.

**BUREAU OF ENGINEERING**

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

11/18/2019
CITY OF SCRANTON
2020 GRANT
BRIGGS STREET STORMWATER IMPROVEMENTS
Preliminary Opinion of Probable Cost

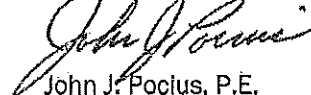
Briggs Street Stormwater Improvements					
The work includes the replacement of the existing stormwater system including inlets, manhole, and stormwater pipes. In addition, the work includes trench restoration and the maintenance of traffic during construction					
ITEM #	DESCRIPTION	UNIT	QUANTITY	UNIT COST	TOTAL COST
1	Type C Inlet	EA	12	\$2,750.00	\$33,000.00
2	Type M Inlet	EA	5	\$2,500.00	\$12,500.00
3	Storm Manhole	EA	1	\$4,500.00	\$4,500.00
4	18" ADS Pipe	LF	660	\$100.00	\$66,000.00
5	24" ADS Pipe	LF	600	\$133.00	\$79,800.00
6	30" ADS Pipe	LF	370	\$166.00	\$61,420.00
7	36" ADS Pipe	LF	440	\$200.00	\$88,000.00
8	Maintenance and Protection of Traffic During Construction	LS	1	\$12,933.60	\$12,933.60
9	Trench Restoration (Pavement)	SY	1020	\$70.00	\$71,400.00
10	Trench Restoration (Grass/Soil)	SY	1000	\$12.00	\$12,000.00
11	36" Concrete Headwall	EA	1	\$2,500.00	\$2,500.00
12	Mobilization	LS	1	\$8,622.40	\$8,622.40
Sub-Total					\$452,676.00

Engineering - Design & Construction Services

\$40,000.00

Preliminary Opinion of Probable Cost Total **\$492,676.00**

Respectfully submitted,
LaBella Associates


John J. Pocius, P.E.
City Engineer



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 26, 2019

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

RECEIVED

NOV 26 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$418,774.00 TO BE USED TO INSTALL NEW AND MORE EFFICIENT INLETS AND LARGER PIPES TO ADEQUATELY CONVEY THE RUNOFF ON BRIGGS STREET TO KEYSER CREEK, ITS ORIGINAL OUTLET POINT.

Respectfully,

Joseph G. Price (S)

Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

RESOLUTION NO. _____

2019

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$179,575.00 TO BE USED TO REPLACE EXISTING STORM ARCH STRUCTURE WITH A NEW CONCRETE ARCH STRUCTURE ON BLOOM AVENUE.

WHEREAS, the City of Scranton is desirous of obtaining funds from the Pennsylvania Department of Community and Economic Development ("DCED") Small Water and Sewer Program in the amount of \$179,575.00 while committing a \$31,690.00 cash match; total project cost is estimated to be \$211,265.00 A copy of the grant application ("Grant Application") and supplemental items are attached hereto as Exhibit "A" and incorporated herein as if set forth at length; and

WHEREAS, the Bloom Avenue Culvert is located in North Scranton, Lackawanna County, PA. The existing culvert consists of a stone arch structure, approximately 10'x 8'. This culvert provides access to two residential properties along Bloom Avenue over Leach Creek. This is the only point of access for these two properties. The stone arch structure is falling and is not adequate to pass the required storm flows from Leach Creek; and

WHEREAS, a permit was applied for and received from PA DEP to replace the existing stone arch structure with a new concrete arch structure, appropriately sized to pass the required storm flow.

NOW, THEREFORE, BE IT RESOLVED 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 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.

**City of Scranton
Maggie Perry
Grant Manager**

100 South Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 558-8335
Fax: (570) 207-0412
mamclane@scrantonpa.gov



Date: November 22, 2019

To: Attorney Jessica Eskra

From: Maggie Perry- Grant Manager

Re: City of Scranton's Application for the DCED Small Water and Sewer Program

Atty. Eskra,

I am requesting that legislation be sent to Scranton City Council to apply for and execute grant funding from the Pennsylvania Department of Community and Economic Development Small Water and Sewer Program. This funding will be used to replace existing storm arch structure with a new concrete arch structure appropriately sized to pass the required storm flows on *Bloom Avenue*.

The City of Scranton is requesting \$179,575 in grant funding while committing a \$31,690 cash match; total project cost is estimated to be \$211,265.

There is a discrepancy between the total project cost being requested for grant funding and the cost estimate provided by Reuther & Bowen. The cost estimated provided by the engineering firm provides a 20% cost for contingency (\$40,241) however project contingencies associated with construction are limited to 5% (\$10,060) of the eligible construction costs, I made the adjustments in the grant application.

If you have any questions or concerns please feel free to contact me at any time.

Respectfully,


Maggie Perry

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Applicant Information

Applicant Entity Type:	Government
Applicant Name:	City of Scranton
NAICS Code	9211
FEIN/SSN Number	XXXXXXXXXX
DUNS Number:	
CEO:	Wayne Evans
CEO Title:	Mayor
SAP Vendor #:	XXXXXX
Contact Name:	Maggie
Contact Title:	Perry
Phone:	(570)-558-8335 Ext.
Fax:	(570)-207-0412
E-mail:	MaMcLane@scrantonpa.gov
Mailing Address:	340 N. Washington Avenue
City:	Scranton
State:	PA
Zip Code:	18503

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Enterprise Type

Indicate the types of enterprises that describe the organization listed above. You may select more than one type.

<input type="checkbox"/> Advanced Technology	<input type="checkbox"/> Agri-Processor	<input type="checkbox"/> Agri-Producer
<input type="checkbox"/> Authority	<input type="checkbox"/> Biotechnology / Life Sciences	<input type="checkbox"/> Business Financial Services
<input type="checkbox"/> Call Center	<input type="checkbox"/> Child Care Center	<input type="checkbox"/> Commercial
<input type="checkbox"/> Community Dev. Provider	<input type="checkbox"/> Computer & Clerical Operators	<input type="checkbox"/> Defense Related
<input type="checkbox"/> Economic Dev. Provider	<input type="checkbox"/> Educational Facility	<input type="checkbox"/> Emergency Responder
<input type="checkbox"/> Environment and Conservation	<input type="checkbox"/> Exempt Facility	<input type="checkbox"/> Export Manufacturing
<input type="checkbox"/> Export Service	<input type="checkbox"/> Food Processing	<input checked="" type="checkbox"/> Government
<input type="checkbox"/> Healthcare	<input type="checkbox"/> Hospitality	<input type="checkbox"/> Industrial
<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Mining	<input type="checkbox"/> Other
<input type="checkbox"/> Professional Services	<input type="checkbox"/> Recycling	<input type="checkbox"/> Regional & National Headquarters
<input type="checkbox"/> Research & Development	<input type="checkbox"/> Retail	<input type="checkbox"/> Social Services Provider
<input type="checkbox"/> Tourism Promotion	<input type="checkbox"/> Warehouse & Terminal	

Government,

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Overview

Project Name:

Bloom Avenue Culvert

Is this project related to another previously submitted project?

No

If yes, indicate previous project name:

Have you contacted anyone at DCED about your project?

No

If yes, indicate who:

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Project Overview

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Project Site Locations

Address:	Bloom Avenue
City:	Scranton
State:	PA
Zip Code:	18508
County:	Lackawanna
Municipality:	Scranton City
PA House:	Marty Flynn (113)
PA Senate:	John P. Blake (22)
Designated Areas:	

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Project Budget

	PA Small Water	Cash Match Local	Total
Infrastructure / Site Preparation	\$35,500.00	\$.00	
Demolition	\$20,000.00	\$.00	\$20,000.00
Excavation/Grading	\$15,500.00	\$.00	\$15,500.00
Related Costs	\$10,060.00	\$.00	
Contingencies	\$10,060.00	\$.00	\$10,060.00
Miscellaneous	\$134,015.00	\$31,690.00	
Construction/Restoration	\$117,015.00	\$31,690.00	\$148,705.00
Mobilization	\$5,000.00	\$.00	\$5,000.00
E&S Measures	\$10,000.00	\$.00	\$10,000.00
Maintenance and Protection of Traffic	\$2,000.00	\$.00	\$2,000.00
Total	\$179,575.00	\$31,690.00	
		Budget Total:	\$211,265.00

Basis of Cost

Provide the basis for calculating the costs that are identified in the Project Budget.

Engineer Estimates**Budget Narrative**

The narrative must specifically address each of the cost items identified in the Project Budget section. If an amount is placed in any of the OTHER categories, you must specify what the money will be used for. NOTE: Some programs have specific guidelines regarding the narrative necessary to qualify for that particular resource. Please read the Program Guidelines for details.

The cost is based on Engineering Estimates provided by Reuther & Bowen in November 2019.

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Project Narrative**What do you plan to accomplish with this project?**

Identify the problem(s) that need to be resolved.

The Bloom Avenue Culvert is located in North Scranton, Lackawanna County, PA. The existing culvert consists of a stone arch structure, approximately 10'x8'. This culvert provides access for two residential properties along Bloom Avenue over Leach Creek. This is the only point of access for these two properties. The stone arch structure is failing and is not adequate to pass the required storm flows from Leach Creek

How do you plan to accomplish it?

Include expected outcomes that are measurable, obtainable, clear and understandable, and valid. Examples of measurable outcomes include jobs created or retained, people trained, land or building acquired, housing units renovated or built, etc.

A permit was applied for and received from PA DEP to replace the existing stone arch structure with a new concrete arch structure, appropriately sized to pass the required storm flows.

How do you plan to use the funds?

Should include specific use of funds and reflect the budget provided with the application.

Funding will be used as follows:

Mobilization: \$5,000

E&S Measures: \$10,000

Maintenance and Protection of Traffic: \$2,000

Demolition and Removal: \$20,000

Excavation & Removal: \$15,500

Construction: \$148,705

Contingency: \$10,060

Projected Schedule and Key Milestones and Dates

A detailed schedule of activities, including key milestones and dates, must accompany this application if applicable to the project.

Once awarded funding the project will take approximately 18 months to complete

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Program Addenda

In addition to the Electronic Single Application (ESA), the Applicant shall upload the following to the ESA . All items marked with a red diamond are required to be uploaded to the application for electronic submission. The items that are not marked with a red diamond should also be uploaded if they are applicable to the project. For a more detailed explanation of the below items, please refer to Appendix I of the program guidelines.

I understand this application requires a \$100 application fee to be paid electronically before submitting the online application and I will send it along with the signature page, the original single application and all required supplemental information stated in the program guidelines.

1. Project Description.**Uploaded Documents****2. Ownership Letter.****Uploaded Documents****3. Cost Estimate.****Uploaded Documents****4. Matching Funds Commitment.****Uploaded Documents**

5. Flood Construction Documents. (Note: The flood documents are a requirement of the application, but the electronic upload is not required if the documents are not in an easily submitted format.)

Uploaded Documents

6. Color-Coded Map. (Note: The map is a requirement of the application, but the electronic upload is not required if the map is not in an easily submitted format.)

Uploaded Documents**7. Planning Letter.****Uploaded Documents**

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Program Addenda**8. Resolution.****Uploaded Documents****9. Permits.****Uploaded Documents**

Once submitted, please print one (1) copy of the completed application, to include copies of all required uploads and additional applicable supplemental information, and send to the address listed in the program guidelines. Please reference the Application ID number on all submissions.

ENGINEER'S COST ESTIMATE

PROJECT DESCRIPTION: BLOOM AVE CULVERT REPLACEMENT

LOCATION: CITY OF SCRANTON, PA

DATE: 11/14/2019

ITEM NO.	DESCRIPTION	UNIT	COST PER ITEM	QTY	TOTAL COST
1	MOBILIZATION	LS	\$ 5,000.00	1	\$ 5,000.00
2	E&S MEASURES	LS	\$ 10,000.00	1	\$ 10,000.00
3	MAINTENANCE AND PROTECTION OF TRAFFIC	LS	\$ 2,000.00	1	\$ 2,000.00
4	DEMOLITION & REMOVAL	LS	\$ 20,000.00	1	\$ 20,000.00
5	EXCAVATION & REMOVAL	CY	\$ 100.00	155	\$ 15,500.00
6	FOUNDATIONS FORMED IN PLACE W REINF.	CY	\$ 700.00	45	\$ 31,500.00
7	CON/SPAN PRECAST BRIDGE SYSTEM, DELIVERED	LS	\$ 73,080.00	1	\$ 73,080.00
8	INSTALLATION	LS	\$ 15,000.00	1	\$ 15,000.00
9	BACKFILL, COMPACTED 2A	CY	\$ 25.00	167	\$ 4,175.00
10	GAS LINE RELOCATION	LS	\$ 5,000.00	1	\$ 5,000.00
11	PAVEMENT RESTORATION	SY	\$ 60.00	50	\$ 3,000.00
12	R-7 RIP RAP	SY	\$ 50.00	50	\$ 2,500.00
13	STORMWATER INLET	EA	\$ 3,000.00	1	\$ 3,000.00
14	STORMWATER RELOCATION	LF	\$ 15.00	100	\$ 1,500.00
15	SITE RESTORATION	LS	\$ 5,000.00	1	\$ 5,000.00
16	GUIDERAIL	LF	\$ 55.00	90	\$ 4,950.00

TOTALS		SUB TOTAL	\$	201,205
		20% CONTINGENCY	\$	40,241
		TOTAL	\$	241,446

**City of Scranton
Maggie Perry
Grant Manager**

100 South Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 558-8335
Fax: (570) 207-0412
mamclane@scrantonpa.gov



Date: November 22, 2019

To: Attorney Jessica Eskra

From: Maggie Perry- Grant Manager

Re: City of Scranton's Application for the DCED Small Water and Sewer Program

Atty. Eskra,

I am requesting that legislation be sent to Scranton City Council to apply for and execute grant funding from the Pennsylvania Department of Community and Economic Development Small Water and Sewer Program. This funding will be used to replace existing storm arch structure with a new concrete arch structure appropriately sized to pass the required storm flows on *Bloom Avenue*.

The City of Scranton is requesting \$179,575 in grant funding while committing a \$31,690 cash match; total project cost is estimated to be \$211,265.

There is a discrepancy between the total project cost being requested for grant funding and the cost estimate provided by Reuther & Bowen. The cost estimated provided by the engineering firm provides a 20% cost for contingency (\$40,241) however project contingencies associated with construction are limited to 5% (\$10,060) of the eligible construction costs, I made the adjustments in the grant application.

If you have any questions or concerns please feel free to contact me at any time.

Respectfully,

Maggie Perry

Sally Locker

From: Marguerite McLane
Sent: Friday, November 22, 2019 12:15 PM
To: Sally Locker (slocker@scrantonpa.gov)
Subject: legislation requests with signatures
Attachments: scan_mamclane_2019-11-22-12-13-37.pdf

Sally,
Attached are the legislation requests with my signature.

Let me know if you need anything else.

You are doing a great job! ☺

From: Marguerite McLane
Sent: Friday, November 22, 2019 12:14 PM
To: Marguerite McLane
Subject: Your scan (Scan to My Email)

**City of Scranton
Maggie Perry
Grant Manager**

100 South Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 558-8335
Fax: (570) 207-0412
mamclane@scrantonpa.gov



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Maggie Perry



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 26, 2019

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

RECEIVED
NOV 26 2019
OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT APPLICATION BY THE CITY OF SCRANTON TO THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT SMALL WATER AND SEWER PROGRAM IN THE AMOUNT OF \$179,575.00 TO BE USED TO REPLACE EXISTING STORM ARCH STRUCTURE WITH A NEW CONCRETE ARCH STRUCTURE ON BLOOM AVENUE.

Respectfully,

Joseph Price
Joseph G. Price, Esquire
Assistant City Solicitor

JGP/sl

FILE OF THE COUNCIL NO. _____

2019

AN ORDINANCE

AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$12,750,000; PROVIDING FOR THE DATED DATE, INTEREST RATE, MATURITY DATE, REDEMPTION PROVISIONS, PAYMENT AND PLACE OF PAYMENT IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL ATTACHED HERETO AS EXHIBIT "B" FROM THE FINANCIAL INSTITUTION NAMED THEREIN FOR THE PURCHASE OF THE NOTE; NAMING A SINKING FUND DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO EXECUTE AND DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS AND CERTIFICATES IN CONNECTION THEREWITH; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE NECESSARY DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE.

WHEREAS, the City of Scranton, Lackawanna County, Pennsylvania (the "City"), is a home rule charter city operating under the Home Rule Charter and Optional Plans Law of the Commonwealth of Pennsylvania (the "Commonwealth"); and

WHEREAS, the City anticipates receiving taxes and other revenues during the fiscal year ending December 31, 2020, which taxes and other revenues are currently uncollected; and

WHEREAS, the City has estimated, on a monthly basis, its expected taxes, revenues and expenditures for the fiscal year ending December 31, 2020, and has determined that during a portion of such fiscal year it will experience a "cumulative cash flow deficit" as such phrase is defined in the regulations promulgated under Sections 103 and 148 of the Internal Revenue Code of 1986, as amended (the "Code"); and

WHEREAS, the City has determined to borrow monies for the purpose of funding, in part, such cumulative cash flow deficit by issuing a note to be repaid from the anticipated taxes and revenues, all in accordance with the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, Act 53 Pa.C.S., Chapters 80-82, as reenacted and amended (the "Debt Act"); and

WHEREAS, the City has received an acceptable proposal for the purchase of its Tax and Revenue Anticipation Note as hereinafter described; and

WHEREAS, as required by Section 8126 of the Debt Act, officials of the City have heretofore made an estimate of the taxes and revenues to be received during such fiscal year ending December 31, 2020 and, by their execution of a certificate with respect thereto dated this date, have certified to such estimate.

NOW, THEREFORE, BE IT ORDAINED by the Council (the "Council") of the City of Scranton, Lackawanna County, Pennsylvania, as follows:

Section 1. For the reasons and purposes recited above, the City hereby exercises its power and authority to borrow money and authorizes the issuance and sale of its Tax and Revenue Anticipation Note, Series of 2020, in the principal amount not to exceed \$12,750,000 (the "Note") in anticipation of the receipt of current taxes and revenues during the fiscal year ending December 31, 2020, such Note to be issued, sold and delivered as hereinafter provided.

Section 2. The Mayor, the Controller and the City Clerk of the City, or any duly appointed successor to any thereof, as the case may be, are hereby authorized and directed, in the name and on behalf of the City, to prepare and file with the Department of Community and

Economic Development of the Commonwealth of Pennsylvania a certified copy of this Ordinance, a certificate setting forth the taxes and revenues remaining to be collected in the fiscal year ending December 31, 2020 and a true copy of the accepted Proposal (hereinafter defined) for the purchase of the Note, all as set forth in and required by Section 8128 of the Debt Act. The Mayor, the Controller and the City Clerk of the City are also hereby authorized and directed, in the name and on behalf of the City, to prepare and verify a certificate, in accordance with Sections 103 and 148 of the Code and the regulations applicable thereto, setting forth the anticipated use of the proceeds, to prepare and deliver to the Purchaser (hereinafter defined) of the Note the certificate required by Section 8127 of the Debt Act relating to the total amount of the City's tax and revenue anticipation notes outstanding on the date of delivery of the Note, and to take any and all other action, and to execute and deliver any and all other documents and instruments, as may be necessary, proper or desirable to effect the issuance and sale of the Note as contemplated herein. The certification made on the date of enactment of this Ordinance by the aforementioned officials of the City, relating to the amount of taxes and other revenues remaining to be collected by the City in the fiscal year ending December 31, 2020, is hereby ratified and approved.

Section 3. The Note shall be designated "City of Scranton, Lackawanna County, Pennsylvania, Tax and Revenue Anticipation Note, Series of 2020," or such other name or designation as shall be selected by the Mayor of the City upon delivery of the definitive Note in accordance with this Ordinance, shall be in registered form, without coupons, shall be dated the date of issuance, and shall be in such denominations, shall be subject to such redemption, and shall bear interest from the date of delivery until maturity at the rate of interest all as set forth in the Proposal, shall mature on or before December 31, 2020 as set forth in the Proposal, and shall be payable as to principal and interest at the place and in the manner and be otherwise in substantially the form set forth in the form of Note attached as Exhibit "A" hereto and the Proposal attached as Exhibit "B" hereto.

Section 4. The Note shall be executed in the name and on behalf of the City by the true or facsimile signatures of the Mayor and Controller of the City, or, if applicable, their duly qualified respective successors, and the true or facsimile official seal of the City shall be affixed thereunto, duly attested by the true or facsimile signature of the City Clerk of the City. Said officers are authorized and directed to execute and attest the Note. The execution and delivery of the Note in accordance with Section 3 hereof and this Section 4 shall constitute conclusive proof of the approval of the final terms and provisions of the Note by the City.

Section 5. The Note shall be general credit obligations of the City, and, together with any other tax and revenue anticipation notes issued, or to be issued, by the City during the City's fiscal year ending on December 31, 2020, shall, upon issuance thereof, be equally and ratably secured by a pledge of, security interest in, and a lien and charge on, the taxes and other revenues to be received by the City during the period when the Note is outstanding; and the Mayor and Controller of the City, attested by the City Clerk, are hereby authorized and directed to prepare and file, or to have filed, such financing statements as may be necessary to fully perfect such pledge, security interest, lien and charge pursuant to the Pennsylvania Uniform Commercial Code and Section 8125 of the Debt Act. The City covenants and agrees that any additional tax and revenue anticipation notes issued by the City after the date of issuance of the Note and while the Note is still outstanding shall mature on a date after the final maturity date of the Note.

Section 6. The City covenants that it will make no use of the proceeds of such issue or do or suffer any other action which, if such use or action had been reasonably expected on the date of issue of the Note, would cause the Note to be an "arbitrage bond" or "private activity bond" as those terms are defined in Section 148 and Section 141 of the Code and the applicable regulations thereunder. The City further covenants that it will comply with the requirements of such Section 148 and Section 141 and with the regulations thereunder throughout the term of the Note. In addition, the Mayor and Controller of the City, being the officials responsible for issuing the Note, attested by the City Clerk of the City, are hereby authorized and directed to execute and deliver, in the name and on behalf of the City, any and all documents or other instruments which Bond Counsel may reasonably request in connection with the providing of its opinion that the Note is not an "arbitrage bond" or "private activity bond" within the meanings of Section 148 and Section 141 of the Code and the regulations promulgated

thereunder, including, without limitation, a certificate dated the date of issuance and delivery of the Note, which certificate shall set forth the reasonable expectations of the City as to the amount and use of the proceeds of the Note.

Section 7. The proposal of the lender identified therein, presented to the Council is attached hereto as Exhibit "B", or such other proposal and lender, and with such other terms and provisions, as may be selected by the Mayor of the City (such proposal selected in accordance with this Section 7 being hereinafter referred to as the "Proposal" and such lender selected in accordance with this Section 7 being hereinafter referred to as the "Purchaser"), is hereby accepted and the Note is hereby awarded to the Purchaser at a private sale for the purchase price of 100% of the par amount of the Note issued. The terms of the Proposal are incorporated herein by reference with the same effect as if set forth in full at this place. The Mayor and Controller, attested by the City Clerk, are hereby authorized and directed to, accept the Proposal, in the name of and on behalf of the City, by executing the City's acceptance on an original copy of the Proposal, to deliver a copy of the same to the Purchaser and to file the original with the records of the City. The Mayor and Controller are hereby authorized to deliver the Note to the Purchaser upon receipt of the full principal amount of the purchase price for the Note and upon compliance with all conditions precedent to such delivery as required by the Debt Act, this Ordinance and the Proposal; and the Mayor and Controller, attested by the City Clerk, is hereby authorized and directed to prepare, verify and deliver to the Purchaser concurrently with the delivery of the Note, the certificate required by Section 8127 of the Debt Act, a copy of which certificate shall be retained with the records of the City until all tax and revenue anticipation notes issued by the City during the fiscal year ending on December 31, 2020, shall have been paid in full.

Section 8. The Note shall be in substantially the form set forth in Exhibit "A" hereto. The form of the Note as submitted to the City are hereby approved in substantially such form, with such changes, insertions and variations as are necessary or appropriate to reflect the final terms, including, but not limited to, series designation, interest rates, principal amounts, denominations, registered owner, the name or designation and redemption provisions, of the Note as specified to the City in the delivery instructions of the Purchaser and such other changes as the Mayor of the City may approve upon advice of the Solicitor to the City, such approval to be evidenced by such officer's execution and delivery of the Note.

Section 9. The Mayor and Controller of the City is hereby authorized, empowered and directed to contract with The Fidelity Deposit and Discount Bank, Dunmore, Pennsylvania, as paying agent, or such other paying agent, which shall be a bank or bank and trust company authorized to do business in the Commonwealth, as may be selected by the Mayor of the City upon delivery of the Note in accordance with this Ordinance (any such paying agent selected in accordance with this Section 9 being hereinafter referred to as the "Paying Agent"), for its services as paying agent and sinking fund depositary in accordance with the terms and conditions of the Proposal, this Ordinance and the Act. Payment of the principal of and interest on the Note shall be made, when due, in accordance with the provisions of the Note, at the corporate trust office of the Paying Agent in lawful money of the United States of America. The Controller or other proper officer is hereby authorized and directed to make deposits to the sinking fund to be held for the payment of principal and interest on the Note as set forth in the Note and the Proposal.

Thereafter, the Paying Agent shall, without further authorization or direction from the City or any of its officials, withdraw moneys from the sinking fund and apply such moneys to the payment of principal and interest then due on the Note.

Section 10. Stevens & Lee, P.C., Scranton, Pennsylvania, is hereby appointed Bond Counsel in connection with the issuance and sale of the Note, and PFM Financial Advisors LLC is hereby appointed to act as Financial Advisor to the City in connection with the issuance and sale of the Note, and any other professionals, as necessary or appropriate, in connection with the purposes of and to facilitate the intent of this Ordinance as the Mayor of the City may appoint.

Section 11. All expenses incurred in connection with issuance of the Note shall be paid out of the proceeds derived from the issuance of the Note or from other available funds

of the City and the Mayor of the City is authorized to approve requests for payment of such expenses and to pay or direct the payment of such expenses.

Section 12. The Mayor, Controller and City Clerk of the City and all other proper officers of the City are hereby authorized, jointly and severally, to do any and all other things necessary to effectuate the issuance, execution, delivery and sale of the Note, including the execution and delivery of any and all additional documents, representations, declarations, depositary agreements, debt service agreements, control agreements, deposit account control agreements, loan agreements, reimbursement agreements, security agreements, promissory notes, intercreditor agreements, derivative and/or interest rate management agreements, escrow agreements, assignments, financing statements, certificates, authorizations, contracts, agreements, insurance binders and other papers as may be necessary to effectuate any of the foregoing, and such execution and delivery shall be conclusive evidence of the authorization and approval thereof by the City.

Section 13. If any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that the remainder of this Ordinance shall remain in full force and effect. The City reserves the right to amend this Ordinance or any portion hereof 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 hereof.

Section 14. This Ordinance shall become effective immediately upon approval.

Section 15. All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same expressly hereby are repealed.

Section 16. This Ordinance is enacted by the Council of the City 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 Commonwealth.

EXHIBIT "A" TO ORDINANCE

[Form of Note]

R-__

\$_____

CITY OF SCRANTON, LACKAWANNA COUNTY, PENNSYLVANIA
TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020

KNOW ALL MEN BY THESE PRESENTS, that the City of Scranton, Lackawanna County, Pennsylvania (the "City"), a city existing under the laws of the Commonwealth of Pennsylvania (the "Commonwealth"), for value received, hereby promises to pay to the order of Manufacturers and Traders Trust Company (the "Bank" or "Purchaser"), the sum of Twelve Million Seven Hundred Fifty Thousand Dollars (\$12,750,000) on the 31st day of December, 2020, together with interest on said sum from the 2nd day of January, 2020 until maturity at the rate of two and fifty-seven hundredths percent (2.570%) per annum, computed on the basis of a 360-day year of twelve 30 day months. Interest on the Note is payable at maturity, or if redeemed prior to maturity, on the date of redemption. Both the principal of and interest on this Note shall be payable in such coin or currency as at the place and at the time of payment shall be legal tender for the payment of public and private debts in the United States (or by instrument payable in immediately available legal tender as aforesaid), upon presentation and surrender hereof at the principal office of The Fidelity Deposit and Discount Bank (the "Paying Agent") in Dunmore, Pennsylvania.

Whenever the due date for payment of interest on or principal of the Note or the date fixed for redemption of any Note shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to remain closed, then payment of such interest, principal, or redemption price need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day upon which banks are authorized by law or executive order to remain closed, with the same force and effect as if made on the due date for payment of principal, interest or redemption price and no interest shall accrue thereon for any period after such due date.

This Tax and Revenue Anticipation Note, Series of 2020, authorized and issued in the aggregate principal amount of Twelve Million Seven Hundred Fifty Thousand Dollars (\$12,750,000) (the "Note") in accordance with the provisions of the Local Government Unit Debt Act of the Commonwealth of Pennsylvania (the "Act"), and pursuant to an Ordinance enacted on November 18, 2019 by the Council of the City (the "Ordinance"). Reference is made to the Act and the Ordinance for a complete statement of the rights and limitations of rights of the holder of the Note, to all of which the holder hereof by acceptance of this Note assents. The terms and provisions of the Ordinance are hereby incorporated by reference as if set forth fully herein.

Upon any taxing authority's final decree or judgment that: (i) this Note is an arbitrage bond; or (ii) the interest on this Note is not excluded from gross income of the Bank for

purposes of federal income taxation, the interest rate on this Note shall be reset to the Bank's taxable equivalent rate (the "Taxable Rate") as determined by the Bank, effective as of the date of the taxing authority's final decree or judgment. The City shall pay the Bank the difference between (i) the interest that would have been paid on this Note had the interest been set at the Taxable Rate as of the date of the taxing authority's final decree or judgment; and (ii) the interest actually paid under this Note. In addition, the City shall pay all taxes, interest, and penalties assessed to the Bank by any taxing authority with respect to this Note's tax status.

The Authority shall pay to the Bank a late charge for any payment of principal and/or interest not received by the Bank within fifteen (15) days of the due date in an amount equal to five percent (5.00%) of the amount of the delinquent installment of principal and/or interest or \$10.00, whichever is greater. The delinquency charge shall be paid promptly but only once for each delinquent payment.

Upon the occurrence of an Event of Default (as described herein), the City shall pay interest on the unpaid principal balance of this Note at the Default Rate.

For purposes hereof, the following terms shall have the following meanings:

"Default" means any Event of Default, and any event which with the passage of time or notice, or both, would become an Event of Default.

"Default Rate" means a rate per annum equal to the interest rate as then in effect on this Note plus 5.00%.

"Event of Default" shall have the meaning set forth herein under the heading "Events of Default".

This Note is issued under and in accordance with the Act, for the purpose of providing funds for current expenses payable in the current fiscal year in anticipation of the receipt of taxes and other revenues by the City from the date of original delivery of the Note to the stated maturity date thereof.

The City has pledged and granted (equally and ratably with all other tax and revenue anticipation notes issued by the City for the City's 2020 fiscal year) to the Paying Agent, for the benefit of the holder of the Note, a lien on, and security interest in, its taxes and revenues to be received by the City during the period when this Note is outstanding in order to secure the payment of the principal indebtedness evidenced hereby and the interest hereon, all as more fully set forth in the Debt Service Agreement, dated the date hereof (the "Debt Service Agreement"), between the City and the Paying Agent, the Continuing General Security Agreement, dated the date hereof (the "Security Agreement"), between the City and the Paying Agent, and the Deposit Account Control Agreement, dated the date hereof (the "Control Agreement" and together with the Debt Service Agreement and the Security Agreement, the "Note Security Agreements"), between the City and the Paying Agent. Such pledge, security interest, and lien are enforceable in the manner provided by the Act and the Note Security Agreements.

In the Ordinance, the City has covenanted that it will make no use of the proceeds of the Note, or do or suffer any other action, which, if such use or action had been reasonably expected on the date of issuance of the Note, would cause the Note to be an "arbitrage bond" or "private activity bond" as those terms are defined in Section 148 and Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder.

The City shall have the privilege, at any time, and from time to time, to prepay the unpaid principal balance of this Note, in whole or in part, without premium or penalty.

The City covenants that it will deposit in the sinking fund for the Note established by the Ordinance with the Paying Agent the taxes and other revenues collected in amounts which will be sufficient to pay the principal of and interest on all Note issued pursuant to the Ordinance as and when the same shall become due and payable, and such sinking fund shall be applied exclusively to such purpose.

The City agrees to provide to the Bank, (i) not later than 270 days after the end of each fiscal year of the City, financial statements of the City, and (ii) any other financial information or operating reports as reasonably requested by the Bank.

The City covenants and agrees with the Bank that it maintain a deposit relationship with the Bank during the term of this Note.

Events of Default. Any of the following events shall constitute an "Event of Default" under this Note:

(a) the nonpayment when due, after ten (10) days written notice or oral notice followed by written confirmation, of any amount payable under this Note or of any amount owed to the Bank with regard to this Note when due, or the failure of the City to observe or perform, after thirty (30) days written notice, any agreement of any nature whatsoever with the Bank, including but not limited to, those contained in the documents executed in connection with the issuance of this Note; provided that such thirty (30) day notice period shall not apply to events which, in the Bank's reasonable judgment, are not capable of being cured within thirty (30) days and the notice so provides;

(b) if the City becomes insolvent or makes an assignment for the benefit of creditors, or if any petition is filed against the City under any provision of any state or federal law or statute alleging that the City is insolvent or unable to pay its debts as they mature or under any provision of the Federal Bankruptcy Code, and the failure to cause the same to be discharged within ninety (90) days, or the City voluntarily files any petition for such purpose;

(c) the entry of any judgment in excess of \$500,000 against the City or any of the property of the City which remains unsatisfied for forty five (45) days;

(d) if any information or signature furnished to the Bank by the City at any time in connection with this Note is false or incorrect; or

(e) the failure of the City to furnish timely to the Bank such financial and other information as the Bank may reasonably request or require; and

(f) the City defaults in the payment of any amounts due under any other bond, note, contract, lease or obligation.

Remedies.

(a) At any time after occurrence of an Event of Default, the Bank may, at the Bank's option and sole discretion and without notice or demand, exercise any right or remedy as may be provided in this Note, the Ordinance, any other writing delivered with this Note or which is provided at law or in equity.

(b) The interest rate on the unpaid principal balance of this Note shall accrue at the Default Rate from the date on which an Event of Default occurs until the date on which all defaults are cured or the entire unpaid principal balance and all other sums due under this Note are actually received by the Bank.

In any action under this Note, the Bank may recover all reasonable costs of suit and other expenses in connection with the action, including the cost of any attorneys' fees, paid or incurred by the Bank.

The rights and remedies provided to the Bank in this Note and in the Ordinance, including all warrants of attorney, (a) are not exclusive and are in addition to any other rights and remedies that the Bank may have at law or in equity, (b) shall be cumulative and concurrent, (c) may be pursued singly, successively or together against the City, and/or any of the security at the sole discretion of the Bank, and (d) may be exercised as often as occasion therefor shall arise. The failure to exercise or delay in exercising any such right or remedy shall not be construed as a waiver or release thereof.

The Bank shall not be deemed, by any act of omission or commission, to have waived any of its rights or remedies hereunder unless such waiver is in writing and signed by Bank. Such a written waiver signed by the Bank shall waive the Bank's rights and remedies only to the extent specifically stated in such written waiver. A waiver as to one or more particular events or defaults shall not be construed as continuing or as a bar to or waiver of any right or remedy as to another or subsequent event or default.

The Purchaser shall have the right to exercise the remedies set forth in the Act. Any failure by the Purchaser to exercise any right or privilege hereunder shall not be construed as a waiver of the right or privilege to exercise such right or privilege, or to exercise any other right or privilege, at any other time, and from time to time, thereafter.

No recourse shall be had for the payment of the principal of or interest on this Note, or for any claim based hereon or on the Ordinance, against any member, officer or employee, past, present, or future, of the City or of any successor body, as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of this Note.

All acts, conditions and things required to be done or performed precedent to and in the issuance of this Note or in the creation of the obligation of which this Note is evidence have been done and performed as required by law.

[The remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, the City of Scranton, Lackawanna County, Pennsylvania, has caused this Note to be signed in its name and on its behalf by the signatures of the Mayor and Controller of the City and its corporate seal to be hereunder affixed, duly attested by the signature of the City Clerk of the City, as of the 2nd day of January, 2020.

CITY OF SCRANTON
Lackawanna County, Pennsylvania

(SEAL)

By: _____
Mayor

By: _____
Controller

Attest: _____
City Clerk

APPROVED AS TO FORM:

City Solicitor

(END OF NOTE FORM)

EXHIBIT "B" TO ORDINANCE

Proposal



Manufacturers and Traders Trust Company
Government Banking
15 South Franklin Street, 7th Floor
Wilkes Barre, PA 18701
(570) 821-7156 Fax (570) 821-8639
Email: rmcgowan@mtb.com
Ryan McGowan, Vice President

October 29, 2019

Dave Bulzoni
Business Administrator
City of Scranton
340 North Washington Ave.
Scranton, PA 18509

RE: 2020 Tax and Revenue Anticipation Note

Dear Mr. Bulzoni:

Thank you for allowing M&T Bank (the "Bank") the opportunity to provide you a quote for the 2020 Tax and Revenue Anticipation Note for the City of Scranton (the "Borrower").

The attached summary includes only a brief description of the principal terms of the proposed financing.

The definitive terms of the proposed Credit Facilities will be more fully evidenced in commitment letter and additional loan documentation including, but not limited to, a Note together with the other agreements, instruments, certificates and documents that M&T Bank may otherwise require.

The settlement of the proposed Credit Facilities is subject to several conditions. After receiving the City's concurrence, the Bank will seek internal credit approval of the transaction. Upon Bank approval, definitive Note Documents will be prepared. This letter is subject to the statutory and other requirements by which M&T Bank is governed.

- 1) Amount of Note
For up to \$12,750,000.00
- 2) Term of Note
Funding-January 2, 2020
Maturity-On or before December 31, 2020
- 3) Type of Note
Tax and Revenue Anticipation Note-Tax-Exempt, Non-Bank Qualified
- 4) Purpose
To provide cash flow relief for the City of Scranton during the early parts of 2020.
- 5) Rate of Interest Per Annum
Fixed Rate
The Note shall (subject to the following terms) bear interest on the outstanding principal balance at a tax-exempt rate on a 360-day basis. The interest rate will be equal to the non-bank qualified tax-exempt equivalent

fixed rate of the 12 month LIBOR Rate (2.000%) plus 0.57%. Therefore, the fixed interest rate adjusted to the tax-exempt rate will be 2.570% for the entire duration of the note.

Please check this box if you accept the fixed rate term- ☐

Variable Rate

The Note shall (subject to the following terms) bear interest on the outstanding principal balance at a bank qualified tax-exempt rate on a 360-day basis. The interest rate will be variable based upon the Bank's prevailing one-month LIBOR Rate (rounded up to the nearest 1/16th) plus 0.6523%. The rate will change every thirty (30) days and be fixed for 30-day periods. Currently, the one-month LIBOR rate is 1.81250%; therefore, today's rate would be 2.4648%. The interest rate floor is 2.4648% and the interest rate ceiling is 3.7500%.

Please check this box if you accept the variable rate term- ☐

If an Event of Default occurs, the interest rate on the unpaid principal shall immediately be automatically increased to five (5) percentage points per year above the otherwise applicable rate per year, and any judgment entered hereon or otherwise in connection with any suit to collect amounts due hereunder shall bear interest at such default rate.

If interest payable on the note is determined at any point during the term of the loan to not be "Tax-Exempt" or it is determined that the note served as an arbitrage note under Federal Law, the note will reset to its taxable equivalent rate, and the Borrower will pay to the bank the difference between the amount of interest which the bank should have received at the "Taxable Rate" and the actual amount of interest paid. The Borrower will also pay any and all interest and penalties assessed.

6) Repayment Terms

The Borrower will continue to designate Earned Income Tax Collector, Berkeheimer, to remit each business day all of the Earned Income Tax revenues received during the period January 2, 2020 through December 31, 2020 or thereafter until the obligations under the Note are paid in full. Berkeheimer during the term of this Agreement shall remit to the Debt Service Account to be established by the Borrower with the Paying Agent (Fidelity Discount & Deposit Bank) during the entire duration of the Note.

The Borrower will send sixty percent (60%) of the Earned Income Tax Revenue funds by wire transfer to the Sinking Fund established under the Sinking Fund Agreement and held by the Paying Agent on a daily basis and use a portion to pay down the TRAN by no later than the 15th of every month beginning on March 15, 2020 and continue until the 2020 Tax and Revenue Anticipation Note is paid in full.

7) Security

The Note shall be general credit obligations of the City, and, together with any other tax and revenue anticipation notes issued, or to be issued, by the City during the City's fiscal year ending on December 31, 2020, shall, upon issuance thereof, be equally and ratably secured by a pledge of, security interest in, and a lien and charge on, the taxes and other revenues to be received by the City during the period when the Note is outstanding.

8) Covenants

The Borrower will be required to submit to the bank its financial reports within 270 days from the close of the borrower's fiscal year.

The borrower shall have delivered to M&T Bank, sufficiently in advance of closing, all documentation and other information required by M&T Bank in accordance with all applicable banking laws and regulations in effect from time to time, including, without limitation, the USA PATRIOT Act. Any failure by Borrower or any necessary third party to deliver to M&T Bank, in a timely manner, any material information requested, or any misrepresentation or inaccuracy with respect to any such information received, or if M&T's Bank due

diligence reveals that opening the accounts contemplated herein would potentially violate M&T's Bank regulatory compliance policies or applicable law, shall permit M&T Bank, in its sole discretion, to withdraw and/or cancel this financing proposal/offer without liability, and retain all fees.

9) Conditions

The Borrower will provide the approved 2020 budget in a timely fashion to M&T Bank. Any questions or concerns M&T Bank has with the 2020 budget will be addressed prior to the closing.

The Borrower will provide verification the 2019 Tax and Revenue Anticipation is paid in full prior to closing on the 2020 Tax and Revenue Anticipation Note.

10) Deposit Relationship

The Borrower shall agree to maintain a depository account with the Bank while the note is outstanding.

11) Prepayment Privileges

Borrower will have the option to prepay any portion of the outstanding principal of the note outstanding at any time without penalty.

12) Fees and Expenses

The origination fee will be \$25,000.00 for this financing for the necessary legal documentation associated with the borrowing.

If closing does not take place, all costs and expenses shall be payable upon demand. The borrower agrees to indemnify the bank against any and all claims, which may be incurred in connection with this borrowing.

13) Preparation of Documents

The bank shall be listed as "Manufacturers and Traders Trust Company" in all documentation prepared by the borrower's legal counsel and have the following delivered to the Bank at least seven days prior to closing for document review:

- Original Executed Commitment Letter
- Original Executed Tax and Revenue Anticipation Note
- Original Executed Authorizing Resolution
- Original Executed Secretary's Certificate
- Certification of Tax and Revenue to be collected during the term of the note
- Original Executed Legal Opinion Letter as noted
- Internal Revenue Service Form 8038G as required
- Evidence of appropriate DCED filing

14) Acceptance to Advance

The above terms and conditions are intended to serve as an outline which may be negotiated and is intended for discussion purposes.

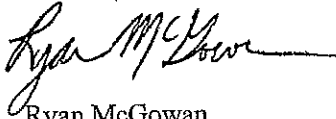
The above terms and conditions are intended to serve as an outline to support discussions of financing which may be available for the Borrower. This outline is not a commitment or an offer to provide credit accommodations and does not create any obligation on the part of the Bank. This outline is only a brief description of the principal terms of credit facility, which may be available and is intended for discussion purposes only.

On behalf of Manufacturers and Traders Trust Company, we are pleased to be of assistance to the City of Scranton on the 2020 Tax and Revenue Anticipation Note.

During a turbulent economic period, M&T Bank remains focused on its community banking roots. We recognize the importance to reliability, accuracy, and responsiveness to the City of Scranton. Our commitment to our customers is unwavering during this challenging economic environment.

Should you have any questions, please do not hesitate to contact me at 570-821-7156.

Sincerely,



Ryan McGowan
Government Banking Division
Vice President

Please complete the necessary the due diligence and seek

Approval by the Bank:

Signature of Authorized Officer

Title of Signer

Date

\$12,750,000
PRINCIPAL AMOUNT
CITY OF SCRANTON
LACKAWANNA COUNTY, PENNSYLVANIA
TAX AND REVENUE ANTICIPATION NOTE
SERIES OF 2020

CLOSING STATEMENT

January 2, 2020

The City of Scranton, Lackawanna County, Pennsylvania (the "City"), has issued its \$12,750,000 principal amount Tax and Revenue Anticipation Note, Series of 2020 (the "Note"), dated January 2, 2020.

The undersigned hereby certifies that attached hereto as Exhibit A is a true and correct statement of the sources and uses of funds, and the disbursements and deposits regarding the proceeds of the Note which Manufacturers and Traders Trust Company (the "Bank") is authorized and is hereby directed to make from the Settlement Account which the City establishes with the Bank for purposes of facilitating the directions of this Closing Statement. Such disbursements and deposits shall be made by the Bank from the Settlement Account for the Note without any further direction from the City.

CITY OF SCRANTON
Lackawanna County, Pennsylvania

By: _____
Mayor

By: _____
Controller

(SEAL)

Attest: _____
City Clerk

EXHIBIT A

Closing Disbursements

To the City's General Fund Account No. [9009697458 at PNC Bank, National Association] representing proceeds of the Note to be applied to pay working capital expenses of the City in accordance with the Ordinance of the City enacted on November 18, 2019 authorizing the issuance of the Note*	\$12,693,150.00
---	-----------------

To the persons listed on Schedule 1 attached hereto, the Closing Disbursements**	<u>\$56,850.00</u>
--	--------------------

Total	\$12,750,000.00
-------	-----------------

* Wire Instructions:

City of Scranton – General Fund
[PNC Bank, National Association
Account No. 9009697458
ABA Routing No. 031000053]

** Invoices Attached

Schedule 1

CLOSING DISBURSEMENTS

<u>Payee</u>	<u>Amount</u>	<u>Description</u>
Stevens & Lee, P.C.	\$20,850.00	Bond Counsel Fee and Expenses
Public Financial Advisors LLC	\$10,000.00	Financial Advisor Fee
Manufacturers and Traders Trust Company	\$25,000.00	Bank Commitment Fee
The Fidelity Deposit and Discount Bank	<u>\$1,000.00</u>	Paying Agent/Sinking Fund Depositary Fee
Total	\$56,850.00	



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 20, 2019

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

RECEIVED

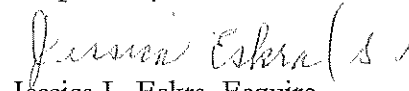
NOV 20 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AUTHORIZING THE ISSUANCE OF A TAX AND REVENUE ANTICIPATION NOTE, SERIES OF 2020 IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$12,750,000; PROVIDING FOR THE DATED DATE, INTEREST RATE, MATURITY DATE, REDEMPTION PROVISIONS, PAYMENT AND PLACE OF PAYMENT IN RESPECT OF THE NOTE; ACCEPTING THE PROPOSAL ATTACHED HERETO AS EXHIBIT "B" FROM THE FINANCIAL INSTITUTION NAMED THEREIN FOR THE PURCHASE OF THE NOTE; NAMING A SINKING FUND DEPOSITARY/PAYING AGENT; AUTHORIZING THE PROPER OFFICERS OF THE CITY TO EXECUTE AND DELIVER THE NOTE AND CERTAIN OTHER DOCUMENTS AND CERTIFICATES IN CONNECTION THEREWITH; AUTHORIZING AND DIRECTING THE PREPARATION, CERTIFICATION AND FILING OF THE NECESSARY DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA; SETTING FORTH A FORM OF THE NOTE.

Respectfully,


Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

RESOLUTION NO. _____

2019

ACCEPTING A ONE THOUSAND (\$1,000.00) DOLLAR DONATION FROM BRIDON AMERICAN GIVEN TO THE CITY OF SCRANTON POLICE DEPARTMENT SPECIAL OPERATIONS GROUP.

WHEREAS, Bridon American presented a \$1,000.00 check to the City of Scranton Police Department Special Operations Group in appreciation for the active shooter response training recently conducted for this company and all of their employees by trainers from that department. This donation will be deposited into Special City Account No. 02.229550 entitled "Public Safety/Police Grants"; and

WHEREAS, it is in the best interest of the City to accept this donation for the purchase equipment for the Special Operations Group.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the donation of \$1,000.00 from Bridon American is hereby accepted to be deposited into Special City Account No. 02.229550 "Public Safety/Police Grants" for the purchase of equipment for the Special Operations Group.

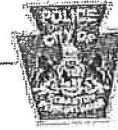
SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus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

Scranton Police Department
Superintendent of Police
Chief Carl R. Graziano

Scranton Police Headquarters
100 South Washington Avenue
Scranton, Pennsylvania 18503
Tel: (570) 558-8300
Email: cgraziano@scrantonpa.gov



**Be Part of
The Solution**

SCRANTON

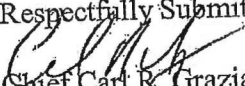
November 11, 2019

Attorney Jessica Eskra
Solicitor
City of Scranton

Re: Donation

Attorney Eskra,

Please find the attached copy of a \$1000.00 check that we received as donation from Bridon American to our Special Operations Group (S.O.G.). Trainers from our department recently conducted an "active shooter response training" for this company and all of their employees and they insisted on making a donation to SPD. The check will be deposited into our Public Safety Account (229550). Can the law department please draft legislation to formally accept this donation? Please contact me with any questions and/or concerns. Thank You.

Respectfully Submitted,

Chief Carl R. Graziano

BRIDON AMERICAN

Bridon American
280 New Commerce Blvd
Wilkes-Barre, PA 18706

1000029188

PAGE: 1 of 1

DATE: October 18, 2019
CHECK NUMBER: 1000029188
AMOUNT PAID: \$1,000.00

00001 1916 CKS SD 19291 - 1000029188 NNNNNNNNNNN 2915100003203 X66A1 C
SCRANTON POLICE DEPARTMENT
100 S. WASHINGTON AVENUE
SCRANTON PA 18503



2915100003203000100080000000

Vendor Number: 64510006

Invoice Date	Invoice Number	AP Reference	Gross Amount	Discount	Net Amount
10/15/19	10152019		\$1,000.00	\$0.00	\$1,000.00
TOTALS			\$1,000.00	\$0.00	\$1,000.00

RE:
SOG

PLEASE DETACH BEFORE DEPOSITING CHECK

BRIDON AMERICAN

Bridon American
280 New Commerce Blvd
Wilkes-Barre, PA 18706

CHECK
NUMBER 1000029188

50-937
213

October 18, 2019

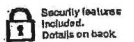
*** VOID AFTER 180 DAYS ***

PAY
TO THE
ORDER OF: SCRANTON POLICE DEPARTMENT
100 S. WASHINGTON AVENUE
SCRANTON, PA 18503

CHECK AMOUNT

\$1,000.00

EXACTLY *****1,000 DOLLARS AND 00 CENTS



JPMorgan Chase Bank, N.A.
Syracuse, NY

Joseph M. Stiller

87

1000029188 021309379

581946626



DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 12, 2019

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

RECEIVED

NOV 15 2019

**OFFICE OF CITY
COUNCIL/CITY CLERK**

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION ACCEPTING A ONE THOUSAND
(\$1,000.00) DOLLAR DONATION FROM BRIDON AMERICAN GIVEN TO THE
CITY OF SCRANTON POLICE DEPARTMENT SPECIAL OPERATIONS GROUP.

Respectfully,

Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

RESOLUTION NO. _____

2019

ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR CHARLES JEFFERSON, 2030 TILGHMAN STREET, SUITE 203, ALLENTOWN, PA 18104 FOR THE FOLLOWING ALTERATIONS, RESTORATIONS AND RENOVATIONS TO TRIM AND DECORATIVE WOODWORK, SIDING AND MASONRY, WINDOWS, DOORS, AND ASSOCIATED HARDWARE, LIGHT FIXTURES AND DEMOLITION AT SCRANTON-SPRUCE, LP, 200 ADAMS AVENUE, SCRANTON, PA 18503 THE FORMER STOEHR AND FISTER BUILDING.

WHEREAS, the Historical Architecture Review Board ("HARB") has convened and reviewed the submission of Charles Jefferson, 2030 Tilghman Street, Suite 203, Allentown, PA 18104 for the following alterations, restorations and renovations to trim and decorative woodwork, siding and masonry, windows, doors and associated hardware, light fixtures and demolition at Scranton-Spruce, LP, 200 Adams Avenue, Scranton, PA 18503 the former Stoehr and Fister Building as outline to the HARB, a copy of which is attached hereto and marked as Exhibit "A" and incorporated herein by reference; and

WHEREAS, the HARB has determined that the improvements meet with the guidelines of the HARB and recommend for approval by the Governing Body of the City of Scranton; and

WHEREAS, the HARB specifically recommends that a Certificate of Appropriateness be issued for the above improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that City Council hereby accepts the recommendation of the HARB concerning the above improvement and approves the issuance of a Certificate of Appropriateness as defined by law and City ordinance.

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.



City of Scranton

Historic Architectural Review Board

340 N. Washington Avenue

Scranton, PA 18503

SOLICITOR: Timothy Corbett, Esquire

Chairman: Richard Leonori, AIA

TO: Jessica Eskra, Esq.
City Solicitor
Law Department

CC: Timothy Corbett
HARB Solicitor

FROM: Denise Nytech
Confidential Secretary, HARB Coordinator

DATE: November 18, 2019

RE: HARB Recommendation

Enclosed please find the following recommendation from the Historical Architectural Review Board (HARB) regarding the following project:

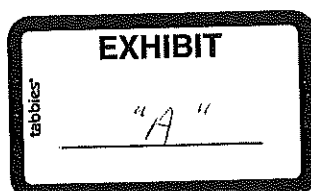
- 200 Adams Avenue – Stoeher and Fister Building. A Certificate of Appropriateness was issued for this project and has received approval from the HARB at their October 24, 2019 meeting as long as the recommendations in **Exhibit A** are adhered to.

Please prepare the necessary submission to City Council for review and passage. Thank you in advance for your attention regarding this matter.

/dan
Enclosure

HARB has passed a motion recommending a Certificate of Appropriateness for the Stoehr and Fister Building located at the corner of Spruce Street and Adams Avenue. The motion should include the following language:

- New exterior lighting work is limited to period appropriate lighting at the existing marquis canopies on Spruce and Adams respectively.
- Demolition work is limited to new masonry cuts in the existing North and East facades as necessary for new window openings, consistent with the drawings provided dated 08/29/2019
- New window and doors to be of a consistent material and color for all facades.
- Work associated with exterior siding and masonry shall be limited to the cleaning, restoration, and repair of existing exterior siding and masonry.
- Work associated with trim and decorative woodwork shall be limited to the cleaning, restoration, and repair of existing trim and decorative woodwork.



Historical Architecture Review Board

City Hall . 340 North Washington Avenue . Scranton, PA 18503

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

200 ADAMS AVENUE, SCRANTON, PA 18503

Building address:	<u>Street and number</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
	SCRANTON-SPRUCE, LP			
Owner of building:	<u>2030 TILGHMAN STREET, SUITE 203 ALLENTOWN, PA 18104</u>			
Owner's address:	<u>Street and number</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
	CHARLES JEFFERSON			
Applicant:	<u>2030 TILGHMAN STREET, SUITE 203, ALLENTOWN, PA 18104</u>			
Applicant's address:	<u>Street and number</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
	215-651-1241 OR 570-575-3507			
Applicant's Phone Number:	<u>37-1921367</u>			
Tax Identification #:	<u>37-1921367</u>			

Note: Application form, photogra and required drawings and application fee are to be submitted to the City of Scranton's Department of Licensing, Inspections and Permits (340 N Washington Ave, City Hall 4th floor, Scranton, PA 18503) no later than 12:00 noon on the first Monday of the month in order to be placed on the agenda for that month's meeting. All information must be completed in full or it will be not be placed on the agenda or considered for approval, this application will be labeled invalid and will need to be refiled.

A BOND MAY BE REQUESTED AT THE RECOMMENDATION OF THE HARB FOR DEMOLITION APPLICATIONS. In the event of default of the approved Certificate of Appropriateness, the bond will be used for demolition completion, historical preservation, historical education, mitigation, construction, or otherwise deemed appropriate by the HARB.

1. PHOTOGRAPHS - Photographs of your building and neighboring buildings must accompany your application.

2. TYPE OF WORK PROPOSED – Check all that apply.

- | | |
|---|--|
| <input checked="" type="checkbox"/> Trim and decorative woodwork | <input type="checkbox"/> Skylights |
| <input checked="" type="checkbox"/> Siding and Masonry | <input type="checkbox"/> Metal work |
| <input type="checkbox"/> Roofing, gutter and downspout | <input checked="" type="checkbox"/> Light fixtures |
| <input checked="" type="checkbox"/> Windows, doors, and associated hardware | <input type="checkbox"/> Signs |
| <input type="checkbox"/> Storm windows and storm doors | <input checked="" type="checkbox"/> Demolition |
| <input type="checkbox"/> Shutters and associated hardware | <input type="checkbox"/> Other _____ |

3. DRAWINGS OF PROPOSED WORK – Required drawings must accompany your application. Please submit ten (10) copies of 8-1/2"x 11" or 11" x 17" drawings.

- ☒ **Alteration, Restoration, Renovation:** Provide photos of the existing conditions and images along with scaled drawings to fully communicate the proposed changes. Include manufacturer's information on new products to be installed (awnings, siding, trim, roofing, signage, windows, doors, hardware, etc.) Provide dimensions to communicate scale. Drawing should indicate which materials will be used and where they will be used. Provide material or color samples and photographs/drawings to communicate intended color-use.

____ **New Addition:** Provide photos of the existing conditions and images along with scaled drawings (elevations, floor plans, and sections) to fully communicate the proposed scope of work. Include manufacturer's information on new products to be installed (awnings, siding, trim, roofing, signage, windows, doors, hardware, etc.) Provide dimensions to communicate scale. Drawing should indicate which materials will be used and where they will be used. Provide material or color samples and photographs/drawings to communicate intended color-use.

____ **New Building or Structure:** Provide photos of the existing conditions and images along with scaled drawings (elevations, floor plans, and sections) to fully communicate the proposed scope of work. Include manufacturer's information on new products to be installed (awnings, siding, trim, roofing, signage, windows, doors, hardware, etc.) Provide dimensions to communicate scale. Drawing should indicate which materials will be used and where they will be used. Provide material or color samples and photographs/drawings to communicate intended color-use.

X **Demolition:** Provide existing photos and historic images (if available) of the existing conditions. Provide drawings to fully communicate proposed use after demolition. Provide structural reports or other information that justify demolition.

____ **Windows and Doors:** Provide manufacturer's information on new doors and windows to communicate the dimensions, materials, colors, profile, hardware and operability.

____ **Signage – Provide the following:**

- o Photographs or elevation drawings showing existing conditions and proposed signage to depict approximate scale, materials, colors, and lettering.
- o Material specifications and/or material samples.
- o Information pertaining to the attachment method (diagrams, drawings, photos, details, samples, etc.)

____ **Lighting – Provide lighting manufacturer specifications which indicate dimensions, materials, colors, lamping, and photometric information (if available)**

4. **DESCRIBE PROJECT –** Describe any work checked in #2 and #3 above. Attach additional sheets as needed.

Attached

5. **BUILDING USE –** Describe the current use and the proposed use of this property. Attach additional sheets as needed.

THE CURRENT USE IS AN OFFICE BUILDING. RENOVATION WILL CONSIST OF 65

RESIDENTIAL APARTMENTS ON FLOORS 2-6 AND RETAIL ON THE GROUND FLOOR.

ITEMS 6-11 ONLY NEED TO BE COMPLETED FOR DEMOLITION APPLICATIONS. MARK N/A IF THIS IS NOT APPLICABLE TO YOUR PROJECT. PROCEED TO SECTION 12.

Demolition applications may attach additional sheets as necessary.

6. PROVIDE PROJECT SCHEDULE

BID PROJECT JULY/AUGUST 2019

AWARD PROJECT SEPTEMBER/OCTOBER 2019

OBTAIN ALL PERMITS OCTOBER 2019

CONSTRUCTION NOVEMBER 2019 TO AUGUST 2020

INSPECTION AND OCCUPANCY AUGUST 2020

7. PROVIDE HISTORICAL BACKGROUND – Year built, previous owners, use & occupants, Architect of Record, previous renovations. Etc.

SEE ATTACHED

8. ANTICIPATED IMPACTS TO THE SURROUNDING AREA – Historical, Architectural, lines of site, viewshed, financial, social

The Stoehr & Fister building renovation will restore the original look of the building including; windows, doors and restoration of the facade. The building will house approx 85 new residents to the downtown who will in turn

generate wage taxes and shop local downtown businesses bringing additional revenue to the city.

Additional tenants in the downtown add to the existing growing neighborhood.

9. JUSTIFICATION FOR DEMOLITION

Total demolition of the building's non historic 170's office interior will enable us to construct the apartments and

furnish with new plumbing, electrical, HVAC and finishes.

10. ALTERNATIVES ANALYSIS –

Alternative Locations

N/A

Alternative-Use, Alterations, Renovation-Analysis

No Action Analysis

11. PROPOSED MITIGATION OF HISTORICAL AND ARCHITECTURAL LOSS

N/A

12. APPLICANT'S SIGNATURE:



Date:

10/18/19

DO NOT WRITE BELOW THIS LINE: FOR COMMISSION USE ONLY

Presented at Commission Meeting on: _____

Reviewed by: _____ Date: _____

Zoning Approval: _____ YES _____ NO

Commission Recommendations:

Additional Comments:

PROVIDE HISTORICAL BACKGROUND

Stoehr, Fister & Jennings, a retailer for fine home furnishings, opened its doors in 1906 when Scranton was at its peak. The company offered extensive products and services for any home or office – including furniture, machines (gramophones, phonographs, etc.), kitchenware and appliances, flooring, and even repair and finishing services. The company became Stoehr & Fister in 1923 when they moved into the, then newly constructed, building on the corner of Adams Avenue and Spruce Street. In 1939, Gustav Stoehr and Ray Fister dissolved their 33-year partnership and the company passed to Stoehr's son, Robert. The company was bought by Spiegel, Inc. in 1946, which was a national furniture company out of Chicago with over 100 retail locations and a successful catalog business. By this time, the company was one of the few furniture stores left in the area. Even though the company changed hands, very little else changed. Robert Stoehr remained the manager, the employees stayed on, and the company retained the Stoehr & Fister name. The building itself remained the property of Stoehr & Fister through its realty company. Spiegel, Inc. sold Stoehr & Fister to Lewittes & Sons of New York in 1955. Again, the Stoehr & Fister name and general manager, Geoffrey Priestley, survived the sell, due to their longstanding reputation in the community. Unfortunately, the business did not survive the era of change that led to the closing of many downtown businesses. It is now the Lackawanna County Administration Building.

YEAR: 1922-1923

ARCHITECT: George M. Lewis

STYLE:

20th Century Commercial

MATERIALS:

Steel, terra-cotta, applied masonry

NOTABLE FEATURES:

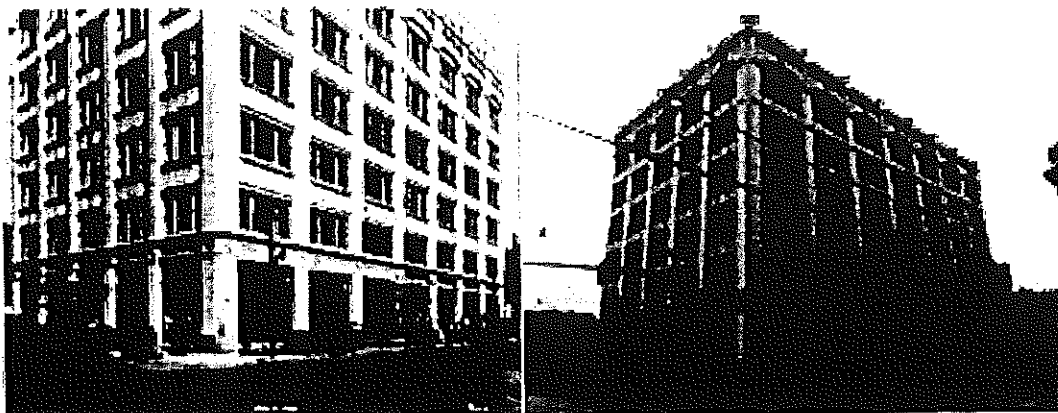
- The seven-story steel structure clad in limestone and terra cotta complements the neighboring Scranton Life building in scale and rhythm of its bays. Sculpted heads of medieval craftsmen speak of the furniture sold within.

HISTORICAL SIGNIFICANCE:

NON-CONFORMING ELEMENTS:

Aluminum windows and store-front masonry

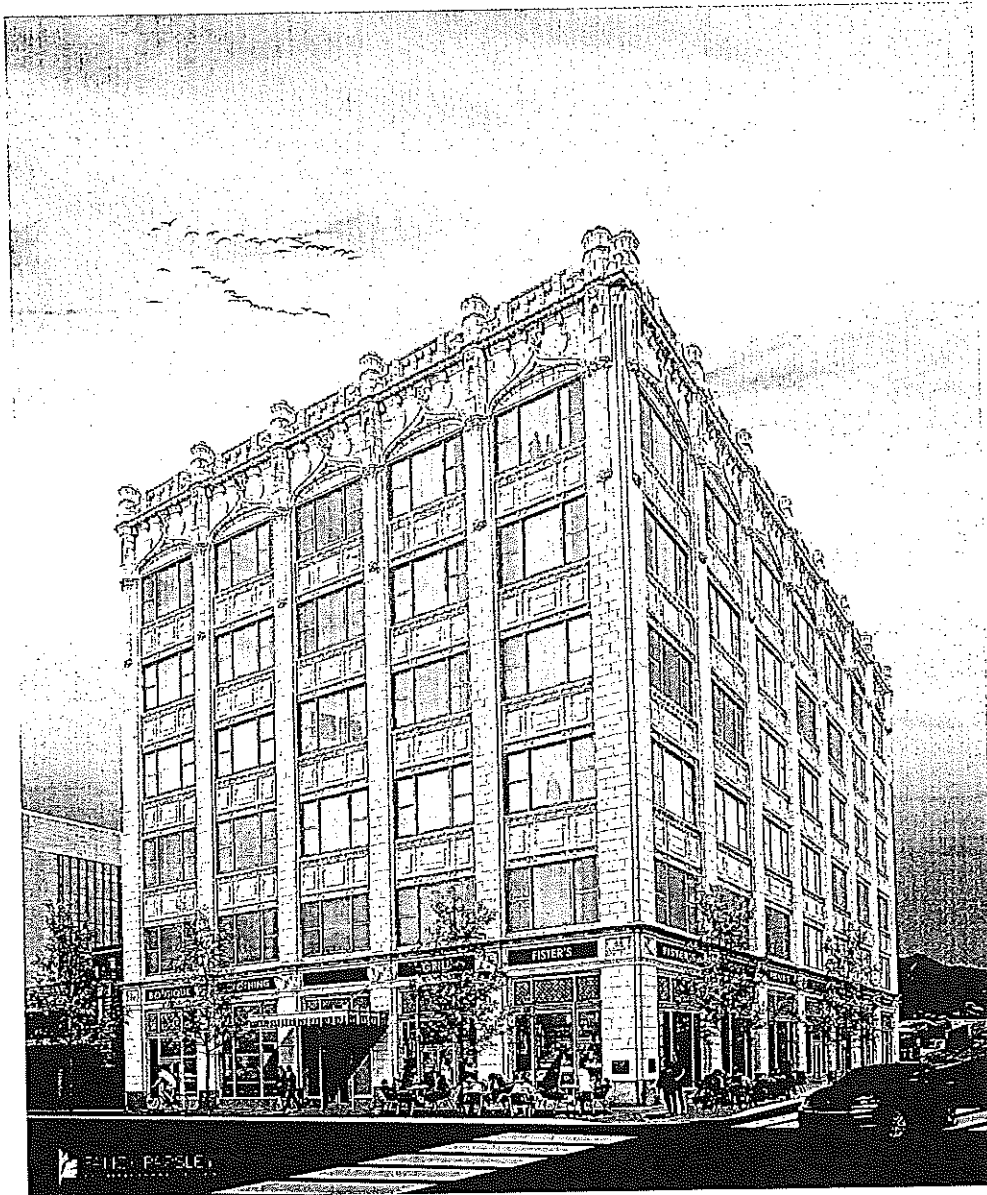
PHOTO CREDIT: Melissa Siracusa



DESCRIBE PROJECT

We will completely gut and rehabilitate the former 6-story furniture & office building into 60-65 one- and two-bedroom apartments with modern layouts and amenities. The historic entry vestibules on Spruce and Adams will remain as will the entry marquis with restoration of each. Downtowns require people living in them to succeed. Bringing 65 new units to the 200 block of Adams Ave means more than 70 people living in the building and walking in-and-out on a regular basis. In addition, the redevelopment will allow one of Scranton's largest retailers to remain downtown (occupying approx. 6,800 sq ft with over 15 jobs), who would otherwise relocate and leave the downtown. This project will be accomplished by a combination of equity, conventional debt, federal historic tax credits and RACP Grant. The RACP Grant is vital to this project as rental rates in downtown Scranton are not sufficient to support the investment required to do a first-rate job. A RACP Grant makes this possible. This project also represents the first Opportunity Zone investment into the Downtown Scranton distressed census tract.







DEPARTMENT OF LAW

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4105 • FAX: 570-348-4263

November 20, 2019

RECEIVED

NOV 20 2019

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 A RESOLUTION ACCEPTING THE RECOMMENDATION OF THE HISTORICAL ARCHITECTURE REVIEW BOARD ("HARB") AND APPROVING THE CERTIFICATE OF APPROPRIATENESS FOR CHARLES JEFFERSON, 2030 TILGHMAN STREET, SUITE 203, ALLENTOWN, PA 18104 FOR THE FOLLOWING ALTERATIONS, RESTORATIONS AND RENOVATIONS TO TRIM AND DECORATIVE WOODWORK, SIDING AND MASONRY, WINDOWS, DOORS, AND ASSOCIATED HARDWARE, LIGHT FIXTURES AND DEMOLITION AT SCRANTON-SPRUCE, LP, 200 ADAMS AVENUE, SCRANTON, PA 18503 THE FORMER STOEHR AND FISTER BUILDING.

Respectfully,

Joseph Price
Joseph Price, Esquire
Assistant City Solicitor

JP/sl