

AGENDA
REGULAR MEETING OF COUNCIL
December 9, 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 AGENDA FOR THE ZONING HEARING BOARD MEETING TO BE HELD DECEMBER 11, 2019.

[Zoning Board Meeting Agenda 12-11-19.pdf](#)
 - 3.B SINGLE TAX OFFICE CITY FUNDS DISTRIBUTED COMPARISON REPORT 2019 - 2018 YEAR TO DATE NOVEMBER 30, 2019.

[Single Tax Office City Funds Distributed November 2018 - 2019.pdf](#)
 - 3.C TAX ASSESSOR'S REPORT FOR HEARING DATE TO BE HELD DECEMBER 11, 2019.

[Tax Assessor's Report for 12-11-19.pdf](#)
 - 3.D MINUTES OF THE REGULAR MEETING OF THE SCRANTON REDEVELOPMENT AUTHORITY HELD NOVEMBER 6, 2019.

[Scranton Redevelopment Authority Minutes 11-06-19.pdf](#)
 - 3.E MINUTES OF THE CIVIL SERVICE COMMISSION MEETING HELD NOVEMBER 6, 2019.

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 – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON’S HOMEBUYER PROGRAM.

[Resolution-2019 Agreement with Neighborworks to Administer Homebuyer Program.pdf](#)

- 5.C FOR INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER’S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.

[Resolution-2019 Re-Appt. Michael Muller to HARB.pdf](#)

- 5.D FOR INTRODUCTION – A RESOLUTION – APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.

[Resolution-2019 Appt. Thomas Tansits to Scranton Parking Authority.pdf](#)

- 5.E FOR INTRODUCTION - A RESOLUTION - APPOINTMENT OF NORMA JEFFRIES, 619 COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN MCNALLY WHOSE TERM EXPIRED ON OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.

[Resolution-2019 Appt. Norma Jeffries to Shade Tree Commission.pdf](#)

- 5.F FOR INTRODUCTION - A RESOLUTION - RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.

[Resolution-2019 Re-Appt William Lesniak to HARB.pdf](#)

- 5.G FOR INTRODUCTION - A RESOLUTION - APPOINTMENT OF JOHN R. FINNERTY, 622 WINTERMANTLE AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF SCRANTON EFFECTIVE DECEMBER 31, 2019. JOHN R. FINNERTY WILL BE REPLACING PASTOR ANTHONY ISMAEL WHOSE TERM IS SET TO EXPIRE ON DECEMBER 31, 2019 AND WILL NOT BE REAPPOINTED CREATING A VACANCY ON THE COMMISSION. MR. FINNERTY'S TERM WILL EXPIRE ON DECEMBER 31, 2023.

[Resolution-2019 Appt. John Finnerty to City Planning Commission.pdf](#)

6. CONSIDERATION OF ORDINANCES - READING BY TITLE

- 6.A READING BY TITLE - FILE OF THE COUNCIL NO. 80, 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 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](#)

- 6.B READING BY TITLE – FILE OF THE COUNCIL NO. 81, 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.

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

- 6.C READING BY TITLE – FILE OF THE COUNCIL NO. 82, 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.

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

- 6.D READING BY TITLE – FILE OF THE COUNCIL NO. 83, 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.

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

- 6.E READING BY TITLE – FILE OF THE COUNCIL NO. 84, 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.

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

- 6.F READING BY TITLE – FILE OF THE COUNCIL NO. 85, 2019 – AN ORDINANCE – APPROVING THE TRANSFER OF A RESTAURANT LIQUOR LICENSE OWNED BY KAYGEECEE, INC. D/B/A J.J. BRIDJES, 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](#)

7. FINAL READING OF RESOLUTIONS AND ORDINANCES

- 7.A FOR CONSIDERATION BY THE COMMITTEE ON FINANCE - FOR ADOPTION - FILE OF THE COUNCIL NO. 79, 2019 - 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.B FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - RESOLUTION NO. 195, 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.

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

- 7.C FOR CONSIDERATION BY THE COMMITTEE ON PUBLIC WORKS - FOR ADOPTION - RESOLUTION NO. 196, 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.

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

8. ADJOURNMENT



DEPARTMENT OF LICENSING, INSPECTIONS AND PERMITS

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-1234 FAX: 570-348-4171

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DEC 03 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

THE ZONING HEARING BOARD OF THE CITY OF SCRANTON HEREBY GIVES NOTICE THAT IT WILL CONDUCT A PUBLIC HEARING AT CITY HALL, 340 N WASHINGTON AVE., CITY COUNCIL CHAMBERS (2nd Floor) ON WEDNESDAY, DECEMBER 11, 2019 @ 6 PM, TO CONSIDER, DELIBERATE, DISCUSS AND/OR TAKE OFFICIAL ACTION ON ANY MATTER THAT MAY LAWFULLY COME BEFORE IT AND TO CONSIDER THE FOLLOWING APPLICATIONS:

- 1) Rashida Lovely, Seeks Variance to use property as community center on 1st floor and 3 units on upper floors at 1818 Jackson St. R-2 Zone.**
- 2) Shawwna Giumento, Seeks Variance to construct personal use garage at 211 Larch St. R-2 Zone**
- 3) Keystone Mission, Seeks Variance to convert building to 50 Bed Homeless shelter with day center and support services for the homeless 529-31 Wyoming Ave. I-L Zone**
- 4) Birdhouse Outdoor, Seeks Variance to construct 300 SF Off-Premise Sign (Billboard) at 130 W Market St. C-N Zone**
- 5) Northeast Economic Advisors, Inc. Seeks Variance to use/covert the building in phases as tenants are acquired and convert the building into a mix of Office (Professional and Medical/Dental) Use and Retail (Neighborhood Shops and Stores) Uses and Residential (High End Apartments) Uses. At 701 Race St. R-1A Zone**
- 6) AT&T Mobility, Seeks Variance(s) for installation and relief from setback and fencing requirements for Commercial Communications Antenna(s) (small cell facility) or in the alternative Validity Variances at or near the following locations:**

- a. 71 Morel St (Park Gardens, near corner of Boulevard and Morel St.) R-3 Zone
 - b. 124 N Main Ave, C-N Zone
 - c. 154 S Sumner Ave., R-2 Zone
 - d. 416 N Main Ave, C-N Zone
 - e. 1504 Lafayette St, R-1A zone
 - f. 1013 Mulberry St. , C-N Zone
- 7) Peter Spano seeks Variance from to construct a Major Convenience Store (5,000 sf) including 6 gasoline pumps at 1554 Sanderson Ave. (Sanderson Ave. and Green Ridge St., former site of the Green Ridge Nursing Home) R-2 zone

ANYONE INTERESTED IN BECOMING A PARTY TO THE ABOVE LISTED CASES ARE DIRECTED TO CONTACT THE CITY ZONING OFFICER @ 570-348-4280. SHAWN WALSH, CHAIRMAN, SCRANTON ZONING BOARD. PUBLIC PARTICIPATION WELCOME.

**SINGLE TAX OFFICE
CITY FUNDS DISTRIBUTED
COMPARISON 2019 - 2018**

		<u>YTD</u> <u>11/30/2019</u>	<u>YTD</u> <u>11/30/2018</u>	<u>Increase</u> <u>(Decrease)</u>	<u>Increase</u> <u>(Decrease)</u>
Real Estate	\$	29,344,369.21	\$29,533,109.38	(\$188,740.17)	-0.6%
Delinquent Real Estate	\$	1,528,745.35	\$1,525,231.28	\$3,514.07	0.2%
LST/EMS	\$	4,914,583.19	\$4,890,296.44	\$24,286.75	0.5%
Bus Priv/Merc	\$	2,560,237.90	\$2,541,198.62	\$19,039.28	0.7%
TOTALS		\$38,347,935.65	\$ 38,489,835.72	(\$141,900.07)	

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TAX ASSESSOR'S REPORT

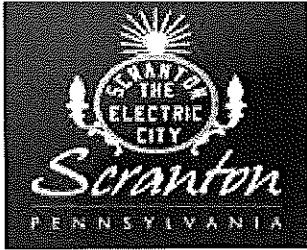
Hearing Date: 12/11/19

Time	Name	Boro/Twp.	Pin Number	Attorney	Proposed/Current Assesed Value
10:00 AM	JENKINS ROBERT C	BENTON	02802010019		28750
10:10 AM	DAVIS JAMES C & REBECCA A	BENTON	0280301000305		13750
10:20 AM	BOTSCHELLER ASSOCIATES	DALTON	0790207000115	PATRICK LAVELLE	22500
10:30 AM	BALISH BRUCE M & MICHELE E	ROARING BROOK TWP	1900103002001		56500
10:40 AM	OHARA JAMES T JR	SPRINGBROOK	19703020034		26360
10:50 AM	OBRIEN TERESA & MARINO KATHLE	THORNHURST TWP	2470101000702		56000
11:00 AM	HUNTER THOMAS & CATHERINE	SCRANTON	1440402000312		35800
11:10 AM	GARUBBA THOMAS III & ALYSON	ROARING BROOK TWP	1700101000144		52250
11:20 AM	CARTER BRANDON J	NEWTON TWP	0980301000204		43500
11:30 AM	REEVES BRADLEY M & JYL A	NEWTON TWP	09903010005		36700
11:40 AM	SACCO ANTHONY	NEWTON TWP	1220102000729		51000
11:50 AM	WALKER CHAD P	RANSOM	1420204001106	ROCCO VALVANO JR	40350
12:00 PM	GRESS KEITH S	WAVERLY	0810102000103		9000
12:10 PM	SHEERIN JOHN & SUSAN	BLAKELY	1031202004133	JAMES CONABOY	43500
12:20 PM	WASHO CRAIG & CUCURA BRITTANY	OLYPHANT	1250209000167		47400
12:30 PM	MCANDREW MEGHAN	VANDLING	00704010008		21000
12:40 PM	BEGIN MARK & JENNIFER	GREENFIELD TWP	0330101000207		3000
12:50 PM	WALLIS SUSAN & JEFFREY R	GREENFIELD TWP	0140302000203		12500
1:00 PM	COYER MICHAEL J & BROOKE A	MADISON TWP	19104020016	MARK CONWAY	49500
1:10 PM	BRENNAN PAUL M & NICOLE	MOOSIC	1850102001087	JAMES TRESSLER	50000
1:20 PM	GAD HAZEM M & KATIE	MOOSIC	1850102001066		43750
1:30 PM	PIONEER CONSTRUCTION CO INC	JEFFERSON TWP	1490205000142		46500
1:40 PM	MAY JOSEPH & ARIELLE	COVINGTON	1980302000113		45000
1:50 PM	THEILE KEITH E & CHERYL M	MOOSIC	18504030062	SCOTT SANDERSON	47000
TOTAL RECORDS					24

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OFFICE OF
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Monday, December 2, 2019



City of Scranton

Scranton Redevelopment Authority

340 N. Washington Avenue

Scranton, PA 18503

SOLICITOR: Paul A. Kelly, Esquire

Chairman: Robert Timlin

Members of Authority: Mario Savinelli, Burt Schwartz, Gene Teserovich

Approved Minutes

Regular Meeting

Wednesday, November 6, 2019

12:15 P.M.

Olympus Digital Voice Recorder VN-7200, File A, Track 50

I. Roll call:

Present: Mr. Savinelli, Mr. Schwartz, Mr. Teserovich, Mr. Timlin

SRA Coordinator: Denise Nytch

Solicitor: Paul Kelly

Absent:

II. Reading and approval of minutes:

October 2019 minutes approved:

- Mr. Teserovich made the motion to approve the minutes.
- Mr. Savinelli seconded.

Roll Call Vote

- o Mr. Savinelli....YES
- o Mr. Schwartz....YES
- o Mr. Teserovich....YES
- o Mr. Timlin....YES

III. Bills and Communications:

Attorney Paul Kelly Legal Bills - \$665.00

The Scranton Times Invoice for Ad \$78.25

- Mr. Schwartz made the motion to approve payment the bills.
- Mr. Savinelli seconded.

- Mr. Teserovich made a motion to approve Murphy Dougherty's Contract for the next 3 years.
- Mr. Savinelli seconded.

Roll Call Vote

- o Mr. Savinelli...YES
 - o Mr. Schwartz...YES
 - o Mr. Teserovich...YES
 - o Mr. Timlin...YES
- Status of Bank Accounts. There were many different bank accounts with various banks and within Fidelity Bank. Atty. Kelly spent many hours reviewing and researching these accounts to consolidate the accounts so they are manageable. These were discussed with Mr. Dougherty during caucus.
 - Marquis land that adjoins Coney Island Restaurant between Center Street & Lackawanna Avenue. There is a water issue whereas when it rains water ponds causing issues when the weather gets cold and freezes. The Authority asked Solicitor Kelly to look into whose legal responsibility it is to maintain this land, Marquis, City of Scranton or Scranton Redevelopment Authority. There are safety concerns coming into winter.
 - The Dates of the 2020 Scranton Redevelopment Authority were approved and as well as approval to place an Ad in the Scranton Times announcing the SRA 2020 meetings.

VIII. Adjournment:

Mr. Schwartz made the motion to adjourn.
Mr. Savinelli seconded.

Next meeting is scheduled for December 4, 2019 at 12:15pm

Roll Call Vote

- o Mr. Savinelli...YES
- o Mr. Schwartz...YES
- o Mr. Teserovich...YES
- o Mr. Timlin...YES



City of Scranton

Civil Service Commission

340 N. Washington Avenue

Scranton, PA 18503

SOLICITOR: Christian Owens, Esquire

Chairman: Jack Loscombe

Commissioners: Ray Kelly, Bob Keiper

Approved Minutes **November 6, 2019** **Civil Service Meeting**

I. Pledge of Allegiance

Completed.

II. Roll Call

Roll call was taken. Chairman Loscombe & Commissioners R. Kelly and R. Keiper were present.

Solicitor Christian Owens was present.

Civil Service Commission Coordinator, Denise Nytch, was present.

Absent:

III. Approval of Minutes

- By way of motion by Ray Kelly and seconded by Bob Keiper, the Commission approved the minutes for September 19, 2019.

IV. Approval of Bills

- By way of motion by Commissioner Kelly and seconded by Commissioner Keiper, the Commission approved the legal bills from Solicitor Owens in the amount of \$1,985.50.00 for legal services in September & October 2019
- By way of motion by Commissioner Kelly and seconded by Commissioner Keiper, the Commission approved to pay the following bills:

Scranton Times Ad for reschedule of monthly meeting (10-10 to 10-23) \$69.15

PA Chiefs of Police Association Invoice \$4,578.55 (PD Oral Testing 9-24 & 25)

Fire Service Testing Co. - \$935.00 Chauffeur Testing; \$875.00 Fire Inspector;

\$875.00 Administrative Captain testing; \$875.00 Fire Prevention Officer

V. Unfinished Business, New Business

- Police Entry Exam – Commission Certified the List – there were 2 Veterans on the list Tim McHale & Paul Formosa – there were 16 candidates – Certified List will be posted at City Hall.
- List was Certified for the following: Fire Chauffeur, Fire Administrative Captain, Fire Inspector and Fire Prevention Officer.
- Police Promotional Exams - It was decided to hold off on scheduling the exams until Mayor Cagnetti is sworn in and if she will keep this Commission intact or select another Commission. Solicitor Owens will reach out to Mayor Elect to discuss the commission.
- Scranton Fire Department Master Mechanic Testing – It was decided to hold off on scheduling the exams until Mayor Cagnetti is sworn in and if she will keep this Commission intact or select another Commission.
- Mr. Anthony Mariano's hearing was held November 6, 2019 – a decision has not been made regarding whether to uphold his removal from the Scranton Police Entry list.
- The Commission approved the Civil Service Commission dates for meetings in 2020.
- The letter from Detective Kyle Van Note with Pocono Mountain Regional PD requesting information regarding Michael Parrent who took the Police Entry Exam was given to Solicitor Owens to respond to.

VI. Communication and Reports/Public Comment

- Tom Irwin was present asked the Commission if they would find another testing company for the Fire tests.
- Chief Graziano stated that the top 8 candidates from the certified list will be selected to fill positions on the SPD.

VII. Adjournment

- By way of motion by Commissioner Kelly and seconded by Commission Keiper, the Commission authorized the meeting to be adjourned; all in favor.

RESOLUTION NO. _____

2019

AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON'S HOMEBUYER PROGRAM.

WHEREAS, the City of Scranton, through its Office of Economic and Community Development, receives HOME Investment Partnership Program funding from the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, in connection with such funding and in accordance with 42 United States Code Sec. 12701, et seq. "HOME Investment Partnership Act", HUD allows the City of Scranton to create, establish, and administer a Homebuyer Program; and

WHEREAS, the Homebuyer Program provides fair and affordable housing and related services to low and moderate income citizens; and

WHEREAS, the City of Scranton's Homebuyer Program provides federal housing assistance to low and moderate income homebuyers purchasing a home within the City of Scranton; and

WHEREAS, the City of Scranton's Homebuyer Program includes but is not limited to coordinating and facilitating marketing and outreach, eligibility determination, providing economic/financial assistance counseling by certified staff, improving client understanding of HUD guidelines, scheduling home inspections, scheduling and facilitating the homebuyer closing process, and creating a customer focused and customer friendly process; and

WHEREAS, the City of Scranton Office of Economic and Community Development publicly sought requests for proposals to create, establish, and administer the City of Scranton's Homebuyer Program, attached hereto as Exhibit "A"; and

WHEREAS, the most qualified proposal received to create, establish, and administer the City of Scranton's Homebuyer Program was submitted by NeighborWorks of Northeastern Pennsylvania, attached hereto as Exhibit "B"; and

WHEREAS, the City of Scranton desires to accept the proposal of NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City of Scranton's Homebuyer Program by entering into the Agreement attached hereto as Exhibit "C" and incorporated herein as if set forth at length.

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 execute and enter into an Agreement, substantially in the form attached hereto as Exhibit "C", with NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City of Scranton's Homebuyer Program.

SECTION 1. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such 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.



December 4, 2019

Via Hand Delivery
Jessica Eskra, Esquire
340 North Washington Avenue
4th Fl., Law Department
Scranton, PA 18503

Re: Resolution
OECD on behalf of the City of Scranton – NeighborWorks to Create, Establish, and Administer Homebuyer Program

Dear Attorney Eskra:

The City of Scranton, specifically OECD, is requesting approval enter into an Agreement which will allow NeighborWorks of Northeastern Pennsylvania to create, establish, and administer the City's Homebuyer Program.

OECD is requesting that you review the attached Resolution and submit it to City Council for approval.

Please do not hesitate to contact me if you should need additional information.

Sincerely,

Mary-Pat Ward
Executive Director

/mpw

Exhibit “A”

REQUEST FOR PROPOSAL CITY OF SCRANTON HOMEBUYER PROGRAM

**City of Scranton
Office of Economic and Community Development
Municipal Building
340 North Washington Avenue
Scranton, Pennsylvania 18503
Phone: 570/348-4216
FAX – 570-348-4123
TDD – 570/348-4233**

**REQUEST FOR PROPOSAL
CITY OF SCRANTON
HOMEBUYER PROGRAM**

Introduction:

Please read carefully. If you have any questions, please do not hesitate to contact the Office of Economic and Community Development (OECD) at 570/348-4216.

The City of Scranton, through the Office of Economic and Community Development (OECD), is a department that among many other initiatives provides fair and affordable housing and related services to low- and moderate-income citizens of Scranton, Pennsylvania. OECD administers federal housing programs through the U. S. Department of Housing and Urban Development (HUD) through the HOME Investment Partnership Program (HOME) and the Community Development Block Grant Program (CDBG).

This "Request for Proposals" (RFP) is for the City of Scranton's Homebuyer Program which provides federal housing assistance to low and moderate-income homebuyers purchasing a home within the City of Scranton.

A. Type of Service

Scranton's OECD is requesting Proposals from qualified organizations to help assist in administering the Homebuyer Program under the HUD HOME regulations and to provide the following scope of services for a term of three (3) years:

- Program Creation;
- Coordinate and facilitate marketing and outreach;
- Application review to determine eligibility;
- Provide Economic/Financial Counseling by Certified Staff;
- Improve client understanding of HUD guidelines/program;
- Provide Activity Reports/data collection and verifiable source documentation;
- Scheduling of home inspections;
- Schedule and facilitate closing process and all related materials;
- Improve and increase the successfulness of the program by creating a customer focused and customer friendly process.

The City expects the Offeror to have the capacity to exercise independent judgment and to perform services necessary to achieve the program objectives in a manner consistent with senior technical management and staff.

The City intends to select an offeror which it deems best qualified, in its judgment, to provide all of the services requested.

The City will negotiate with the Offeror it deems most qualified to determine the fee for such services. If the City is unable to negotiate a fee which seems reasonable, the City may negotiate with the Offeror deemed second best qualified, or the City may issue another Request for Proposals.

B. INFORMATION AND DATA REQUIRED OF EACH OFFEROR:

Each proposal shall contain a response to each of the following:

1. Qualifications and Experience

- a. Demonstrate the Offeror's experience performing the tasks requested under the scope of services for this RFP and a list of clients/agencies for which similar services have been provided. The client list provided must identify the agency, a brief description of the service or project, and a key contact person with current address, phone, and e-mail address;
- b. Identify the key personnel responsible for providing the requested services. Demonstrate that the key professional staff has the knowledge and ability to perform the work requested. Indicate any experience that the key professional staff have obtained from work on similar projects or in undertaking similar work responsibilities;
- c. Identify specific individuals who would be assigned to work with OECD and specify which person would be the primary contact person with OECD;
- d. Copies of all City, County, and State licenses, if applicable;
- e. Familiarity with the City of Scranton, the housing needs of the City, and its residents;
- f. Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania;
- g. Must have a minimum of three (3) years' experience administering homebuyer assistance programs within the past five (5) years;
- h. Must have Professional Liability Insurance Coverage;

2. Work Plans

- a. The Offeror shall prepare a work plan to address each task outlined in the types of services requested. The work plans shall include, but not be limited to: allocating resources and personnel, the ability to provide continuity, and a timely response over the course of the contract period including but not limited to scheduled/unscheduled monitoring.

3. Participation by Small Business Firm, Minority Owned Enterprise, Section 3 (Scranton based) Firm, or Women Owned Enterprise

- a. If the Offeror qualifies under any of the following categories, the Offeror shall set forth the basis for qualifying under these categories:
 - (1) **Small Business Firm** – less than \$2.5 million in annual receipts.

- (2) **Minority Owned Enterprise (MBE)** – the principal owner(s) is a minority.
- (3) **Section 3 Firm** – located in City of Scranton.
- (4) **Women Owned Enterprise (WBE)** – the principal owner(s) is a female.

4. Compensation

A maximum percentage of 10% for an administration fee is capped in any program year for service compensation.

C. Comparative Evaluation Criteria:

The City of Scranton will evaluate each written proposal, determine whether oral discussions with the Offerors are necessary, then based on the content of the written proposal and oral discussions, if any, select an organization best qualified for the assignment based on the data submitted and whose offer is most advantageous to the City, price, and other factors considered.

In evaluating the proposal, the City will assign points for each segment of the proposal in accordance with the criteria hereinafter set forth. The Offeror with the highest total points will be selected for the purpose of negotiating a contract. If the City is not satisfied with the basis used by the Offeror or with the price of the services to be rendered, the City may proceed to negotiate a contract with the Offeror with the next highest point total. The points to be awarded are set forth below:

1. Qualifications and Experience – (Maximum 60 points)

- a. Demonstrate constructive experience in administering homebuyer assistance programs. Must have at least three (3) years' experience in homebuyer administration within the past five (5) years. (15 points)
- b. Identify the key personnel to be assigned to render the requested scope of services. Demonstrate that key professional staff has the knowledge and ability to perform the work requested. Indicate any experience that the professional staff have obtained from work on similar projects or in undertaking similar work responsibilities. (15 points)
- c. Familiarity with the City of Scranton, the needs of the City, and its residents. (5 points)
- d. Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania. (15 points)
- e. Perform the tasks requested under the scope of services for this RFP. (10 Points)

2. Work Plans – (Maximum 30 points)

- a. Quality of consultant's work plans, including but not limited to allocating resources and personnel and ability to provide both continuity and timely response over the course of the contract period and be prepared for scheduled/unscheduled monitoring.

3. Participation by Small, Minority, Women, or Section 3 Firms – (Maximum 10 points)

- a. Any offeror who meets one or more of the following factors shall receive two and one half (2 1/2) points for each factor met:
- | | |
|-------------------------------------|--------------|
| (1) Small business firm | (2.5 points) |
| (2) Minority owned enterprise | (2.5 points) |
| (3) Section 3 (Scranton based) firm | (2.5 points) |
| (4) Women owned enterprise | (2.5 points) |

CITY CONTACT INFORMATION:

To request a copy of this Request for Proposal, contact:

Mary Pat Ward, Executive Director, OECD
Email: mpward@scrantonpa.gov
Phone: 570-348-4216 ext. 4256

The City can provide the request for proposals by postal service delivery, email, or they can be picked up at OECD.

PROPOSAL SUBMISSION:

Offerors shall submit an original and two (2) copies of their proposals and supporting documentation by 11:00 a.m. prevailing time, Wednesday, November 13, 2019 to:

Office of City Controller
Scranton Municipal Building
340 N. Washington Avenue,
2nd, Floor
Scranton, Pa 18503

To determine an organization that can provide the highest quality of work at a reasonable fee, please complete the following checklist in conjunction with reviewing RFP. All sections must be submitted to the fullest extent possible.

Qualifications and Experience:

- _____ Demonstrate the Offeror's experience performing the tasks requested under the scope of services for this RFP and a list of clients/agencies for which similar services have been provided. The client list provided must identify the agency, a brief description of the service or project, and a key contact person with current address, phone, and e-mail address;
- _____ Identify the key personnel responsible for providing the requested services. Demonstrate that the key professional staff have the knowledge and ability to perform the work requested. Indicate any experience that the key professional staff have obtained from work on similar projects or in undertaking similar work responsibilities;
- _____ Identify specific individuals who would be assigned to work with OECD and specify which person would be the primary contact person with OECD;
- _____ Copies of all City, County, and State licenses, if applicable;
- _____ Familiarity with the City of Scranton, the housing needs of the City, and its residents;
- _____ Must have a Certified Home Counselor on staff who conducts Homebuyer Education Services with the State of Pennsylvania;
- _____ Must have a minimum of three (3) years' experience administering homebuyer assistance programs within the past five (5) years;
- _____ Must have Professional Liability Insurance Coverage;
- _____ The Offeror shall prepare a work plan to address each task outlined in the types of services requested. The work plans shall include, but not be limited to: allocating resources and personnel, the ability to provide continuity, and a timely response over the course of the contract period including but not limited to scheduled/unscheduled monitoring.
- _____ If the Offeror qualifies under any of the following categories, the Offeror shall set forth the basis for qualifying under these categories:
 - (1) Small Business Firm – less than \$2.5 million in annual receipts.
 - (2) Minority Owned Enterprise (MBE) – the principal owner(s) is a minority.
 - (3) Section 3 Firm – located in City of Scranton.
 - (4) Women Owned Enterprise (WBE) – the principal owner(s) is a female.
- _____ Compensation - A maximum percentage of 10% for an administration fee is capped in any program year for service compensation.

Signature: _____

Printed Name/Date: _____

Exhibit “B”



PROPOSAL

City of Scranton -Homebuyer Program-

NeighborWorks Northeastern Pennsylvania
1510 North Main Avenue
Scranton, PA 18508

Contact person:

Jesse Ergott
President & CEO
570-558-2490
jergott@nwnepa.org

November 13th, 2019





Qualifications & Experience

About NeighborWorks Northeastern Pennsylvania:

NeighborWorks® Northeastern Pennsylvania (NWNEPA) is a 501(c)(3) not-for-profit organization that has worked for over 35 years to improve the financial stability of families throughout the City of Scranton, Lackawanna County and Northeastern Pennsylvania by providing effective homeownership and housing services and neighborhood revitalization initiatives. NWNEPA provides critical services such as financial coaching, homebuyer education, foreclosure prevention, home repairs and modifications, blight reduction, facilitating financing for home purchases, and more to neighbors who need a helping hand.

NWNEPA is a chartered member of the National NeighborWorks Network, a system of 250 organizations focused on comprehensive community development work in all 50 states throughout the country.

A. Relevant Experience:

NWNEPA opened its Homeownership Center over 20 years ago, with the goal of assisting the residents of northeastern Pennsylvania with purchasing and maintaining their homes. Since then, NWNEPA has provided a variety of educational services, including pre-purchase homebuyer workshops, housing and credit counseling, foreclosure prevention, and financial literacy training and coaching. As a HUD-certified housing counseling agency and an approved participant in the Pennsylvania Housing Finance Agency's (PHFA) Comprehensive Housing Counseling Initiative, NWNEPA has both federal and state accreditations to provide all the necessary services for the City of Scranton Homebuyer Program. Each year, we assist between 80-100 prospective homebuyers with the purchase of their new home in the City of Scranton and throughout Lackawanna County.

NWNEPA also has extensive, relevant experience in each of the tasks listed in the RFP's Scope of Services due to our organization's involvement in planning and executing numerous housing-related programs and services throughout the region. Recent examples include:

- 1) **The Lackawanna County First-Time Homebuyer Program (2009-2015).**
NWNEPA partnered with Lackawanna County's Department of Planning & Economic Development to implement their ACT 137-funded Homebuyer Program for a 6-year period. During this time, we managed the intake, eligibility review, homebuyer education, pre-purchase counseling, and closing activities for 29 homebuyers (as well as additional applicants who did not end up purchasing a home). Our administration of this program included program design, outreach, implementation, and follow-up reporting.

Agency: Lackawanna County Department of Planning & Economic Development

Contact: Brenda Sacco, saccob@lackawannacounty.org; 570-963-6830 Ext. 1376

Address: 123 Wyoming Avenue, Scranton PA 18503





- 2) **The City of Scranton Homebuyer Assistance Program (2016-Current).** This program, designed to incentivize home purchases in the City with exterior improvement grants, has assisted over 30 new homebuyers over the past 3 years. NWNEPA worked with then-Councilman (and now Mayor) Wayne Evans on the design and launch of the program and was successful in receiving additional resources to support it through the Pennsylvania Housing Finance Agency's PHARE program.

Agency: City of Scranton OECD / Scranton City Council

Contact: Dave Bulzoni, Business Administrator; dbulzoni@scrantonpa.gov;
570-348-4118

Address: Scranton City Hall, 340 North Washington Ave., Scranton PA 18503

- 3) **The Lackawanna County Aging in Place Program (2017-Current).** This program was created to assist older homeowners throughout Lackawanna County with services to help them age safely and with dignity in their own homes. Created in partnership with the Lackawanna County Area Agency on Aging, this program emphasizes keeping seniors as active members of our neighborhoods by modifying their homes and connecting them with other crucial homeownership and community services. NWNEPA created this program from the ground up, including program design, capacity-building, marketing, resource development, and implementation. To date, we have assisted over 120 seniors with physical modifications and other services.

Agency: Lackawanna County Area Agency on Aging

Contact: Jason Kavulich, Director; kavulichj@lackawannacounty.org;
570-963-6740, ext. 1216

Address: 123 Wyoming Avenue, 4th Floor, Scranton PA 18503

In addition, NWNEPA has experience in managing the following related programs in recent history:

- The City of Scranton's Beautiful Blocks Program (2019)
- The City of Scranton's HOME Rehabilitation Program (2004-2013)
- Borough of Dunmore HOME Rehabilitation Program (2012-2015)

B. Key Personnel:

Jesse Ergott, President & CEO. Mr. Ergott has over 15 years' experience in program development, resource development, implementation, and advocacy that includes each of the aforementioned programs listed.

Pamela Anslinger, Financial & HomeOwnership Specialist. Ms. Anslinger holds housing counseling and homebuyer education certifications from HUD, the Pennsylvania Housing Finance Agency, and NeighborWorks America. As one of only a few housing counselors in the entire region who has received her HUD Counseling Certification, she has established herself





as a leader in the field. She also has established and maintains many key relationships relevant to this program which includes realtors, lenders and other industry-specific specialists. She is familiar with the requirements for existing local, state and federal homebuyer programs and already works daily with prospective homebuyers who are seeking assistance and advice.

In addition, NWNEPA is currently seeking to fill a new **HomeOwnership Assistant** position to increase our current capacity to allow for an increased client load for this program and other expansion efforts we are pursuing.

Finally, NWNEPA also employs a licensed Realtor, **Jennifer Dougherty**, who currently heads up our real estate development work but also contributes to our homeownership programming by advising on key aspects of program development, implementation, and reporting.

C. Staff Assigned to Work W/ OECD.

For the purposes of this program the following staff will be the primary points of contact:

- 1) **Jesse Ergott:** Program Development, Contracts
- 2) **Pamela Anslinger:** Client Services, Reporting

D. Copies of Licenses (If Applicable).

The following licenses/information are attached (in this order):

- 1) PA Dept. of State – Certification of Good Standing
- 2) Printout - HUD Housing Counseling Agency Info.
- 3) P. Anslinger – HUD Counseling Certification
- 4) Homeownership Education National Industry Standards - Certificate of Adoption
- 5) Homeownership Counseling National Industry Standards - Certificate of Adoption

E. Familiarity with the City of Scranton:

Established in the City of Scranton in 1981 as an organization with the specific mission to encourage and strengthen homeownership in the City, NWNEPA has a long history and deep roots of working with City homebuyers and homeowners. We operate the only designated NeighborWorks HomeOwnership Center in the region and have extensive relationships with key financial institutions, real estate brokerage firms, and other key players in the home purchase space. With on-staff expertise in real estate, resource development, counseling, marketing, program management and evaluation, and other key skills, NWNEPA is uniquely situated to implement the City of Scranton Homebuyer Program in the City we call home. Each year, we work with hundreds of Scranton residents (and prospective residents) to assist with many types of housing issues. This contributes to our deep knowledge of issues facing the City in respect to housing, homeownership, and neighborhood revitalization.

F. Certified Housing Counselor:

Pamela Anslinger is a HUD-Certified Housing Counselor and has also received multiple certifications from PHFA and NeighborWorks America.



G. Experience in Administering Homebuyer Assistance Programs:

For the past 20 years, NWNEPA has administered a homebuyer assistance program through our HomeOwnership Center. Services have included: homebuyer education, pre-purchase counseling, financial fitness coaching, administration of and help with down payment assistance programs, and other related services.

H. Professional Liability Insurance:

NWNEPA holds professional liability insurance which is up to date.

Work Plan Elements

Program Creation:

To date, NWNEPA has already contributed to the re-creation of the City of Scranton Homebuyer Program by conducting a significant amount of research into homebuyer assistance programs from markets across the Commonwealth and the country as a whole. We have also taken the time to interview over a dozen lenders and realtors to get their feedback on the program in order to inform its future direction. This information was previously presented to City personnel at our meeting on 10/7/2019.

Should our proposal be accepted, NWNEPA will work with staff from the City's OECD Department to finalize the recommendations, processes, and updated guidelines for the program in December with a goal of launching the updated City of Scranton Homebuyer Program in January of 2020.

Marketing & Outreach:

Once the updated program guidelines and processes are set, NWNEPA will design updated marketing materials and begin distribution to key contacts and distribution networks (lending institutions / mortgage brokers, realtors, and other crucial referral partners). Outreach for the program will also be conducted via social media channels and traditional media (press releases, etc.). Finally, NWNEPA would also plan to hold at least one interactive information session in partnership with the City of Scranton specifically for lenders and realtors to educate them on the changes to the program and to encourage their referrals.

Application Review:

NWNEPA currently conducts eligibility reviews for multiple programs, including Aging in Place, the Scranton Homebuyer Assistance Program, the Beautiful Blocks Program, among others. We will review each application for eligibility through a formal intake process where all applicable client information will be reviewed and verified for eligibility according to both the federal requirements of the HOME Program and the internal requirements agreed to by NWNEPA and the City of Scranton. NWNEPA currently employs multiple staff with experience in conducting





NWNEPA – City of Scranton Homebuyer Program

eligibility reviews of application for multiple programs, and we plan on adding an additional staff member to assist with this function in the near future.

Financial Counseling:

Pamela Anslinger, our Financial and HomeOwnership Specialist, will provide individualized pre-purchase counseling to each participant in this program. Applicants will also need to participate in one of our 8-Hour Homebuyer Education Classes which are offered in person at various times throughout the year or online at any time.

Improve Client Understanding of Guidelines:

NWNEPA will incorporate a review of program guidelines into our client intake process to ensure that each client understands their potential eligibility in the program. Perhaps more importantly, NWNEPA will work hard to effectively communicate the eligibility requirements of the program to potential referral partners (lenders, realtors, etc.) so that we can minimize the amount of potential applicants for the program who aren't eligible due to a lack of up front education from our partners.

Activity Reports and Data Collection:**

Currently, NWNEPA reports on all activities within our HomeOwnership department on a monthly, quarterly, and annual basis for our various partners (NeighborWorks America, PHFA, HUD, etc.). We will integrate any reporting requirements under this program into our regular data-tracking processes.

**Prior to accepting an invitation to provide services under this proposal, NWNEPA would need to clarify reporting expectations with the City of Scranton to ensure that the City's requirements and processes are not overly burdensome compared to the level of administration funding available.

Scheduling of Home Inspections:

If selected, NWNEPA will work directly with the City's OECD Department to identify the most efficient/effective way to integrate a home inspection into the program.

Facilitation of Closing Process:

Like the "home inspection" section above, the process for facilitating down payment and closing cost closings will need to be finalized with the City's OECD Department to ensure efficient integration with the City's check processing timeframe and various paperwork requirements.

Creation of a Customer-Centric Process:

The majority of the feedback we received from the initial interviews we conducted with referral partners had to do with improving customer service for the program and re-orienting aspects of the program to make them more customer centric. Everything that NWNEPA proposes for



this program is considered through this lens, including how we market the program, the timing of applications and appointments, clarifying the available amount of funding, and handling the closing. All these elements MUST be convenient and efficient for the client and referral partner for the program to be successful. NWNEPA has already made initial suggestions for how to do this at our previous meeting with City representatives; if selected, we will hone these recommendations into a final action plan which is agreeable to both the City of Scranton and NWNEPA.

Other:

NWNEPA has adequate program management capacity to implement this program and plans on hiring additional staff for our HomeOwnership Department to build additional expertise and cross-training within the department for long-term sustainability. NWNEPA will also commit to being readily accessible for any discussions with the City's OECD office regarding the program throughout the 3-year term and agrees to provide necessary reporting to the City at mutually agreeable intervals. NWNEPA respectfully requests that the City's OECD office be as clear as possible about reporting requirements and would reserve the right to request clarity in writing from the department regarding any new or disputed reporting requirements.

Participation by Small Business Firm, Minority-Owned Enterprise, Section 3 Firm, or Women-Owned Enterprise

NWNEPA is a certified 501(c)(3) not-for-profit corporation. The above classifications are not applicable to our proposal.

Compensation

NWNEPA is willing to undertake the activities under this proposal for a 10% administrative fee of the total contract amount. To make this possible, NWNEPA requests a mutually agreeable and clear line of communication between the City's OECD office and NWNEPA regarding reporting requirements and expectations under the program. Should the amount of administrative work increase due to new or additional requirements levied by HUD, the City of Scranton, or any other entity for the administration of the program, NWNEPA requests the courtesy of an opportunity to discuss the appropriate associated fee increase to accommodate the change.



COMMONWEALTH OF PENNSYLVANIA

DEPARTMENT OF STATE

06/10/2019

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I DO HEREBY CERTIFY THAT,

SCRANTON NEIGHBORHOOD HOUSING SERVICES, INC.

is duly registered as a Pennsylvania Non-Profit (Non Stock) under the laws of the Commonwealth of Pennsylvania and remains subsisting so far as the records of this office show, as of the date herein.

I DO FURTHER CERTIFY THAT this Subsistence Certificate shall not imply that all fees, taxes and penalties owed to the Commonwealth of Pennsylvania are paid.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Seal of the Secretary's Office to be affixed, the day and year above written

Kathey Bookman

Acting Secretary of the Commonwealth

Certification Number: TSC190610120816-1

Verify this certificate online at <http://www.corporations.pa.gov/orders/verify>

HOME AGENCY HUD-9902 BUDGET ALLOCATION CMS SUBMISSION VERIFICATION APPROVED CMS PRODUCTS



- Agency Summary
- Agency Information
- Personnel
- Contact Information
- HUD Affiliation
- Counselor/Client

NEIGHBORWORKS NORTHEASTERN PA/NHS OF LACKAWANNA COUNTY

Acknowledgment Agency ID: 80915 Agency Type: Sub Grantee Parent Name: NEIGHBORHOOD REINVESTMENT CORP. DBA NEIGHBORWORKS AMERICA Parent ID: 80754 Parent Type: National Intermediary Agency Services Begin: 12/01/1995 CMS: CounselorMax		Performance Review Fiscal Year: 2020 Status: Participating Last Review Date: 05/22/2018 Last Review Result: IN COMPLIANCE Next Scheduled Review Date: 05/21/2021													
Data Input and Validation Last Data Input By: MX0915 Last Data Input Date: 10/10/2019 Last Validated By: MX0915 Last Validated Date: 10/10/2019 Next Validation NLT Date: (01/08/2020)		HUD-9902 Submission Summary - FY 2019 View Submission History <table border="1"> <tr> <td>2019 - Quarter 1</td> <td>01/15/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 2</td> <td>04/09/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 3</td> <td>07/12/2019</td> <td>✓</td> </tr> <tr> <td>2019 - Quarter 4</td> <td>10/15/2019</td> <td>✓</td> </tr> </table>		2019 - Quarter 1	01/15/2019	✓	2019 - Quarter 2	04/09/2019	✓	2019 - Quarter 3	07/12/2019	✓	2019 - Quarter 4	10/15/2019	✓
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2019 - Quarter 4	10/15/2019	✓													
Essential Contacts HUD Agency Contact: ✓ HUD POC Phone: ✓ HUD POC Email: ✓ POC Assigned: ✓		HUD-9902 Submission Summary - FY 2020 View Submission History <table border="1"> <tr> <td>2020 - Quarter 1</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 2</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 3</td> <td>access 9902</td> <td>N/A</td> </tr> <tr> <td>2020 - Quarter 4</td> <td>access 9902</td> <td>N/A</td> </tr> </table>		2020 - Quarter 1	access 9902	N/A	2020 - Quarter 2	access 9902	N/A	2020 - Quarter 3	access 9902	N/A	2020 - Quarter 4	access 9902	N/A
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2020 - Quarter 3	access 9902	N/A													
2020 - Quarter 4	access 9902	N/A													
Counselors Total 9 Trained 0		Clients & Counselors Clients Projected for FY: 0 YTD Declared in 9902: 0 Total YTD Reported : 0													
Public Access Selection HUD Web Site: ✓ HUD IVR: ✓															
Public Services Information Agency Address: ✓ Agency Web Site: ✓ Agency Email: ✓ IVR Posting: ✓ Web List Posting: ✓ Counseling Services: ✓ Languages: ✓ Certified Counselor: ✓															

Agency ID: 80915

Last Validated on 10/10/2019 (Next Validation Required by 01/08/2020)

Agency Name: NEIGHBORWORKS NORTHEASTERN PA/NHS OF LACKAWANNA COUNTY

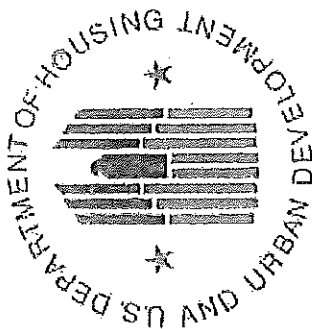
Agency Designations☐ Faith Base☐ Colonias☐ Migrant Workers

Housing Counseling Services Provided as of:

Joined HUD Program as of: 04/01/2004

12/01/1995

Services provided as of date cannot be after the date the agency joined the HUD program.



HUD CERTIFIED HOUSING COUNSELOR

This Certificate is issued by the U.S. Department of Housing and Urban Development to

PAMELA ANSLINGER
of
NEIGHBORWORKS NORTHEASTERN PA/NS OF LACKAWANNA COUNTY

for meeting the criteria for this certification.

This Certificate is valid only for the above named Housing Counselor while employed by the named Housing Counseling Agency, and while such Agency remains a HUD approved Housing Counseling Agency.

Date Issued: July 3, 2019

Agency HCS ID: 80915
Housing Counselor ID: NB7GIC

Jerrold H. Mayer

Jerrold H. Mayer, Director
Office of Outreach and Capacity Building

The purpose of this Certificate is to identify the above named individual as being approved and certified by HUD to provide counseling pursuant to Section 106 of the Housing and Urban Development (HUD) Act of 1968 and other pertinent regulations and requirements. The approval and certification of a counselor does not create or imply a warranty or endorsement by HUD of the Counselor or the HUD Participating Agency which employs the Counselor, nor does the approval and certification of a Counselor represent a warranty of any counseling provided by the Counselor or the Participating Agency which employs the Counselor. Approval and Certification means only that the Counselor has met the qualifications and conditions prescribed by HUD.

Warning: Misuse of this Certificate may subject users to Criminal penalties under 18 U.S.C. 709 or other civil or administrative action.

Certificate of Adoption



Homeownership
Done Right®

This is to certify that
NeighborWorks Northeastern Pennsylvania

Having successfully met the qualifications and high performance standards for

Homeownership Education

is officially recognized as an Adopter of

The National Industry Standards for Homeownership Education and Counseling.

The National Industry Standards Committee

Initial Adoption Date: 09/22/2008

Certificate Issued: 9/29/2018

Certificate valid for one year from the date of issuance.

An organization's adoption status may be rescinded at any time for failure to adhere to the National Industry Standards Guidelines and Code of Ethics.
For an agency's most current adoption status, please visit www.homeownershipstandards.org

Dear Adopter,

Congratulations!

This letter is to notify you that your organization's Certificate of Adoption has been issued. As an approved Adopter of the Standards, your organization will be listed nationally at www.homeownershipstandards.org.

We applaud your organization for demonstrating the capacity to better serve its clients and community through its commitment to excellence, professionalism and ethical homeownership education and counseling service delivery.

As an added benefit, Adopters of the National Industry Standards have access to a suite of professionally developed marketing tools and resources, including official Adopter logos, customizable press releases and a PowerPoint presentation template. These free marketing tools and resources can be found by logging into your organization's profile at www.homeownershipstandards.org and clicking the "Marketing Tools" button located on the left-hand side of the screen.

Lastly, to ensure you receive all notices regarding the National Industry Standards, including changes to your organization's adoption status and updates on new complimentary marketing tools, we recommend that you periodically review and if necessary, update your online profile at www.homeownershipstandards.org.

For additional information, you may contact the National Industry Standards staff at web@homeownershipstandards.org or (866) 472-9477.

Again, congratulations on your organization's adoption of the National Industry Standards. We look forward to working with you to ensure the promotion of sustainable homeownership nationwide.

Regards,

The National Industry Standards Committee

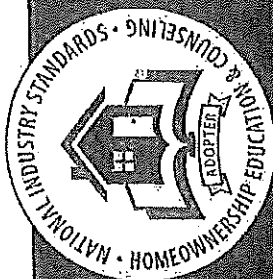


Homeownership
Done Right

**National Industry Standards for
Homeownership Education and Counseling**

www.homeownershipstandards.org

Certificate of Adoption



Homeownership
Done Right®

This is to certify that
NeighborWorks Northeastern Pennsylvania

Having successfully met the qualifications and high performance standards for
Homeownership Counseling
is officially recognized as an Adopter of

The National Industry Standards for Homeownership Education and Counseling.

The National Industry Standards Committee

Initial Adoption Date: 06/16/2010
Certificate Issued: 6/16/2019
Certificate valid for one year from the date of issuance.

An organization's adoption status may be rescinded at any time for failure to adhere to the National Industry Standards Guidelines and Code of Ethics.
For an agency's most current adoption status, please visit www.homeownershipstandards.org

Dear Adopter,

Congratulations!

This letter is to notify you that your organization's Certificate of Adoption has been issued. As an approved Adopter of the Standards, your organization will be listed nationally at www.homeownershipstandards.org.

We applaud your organization for demonstrating the capacity to better serve its clients and community through its commitment to excellence, professionalism and ethical homeownership education and counseling service delivery.

As an added benefit, Adopters of the National Industry Standards have access to a suite of professionally developed marketing tools and resources, including official Adopter logos, customizable press releases and a PowerPoint presentation template. These free marketing tools and resources can be found by logging into your organization's profile at www.homeownershipstandards.org and clicking the "Marketing Tools" button located on the left-hand side of the screen.

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The National Industry Standards Committee



Homeownership
Done Right

**National Industry Standards for
Homeownership Education and Counseling**

www.homeownershipstandards.org

Exhibit “C”

**AGREEMENT
CITY OF SCRANTON
HOMEBUYER PROGRAM
BETWEEN THE CITY OF SCRANTON'S
OFFICE OF ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT
AND
NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA**

STATE OF Pennsylvania }

COUNTY OF Lackawanna }

CITY OF Scranton }

THIS AGREEMENT entered into **this** _____ **day of** _____, **2019**, between the City of Scranton (hereinafter referred to as "CITY") a Pennsylvania Municipal Corporation, acting by and through its Office of Economic and Community Development located at 340 North Washington Avenue, Municipal Building, Scranton, Pennsylvania 18503, hereinafter referred to as "CITY/OECD" and **NeighborWorks Northeastern Pennsylvania**, a non-profit corporation organized and existing under the laws of the Commonwealth of Pennsylvania, with a principal office located at 1510 North Main Avenue, Scranton, Pennsylvania, 18508 (hereinafter referred to as the " SUB-RECIPIENT").

WHEREAS, the CITY has received certain funds from the U.S. Department of Housing and Urban Development (HUD) under Title II of the National Affordable Housing Act of 1990, (P.L. 1001-625) hereinafter referred to as "the ACT" and,

WHEREAS, the implementing regulations of THE ACT at Section 24 Part 92, et seq. of the Code of Federal Regulations (Final Rule of the Home Investment Partnership Program), and subsequent amendments hereinafter referred to as the "HOME PROGRAM" sets forth the requirements for the use of said funds and,

WHEREAS, the CITY, by resolution, pursuant to the "Act", adopted a Five Year Consolidated Plan to carry out housing activities eligible under the HOME Investment Partnership Program which benefits and supports home ownership for low and moderate income residents of Scranton, Pennsylvania, and

WHEREAS, the CITY published a request seeking proposals for a third party to execute direct service programming for the City of Scranton's Homebuyer Program (hereinafter referred to as "PROGRAM"). The request

included the scope of services, compensation, qualifications, and experience necessary to implement the PROGRAM (attached hereto as Exhibit "A") and,

WHEREAS, the CITY determined through a Comparative Evaluation that the Sub-Recipient has the requisite qualifications and experience necessary to execute the PROGRAM, and

WHEREAS, in consideration of the award of the PROJECT, the SUB-RECIPIENT is agreeable to the proposed compensation (subject to the future availability and award of federal funds) to implement the PROJECT in accordance with THE ACT and the HOME PROGRAM, and

NOW THEREFORE, in consideration of the foregoing and the mutual agreements and covenants hereinafter set forth, the parties hereto legally intending to be bound hereby, do agree for themselves and their respective successors and assigns as follows:

SEC. I SCOPE OF SERVICES

The SUB-RECIPIENT shall administer the City of Scranton's Homebuyer Program. The purpose of the PROGRAM is to help eligible low to moderate income residents (hereinafter referred to as "HOMEBUYERS") purchase a home in the City of Scranton in accordance with 42 United States Code Sec. 12701, et seq.

(i) The SUB-RECIPIENT shall carry out the following specific activities in the implementation of the PROGRAM :

- a. Work with CITY/OECD to create, establish, and maintain fair and open policies and procedures for participation in the PROGRAM including policies determining the requirements for participation by SUB-RECIPIENT, HOMEBUYERS, contractors, and subcontractors, as applicable.
- b. Coordinate and facilitate marketing and outreach for the PROGRAM.
- c. Provide Economic/Financial Counseling to potential HOMEBUYERS by certified staff.
- d. Provide activity reports/data collection and verifiable source documentation

- e. Improve and increase the successfulness of the program by creating a customer focused and customer friendly process in consideration of the HOMEBUYER.
- f. Process timely payments to the SUB-RECIPIENT in accordance with federal financial management requirements.
- g. SUB-RECIPIENT is responsible for assuring that funds provided under this agreement are only used for eligible purposes and must take proactive steps to prevent miss-use and/or mismanagement of funds.
- h. Monitor affordability and affirmatively market assisted housing to eligible low income persons without regard to race, color, national origin, sex, religion, familial status or disability.
- i. Review appropriate documents to verify household income, family size, sources of income, current address, location and condition of home(s) to be acquired, appraised home values, completeness and accuracy of information provided by household members and determine the amount of homebuyer assistance to be provided to achieve affordability.
- j. Execute agreements with HOMEBUYER that require the recapture of HOME funds in the event the purchaser does not continue ownership and occupancy of assisted housing as the principal residence for at least the HOME Program Period of Affordability required in 24CFR §92.254(a)(5)(A).
- k. Assure the legal sufficiency of loan instruments, and settlement documents and assure the filing and recordation of liens and/or deed restrictions required by the PROGRAM to assure continued occupancy for the period of affordability in accordance with 24CFR §92.254(a)(5)(A).

(See Attachment B for a table of minimum required periods of affordability through the City of Scranton Housing Revitalization Program).

(ii) Lead-Based Paint:

- a. Assure that the housing unit passes the lead based paint hazard clearance prior to occupancy.
- b. Provide to each homebuyer the required HUD EPA Title X disclosure form and inspection & clearance reports to be signed, dated and filed as well as the required HUD/EPA/ CPSC Brochure.
- c. Maintain a complete Project file containing documentation of the above requirements and such additional records as may be required by law and/or regulation.

SEC. II REQUESTS FOR USE/DISBURSEMENT OF FUNDS

- (i) City/OECD is providing the maximum percentage of Ten (10%) percent for an administrative fee for each program year in HOME funds in accordance with requirements of 24CFR 92.300 and 92.301. Funds are eligible for reimbursement from expenses and administrative fees incurred from **January 1, 2020 through December 31, 2022.**
- (ii) The SUB-RECIPIENT shall use HOME funding provided under this agreement to provide rehabilitate housing for low and moderate income persons by making deferred loans to occupants of single family housing units owned and occupied by HOME eligible low and moderate income persons.
- (iii) In no event shall the total amount of HOME funds provided under this agreement be exceeded, to include the use of program income and any prior year HOME funding still being retained by the SUB-RECIPIENT without the written approval of City of Scranton.
- (iv) The SUB-RECIPIENT shall receive and utilize the HOME funds, awarded by this Agreement, solely for activities eligible under the provisions of the "Act", the Project application, this Agreement, and applicable Federal laws, Federal Regulations and Executive Orders as well as HUD notifications and guidance that currently exist and that may be issued in the future, and shall use said funds for no other purpose.
- (v) The parties agree that the SUB-RECIPIENT shall provide documentation to the CITY/OECD for each request of PROGRAM expenditures under this agreement. Documentation provided shall be in a form and format agreed upon by CITY/OECD and SUB-RECIPIENT.

SUB-RECIPIENT shall utilize forms provided agreed upon by the CITY/OECD and SUB-RECIPIENT to request for reimbursement of expenditures and/or advancement of funding for costs necessary to carry out the purposes of this Agreement. Upon receipt and verification of this documentation, the CITY/OECD shall arrange for such funding to be paid to SUB-RECIPIENT.
- (vi) In no event shall the SUB-RECIPIENT request funding until such time that either eligible expenses have been incurred or funds are needed for eligible costs.
- (vii) SUB-RECIPIENT agrees that failure to begin and complete the project as well as to expend HOME funds may result in the termination of the Project and the repayment of funds in accordance with 24CFR, Sec 92.503(b) and (c).

SEC. IV PROGRAM INCOME

Program income is the monetary return from activities carried out in the performance of this agreement including but limited to loan repayments, home sales and rental income. Program income is required to be repaid directly to the CITY/OECD for redeposit into its Federal Home Investment Trust Fund Account.

SEC. V AFFORDABILITY

(i) Eligibility of Homebuyers

- a. SUB-RECIPIENT must assure that occupants of PROGRAM assisted housing have a gross annual household income that does not exceed 80 percent of area median income (AMI), adjusted for household size. Verification of household income must be in accordance with 24CFR, § 92.203. [See Attachment C for current area household income limits by family size].
- b. Homes must be located within the jurisdiction(s) of Scranton, Pennsylvania and be occupied as the principle residence of the recipient of HOME funds throughout the established period of affordability. [See **Attachment B** for table of minimum required periods of affordability the City of Scranton Housing Revitalization Program].

(ii) Minimum & Maximum Investment in HOME Assisted Housing

SUB-RECIPIENT must assure that the amount of HOME funds invested in each housing unit is in compliance with the minimum and maximum subsidy requirements and that a minimum of \$1,000 in assistance is invested per home in accordance with (24CFR § 92.205 (c), and no more than the maximum per unit subsidy allowed in 24CFR § 92.250 (a).

(iii) Maximum Home Value

SUB-RECIPIENT must assure that the value as well as the purchase price of any home assisted with HOME funds does not exceed 95% of the FHA Section 203 b home value limits for housing in the Metropolitan Statistical Area, in accordance with (24CFR, § 92.250).

SEC. VI. UNIFORM ADMINISTRATIVE & OTHER FEDERAL REQUIREMENTS

To the extent applicable, the SUB-RECIPIENT shall comply with OMB Circulars A-110, A-122, A-133, as amended and Title 24 of the Code of Federal Regulations, part 84 (24CFR, part 84) pertaining to financial management, audits, procurement and other provisions applicable to managing federal grants. [Copies of the OMB Circulars may be obtained from the White House / Office of Management and Budget Web site at <http://www.whitehouse.gov/omb/circulars>. You may download copies of federal regulations from the electronic code of federal regulations at: <http://ecfr.gpoaccess.gov>]

SEC. VII. FAIR HOUSING & EQUAL OPPORTUNITY

SUB-RECIPIENT shall also comply with the following requirements:

- (i) Equal Opportunity and Fair Housing.
 - A. In accordance with the Program Guidelines and Section 24 CFR 92.350 of the HOME Regulations, no person in the United States shall on the ground of race, color, national origin, religion, or sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program activity funded in whole or in part from HOME funds. In addition, funds must be made available in accordance with the following:
 - (1) The requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063, as amended by Executive Order 12259 (3 CFR, 1958 –1963 Comp., P. 652 and 3 CFR, 1980 Comp., P. 307) (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107; and of the Civil Rights Act of 1964 (42 U.S. C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1;
 - (2) The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing Regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8;
 - (3) The requirements of Executive Order 11246 (3 CFR 1964-65, Comp., p.339) (Equal Employment Opportunity) and the implementing Regulations issued at 41 CFR chapter 60;

- (4) The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 (concerning Women's Business Enterprise). The SUBRECIPIENT must make efforts to encourage the use of minority and women's business enterprises in connection with HOME-funded activities. The SUBRECIPIENT will cooperate with the CITY/OECD in its minority outreach program to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, in the procurement of property and services including, without limitation, real estate firms, construction firms, financial institutions, investment banking firms, underwriters, accountants, and providers of legal services.

(ii) Non-discrimination

The SUB-RECIPIENT shall provide the services set forth in Section I without discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, marital status, physical handicap, or age. The SUB-RECIPIENT agrees to post notices containing this policy against discrimination in conspicuous places available to applicants for employment and employees. All solicitations or advertisements for employees, placed by or on the behalf of the SUB-RECIPIENT, will state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, sexual orientation, national origin, physical handicap, age, height, weight, marital status, veteran status, religion and political belief.

(iii) Affirmative Marketing.

The SUB-RECIPIENT must adopt affirmative marketing procedures and requirements for HOME-assisted housing projects containing 5 or more housing units. Affirmative marketing steps shall consist of actions to provide information and otherwise attract eligible persons from all racial, ethnic, and gender groups in the housing market area to the available housing and shall comply with the requirements and procedures of 24 CFR 92.351 of the Regulations

(iv) Section 3 Employment & Economic Opportunities:

The requirements of Section 3 of the Housing and Urban Development Act of 1968 (U.S.C. 1701u) that—[Note: Section 3 requirements only apply to construction contracts in excess of \$100,000 for any one contract. The "Section 3 clause", provided below, applies to the SUB-RECIPIENT itself (if the HOME award from the CITY/OECD exceeds \$100,000). This SUB-RECIPIENT shall also include this Sec. 3 clause in every contract executed by SUB-RECIPIENT

that is excess of \$100,000. SUB-RECIPIENT is responsible for monitoring and documenting in its files records that demonstrate compliance with Section 3].

Section 3 Clause:

- A. The work to be performed under this contract is subject to the requirements of section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u (section 3). The purpose of section 3 is to ensure that employment and other economic opportunities generated by HUD assistance or HUD-assisted projects covered by section 3, shall, to the greatest extent feasible, be directed to low- and very low-income persons, particularly persons who are recipients of HUD assistance for housing.
- 1) The parties to this contract agree to comply with HUD's regulations in **24 CFR part 135**, which implement section 3. As evidenced by their execution of this contract, the parties to this contract certify that they are under no contractual or other impediment that would prevent them from complying with the **part 135** regulations.
 - 2) The contractor agrees to include this section 3 clause in every subcontract subject to compliance with regulations in **24 CFR part 135**, and agrees to take appropriate action, as provided in an applicable provision of the subcontract or in this section 3 clause, upon a finding that the subcontractor is in violation of the regulations in **24 CFR part 135**. The contractor will not subcontract with any subcontractor where the contractor has notice or knowledge that the subcontractor has been found in violation of the regulations in **24 CFR part 135**.
 - 3) The contractor agrees to send to each labor organization or representative of workers with which the contractor has a collective bargaining agreement or other understanding, if any, a notice advising the labor organization or workers' representative of the contractor's commitments under this section 3 clause, and will post copies of the notice in conspicuous places at the work site where both employees and applicants for training and employment positions can see the notice. The notice shall describe the section 3 preference, shall set forth minimum number and job titles subject to hire, availability of apprenticeship and training positions, the qualifications for each; and the name and location of the person(s) taking applications for each of the positions; and the anticipated date the work shall begin.
 - 4) To the greatest extent feasible, opportunities for training and employment arising in connection with the planning and carrying out of any project assisted with HOME funds be given to low-income persons residing within the unit of general local government or the metropolitan area as determined by HUD, in which the project is located: and
 - 5) To the greatest extent feasible contracts for work to be performed in connection with any such project be awarded to business concerns, including but not limited to individuals or firms doing business in the field of planning,

consulting, design, architecture, building construction, rehabilitation, maintenance, or repair, which are located in or owned in substantial part by persons residing in the same metropolitan area (or nonmetropolitan Pennsylvania) as the project; and

- 6) The contractor will certify that any vacant employment positions, including training positions, that are filled (1) after the contractor is selected but before the contract is executed, and (2) with persons other than those to whom the regulations of **24 CFR part 135** require employment opportunities to be directed, were not filled to circumvent the contractor's obligations under **24 CFR part 135**.
- 7) Noncompliance with HUD's regulations in **24 CFR part 135** may result in sanctions, termination of this contract for default, and debarment or suspension from future HUD assisted contracts.

SEC. VIII. OTHER FEDERAL REQUIREMENTS

- (i) Environmental Review.
 - Environmental Review and Approval
 - (a) In accordance with 24 C.F.R. Part 58.22, SUB-RECIPIENT agrees to refrain from undertaking any physical activities or choice limiting actions until the City of Scranton has approved the project's environmental review. Choice limiting activities include acquisition of real property, leasing, repair, rehabilitation, demolition, conversion, or new construction. This limitation applied to all parties in the development process, including public or private nonprofit or for-profit entities, or any of their contractors.
 - (b) This agreement does not constitute an unconditional commitment of funds or site approval. The commitment of funds to the project may occur only upon satisfactory completion of the project's environmental review in accordance with 24 CFR Part 58 and related environmental authorities. Provision of funding is further conditioned on the City of Scranton's determination to proceed with, modify, or cancel the project based on the result of the environmental review.
 - (c) SUB-RECIPIENT agrees to abide by the special conditions, mitigation measures or requirements identified in the City of Scranton's environmental approval and shall ensure that project contracts and other relevant documents will include such special conditions, mitigation measures or requirements.

- (d) Until the City of Scranton has approved the environmental review for the project, neither SUB-RECIPIENT nor any participant in the development process, including public or private nonprofit or for-profit entities, or any of their contractors, may commit HUD assistance to the project or activity.
- (e) SUB-RECIPIENT agrees to provide the CITY/OECD with all available environmental information about the project and any information which the City of Scranton may request in connection with the conduct and preparation of the environmental review, including any reports or investigation or study which the City of Scranton's opinion is needed to fulfill its obligations under HUD environmental requirements.
- (f) SUB-RECIPIENT agrees to advise the City of Scranton of any proposed change in the scope of the project or any change in environmental conditions, including substantial changes in the nature, magnitude, extent or location of the project; the addition of new activities not anticipated in the original scope of the project; the selection of an alternative not in the original application or environmental review, or new circumstances or environmental conditions which may affect the project or have bearing on its impact, such as concealed or unexpected conditions discovered during the implantation of the project or activity.

(ii) Davis Bacon Act - Prevailing Wages

- a. Any contract for the construction (rehabilitation or new construction) of a housing project consisting of 12 or more units assisted with funds made available under the HOME Program must contain a provision requiring that not less than the wages prevailing in the locality, as predetermined by the Secretary of Labor pursuant to the Davis-Bacon Act (40 U.S.C. 276a-5), will be paid to all laborers and mechanics employed in the development of affordable housing involved, and such Agreements must also be subject to the overtime provisions, as applicable, to the Work Hours and Safety Standards Act (40 U.S.C. 327-332).
- b. The SUB-RECIPIENT shall comply with regulations issued under these Acts and with other Federal Laws and Regulations pertaining to labor standards and HUD handbook 1344.1 (Federal Labor Standards Compliance in Housing and Community Development Programs), as applicable. The City of Scranton shall require certification as to compliance with the provisions of this section before making any payment under such Agreement.

(iii) Debarment and Suspension

As required by 24 CFR Part 24, federal funds shall not be used directly or indirectly to employ, award contracts to, or otherwise engage the services of, or fund any contractor, subcontractor, Subrecipient, business, consultant or any entity during any period of debarment, suspension, or placement in ineligibility status.

(iv) Copeland Anti-Kick-Back Act

The SUB-RECIPIENT shall comply with the provisions of the Copeland Anti-Kick-Back Act (18 U.S.C. 874) as supplemented in the AGENCY of Labor Regulations (29 CFR Part 3), as amended.

(v) Contract Work Hours and Safety Standard Act

The SUB-RECIPIENT shall comply with the provisions of sections 103 and 107 of the Contract Work Hours and Safety Standard Act (40 U.S.C. 327-330) as supplemented by AGENCY of Labor regulations (29 CFR, Part 5), as amended.

(vi) Records Retention

- (a) The SUB-RECIPIENT shall retain all applicable administrative and project records for a period of five (5) years after the termination of all activities funded under this Agreement.
- (b) Note that for the HOME Program funded activities extend for five years after the period of affordability as stipulated in 24CFR, §92.254 and §92.508 c. 2.
- (c) Notwithstanding the above, if there is litigation, claims, audits, negotiations or other actions that involve any of the records cited and that have started before the expiration of the five-year period, then such records must be retained until completion of the actions and resolution of all issues, or the expiration of the five-year period, whichever occurs later.

(vii) Access to Records

The SUB-RECIPIENT shall allow unobstructed and full access to records for monitoring by the City of Scranton and HUD representatives.

(viii) Reporting

The SUB-RECIPIENT shall submit reports to the City of Scranton on, at minimum, a quarterly basis for the purpose of fiscal tracking and program compliance monitoring, including progress toward meeting project objectives, benchmarks, timelines, and program outcomes.

(ix) Privacy Rights

The SUB-RECIPIENT understands and agrees that client information collected under this contract is private and the use or disclosure of such information, when not directly connected with the City of Scranton's administration of the SUB-RECIPIENT's responsibilities with respect to services provided under this contract, are prohibited unless written consent is obtained from such person receiving service and, in the case of a minor, that of a responsible parent or guardian.

(x) Reversion of Assets

Upon occurrence of either the expiration or termination of this Agreement, the SUB-RECIPIENT, in its capacity hereunder as a SUB-RECIPIENT, must immediately transfer to the CITY/OECD any HOME Funds on hand at the time of the expiration or termination of this Agreement, and any accounts receivable attributable to the use of the HOME Funds.

SEC. IX. CONFLICT OF INTEREST

- (i) The SUB-RECIPIENT agrees to abide by the provisions of 24 CFR 92.356 with respect to conflicts of interest, and will assure that no person who exercises or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decisionmaking process or gain any inside information with regard to these activities, may obtain a financial interest or benefit from the PROJECT, or have an interest in any contract, subcontract or agreement with respect thereto, or proceeds derived from the PROJECT, either for themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.
- (ii) If such conflict as outlined above does exist, (or there is the 'appearance' of such conflict) SUB-RECIPIENT is bound to disclose officially in writing, on SUB-RECIPIENT's letterhead, the nature and extent of that conflict (or apparent conflict) prior to execution of this Agreement or if discovered subsequently to disclose such conflict as soon as it occurs or is known.
- (iii) Exceptions to above requirements are allowed under certain circumstances in accordance with 24CFR, §92.356 d, e and f (2). Requests for exceptions must be made to the Pennsylvania who, after determination as to whether an exception request is warranted, will render a decision and/or seek the approval of HUD to render a decision.
- (iv) SUB-RECIPIENT shall exercise due diligence and take all necessary steps to assure compliance with the requirements of this Section.

SEC. X. CONDITIONS OF RELIGIOUS ORGANIZATIONS

- (i) Organizations that are religious or faith-based are eligible, on the same basis as any other organization, to participate in the HOME program. Neither the Federal government nor a State or local government receiving funds under HOME programs shall discriminate against an organization on the basis of the organization's religious character or affiliation.
- (ii) Organizations that are directly funded under the HOME program may not engage in inherently religious activities, such as worship, religious instruction, or proselytization, as part of the assistance funded under this part.
- (iii) If an organization conducts such activities, the activities must be offered separately, in time or location, from the assistance funded under this part, and participation must be voluntary for the beneficiaries of the assistance provided.
- (iv) The completed housing project must be used exclusively by the owner entity for secular purposes, available to all persons regardless of religion. In particular, there must be no religious or membership criteria for tenants of the property.
- (v) An organization that participates in the HOME program shall not, in providing program assistance, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or religious belief.
- (vi) The Pennsylvania Community Development Department will assure that any use of HOME funds by a religious organization when commingled with funds of the religious organization meet the requirements of Section 92.257 of Title 24 of the Code of Federal Regulations. THE SUBRECIPIENT agrees to fully and willingly cooperate with the Pennsylvania in complying with these requirements.

SEC. XI INSURANCE and BONDING REQUIREMENTS

SUB-RECIPIENT shall observe sound business practices with respect to providing Insurance including bonding insurance (as applicable) as would provide adequate coverage for activities under this AGREEMENT in compliance with 24CFR, 85.36(h).

- (i) Flood Insurance.
 - (1) Under the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001-4128), HOME funds may not be used with respect to the acquisition, new construction, or rehabilitation of a project located in an area identified by the Federal Emergency Management Agency (FEMA) as having special flood hazard, unless:
 - (a) The community in which the area is situated is participating in the National Flood Insurance Program (see 44 CFR Parts 59 through 79), or less than a year has passed since FEMA notification regarding such hazards; and

(b) Flood insurance is obtained as a condition of approval of the commitment.

(2) The City of SCRANTON PENNSYLVANIA shall require and monitor compliance where an area has been identified by FEMA as having special flood hazards that the SUBRECIPIENT shall be responsible for assuring the flood insurance under the National Flood Insurance Program is obtained and maintained. Copies of records pertaining to flood insurance protection shall be provided to the CITY/OECD upon request.

(a) No payments will be made to the SUB-RECIPIENT until the current certificates of insurance have been received and approved by the City of Scranton Pennsylvania. If the insurance as evidenced by the certificates furnished by the SUB-RECIPIENT expires or is canceled during the term of the contract, services and related payments will be suspended.

(b) SUB-RECIPIENT shall furnish the City of Scranton with certification of insurance evidencing such coverage and endorsements at least ten (10) working days prior to commencement of services under this contract. Certificates shall be addressed to the City of Scranton Pennsylvania, 538 Spruce Street, Suite 812, Scranton, Pennsylvania 18503 and shall provide for 30 day written notice to the Certificate holder of cancellation of coverage.

SEC. XII OECD RESPONSIBILITIES

In addition to previously stated responsibilities in this agreement, OECD is specifically responsible for the following:

- a. OECD shall provide to the SUB-RECIPIENT information regarding its requirements for the PROGRAM.
- b. OECD will provide the SUB-RECIPIENT with any changes in HOME regulations or program limits that affect the project, including but not limited to household income limits, property value limits (FHA 203b) and maximum per unit (Section 221 d 3) investment of HOME funds.
- c. OECD will conduct progress inspections of work completed to protect its interests as lender and regulatory authority for the project, and will provide information to the SUB-RECIPIENT regarding any progress inspections or monitoring to assist it in ensuring compliance.
- d. OECD review and approval of the WORK will relate only to overall compliance with the general requirements of this Agreement and HOME regulations, and all Pennsylvania regulations and ordinances.

SEC. XIII OTHER GENERAL PROVISIONS

(i) Payroll Taxes

The SUB-RECIPIENT is responsible for all applicable state and federal social security benefits, workmen's compensation and unemployment taxes and agrees to indemnify and protect the Pennsylvania against such liability.

(ii) Practice and Ethics

The parties will conform to the code of ethics of their respective national professional associations.

(iii) Changes in Scope or Services

Any changes in scope or services of this agreement must be mutually agreed upon by the CITY/OECD and the SUB-RECIPIENT. Said changes will be incorporated into this agreement by written amendments signed by both parties.

(iv) Termination without cause.

Either party may terminate the contract by giving thirty (30) days written notice to the other party.

(v) Independent Contractor.

SUB-RECIPIENT and its employees and agents shall be deemed to be independent contractors, and not agents or employees of the City of Scranton, and shall not attain any rights or benefits under the civil service or pension ordinances of the City of SCRANTON PENNSYLVANIA, or any rights generally afforded classified or unclassified employee; further they shall not be deemed entitled to state Compensation benefits as an employee of the City of SCRANTON PENNSYLVANIA.

(vi) Availability of Funds.

- A. Funding for this Agreement is contingent on the availability of funds and continued authorization for program activities and is subject to amendment or termination due to lack of funds, or authorization, reduction of funds, and/or change in regulations.

(vii) Extent of Contract

This contract represents the entire agreement between the parties and supersedes all prior representations, negotiations or agreements whether written or oral.

(viii) Contingent Fees

SUB-RECIPIENT promises that it has not employed or retained any company or person, other than bona fide employees working solely for the SUB-RECIPIENT, to solicit or secure this contract, and that it has not paid or agreed to pay any company or person, other than bona fide employees working solely for the SUB-RECIPIENT, any fee, commission, percentage, brokerage fee, gifts or any other consideration contingent upon or resulting from the award or making of this contract. For breach of this promise, the Pennsylvania may cancel this contract without liability or, at its discretion, deduct the full amount of the fee, commission, percentage, brokerage fee, gift or contingent fee from the compensation due the SUB-RECIPIENT.

(ix) Successors & Assigns

This contract is binding on the CITY/OECD and the SUB-RECIPIENT, their successors and assigns. Neither the CITY/OECD nor the SUB-RECIPIENT will assign or transfer its interest in this contract without the written consent of the other.

(x) Indemnification

The SUB-RECIPIENT will protect, defend and indemnify the City of Scranton Pennsylvania, its officers, agents, servants, volunteers and employees from any and all liabilities, claims, liens, fines, demands and costs, including legal fees, of whatsoever kind and nature which may result in injury or death to any persons, including the SUB-RECIPIENT's own employees, and for loss or damage to any property, including property owned or in the care, custody or control of Pennsylvania of Scranton Pennsylvania in connection with or in any way incident to or arising out of the occupancy, use, service, operations, performance or non-performance of work in connection with this contract resulting in whole or in part from negligent acts or omissions of SUB-RECIPIENT, any subsidiary, or any employee, agent or representative of the contractor or any sub-contractor.

(xi) Treatment of any Conflicts between terms

In the event of conflict between the terms of this Agreement and any terms or conditions contained in any attached documents, the terms in this Agreement shall rule.

(xii) Severability

Should any provisions, paragraphs, sentences, words or phrases contained in this Agreement be determined by a court of competent jurisdiction to be invalid, illegal or otherwise unenforceable under the laws of the Commonwealth of Pennsylvania or the City of Scranton, such provisions, paragraphs, sentences, words or phrases shall be deemed modified to the extent necessary in order to conform with such laws, or if not modifiable to conform with such laws, then same shall be deemed

severable, and in either event, the remaining terms and provisions of this Agreement shall remain unmodified and in full force and effect.

(xiii) No waiver of breach

No waiver or breach of any provision of this Agreement shall constitute a waiver of a subsequent breach of the same or any other provision hereof, and no waiver shall be effective unless made in writing.

(xiv) Enforcement of the Agreement

The CITY/OECD will enforce this agreement in accordance with 24 CFR 85.43, by suspension or termination of the agreement should SUBRECIPIENT fail to comply with any term of the agreement, or for convenience in accordance with 24 CFR 85.44.

(xv) Choice of Law and Forum

This contract is to be interpreted by the laws of the State of Pennsylvania. The parties agree that the proper forum for litigation arising out of this is in Commonwealth of Pennsylvania.

{INTENTIONALLY LEFT BLANK}

IN WITNESS WHEREOF, the City of Scranton's Office of Economic & Community Development and NeighborWorks of Northeastern Pennsylvania have caused the official signatures of their authorized executive to be executed herewith:

Attest:

City Clerk

BY _____
Mayor, City of Scranton

Date

Date

BY _____
City Controller

Date

BY _____
Executive Director
Office of Economic and Community Development

Date

APPROVED AS TO FORM:

City Solicitor

Date

NeighborWorks of Northeastern Pennsylvania

By: _____ Date: _____



DEPARTMENT OF LAW

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

December 5, 2019

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

RECEIVED
DEC 05 2019
OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO EXECUTE AND ENTER INTO AN AGREEMENT WITH NEIGHBORWORKS OF NORTHEASTERN PENNSYLVANIA, 1510 NORTH MAIN AVENUE, SCRANTON, PENNSYLVANIA 18508 TO CREATE, ESTABLISH, AND ADMINISTER THE CITY OF SCRANTON'S HOMEBUYER PROGRAM.

Respectfully,

Joseph G. Price (s)

Joseph G. Price, Esquire
Assist. City Solicitor

JGP/sl

RESOLUTION NO. _____

2019

RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.

WHEREAS, Michael Muller's prior term on the Historical Architectural Review Board expired on October 11, 2016 and was held over until November 20, 2019; and

WHEREAS, the Mayor of the City of Scranton desires to re-appoint Michael Muller as a member of the Historical Architecture Review Board for an additional five (5) year term. His new term will expire on October 11, 2021; and

WHEREAS, Michael Muller has the requisite, experience, education and training necessary to serve on the Historical Architecture Review Board.

NOW, THEREFORE, BE IT RESOLVED that Michael Muller, 830 Taylor Avenue, Scranton, PA is hereby re-appointed to the Historical Architecture Review Board for an additional five (5) year term. Michael Muller's prior term expired on October 11, 2016 and was held over until November 20, 2019. His new term will expire on October 11, 2021.

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

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

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



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 27, 2019

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

RE: Historical Architecture Review Board (HARB) Re-Appointment

Dear Council Members:

Please be advised that I am Re-appointing Michael Muller, 830 Taylor Avenue, Scranton, Pennsylvania 18510 as a member of the Historical Architecture Review Board.

Mr. Muller's term expired October 11, 2016, he was held over until November 20, 2019. His new five (5) year term will expire on October 11, 2021.

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

Sincerely,

Wayne E. Evans
Mayor, City of Scranton

WEE/mm

CC: Tom Oleski, Acting Director, L.I.P.S.
Jessica Eskra, Esq., City Solicitor
Historical Architectural Review Board
Denise Nytech, Boards & Commisions Coordinator
Mr. Michael Muller



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 27 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RE-APPOINTMENT OF MICHAEL MULLER, 830 TAYLOR AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. MICHAEL MULLER'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2016 AND WAS HELD OVER UNTIL NOVEMBER 20, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2021.

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

Respectfully,

Jessica Eskra, Esq.
Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

RESOLUTION NO. _____

2019

APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.

WHEREAS, Joseph Wechsler resigned as a member of the Scranton Parking Authority on February 5, 2019; and

WHEREAS, the Mayor of the City of Scranton desires to appoint Thomas Tansits as a member of the Scranton Parking Authority effective October 1, 2019. He is replacing Joseph Wechsler who resigned on February 5, 2019. Thomas Tansits' will fill the unexpired term of Joe Wechsler that is scheduled to expires on June 1, 2020; and

WHEREAS, Thomas Tansits has the requisite, experience, education and training necessary to serve on the Board of the Scranton Parking Authority.

NOW, THEREFORE, BE IT RESOLVED that Thomas Tansits, 17 Terrace Drive, Scranton, PA is hereby appointed as a member of the Scranton Parking Authority replacing Joseph Wechsler who resigned on February 5, 2019. Thomas Tansits will fill the unexpired term of Joseph Wechsler that is scheduled to expire June 1, 2020.

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.

Todd A. Johns, Esquire

February 5, 2019

Scranton Parking Authority Executive Director

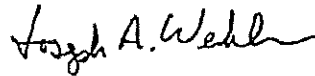
1144 East Drinker Street

Dunmore, PA 18512

Dear Attorney Johns.

It is with great regret that I must inform you of my resignation from the Scranton Parking Authority effective immediately. I have been elected President of the Lackawanna River Conservation Association. As you are aware the Lackawanna River has become an integral part of our community providing many recreational opportunities and will play a major role in the upcoming storm water management plan. I feel that the LRCA will require my full time attention and such I shall not be able to perform SPA duties. I would like to thank Mayor Courtright and City Council for the opportunity they provided me to serve on the SPA. I enjoyed working with you and my other board members. Please contact me if I can be of any other further assistance or provide further information.

Sincerely,



Joseph A. Wechsler

1315 Cronkey Avenue

Scranton, PA 18505

CC: Mayor William Courtright

Council President Patrick Rogan



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 26 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION APPOINTMENT OF THOMAS TANSITS, 17 TERRACE DRIVE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE SCRANTON PARKING AUTHORITY EFFECTIVE OCTOBER 1, 2019. THOMAS TANSITS WILL REPLACE JOSEPH WECHSLER WHO RESIGNED EFFECTIVE FEBRUARY 5, 2019. THOMAS TANSITS WILL FULFILL THE UNEXPIRED TERM OF JOSEPH WECHSLER WHOSE TERM IS SCHEDULED TO EXPIRE ON JUNE 1, 2020.

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

Respectfully,

Jessica Eskra, Esq.
Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

RESOLUTION NO. _____

2019

APPOINTMENT OF NORMA JEFFRIES, 619 COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN McNALLY WHOSE TERM EXPIRED OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.

WHEREAS, Ann McNally's term on the Shade Tree Commission expired on October 29, 2017; and

WHEREAS, the Mayor of the City of Scranton desires to appoint Norma Jeffries as a member of the Shade Tree Commission. Norma Jeffries is replacing Ann McNally whose term expired October 29, 2017. Norma Jeffries is appointed to a five (5) year term effective October 11, 2019 and her term will expire October 11, 2024; and

WHEREAS, Norma Jeffries has the requisite experience, education and training necessary to serve as a member of the Shade Tree Commission.

NOW, THEREFORE, BE IT RESOLVED that Norma Jeffries, 619 Colfax Avenue, Scranton, Pennsylvania 18510 is hereby appointed to the Shade Tree Commission for a five (5) year term effective October 11, 2019 and will expire on October 11, 2024.

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

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

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



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

October 11, 2019

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

RE: Scranton Shade Tree Commission Appointment

Dear Council Members:

Please be advised that I am appointing Norma Jeffries, 619 Colfax Ave., Scranton, Pa. 18510, as a member of the Scranton Shade Tree Commission effective October 11, 2019.

Ms. Jeffries will be replacing Ann McNally whose term expired. Ms. Jeffries' five (5) year term will be effective October 11, 2019 and will expire on October 11, 2024.

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

Sincerely,

Wayne E. Evans
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra, City Solicitor
David Bulzoni, Business Administrator
Scranton Shade Tree Commission
Norma Jeffries

August 19, 2019

Mayor Wayne Evans
Boards & Authorities
340 N. Washington Ave.
Scranton, PA 18510

SHADE TREE COMMISSION

Dear Mayor Evans:

My name is Norma Jeffries. I would like to submit my letter of interest to be considered to serve on a city board and/or authority.

I was educated here in Scranton, and returned 3 years ago. I have been attending City Council meetings to try to learn as much as I can on what/who is involved in the government and the City of Scranton. When I read the notice in the paper, I thought, this is my chance to add to my knowledge of the government and stay involved. In the past, I have been involved with the city by presenting my concerns to City Council. Mainly, city street signs, and the David Wetzel Tree House. I enjoy getting involved and making things happen.

Again, I am hoping that I can be selected to serve!

Best Regards,

Norma Jeffries
Norma Jeffries
619 Colfax Avenue
Scranton, PA 18510
[REDACTED]

9/20 - Yes - sent to Wayne B.



DEPARTMENT OF LAW

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

October 31, 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 APPOINTMENT OF NORMA JEFFRIES, 619 COLFAX AVENUE, SCRANTON, PENNSYLVANIA, 18510 AS A MEMBER OF THE SHADE TREE COMMISSION, EFFECTIVE OCTOBER 11, 2019. NORMA JEFFRIES IS REPLACING ANN McNALLY WHOSE TERM EXPIRED OCTOBER 29, 2017. NORMA JEFFRIES IS APPOINTED TO A FIVE (5) YEAR TERM WHICH WILL EXPIRE ON OCTOBER 11, 2024.

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

Respectfully,


Jessica L. Eskra, Esquire
City Solicitor

JLE/dan

RESOLUTION NO. _____

2019

RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.

WHEREAS, William Lesniak's prior term on the Historical Architectural Review Board expired on October 11, 2017 and was held over until November 15, 2019; and

WHEREAS, the Mayor of the City of Scranton desires to re-appoint William Lesniak as a member of the Historical Architecture Review Board for an additional five (5) year term. His new term will expire on October 11, 2022; and

WHEREAS, William Lesniak has the requisite, experience, education and training necessary to serve on the Historical Architecture Review Board.

NOW, THEREFORE, BE IT RESOLVED that William Lesniak, 314 Pittston Avenue, Scranton, PA is hereby re-appointed to the Historical Architecture Review Board for an additional five (5) year term. William Lesniak's prior term expired on October 11, 2017 and was held over until November 15, 2019. His new term will expire on October 11, 2022.

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

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

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



OFFICE OF THE MAYOR

P E N N S Y L V A N I A CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 20, 2019

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

RE: Historical Architecture Review Board (HARB) Re-Appointment

Dear Council Members:

Please be advised that I am Re-appointing William Lesniak, 314 Pittston Avenue, Scranton, Pennsylvania 18505 as a member of the Historical Architecture Review Board.

Ms. Lesniak's term expired October 11, 2017, she was held over until November 15, 2019. His new five (5) year term will expire on October 11, 2022.

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

Sincerely,

Wayne E. Evans
Mayor, City of Scranton

WEE/mm

CC: Tom Oleski, Acting Director, L.I.P.S.
Jessica Eskra, Esq., City Solicitor
Historical Architectural Review Board
Denise Nytech, Boards & Commissions Coordinator
Mr. William Lesniak

Hi Denise,
I would like to continue serving on the HARB in the Architectural Heritage Associations seat. Thank you.
William Lesniak

Can you please attached the above to Bill Lesniak's resolution.

Thanks!

Regards,
Denise Nytch
Confidential Secretary
City Hall – Law Department
340 N. Washington Avenue
Scranton, PA 18503
Phone: 570-348-4105
Fax: 570-348-4263
Email: dnytch@scrantonpa.gov

From: Denise Nytch
Sent: Tuesday, November 26, 2019 12:43 PM
To: Denise Nytch
Subject: Your scan (Scan to My Email)



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 26 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS A RESOLUTION RE-APPOINTMENT OF WILLIAM LESNIAK, 314 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505 AS A MEMBER OF THE HISTORICAL ARCHITECTURE REVIEW BOARD. WILLIAM LESNIAK'S TERM ON THE HISTORICAL ARCHITECTURE REVIEW BOARD EXPIRED ON OCTOBER 11, 2017 AND WAS HELD OVER UNTIL NOVEMBER 15, 2019. HIS NEW TERM WILL EXPIRE ON OCTOBER 11, 2022.

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

Respectfully,

Jessica L. Eskra, Esq.
Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

RESOLUTION NO. _____

2019

APPOINTMENT OF JOHN R. FINNERTY, 622 WINTERMANTLE AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF SCRANTON EFFECTIVE DECEMBER 31, 2019. JOHN R. FINNERTY WILL BE REPLACING PASTOR ANTHONY ISMAEL WHOSE TERM IS SET TO EXPIRE ON DECEMBER 31, 2019 AND WILL NOT BE REAPPOINTED CREATING A VACANCY ON THE COMMISSION. MR. FINNERTY 'S TERM WILL EXPIRE ON DECEMBER 31, 2023.

WHEREAS, Pastor Anthony Ismael's term on the Planning Commission of the City of Scranton is set to expire on December 31, 2019 and will not be reappointed, thereby creating a vacancy on the commission; and

WHEREAS, the Mayor of the City of Scranton desires to appoint John R. Finnerty as a member of the Planning Commission of the City of Scranton for a four (4) year term. Mr. Finnerty's term will expire December 31, 2023; and

WHEREAS, John R. Finnerty has the requisite experience, education and training necessary to serve as a member of the Planning Commission of the City of Scranton.

NOW, THEREFORE, BE IT RESOLVED that John R. Finnerty, 622 Wintermantle Avenue, Scranton, PA is hereby appointed as a member of the Planning Commission of the City of Scranton. Mr. Finnerty will fill the vacancy of Pastor Anthony Ismael whose term is set to expire on December 31, 2019. Mr. Finnerty's four (4) year term will expire on December 31, 2023.

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

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

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



OFFICE OF THE MAYOR

CITY HALL • 340 NORTH WASHINGTON AVENUE • SCRANTON, PENNSYLVANIA 18503 • PHONE: 570-348-4101 • FAX: 570-348-4251

November 21, 2019

Honorable Council of The City of Scranton
340 N. Washington Avenue
Scranton, Pa. 18503

RECEIVED

NOV 26 2019

OFFICE OF CITY
COUNCIL/CITY CLERK

RE: Scranton City Planning Commission Appointment

Dear Council Members:

Please be advised that I am appointing John R. Finnerty, 622 Wintermantle Ave., Scranton, PA 18505, as a member of the Planning Commission for the City of Scranton, Mr. Finnerty will replace Pastor Anthony Ismael whose term expires December 31, 2019.

Mr. Finnerty's four (4) year term will be effective December 31, 2019 and will expire on December 31, 2023.

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

Sincerely,

Wayne E. Evans
Mayor, City of Scranton

WEE/mm

CC: Jessica Eskra, Esq., City Solicitor
Scranton Planning Commission
Don King, City Planner
John R. Finnerty

APPOINTMENT TO
CITY PLANNING
COMMISSION

November 13, 2019

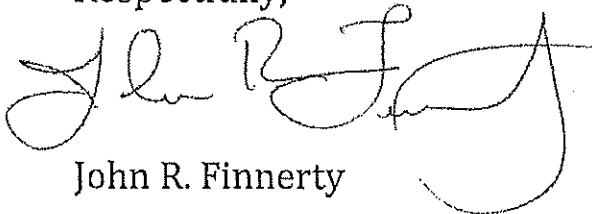
Mayor Wayne Evans
City Hall
340 North Washington Avenue
Scranton, PA 18503

Dear Mayor Evans:

I write today to submit my name for consideration for appointment to the Planning Commission. I do not do this lightly, but rather from a sincere love for the city that has so enriched my life, and an equally strong belief that Scranton continues to face serious, even existential threats, that call for us all to do our part.

I have attached a brief bio for your review and would be happy to provide any additional information that you might require. Thank you for considering this request.

Respectfully,


John R. Finnerty



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 APPOINTMENT OF JOHN R. FINNERTY, 622 WINTERMANTLE AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY OF SCRANTON EFFECTIVE DECEMBER 31, 2019. JOHN R. FINNERTY WILL BE REPLACING PASTOR ANTHONY ISMAEL WHOSE TERM IS SET TO EXPIRE ON DECEMBER 31, 2019 AND WILL NOT BE REAPPOINTED CREATING A VACANCY ON THE COMMISSION. MR. FINNERTY 'S TERM WILL EXPIRE ON DECEMBER 31, 2023.

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

Respectfully,

Jessica L. Eskra, Esq.
Jessica L. Eskra, Esquire
City Solicitor

JLE/sl

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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Municipal Building
Scranton, PA 18503

OFFICE OF CITY
COUNCIL/CITY CLERK

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 11, 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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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. 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.

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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COUNCIL/CITY CLERK

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

Dear Honorable Council Members:

ATTACHED IS AN ORDINANCE AMENDING FILE OF THE COUNCIL NO. 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

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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.

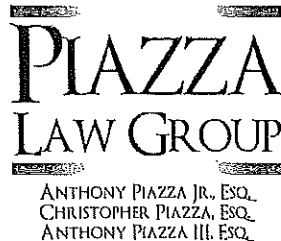
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SCRANTON that the inter-municipal transfer request of Grappa, LLC wishes to transfer Liquor License Number R-15715 owned by KayGeeCee, Inc., d/b/a J.J. Bridges currently in safe keeping by the Pennsylvania Liquor Control Board formerly used 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.

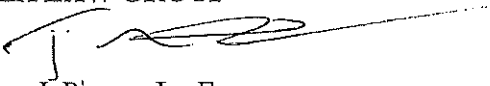
Dear Jessica and Sally:

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



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To the Honorable Council
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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

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.

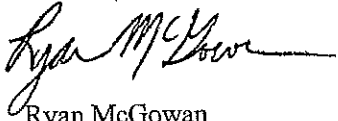
The above terms and conditions are intended to serve as an outline to support discussions of financing which may be available for the Borrower. This outline is not a commitment or an offer to provide credit accommodations and does not create any obligation on the part of the Bank. This outline is only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

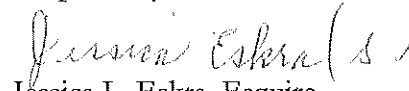
NOV 20 2019

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

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

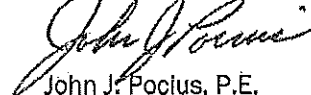
Briggs Street Stormwater Improvements					
The work includes the replacement of the existing stormwater system including inlets, manhole, and stormwater pipes. In addition, the work includes trench restoration and the maintenance of traffic during construction					
ITEM #	DESCRIPTION	UNIT	QUANTITY	UNIT 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	XXXXXXXX
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:

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

Project Overview

--

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

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:	

Single Application for Assistance

Web Application Id: 8360962

Applicant: City of Scranton

Program Selected: PA Small Water & Sewer Program

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.

Single Application for Assistance

Web Application Id: 8360962

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 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

Single Application for Assistance

Web Application Id: 8360962

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: 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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Respectfully,

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