

**AGENDA**  
**REGULAR MEETING OF COUNCIL**  
**JANUARY 6, 2009**  
**6:30 P.M.**

1. ROLL CALL
2. READING OF MINUTES
3. REPORTS & COMMUNICATIONS FROM MAYOR & HEADS OF DEPARTMENTS AND INTERESTED PARTIES AND CITY CLERK'S NOTES:
  - A. MEETING OF THE COMPOSITE PENSION BOARD SCHEDULED FOR NOVEMBER 12, 2008 WAS CANCELLED DUE TO LACK OF QUORUM.
  - B. MINUTES OF THE NON-UNIFORM MUNICIPAL PENSION MEETING HELD ON NOVEMBER 12, 2008.
  - C. MINUTES OF THE SCRANTON POLICE PENSION COMMISSION MEETING HELD ON NOVEMBER 12, 2008.
  - D. MINUTES OF THE SCRANTON-LACKAWANNA HEALTH AND WELFARE AUTHORITY MEETING HELD ON NOVEMBER 20, 2008.
  - E. MINUTES OF THE FIREMEN'S PENSION COMMISSION MEETING HELD ON NOVEMBER 26, 2008.
  - F. CONTROLLER'S REPORT FOR THE MONTH ENDING NOVEMBER 30, 2008.
  - G. APPLICATIONS AND DECISIONS RENDERED BY THE ZONING HEARING BOARD MEETING HELD ON DECEMBER 10, 2008.
  - H. AGENDA FOR THE CITY PLANNING COMMISSION MEETING HELD ON DECEMBER 17, 2008.
  - I. AGENDA FOR THE NON-UNIFORM MUNICIPAL PENSION MEETING HELD ON DECEMBER 17, 2008.

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- J. TAX COLLECTION COMPARISON REPORTS RECEIVED FROM THE SINGLE TAX OFFICE ON DECEMBER 24, 2008.
- K. TAX COLLECTION COMPARISON REPORTS RECEIVED FROM THE SINGLE TAX OFFICE ON DECEMBER 30, 2008
- L. AGENDA FOR THE ZONING HEARING BOARD MEETING TO BE HELD ON JANUARY 14, 2009.

4. CITIZENS PARTICIPATION

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

A.  
MOTIONS

B.  
FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 8, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) PROVIDING FOR THE GENERAL REVENUE BY IMPOSING A TAX AT THE RATE OF TWO (2) MILLS UPON THE PRIVILEGE OF OPERATING OR CONDUCTING BUSINESS IN THE CITY OF SCRANTON AS MEASURED BY THE GROSS RECEIPTS THEREFROM; REQUIRING REGISTRATION AND PAYMENT OF THE TAX AS CONDITION TO THE CONDUCTING OF SUCH BUSINESS; PROVIDING FOR THE LEVY AND COLLECTION OF SUCH TAX; PRESCRIBING SUCH REQUIREMENTS FOR RETURNS AND RECORDS; CONFERRING POWERS AND DUTIES UPON THE TAX COLLECTOR; AND IMPOSING PENALTIES”, BY IMPOSING THE BUSINESS PRIVILEGE TAX AT THE RATE OF ONE (1) MILL FOR CALENDAR YEAR 2009.

C.  
FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 17, 1994 ENTITLED “AN ORDINANCE (AS AMENDED) AUTHORIZING THE GOVERNING BODY OF THE CITY OF SCRANTON TO ENACT ‘A WASTE DISPOSAL AND COLLECTION FEE’ FOR THE PURPOSE OF RAISING REVENUE TO COVER THE WASTE DISPOSAL AND COLLECTION COSTS INCURRED BY THE CITY OF SCRANTON FOR THE DISPOSAL OF REFUSE”, BY IMPOSING A WASTE DISPOSAL AND COLLECTION FEE OF \$178.00 FOR THE

CALENDAR YEAR 2009.

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D.

FOR INTRODUCTION - 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 2009.

E.

FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 11, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) ENACTING, IMPOSING A TAX FOR GENERAL REVENUE PURPOSES IN THE AMOUNT OF TWO PERCENT (2%) ON EARNED INCOME AND NET PROFITS ON PERSONS, INDIVIDUALS, ASSOCIATIONS AND BUSINESSES WHO ARE RESIDENTS OF THE CITY OF SCRANTON, OR NON-RESIDENTS OF THE CITY OF SCRANTON, FOR WORK DONE, SERVICES PERFORMED OR BUSINESS CONDUCTED WITHIN THE CITY OF SCRANTON, REQUIRING THE FILING OF RETURNS BY TAXPAYERS SUBJECT TO THE TAX; REQUIRING EMPLOYERS TO COLLECT THE TAX AT SOURCE; PROVIDING FOR THE ADMINISTRATION, COLLECTION AND ENFORCEMENT OF THE SAID TAX; AND IMPOSING PENALTIES FOR THE VIOLATIONS", BY IMPOSING THE WAGE TAX AT TWO AND FOUR TENTHS PERCENT (2.4%) ON EARNED INCOME FOR THE YEAR 2009 FOR RESIDENTS.

F.

FOR INTRODUCTION - AN ORDINANCE - AMENDING FILE OF THE COUNCIL NO. 7, 1976, ENTITLED "AN ORDINANCE (AS AMENDED) IMPOSING A MERCANTILE LICENSE TAX OF 2 MILLS FOR THE YEAR 1976 AND ANNUALLY THEREAFTER UPON PERSONS ENGAGING IN CERTAIN OCCUPATIONS AND BUSINESSES THEREIN; PROVIDING FOR ITS LEVY AND COLLECTION AND FOR THE ISSUANCE OF MERCANTILE LICENSES; CONFERRING AND IMPOSING POWERS AND DUTIES UPON THE TAX COLLECTOR OF THE CITY OF SCRANTON; AND IMPOSING PENALTIES", BY IMPOSING THE MERCANTILE LICENSE TAX AT ONE (1) MILL FOR CALENDAR YEAR 2009.

5.

G.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 6, 1976, ENTITLED “AN ORDINANCE (AS AMENDED) IMPOSING A TAX FOR GENERAL REVENUE PURPOSES ON THE TRANSFER OF REAL PROPERTY SITUATE WITHIN THE CITY OF SCRANTON; PRESCRIBING AND REGULATING THE METHOD OF EVIDENCING THE PAYMENT OF SUCH TAX; CONFERRING POWERS AND IMPOSING DUTIES UPON CERTAIN PERSONS, AND PROVIDING PENALTIES”, BY IMPOSING THE RATE OF THE REALTY TRANSFER TAX AT TWO AND FIVE TENTHS PERCENT (2.5%) FOR CALENDAR YEAR 2009.

H.

FOR INTRODUCTION – AN ORDINANCE – AMENDING FILE OF THE COUNCIL NO. 145 OF 2007 ENTITLED AN ORDINANCE RENAMING THE EMERGENCY AND MUNICIPAL SERVICES TAX (“EMST”) TO LOCAL SERVICE TAX (“LST”) AND BY IMPOSING A WITHHOLDING OF \$52.00 FOR THE CALENDAR YEAR 2009.

I.

FOR INTRODUCTION – A RESOLUTION – ACCEPTING THE GIFT OF A POLICE VEHICLE, VIN NUMBER 2G1WF55K249348192 FROM POLICE OFFICER WILLIAM O’BRIEN FOR USE IN THE CITY’S FLEET PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY AND OFFICER WILLIAM O’BRIEN.

J.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO A LEASE/POLICY AGREEMENT WITH OFFICER WILLIAM O’BRIEN, GOVERNING THE USE OF SCRANTON POLICE OFFICER O’BRIEN’S “PRIVATE CRUISER” AS DEFINED HEREIN.

K.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO AN ASSIGNMENT AGREEMENT AUTHORIZING THE ASSIGNMENT OF ALL RIGHTS AND LIABILITIES UNDER THE

PRIVATE POLICE  
HARRIS TO OFFICER BRETT

CRUISER LEASE OF OFFICER JOSEPH J.  
GRIFFITHS.

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L.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO ENTER INTO A LOAN AGREEMENT AND MAKE A LOAN FROM THE COMMERCIAL INDUSTRIAL REVOLVING LOAN PROGRAM, PROJECT NO. 08-150.20 IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO JOHN D. MUROSKI, SR. D/B/A JOHN'SIGNS ASSIST AN ELIGIBLE PROJECT.  
TO

M.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS FOR THE CITY OF SCRANTON TO ENTER INTO A SUBORDINATION AGREEMENT AND A MORTGAGE ASSUMPTION AGREEMENT TO FACILITATE THE SALE FROM 410-412 SPRUCE STREET, L.L.P. TO SCRANTON DOWNTOWN, LLC OF PROPERTY LOCATED AT 410-412 SPRUCE STREET, SCRANTON, PA, ON WHICH THE CITY OF SCRANTON HAS A RECORDED MORTGAGE DATED NOVEMBER 5, 2002 IN THE PRINCIPAL AMOUNT OF \$220,000.00.

N.

FOR INTRODUCTION – A RESOLUTION – AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO APPLY FOR AND EXECUTE A GRANT FOR THE REDEVELOPMENT ASSISTANCE CAPITAL PROGRAM (“RACP”) THROUGH THE COMMONWEALTH OF PENNSYLVANIA’S OFFICE OF THE BUDGET IN THE AMOUNT OF FOUR MILLION DOLLARS (\$4,000,000.00); IF THE APPLICATION IS SUCCESSFUL, ACCEPTING AND DISBURSING THE GRANT; AND COORDINATING THE USE OF THE GRANT FUNDS WITH “SCRANTON-CONNELL, LP AND ITS GENERAL PARTNER “SCRANTON-CONNELL GP, LLC”.

O.

FOR INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF JAMES MCDONNELL, 1432 SANDERSON AVENUE, SCRANTON, PENNSYLVANIA, 18509, TO THE BOARD OF THE SCRANTON RECREATION AUTHORITY. MR. MCDONNELL’S CURRENT TERM WILL EXPIRE ON DECEMBER 31, 2008 AND HIS NEW TERM WILL EXPIRE ON DECEMBER 31, 2013.

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P.

FOR INTRODUCTION – A RESOLUTION – RE-APPOINTMENT OF MARY ELIZABETH MOYLAN, 1502 PITTSTON AVENUE, SCRANTON, PENNSYLVANIA, 18505, AS A MEMBER OF THE CITY PLANNING COMMISSION. MS. MOYLAN’S CURRENT TERM EXPIRED ON DECEMBER 31, 2008 AND HER NEW TERM WILL EXPIRE ON DECEMBER 31, 2013.

Q.

FOR INTRODUCTION – A RESOLUTION – DESIGNATING THE CITY OF SCRANTON’S BUSINESS ADMINISTRATOR AS SCRANTON’S OPEN RECORDS OFFICER, TO RECEIVE REQUESTS FOR PUBLIC RECORDS, TO DIRECT REQUESTS TO APPROPRIATE PERSONNEL, TO TRACK SCRANTON’S PROGRESS IN RESPONDING TO REQUESTS, AND TO ISSUE INTERIM AND FINAL RESPONSES UNDER PENNSYLVANIA’S RIGHT-TO-KNOW LAW.

R.

FOR INTRODUCTION – A RESOLUTION – DESIGNATING THE CITY OF SCRANTON’S FINANCE MANAGER TO ACT AS SCRANTON’S ALTERNATE OPEN RECORDS OFFICER TO RECEIVE REQUESTS FOR PUBLIC RECORDS, TO DIRECT REQUESTS TO APPROPRIATE PERSONNEL, TO TRACK PROGRESS IN RESPONDING TO REQUESTS, AND TO ISSUE INTERIM AND FINAL RESPONSES UNDER PENNSYLVANIA’S RIGHT-TO-KNOW LAW.

S.

FOR INTRODUCTION – A RESOLUTION – PURSUANT TO SECTION 702 OF THE RIGHT-TO-KNOW LAW, THE CITY OF SCRANTON, AS AN AGENCY OF THE COMMONWEALTH, IS NOT REQUIRED TO FULFILL VERBAL OR ANONYMOUS VERBAL REQUESTS FOR ACCESS TO RECORDS; AS SUCH, THE CITY OF SCRANTON’S OPEN RECORDS OFFICER WILL ACCEPT ONLY WRITTEN REQUESTS FOR ACCESS TO RECORDS AND WILL NOT ACCEPT VERBAL OR ANONYMOUS VERBAL REQUESTS FOR ACCESS TO RECORDS.

6. CONSIDERATION OF ORDINANCES – READING BY TITLE:

A. NO BUSINESS AT THIS TIME.

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

A. NO BUSINESS AT THIS TIME.

8. ADJOURNMENT:

KAY GARVEY  
CITY CLERK  
SCRANTON, PENNSYLVANIA

