

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

WORK SESSION

DATE: NOVEMBER 23, 2010

TIME: 5:00 P.M.

5:00 P.M. **Jim Ryan, City Clerk**

1. Resolution authorizing the disposition of records from the Department of Human Resources.
2. Resolution authorizing the disposition of records from the OECD/Housing Department.

-ORDINANCES FOR SECOND AND FINAL READING-

FILE OF COUNCIL NO. 29 OF 2010 – AN ORDINANCE AMENDING ARTICLE II OF CHAPTER 25 OF THE CITY OF WILKES-BARRE CODE OF ORDINANCES ENTITLED “SECONDHAND GOODS”

5:10 P.M. **Mayor Thomas M. Leighton (See Attached)**

CITY OF WILKES-BARRE
Pennsylvania

Thomas M. Leighton
Mayor



40 East Market Street
Wilkes-Barre, PA 18711-0451

(570) 208-4152 phone
(570) 208-4101 fax

OFFICE OF THE
MAYOR

MAYOR'S AGENDA

WORK SESSION

WILKES-BARRE CITY COUNCIL

NOVEMBER 23, 2010

RESOLUTIONS

Authorizing the proper City officials to enter into a contract with the lowest responsible bidder for the demolition of 121 Academy Street.

**CITY OF WILKES-BARRE
PENNSYLVANIA**



CITY COUNCIL AGENDA

CITY COUNCIL

NOVEMBER 23, 2010

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

ORDINANCES

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
NOVEMBER 23, 2010

CONSENT AGENDA (RESOLUTIONS)

Authorizing the disposition of records from the Department of Human Resources.

Authorizing the disposition of records from the OCED/Housing Departments.

Authorizing the proper City officials to enter into a contract with the lowest responsible bidder for the demolition of 121 Academy Street.

MINUTES

Of the Planning Commission meeting of October 20, 2010.

Of the Wilkes-Barre Industrial Development Authority meeting of October 7, 2010.

Of the Traffic Committee meeting of October 28, 2010.

Of the Parking Authority meeting of October 19, 2010.

Of the Regular Session of City Council of October 14, 2010.

Of the Regular Session of City Council of October 28, 2010.

Of the Regular Session of City Council of November 9, 2010.

**CITY COUNCIL
NOVEMBER 23, 2010**

ORDINANCES

**FILE OF COUNCIL NO. 29 OF 2010 – AN ORDINANCE AMENDING ARTICLE II OF
CHAPTER 25 OF THE CITY OF WILKES-BARRE CODE OF ORDINANCES ENTITLED
“SECONDHAND GOODS.” (SECOND AND FINAL READING)**



Wilkes-Barre, Pa. _____

Resolution No. _____

BE IT RESOLVED by the City Council of the City of Wilkes-Barre:

Resolved, by the City Council of the City of Wilkes-Barre, Luzerne County, Pennsylvania, that

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department Human Resources

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
684, See Attached	1.23
812, See Attached	1.23
819, See Attached	1.23
948, See Attached	1.23
948, See Attached	1.23
950, See Attached	1.23
950, See Attached	1.23
950, See Attached	1.23
951, See Attached	1.23

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

✓
Box #903
RST: Purchase Orders 1999-2000
Contents: Purchase Orders 1999-2000
RD:
RS: 6-3-21

✓
Box #902
RST: Summer Employees 2000
Contents:
Summer Employees 2000
Summer Employees 2000 – Letters (Hiring)
Summer Employees 2000 – Applications
Summer Employees 1999 – Clerks, OCD
Summer Employees 1999 – Tennis
Summer Employees 1999 – Laborers
Summer Employees 1999 – Park Laborers
Summer Employees 1999 – Pools
Summer Employees 1999 – Playgrounds
1999 Employees Not Hired
Summer 1999

X
Box#948
RST: Human Resources Firefighters Negotiations
RD:2011
1 of 2

X
Contents:
Fire Fighters Negotiations-2001

Box#948
RST: Human Resources Firefighters Negotiations
RD:2011
2 of 2

X
Contents:
Fire Fighters Negotiations-2001

Box#950
RST: Human Resources (Police) Negotiations
RD:2011
1 of 3

X
Contents:
Police Negotiations 2001

Box#950
RST: Human Resources (Police) Negotiations
RD:2011
2 of 3

X
Contents:
Police Negotiations 2001

Box#950
RST: Human Resources (Police) Negotiations
RD: 2011
3 of 3

Contents:
Police Negotiations 2001

✓
Box955
RST: Human Resources Purchase Orders
RD: 2009
2001-2002
Contents:
Purchase Orders 2001
Purchase Orders 2002

✓
Box954
RST: Human Resources Workers Compensation Reports and Files
RD: 2008
1997-2000
Contents:
WC Quarterly Reports:
1st-4th Quarter 1997
1st-4th Quarter 1998
1st-4th Quarter 1999
Workers Compensation Claims:
1st-4th Quarter-2000

✓
Box951
RST: Human Resources Employment
RD: P
2000-2002
Contents:
2000 Vacation Requests
2001 Vacation Requests
2002 Vacation Requests
2001 Summer Applications
2002 Summer Applications
Blue Shield Loss Runs 2001

✓
Box#947
RST: Human Resources Workers Compensation
RD:2009
Contents:
Worker's Compensation Quarterly Report
-1st Quarter 2000
-2nd Quarter 2000
-3rd Quarter 2000
-4th Quarter 2000
-1st Quarter 2001
-2nd Quarter 2001
-3rd Quarter 2001
-4th Quarter 2001

✓
Box #684
RST: Workmen's Compensation A-Z Individuals
Contents:
Armitage Robert
Ceccoli, James
Dessoye, Gerald
Foy, Ronald
Gawelko, Margaret
Goodsick, Jack
Novak, Raymond

Pickett, Edward
Smith, John G.
Yempton, Edward
Yitino, Joseph
Zenda, Stanley
Zuczek, Stanley (2 files)

✓
Box #792
RST: Vacations Requests 1997 – 1998
Contents:
1997 – 1998 Dept. / Bureau Heads Vacation
1998 – Vacation for all employees

Box #814
RST: Misc. Worker's Compensation Correspondence & Claims
Contents:
July 1990 – Re: Medical Travel Expenses
January 1994 – December 1994 – Various Correspondences relating to Workman's Comp
January 1995 – December 1995 - * * *
January 1996 – December 1996 - * * *
March 1997 – December 1997 - * * *
January 1998 – December 1998 - * * *
September 3, 1999 – Correspondence Re: Michael Nixon
Worker's Compensation Claims
1st 2nd 3rd 4th qtr. 1998

—
Box #812
RST: Worker's Compensation Claims
Contents:
Individual WC Files
Bartlomowicz, Frances
Boylan, M.
Burnside, Robert
Cooney, Wayne
Dulick, C.
Flannery, T.
Hahn, E.
Hess, H.
Jacob, B.
Earley, J.
Kelley, J.
Neary, C.
Pringle, R.
Riemensnyder, D.
Roulinsusye, J.

✓
Box #824
RST: Purchase Orders – 1999
Contents:
1999 Purchase Orders

—
Box #819
RST: 1997 Negotiations
Contents:
Police 1997 Negotiations
Fire 1997 Negotiations

1300 1997 Negotiations



Wilkes-Barre, Pa. _____

Resolution No. _____

BE IT RESOLVED by the City Council of the City of Wilkes-Barre:

Resolved, by the City Council of the City of Wilkes-Barre, Luzerne County, Pennsylvania, that

Whereas, by virtue of Resolution No. R0022-09, adopted February 26, 2009, the City of Wilkes-Barre declared its intent to follow the schedules and procedures for the disposition of records as set forth in the Municipal Records Manual approved December 16, 2008, and

Whereas, in accordance with Act 428 of 1968, each individual act of disposition shall be approved by resolution of the governing body of the municipality;

Now, Therefore, Be It Resolved that the City Council of Wilkes-Barre, Luzerne County, Pennsylvania, in accordance with the above cited Municipal Records Manual, hereby authorizes the disposition of the following public records:

Office/Department OECD/Housing

<u>Box Number, Record title, dates</u>	<u>Cubic Feet</u>
Box 672, See Attached	1.23
No Number – 1997 Contract Files (1 of 3)	1.23
No Number - 1997 Contract Files (2 of 3)	1.23
No Number – 1997 Contract Files (3 of 3)	1.23

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

671 – Demolition Contracts (1995 – 1997)

- C-105 – Demolition & Site Clearance – 624 N. Washington St.
- C-101 – 18 E. Jackson St.
- C-103 – 43 N. Wilkes-Barre Blvd.
- C-104 – R206 Gardner Ave.
- C-99 – Demolition & Site Clearance – 435 Scott St.
- C-96 – 58-60-62 Davis Place
- C-98 – 15-17-19 Dougher Lane
- C-94 – 77 Covell St.
- C-97 – 353 N. Washington St.
- C-92 – 50 Schoolhouse Lane
- C-95 – 84 S. Hancock St.
- C-93 – 280 Parrish St.

672 – Emergency & M/L (1984 – 1996)

- M/L 001-95 – 338 Horton St. (Yuknavich) (2 Files)
- 46 – 48 Alexander St. (Zaccone)
- 94 N. Sherman St. (Burgit) (2 Files)
- 268 N. Pennsylvania Ave. (Mapp)
- 86 Lehigh St. (Spencer)
- 79 Andover St. (Storm)
- 131 S. Empire St. (Andresky)
- 25 W. Elm St. (Harcharik)
- 212 McLean St. (Kittrick)
- 50 Schoolhouse Lane (Bolinder)
- 374 N. Washington St. (Deats)
- 215 Bowman St. (Gripp)
- 92 Dana St (Achey)
- 85 Beech St. (Klepac)
- 13 Essex Lane (Oeller)
- 124 Spring St. (Liberaski)
- 35 Custer St. (Juskiewicz)
- 1227 N. Washington St. (Podrasky)
- 392 E. Main St. (Kondratick)
- 233 Gardner Ave. (Cunninham)
- 95 Lockhart St. (Duckheim)
- 204 Crescent Ave. (Petroski)
- 186 High St. (Lindbuchler)
- 78 Anthracite St. (Petyak)
- 199 Hanover St. (Dudley)
- 14 W. Maple St. (Hennigan)
- 79 Grove St. (Pachucki)
- 68 Dodson Lane (Morgan)
- 15 Jay St. (Krawec)

1032 - Rehab

- Neighborhood Development Program Application (1969)
- King's College Urban Renewal Area Final Report Part 2
- Industrial Park Urban renewal Area - RA (1974)
- Relocation Feasibility Study - Industrial Park Urban Renewal Area
- Industrial Park Urban Renewal Area (October 1975)
- Various Housing Inspection History Files

1995 OCD Time Sheets

- 1995 Employee Time Sheets

1997 Contract Files (1 of 3)

- BCD - 97 - 5 - E - 1 - NSA - United Rehab
- BCD - 97 - 5 - F - 1 - NSA - Community Policing
- BCD - 97 - 5 - I - 2 - NSA - D.A.R.E.
- BCD - 97 - 5 - G - 1 - NSA - Deutsch Institute
- BCD - 97 - 5 - I - 1 - NSA - Victims Resource
- BCD - 97 - 5 - H - 1 - NSA - YMCA
- BCD - 97 - 5 - H - 2 - NSA - CYC
- BCD - 97 - 7 - A - 1 - NSA - RA Legal Services
- BCD - 97 - 10 - A - 1 - NSA - ADA Design
- BCD - 97 - 10 - A - 2 - NSA - ADA Intersection
- BCD - 97 - 10 - A - 4 - NSA - ADA Elevator Design
- BCD - 97 - 10 - A - 5 - NSA - TDD System
- BCD - 97 - 10 - A - 8 - NSA - Engineering Costs
- BCD - 97 - 12 - A - 1 - NSA - Housing Administration
- BCD - 97 - 12 - A - 2 - NSA - Material/ Labor

1997 Contract Files (2 of 3)

- BCD - 97 - 3 - A - 2 - NSA - North St. Engineering
- BCD - 97 - 3 - A - 4 - NSA - N. Main St. Engineering
- BCD - 97 - 3 - A - 5 - NSA - S. Penn Ave. - Site Improvements
- BCD - 97 - 3 - A - 6 - NSA - S. Penn Ave. - Engineering
- BCD - 97 - 3 - B - 1 - NSA - Chandler St. Engineering
- BCD - 97 - 3 - B - 2 - NSA - Chandler St. Site Improvements
- BCD - 97 - 3 - B - 3 - NSA - S. Cleveland Site Improvements
- BCD - 97 - 3 - B - 4 - NSA - S. Cleveland Engineering
- BCD - 97 - 3 - C - 2 - NSA - Pediatric System
- BCD - 97 - 3 - C - 3 - NSA - Engineering Fire House
- BCD - 97 - 3 - D - 1 - RMH - Frederick St. Lights
- BCD - 97 - 3 - D - 2 - RMH - N. Frederick St. Traffic Signal Engineering
- BCD - 97 - 5 - A - 1 - NSA - Wilkes-Barre Recreation

SAVE

Kurt got files

Can go

SAVE

Kurt got files

X

SAVE

X

SAVE

X

- BCD - 97 - 4 - A - 1 - NSA - Demolition
- BCD - 97 - 5 - A - 2 - NSA - Coal St. Recreation
- BCD - 97 - 5 - B - 1 - NSA - Library - Reading
- BCD - 97 - 5 - B - 2 - NSA - Library - South
- BCD - 97 - 5 - B - 3 - NSA - Library - Central
- BCD - 97 - 5 - C - 1 - NSA - Day Care
- BCD - 97 - 5 - D - 1 - NSA - Homeless Shelter

*Kurt got files -
can go*

1997 Contract Files (Box 3 of 3)

- BCD - 97 - 12 - A - 3 - NSA - Emergency Rehab
- BCD - 97 - 17 - A - 6 - NSA - Audit
- BCD - 97 - 17 - A - 2 - NSA - Housing Administration
- BCD - 97 - 17 - A - 3 - NSA - Finance/ Accounts
- BCD - 97 - 17 - A - 5 - NSA - Utilities
- BCD - 97 - 17 - A - 4 - NSA - Public Works
- BCD - 97 - 17 - A - 1 - NSA - BCD Administration
- 1997 Administration Emergency Siren System - Additional Siren Files

1997 Building/ Housing Files - State & Federal

- Building & Housing Chron Files (January - December)
- State Chron Files (January - December)
- Federal Chron Files (January - December)

1997 OCD Chron Files

- Chron Files (January - December)

1997 General Files

- 1998 OCD Budget
- 1999 Budget
- 1999 CDBG Budget
- Barney Farms
- Budget Request
- Car Allowance
- Census 2000
- Citizen Participation
- 1995 - 1995 Emergency GPR
- Earth Conservancy
- East Side Landfill
- Econs Project
- Emergency Contacts
- Emergency Shelter
- EEO - 4



Wilkes-Barre, Pa. _____

Resolution No. _____

BE IT RESOLVED by the City Council of the City of Wilkes-Barre:

WHEREAS, the City of Wilkes-Barre advertised for bids for the Demolition Project under the Community Development Block Grant Program (CDBG) for 121 Academy Street (former Academy Market)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Wilkes-Barre that the proper City officials are hereby authorized to enter into a contract with the lowest responsible bidder for the CDBG Demolition Project.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

FILE OF COUNCIL

NO. _____ of 2010

Presented in City Council _____.

AN ORDINANCE

AMENDING ARTICLE II OF CHAPTER 25 OF THE CITY OF WILKES-BARRE CODE OF ORDINANCES ENTITLED "SECONDHAND GOODS."

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE THAT ARTICLE II. OF CHAPTER 25 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "SECOND HAND GOODS" IS HEREBY AMENDED AS FOLLOWS

SECTION I. AMENDMENT.

ARTICLE II. SECONDHAND GOODS DEALERS/PAWNBROKERS

Section 25-16. License required

No person shall use, exercise or carry on the business, trade or occupation of buying or selling scrap gold, old gold, silver, jewelry, home electronics/audio and visual equipment, including musical instruments, telephones and telephonic equipment, scales, computers, computer hardware and software, typewriters, word processors, scanners, sporting goods of all kinds, antiques, silver, platinum, all other precious metals, tools of all kinds, televisions, VCR, DVR, camcorders, car stereos, firearms, or other valuable articles, hereinafter referred to as "secondhand goods or articles," or being a secondhand dealer within the City of Wilkes-Barre without having first obtained a license from the City of Wilkes-Barre Licensing Clerk as hereinafter provided. A secondhand dealer is defined as a person, association, corporation or partnership, or other entity, who, wholly or in part, engages in or operates the trade or business of buying or acquiring any article mentioned above, or other valuable articles, except from a regularly established wholesale dealer.

Section 25-17. Application Fee

The City of Wilkes-Barre shall, from time to time, give and grant licenses to all proper persons, except persons convicted of receiving stolen goods, theft or burglary, who may apply for the same to use, exercise and carry on the trade or business or occupation of buying secondhand goods or articles, or being a secondhand dealer and/or pawnbroker, which said license shall state where said business is to be carried on and shall continue in force for one year (unless sooner suspended or revoked) and no longer; each person applying for such license, if his/her application be approved in writing by the appropriate city official shall pay to said official a annual license fee of Four Hundred (\$400.00) dollars, and receive from the said official

a license to carry out the said business. The license so granted shall only be valid for one place of business.

Section 25-18. Business on licensed premises only.

No person licensed as a secondhand dealer and/or pawnbroker in the City shall, by virtue of one license, keep more than one place of business for receiving or taking goods in pawn; nor shall he, at any time, take goods in pawn at any other place than the place for which the license was issued.

Section 25-19. Rules and Regulations.

All licensees shall conduct their business in conformity with the following procedures:

- A. Each and every person licensed shall carry said license on their person/business for inspection by any law enforcement officer or other City Inspector. The licensee shall also keep a log in which shall be legibly written in the English language the name of the person, his/her address, date of birth, a valid drivers' license, valid state identification card, valid passport or a valid military identification. The licensee shall have a description of the article purchased (which will include any serial numbers and/or service tag number), the date and time purchased, the amount of money paid therefore and the signature of the seller. The log shall be available for review by any law enforcement officer and/or City Inspector.
- B. All licensees shall fill out at the time of transaction; the forms furnished by the Luzerne County District Attorney's Office, such forms will be entered into the Luzerne County Precious Metals Database (<http://nepapmdb.com>) within forty-eight (48) hours of the time of purchase.
- C. All goods purchased by licensees under this chapter must be retained in the possession of the licensee for ninety (90) days.
- D. No licensee shall purchase such secondhand goods or articles or other article of value from any person under eighteen (18) years of age, or from any intoxicated person or any person known to be a thief or associate of thieves, or receiver of stolen property, or any person whom the licensee has reason to suspect or believes to be such.
- E. The Chief of Police and/or Licensing Clerk are hereby authorized to make any other rules and regulations necessary, in their opinion, for the proper conduct of the person or business licensed and must report such rules to the Mayor and City Council, after review and approval of the City Solicitor.

Section 25-20. Violations and Penalties.

- A. Any licensee failing, neglecting or refusing to comply with any of the above provisions of this chapter shall, upon summary conviction thereof in a summary

proceeding before a district justice of Luzerne County, be fined a sum of not less than Three hundred (\$300.00) dollars for the first offense, plus costs, and shall have his/her license suspended for a period of ten (10) days. This suspension shall be mandatory. In default of payment of such fines and costs, such person shall be imprisoned for a period not exceeding ninety (90) days

- B. Every day that a violation continues shall be a separate violation. Each violation shall result in an additional ten (10) day suspension. A person or entity that violates the provisions of this chapter four (4) times in a three hundred sixty-five (365) day period shall have his/her license revoked for one (1) year.

SECTION II. **SEVERABILITY.**

The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional, illegal or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Council of the City of Wilkes-Barre that this ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

SECTION III. **REPEALER.**

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed. All ordinances not specifically amended hereby remain in full force and effect.

Passed finally by the Council of the City of Wilkes-Barre on _____,
2010.

This ordinance shall become effective ten (10) days after final passage by the City Council of the City of Wilkes-Barre.

Attest:

Jim Ryan, City Clerk