

CITY OF WILKES-BARRE
PENNSYLVANIA



CITY COUNCIL AGENDA

CITY COUNCIL

SEPTEMBER 21, 2006

6:00 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

CONSENT AGENDA (ORDINANCES)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL
SEPTEMBER 21, 006

CONSENT AGENDA (RESOLUTIONS)

Authorizing the proper City officials to execute grant documents relative to the South Main Street Project.

Authorizing the proper City officials to allow Clough Harbour and Associates on behalf of Mohegan Sun at Pocono Downs to modify the traffic signal located at the intersection of the Cross Valley off-ramp and SR 315.

Authorizing the proper City officials to execute any and all necessary documents related to the sale of 58-62 Davis Place to the Children's Service Center.

Authorizing the transfer from the Parking Authority of the properties for the Intermodal Transportation Center.

Authorizing the proper City officials to enter into temporary and permanent easement agreements for the Intermodal Transportation Center.

Granting Pennoni Associates Inc. an extension from September 30, 2006 to December 31, 2006 for the Coal Street Extension Project.

MINUTES

Of the Regular Session of City Council of September 5, 2006.

Of the Industrial Development Authority of April 6, 2006.

Of the Industrial Development Authority of May 4, 2006.

CITY COUNCIL
SEPTEMBER 21, 2006

CONSENT AGENDA (ORDINANCES)

FILE OF COUNCIL NO. 14 OF 2006 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 21 OF 1995, ENTITLED “AN ORDINANCE AMENDING AND REPEALING FILE OF COUNCIL NO. 25 OF 1991, AS AMENDED, ENTITLED “AN ORDINANCE FIXING THE TERMS, CONDITIONS, AND AMOUNTS OF BENEFITS FOR FIREFIGHTERS WHO ARE APPOINTED TO THE BUREAU OF FIRE OF THE CITY OF WILKES-BARRE AFTER THE DATE OF ENACTMENT OF THIS ORDINANCE; AND DEFINING A FUNDING POLICY FOR THE BUREAU OF FIREMEN’S RELIEF.” **(SECOND AND FINAL READING)**

FILE OF COUNCIL NO. 15 OF 2006 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 55 OF 1988, AMENDING AND REPEALING FILE OF COUNCIL NO. 26 OF 1976, AS AMENDED, BY FILE OF COUNCIL NO. 11 OF 1979, NO. 18 OF 1980 and No. 37 of 1982, ENTITLED “AN ORDINANCE FIXING THE TERMS, CONDITIONS AND AMOUNTS OF BENEFITS FOR POLICEMEN WHO ARE APPOINTED TO THE BUREAU OF POLICE OF THE CITY OF WILKES-BARRE AFTER THE DATE OF ENACTMENT OF THIS ORDINANCE; AND DEFINING A FUNDING POLICY FOR THE BUREAU OF POLICEMEN’S RELIEF.” **(SECOND AND FINAL READING)**

FILE OF COUNCIL NO. 16 OF 2006 – AN ORDINANCE AMENDING FILE OF COUNCIL NO. 53 OF 1994, ENTITLED “AN ORDINANCE AMENDING FILE OF COUNCIL NO. 43 OF 1976, AS AMENDED, ENTITLED “AN ORDINANCE AUTHORIZING THE CREATION AND ESTABLISHMENT OF A PENSION FUND FOR EMPLOYEES OTHER THAN POLICEMEN AND FIREMEN; AUTHORIZING THE APPROPRIATION OF MONEY TO SAID FUND; CREATING A PENSION BOARD; REQUIRING THE MANNER IN WHICH MONEY SHALL BE PAID INTO SAID PENSION FUND BY CITY EMPLOYEES AND THE MANNER IN WHICH MONEY SO PAID INTO SAID FUND SHALL BE DISPENSED TO SAID EMPLOYEES,” AS AMENDED. **(SECOND AND FINAL READING)**.

FILE OF COUNCIL NO. 17 OF 2006 – AN ORDINANCE OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2007 ACTION PLAN ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, EMERGENCY SHELTER GRANT PROGRAM AND HOME PROGRAM BUDGETS FOR PROGRAM YEAR THIRTY-THREE AND APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO COMPLETE PROGRAM ACTIVITIES. **(FIRST READING – TITLE ONLY)**



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, the City Council of the City of Wilkes-Barre authorized a grant of \$7,370,000 in State Redevelopment Assistance Program (RACP) funds for the South Main Street Redevelopment Project; and,

WHEREAS, the State has appropriated an additional \$500,000 to complete this project; and,

WHEREAS, the City has entered into a Cooperation Agreement with South Main Street Redevelopment, LLC, to administer this grant; and,

WHEREAS, South Main Street Redevelopment, LLC, has agreed to meet the local share requirements for this additional funding.

NOW, THEREFORE, BE IT RESOLVED, that the proper City officials are hereby authorized to execute grant documents relative to RACP Contract Amendment No. 2 to ME 300-290 increasing the contract funding to \$7,870,000.

FURTHER, that the proper City officials are hereby authorized to sign Amendment 2 to the Cooperation Agreement with South Main Street Redevelopment, LLC, committing the local share for the additional funding of \$500,000 and agreeing to the administration of these grant funds.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. _____

Resolution No. _____

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

THAT, the proper City officials are hereby authorized to allow Clough Harbour and Associates, on behalf of Mohegan Sun At Pocono Downs, to modify the traffic signal located at the intersection of the Cross Valley off-ramp and SR 315.

FURTHER, that the City of Wilkes-Barre will bear no financial obligation in the matter.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. _____

Resolution No. _____

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

THAT, the proper City officials are hereby authorized to execute any and all necessary documents related to the sale of 58-62 Davis Place to the Children's Service Center.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, the City Council of the City of Wilkes-Barre has the power and authorization under the Charter of the City of Wilkes-Barre to grant the Administration of the City of Wilkes-Barre the right to enter into Agreements and Contracts for the acquisition of property; and

WHEREAS, the City of Wilkes-Barre, as part of the its Intermodal Project located off South Washington Street, is preparing to accept the transfer of Parking Authority lands (see attached description) for \$1.00.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilkes-Barre hereby authorizes the proper City officials to execute all documentation to complete the transfer of the Parking Authority property to the City.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

Legal Description
 Minor Sub-division
 Lot # 2 {B-2
 (The City of Wilkes-Barre Intermodal Transportation)

All that certain piece, parcel or plot of lands situates in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows, to wit;

Beginning at a point on the Northwesterly Side Line of South Washington Street at a point common to the Lands Now or Formerly of the Lithuanian R.L. Alliance of America;

Thence from said point and along said Lands Now or Formerly of the Lithuanian R.C. Alliance of America N 35° 27' 30" W 160.35 to a point common to Lot No.1 and Lot No.2 as shown on the Minor Sub-division Plan between the Parking Authority of Wilkes-Barre and the City of Wilkes-Barre Intermodal Transportation as prepared by Michael J. Pasonick Jr., Inc.;

Thence along the dividing line between Lot #1 and Lot #2 the following three (3) courses and distances.

1. N 35° 27' 30" W 14.33' to a point
2. N 54° 32' 30" E 5.27' to a point
3. N 35° 27' 30" W 78.28' to a point along the Lands Now or Formerly of Wilkes-Barre City;

Thence along said lines of the following three (3) courses and distances;

1. N 55° 20' E 30.98' to a point
2. S 34° 40' E 11.75' to a point
3. N 55° 20' E 1.69' to a point of curve

Thence along a curve to the right having a radius of 33.37 and an arc distance of 81.63' to a point of tangency;

Thence S 14° 56' W 40.09' to a point of curve;

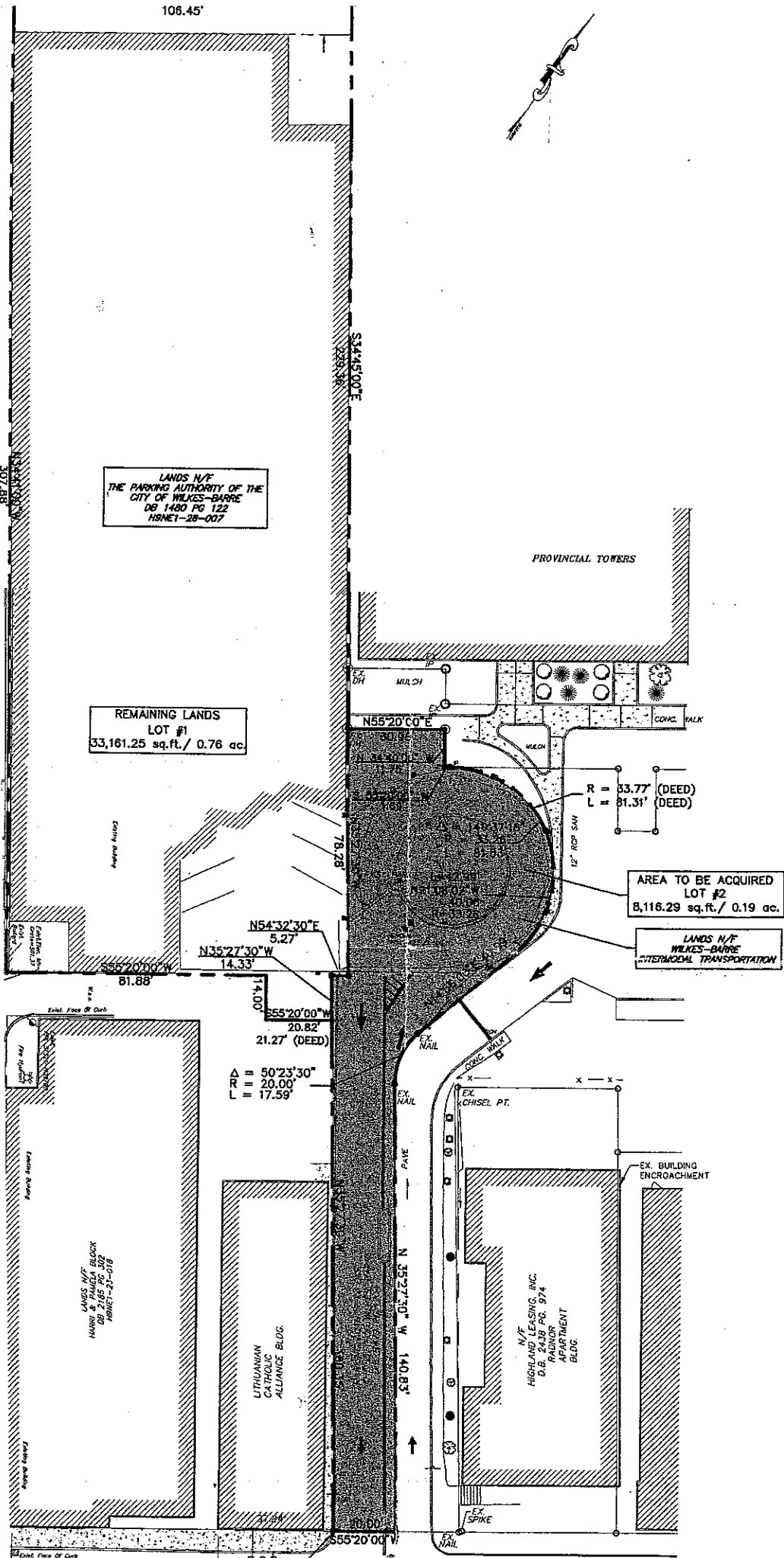
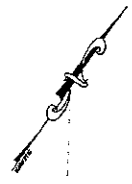
Thence along a curve to the left having a radius of 20.00' and an arc length of 17.59' to a point of tangency;

Thence S 35° 27' 30" E 140.83' to a point along the aforementioned Northwesterly Line of South Washington Street;

Thence along said line S 55° 20' W 20.00' to the place of beginning;

Containing 8,116.29 square feet or 0.187 acres of land more or less.

106.45'



LANDS N/F
THE PARKING AUTHORITY OF THE
CITY OF WILKES-BARRE
DB 1480 PG 122
HSN1-28-007

REMAINING LANDS
LOT #1
33,161.25 sq.ft. / 0.76 ac.

AREA TO BE ACQUIRED
LOT #2
8,116.29 sq.ft. / 0.19 ac.

LANDS N/F
WILKES-BARRE
TERMINAL TRANSPORTATION

LANDS N/F
HARDY & PANGOLA BLOCK
DB 1480 PG 122
HSN1-23-018

LITWANIAN
CATHOLIC
ALLIANCE BLDG.

N/F
HIGHLAND LEASING, INC.
D.B. 2439 PG. 974
APARTMENT
BLDG.

R.O.B.

GRANITE CURB



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, the City of Wilkes-Barre is undertaking the Intermodal Transportation Facility/Parking Garage Project off South Washington St.; and,

WHEREAS, both temporary and permanent easements are required for the construction and long-term operation of the facility.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Wilkes-Barre hereby authorizes the proper City officials to execute all of the temporary and permanent easements required for the Intermodal Transportation Facility/Parking Garage Project, as outlined in the boundary descriptions attached.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS

Intermodal Transportation Center

Easements			
Construction Temporary		Permanent	
1	Through Lands Now or Formerly of Labor & Industry		
		2	Through Lands Now or Formerly of Lithuanian Catholic Alliance
		3	Through Lands Now or Formerly of Wilkes-Barre City
4	Through Lands Now or Formerly of Provincial Tower, Inc.		
5	Through Lands Now or Formerly of Provincial Tower, Inc.		
		6	Ingress & Egress Through Lands Now or Formerly of Wilkes-Barre City
7	Through Lands Now or Formerly of 65 Public Square Associates	8	Through Lands Now or Formerly of 65 Public Square Associates
		9	Ingress & Egress Through Lands Now or Formerly of Wilkes-Barre City
		10	Through Lands Now or Formerly of Wilkes-Barre City
11	Through Lands Now or Formerly of 65 Public Square Associates		
12	Through Lands Now or Formerly of Paramount Corporation	13	Through Lands Now or Formerly of Paramount Corporation
14	Through Lands Now or Formerly of 65 Public Square Associates		
15	Through Lands Now or Formerly of Wilkes-Barre Center Associates	16	Through Lands Now or Formerly of Wilkes-Barre Center Associates
		17	<i>Through Lands Now or Formerly of Labor + Industry</i>

Temporary Construction Easement
Through Lands Now or Formerly
of
Labor & Industry

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING along South Washington Street at a Southerly corner common to the lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 35 degrees, 09 minutes, 00 seconds West 120.00 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 230.56 feet to a point;

THENCE from said point South 34 degrees, 40 minutes, 00 seconds East 16.00 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 10.00 feet to a point;

THENCE from said point South 34 degrees, 40 minutes, 00 seconds East 104.00 feet to a point along South Washington Street at a corner common to the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point along South Washington Street and the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 13.24 feet to a point;

HENCE more or less along the existing building line the following 3 courses and distances;

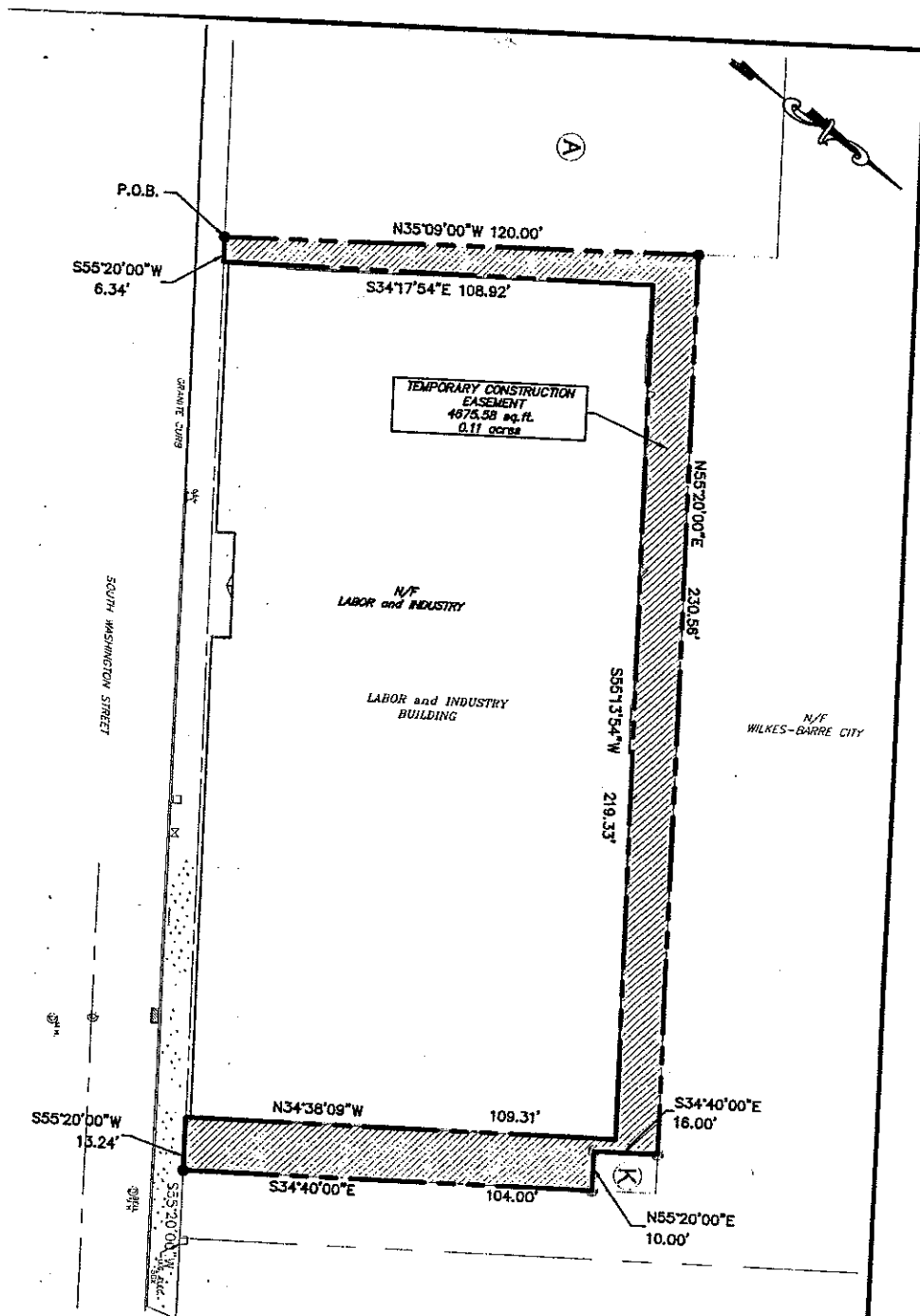
1) THENCE from said point North 34 degrees, 38 minutes, 09 seconds West 109.31 feet to a point at the Northern corner of said building;

2) THENCE from said point South 55 degrees, 13 minutes, 54 seconds West 219.33 feet to a point;

3) THENCE from said point South 34 degrees, 17 seconds, 54 minutes East 108.92 feet to a point along South Washington Street;

THENCE from said point South 55 degrees, 20 minutes, 00 seconds West 6.34 feet to the place of beginning;

CONTAINING 4,675.58 square feet or 0.11 acres of land more or less.



MEASUREMENTS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT
 LABOR and INDUSTRY
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK, JR., INC.
 CONSULTING ENGINEERS

DATE: 7/06	JOB NO.:
DRAWN BY: S.D.B.	SCALE: 1"=30'
CHECKED: S.D.B.	SHEET NO.:

Permanent Easement
Through Lands Now or Formerly
of
Lithuanian Catholic Alliance

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at the Southerly common corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along South Washington Street and the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 2.89 feet to a point;

THENCE from said point along the Easterly side of the Lithuanian Catholic Alliance Building North 34 degrees, 30 minutes, 54 seconds West 110.10 feet to a point along the Northerly corner of the building;

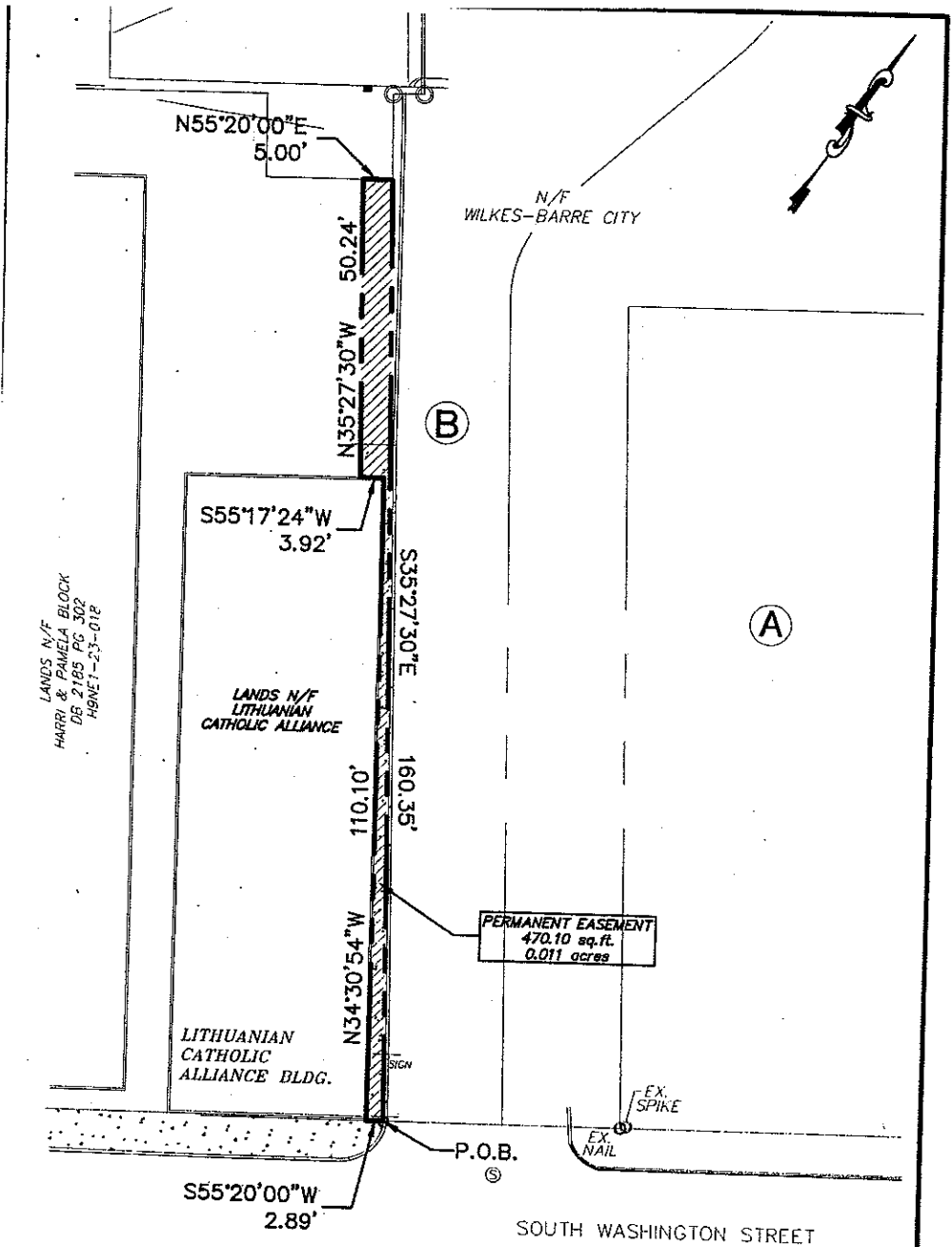
THENCE from said point along the Northerly side of the forementioned building South 55 degrees, 17 minutes, 24 seconds West 3.92 feet to a point;

THENCE from said point through the lands of the Grantor herein North 35 degrees, 27 minutes, 30 seconds West 50.24 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 5.00 feet to a point at a common corner of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point South 35 degrees, 27 minutes, 30 seconds East 160.35 feet to the place of beginning;

CONTAINING 470.10 square feet or 0.011 acres of land more or less.



HEARINGS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT LITHUANIAN CATHOLIC ALLIANCE WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	7/06	
	DRAWN BY:	SCALE:
S.D.B.	1"=20'	
MICHAEL J. PASONICK, JR., INC. CONSULTING ENGINEERS AND ARCHITECTS	CHECKED:	SHEET NO.
	O.R.	-

Permanent Easement
Through Lands Now or Formerly
of
Wilkes-Barre City

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at the Northerly common corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along Public Square and the lands of the Grantor herein South 78 degrees, 52 minutes, 09 seconds East 3.25 feet to a point;

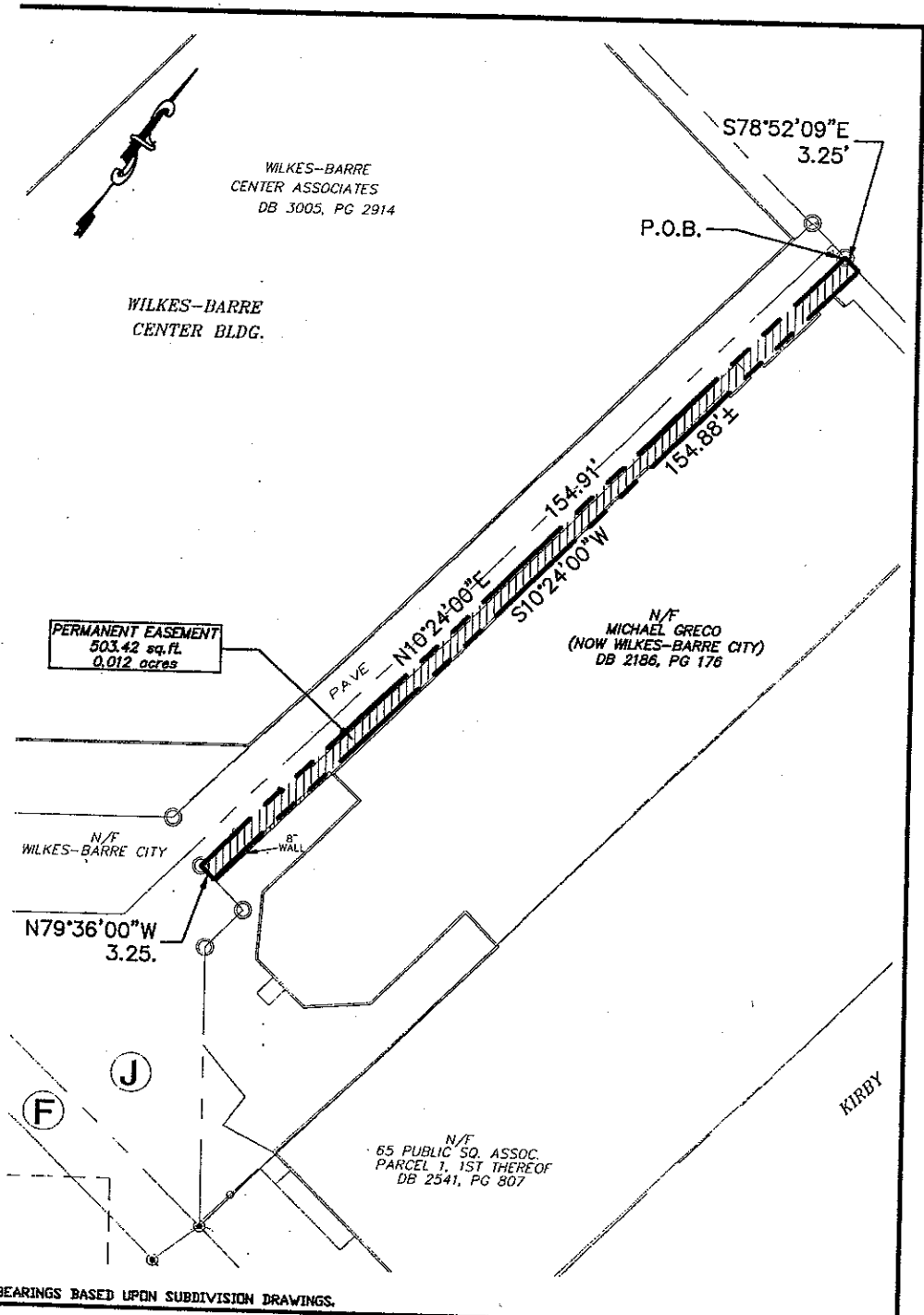
HENCE more or less along the existing building line, excluding the window wells, the following course and distance;

THENCE from said point South 10 degrees, 24 minutes, 00 seconds West 154.88 feet to a point along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point along the lands of Wilkes-Barre City and the lands of the Grantor herein North 79 degrees, 36 minutes, 00 seconds West 3.25 feet to a point;

THENCE from said point North 10 degrees, 24 minutes, 00 seconds East 154.91 feet to the place of beginning;

CONTAINING 503.42 square feet or 0.012 acres of land more or less.



HEARINGS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT
 WILKES-BARRE CITY
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK, JR., INC.

DATE:	JOB NO.:
7/06	
DRAWN BY:	SCALE:
S.D.B.	1"=20'
CHECKED:	SHEET NO.

Temporary Construction Easement
Through Lands Now or Formerly
of
Provincial Tower, Inc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows wit;

BEGINNING along South Main Street at the common corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein South 35 degrees, 39 minutes, 00 seconds East 216.20 feet to a point;

THENCE from said point South 55 degrees, 20 minutes, 00 seconds West 26.22 feet to a point along an existing wall;

THENCE from said point through the lands of the Grantor herein North 33 degrees, 47 minutes, 51 seconds West 41.71 feet to a point along the existing building;

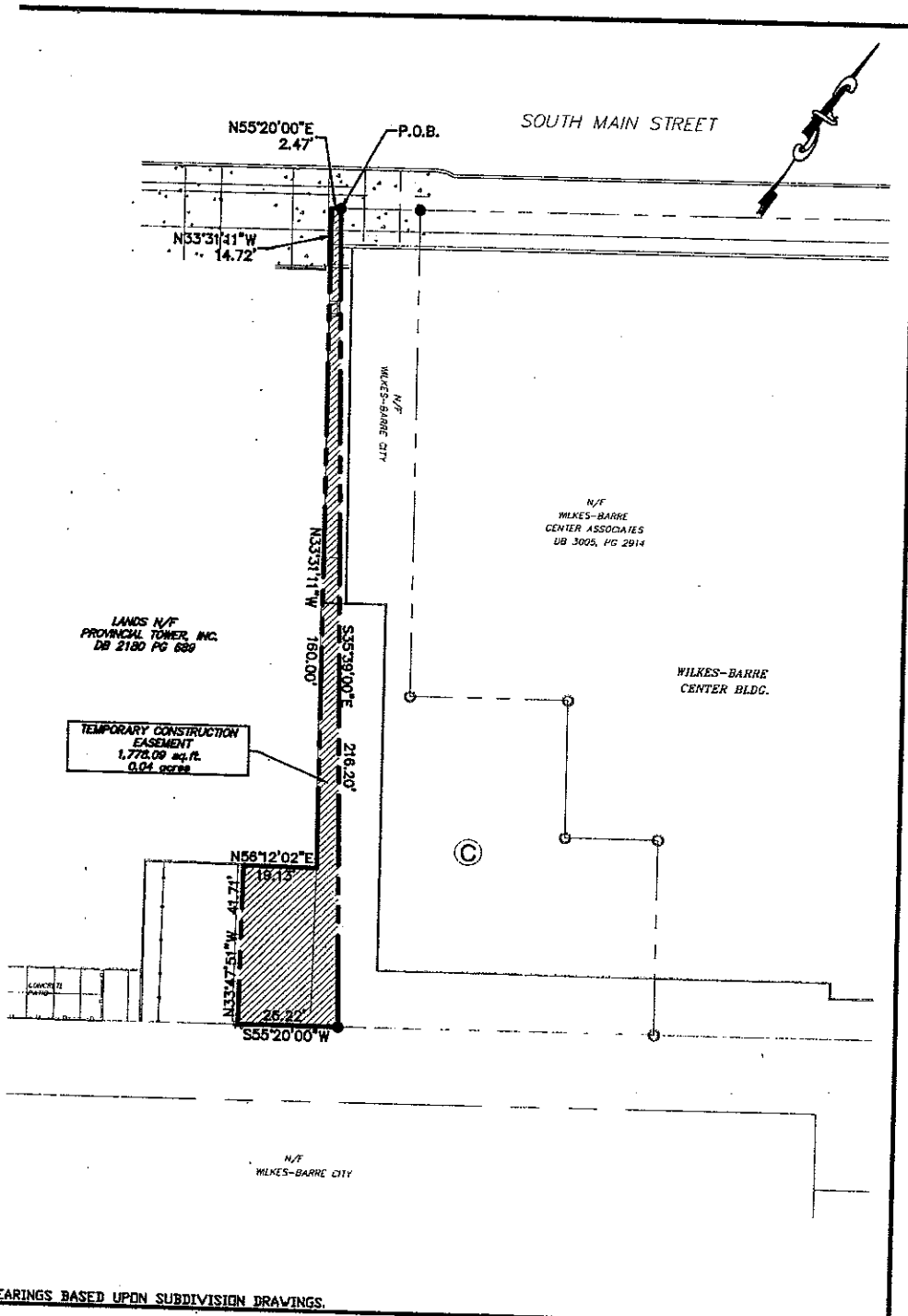
Hence more or less along the existing building line the following 2 courses and distances;

- 1) THENCE from said point North 56 degrees, 12 minutes, 02 seconds East 19.13 feet to a point located at the corner of said building;
- 2) THENCE from said point North 33 degrees, 31 minutes, 11 seconds West 160.00 feet to a point at the corner of said building;

THENCE from said point continuing along the same line North 33 degrees, 31 minutes, 11 seconds West 14.72 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 2.47 feet to the place of beginning;

CONTAINING 1,778.09 square feet or 0.04 acres of land more or less.



EARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT
 PROVINCIAL TOWER, INC.
 WILKES-BARRE, LUZERNE CO. PA.

DATE: 7/06	JOB NO.:
DRAWN BY: S.D.B.	SCALE: 1"=30'
CHECKED: C.D.	SHEET NO.

MICHAEL J. PASONICK, JR., INC.

Temporary Construction Easement
Through Lands Now or Formerly
of
Provincial Tower, Inc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at the corner of an existing concrete patio along the lands now or formerly of Wilkes-Barre City and the Grantor herein;

THENCE from said point of beginning along said line South 55 degrees, 20 minutes, 00 seconds West 101.42 feet to a point at an existing iron pin;

THENCE from said point North 34 degrees, 40 minutes, 00 seconds West 11.04 feet to a point;

THENCE from said point South 54 degrees, 46 minutes, 00 seconds West 31.39 feet to a point;

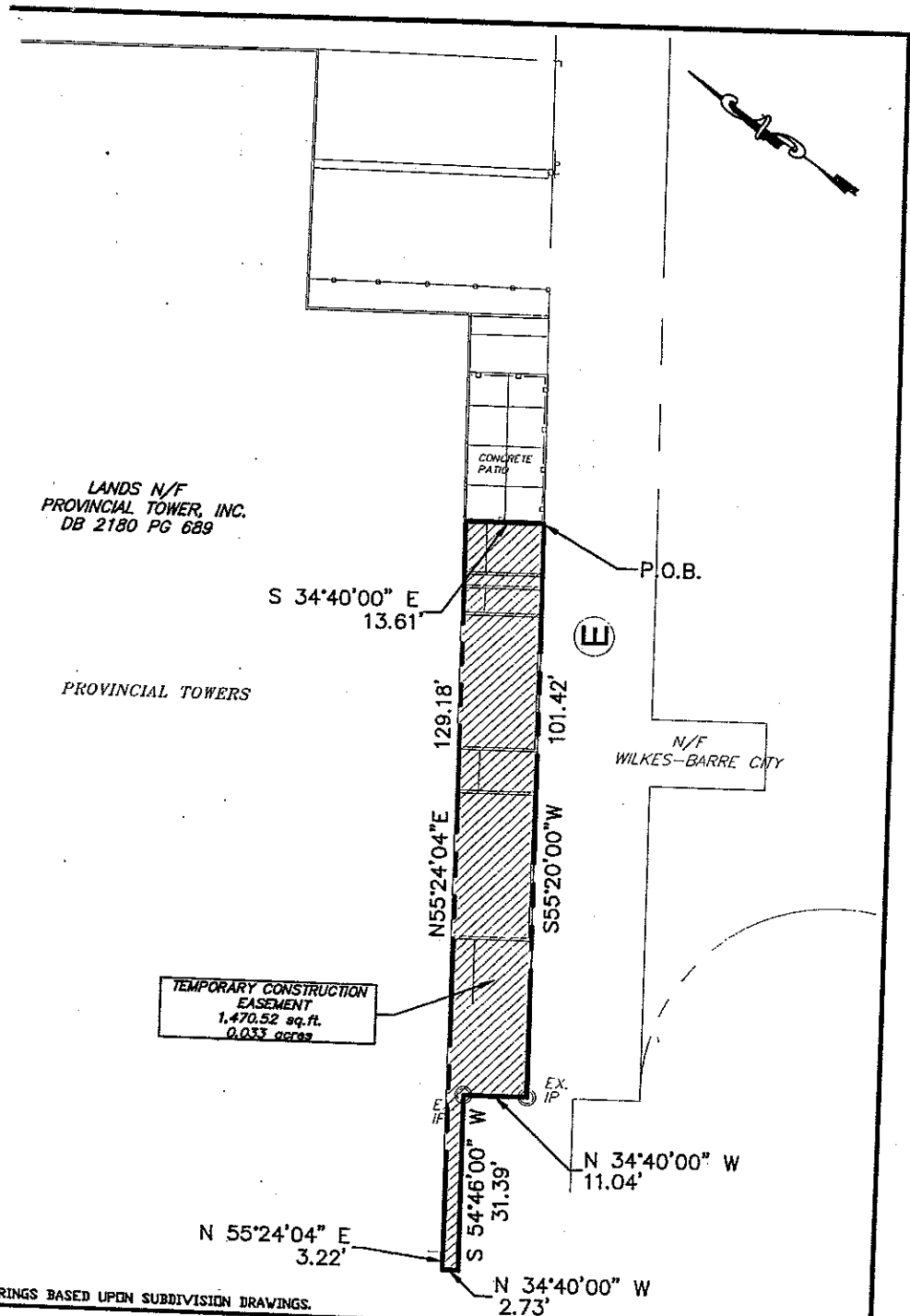
THENCE from said point North 34 degrees, 40 minutes, 00 seconds West 2.73 feet to a point;

THENCE from said point North 55 degrees, 24 minutes, 04 seconds East 3.22 feet to the corner of an existing building;

THENCE from said point continuing along the same line North 55 degrees, 24 minutes, 04 seconds East 129.18 feet to a point along the existing concrete patio;

THENCE from said point South 34 degrees, 40 minutes, 00 seconds East 13.61 feet to the place of beginning;

CONTAINING 1,470.52 square feet or 0.033 acres of land more or less.



LANDS N/F
 PROVINCIAL TOWER, INC.
 DB 2180 PG 689

PROVINCIAL TOWERS

N/F
 WILKES-BARRE CITY

TEMPORARY CONSTRUCTION
 EASEMENT
 1,470.52 sq. ft.
 0.033 acres

BEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT
 PROVINCIAL TOWER, INC.
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK JR INC

DATE: 7/06	JOB NO.:
DRAWN BY: S.D.B.	SCALE: 1"=20'
CHECKED:	SHEET NO.

Permanent Ingress and Egress Easement
Through Lands Now or Formerly
of
Wilkes-Barre City

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

Beginning at a point on the Northerly side of South Washington Street, said point being common to the lands now or formerly of Wilkes-Barre City and the lands now or formerly of Labor and Industry;

THENCE from said point of beginning and along the Northerly line of South Washington Street South 55 degrees, 20 minutes, 00 seconds West 10.00 feet to a point;

THENCE through the lands of the Grantor the following 9 courses and distances;

- 1) North 35 degrees, 09 minutes, 00 seconds West 251.57 feet to a point;
- 2) North 09 degrees, 49 minutes, 33 seconds East 10.72 feet to a point;
- 3) North 55 degrees, 20 minutes, 00 seconds East 213.37 feet to a point;
- 4) South 79 degrees, 09 minutes, 36 seconds East 30.17 feet to a point;
- 5) North 55 degrees, 20 minutes, 00 seconds East 36.53 feet to a point of curve;
- 6) Along a curve to the right having a radius of 48.04 feet, an arc length of 75.86 feet, with a chord bearing of South 80 degrees, 58 minutes, 32 seconds East and a chord distance of 68.22 feet to a point compound curve;
- 7) Along a curve to the right having a radius of 37.03 feet, an arc length of 23.32 feet with a chord bearing of South 9 degrees, 44 minutes, 29 seconds East and a chord distance of 22.94 feet to a point of tangency;
- 8) South 06 degrees, 12 minutes, 58 seconds West 53.77 feet to a point;
- 9) South 34 degrees, 46 minutes, 06 seconds East 129.10 feet to a point along the aforementioned Northerly line of South Washington Street;

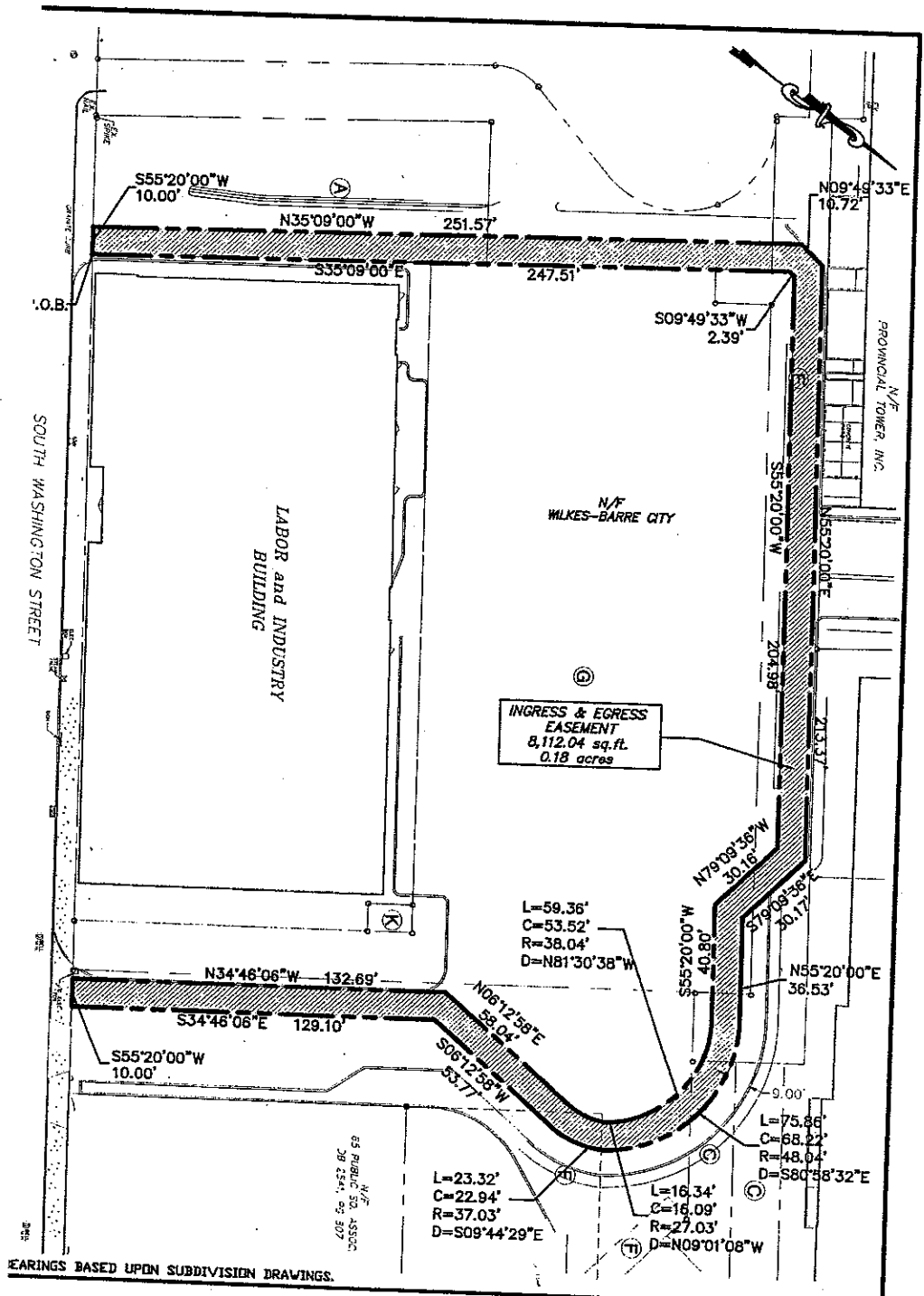
Thence along said line South 55 degrees, 20 minutes, 00 seconds West 10.00 feet to a point;

Thence through the lands of the Grantor the following 9 courses and distances;

- 1) North 34 degrees, 46 minutes, 06 seconds West 132.69 feet to a point;
- 2) North 06 degrees, 12 minutes, 58 seconds East 58.04 feet to a point of curve;
- 3) Along a curve to the left having a radius of 27.03 feet, an arc length of 16.34 feet with a chord bearing of North 09 degrees, 01 minutes, 08 seconds West and a chord distance of 16.09 feet to a point of compound curve;

- 4) Along a curve to the left having a radius of 38.04 feet, an arc length 59.36 feet with a chord bearing of North 81 degrees, 30 minutes, 38 seconds West and a chord distance of 59.36 feet to a point of tangency;
- 5) South 55 degrees, 20 minutes, 00 seconds West 40.80 feet to a point;
- 6) North 79 degrees, 09 minutes, 36 seconds West 30.16 feet to a point;
- 7) South 55 degrees, 20 minutes, 00 seconds West 204.98 feet to a point;
- 8) South 09 degrees, 49 minutes, 33 seconds West 2.39 feet to a point;
- 9) South 35 degrees, 09 minutes, 00 seconds East 247.51 feet to the place of beginning;

CONTAINING 8,112.04 square feet or 0.18 acres of land more or less.



INGRESS and EGRESS EASEMENT
 WILKES-BARRE CITY
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK, JR., INC.

DATE: 7/06	JOB NO.:
DRAWN BY: S.D.B.	SCALE: 1"=40'
CHECKED: C.P.	SHEET NO.:

Permanent Easement
Through Lands Now or Formerly
of
65 Public Square Assoc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at the Southwesterly corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

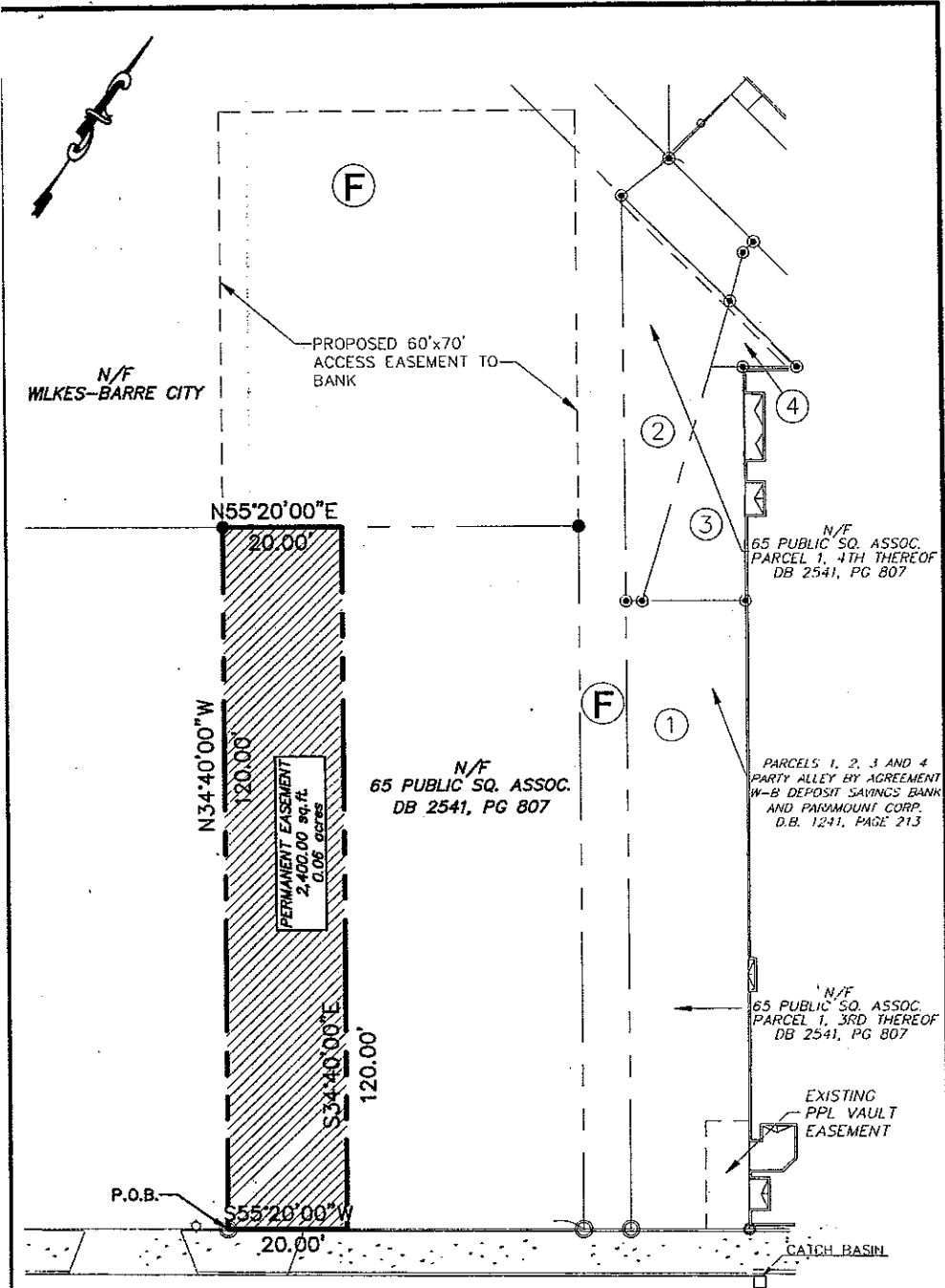
THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 34 degrees, 40 minutes, 00 seconds West 120.00 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 20.00 feet to a point along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point through the lands of the Grantor herein South 34 degrees, 40 minutes, 00 seconds East 120.00 feet to a point;

THENCE from said point along South Washington Street and the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 20.00 feet to the place of beginning;

CONTAINING 2,400 square feet or 0.06 acres of land more or less.



SOUTH WASHINGTON STREET © BELL M.H.

BEARINGS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT WILKES-BARRE CITY WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	DRAWN BY:	SCALE:
	CHECKED:	SHEET NO.

MICHAEL J. PASONICK, JR., INC.

Temporary Construction Easement
Through Lands Now or Formerly
of
65 Public Square Assoc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at a Southerly corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

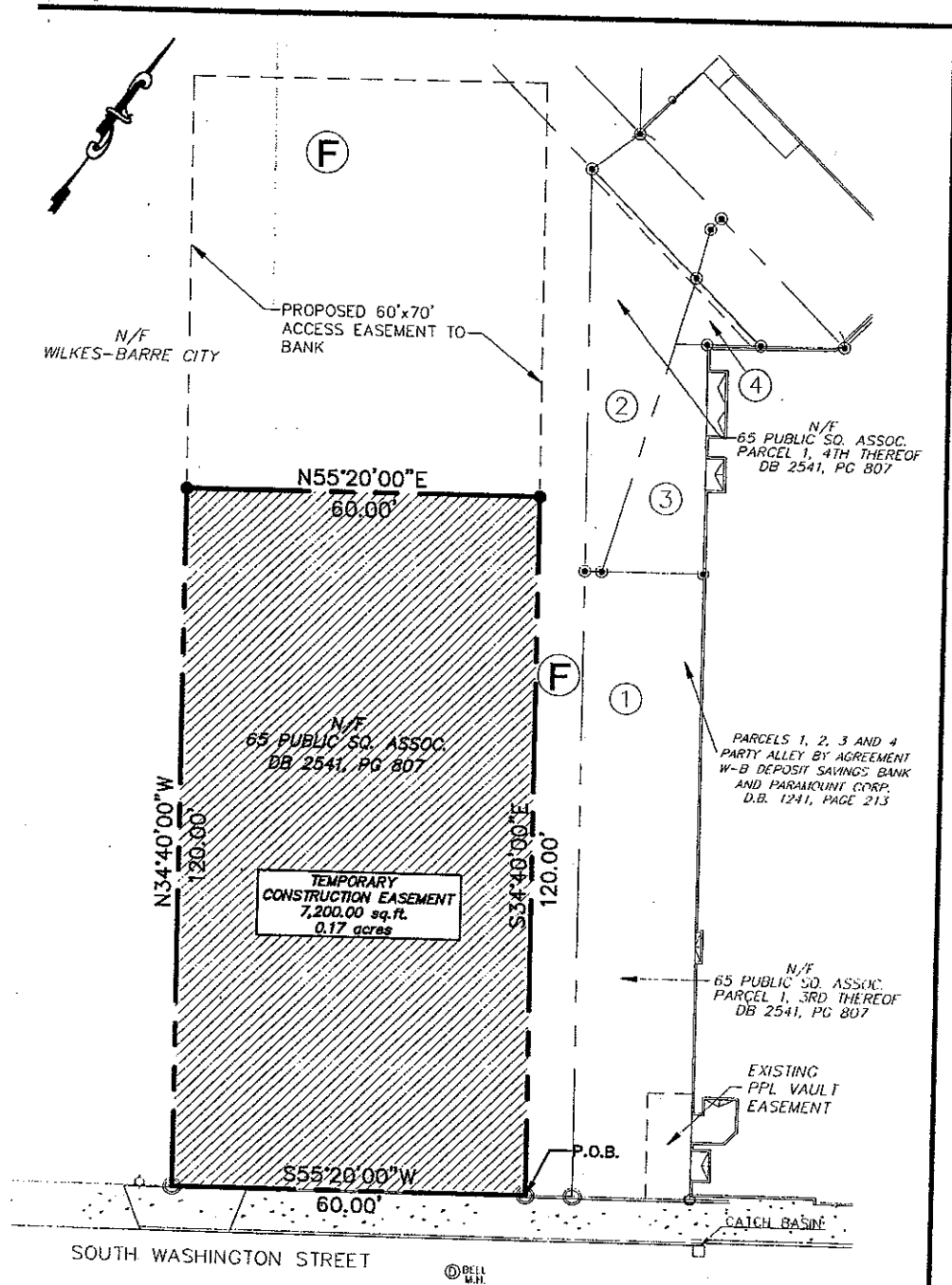
THENCE from said point of beginning along the lands of the Grantor herein and South Washington Street South 55 degrees, 20 minutes, 00 seconds West 60.00 feet to a point;

THENCE from said point along a line common to Wilkes-Barre City and the lands of the Grantor herein North 34 degrees, 40 minutes, 00 seconds West 120.00 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 60.00 feet to a point located at a common corner of Wilkes-Barre City and lands of the Grantor herein;

THENCE along said line South 34 degrees, 40 minutes, 00 seconds East 120.00 feet to a place of beginning;

CONTAINING 7,200.00 square feet or 0.17 acres of land more or less.



HEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT
 65 PUBLIC SQUARE ASSOC.
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK, JR., INC.

DATE:	JOB NO.:
7/06	
DRAWN BY:	SCALE:
S.D.B.	1"=20'
CHECKED:	SHEET NO.

Permanent Ingress and Egress Easement
Through Lands Now or Formerly
of
Wilkes-Barre City

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

Beginning at a point being located the following 2 courses and distances from a corner common to the lands now or formerly of Wilkes-Barre City and 65 Public Square Assoc.;

- 1) Along the Northerly line of South Washington Street South 55 degrees, 20 minutes, 00 seconds East 41.89 feet to a point;
- 2) North 34 degrees, 46 minutes, 06 seconds West 120.00 feet;

THENCE through the lands of the Grantor the following 10 courses and distances;

- 1) South 55 degrees, 20 minutes, 00 seconds West 271.60 feet to a point;
- 2) North 35 degrees, 09 minutes, 00 seconds West 131.57 feet to a point;
- 3) North 09 degrees, 49 minutes, 33 seconds East 10.72 feet to a point;
- 4) North 55 degrees, 20 minutes, 00 seconds East 213.37 feet to a point;
- 5) South 79 degrees, 09 minutes, 36 seconds East 30.17 feet to a point;
- 6) North 55 degrees, 20 minutes, 00 seconds East 36.53 feet to a point of curve;
- 7) Along a curve to the right having a radius of 48.04 feet, an arc length of 75.86 feet, with a chord bearing of South 80 degrees, 58 minutes, 32 seconds East and a chord distance of 68.22 feet to a point compound curve;
- 8) Along a curve to the right having a radius of 37.03 feet, an arc length of 23.32 feet with a chord bearing of South 9 degrees, 44 minutes, 29 seconds East and a chord distance of 22.94 feet to a point of tangency;
- 9) South 06 degrees, 12 minutes, 58 seconds West 38.52 feet to a point;
- 10) South 34 degrees, 46 minutes, 06 seconds East 140.61 feet to a point along the aforementioned Northerly line of South Washington Street;

THENCE along said line South 55 degrees, 20 minutes, 00 seconds West 20.00 feet to a point;

THENCE North 34 degrees, 46 minutes, 06 seconds West 120.00 feet to a point;

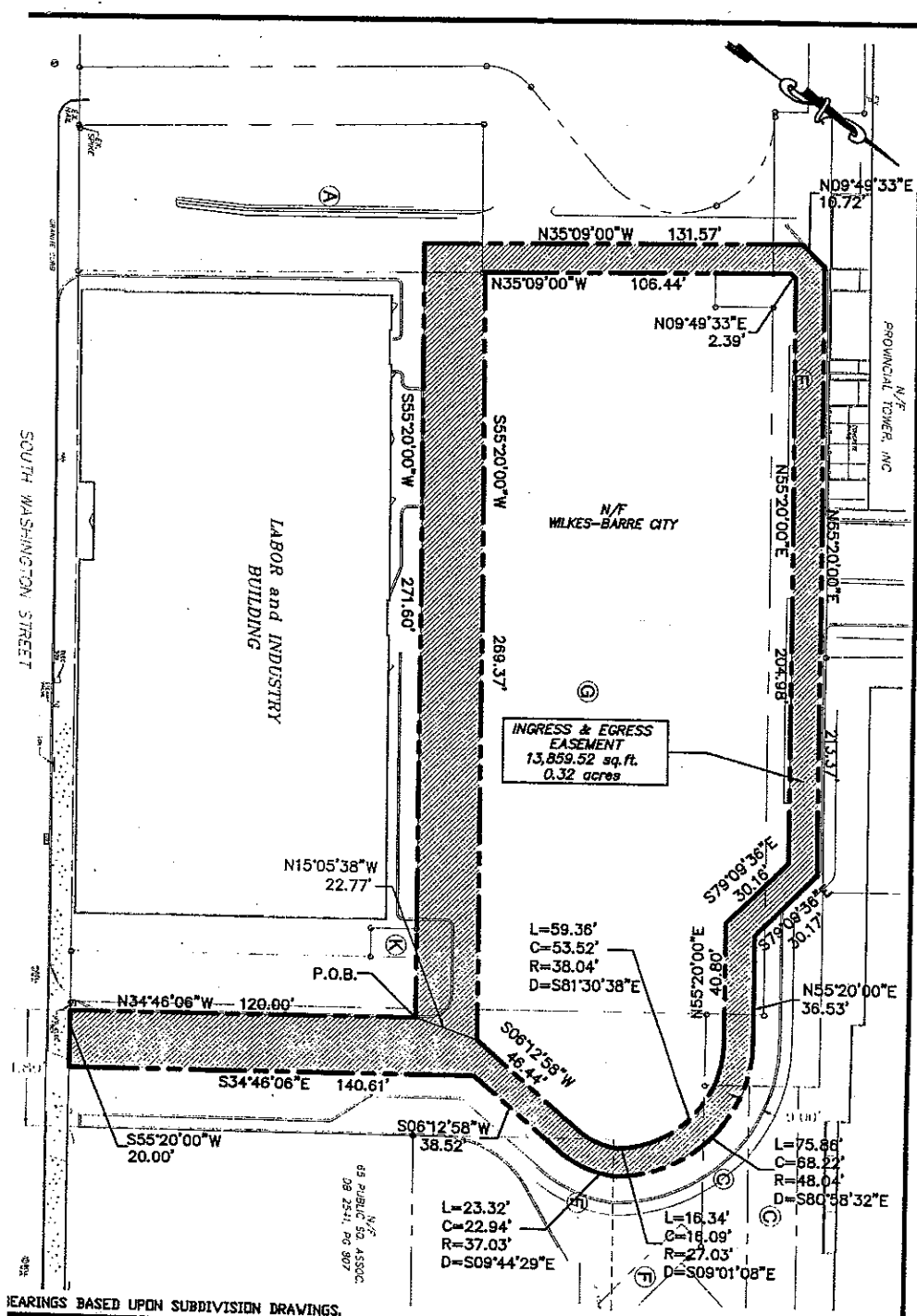
THENCE crossing said easement North 15 degrees, 05 minutes, 38 seconds West 22.77 feet to a point;

THENCE through the lands of the Grantor the following 9 courses and distances;

- 1) South 55 degrees, 20 minutes, 00 seconds West 269.37 feet to a point;
- 2) North 35 degrees, 09 minutes, 00 seconds West 106.44 feet to a point;
- 3) North 09 degrees, 49 minutes, 33 seconds East 2.39 feet to a point;
- 4) North 55 degrees, 20 minutes, 00 seconds East 204.98 feet to a point;
- 5) South 79 degrees, 09 minutes, 36 seconds East 30.16 feet to a point;
- 6) North 55 degrees, 20 minutes, 00 seconds East 40.80 feet to a point of curve;
- 7) Along a curve to the right having a radius of 38.04 feet, an arc length of 59.36 feet with a chord bearing of South 81 degrees, 30 minutes, 38 seconds East and a chord distance of 53.52 feet to a point of compound curve;
- 8) Along a curve to the right having a radius of 27.03 feet, an arc length of 16.34 feet with a chord bearing of South 09 degrees, 01 minutes, 08 seconds East and a chord distance of 16.09 feet to a point of tangency;
- 9) South 06 degrees, 12 minutes, 58 seconds West 46.44 feet to a point;

THENCE crossing said easement South 15 degrees, 05 minutes, 38 seconds East 22.77 feet to the place of beginning;

CONTAINING 13,859.52 square feet or 0.32 acres of land more or less.



HEARINGS BASED UPON SUBDIVISION DRAWINGS.

INGRESS and EGRESS EASEMENT
 WILKES-BARRE CITY
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK .JR INC.

DATE:	JOB NO.:
7/06	
DRAWN BY:	SCALE:
S.D.B.	1"=40'
CHECKED:	SHEET NO.:

Permanent Easement
Through Lands Now or Formerly
Of
Wilkes-Barre City

All that certain piece, parcel, or plot of land situate in the City of Wilkes-Barre, County of Luzerne, and Commonwealth of Pennsylvania bounded and described as follows, to wit;

Beginning at a point along the northerly line of South Washington Street, said point being common to the lands now or formerly of 65 Public Square Association and lands of the Grantor herein;

There from said point of beginning and along the dividing line between lands now or formerly of 65 Public Square Association and of the Grantor the following two courses and distances;

1. N 34°40'00"W 120.00' to a point
2. S 55°20'00"W 60.00' to a point

Thence through the lands of the Grantor the following seven courses and distances;

1. N 34°40'00"W 34.72' to a point of curve
2. Along a curve to the right having a radius of 43.69', an arc length of 17.83' with a chord bearing of N 13°58'47"E and a chord distance of 17.71' to a point of tangency.
3. N 25°19'59"E 30.37' to a point of curve
4. Along a curve to the right having a radius of 34.69' an arc length of 22.82'; with a chord bearing of N 49°44'52"E and a chord distance of 22.41' to a point of tangency
5. N 18°00'37"E 17.57' to a point
6. N 34°40'00"W 32.32' to a point
7. S 79°10'35"E 31.59' to a point along the lands now or formerly of 65 Public Square Association.

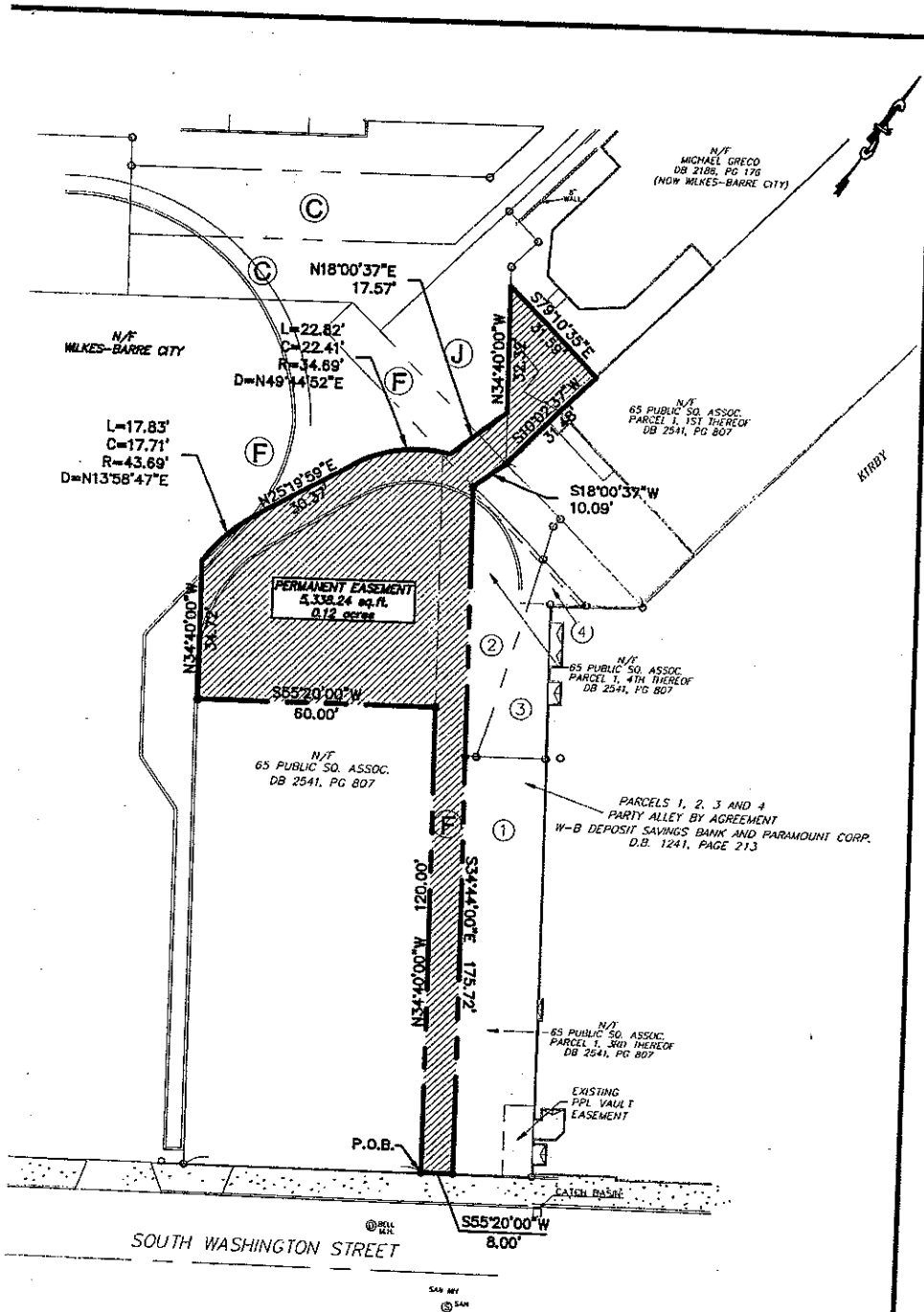
Thence along said lands S 10°02'37"W 31.48' to a point

Thence S 18°00'37"W 10.09' to a point

Thence S 34°44'00"E 175.72' to a point along the aforementioned northerly line of South Washington Street;

Thence along said line S 55°20'00"W 8.00' to the place of beginning

Containing 5,338.24 square feet or 0.12 acres of land more or less.



BEARINGS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT
 WILKES-BARRE CITY
 WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. DASONICK JR. INC.

DATE:	7/06	JOB NO.:	
DRAWN BY:	S.D.B.	SCALE:	1"=30'
CHECKED:		SHEET NO.:	

Temporary Construction Easement
Through Lands Now or Formerly
of
65 Public Square Assoc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING along South Washington Street at the Southerly corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 34 degrees, 44 minutes, 00 seconds West 175.72 feet to a point;

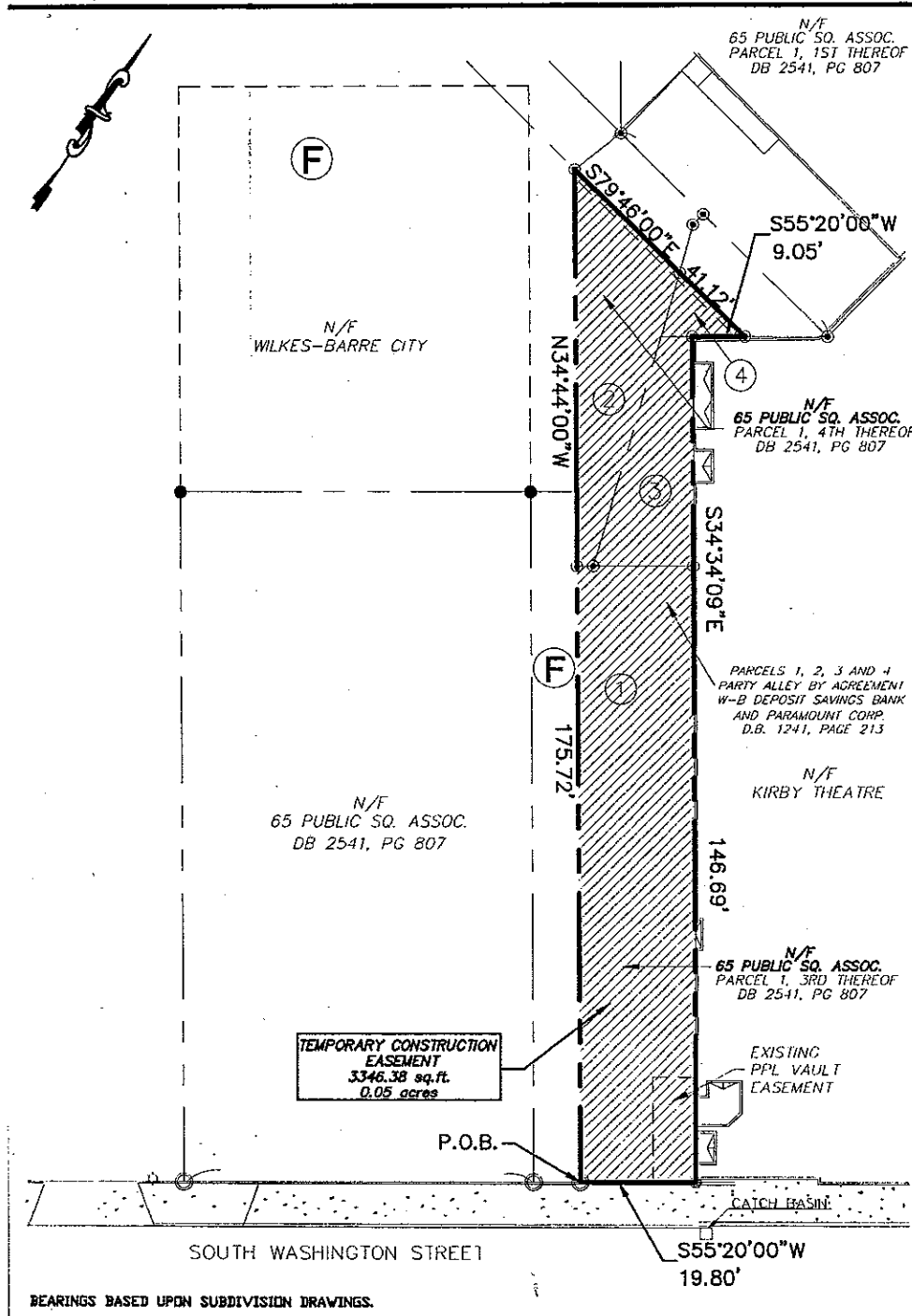
THENCE from said point South 79 degrees, 46 minutes, 00 seconds East 41.12 feet to a point along the lands now or formerly of The Kirby and lands of the Grantor herein;

THENCE from said point along said line South 55 degrees, 20 minutes, 00 seconds West 9.05 feet to a point;

THENCE from said point South 34 degrees, 34 minutes, 09 seconds East 146.69 feet to a point;

THENCE from said point South 55 degrees, 20 minutes, 00 seconds West 19.80 feet to the place of beginning;

CONTAINING 3,346.38 square feet or 0.05 acres of land more or less.



TEMPORARY CONSTRUCTION EASEMENT 65 PUBLIC SQUARE ASSOC. WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	7/06	
	DRAWN BY:	SCALE:
	S.D.B.	1"=20'
MICHAEL J. PASONICK, JR., INC.	CHECKED:	SHEET NO.

Temporary Construction Easement
Through Lands Now or Formerly
of
Paramount Corporation

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING along South Washington Street at the Southerly corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein;

THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 34 degrees, 44 minutes, 00 seconds West 175.72 feet to a point;

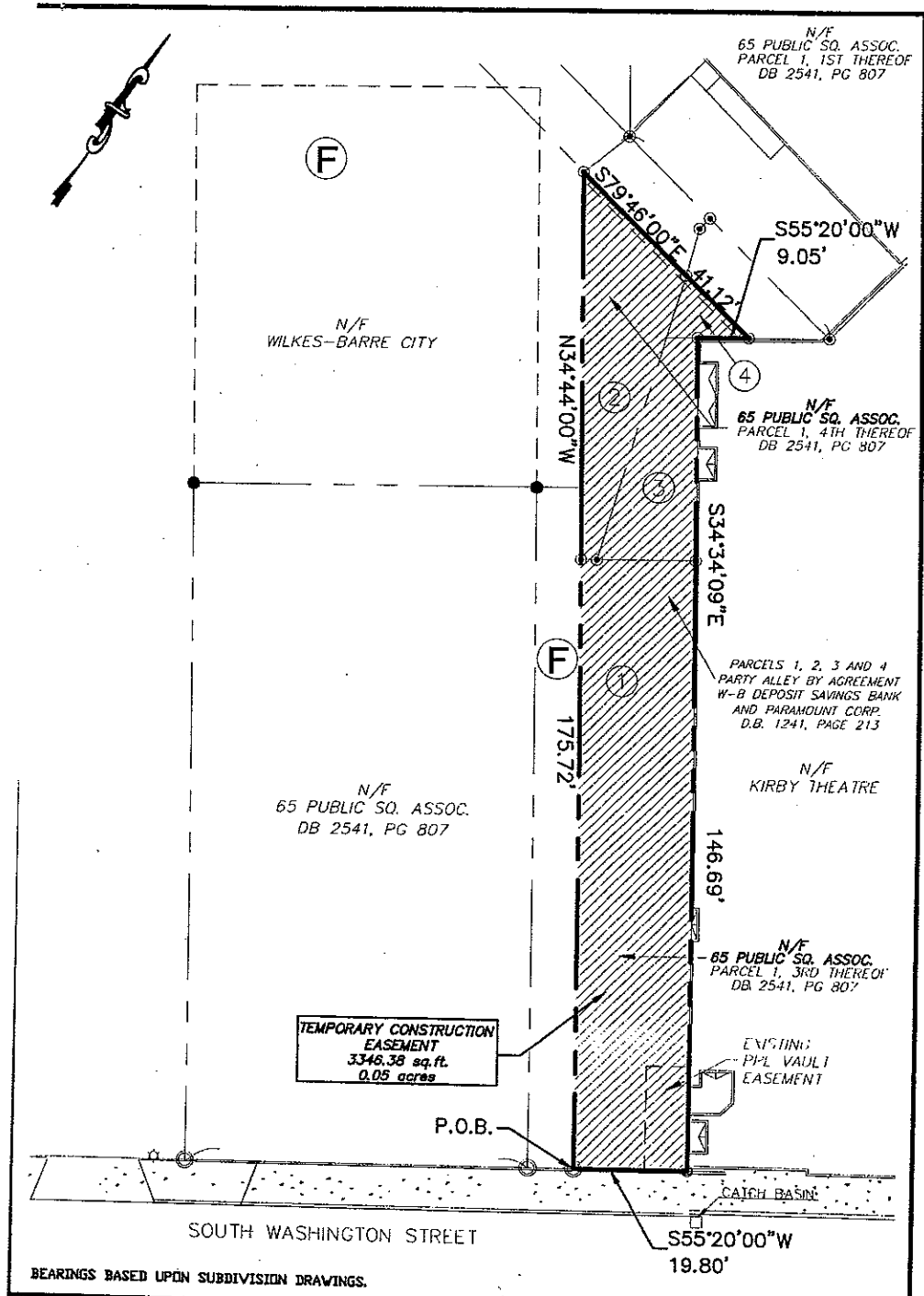
THENCE from said point South 79 degrees, 46 minutes, 00 seconds East 41.12 feet to a point along the lands now or formerly of The Kirby and lands of the Grantor herein;

THENCE from said point along said line South 55 degrees, 20 minutes, 00 seconds West 9.05 feet to a point;

THENCE from said point South 34 degrees, 34 minutes, 09 seconds East 146.69 feet to a point;

THENCE from said point South 55 degrees, 20 minutes, 00 seconds West 19.80 feet to the place of beginning;

CONTAINING 3,346.38 square feet or 0.05 acres of land more or less.



BEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT PARAMOUNT CORPORATION WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	7/06	
	DRAWN BY:	SCALE:
	S.D.B.	1"=20'
MICHAEL J. PASONICK JR INC.	CHECKED:	SHEET NO.

Temporary Construction Easement
Through Lands Now or Formerly
Of
Paramount Corporation

All that certain piece, parcel, or plot of land situate in the city of Wilkes-Barre, County of Luzerne, and Commonwealth of Pennsylvania bounded and described as follows, to wit;

Beginning at a point being located the following two courses and distances from a point common to the lands, now or formerly of Wilkes-Barre City and 65 Public Square Association

1. From a point along the northerly line of South Washington Street N $34^{\circ}44'00''$ W 175.72' to a point
2. S $79^{\circ}46'00''$ E 25.39' to a point common to the lands now or formerly of the Paramount Corporation

Thence along the dividing line between lands now or formerly of 65 Public Square Association and the lands of the Grantor the following two courses and distances

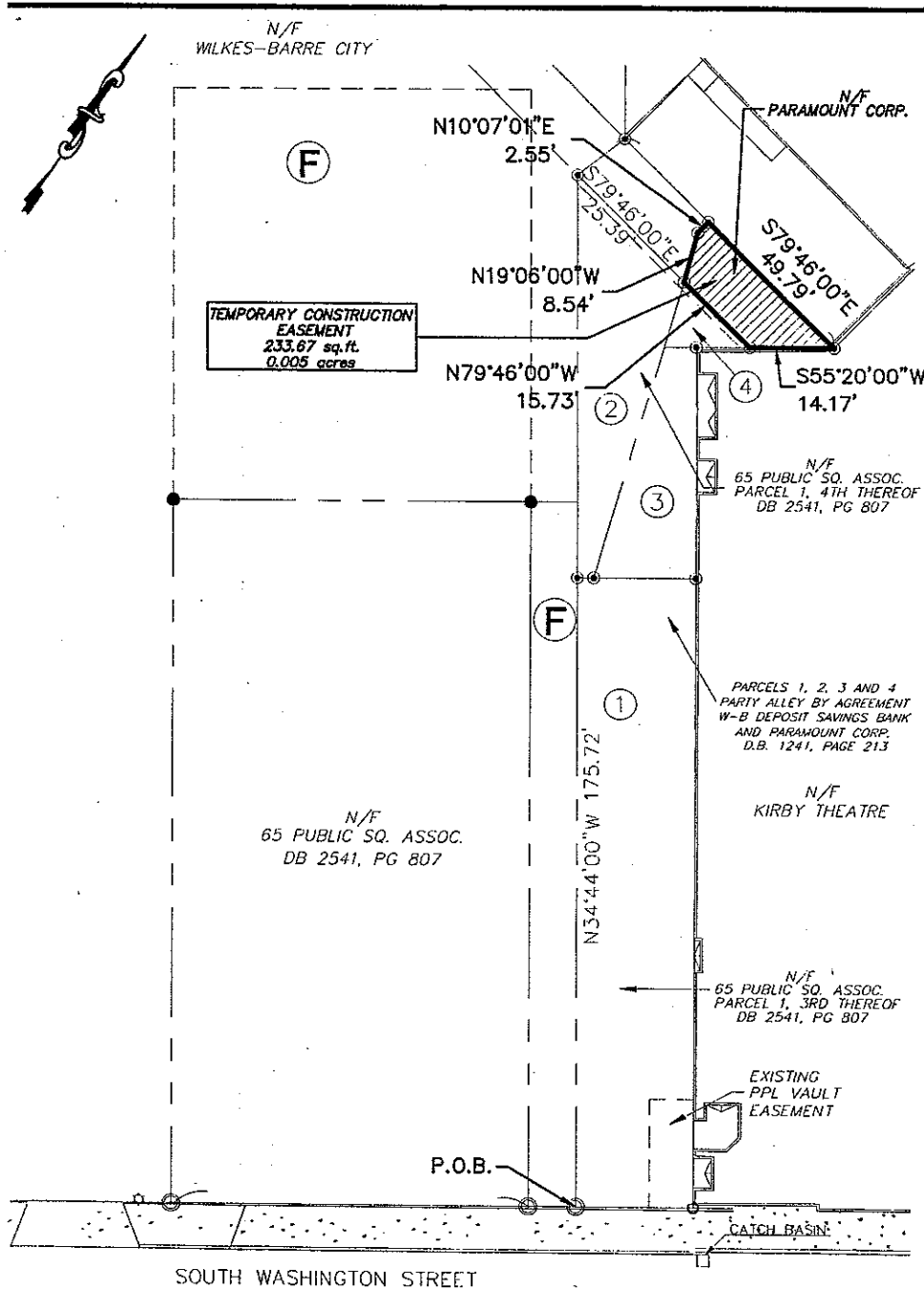
1. N $19^{\circ}06'00''$ W 8.54' to a point
2. N $10^{\circ}07'01''$ E 2.55 to a point

Thence through the lands of the Grantor S $79^{\circ}46'00''$ E 49.79' to a point common to the lands now or formerly of Public Square Association

Thence along said lands the following two courses and distances

1. S $55^{\circ}20'00''$ W 14.17' to a point
2. N $79^{\circ}46'00''$ W 15.73' to the place of beginning

Containing 233.67 square feet or 0.005 acres of land more or less.



BEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT PARAMOUNT CORPORATION WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	7/06	
	DRAWN BY:	SCALE:
S.D.B.	1"=20'	
CHECKED:	SHEET NO.	

MICHAEL J. PASONICK, JR., INC.

Temporary Construction Easement
Through Lands Now or Formerly
of
65 Public Square Assoc.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at a point common to the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein, said point being located North 34 degrees, 44 minutes, 00 seconds West 175.72 feet from the Northerly line of South Washington Street;

THENCE along the dividing line between the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 18 degrees, 00 minutes, 37 seconds East 10.09 feet to a point;

THENCE through the lands of the Grantor the following course and distance;

1) South 79 degrees, 46 minutes, 00 seconds East 19.84 feet to a point;

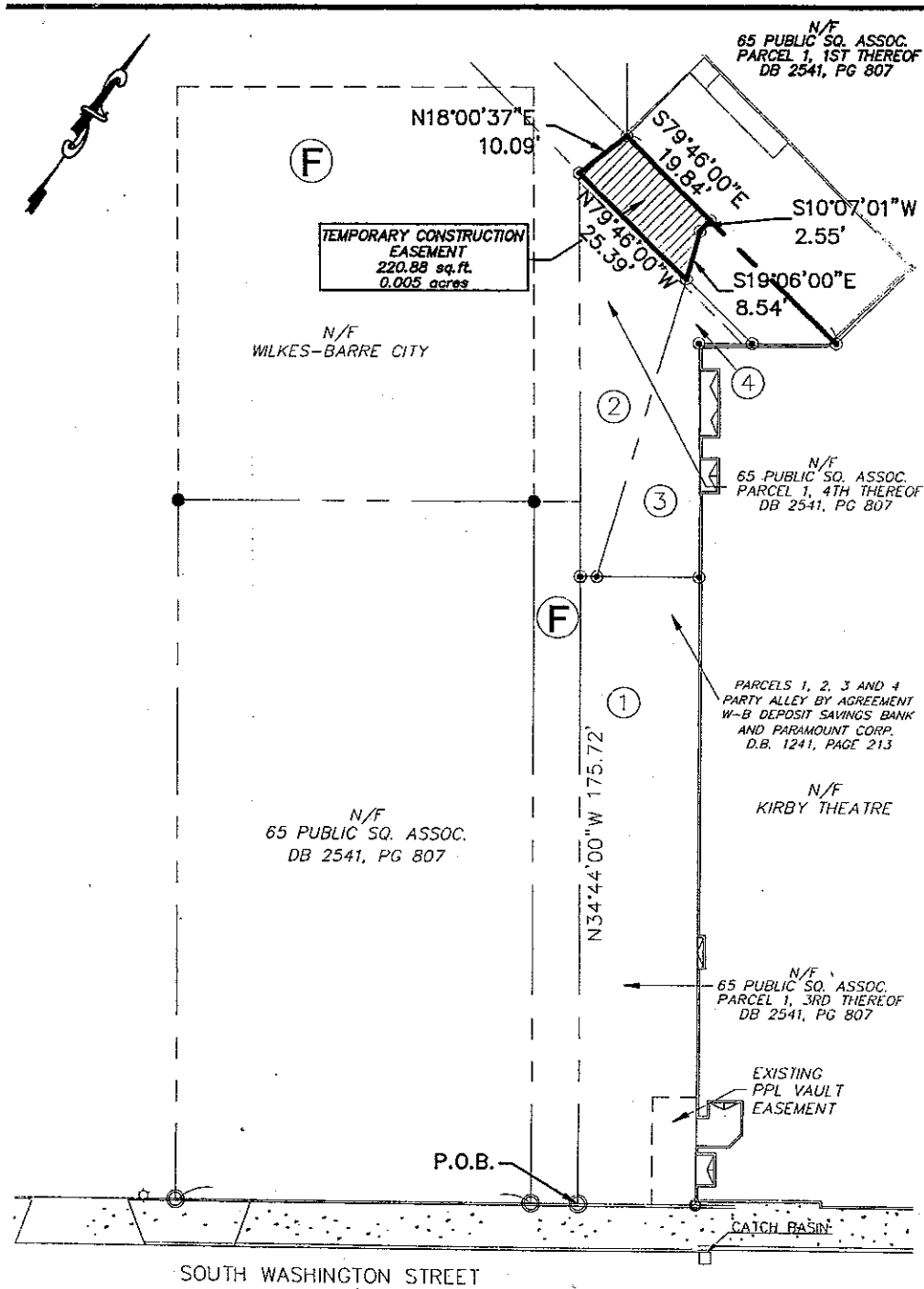
THENCE from said point along a dividing line of the lands now or formerly of the Paramount Corp. and the lands of the Grantor herein the following 2 courses and distances;

1) South 10 degrees, 07 minutes, 01 seconds West 2.55 feet to a point;

2) South 19 degrees, 06 minutes, 00 seconds East 8.54 feet to a point;

Thence from said point North 79 degrees, 46 minutes, 00 seconds West 25.39 feet to the place of beginning;

CONTAINING 220.88 square feet or 0.005 acres of land more or less.



BEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT 65 PUBLIC SQUARE ASSOC. WILKES-BARRE, LUZERNE CO. PA.	DATE:	JOB NO.:
	7/06	
MICHAEL J. PASONICK, JR., INC.	DRAWN BY:	SCALE:
	S.D.B.	1"=20'
	CHECKED:	SHEET NO.

Permanent Easement
Through Lands Now or Formerly
of
Wilkes-Barre Center Associates

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at a common corner of the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 89.95 feet to a point;

THENCE from said point North 34 degrees, 40 minutes, 00 seconds West 5.00 feet to a point;

THENCE from said point South 55 degrees, 20 minutes, 00 seconds West 67.80 feet to a point;

THENCE from said point North 35 degrees, 25 minutes, 48 seconds West 9.88 feet to a point;

THENCE from said point through the lands of the Grantor herein North 55 degrees, 31 minutes, 10 seconds East 40.64 feet to a point;

THENCE from said point through continuing through the lands of the Grantor herein South 34 degrees, 40 minutes, 00 seconds East 4.23 feet to a point;

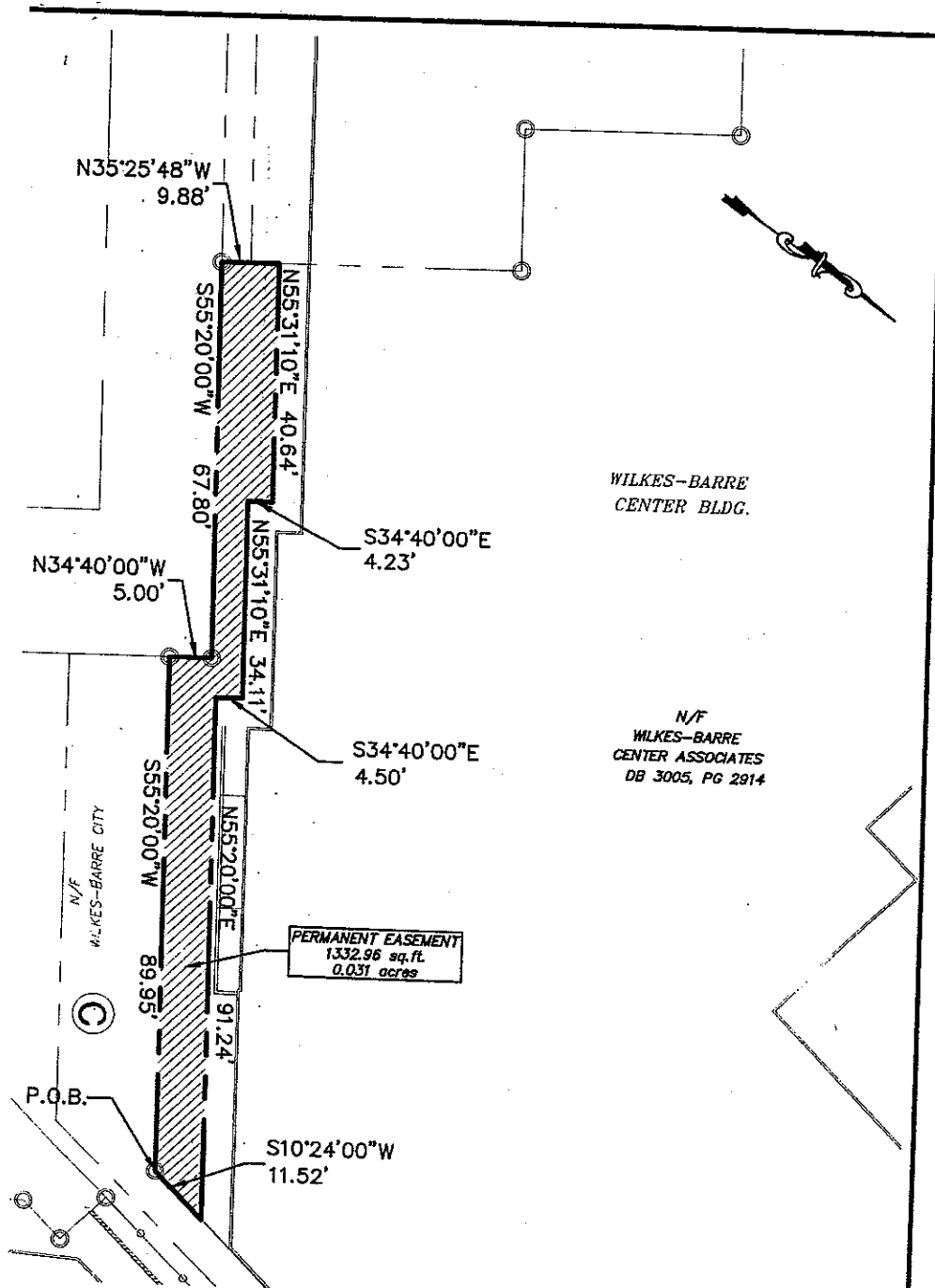
THENCE from said point North 55 degrees, 31 minutes, 10 seconds East 34.11 feet to a point;

THENCE from said point South 34 degrees, 40 minutes, 00 seconds East 4.50 feet to a point;

THENCE from said point North 55 degrees, 20 minutes, 00 seconds East 91.24 feet to a point along a line common to lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point South 10 degrees, 24 minutes, 00 seconds West 11.52 feet to the place of beginning;

CONTAINING 1,332.96 square feet or 0.031 acres of land more or less.



WILKES-BARRE
CENTER BLDG.

N/F
WILKES-BARRE
CENTER ASSOCIATES
DB 3005, PG 2814

PERMANENT EASEMENT
1332.96 sq.ft.
0.031 acres

MEASUREMENTS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT
WILKES-BARRE CENTER ASSOC.
WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK, JR INC.

DATE:	JOB NO.:
7/06	
DRAWN BY:	SCALE:
S.D.B.	1"=20'
CHECKED:	SHEET NO.

Temporary Construction Easement
Through Lands Now or Formerly
of
Wilkes-Barre Center Associates

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING 11.52 feet in a northerly direction from a common corner of lands now or formerly Wilkes-Barre City and the lands of the Grantor herein;

THENCE from said point of beginning through the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 91.24 feet to a point;

THENCE from said point North 34 degrees, 40 minutes, 00 seconds West 4.50 feet to a point;

THENCE from said point South 55 degrees, 31 minutes, 10 seconds West 34.11 feet to a point;

THENCE from said point North 34 degrees, 40 minutes, 00 seconds West 4.23 feet to a point;

THENCE from said point South 55 degrees, 31 minutes, 10 seconds West 40.64 feet to a point;

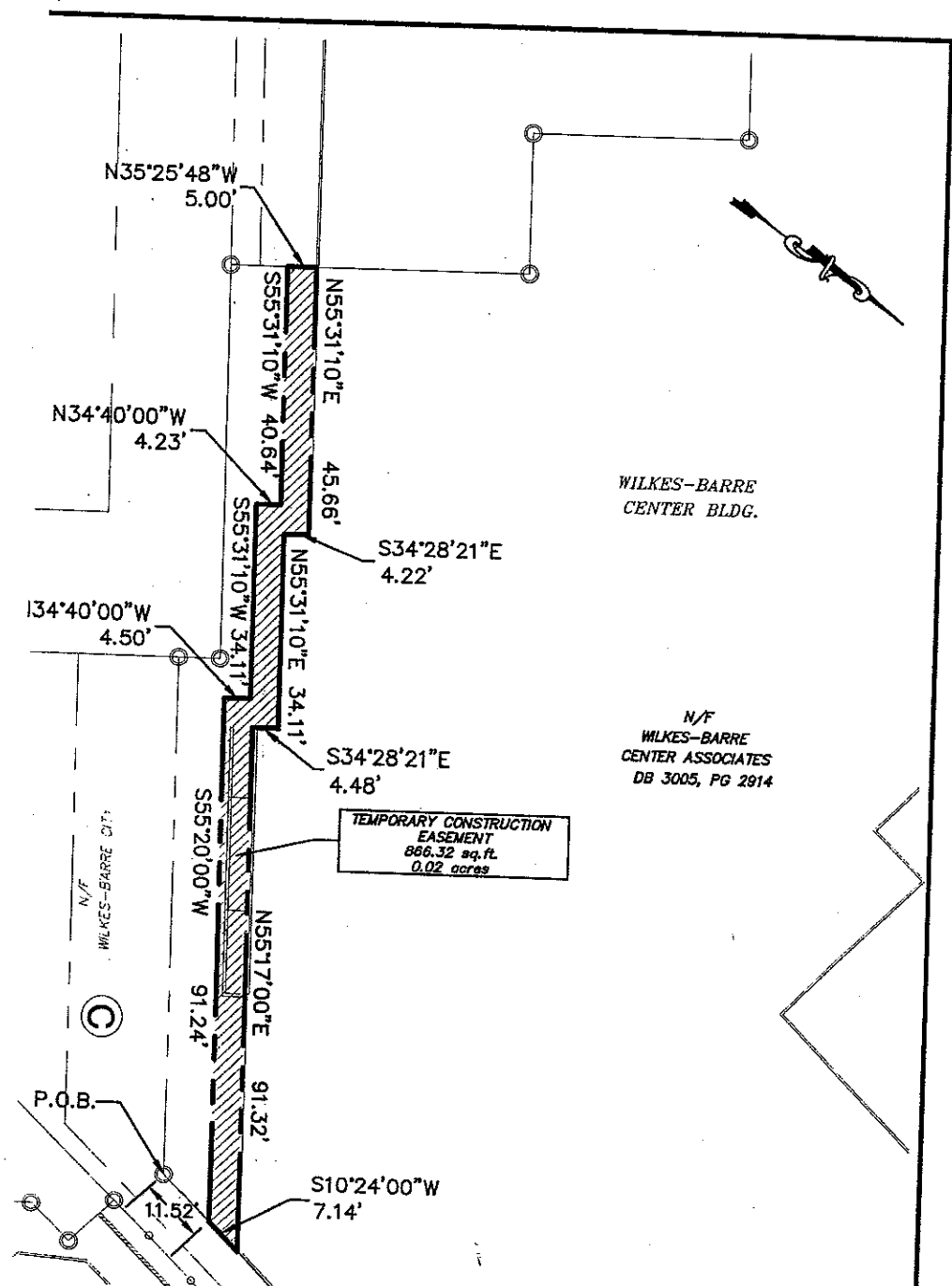
THENCE from said point North 35 degrees, 25 minutes, 48 seconds West 5.00 feet to a point;

HENCE more or less along the existing building line the following 5 courses and distances;

- 1) North 55 degrees, 31 minutes, 10 seconds East 45.66 feet to a point;
- 2) South 34 degrees, 28 minutes, 21 seconds East 4.22 feet to a point;
- 3) North 55 degrees, 31 minutes, 10 seconds East 34.11 feet to a point;
- 4) South 34 degrees, 28 minutes, 21 seconds East 4.48 feet to a point;
- 5) North 55 degrees, 17 minutes, 00 seconds East 91.32 feet to a point locate at the Southeasterly corner of the Wilkes-Barre Center building;

THENCE from said point South 10 degrees, 24 minutes, 00 seconds West 7.14 feet to the place of beginning;

CONTAINING 866.32 square feet or 0.02 acres of land more or less.



WILKES-BARRE
CENTER BLDG.

N/F
WILKES-BARRE
CENTER ASSOCIATES
DB 3005, PG 2914

TEMPORARY CONSTRUCTION
EASEMENT
886.32 sq. ft.
0.02 acres

BEARINGS BASED UPON SUBDIVISION DRAWINGS.

TEMPORARY CONSTRUCTION EASEMENT
WILKES-BARRE CENTER ASSOC.
WILKES-BARRE, LUZERNE CO. PA.

MICHAEL J. PASONICK JR INC

DATE:	JOB NO.:
7/06	
DRAWN BY:	SCALE:
S.D.B.	1"=20'
CHECKED:	SHEET NO.

Permanent Easement
Through Lands Now or Formerly
of
Labor and Industry.

ALL that certain piece, parcel or plot of land situate in the City of Wilkes-Barre, County of Luzerne and Commonwealth of Pennsylvania bounded and described as follows to wit;

BEGINNING at a Southerly corner of lands now or formerly of Wilkes-Barre City and lands of the Grantor herein located along South Washington Street;

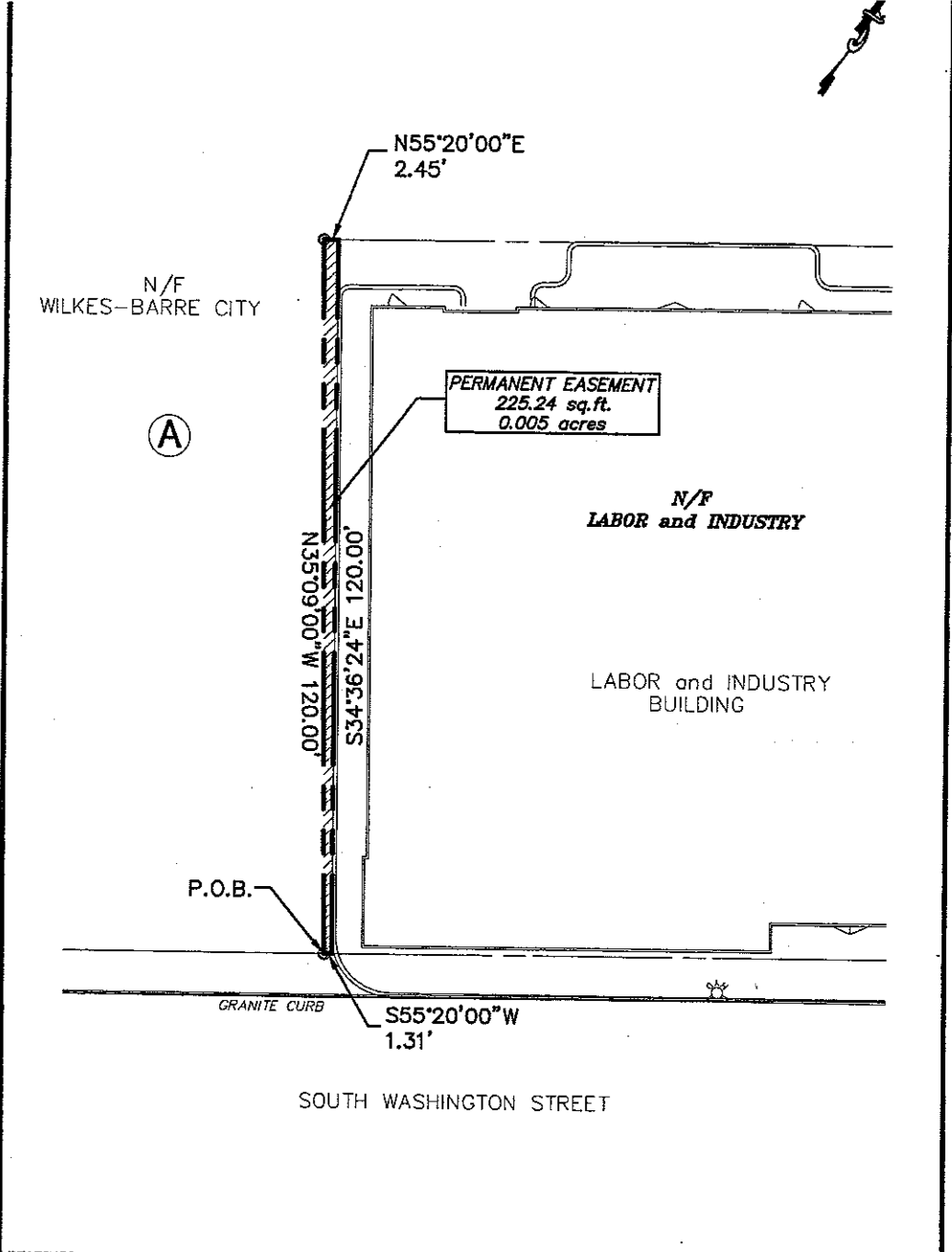
THENCE from said point of beginning along the lands now or formerly of Wilkes-Barre City and lands of the Grantor herein North 35 degrees, 09 minutes, 00 seconds West 120.00 feet to a point;

THENCE from said point along a line common to the lands now or formerly of Wilkes-Barre City and the lands of the Grantor herein North 55 degrees, 20 minutes, 00 seconds East 2.45 feet to a point;

THENCE from said point through the lands of the grantor herein, more or less along the curb, South 34 degrees, 36 minutes, 24 seconds East 120.00 feet to a point;

THENCE from said point along South Washington Street and the lands of the Grantor herein South 55 degrees, 20 minutes, 00 seconds West 1.31 feet to a place of beginning;

CONTAINING 225.24 square feet or 0.005 acres of land more or less.



BEARINGS BASED UPON SUBDIVISION DRAWINGS.

PERMANENT EASEMENT LABOR and INDUSTRY WILKES-BARRE, LUZERNE CO. PA.	DATE: <i>AUG. '06</i>	JOB NO.:
	DRAWN BY: <i>S.D.B.</i>	SCALE: <i>1"=20'</i>
MICHAEL J. PASONICK, JR., INC. CONSULTING ENGINEERS AND SURVEYORS <small>105 north wilkes - barre boulevard wilkes - barre pennsylvania 18702</small>	CHECKED: <i>O.B.</i>	SHEET NO.
	SURVEY BK.	1



PHONE: (570) 823-4712 FAX: (570) 823-4727



Wilkes-Barre, Pa. _____

Resolution No. _____

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

WHEREAS, PENNONI ASSOCIATES, INC. HAS BEEN AWARDED THE COAL STREET EXTENSION PROJECT; AND

WHEREAS, PENNONI ASSOCIATES, INC. IS WAITING TO RECEIVE FROM THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION, APPROVAL FOR THE DESIGN FIELD VIEW PACKAGE; AND

WHEREAS, WITH THIS REVIEW TIME IN CONSIDERATION AND THE ADDITIONAL TIME NECESSARY TO COMPLETE THE ADMINISTRATIVE TASK FOR CLOSING OUT PART 1A & 1B, PENNONI ASSOCIATES, INC. IS REQUESTING A TIME EXTENSION.

NOW, THEREFORE, BE IT RESOLVED, THAT, PENNONI ASSOCIATES, INC. IS HEREBY GRANTED AN EXTENSION FROM SEPTEMBER 30, 2006 to DECEMBER 31, 2006.

Submitted by _____

ROLL CALL

YEAS

RESOLUTIONS

NAYS



September 18, 2006

COWB 9901

City of Wilkes-Barre
Honorable Mayor, Thomas M. Leighton
40 East Market St.
Wilkes-Barre, PA 18711-0451

**Re: Local Agreement No.: 041830
Coal Street Extension Project – Extension Request for
Preliminary Contract Completion Date – Part 1A & 1B**

Dear Mayor Leighton:

We are requesting a time extension to complete Part IA - Preliminary Design and Part IB - Categorical Exclusions of the Coal Street Extension Project.

We are currently waiting to receive from the Pennsylvania Department of Transportation – Engineering District 4-0 approval for the Design Field View package just recently submitted. With this review time in consideration and the additional time necessary to complete the administrative task of closing out Part IA & Part IB of the project, we are hereby requesting a time extension.

With these items yet to be completed, we are asking you to extend the project's Part IA - Preliminary Design and Part IB - Categorical Exclusions completion date from September 30, 2006 to December 31, 2006.

Very truly yours,

PENNONI ASSOCIATES INC.

Lawrence R. Fetich, P.E., P.L.S.
Senior Engineer

LRF:jmh

cc: Butch Frati, City of Wilkes-Barre
Denise Youorski, PENNDOT 4-0
Wayne Himes, GTS Technologies
Jayne McColl, McCormick Taylor & Associates, Inc.
Nelson Shaffer, Pennoni, Philadelphia
David Lowdermilk, Pennoni, Philadelphia
John Zarsky, Pennoni, Philadelphia
Kash Batra, Pennoni, Camp Hill

FILE OF COUNCIL

14

NO. 14 OF 2006

PRESENTED IN CITY COUNCIL September 5, 2006

AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 21 OF 1995, ENTITLED "AN ORDINANCE AMENDING AND REPEALING FILE OF COUNCIL NO. 25 OF 1991, AS AMENDED, ENTITLED "AN ORDINANCE FIXING THE TERMS, CONDITIONS, AND AMOUNTS OF BENEFITS FOR FIREFIGHTERS WHO ARE APPOINTED TO THE BUREAU OF FIRE OF THE CITY OF WILKES-BARRE AFTER THE DATE OF ENACTMENT OF THIS ORDINANCE; AND DEFINING A FUNDING POLICY FOR THE BUREAU OF FIREMEN'S RELIEF."

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME, AS FOLLOWS:

SECTION 1. That File of Council No. 21 of 1995, which reads in Section

7. A., as follows:

"SECTION 7.

A. Effective as of the date of the final passage of this ordinance, all members of the Bureau of Firemen's Relief Pension Fund who are contributors and who served in the armed forces of the United States subsequent to September 1, 1940, and who are not members of the Bureau of Firemen's Relief Pension Fund prior to such military service shall be entitled to have full credit for each year or fraction thereof not to exceed five (5) years of such service

upon their payment to the Bureau of Firemen's Relief Pension Fund of the sum of the following:

(a) An amount equal to that which they would have paid had they been members during the period for which they desire credit; and computation of said sum will be based on:

(1) The actual wages which they would have received if they had been members at the time for which credit is requested giving consideration to the wages then paid for the period of service involved.

(2) If the period of service was prior to July 18, 1976 (the date as of which the Bureau of Firemen's Relief Pension Fund came under the jurisdiction of Council) the rate of contribution will be the amount which would have been contributed by such member had he been employed with the Fire Department of the City of Wilkes-Barre during the period of his military service.

(3) If the period of service was on or after July 18, 1976, the rate of contribution will be the rate in existence during such period of service.

(b) The amount the City paid on behalf of the firemen prorated and determined as follows:

(1) Ascertain the amount contributed to the Bureau of Firemen's Relief Pension Fund then in existence during each calendar year for which credit is requested; and if a fraction of a year is involved for such year, the amount contributed will be multiplied by that fraction.

(2) Divide the amount contributed by the City for each such years by the number of firemen on the payroll of the City as of July 1 of each of said respective years.

(3) Add the quotient obtained for each of said years."

is hereby amended to read, as follows:

"SECTION 7.

A. Effective as of the date of the final passage of this ordinance, all members of the Bureau of Firemen's Relief Pension Fund, who have not already bought back military service time, who are contributors, who served in the armed forces of the United States subsequent to September 1, 1940, and who were not members of the Bureau of Firemen's Relief Pension Fund prior to such military service shall be entitled to have full credit for each year or fraction thereof not to exceed five (5) years of such service, upon his or her payment to the Bureau of Firemen's Relief Pension Fund of an amount equal to that which the member would have paid had he or she been a member of the Bureau of Firemen's Relief Pension Fund during the period for which the member desires credit at a contribution rate of Five (5%) Percent of what the member's annual salary would have been had the member been employed by the City of Wilkes-Barre during the period of military service for which the member desires credit."

SECTION 2. 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 3. All Ordinances or parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Passed finally by the City Council of the City of Wilkes-Barre on

This Ordinance shall become effective on _____.

ATTEST:

CITY CLERK

FILE OF COUNCIL

NO. 15 OF 2006

PRESENTED TO CITY COUNCIL September 5, 2006

AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 55 of 1988, AMENDING AND REPEALING FILE OF COUNCIL NO 26 OF 1976, AS AMENDED, BY FILE OF COUNCIL NO. 11 OF 1979, NO. 18 OF 1980 AND NO. 37 OF 1982, ENTITLED, "AN ORDINANCE FIXING THE TERMS, CONDITIONS AND AMOUNTS OF BENEFITS FOR POLICEMEN WHO ARE APPOINTED TO THE BUREAU OF POLICE OF THE CITY OF WILKES-BARRE AFTER THE DATE OF ENACTMENT OF THIS ORDINANCE; AND DEFINING A FUNDING POLICY FOR THE BUREAU OF POLICEMEN'S RELIEF."

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME, AS FOLLOWS:

SECTION 1. That File of Council No. 55 of 1988, which reads, in Section

7. A., as follows:

"SECTION 7.

A. Effective as of the date of the final passage of this ordinance, all members of the Bureau of Policemen's Relief Pension Fund who are contributors and who served in the armed forces of the United States subsequent to September 1, 1940, and who were not members of the Bureau of Policemen's Relief Pension Fund

prior to such military service shall be entitled to have full credit for each year or fraction thereof not to exceed five (5) years of such service upon their payment to the Bureau of Policemen's Relief Pension Fund of the sum of the following:

(a) An amount equal to that which they would have paid had they been members during the period for which they desire credit; and computation of said sum will be based on:

(1) The actual wages which they would have received if they had been members at the time for which credit is requested giving consideration to the wages then paid for the period of service involved.

(2) If the period of service was prior to July 18, 1976, (the date as of which the Bureau of Policemen's Relief Pension Fund came under the jurisdiction of Council) the rate of contribution will be the amount which would have been contributed by such member had he been employed with the Police Department of the City of Wilkes-Barre during the period of his military service.

(3) If the period of service was on or after July 18, 1976, the rate of contribution will be the rate in existence during such period of service.

(b) The amount the City paid on behalf of the policemen prorated and determined as follows:

(1) Ascertain the amount contributed to the Bureau of Policemen's Relief Pension Fund then in existence during each calendar year for which credit is requested; and if a fraction of a year is involved for such year, the amount contributed will be multiplied by that fraction.

(2) Divide the amount contributed by the City for each of such years by the number of policemen on the payroll of the City as of July 1 of each of said respective years.

(3) Add the quotient obtained for each of said years."

is hereby amended to read, as follows:

"SECTION 7.

A. Effective as of the date of the final passage of this ordinance, all members of the Bureau of Policemen's Relief Pension Fund, who were hired by the City of Wilkes-Barre prior to January 24, 2001, who have not already bought back military service time, who are contributors, who have actively served in the Armed Forces of the United States subsequent to September 1, 1940, and who were not members of the Bureau of Policemen's Relief Pension Fund prior to such military service, shall be entitled to have full credit for each year or fraction thereof not to exceed five (5) years of such service, upon his or her payment to the Bureau of Policemen's Relief Pension Fund of an amount equal to that which the member would have paid had he or she been a member of the Bureau of Policemen's Relief Pension Fund during the period for

which the member desires credit at a contribution rate of Five (5%) Percent of what the member's annual salary would have been had the member been employed by the City of Wilkes-Barre during the period of military service for which the member desires credit."

SECTION 2. 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 3. All Ordinances or parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Passed finally by the City Council of the City of Wilkes-Barre on

This Ordinance shall become effective on _____.

ATTEST:

CITY CLERK

FILE OF COUNCIL

NO. 16 OF 2006

PRESENTED IN CITY COUNCIL September 5, 2006

AN ORDINANCE

AMENDING FILE OF COUNCIL NO. 53 OF 1994, ENTITLED "AN ORDINANCE AMENDING FILE OF COUNCIL NO. 43 OF 1976, AS AMENDED, ENTITLED 'AN ORDINANCE AUTHORIZING THE CREATION AND ESTABLISHMENT OF A PENSION FUND FOR EMPLOYEES OTHER THAN POLICEMEN AND FIREMEN; AUTHORIZING THE APPROPRIATION OF MONEY TO SAID FUND; CREATING A PENSION BOARD; REQUIRING THE MANNER IN WHICH MONEY SHALL BE PAID INTO SAID PENSION FUND BY CITY EMPLOYEES AND THE MANNER IN WHICH MONEY SO PAID INTO SAID FUND SHALL BE DISPENSED TO SAID EMPLOYEES,'" AS AMENDED.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF WILKES-BARRE, AND IT IS HEREBY ORDAINED AND ENACTED BY THE AUTHORITY OF THE SAME, AS FOLLOWS:

SECTION 1. That File of Council No. 53 of 1994, which reads, in Section

IX(a), as follows:

"SECTION IX. (a) Any member of the City Employees' Pension Fund who is a contributor and who has actively served in the Armed Forces of the United States subsequent to September 1, 1940, with the exception of time spent on active duty with any reserve force, and who was not a member of the City's Employees' Pension Fund prior to such military service, shall be entitled to have full credit for each year or fraction thereof not to exceed five

(5) years of such service, upon his or her payment to the City Employees' Pension Fund of an amount equal to that which the member would have paid had he or she been a member of the City Employees' Pension Fund during the period for which the member desires credit, and the member's payment to such fund of an additional amount as the equivalent of the contribution of the City on account of such military service."

is hereby amended to read, as follows:

"SECTION IX. (a) Any member of the City Employees' Pension Fund, who was hired by the City of Wilkes-Barre prior to January 24, 2001, who has not already bought back military service time, who is a contributor and who has actively served in the Armed Forces of the United States subsequent to September 1, 1940, with the exception of time spent on active duty with any reserve force, and who was not a member of the City's Employees' Pension Fund prior to such military service, shall be entitled to have full credit for each year or fraction thereof not to exceed five (5) years of such service, upon his or her payment to the City Employees' Pension Fund of an amount equal to that which the member would have paid had he or she been a member of the City Employees' Pension Fund during the period for which the member desires credit at a contribution rate of Five (5%) Percent of what the member's annual salary would have been had the member been employed by the City of Wilkes-Barre during the period of military service for which the member desires credit."

SECTION 2. 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 3. All Ordinances or parts of Ordinances inconsistent herewith be, and the same are hereby repealed.

Passed finally by the City Council of the City of Wilkes-Barre on

This Ordinance shall become effective on _____.

ATTEST:

CITY CLERK

FILE OF COUNCIL

NO. ____ OF 2006

PRESENTED IN CITY COUNCIL _____

AN ORDINANCE

OF THE CITY OF WILKES-BARRE, COUNTY OF LUZERNE, AND THE
COMMONWEALTH OF PENNSYLVANIA, ADOPTING THE 2007 ACTION PLAN
ENCOMPASSING THE COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM, EMERGENCY SHELTER GRANT PROGRAM AND HOME
PROGRAM BUDGETS FOR PROGRAM YEAR THIRTY-THREE AND
APPROPRIATING SPECIFIC SUMS ESTIMATED TO BE REQUIRED TO
COMPLETE PROGRAM ACTIVITIES. (FIRST READING – TITLE ONLY)