

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

AUGUST 10, 2023

PLEDGE OF ALLEGIANCE

ROLL CALL

CONSENT AGENDA (RESOLUTIONS)

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
AUGUST 10, 2023

**CONSENT AGENDA (RESOLUTIONS)**

Authorizing the Mayor to accept and sign the 2023-2024 Winter Services Agreement and Exhibits on the City's behalf for Year 2 of 10.

Authorizing the proper city officials to take any and all necessary actions related to accepting the insurance package submitted by Risk Strategies which includes, but is not limited to, Property, Inland Marine, Boiler & Machinery, General Liability, Business Auto, Fidelity Bond, Crime, Public Officials/EPLI, Law Enforcement, Firefighters Professional, Fiduciary Liability, GL & Prof. Health Depart., and Cyber Liability for a total annual premium of \$889,840.00.

Authorizing the proper city officials to take any and all necessary actions related to awarding a contract for the Solomon Creek Emergency Wall Repairs Project, to the lowest responsible bidder, Pioneer Construction Company, Inc.

Authorizing the proper city officials to enter into an agreement with the Pennsylvania Department of Transportation and Alfred Benesch and Company to conduct supplemental design services for the North Washington Street Bridge. Alfred Benesch and Company was selected during the PennDOT ECMS Program. The allocation of funds for this program are 80% Federal, 15% State and 5% local with the local share coming from the Liquid Fuels account. The local share amount will be \$5,000.00.

Authorizing the proper city officials to prepare and submit the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG) in the amount of \$28,820.00. The purpose areas of the grant are funding for community-based and non-community based trainings, re-certification trainings, community policing and saturation patrols for violent crime areas.

Authorizing the proper city officials to enter into an agreement with the lowest, responsible bidder, Mountain Stream Construction, in the amount of \$920,000 for the design, build, and construction, along with any or all other project documents, related to the Kirby Park Facility Building project. The allocation of funding for this project is proportionately distributed between the City of Wilkes-Barre and the Luzerne County Flood Protection Authority.

CITY COUNCIL  
AUGUST 10, 2023  
**CONSENT AGENDA (RESOLUTIONS) CONTINUED**

**MINUTES**

Of the Traffic Committee Meeting of June 22, 2023.

Of the Parking Authority of the City of Wilkes-Barre of June 20, 2023.

Of the Parking Authority of the City of Wilkes-Barre of July 18, 2023.

Of the Planning Commission Meeting of June 21, 2023.

Of the Zoning Hearing Board of June 21, 2023.

Of the Regular Session of City Council of July 13, 2023.



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

Be It Resolved, by authority of Wilkes-Barre City Council of the City of Wilkes-Barre, Luzerne County, and it is hereby resolved by authority of the same, that the Mayor of said Municipality is authorized and directed to accept and sign the attached 2023-2024 Winter Services Agreement and Exhibits on its behalf (Contract # 3900039817, Year 2 of 10).

ATTEST:

Wilkes-Barre City

\_\_\_\_\_  
Cathy Payne, City Clerk

By: \_\_\_\_\_, Mayor  
George C. Brown

I, Cathy Payne, City Clerk of Wilkes-Barre City Council, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted at a regular meeting of Wilkes-Barre City Council, held the 10th day of August 2023.

Date: \_\_\_\_\_

\_\_\_\_\_, City Clerk  
(Signature and designation of official title)

Submitted by \_\_\_\_\_

ROLL CALL



**pennsylvania**  
DEPARTMENT OF TRANSPORTATION

Maintenance District 4-3  
381 S. Main Street  
Ashley, PA 18706  
(570) 826-2386

July 3, 2022  
Wilkes-Barre City – 2023-2024 Winter Service Agreement  
Contract #3900039817

Dear Ms. Payne,

Please see the enclosed Exhibit A for the renewal of our Winter Services Agreement with your municipality for the 2023-2024 winter season. Your payment for the winter season will be \$62,393.73 for winter services. You can expect this payment on or before November 15, 2023.

Upon review, please notify me via email of your acceptance or denial of the agreement prior to September 15<sup>th</sup>. Please send your response on your Township letterhead in PDF form to [slapchak@pa.gov](mailto:slapchak@pa.gov).

The Department of Transportation would like to thank you for your participation in this program. If additional information is required, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew S. Lipka".

Matthew S. Lipka  
Luzerne County Business Manager

Enclosure: Exhibit A

2023-2032

3900039817

 AGREEMENT NO.  
 YEAR 2  
 OF 10

## CONTRACT EXHIBIT A

COUNTY: Luzerne

 MUNICIPAL: Wilkes-Barre City  
 40 E. Market Street  
 Wilkes-Barre, PA 18711

STATE ROUTE	LOCAL DESCRIPTION	BEGIN SEGMENT	BEGIN OFFSET	END SEGMENT	END OFFSET	SNOW LANE MILES	MFC	RATE PER MFC*	COST
1009	Market St. Bridge	0020	0000	0020	1764	1.85	B	\$1,676.80	\$2,766.72
1011	North Street	0010	0000	0030	1698	2.49	B	\$1,676.80	\$4,175.23
2004	Carey Ave./Academy, S. River, N. River	0010	0000	0080	0000	9.1	B	\$1,676.80	\$15,258.88
2010	Hazle St./Park Avenue	0130	2253	0150	2758	2.62	B	\$1,676.80	\$4,383.22
2005	Blackman, Horton, Carey Avenue	0010	2085	0060	0000	5.87	C	\$1,676.80	\$9,842.82
2007	Northampton/Park Ave., South St. Bridge	0130	0075	0160	1586	3.48	C	\$1,676.80	\$5,835.26
2014	Northampton/Park Ave., South St. Bridge	0008	0000	0010	1819	2.38	C	\$1,676.80	\$3,980.78
2020	Academy/Penna Blvd.	0010	0000	0050	0000	3.58	C	\$1,676.80	\$5,902.94
6309	Scott Street (Bus. 309)	0590	0075	0622	0000	6.04	C	\$1,676.80	\$10,127.87
	Spring Street (Bus. 309)								

\*For the Standard Agreement, rates may vary per county depending on the MFC- see Attachment A Rate Schedule

\*For the Actual Cost Agreement, rates may not reflect those that appear on Attachment A because PennDOT is paying actual costs. Rates used must be pre approved by BOMO.

TOTAL COST = \$62,393.73

15.86

MILEAGE MFC B =

MILEAGE MFC C =

MILEAGE MFC D =

MILEAGE MFC E =

TOTAL MILEAGE

37.21

TERMS OF PAYMENT: The Municipality will be compensated with a lump sum payment in the amount indicated as Total Cost, and as adjusted by the Department of Transportation at the end of each year. The Municipality will be compensated with an adjustment to offset severe winters at the following rate. The Municipality will receive an adjustment equal to the percentage of the Department's actual costs (for similar roads serviced) over and above the five-year average for a particular county less a \$1,000.00 deductible for Municipalities with agreements totaling \$5,000.01 or more and a \$500.00 deductible for all others.

Suggested Total Amount Encumbrance	
1st Year:	\$0.00
2nd Year:	\$62,393.73
3rd Year:	\$64,265.54
4th Year:	\$66,193.51
5th Year:	\$68,179.31
6th Year:	\$70,224.69
7th Year:	\$72,331.43
8th Year:	\$74,501.37
9th Year:	\$76,736.42
10th Year:	\$79,038.51
TOTAL:	\$633,864.50

**ATTACHMENT "A"**  
**Municipal Winter Services Agreement Rate Schedule**  
**For Use During the 2023 - 24 Winter Season**

District	County	MFC RATES Per Snow Lane Mile		
		B	C	D/E

1	Crawford		\$2,194.75	\$1,983.41
	Erie		\$2,194.75	\$1,983.41
	Forest		\$1,559.38	\$1,361.88
	Mercer		\$1,559.38	\$1,361.88
	Venango		\$1,559.38	\$1,361.88
	Warren		\$2,194.75	\$1,983.41

2	Centre		\$1,486.19	\$1,292.81
	Clearfield		\$1,559.38	\$1,361.88
	Clinton		\$1,486.19	\$1,292.81
	Cameron		\$1,486.19	\$1,292.81
	McKean		\$1,918.49	\$1,703.02
	Potter		\$1,676.80	\$1,466.84
	Mifflin		\$1,272.07	\$1,063.53
	Elk		\$1,559.38	\$1,361.88
	Juniata		\$1,272.07	\$1,063.53

3	Columbia		\$1,272.07	\$1,063.53
	Lycoming		\$1,486.19	\$1,292.81
	Montour		\$1,272.07	\$1,063.53
	Northumberland		\$1,272.07	\$1,063.53
	Snyder		\$1,272.07	\$1,063.53
	Sullivan		\$1,486.19	\$1,292.81
	Tioga		\$1,676.80	\$1,466.84
	Union		\$1,272.07	\$1,063.53
	Bradford		\$1,676.80	\$1,466.84

4	Lackawanna		\$1,676.80	\$1,466.84
	Luzerne		\$1,676.80	\$1,466.84
	Pike		\$1,486.19	\$1,292.81
	Susquehanna		\$1,676.80	\$1,466.84
	Wayne		\$1,486.19	\$1,292.81
	Wyoming		\$1,486.19	\$1,292.81

5	Berks		\$1,272.07	\$1,063.53
	Carbon		\$1,486.19	\$1,292.81
	Lehigh		\$1,272.07	\$1,063.53
	Monroe		\$1,486.19	\$1,292.81
	Northampton		\$1,272.07	\$1,063.53
	Schuylkill		\$1,272.07	\$1,063.53

6	Bucks	\$1,602.00	\$1,496.00	\$1,385.00
	Chester	\$1,602.00	\$1,496.00	\$1,385.00
	Delaware	\$1,602.00	\$1,496.00	\$1,385.00
	Montgomery	\$1,602.00	\$1,496.00	\$1,385.00
	Philadelphia	\$1,602.00	\$1,496.00	\$1,385.00

8	Adams		\$1,272.07	\$1,063.53
	Cumberland		\$1,272.07	\$1,063.53
	Franklin		\$1,272.07	\$1,063.53
	York		\$1,272.07	\$1,063.53
	Dauphin		\$1,272.07	\$1,063.53
	Lancaster		\$1,272.07	\$1,063.53
	Lebanon		\$1,272.07	\$1,063.53
	Perry		\$1,272.07	\$1,063.53

District	County	MFC RATES Per Snow Lane Mile		
		B	C	D/E

9	Bedford		\$1,272.07	\$1,063.53
	Blair		\$1,272.07	\$1,063.53
	Cambria		\$2,089.76	\$1,896.40
	Fulton		\$1,149.17	\$975.14
	Huntingdon		\$1,272.07	\$1,062.15
	Somerset		\$2,089.76	\$1,896.40

10	Armstrong		\$1,559.38	\$1,361.88
	Butler		\$1,559.38	\$1,361.88
	Clarion		\$1,559.38	\$1,361.88
	Indiana		\$1,559.38	\$1,361.88
	Jefferson		\$1,559.38	\$1,361.88

11	Allegheny	\$2,089.77	\$1,896.39	\$1,676.80
	Beaver	\$2,089.77	\$1,896.39	\$1,676.80
	Lawrence	\$1,559.38	\$1,559.38	\$1,361.88

12	Fayette		\$1,758.29	\$1,542.80
	Greene		\$1,559.38	\$1,361.88
	Washington		\$1,559.38	\$1,361.88
	Westmoreland		\$1,758.29	\$1,542.80

In the event an MFC "B" road is serviced by a municipality, they are to be paid at the MFC "C" rate except District 6-0 & 11-0.

\* NO MFC "A" ROADS ARE TO BE SERVICED BY MUNICIPALITIES.

\*\* ALL PAYMENTS ARE BASED ON SNOW LANE MILES



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

THAT the proper city officials are hereby authorized to take any and all necessary actions related to accepting the insurance package submitted by Risk Strategies which includes, but is not limited to, Property, Inland Marine, Boiler & Machinery, General Liability, Business Auto, Fidelity Bond, Crime, Public Officials/EPLI, Law Enforcement, Firefighters Professional, Fiduciary Liability, GL & Prof. Health Dept., and Cyber Liability for a total annual premium of \$889,840.00

Submitted by \_\_\_\_\_

ROLL CALL





Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

RESOLVED, that the proper city officials are hereby authorized to take any and all necessary actions related to awarding the contract for the Solomon Creek Emergency Wall Repairs Project to the lowest responsible bidder, Pioneer Construction Co., Inc.

Submitted by \_\_\_\_\_

ROLL CALL



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

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

To hereby authorize the proper city officials to enter into an agreement with the Pennsylvania Department of Transportation and Alfred Benesch and Company to conduct supplemental design services for the North Washington Street Bridge. Alfred Benesch and Company was selected using the PennDOT ECMS Program. This contract also allows the city to use Alfred Benesch and Company in other engineering capacities as needed by the City of Wilkes-Barre.

**BE IT FURTHER RESOLVED**, the allocation of funds for this program are 80% Federal, 15% State and 5% local with the local share coming from the Liquid Fuels account. The local share amount will be \$5,000.00.

Submitted by \_\_\_\_\_

ROLL CALL



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

**WHEREAS**, the City of Wilkes-Barre Police Department requests authorization to apply for / obtain the 2023 Edward Byrne Memorial Justice Assistance Grant (JAG);  
AND

**WHEREAS**, the amount of the grant is \$28,820.00; AND

**WHEREAS**, the purpose areas of the grant are funding for community-based and non-community-based trainings, re-certification trainings, community policing and saturation patrols for violent crime areas; AND

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the CITY OF WILKES-BARRE that the proper City officials are hereby authorized to prepare and submit the Edward Byrne Memorial Justice Assistance Grant (JAG) application; AND

**FURTHER**, that the Mayor is hereby authorized to enter into the appropriate agreement, along with any or all other project documents, related to the Edward Byrne Memorial Justice Assistance Grant (JAG) application, if the application is approved.

Submitted by \_\_\_\_\_

ROLL CALL



Resolution No. \_\_\_\_\_

Wilkes-Barre, PA \_\_\_\_\_

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

**WHEREAS**, the City of Wilkes-Barre has actively engaged in flood mitigation measures throughout the city, such as creek retaining walls repair or replacement, stormwater pump station installation, and floodgates over bridges to prevent flooding; AND

**WHEREAS**, an opportunity to further strengthen our flood mitigation efforts along with improve the city's Kirby Park's recreation maintenance building has arisen with the Luzerne County Flood Protection Authority (LCFPA); AND

**WHEREAS**, the City of Wilkes-Barre desires to partner with the Luzerne County Flood Protection Authority (LCFPA) to constructing a multi-use facility building in Kirby Park. The new facility will serve as the city's Kirby Park's recreation maintenance building and also serve as a secure facility to house the LCFPA's trailers that contain the Market Street Bridge Flood closure structure components. The design of the building will mimic a hangar-like facility which will allow for a direct enter and exit of vehicles and equipment through the building. The location of the facility in Kirby Park, only a quarter mile from the Market Street Bridge, would further reduce the Authority's flood fighting response time; AND

**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 an agreement with the lowest, responsible bidder, Mountain Stream Construction, in the amount of \$ \$920,000.00 for the design, build, and construction, along with any or all other project documents, related to the Kirby Park Facility Building project; AND

**BE IT FURTHER RESOLVED**, that the allocation of funding for this project is proportionately distributed between the City of Wilkes-Barre and the Luzerne County Flood Protection Authority (LCFPA). The City's portion of \$250,000.00 will be funded by and in accordance with the Ann K. Kirby Foundation request.

Submitted by \_\_\_\_\_

**ROLL CALL**