

CITY OF WILKES-BARRE  
PENNSYLVANIA



# CITY COUNCIL AGENDA

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CITY COUNCIL

WORK SESSION

DATE: MARCH 9, 2010

TIME: 6:00 P.M.

6:00 P.M. **General Discussion**

1. Shawn Bookwalter – Request to proclaim the month of March as DeMolay month.
2. Liquor License Transfer – Franks Six Pack To Go, 37 Public Square.

6:10 P.M. **Jim Ryan, City Clerk**

1. Resolution granting approval to King's College to install a sign at North Main & North Streets.
2. Resolution thanking J.J. Murphy for his service to the City.

6:20 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**

**MARCH 9, 2010**

**ORDINANCES**

AN ORDINANCE AMENDING ARTICLE III. OF CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE ENTITLED "ADMINISTRATION" (**First Reading – Title Only**)

**RESOLUTIONS**

Authorizing the proper City officials to enter into a change order with Innovative Painting in conjunction with the Coal Street Park Rehabilitation Project.

Authorizing the proper City officials to enter into a change order with Rice's Food Equipment & Consulting, Inc. in conjunction with the Coal Street Park Rehabilitation Project.

Authorizing the proper City officials to enter into a change order with Brennan Electrical, Inc. in conjunction with the Coal Street Park Rehabilitation Project.

**CITY OF WILKES-BARRE  
PENNSYLVANIA**



# **CITY COUNCIL AGENDA**

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CITY COUNCIL

MARCH 11, 2010

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENTATION OF RESOLUTION TO J.J. MURPHY

CONSENT AGENDA (RESOLUTIONS)

RESOLUTION - LIQUOR LICENSE TRANSFER- 37 PUBLIC SQUARE

ORDINANCE

PRESENTATIONS BY COUNCIL MEMBERS

PUBLIC DISCUSSION

ADJOURNMENT

CITY COUNCIL  
MARCH 11, 2010

CONSENT AGENDA (RESOLUTIONS)

Proclaiming that March 2010 be observed as DeMolay Month.

Granting approval to King's College to install a sign at North Main & North Streets.

Enter into a change order with Innovative Painting in conjunction with the Coal Street Park Rehabilitation Project.

Enter into a change order with Rice's Food Equipment & Consulting, Inc. in conjunction with the Coal Street Park Rehabilitation Project.

Enter into a change order with Brennan Electrical, Inc. in conjunction with the Coal Street Park Rehabilitation Project.

Enter into an agreement with G & Albert Associates for the engineering and oversight of the demolition of the Murray Courtright Building Complex.

Enter into an agreement with Environmental Abatement Association for the Phase II Environmental Work at the Murray Courtright Building Complex.

Approving the demolition of 326 Blackman Street, 417 Hazle Street and 21 West Elm Street and further authorize the awarding of the contract to the lowest responsible bidders.

Enter into an agreement with Barletta Materials of Tamaqua as the lowest responsible bidder for the George Avenue Sidewalk Project.

Enter into an agreement with Barletta Materials of Tamaqua as the lowest responsible bidder for the Streetscape Phase IV Project on South Main Street.

**MINUTES**

Of the Wilkes-Barre Industrial Development Authority of November 5, 2009.

Of the Wilkes-Barre City Planning Commission of February 16, 2010.

Of the Wilkes-Barre City Traffic Committee of January 28, 2010.

CITY COUNCIL  
MARCH 11, 2010

RESOLUTION

Approving the transfer of a Retail Liquor License to 37 Public Square.

CITY COUNCIL  
MARCH 11, 2010

ORDINANCE

**FILE OF COUNCIL NO. 2 OF 2010** - AN ORDINANCE AMENDING ARTICLE III OF  
CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF WILKES-BARRE  
ENTITLED "ADMINISTRATION". (FIRST READING - ON TITLE)



Wilkes-Barre, Pa. \_\_\_\_\_

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

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

Whereas, the Order of DeMolay is a character building organization of young men from twelve to twenty-one years of age; and

Whereas, these young men are seeking to prepare themselves to become better citizens and leaders for tomorrow; and

Whereas, DeMolay helps develop those traits of character which have strengthened good men in all ages; and

Whereas, the organization has carried out the aforementioned goals for ninety-one years through programs of athletic competition, social activity, civic service and charitable projects; and

Whereas, the members of the Susquehanna Chapter will observe the year of 2010 as the *91<sup>st</sup> Anniversary of the Order of the DeMolay* so as to exemplify to all citizens here and everywhere their many activities, and to tender recognition to their millions of Senior DeMolays.

Now, Therefore Be It Resolved that the City Council of the City of Wilkes-Barre hereby proclaims that March 2010 be observed as DeMolay Month.

WHEREAS, bids for the demolition and site clearance of 326 Blackman Street, 417 Hazle Street and 21 West Elm Street were received on Monday, March 1, 2010.

We call upon all of the citizens to join in saluting the young men of the Order of DeMolay, and in expressing our grateful appreciation for the fine example set by them, in contributing to the welfare of our community.

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, King's College wishes to install a sign which will hang over the sidewalk right-of-way at their property located at the corner of North Main & North Streets.

Now, Therefore, Be It Resolved by the Wilkes-Barre City Council that approval is hereby granted contingent upon satisfaction of the following requirements:

File the following with the City Attorney's Office:

1. File liability insurance naming the City as an insured for any liability connected with the said request.
2. File a Release and Save Harmless Agreement.
3. The applicant and a successor shall file current liability naming the City as an insured.

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 of Wilkes-Barre has begun the redevelopment of the Coal Street Park Recreational Project; and,

**WHEREAS**, the City Council of the City of Wilkes-Barre has awarded the contract with Innovative Painting for the painting work contract #20.0 of the Coal Street Park Recreational Project; and,

**WHEREAS**, a contract change order is necessary in order to clean out and refill the sealant filled control and construction joints to provide a proper substrate for the paint finish. A change order in the amount of \$795.72 was approved for the above mentioned work but the total dollar amount of the work completed is \$2,487.31. Therefore, the balance to completely pay for this work is \$1,691.59.

**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 change order with Innovative Painting in the amount of \$1,691.59. This cost will be paid out of the construction contingency line item in our budget.

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

ROLL CALL

YEAS

RESOLUTIONS

NAYS



**PREMIUM  
BUILDERS**

•Quality •Integrity •Service

R 408 KIDDER STREET  
WILKES BARRE, PA 18702  
(570) 408-1280-PHONE  
(570) 408-1298-FAX

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October 15, 2009

City of Wilkes Barre  
40 West Market St.  
Wilkes Barre, PA 18711

**Change Request Order No. 036  
Remove & Replace Sealant**

Attn.: Mr. John Koval  
Director of Finance

**RE: Coal St. Complex Renovations & Addition  
Contract No. 20.0 – Painting**

Dear John:

After starting work at the site, it was determined that existing sealant filled control and construction joints needed to be cleaned out and refilled to provide a proper substrate for the new paint finish. This work was not shown on the drawings, and was completed on a time and materials basis under the direction of the project superintendent.

Attached find four (4) original copies of the proposed change order to this contract along supporting documentation. If acceptable please sign all four copies and return them to our office for distribution and filing.

Sincerely,

Edward P. Onzik, P.E.  
Project Manager

Attachments (4)

CC: Phil Baldoni, Highland Associates

**INNOVATIVE PAINTING AND DECORATING INC.**

**PO BOX 1735**

**KINGSTON, PA. 18704**

**TIM LYONS  
570-574-1744**

**OFFICE/570-331-3060  
FAX/ 570-331-3060**

**BILL SYPULSKI  
570-881-5751**

**CHANGE ORDER:**

**PREMIUM BUILDERS INC.  
REAR 408 KIDDER ST.  
WILKES BARRE, PA. 18702**

ATTN: BILL MILLER, PREMIUM BUILDERS

JOB: COAL STREET RENOVATIONS

INVOICE No. 3

INVOICE DATE: 7/28/09

INVOICE AMOUNT: \$ 2,487.31

DESCRIPTION OF INVOICE: EXTRA WORK COMPLETED NOT IN CONTRACT.

<u>Invoice Date/Description:</u>	<u>Labor Hours:</u>	<u>Labor Amount:</u>	<u>Material:</u>	<u>Total:</u>
5/20/09 Removal old caulking	18	\$ 935.10	0	\$ 935.10
7/7/09 Removal old caulking	12	\$ 623.40	0	\$ 623.40
7/8/09 Removal old caulking	11	\$ 571.45	0	\$ 571.45
7/13/09 Re-caulked Steel Columns	6	\$ 311.70	\$ 45.66	\$ 357.36
7/28/09 Totals:	47	\$ 2,441.65	\$ 45.66	\$ 2,487.31 ✓

**INNOVATIVE PAINTING:**

*T. Lyons - President*

**APPROVED BY:**

This is to certify that the following resolution was adopted by the City Council of the City of Wilkes-Barre:



January 26, 2010

R0014-10

Wilkes-Barre, Pa.

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

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

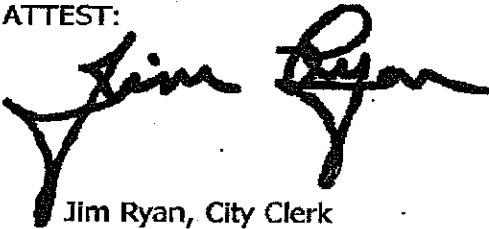
**WHEREAS**, the City of Wilkes-Barre has begun the redevelopment of the Coal Street Park Recreational Project; and,

**WHEREAS**, the City Council of the City of Wilkes-Barre has awarded the contract with Innovative Painting for the painting work contract #20.0 of the Coal Street Park Recreational Project; and,

**WHEREAS**, a contract change order is necessary in order to clean out and refill the sealant filled control and construction joints to provide a proper surface for the paint finish.

**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 change order with Innovative Painting in the amount of \$795.72. This cost will be paid out of the construction contingency line item in our budget.

ATTEST:



Jim Ryan, City Clerk



Wilkes-Barre, Pa. \_\_\_\_\_

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

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

**WHEREAS**, the City of Wilkes-Barre has begun the redevelopment of the Coal Street Park Recreational Project; and,

**WHEREAS**, the City Council of the City of Wilkes-Barre has awarded the contract with Rice's Food Equipment & Consulting, Inc. for the food service equipment work contract# 25.0 of the Coal Street Park Recreational Project; and,

**WHEREAS**, a contract change order is necessary in order to complete the food service area plumbing, PVC sanitary, vent piping, gas piping, final connections to kitchen equipment and labor.

**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 change order with Rice's Food Equipment & Consulting, Inc. in the amount of \$3,696.00. This cost will be paid out of the construction contingency line item in our budget.

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

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**

# RICE'S FOOD EQUIPMENT AND CONSULTING, INC.

9 INDUSTRIAL DRIVE • FERNBROOK PARK • DALLAS, PA 18612

PH: 570-675-7423 • FAX: 570-674-5922

www.ricesfoodequipment.com

*C.O.R.#57  
08-3004  
B.P.#25.0*

2/24/2010

18667

## Quote

To: Premium Builders, Inc.  
Ed Onzik  
R 408 Kidder Street  
Wilkes-Barre PA 18702  
570-408-1280  
570-408-1298 (fax)

From: Rice's Food Equip. & Consulting  
Tina Smith  
9 Industrial Dr.  
Fernbrook Park  
Dallas PA 18612-5706757423

Project Coal Street/Ritsick

Item	Qty	Description	Sell Each	Sell Total
1	1 ea	<b>PLUMBING</b> Custom Complete plumbing as per bid clarification No. 25.0-2 dated 1/06/10 to include Copper L water piping, PVC sanitary and vent piping, gas piping, final connections to kitchen equipment and labor. Excludes kitchen equipment, fire protection, HVAC, electrical.	\$3,696.00	\$3,696.00
			Merchandise	\$3,696.00
			Total	\$3,696.00

Quote good for 60 days

Acceptance: \_\_\_\_\_

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

Printed Name: \_\_\_\_\_



Wilkes-Barre, Pa. \_\_\_\_\_

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

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

**WHEREAS**, the City of Wilkes-Barre has begun the redevelopment of the Coal Street Park Recreational Project; and,

**WHEREAS**, the City Council of the City of Wilkes-Barre has awarded the contract with Brennan Electrical Inc., for Building Electrical contract #12.0 of the Coal Street Park Recreational Project; and,

**WHEREAS**, a contract change order is necessary to provide the electrical circuits to feed the food service area equipment.

**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 change order with Brennan Electrical Inc., in the amount of \$12,773.51. This cost will be paid out of the construction contingency line item in our budget.

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

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**

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# BRENNAN ELECTRIC INC.

PO Box 1069, Kingston Pennsylvania 18704 ... (570) 288-7421

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## QUOTATION

Premium Builders, Inc.  
Rear 408 Kidder Street  
Wilkes-Barre, PA

January 13, 2010

Attention: Bill Miller

*C.O.N. # 57  
08-3009.*

Reference: Coal Street Park  
Contract 12.0 ✓

Provide circuits to feed concession stand equipment as shown on attached sketch and described in Rice Food Equipment Quote dated 01/04/10.

All circuits to originate in existing panel PPH1. If any of the loads need to be 480 volts, (instead of 208 volts), add \$109.23 per three pole breaker-up to 60amps max.

One fire alarm monitoring connection is included for the "Ansul" system and also one relay to activate the shunt trip breakers feeding equipment under the hood and the hood control cabinet.


A circuit for the coffee maker at the countertop where it meets the wing wall is also included.

✓ We have included no labor for removal and/or cutting of the counter top or the wall panels underneath the counter.

Labor.....	\$ 7,700.00
Material.....	\$ 3,359.32
	-----
	\$11,059.32
10% Fee.....	\$ 1,105.93
	-----
	\$12,165.25
5% OH.....	\$ 608.26
	-----
Quote.....	\$12,773.51

Please Advise

Sincerely,



Diane Spudas



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 enter into an agreement with G. & Albert Associates in the amount not to exceed \$14,790.00 for the engineering and oversight of the demolition of the Murray Courtright Building Complex.

AND, FURTHER, THAT, the source of funds to pay for this contract is a Department of Community and Economic Development Assistance Program Grant.

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 enter into an agreement with Environmental Abatement Association for the Phase II Environmental Work at the Murray Courtright Building Complex. The cost of the contract is \$16,450.00.

AND, FURTHER, THAT, the source of funds to pay for this contract is a Department of Community and Economic Development Assistance Program Grant.

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, bids for the demolition and site clearance of 326 Blackman Street, 417 Hazle Street and 21 West Elm Street were received on Monday, March 1, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilkes-Barre approves the demolition of 326 Blackman Street, 417 Hazle Street and 21 West Elm Street and further authorizes the awarding of the contract to the lowest responsible bidder, and

FURTHER, that the proper city officials are hereby authorized to prepare the contract documents; and

FURTHER, that the cost of the demolition will be paid from Community Development Funds and the City Attorney will file a lien against the properties for all costs associated with these projects.

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 enter into an agreement with Barletta Materials of Tamaqua as the lowest responsible bidder for the George Ave Sidewalk Project.

FURTHER, THAT, the amount of the bid is \$99,644.00 and the source of funds is a Safe Routes to School Grant.

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 enter into an agreement with Barletta Materials of Tamaqua as the lowest responsible bidder for the Streetscape Phase IV Project on South Main Street

FURTHER, THAT, the amount of the bid is \$1,344,905.92 and the source of funds is Federal reimbursement through the Pennsylvania Department of Transportation.

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:*

**A RESOLUTION OF THE MUNICIPALITY OF WILKES-BARRE COUNTY OF LUZERNE COMMONWEALTH OF PENNSYLVANIA, APPROVING TRANSFER OF RETAIL LIQUOR LICENSE R-17456 INTO THE CITY OF WILKES-BARRE FROM HAZLETON.**

Whereas, Act 141 of 2000 ("the Act") which amends the Commonwealth's Liquor Code, authorizes the Pennsylvania Liquor Control Board to approve, in certain instances, the transfer of restaurant liquor licenses across municipal boundaries within the same county regardless of the quota limitations provided for in Section 461 of the Liquor Code, if sales of liquor and malt or brewed beverages are legal in the municipality receiving the license; and

Whereas, the receiving municipality issues a resolution approving the transfer of the license outside the municipality to inside the municipality; and

Whereas, amendments to the Liquor Code stipulate that, prior to adoption of a resolution by the receiving municipality, at least one hearing be held for the purpose of permitting interested parties to state their concerns regarding the transfer of a retail liquor license into the receiving municipality; and

Whereas, an application for transfer filed under the Act must contain a copy of the resolution adopted by the municipality approving the transfer of a retail liquor license in the municipality.

Now, Therefore, Be It Resolved Franks Six Packs to Go, LLC has requested the approval of the City Council of Wilkes-Barre for the proposed transfer of Pennsylvania retail liquor license to its facilities within Wilkes-Barre City which will trade as Franks Six Packs To Go, LLC with the understanding that said transfer must be approved at a later date by the Pennsylvania Liquor Control Board; and

Be It Further Resolved that City Council of Wilkes-Barre finds that the transfer of a retail liquor license into Wilkes-Barre City by Franks Six Packs To Go, LLC will not adversely affect the welfare, health, peace and morals of the municipality or its residents.

Be It Further Resolved, that Wilkes-Barre City approves, by adoption of this Resolution, the proposed transfer of Franks Six Packs To Go, LLC to be located at 37 Public Square, Wilkes-Barre, PA.

Be It Further Resolved, that the license transfer is subject to approval by the Pennsylvania Liquor Control Board.

I HEREBY CERTIFY that this Resolution was approved by the Wilkes-Barre City Council at its meeting on March 11, 2010.

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

**ROLL CALL**

**YEAS**

**RESOLUTIONS**

**NAYS**

FILE OF COUNCIL

NO. 2 OF 2010

PRESENTED IN CITY COUNCIL ON MARCH 11, 2010

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AN ORDINANCE

AMENDING ARTICLE III OF CHAPTER 2 OF THE CODE OF ORDINANCES OF  
THE CITY OF WILKES-BARRE ENTITLED "ADMINISTRATION" (FIRST  
READING – ON TITLE)