

Introduced in Council on above date and referred to Committee on February 20, 2024

PUBLIC WORKS



Scranton, Pa., February 27, 2024
Committee on Public Works reports favorably on the within resolution.



Chair

RESOLUTION NO. 15

2024

AMENDING RESOLUTION NO. 346, 2023, A RESOLUTION ENTITLED "AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO ANY AND ALL DOCUMENTS NECESSARY TO PENNSYLVANIA ANTHRACITE HERITAGE MUSEUM AND SCRANTON IRON FURNACES ("PHMC") A RIGHT OF ENTRY TO COMPLETE STORMWATER DEBRIS REMOVAL" TO READ AS "AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO ANY AND ALL DOCUMENTS NECESSARY TO PENNSYLVANIA ANTHRACITE HERITAGE MUSEUM AND SCRANTON IRON FURNACES ("PHMC") A RIGHT OF ENTRY TO COMPLETE STORMWATER DEBRIS REMOVAL UNDER EXTENDED FEDERAL DEADLINE AND TO HONOR THE IRON FURNACE'S PROPOSED BLACKOUT DATES FOR EVENTS."

WHEREAS, on or about November 28, 2023, Council passed Resolution No. 346, 2023, titled "Authorizing the Mayor and Other Appropriate City Officials to Execute and Enter into any and all Documents necessary to Pennsylvania Anthracite Heritage Museum and Scranton Iron Furnaces ("PHMC") a Right of Entry to Complete Stormwater Debris Removal;" and

WHEREAS, on or about January 30, 2024, the Federal Emergency Management Agency ("FEMA") granted an extension for the City of Scranton to finish its 2018 stormwater debris removal projects by October 1, 2024; and

WHEREAS, on or about January 31, 2024, First Assistant Solicitor Kennedy asked for an extended Right of Entry for the City to complete its Stormwater Debris Removal to PHMC; and

WHEREAS, this legislation seeks to formally amend Resolution No. 346, 2023 to reflect and permit the extension of the FEMA deadline and to account for the blackout dates included by PHMC in an updated Right of Entry document provided to the City.

NOW THEREFORE, BE IT RESOLVED AND ENACTED as follows:

SECTION 1. The title of Resolution No. 346, 2023 is hereby amended to read: "AUTHORIZING THE MAYOR AND OTHER APPROPRIATE CITY OFFICIALS TO EXECUTE AND ENTER INTO ANY AND ALL DOCUMENTS NECESSARY TO PENNSYLVANIA ANTHRACITE HERITAGE MUSEUM AND SCRANTON IRON FURNACES ("PHMC") A RIGHT OF ENTRY TO COMPLETE STORMWATER DEBRIS REMOVAL UNDER EXTENDED FEDERAL DEADLINE AND TO HONOR THE IRON FURNACE'S PROPOSED BLACKOUT DATES FOR EVENTS."

SECTION 2. Resolution No. 346, 2023 is hereby amended to permit the Mayor and/or other appropriate City Officials are authorized to execute, engage in, and record any and all documents necessary to authorize the City of Scranton to enter the land of the Pennsylvania Anthracite Heritage Museum and Scranton Iron Furnaces ("PHMC") to complete stormwater debris removal by October 1, 2024, and as attached hereto as Exhibit B.

SECTION 3. If any section, clause, provision or portion of this Resolution shall be held invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Resolution so long as it remains legally enforceable minus the invalid portion. The City reserves the right to amend this Resolution or

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any portion thereof from time to time as it shall deem advisable in the best interests of the promotion of the purposes and intent of this Resolution and the effective administration thereof.

SECTION 4. This Resolution shall become effective immediately upon approval.

SECTION 5. This Resolution is enacted by the Council of the City of Scranton under the authority of the Act of Legislature, April 13, 1972, Act No. 62, Known as the "Home Rule Charter and Optional Plans Law", and any other applicable law arising under the laws of the State of Pennsylvania.

Passed by the Council
February 27, 2024

Receiving the Affirmative votes of Council Persons

King, Schuster, Rothchild, McAndrew, Smurl

Negative

NONE

President

Approved 2/28/2024

Mayor

City Clerk

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