

RESOLUTION NO. 24

2024

AUTHORIZING THE PENNSYLVANIA DEPARTMENT OF TRANSPORTATION TO UPGRADE CERTAIN TRAFFIC CONTROL DEVICES IN THE CITY OF SCRANTON AND TO MAKE ALL NECESSARY APPLICATIONS FOR SUCH ON BEHALF OF THE CITY OF SCRANTON.

WHEREAS, the Pennsylvania Department of Transportation (PennDOT), in cooperation with the Pennsylvania Northeast Regional Railroad Authority (PNRRA) and the Delaware & Lackawanna Railroad, wishes to upgrade the active traffic control devices on Cedar Avenue and Cherry Street that cross the tracks of PNRRA, operated thereon by the Delaware & Laekawanna Railroad in the City of Scranton; and

WHEREAS, the crossing numbers are DOT#s 264-083V and 249-668H, respectively; and

WHEREAS, since Cedar Avenue and Cherry Street are City streets, the Public Utility Commission (PUC) requires PennDOT to have a resolution from the City of Scranton so that PennDOT may make an application on the City's behalf to alter the crossings; and

WHEREAS, the project is federally funded and will be completed at no cost to the City of Scranton; and

WHEREAS, the installation of said devices will greatly improve public safety at those crossings.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SCRANTON that the City of Scranton hereby authorizes PennDOT to upgrade the abovementioned traffic control devices and to make all necessary applications for such on behalf of the City of Scranton.

SECTION 1. 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 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 2. This Resolution shall become effective immediately upon approval.

SECTION 3. 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

March 19, 2024

Receiving the Affirmative votes of Council Persons

KING, SCHUSTER, MCANDREW, SMIRL

Negative NONE Absent: Rothchild

[Signature] President

Approved 3/26/2024  
[Signature] Mayor

**CERTIFIED COPY**

[Signature] City Clerk

[Signature] City Clerk  
Certified Copy

Introduced in Council on above date and referred to Committee on March 12, 2024

[Signature]  
Public Works  
City Clerk

Scranton, Pa., March 19, 2024  
Committee on Public Works reports favorably on the within resolution.  
[Signature] Chair