

MAYOR MICHAEL A. LOMBARDO, IN PLACE

MAY 19, 1999

"A N O R D I N A N C E"**"EMPOWERING PITTSTON CITY POLICE OFFICERS TO ARREST WITHOUT WARRANT IN CERTAIN SUMMARY CASES PURSUANT TO 42PA C.S.A. §8902."**

WHEREAS, the City of Pittston wishes to avail itself of the additional authority granted to police officers by the Commonwealth of Pennsylvania to arrest, upon view, without warrant, upon probable cause for certain enumerated offenses when there is ongoing conduct that imperils the personal security of any person or endangers public or private property; and

WHEREAS, the right of arrest without warrant under this statute is permitted only after the governmental body empowering the police officer promulgates guidelines to be followed by police officers when making a warrantless arrest under the statute period.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the council of the City of Pittston, and it is hereby ORDAINED and ENACTED by the Authority of the same, that:

SECTION 1. ARREST WITHOUT WARRANT:

The City of Pittston does hereby authorize its municipal police officers to arrest without warrant under the provisions of 42 Pa. C.S.A. §8902 as established by the legislature of the Commonwealth of Pennsylvania as follows:

- a. **General Rule:** For any of the following offenses, a police officer shall, upon view, have the right of arrest without warrant upon probable cause when there is ongoing conduct that imperils the personal security of any person or endangers public or private property;

1. Under Title 18 (Relating to Crimes and Offenses) when such offense constitutes a summary offense:
 - 18 Pa. C.S. §5503 (Relating to Disorderly Conduct)
 - 18 Pa. C.S. §5505 (Relating to Public Drunkenness)
 - 18 Pa. C.S. §5507 (Relating to Obstructing Highways and Other Public Passages)
 - 18 Pa. C.S. §6308 (Relating to Purchase, Consumption, Possession or Transportation of Liquor or Malt or Brewed Beverages)

- b. **Guidelines by Governmental Body:** The right of arrest without warrant under this section shall be permitted only after the governmental body employing the police officer promulgates guidelines to be followed by a police officer when making a warrantless arrest under this section.

SECTION 2. GUIDELINES:

In accordance with 42 Pa. C.S.A. §8902(b) the City of Pittston does hereby empower and direct the Chief of Police of the City of Pittston to promulgate guidelines to be followed by police officers of the City of Pittston when making a warrantless arrest under the empowering statute otherwise known as 42 Pa. C.S.A. §8902. These guidelines are to be established and maintained by general order of the Chief of Police and may be modified from time to time by the Chief of Police as deemed necessary.

SECTION 3. SEVERABILITY:

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 Pittston that this Ordinance would have been adopted had such unconstitutional, illegal or invalid part not been included.

SECTION 4. REPEALER:

All ordinances or parts of ordinances inconsistent herewith be and the same are hereby repealed.

SECTION 5. EFFECTIVE DATE:

This Ordinance shall become effective ten(10) days after final passage.

PASSED ON FIRST READING: May 19, 1999

PASSED ON SECOND & FINAL READING: June 16, 1999

ATTEST:

APPROVED:


CITY CLERK


MAYOR

MAYOR MICHAEL A. LOMBARDO, IN PLACE

JUNE 16, 1999

"A N O R D I N A N C E"

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

City of Pittston, PA

**SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE**

CITY OF PITTSTON

LUZERNE COUNTY

COMMONWEALTH OF PENNSYLVANIA

MARCH 1999

SUBDIVISION & LAND DEVELOPMENT ORDINANCE

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ARTICLE I

Title, Purpose, Interpretation, Severability, Authority, Jurisdiction, Repealer

§101 Short Title

This chapter shall be known and may be cited as the "City of Pittston Subdivision and Land Development Ordinance".

§ 102 Purpose

This Ordinance has been adopted for the following purpose:

- A. To assure sites suitable for building purposes and human habitation.
- B. To create conditions favorable to the health, safety, and general welfare of the citizens of the City of Pittston.
- C. To regulate certain subdivision and land development activities within the city by providing for a uniform method for the submission of sketch plans, preliminary and final plans.
- D. To coordinate proposed streets with existing streets or other proposed streets, parks, or other features of the city.
- E. To provide adequate easements or rights-of-way for drainage and utilities.
- F. To make adequate provisions for curbs, gutters, storm and sanitary drainage facilities, walkways and other required public facilities.
- G. To protect the social and economic stability of the city, and conserve the value of land and buildings in the city.
- H. To secure equitable handling of all subdivision and land development plans by providing uniform procedures and standards.
- I. To provide adequate open spaces for traffic, recreation, light and air for the proper distribution of the city.

§ 103. Interpretation

The provisions of this Ordinance shall be held to be minimum requirements to meet the above stated purposes. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance, or regulations, the provisions of this Ordinance shall prevail. Where the provisions of any statute, other ordinance, or regulation impose greater restrictions than those of this Ordinance, the provision of such statute, ordinance, or regulation shall prevail.

§104. Severability

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal, or invalid, such decision shall not affect the validity of any of the remaining provisions of this Ordinance. It is hereby declared as a legislative intent that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid provision not been included herein.

§105. Authority

From and after the effective date hereof, the City Council shall have the authority to regulate subdivision and land development within the City of Pittston.

§106. Jurisdiction

The City Council shall have the jurisdiction of subdivision and land development within the city limits. In order to aid the City Council in its consideration of subdivisions and land developments, the City Council hereby decrees that the Planning Commission of the City of Pittston shall serve the following functions:

- A. All plans, whether major or minor, upon submission to the duly authorized representative of the city shall be referred to the Planning Commission for review.
- B. The Planning Commission shall make recommendations to the City Council concerning approval, disapproval, modification, and/or conditions for approval of such plans.
- C. The Planning Commission shall make recommendations to the City Council concerning the interpretation of the granting of modifications to provisions and standards of this Ordinance.

§ 107. Amendments

This Ordinance may be amended, modified, and/or revised from time to time as prescribed by local and state laws.

§ 108. Repealer

It is the purpose and intent of this Ordinance to supersede all previous ordinances of the City of Pittston related to and regarding subdivisions and land developments. Any such ordinances are hereby repealed.

ARTICLE II Definitions and Inclusions

§201. Inclusions

It is not intended that this glossary include only words used or referred to in this Ordinance. The words are included in order to facilitate the interpretation of the Ordinance for administrative purposes and in carrying out the duties by appropriate officers.

§202. Definitions

As used in the Ordinance, words in the singular include the plural, and those in the plural include the singular. Words in the present tense include the future tense, words used in the masculine gender include

the feminine and neuter. The word "person" includes individual, corporation, partnership, unincorporated association, and partnership. The word "structure" includes the meaning of "building" and each shall be construed as if followed by the phrase "or part thereof".

ACCELERATED EROSION - the removal of the surface of the land through the combined action of man's activities and natural processes at a rate greater than would occur from natural processes alone.

APPLICANT - A landowner or developer, as hereinafter defined, who has filed an application for development including his heirs, successors, and assigns.

APPLICATION FOR DEVELOPMENT - Every application, whether preliminary, tentative or final, required to be filed and approved prior to start of construction or development, including but not limited to an application for a building permit, for the approval of a subdivision plan, for the approval of a development plan.

BLOCK - A tract of land bounded entirely by streets; by streets and a watercourse; by streets and a railroad; by streets and the corporate boundaries of the City; by streets and public land or other park or recreation area; or any combination of the above.

BUFFER AREA - A strip of land, a mound or berm planted and maintained in shrubs, bushes, trees, grass or other ground cover material and within which no structure or building shall be authorized except a wall or fence which meets city requirements as contained in the Zoning Ordinance.

BUILDING - Any structure for which a building permit is required by the City of Pittston Building Code, i.e., any combination of materials forming any structure which is erected on the ground and permanently affixed thereto, designed, intended, or arranged for the housing, sheltering, enclosure, or structural support of persons, animals or property of any kind.

BUILDING SETBACK LINE - An established line within a property defining the minimum required distance between any building to be erected and the adjacent right-of-way line of the street on which it fronts, to provide the front yard specified by the City of Pittston Zoning Ordinance.

CARTWAY - The portion of a street right-of-way, paved or unpaved, customarily used by vehicles in the regular course of travel over the street.

CLEAR SIGHT TRIANGLE - An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street center lines.

COMPREHENSIVE PLAN - The long-range Comprehensive Plan for the City, prepared in accordance with the Pennsylvania Municipalities Planning Code.

CONDOMINIUM - A form of ownership of real property, as defined in the PA Uniform Condominium act of 1980, which includes an undivided interest in a portion of a parcel, together with a separate interest in a space within a structure.

DENSITY - A measure of the intensity of use of a parcel of land. It shall be expressed in dwelling units per acre. The measure is arrived at by dividing the number of dwelling units by the net site acres. The term "net density" shall mean the maximum number of permitted dwelling units of a single type or in combination of dwelling unit types where permitted, for any net site area.

DETENTION BASIN- A structure designed to retard surface water runoff for a period of time sufficient to cause the deposition of sediment and to reduce the velocity and volume of surface flows leaving a site, thus preventing further erosion.

DEVELOPER - Any landowner, agent of such landowner, or tenant with the permission of such landowner, who makes or causes to be made a subdivision of land or a land development.

DEVELOPMENT AGREEMENT - A written contract between a subdivider or developer and the landowner, on one hand, and the City on the other, specifying the conditions of final approval by the City.

DRAINAGE - See "storm drainage facility," "swale" and "watercourse".

DRIVEWAY - A private means of vehicle access from a public or private street to a single lot; provided, however, that 2 contiguous lots may share a common driveway where the applicable requirements of this Ordinance and the City Zoning Ordinance are complied with on each lot.

EARTHMOVING ACTIVITY - Activity resulting in the movement of earth or stripping of vegetative cover from the earth.

EASEMENT - A permanent right granted for limited use of private land, normally for a public purpose. The owner of the property shall have the right to make any other use of the land, which is not inconsistent with the rights of the grantee. (E.g., utility, drainage, and public access easements.)

ENGINEER - A professional engineer, licensed and registered as such by standards established by the Commonwealth of Pennsylvania.

FILL - Any act by which earth, sand, gravel, rock or any other material is placed, pushed, dumped, pulled, transported, or moved to a new location above the natural surface of the ground or on top of the stripped surface, including the conditions resulting therefrom; the difference in elevation between a point on the original ground and a designated point of higher elevation on the final grade; or the material used to make a fill.

GUARANTEE, MAINTENANCE - Any security that may be required of a developer by the City after final acceptance by the City for improvements installed by the developer. Such security may include, but is not limited to, Federal or Commonwealth lending institution irrevocable letter of credit or restrictive or escrow account.

GUARANTEE, PERFORMANCE - Any security that may be required of a developer by the City in lieu of a requirement that certain improvements be made before the City approves the developer's subdivision plan or land development plan. Such security may include, but is not limited to, those instruments cited above as acceptable for maintenance guarantees.

IMPERVIOUS SURFACE - material which is impenetrable and unable to absorb water, including but not limited to buildings structures, and paved areas (driveways, parking lots, etc.).

IMPROVEMENTS - Building, for public or quasi-public use, streets, curbs, gutters, streetlights, and signs, water mains, hydrants, sanitary sewer mains including laterals to the street right-of-way line, storm drainage lines, storm water management structures, walkways, recreational facilities, open space improvements, shade trees, buffer or screen plantings, and all other additions to the tract that are required by ordinance or necessary to result in a complete subdivision or land development in the fullest sense of the term.

IMPROVEMENTS, PUBLIC - Improvements, including but not limited to those contained in the definition of "Improvements", that are intended for dedication to the City, either in fee or by easement.

LAND DEVELOPMENT - Any of the following activities:

(1) The improvement of one (1) lot or two (2) or more contiguous lots, tracts, or parcels of land for any purpose involving:

(a) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

(b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or perspective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) Development in accordance with section 503(1.1) of the Municipal Planning Code.

LAND DISTURBANCE - Any activity which causes land to be exposed to the danger of erosion, including clearing, grading, filling, plowing, or any other earthmoving, as defined.

LANDOWNER - The legal or beneficial owner or owners of land, including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

LANE, ACCELERATION OR DECELERATION - A lane of a cartway intended for use by vehicles entering, leaving, or crossing a lane of forward travel without interrupting the flow of traffic.

MONUMENT - A tapered, permanent survey reference point of stone or concrete having a round top 4 inches on each side with a length of 24 inches.

PLAN

A. AS BUILT -A corrected final plan, showing dimensions and location of all streets and other improvements as actually constructed.

- B. FINAL - An exact and complete site design and layout plan and improvements construction plan prepared by a registered engineer, to be recorded upon approval.
- C. IMPROVEMENTS CONSTRUCTION - A component of the preliminary and final plan, prepared by a registered engineer, showing the construction details of streets, drains, sewers, water supply systems, bridges, culverts, and other improvements as required, including a horizontal plan, profiles, and cross-sections.
- D. PRELIMINARY - A site design and layout plan and improvements construction plan prepared by a registered engineer, in less detail than a final plan and prepared for consideration prior to submission of a final plan.
- E. RECORDED - A final plan, with accompanying documents as required by this Ordinance, which has been recorded by the applicant in the Office of the Recorder of Deeds of the County of Luzerne.
- F. SITE DESIGN AND LAYOUT - A component of the preliminary and final plan, prepared by a registered engineer, showing: property lines, existing and proposed streets, lots, buildings, public areas, drainage facilities, easements, and other details pertinent to the proposal.
- G. SKETCH - A plan submitted for review and discussion prior to application for preliminary plan approval, including whatever information the applicant deems useful; for example, a graphic plan, not necessarily to scale, showing approximate tract boundaries and a general layout of lots, buildings, and streets.

PLAN OF RECORD - the copy of the final plan which contains the required original endorsements and which is recorded with the County of Luzerne Recorder of Deeds.

PLANNING COMMISSION - The Planning Commission of the City of Pittston.

RESUBDIVISION - A change in map of an approved or recorded subdivision plat, if such change affects any street layout on such map or area reserved thereon for public use, or any lot line; or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions.

RETENTION BASIN - A reservoir, formed from soil or other material, which is designed to detain temporarily a certain amount of stormwater from a catchment area and which also may be designed to permanently retain additional stormwater runoff from the catchment area. Retention basins also may receive fresh water from year-round streams. Unlike detention basins, retention basins always contain water, and thus may be considered man-made lakes or ponds.

RIGHT-OF-WAY - The total width of any land reserved or dedicated as a street, alley, or crosswalk, or for any other public or private purpose.

SEDIMENT - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

SEWAGE FACILITIES

- A. INDIVIDUAL SYSTEM - The disposal of sewage by use of cesspools, septic tanks, or other safe and healthful means, approved by the City of Pittston Enforcement Officer, and generally within the confines of the lot on which the use is located.
- B. COMMUNITY SYSTEM - A sanitary sewage system, privately built and operated, in which sewage is carried from individual dischargers by a system of pipes to one or more common treatment and disposal facilities. Treatment and disposal may occur either on-site or off-site, and shall be approved by the Pennsylvania Department of Environmental Resources.
- C. PUBLIC SYSTEM - A system for the treatment and disposal of sewage in which sewage is conveyed by a system of pipes to an off-site, publicly-operated treatment facility and disposed of through means approved by the Pennsylvania Department of Environmental Resources.

SHALLOW BEDROCK - Areas where existing public records or field surveys indicate bedrock at depths of four (4) feet or less below natural grade.

SITE AREA - All land area within the site as defined in the deed or deeds. Actual area shall be from a survey rather than from a deed description. "Site area" shall not include any previously dedicated public right-of-way.

SITE PLAN - A plan meeting the requirements of this chapter for land developments or as required by the City of Pittston Zoning Ordinance.

SLOPE - The face of an embankment, fill or cut section or any ground whose surface makes an angle with the plane of the horizon. "Slope" is expressed as a percentage, based upon the vertical difference in feet per one hundred (100) feet of horizontal distance.

STEEP SLOPES - Areas where the average slope exceeds fifteen percent (15%) and which, because of this slope are subject to high rates of stormwater runoff and, therefore, erosion.

STORMWATER - Water that surfaces, flows, or collects during and subsequent to rain or snowfall.

STORM DRAINAGE FACILITY - Any ditch, gutter, pipe, culvert, swale, storm sewer or other structure designed, intended or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas or any part of any subdivision, land area or contiguous land areas.

STREET - A right-of-way intended for general public use to provide means of approach for vehicles and pedestrians. The word "street" includes avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

- A. ARTERIAL - A street serving a large volume of comparatively high speed and long distance traffic, including all roads classified as main and secondary highways by the

Pennsylvania Department of Transportation.

1. Principal - An arterial serving the heaviest volumes of traffic in the City, providing the highest degree of vehicular mobility, and involving controls on access.
 2. Minor - An arterial serving high volumes of traffic, providing a high degree of mobility, and involving some controls on access.
- B. COLLECTOR - A street designed and located to provide means to drain traffic off local streets and to provide access for through traffic between residential neighborhoods and districts within the City to major streets and/or a street used for access to non-residential properties, i.e., commercial, industrial, professional, etc.
1. Major - A collector serving moderate levels of traffic within the City, providing a mix of access and mobility, and linking neighborhoods.
 2. Minor - A collector serving lower amounts of traffic, providing relatively more access than mobility, and serving as a major road through identifiable neighborhoods.
- C. CUL-DE-SAC STREET -A local street intersecting another street at one end, and terminating at the other end by a permanent vehicular turnaround.
- D. LOCAL STREET -A street intended to serve and provide access to the properties abutting thereon and not connecting with other streets in such a manner as to encourage through traffic.
- E. PRIVATE STREET -A local street, serving only abutting lots, that is not offered or required to be offered for dedication.
- F. SERVICE STREET (ALLEY) -A minor right-of-way providing secondary vehicular access to the side or rear of two or more properties.
- G. SINGLE-ACCESS STREET -A local street, including but not limited to, a cul-de-sac or loop design, which has only one point of intersection with an existing township or State road or with a proposed road having more than one access point.

STRUCTURE - Any man-made object having an ascertainable stationary location on land or water whether or not affixed to the land.

SUBDIVIDER - Any individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit (or agent authorized thereby) which undertakes the subdivision or development of land.

SUBDIVISION -

MAJOR SUBDIVISION - A division or redivision of a lot, tract or parcel of land by any means into two (2) or more lots, tracts or parcels, or other division of land, including changes in existing lot lines for the purpose whether immediate or future, of lease, transfer of ownership or building or lot development provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres not involving any new street or easement of access or residential dwellings, shall be exempted.

MINOR SUBDIVISION - A subdivision or land development where the following conditions apply:

1. There are no new streets in the development;
2. The development does not require additional placement of any utilities, including but not limited to electric, gas, water, fire hydrants or other utilities: and
3. No other public improvements are necessary for the subdivision.

SUBDIVISION OFFICER - That official of the City designated to administer the provisions of this Ordinance.

SURVEYOR - A registered surveyor licensed in Pennsylvania.

WATERCOURSE - A permanent stream, intermittent stream, river, brook, creek or channel or a channel or ditch for water, whether natural or man-made.

WATER SUPPLY

- A. **INDIVIDUAL SYSTEM** - A safe, healthful, and adequate supply of water to a single user from a private well located on the land of the user.
- B. **CENTER WATER SUPPLY SYSTEM** - A system for supplying water from a common source or sources to all dwellings and other buildings within a development. The water supply source may be to all dwellings and other buildings within a development. The water supply source may be located on-site and/or off-site. A central system can be further described as either of the following:
 1. **Public Water Supply System** - A system which is owned by a municipality, a public company, or a private company which serves more than a single community or subdivision and may be interconnected with other water supply systems.
 2. **Community Water Supply System** - A system which is owned by a municipality, a public company, or a private company and which serves a single community or subdivision and is not interconnected with any other water supply system.

WAY or LANE - A deeded or dedicated public or private right-of-way sometimes used as a secondary vehicular access to land or lot.

ARTICLE III

Procedures and Requirements

§301. General Requirements

The City of Pittston requires the submission of the following for any subdivision and for any land development plan:

- A. Sketch plan (Optional). The purpose of this plan is to provide an opportunity for the applicant/developer and the City Planning Commission to review the intended subdivision or land development plan prior to the preparation of extensive engineering drawings and to allow for comments and recommended modifications prior to preparation of a preliminary plan. A sketch plan shall not constitute an official submission to the City.
- B. Preliminary plan. A preliminary map or plan of a subdivision or land development, including all required supplementary data, in lesser detail than the final plan, showing approximate proposed street and lot layout as a basis for consideration prior to preparation of a final plan.
- C. Final Plan. A complete and exact map or plan of a subdivision or land development, including all required supplementary data, prepared for official recording as required by statute, to define property rights and proposed streets and other improvements.
- D. Plan of record. The copy of the final plan which contains the required endorsements and which is recorded with the City of Pittston Recorder of Deeds.

§ 302. Review Procedures

- A. Procedures. The applicant/developer shall submit to the City Clerk's office thirteen (13) copies of the application for review of the preliminary subdivision plan or the preliminary land development plan. Upon receipt by the City Clerk's office, the entire application shall be carefully checked for completeness of submission and the correct number of copies. If the submission is complete in all respects, including the payment of all fees, the Zoning Officer shall issue a dated receipt for the preliminary plan to the applicant/developer, with copies of said receipt being forwarded immediately to the City Planning Commission. Immediately, or as soon thereafter as is possible, upon acceptance of the preliminary plan and any attachments thereto, the Zoning Officer shall forward copies of the preliminary plan to the following:
 - (1) The City Council; one (1) copy
 - (2) The City Planning Commission; five (5) copies.
 - (3) The City Engineer; one (1) copy.
 - (4) The City Planner; one (1) copy.
 - (5) The Fire Marshall; one (1) copy.
 - (6) The Wyoming Valley Municipal Water and Sewer Authority; one (1) copy.
 - (7) The City of Pittston staff; one (1) copy.
 - (8) The Luzerne County Planning Commission; two (2) copies.

B. Review.

- (1) Review by the City Engineer. The City Engineer shall review said plan, including all engineering considerations therein, and shall prepare a report addressed to the City Planning Commission and to the City Council with such findings.
- (2) Review by the City Planner. If the preliminary plan requires review by the City Planner in relation to the Comprehensive Plan of the City, the Zoning Officer or Chairman of the Planning Commission may direct that such a review and report be prepared and submitted to the Planning Commission.
- (3) Review by the City Planning Commission
 - (a) The City Planning Commission shall, at a regularly scheduled meeting, place the preliminary plan on its agenda for review or for subsequent review if additional review time is necessary. In the review and analysis of the preliminary plan, the Planning Commission may, at its option, refer special technical or legal questions to the City Solicitor, City Engineer or the City Planner for specific advice on such technical matters. The applicant/developer is required to attend any public meeting of the Planning Commission during which the preliminary plan is to be reviewed.
 - (b) The City Planning Commission shall prepare and submit in writing to the City Council its review and recommendations for the preliminary plan in consideration of the requirements of this chapter and any reports, engineering data, technical or legal information received. The review of the preliminary plan by the City of Pittston Planning Commission shall be attached to the report forwarded to the City Council.
- (4) Review and action by the City Council.
 - (a) Upon receipt of the preliminary plan report from the City Planning Commission, the City Council shall schedule the preliminary plan on the agenda of a regular meeting. The City Council shall render its decision and communicate this decision to the applicant/developer not later than that time required by the Pennsylvania Municipalities Planning Code, as may be amended from time to time.
 - (b) The City Council shall make all final decisions regarding approval, disapproval or conditional approval of any preliminary plan. In its evaluations, the City Council shall give consideration to this chapter and the City Planning Commission report, the City Engineer's report and any other pertinent data related thereto. The decision of the City Council shall be in writing and shall be delivered to the applicant/developer personally or by certified mail within fifteen (15) days of such decision.

- (c) If the preliminary plan is not approved, the denial shall set forth the specific reasons for disapproval and the manner in which the application can be corrected or modified to obtain the required approval. If the preliminary plan is approved or approved with conditions, the written approval shall notify the applicant/developer of any conditions of approval and that he may submit a final subdivision plan or final land development plan within one hundred eighty (180) days. Where the applicant's written concurrence is not received within the allotted time, the Council shall be deemed to have denied approval. Said final plan may be submitted in its entirety or in sections, provided that approved preliminary plans for which a final plan has not been received will become null and void three (3) years after the date of preliminary plan approval.
- C. Public hearing. The City Council may, at its discretion, schedule, advertise and hold a public hearing for any preliminary subdivision plan submitted under this chapter.
- D. Time extensions. In many complex major subdivision and land development plans, there is frequently a need to extend the ninety-day period prescribed by law for rendering a decision, particularly when a public hearing is deemed desirable and when technical changes to the plan are required. Such an extension may be agreed upon by the City and the applicant/developer, provided that such agreement is in writing and is approved by all parties.
- E. As required by the State Municipal Planning Code, all applications for approval of a plat, whether preliminary or final, shall be acted upon by the governing body or the planning agency within such time limits as may be fixed in the subdivision and land development ordinance but the governing body or the planning agency shall render its decision and communicate it to the applicant not later than 90 days following the date of the regular meeting of the governing body or the planning agency (whichever first reviews the application) next following the date the application is filed, provided that should the said next regular meeting occur more than 30 days following the filing of the application, the said 90-day period shall be measured from the 30th day following the day the application has been filed.

§ 303. Sketch plan.

- A. Where a land development plan includes improvements or in the case of a major subdivision, the developer may submit a sketch plan for informal review. A minimum of five (5) paper copies of a sketch plan should be submitted to the Planning Commission in accordance with the provisions of this section.
- B. Such sketch plan will be considered as submitted for informal review and discussion and shall not constitute formal filing of the plan with the city.
- C. As far as may be practical on the basis of the sketch plan review and discussion, the city will informally advise the developer as promptly as possible of the extent to which the proposed land development conforms to the design standards of these regulations and will discuss possible plan

modifications necessary to secure conformance. The subdivider will at this time be required to submit a preliminary plan for Commission review.

- D. Sketch plan contents. Sketch plans will contain the location of the property lines, existing and proposed rights-of-way, a general outline of the intended subdivision or Land Development Plan, existing physical features, and whatever other information the applicant deems useful.

§ 304. Preliminary major subdivision and land development plan.

- A. Submission requirements for major subdivision and land development plans. Each preliminary plan shall be labeled as such and show the following or be accompanied by such supplementary information:
- (1) The name and address of the applicant/developer and the name and address of the legal owner; the proposed legal name of the major subdivision or land development as it is to be recorded; and the name and address of the registered professional engineer, land surveyor or registered architect responsible for preparation of the plan.
 - (2) Proof of ownership including a copy of the existing deed.
 - (3) A location map (at a scale no grater than 1" = 2,000') or key map showing the location of the site or portion of the site to be subdivided or developed; all property lines, streets, roads and other subdivisions or land development within two thousand (2,000) feet of all boundaries of the site; zoning within such areas; and Tax Map parcel of lots to be subdivided.
 - (4) A full data column which shall include the following: acreage of the site; acreage of the site by zoning district; front yard, side yard, rear yard, lot width and minimum lot area requirements and standards proposed; dwelling units by type permitted under zoning and proposed dwelling units by type; types of exterior materials to be used for construction or renovation of existing buildings; permitted density and proposed density by type of dwelling unit; combined overall dwelling unit density for the site; area for easements, streets and open space by type, i.e., public or private; proposed square footage or area of nonresidential uses; and required and proposed off-street parking and loading spaces for intended uses.
 - (5) The proposed method of providing public or private water supply and sanitary sewage disposal methods, and written certification from the Municipal Authority showing satisfactory provision of the above at the time of submission of the final plan.
 - (6) Existing physical or other features, including but not limited to the following:
 - (a) A physical survey of the parcel to be subdivided or developed, showing all courses in degrees, minutes and seconds; distances to hundredths of a foot; physical area; monuments; existing easements and rights-of-way. Total tract boundaries must be shown. Bearings must be shown at not less than nearest ten (10) seconds.

- (b) Contours of the entire tract at not less than two foot intervals based on United States Coast and Geodetic Survey datum.
 - (c) The location of, names and widths of streets, curbs and pavement, public or private; all property lines; and names of owners of tracts or parcels located within two hundred (200) feet of the site.
 - (d) Zoning Districts shall be delineated on the plan.
 - (e) All storm drainage, sanitary sewer, public water supply lines, and other utilities within four hundred (400) feet of the site, and ownership or maintenance responsibilities for the same.
 - (f) All existing buildings or outbuildings to remain or to be removed; tree stands, watercourses, ponds or water bodies; and the location of the one-hundred-year flood plain as determined under the provision of the City of Pittston Zoning Ordinance.
- (7) The preliminary plan sheets shall be drawn at a scale no greater than 1"=50' so that the maximum sheet size should not exceed twenty four by thirty-six (24 x 36) inches. All sheets submitted shall be consecutively numbered and shall be of the same size, where possible. Appropriate sheets shall contain required signature blocks. All sheets shall show the scale, date prepared, North point, appropriate legends by symbols or words, any notes explaining features of the sheet or plan and appropriate blocks for revisions to each such sheet.
- (8) The proposed layout of the major subdivision or land development area, including, where appropriate for either, the following:
- (a) The layout of streets, including width of the streets, alleys and crosswalks, and soils data.
 - (b) The layout and proposed dimensions of lots.
 - (c) The arrangement of buildings, fire zones and parking/loading areas in commercial and multifamily developments, with all necessary dimensions.
 - (d) A plan for the surface drainage of the tract to be subdivided including all stormwater control facilities, and a stormwater drainage control report. A plan to control erosion during and after the construction period shall be required.
 - (e) Typical cross sections and center-line profiles for each proposed street shown on the preliminary plan. These plans may be submitted as separate sheets.
 - (f) Lots for which other than a residential use is intended.
 - (g) A plan of proposed planting, showing the locations of street trees and the landscape treatment for entrances, for areas of abutting property and required buffer strips.

- (h) For subdivisions, the total area, number of lots, lot area for each lot and length of proposed streets shall be noted on the plan, and each residential and nonresidential lot shall be numbered.
 - (I) Building setback lines, established by zoning or other ordinances.
 - (j) Rights-of-way and/or easements proposed to be created for all drainage purposes, utilities, access or other reasons.
 - (k) Where the preliminary plan covers only a part of the applicant's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
 - (l) Details of proposed ingress and egress at points of intersection with existing township or state roads, including a notation on the plan showing the horizontal sight distance available at each such intersection for vehicles leaving the site.
 - (m) Proposed lighting at identified external intersections and interior lighting plans for internal parking areas.
 - (n) The open space requirements for all subdivisions and land developments are contained in the City of Pittston Zoning Ordinance, as amended, and such requirements shall be reflected on any preliminary plan submitted to the City.
- (9) Must submit a cost estimated by item of required improvements.
 - (10) Preliminary Plan Application fee and required fee for Luzerne County Planning Commission review.
 - (11) A copy of the application for a Highway Occupancy Permit, if applicable, as required by the Pennsylvania Department of Transportation and/or the Luzerne County Road and Bridge Department.
 - (12) Construction Plans which include, where applicable, preliminary design, preliminary profiles, typical cross-sections and specifications for the construction or installation of streets, sidewalks, sanitary sewers, sewage treatment facilities, storm drainage facilities, water lines, bridges or culverts.
 - (a) Cross-sections for proposed streets and sidewalks shall be provided at intervals of fifty (50') feet and at intersections and the limits of work.
 - (b) Engineering design of proposed bridges or culverts shall be prepared in conformance with the latest Pennsylvania Department of Transportation design manuals.
 - (c) Engineering design of a proposed central sewage system and/or central water supply and distribution system shall be accompanied by all permit applications for all respective utilities.

- (12) Any offers of dedication of proposed improvements, signed by the owner of the property and properly notarized.
- (13) A Sewage Planning Module and all accompanying data as required by the Pennsylvania Department of Environmental Protection.
- (14) A copy of the Soil Erosion and Sedimentation Control Plan, application and related information as required by the Luzerne Soil Conservation District.
- (15) Stormwater management plans, including drawings of present and proposed contours, stormwater runoff data and facilities for stormwater drainage.
- (16) In case of delineation of wetlands, the wetland boundaries, as provided by the developer, must be verified by either the U.S. Army Corps of Engineers or the Pennsylvania Department of Environmental Protection based upon a jurisdictional determination of said agencies.
- (17) An executed written agreement under which the applicant agrees to fully pay for any and all consulting fees resulting from the review of plans, applications and supporting information, data and/or reports or studies required by the City Council. In providing for such an agreement, the City Council, at its discretion, may require the applicant to establish an escrow account in a manner arranged for the City's withdrawal of funds for the payment of consulting fees incurred by the City.

§ 305. Final major subdivision and land development plan.

- A. Procedures. The review of final plans shall be identical to the procedures outlined in the preliminary plan review section, except as follows:
 - (1) Any changes, conditions or modifications noted at the time of approval of the preliminary plan shall be incorporated on the final plan.
 - (2) After review of the final plan and upon certification by the City Engineer that all changes required as a condition of the final plan approval have been made, the applicant/developer shall submit record plans as specified in Section 306 of this chapter.
 - (3) In accordance with the provisions of Section 509 of the Municipalities Planning Code, a final plan shall not be signed or recorded by the City Council until the city has received a corporate bond, performance bond or other security acceptable to the city in an amount equal to that as outlined by the Pennsylvania Municipalities Planning Code. The City Solicitor shall review and advise the Council as to the acceptability of such security. (See Article V §515).
- B. Submission requirements for major subdivision and land development plans. The final plan submission requirements shall be identical to the preliminary plan submission requirements outlined in Section 302, except that all data shall be in final form and the

following additional information shall be required:

- (1) Construction and improvement drawings in final detail for drainage; street construction; grading; landscaping; lighting, where required; erosion control; water supply and fire hydrants; sanitary sewers; and appurtenances. Plans, profiles and cross sections shall be included.
- (2) Evidence of approval of the stormwater management plan reviewed by the Luzerne Soil Conservation District, sedimentation and erosion control plans and the required permits, as received from the Pennsylvania Department of Environmental Protection, shall be submitted to the City before building permits will be issued. In the event there is any required change by the Department of Environmental Protection of said plans, the City Engineer shall be so notified in writing, and a complete resubmission of the final plan shall be required.
- (3) Open space maintenance agreements and agreements related to any nonprofit association shall be submitted to and approved by the City Solicitor as a condition of final plan approval.
- (4) Forms for petition or dedication, if any, may be obtained from the City Clerk's office.

§ 306. Record plan.

- A. The record plan shall be a clear and legible black-line print or original on white linen. Three (3) such linens and one (1) paper print, being an exact duplicate of the approved final plan, shall be submitted. The recorded plan shall show the following:
- (1) The seals and signature of the professional who prepared and approved the plan.
 - (2) Corporate seals, where required.
 - (3) Notarized statement of the owner's intent.
 - (4) The City of Pittston's seal.
 - (5) Certification of ownership and desire to record the plan.
 - (6) The required signatures of City and City Planning Commission officials, including the City Engineer.
 - (7) Additional certifications as may be required for offers of dedication, guaranties and warranties.
 - (8) The applicant shall have applied for all required permits from agencies having jurisdiction over ancillary matters necessary to effect the subdivision or land development, such as Pennsylvania Departments of Transportation, and

Environmental Protection, Public Utility Commission, and other applicable federal, state, county or municipal agencies.

- (9) Any conditions imposed by the city: Such conditions include but are not limited to: Total acreage, zoning, Index of Support including notes or conditions any other information required by the city specific to the subdivision or land development.

- B. The record plan shall be filed in the office of the Recorder of Deeds, County of Luzerne, Pennsylvania, within ninety (90) days of final plan approval.

§ 307. Minor subdivision.

A minor subdivision is defined in Section 202 of this chapter. Minor subdivisions require a simplified procedure and modified submission requirements. After the effective date of this chapter, only one (1) minor subdivision will be permitted over any period of time for any parcel within the city.

A. Procedure.

- (1) No sketch plan submission is suggested for a minor subdivision, a final plan is the record plan for a minor subdivision. The preliminary minor subdivision plan is submitted, processed, reviewed and acted upon in the identical manner as a preliminary major subdivision plan, as outlined in Section 302 of this chapter.
- (2) Approval, conditional, approval or denial of approval by the City Council for any minor subdivision plan shall be identical to procedures outlined, in Section 302 for major subdivisions.
- (3) The final, and record, plan shall contain all changes, modifications, notations and agreements required by the City Council at the time of preliminary plan approval. In addition, the certifications and signatures required for recording shall be shown on the final plan. The final plan shall be processed in an identical manner as required in Section 305 for final land record plans.

B. Submission requirements. Each minor subdivision plan, preliminary and final, shall contain the following:

- (1) The name and address of the owner and the registered professional engineer or surveyor responsible for the plan; a key map showing location and existing zoning.
- (2) A physical survey of the portion of the tract being subdivided, with courses in degrees, minutes and seconds, and distances to hundredths of a foot and showing any easements, curblines or rights-of-way and the abutting street or road; two-foot contour intervals; and North point (show bearings to the nearest 10 seconds).
- (3) Existing building to remain or to be removed; tree stands, ponds, water bodies and, if applicable, the floodplain or flood hazard line; and soils data for the parcel.

- (4) The proposed division of land; building setback lines; acreage of the lot(s) and proposed easements for access, drainage or other purposes.
- (5) Proposed driveway locations, if any, and proposed new curblines.
- (6) Prior lots approved under minor subdivision procedures to the present date.

§308. Fees.

A fee shall be required for processing and reviewing any sketch plan, preliminary or final subdivision plan, including a minor subdivision plan. Fees are also required for processing and reviewing both preliminary and final land development plans. The fees shall be paid by the applicant/developer at the time of filing each such plan. The fee schedule for all plans submitted under this chapter shall be adopted by resolution of the City Council and may be amended from time to time.

§ 309. As-built plan.

Prior to the final release of any guaranty required by Section 603, the owner shall furnish to the city complete as-built drawings of all improvements constructed within any subdivision or land development, showing the precise locations and entails of all such improvements required by this chapter or as required by the City Council at the time of final plan approval. The City Engineer shall approve such as-built plans prior to acceptance by the City Council.

**ARTICLE IV
Design Standards**

§401. Purpose and applicability.

- A. The purpose of this section is to establish and define the public improvements and design standards which will be required by the city in the review, approval and construction of any subdivision or land development.
- B. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals and general welfare.
- C. Whenever city or other applicable regulations impose more restrictive standards and requirements than those outlined herein, such other regulations shall control.
- D. Where literal compliance with the standards and requirements specified herein is clearly impractical, the City Council may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these regulations.

§ 402. General design standards.

- A. All portions of a tract being subdivided shall be taken up in lots, streets, public lands or other proposed uses so that remnants and landlocked areas shall not be created. In general, lot lines shall follow municipal or city boundary lines rather than cross them. Wherever possible, developers shall preserve trees, groves, waterways, scenic points, historic spots and other community assets and landmarks. Subdivisions and land developments shall be laid out so as to avoid the necessity for excessive cut or fill.
- B. Land subject to flooding or other hazards to life, health or property and land deemed to be topographically unsuitable shall not be designed for residential occupancy or for such other uses as may increase danger to health, life or property or aggravate existing erosion or flood hazards. Flood plains are defined on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps. Such land within the subdivision or land development shall be set aside on the plan for uses not endangered by periodic or occasional inundation and shall not produce unsatisfactory living or occupancy conditions. Where flooding is known to have occurred within the area shown on the plan, such area shall be clearly marked "subject to periodic flooding," and no building or streets shall be permitted in this area. Flood plains are subject to the provisions of Section 505.1 of the City of Pittston Zoning Ordinance.

§ 403. Design criteria and requirements.

- A. Utility easements.

All utilities, with the exception of on-site laterals, shall be located in public rights-of-way. Where it is not possible to locate in the public rights-of-way, utility easements shall be located adjacent to rear or side lot lines. These easements shall have the greater of a minimum widths of twelve (12) feet, or ten (10) feet plus the width of the required pipe or other improvement.

- B. Natural gas lines.

Natural gas lines shall be installed in compliance with the USAS Code B31.8, 1968, as amended.

- C. Sanitary sewage disposal.

The applicant shall provide shall provide one of two types of sanitary sewage disposal in compliance with the PA Water Quality Sewage Manual as listed below:

- (1) Public sanitary sewage system. Wyoming Valley Sanitary Authority.
- (2) Private sanitary sewage system. Treatment must be other than subsurface absorption or holding as approved by the Pennsylvania Department of Environmental Protection.

- D. Water supply.

The land development will be served by a public or private water supply. A letter from

the appropriate utility company indicating that service can be provided as shown on the submitted drawings.

§ 404. Grading, drainage and erosion and sediment control.

- A. For all subdivisions and land development proposals, a storm water management plan is required, showing all drainage within the watershed affecting the subject property, all existing and proposed drainage facilities, all grading proposed for the subject property and the erosion and sediment control procedures and facilities to be utilized.
- B. All land areas shall be graded to secure proper drainage away from buildings and to prevent the collection of storm water in pools. Drainage provisions shall be of such design as to carry surface waters to the nearest practical and adequate street, storm drain or natural watercourse. Developers must carry surface waters to the nearest practical storm drain or natural watercourse. The developer shall construct and/or install such drainage structures and/or pipes as are determined necessary by the City Engineer to prevent erosion, damage, siltation and to satisfactorily carry off surface waters. The proposed rate of storm water runoff from any subdivision or land development after full development shall not exceed the runoff prior to development.
- C. Storm water discharge shall be carried by conduit to prevent excessive surface flow on or across streets, sidewalks, drives, parking areas and any other paved surface or traveled way. Culverts or bridges shall be required at all stream crossings of any street or roadway, using design criteria for a fifty-year peak flow rate. Natural swales or open drains of any type may be used only where there is no danger to structures or abutting property.
- D. Identified natural watercourses (streams or creeks) which have continuous flow shall remain open and shall not be piped or covered unless required by the City Council as approved by the City Engineer.
- E. The storm water management plan for each subdivision and land development shall take into account and provide for upstream areas within the entire watershed in computing discharge quantities, sizing of pipes, inlets and other structures. The runoff from any proposed development shall be subject to evaluation which includes the anticipated runoff from other existing or proposed developments within the same watershed. Storm water management facilities designed to serve more than one (1) property or development in the same watershed are encouraged, in which case consultation with the City is required prior to design.
- F. The City Council may require, based upon the advise of the City Engineer, storm water retention devices, basins or other delayed-release devices or designs to contain excess storm discharge and to prevent downstream flow increases.
- G. Storm sewers (pipes or other structures) shall have a minimum grade of one-half percent ($\frac{1}{2}\%$) and a minimum inside diameter of fifteen (15) inches or a cross-sectional area of one hundred seventy six (176) square inches. Roof drains or yard drains shall not connect

to any sanitary sewer and shall not discharge water directly over any sidewalk. Storm drainage facilities should be located within the paved areas of roadways. Where storm sewers discharge into existing drainage channels at an angle greater than thirty degrees (30°) with the downstream channel flow, the far side bank shall be stabilized by the use of riprap or masonry and/or concrete walls. The stabilization shall be designed to prevent erosion and frost heave under and behind the stabilizing media.

H. Storm sewer systems shall be constructed in accordance with the city specifications, which are approved by resolution of the City Council. If a particular design or device is not specifically approved within the city specifications, the City Engineer must review and approve the same.

I. Stormwater management plan

- (1) General requirements. For all subdivisions and land development proposals, a stormwater management plan and report shall be submitted, containing but not limited to the following:
 - (a) A suitable map of the total watershed (a United States Geological survey quadrangle map is sufficient) with predevelopment and post development areas outlined.
 - (b) Suitable maps and drawings showing all existing and proposed drainage facilities affecting the subject property.
 - (c) A plan of the proposed stormwater drainage system attributable to the subdivision or land development.
 - (d) The design computations for the stormwater drainage systems, including storm-drain pipes and inlets, runoff control measures and culverts and drainage channels.
 - (e) A plan of the grading of the subject subdivision or land development.
 - (f) A plan of the erosion and sedimentation procedures to be utilized.
- (2) Stormwater drainage plan. A complete plan of the stormwater drainage system, showing all pipes, swales, channels, structures and detention basins, shall be submitted as part of the stormwater management plan. The drainage areas into each inlet or structure must be delineated on the plan of the storm drainage system.
- (3) Storm-drain pipes and inlets. All pipe and inlets shall meet material capacity and construction specifications as outlined in the latest revisions of the PennDot Publication 408 and the PennDot Design manual.
 - (a) Design flow rate. The storm drain system shall be designed to carry a

twenty five-year peak flow rate. The design twenty five-year peak flow rate into each inlet shall be indicated on the stormwater drainage plan. The twenty five-year flow rate shall be determined by the rational formula as follows:

$$Q = CIA$$

Where

Q = Peak runoff rate in cubic feet per second (cfs).

C = Runoff coefficient equal to the ratio of the peak runoff rate to the average rate of rainfall over a time period equal to the time of concentration.

I = Average rainfall intensity in inches per hour for a time equal to the time of concentration.

A = Drainage area in acres.

NOTE: Appropriate values for the runoff coefficient and rainfall intensity can be found in the Commonwealth of Pennsylvania Department of Transportation Design Manual, Part 2, Highway Design, Chapter 12.

- (b) Overflow system. An overflow system shall be provided to carry flow to the detention basin when the capacity of the storm-drain pipe system is exceeded. The overflow system shall be of sufficient capacity to carry the difference between the hundred-year and the fifty-year peak flow rates.
- (4) Runoff control measures.
 - (a) Runoff control. The rate of stormwater runoff from any proposed subdivision or land development shall not exceed the rate of runoff prior to development. Where, in the judgment of the City Engineer, the quantity of stormwater runoff will cause detrimental downstream impact, quantity will be a consideration in the method of stormwater regulations. This standard shall be maintained for all storms, i.e., both high-frequency and low-frequency.
 - (b) Runoff control devices. The increased runoff which may result from subdivisions or land developments shall be controlled by permanent runoff control measures that will provide the required runoff control specified above. All runoff control devices will be evaluated for the effectiveness to maintain the above-mentioned standard for all storms with a return period of up to one hundred (100) years and reported at two year, ten year, twenty five year, fifty year and one hundred year storms.
 - (c) Detention basin versus other available methods. In many respects the detention basin is the most desirable technique for controlling the rate of

runoff from subdivisions and land developments. However, the use of other available runoff control is strongly encouraged. Runoff control measures other than detention basins include seepage or retention basins, pervious pavement and diversions. All pertinent detention basin design standards shall be applicable to seepage and retention basins.

- (d) Groundwater recharge. In general, all runoff control measures shall be designed to encourage groundwater recharge and shall be permitted only if suitable subsurface conditions are present. The on-site recharge of all stormwater runoff shall be required if the City Council determines that conditions so warrant.
- (e) Design of detention basins. All detention basins shall be designed as per the procedures developed by the United States Department of Agriculture, Soil Conservation Service, as outlined in its Technical Release No. 55, the Rational Method or any method acceptable by the City Engineer.
- (f) Basin design criteria. The following design criteria shall be used in the design of all detention basins in the city. The basins shall be designed to detain the quantity of water resulting from a one-hundred-year, twenty-four-hour storm (See the Soil Conservation Service Technical Release No. 55) and must be designed so the post-development runoff does not exceed the pre-development runoff for two year, ten year, twenty five year, fifty year and one hundred year storms. All flows in excess of the above-mentioned standard shall flow over an emergency spillway.
- (g) Maximum depth of detention basins. In general, the maximum depth of water in a detention basin shall not exceed five (5) feet.
- (h) Emergency spillway. Whenever possible, the emergency spillway for detention basins shall be constructed on undisturbed ground. Emergency spillways shall be constructed of reinforced concrete, vegetated earth, concrete rubble or other approved material. All emergency spillways shall be constructed so that the detention basin berm is protected against erosion. The emergency spillway shall be 6" above the 100 year storm water elevation. The capacity of the emergency spillway shall safely convey the 100 year storm assuming all other outlets are blocked and providing 6" of freeboard emergency spillways shall discharge to maintain the intended watercourse of the primary outlet.
- (I) Freeboard. Freeboard is the difference between the design flow elevations and the top of the settled detention basin embankment.
- (j) Slope of detention basin embankment. The maximum slope of earthen detention basin embankment shall be three to one (3:1). The top or toe of any slope shall be located a minimum of five (5) feet from any property line. Whenever possible, the side slopes and basin shape shall be

amenable to the natural topography. Straight side slopes and rectangular basins shall be avoided whenever possible.

- (k) Width of berm. The minimum top width of detention basin berms shall be six (6) feet.
- (l) Slope of basin bottom. In order to ensure proper drainage of the detention basin, a minimum grade of two percent (2%) shall be maintained for all sheet flow. Minimum grade of one-half percent ($\frac{1}{2}\%$) shall be maintained for all channel flow.
- (m) Energy dissipators. Energy dissipating devices (riprap, end sills, etc.) shall be placed at all basin outlets and design calculations shall be included in the storm water control report.
- (n) All detention basins will be surrounded with appropriate fencing. All fencing shall be at least six (6) feet in height, include a gate for maintenance, and shall be approved by the City Council.
- (o) Vegetative screening may be used in addition to the fencing. If shrubs are used, they shall be placed in a continuous line, so as to effectively grow together at maturity. If trees are used, they shall be of five (5) to six (6) feet in height, placed in a double, staggered row, ten (10) feet on center. No shrubs shall be placed on top or inside the basin. All screening shall allow for entrance at the gate for maintenance and be approved by the City Council.

J. A grading plan shall be required for all subdivisions and land development plans, which shall be in conformance with the following criteria or requirements:

- (1) Cuts. No excavation shall be made with a cut face steeper than three to one (3:1), horizontal to vertical, except under the condition in which the material in which the excavation is made is sufficiently stable to sustain a slope of steeper than three (3) horizontal to one (1) vertical. A written statement to that effect is required from a licensed civil engineer having experience in soils engineering and shall be submitted to the City Planning Commission for review and approval. The statement shall affirm that the site has been inspected and that the deviation from the slope will not result in injury to persons or damage to property. Retaining walls will be required if a stable slope cannot be maintained. The toe of the slope or headwall of any cut must be located a minimum of five (5) feet from property lines. No excavation shall endanger adjoining properties. All plans and additional materials must be submitted to the Planning Commission for review.
- (2) Cuts in floodplains. Cut excavations are prohibited in a floodplain area as defined by the City of Pittston Zoning Ordinance.
- (3) Fills.

[a] No fill shall be made which creates any exposed surface steeper in slope than three (3) horizontal to (1) vertical, except where the fill is located so that settlement, sliding or erosion will not result in property damage or be a hazard to adjoining property, streets or buildings. A written statement from a civil engineer licensed by the Commonwealth of Pennsylvania and having experience in soils engineering, certifying that he has inspected the site and that any proposed deviation from the slope specified above will not endanger any property or result in property damage, must be submitted to and approved by the City Planning Commission.

[b] The top of any fill or top of the slope of any fill shall be located five (5) feet from any property line.

- (4) Fill placement and compaction. All fill shall be placed mechanically and shall be free of any debris or organic material, roots and stumps. Fill shall be placed in consecutive, maximum eight inch layers and compressed or compacted mechanically with equipment weighing not less than ten (10) tons or with similar sheepsfoot roller or compactors having equivalent compression capability. The City may require, at the owner's expense, a test certifying the adequate compaction of fill materials as required above or in accordance with the requirements of the City Engineer if an on-site inspection was not performed at the time of placement of the fill.
- (5) Fill in floodplain. If fill is used to raise the elevation of the site, the fill area shall extend out laterally for distance of at least fifteen (15) feet beyond the limits of the proposed structures. The City of Pittston Floodplain Ordinance (No. 1-1977) shall govern development in the floodplain. In any floodplain, as defined in the City of Pittston Zoning Ordinance, is prohibited.
- (6) Large-scale removal of topsoil. Permanent removal of topsoil shall be prohibited in all subdivisions and land developments. The only exception to this prohibition shall be under circumstance where design of a large-scale development permits the removal of excess topsoil in locations of large parking areas or large buildings where the topsoil removed may be more appropriately used elsewhere on the site or on a nearby site. A special permit for such topsoil removal is required, as issued by the City Council.

K. Erosion and sediment control. Prior to the commencement of any subdivision or land development, the following criteria shall be met:

- (1) No changes shall be made in the contour of the land and no grading, excavating, removal or destruction of the topsoil, trees or other vegetative cover of the land shall be commenced until such time as a plan for minimizing soil erosion and sedimentation has been submitted to and approved by the City Council and review by the Luzerne Soil Conservation District, or there has been a written determination by the city that such plans are not necessary.

§ 405. Streets.

- A. Streets proposed in any major subdivision or land development shall be in accordance with the Comprehensive Plan and the Official Map of the City of Pittston.
- B. Streets shall be carefully related to topography so as to produce reasonable and minimum grades, satisfactory drainage and suitable building sites.
- C. Residential streets shall be so laid out as to discourage through traffic. However, the design of streets shall provide for continuation of existing or recorded streets and for proper access to adjoining undeveloped tracts suitable for future subdivision.
- D. Dead-end streets shall be prohibited, except as stubs to permit future street extension into adjoining tracts, or when designed as culs-de-sac. Stub streets shall be designed with a temporary turnaround built to the standard required for culs-de-sac.
- E. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of the existing streets. Street names shall not be repeated within the city. The applicant/developer shall obtain, in writing, a statement from the postmaster of the nearest postal service area and a statement from an official of the nearest fire company that proposed street names do not conflict with existing street names.
- F. Private streets may be approved only if they are designed to meet city street standards for right-of-way, paving width, drainage, curbs and gutters.
- G. When street lines are deflected in excess of three degrees (3°), connection shall be made by horizontal curves. A long-radius curve shall be preferred in all cases to a series of curves and tangents.
- H. The approaches to any intersection shall follow a straight course for at least fifty (50) feet, as measured away from the intersecting lines of rights-of-way.
- I. Except on residential and local minor collector streets, a minimum tangent of one hundred (100) feet shall be required between curves.
- J. To ensure adequate vehicular sight distance, minimum center-line radius/radii for horizontal curves shall be as follows:
 - (1) Residential and local minor collector streets; one hundred fifty (150) feet.
 - (2) Major collector streets: three hundred (300) feet.
 - (3) Major arterial streets: five hundred (500) feet.

- K. Street right-of-way and pavement standards. The following design and construction requirements are subject to periodic review and approval by the City Council:

Type of Street	Minimum Right-of-Way Required	Minimum Cartway or Paving Width (feet)
Local	40	30
Minor collector	50	36
Major collector	80	36 to 48
*Major arterial		PennDot standard

*Major arterial will be determined on a case by case basis by City Council in accordance with PennDot standards.

Minimum Pavement Thickness

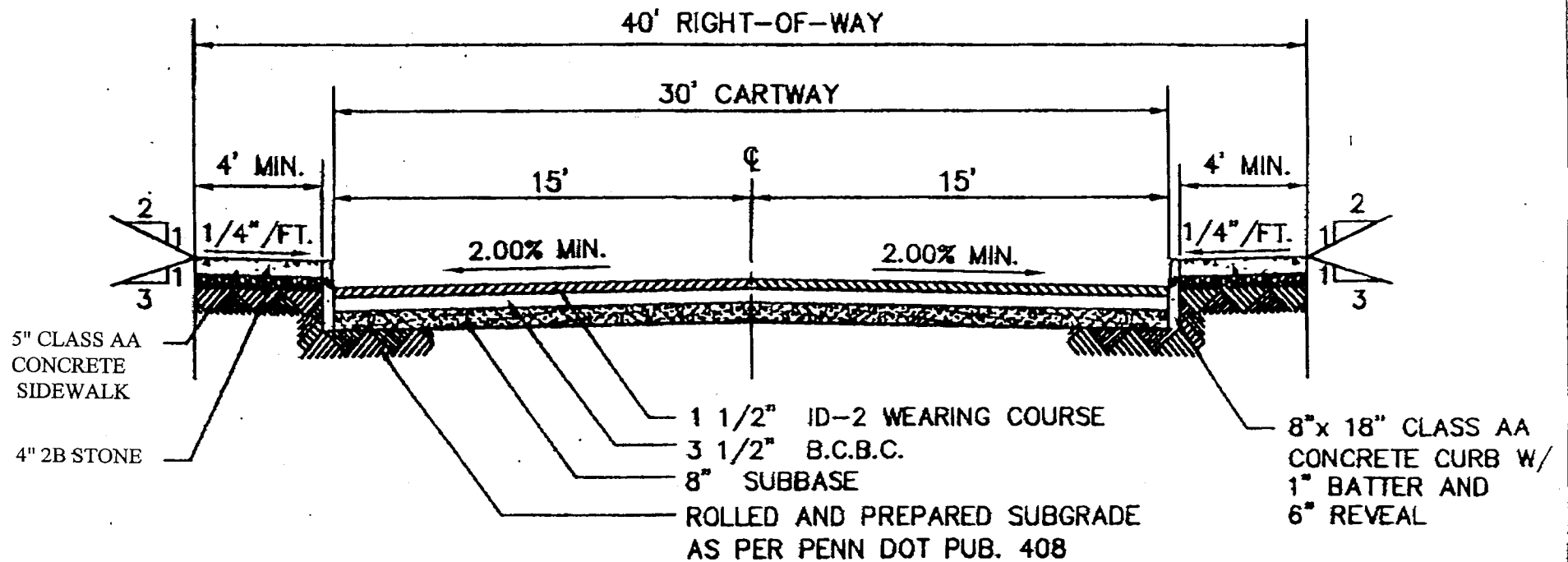
Street	Sub-base (inches)	BCBC (inches)	Wearing Surface (inches)
Arterial*			
Collector	8" of 2A modify	5	2 of bituminous surface course, ID-2*
Local	8" of 2A modify	3½	1½ of bituminous surface course, ID-2*

*Determined on a case by case basis.

Note: A cross section of a local street is demonstrated in figure 1 on the following page

Sidewalk Minimum Thickness

Sidewalks	Sub-base (inches)	Surface (inches)
Concrete sidewalks	4 of Asshto No. 57	5 of Class AA concrete



TYPICAL LOCAL ROAD CROSS-SECTION

NOT TO SCALE

Figure 1

- L. Additional rights-of-way and cartway widths may be required by the City Council in order to lessen traffic congestion; to secure safety from fire, panic and other dangers; to facilitate the adequate provision for transportation and other public requirements; and to promote the general welfare. Short extensions of existing streets with lesser rights-of-way and/or cartway widths than as prescribed above may be permitted, provided that no section of new right-of-way shall be less than forty (40) feet in width.
- M. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way width shall be dedicated or held for future dedication to conform to the standards set by the city.
- N. New half or partial streets are not permitted, except where satisfactory assurance for dedication of the remaining part of the street can be secured. Wherever a tract to be subdivided borders an existing half or partial street, the other part of the street shall be plotted within such tract.
- O. Any applicant/developer who encroaches within the legal right-of-way of a state highway is required to obtain a highway occupancy permit from the Pennsylvania Department of Transportation Permit Office.
- P. Center-line street grades shall not be less than one percent (1%). The maximum street grades shall be as follows:
 - (1) Local and minor collector streets: eight percent (8%) grade.
 - (2) Major collector and major arterial streets: six percent (6%) grade.
- Q. Where the grade of any street at the approach to an intersection exceeds six percent (6%), a leveling area of at least seventy-five (75) feet, measured from the edge of the pavement, shall be provided, having a grade of not greater than two percent (2%). Vertical curves shall be used at changes of grade exceeding one percent (1%) and shall be designed to provide the following minimum sight distances:
 - (1) Local and minor collector streets: one hundred twenty-five (125) feet.
 - (2) Major collector and major arterial streets: one hundred fifty (150) feet or as per PennDot specifications, whichever is greater.
- R. For cul-de-sac streets, the following design shall be required:
 - (1) A permanent or temporary cul-de-sac must be at least 250 feet in length measured from the last intersection and must have a least a 40 foot radius.
- S. Street intersections shall be designed to intersect at right angles. New street intersections involving more than two (2) streets shall be prohibited. The minimum center-line offset between streets intersecting another street is one hundred fifty (150) feet. The minimum curb radii at street intersections shall be twenty-five (25) feet and fifteen (15) feet at the property line.

- T. A minimum clear-sight triangle of seventy-five (75) feet as measured from the center-line intersections of two (2) streets shall be provided at all intersections. No physical obstruction, planting, berm or grade shall obscure vision above a height of two (2) feet in such triangle. Each leg of each triangle shall be increased by one (1) foot of each foot of right-of-way greater than fifty (50) for either intersecting street.
- U. Residential driveways shall be located not less than fifty (50) feet from the intersection of corner lots and shall, where appropriate, connect to the street of lowest potential traffic if located on a corner lot.
- V. Access to individual commercial and industrial parking areas and sites shall be controlled and shall be so located as to provide a minimum of one hundred fifty (150) feet between points of access.
- W. Bridges and culverts shall be designed to meet current PennDot specifications. They shall be constructed to the full width of the right-of-way or to an adequate dimension to accommodate special grade conditions. Approval of the Pennsylvania Department of Environmental Protection, Division of Dams and Encroachments, is required when the area drained upstream of the point under consideration exceeds an area of one-half ($\frac{1}{2}$) square mile.
- X. Street construction standards.
- (1) All streets construction shall be in accordance with PennDot Publication 408 the maximum slope, except for extraordinary situations approved by City Council.
 - (2) Street cross sections for all streets shall be in accordance with the standards established by City Council or elsewhere herein. All details of cross-section, crowns, curb, pavement, subgrade and roadside ditches shall conform to the designated cross section. (State approval shall also be obtained where necessary).
 - (3) The subgrade shall be in accordance with PennDot Publication 408.
 - (4) Sub-base:
 - (a) Sub-base shall be prepared, placed, and compacted in accordance with PennDot Publication 408.
 - (b) Where conditions warrant, subsurface drainage systems shall be installed. Generally, this will mean that subsurface drainage must be installed in the high side of any cut unless approved otherwise.
 - (5) Base Course:
 - (a) An ID-2 Bituminous Concrete Base Course, properly placed and

compacted to a minimum thickness according to road classification. The material and installation to be in accordance with the Specifications of the Pennsylvania Department of Transportation, Publication 408.

The developer shall install said base before any excavation or construction of dwelling units or building units is undertaken.

(b) Wearing Course:

(1) Wearing Course:

[a] After placing the ID-2 Bituminous Concrete Base Course (3½"), the developer shall place ID-2 Wearing Surface Course material over the entire base or binder course, (including curbs) and properly compact to a minimum thickness of one and one half inches (1½").

[b] After the home and other construction is ninety percent (90%) complete, the developer shall place ID-2 Wearing Surface Course material over the entire wearing surface (including curbs) and properly compact to a minimum thickness of one inch (1").

§ 406. Curbs, sidewalks, street signs and street lighting.

- A. Curbs shall be provided for all existing and proposed streets. Along any existing street on which a subdivision or land development abuts, curbs shall be constructed, and the existing paved cartway shall be widened to the curb. The location of curbing along such existing street shall be determined by the width of the required cartway of the road as established by this chapter or by PennDot standards in the case of a state-maintained road. The specific type and design of curb shall be in accordance with the design standards as established by the City Engineer and Public Works Department.
- B. For commercial and industrial sites, curbs for internal access roads, drives and parking areas shall be required.
- C. Sidewalks shall be required on both sides of all proposed streets and on existing streets where they abut the subdivision.
- D. Sidewalks shall not exceed a grade of eight percent (8%). Steps or a combination of steps and ramps shall be utilized to maintain the maximum grades, where necessary. Sidewalks shall be laterally pitched at a slope of not less than one-fourth (1/4) inch per foot to provide for adequate surface drainage. The grades and paving of sidewalks shall be continuous across driveways except in certain nonresidential and high density residential developments and in certain other cases where heavy traffic volume dictates special treatment.

- E. The minimum width of all sidewalks shall be four (4) feet. At corners and pedestrian street-crossing points, sidewalks shall be extended to the curbline with an adequate apron area for anticipated pedestrian traffic. The thickness and type of construction of all sidewalks shall be in accordance with the standards established by the City. Where sidewalks are required, a minimum four-foot-wide grass plot shall be required between the sidewalk and the back of the curb. If the provision of sidewalks requires the destruction or removal of valuable trees, consideration shall be given to the retention of such valuable trees. Where driveways cross sidewalks, a concrete apron shall be provided from the sidewalk to the back of the curb. Sidewalks shall be constructed of concrete at least five (5) inches thick, underlain by four (4) inches of crushed stone.
- F. Street signs, as approved by the City of Pittston, shall be required for all subdivision and land developments having existing or proposed streets. The developer shall erect, on metal poles, at every street intersection, a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs, and at intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign.
- G. Lighting requirements.
- (1) Street lighting shall be required for all commercial and industrial land developments, for all multifamily residential areas and, at the discretion of the City Council, for all or portions of single family residential developments.
 - (2) In single-family residential subdivision, appropriate conduit and wiring shall be installed underground even though standards and lighting fixtures may not be required or constructed immediately. In lieu of conduit and wiring, a fee may be imposed by the City Council, at its sole discretion, when it is deemed impractical or unnecessary for such conduit and wiring to be installed at the time of the construction of the residential subdivision. Such a fee shall be initially established by the City Council by resolution. Such fee provisions may be changed from time to time by the City Council.
 - (3) Proposed intersections with any major collector or major arterial street shall have streetlights.
- H. Where required above, the owner shall install or cause to be installed, at the owner's expense, metal pole streetlights serviced by underground conduit in accordance with a plan to be prepared by the owner's engineer and approved by the City Engineer and the City Council. The equipment of metal poles may be waived in such instances as approved by the Council due to the existence of wooden poles already in place. The owner shall be responsible for all costs involved in lighting the streets from the date of first dwelling unit occupancy until such time as the streets are accepted by the City.

§406 ADA Compliance

All design standards shall be in conformance with ADA requirements.

Article V Required Improvements

§501. Street construction standards.

- A. Streets must be surfaced to the grades and dimensions drawn on plans, profiles and cross-sections submitted by the developer and approved by the City Council.
- B. All streets intended to be dedicated for public use shall be paved to full cartway width, as shown on the final plan. In all cases, paving materials and workmanship shall conform to any and all city regulations and the specifications of PennDot Publication 408.
- C. Subsurface drainage and all utilities shall be installed prior to placing the street surface.
- D. Driveway entrances or aprons within the street right-of-way shall be surfaced to their full width.

§502. Curbs and gutters.

Curbs shall be installed on both sides of all streets in subdivisions and land developments as herein specified. Curbs shall be concrete. Curbs and gutters are to be constructed within the right-of-way.

§503. Sidewalks

Sidewalks shall be installed on both sides of all streets in subdivisions and land developments as herein specified. Sidewalks shall be located, if possible, within the street right-of-way line and shall be in accordance with Section 406 of this document.

§504. Street name signs.

The land development shall be provided with street name signs at all intersections. Such signs shall conform to city specifications and shall be installed by the developer.

§505. Streetlights.

- A. For the safety, convenience and attractiveness of the development, on-site or public streetlights shall be installed.
- B. Where electric service is supplied by underground methods and prior to the installation of streets, curbs, sidewalks and driveways, the subdivider shall provide and install conduits where necessary to accommodate the installation of a streetlight system. Installation and

locating of conduits will comply with the specifications of the appropriate public utility.

§506. Traffic control signs.

Lighting at all intersections from the terminus of the cul-de-sac and at any other intersection deemed necessary.

§507. Sewage disposal.

- A. Where a public sanitary sewer system is accessible to or plans approved by the city provide for the installation of such public sanitary sewer facilities within six (6) years, the developer shall provide the development with a complete sanitary sewer system ready to be connected into the existing or proposed sanitary sewer system.
- B. The plan for the installation of a sanitary sewer system must be prepared for the development and approved by the City Engineer and the Pennsylvania Department of Environmental Protection. Sewer line construction for dedication and city operation must be to city standards and reviewed by the City Engineer. A full-time inspection is required during all construction work. Review and inspection costs are the developer's responsibility. Storm sewers, roof drains, footer drains or sump pumps may not be connected to the sanitary sewer. The system must be constructed, inspected and offered for dedication to the city. Prior to the city assuming operation of the system, the city must accept ownership by resolution.

§508. Storm sewers.

An adequate storm sewer system, consisting of inlets and other underground drainage structures and approved outlets, shall be constructed where the runoff of stormwater and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities. The system shall be designed by a registered professional engineer.

§509. Water supply.

The plan for the installation of a water supply system must be prepared for the development. Upon completion of the water supply system, a reproducible as-built plan of the system must be filed with the city.

§ 510. Fire hydrants.

Fire hydrants shall be installed in accordance with the local fire authority.

§511. Erosion and sediment control.

All Erosion and sediment control measures shall be designed to minimize impact. The erosion and sediment control plan must be reviewed by the Luzerne Soil Conservation District.

§512. Landscaping

- A. To insure that principals of good landscaping and design are adhered to and implemented, each site plan submitted for approval shall provide for:
- (1) The preservation of desirable existing trees and shrubs;
 - (2) Where possible the preservations of natural rock outcropping and natural topographic features;
 - (3) A variety of plant species to provide interest throughout the year with color and texture of foliage.
 - (4) Diversification of plant species to minimize damage due to insects and disease:
 - (5) Plants where are suitable for soil conditions of the area;
 - (6) proper plant size at the time of installation to insure successful planting.
- B. Site maintenance.

All landscaping shown on site plans will be subject to approval by the appropriate authority. All landscaping, as approved on final site plans, shall be completed and, except on owner-occupied properties, maintained, including the replacement of dead plants by the applicant or his successors.

- (1) All landscape maintenance shall include provisions for fertilization, insect and disease control, mulching, weeding, watering, pruning, irrigation and other accepted practices as necessary to maintain the landscape in good repair.
- (2) The applicant shall provide the names, addresses and telephone numbers of organizations who will assume long term landscape maintenance responsibilities.

§ 513. Monuments and markers

- A. Monuments shall be of the following types:
- (1) Concrete- having a four-inch-by-four-inch cross-section and twenty-four (24) inches in length. A scored one-half-inch round brass pin shall be located in the top center.
 - (2) Stone- Having a four-inch-by-four-inch cross-section and being twenty-four (24) inches in length with a drill hole in the top center.
- B. Placement of Monuments.
- Monuments shall be set at intersections of all lines forming angles in the boundary of the subdivision. The top of the monument shall be place so it is level with the surface of the surrounding ground.

C. Markers.

Markers shall consist of steel bars at least three-fourths (3/4) inches in diameter and at least fifteen (15) inches long. They shall be set at the beginning and ending of all curves along street property lines, where lot lines intersect curves, at all angles in property lines of lots and all corner lots.

§ 514. ADA Compliance

Compliance with the Americans With Disabilities Act will be required where appropriate.

§515. Final Acceptance of Improvements.

No plan shall be granted final approval until the applicant adheres to either of the following:

- a. Installation of all improvements as required by this Ordinance in accordance with the applicable design standards, with written verification from the City Engineer that all improvements are complete and in conformance with the applicable design standards.
- b. Posting of a form of financial security acceptable to the Planning Commission, which shall be of a sufficient amount to fully cover the costs of all required improvements in accordance with the applicable design standards.

Prior to the final acceptance of all required improvements, the applicant shall furnish, at his own expense, a Maintenance Bond in a sum equal to fifteen (15%) per cent of the full amount of the cost of the required improvements, guaranteeing the city against faulty workmanship and materials, and for maintaining the required improvements in good condition, including, but not limited to, settling, depressions, or sinkholes, for one (1) year from the date of final acceptance.

ARTICLE VI

Construction and Acceptance of improvements

§ 601. Construction Required

The applicant shall construct all streets, together with all other improvements, including grading, paving, curbs, gutters, sidewalks, street lights, fire hydrants, water mains, street signs, shade trees, storm drainage facilities, sanitary sewers, landscaping, traffic control devices, open space and restricted areas, and erosion and sediment control measures in conformance with the plan as approved.

§ 602. Inspections

- A.. The construction or installation of all improvements shall at all times be subject to inspection by representatives of the City. If such inspections reveal that work is not in accordance with approved plans and specifications, that erosion or sediment controls are failing to prevent accelerated erosion or water-borne sediment from leaving the site of construction, the representative is empowered to require corrections to be made and/or the

suspension of subdivision approval, and to issue a cease and desist order which may include any or all of the following sanctions:

- (1) No lot in the subdivision shall be or placed under agreement of sale;
 - (2) All construction on any lots for which a building permit has been issued shall cease; and/or
 - (3) No further building permits for any lots shall be issued.
- B. The cease and desist order shall be terminated upon determination by the City Council that the said defects or deviations from plan requirements have been corrected.
- C. No underground pipes, structures, subgrades, or base course shall be covered until inspected and approved by the city. A minimum of seven (7) inspections by the designated representative shall be required. These inspections shall be made at the following intervals:
- (1) Upon completion of rough grading, but prior to placing top soil, installing permanent drainage or other site improvements, or establishing covers.
 - (2) Upon excavation, installation, and implementation of drainage structures, community sewage systems, or water supply systems.
 - (3) Upon excavation and completion of subgrade.
 - (4) Before placing sub-base
 - (5) Before binder course.
 - (6) Before wearing course.
 - (7) Final inspection.
- D. The developer shall notify the designated representative of the City at least three (3) days in advance of completion of any construction operations requiring an inspection.

§ 603. Release from Performance Guarantee

- A. When the developer has completed all of the necessary and appropriate improvements, he shall notify the Commission, in writing, by certified or registered mail, of the completion of the aforesaid improvements and shall send a copy thereof to the Engineer to inspect all of the improvements. The Engineer, shall file a report, in writing with the Commission and shall promptly mail a copy of the report to the developer by certified mail. The report shall be made and mailed within 30 days after inspection by the Engineer. This report shall be detailed and shall indicate approval or rejection of said improvements, either in part or in whole. If the improvements, or any portion thereof, shall not be

approved or shall be rejected by the Engineer, the report shall contain a statement of reasons for such nonapproval or rejection.

- B. The Commission shall notify the developer, in writing, by certified mail of the action of the Commission with regard to approval, nonapproval, or rejection of improvements.
- C. If any portion of the improvements shall not be approved or shall be rejected by the Commission, the developer shall proceed to complete those improvements and, upon completion, the same procedure of notification as outlined herein shall be followed.
- D. The developer shall be responsible for maintenance of all subdivision or land development improvements until such improvements are offered for dedication and are accepted by the city. In addition, 10 percent of the performance guarantee shall be held back by the city until the developer has posted a maintenance guarantee as provide for in Section 606 and as-built plans are verified and accepted by the city.
- E. Partial releases of the performance guarantee during the period of construction shall be authorized as per section 603-F.
- F. As the work of installing the required improvements proceeds, the party posting the financial security may request the City Council to release or authorize to be released, from time to time, such portions of the financial security necessary for payment to the contractor or contractors performing the work. Any such requests shall be in writing addressed to the City Council and the Council shall have 45 days from receipt of such request within which to allow the City Engineer to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with the approved plans. Upon such certification, the City Council shall authorize release by the bonding company or lending institution of an amount as estimated by the City Engineer fairly representing the value of the improvements completed. The Engineer, in certifying the completion of work for a partial release, shall not be bound to the amount requested by the applicant, but shall certify to the Council his independent evaluation of the proper amount of partial releases. The Council may, prior to final release at the time of completion and certification by the City Engineer, require retention of 10 percent of the estimated cost of the aforesaid improvements as per Section 603D of this Ordinance.

§ 604. As-Built Plans

Within 30 days after completion and city approval of subdivision or land development improvements as shown on final plans, and before city acceptance of such improvements, the developer shall submit to the city a corrected copy of said plans showing actual dimensions and conditions of streets and all other improvements, certified by a professional engineer to be in accordance with actual construction.

§ 605. Dedication and Acceptance of Public Improvements

- A. Upon completion of any public improvements shown on an approved subdivision plan and within 90 days after approval of such public improvements as herein provided, the

developer shall submit a written offer of such public improvements for dedication to the city. This offer shall include a deed of dedication covering these public improvements together with satisfactory proof establishing the developer's clear title to the property. Such documents are to be filed with the City Secretary for review by the City Solicitor. Deeds of dedication for public improvements maybe accepted by resolution of the Counsel at a regular meeting. The Council may require that at least 50% of the lots in any approved subdivision or land development (or phase thereof, if final plan approval has been in phases) have certificates of occupancy issued for buildings thereon prior to acceptance of dedication. Should the streets, even though constructed according to the specifications of this Ordinance, deteriorate before the said 50 percent of the lots have certificates of occupancy issued, such streets shall be repaired in a manner acceptable to the Council before being accepted by the city.

- B. The Council may require that certain subdivision and land development improvements remain undedicated, with maintenance the responsibility of individual lot owners, a homeowners' association or similar entity, or an organization capable of carrying out maintenance responsibilities.

§ 606. Maintenance Guarantee

- A. Where the City Council accepts dedication of all or some of the required improvements following completion (whether such dedication is of the fee or of an easement), the Council shall require the posting of financial security to secure the structural integrity of the improvements and the function of the improvements in accordance with the design and specifications as depicted on the final plan. The security shall be in the form as is authorized for the deposit of the performance guarantee, as described in Section 603 of this document, shall be for a term of 12 months from the date of the acceptance of dedication, and shall be in an amount equal to 15 percent of the actual costs of installation of the improvements so dedicated as determined by the City Engineer.
- B. Where maintenance of Storm water retention facilities or private streets is to be the responsibility of individual lot owners, a homeowners' association or similar entity, or an organization capable of carrying out maintenance responsibilities, the Council shall require that maintenance responsibilities be set forth in perpetual covenants or deeds restrictions binding on the landowner's successors in interest, and may further require that an initial maintenance fund be established in a reasonable amount.

ARTICLE VII Administration

§ 701. Relief from unnecessary hardship

- A. In any case in which an applicant demonstrates to the satisfaction of the City Council that strict application of any provisions of this Ordinance would be unreasonable and would cause unnecessary hardship as applied to the proposed subdivision or land development, the city Council may grant a modification of such provision so as to grant relief from the

unnecessary hardship. And such modification granted shall be the least modification necessary to grant relief from the unnecessary hardship and shall be applied so that substantial justice may be done and the public interest secured; provided, however, that such modification shall not be granted it would have the effect of nullifying the intent and purpose of this Ordinance.

- B. In granting modifications, the City Council may impose such conditions as will, in its judgement, secure substantially the objectives of the standards and requirements so modified.

§ 702. Records.

- A. The City shall assign a subdivision application number to all subdivision and land development applications, and all matters referring to an application should be filed in accordance with the subdivision case number. The City shall keep a record of its findings, decisions, and recommendations relative to all plans filed with it for review.
- B. All such records shall be public records.

§ 703. Fees and Costs

- A. No application for preliminary or final approval shall be deemed to have been submitted until the fee and escrow deposit, as set forth below, shall have been paid.
- B. A subdivision or land development application fee(non-refundable) and an escrow deposit shall be submitted with any application for preliminary or final plan approval to cover the costs of plan review and processing. Amounts of the application fee and escrow deposit shall be fixed by the City Council by resolution. The escrowed funds shall be used to reimburse the City for actual expenditures incident to these processes, including but not limited to fees of the engineering consultant, and legal fees in excess of the fee for review of the City's standard forms. Any costs incurred by the City in excess of the amount held in escrow shall be fully reimbursed by the applicant prior to the issuance of any permits. Any unexpended balance in the escrow deposit shall become part of the second deposit required in Section 703-C below.
- C. Following final plan approval and recording and the establishment of any required performance guarantee, a second escrow deposit shall be established to cover the cost of inspections of improvements construction; materials or site testing; or maintenance costs (e.g., snow removal) prior to the acceptance of improvements by the City. Any costs incurred by the City in excess of the amount held in escrow shall be fully reimbursed by the applicant. Any unexpended balance in the escrow deposit following acceptance of dedication of improvements by the City shall be returned to the applicant. The amount of the escrow deposit shall be fixed by the City Council by resolution.

§ 704. Penalties

- A. Any person, partnership, or corporation who or which being the owner or agent of the owner of any lot, tract, or parcel of land who shall layout, construct, open, or dedicate any street, sanitary sewer, storm sewer, water main, or other improvements for public use, travel, or other purposes or for the common use of occupants of buildings abutting thereon, or who sells or offers to sell, transfers or agrees or enters into an agreement to sell any land in a subdivision or land development, whether by reference to or by other use of a plat of such subdivision or land development or otherwise, or who erects any building thereon, unless and until a final plat has been prepared in full compliance with the provisions of this Ordinance and has been recorded as provided herein, shall be guilty of a misdemeanor, and upon conviction thereof, such person or the members of such partnership, or the officers of such corporation, or the agent of any of them, responsible for such violation shall pay a fine not exceeding One thousand (\$1,000.00) Dollars per lot or parcel or per dwelling within each lot or parcel. All fines collected for such violations shall be paid over to the City. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the seller or transferor from such penalties of from the remedies herein provided.
- B. At the discretion of the City, misdemeanor prosecution for violation of this Ordinance may be converted to a civil penalty suit for the amounts set forth as fines herein above.

§ 705. Appeals

The procedures for securing review of any ordinance, decision or determination is set forth in Article X of the Pennsylvania Municipalities Planning Code, Act 170 of December 21, 1988, P.L.170, as amended.

PASSED ON FIRST READING: June 16, 1999

PASSED ON SECOND & FINAL READING: July 14, 1999

ATTEST:

APPROVED:


CITY CLERK


MAYOR

MICHAEL J. PASONICK JR., INC.

Consulting Engineers & Surveyors

165 NORTH WILKES-BARRE BOULEVARD

WILKES-BARRE, PA 18702

(570) 823-4712, (570) 693-4257

Fax (570) 823-4727

Savino Bonita
Pittston City Administrator
35 Broad St.
Pittston, PA 18640

June 14, 1999

Re: SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Savino,

Our office has reviewed the Subdivision and Land Development Ordinance submitted by Mullin and Lonergan Associates Inc, and offers the following comments.

- 1) Section 404.I.4.e and Section 404.I.4.f Detention Basins shall be designed by the Soil Conservation Service Technical Release 55, the Rational Method or any method acceptable by the City Engineer.
- 2) Section 405.X.5.b Wearing Course should not be listed under Base course. Also the pavement thickness should agree with the minimum pavement thickness indicated on page 28.
- 3) Section 515 and Section 606.A The maintenance bond submitted by the developer for acceptance of the required improvement should be for a sum not to exceed 15% of the full amount of the required improvements, and shall be for term not to exceed 18 months from the date of acceptance.
- 4) Section 606.A. Section 409 is referenced for security. There is no Section 409.
- 5) Clearly define in the ordinance for final approval to be granted the developer must either install the required improvements or provide a financial security of 110% of the approved cost estimate. Also time period for completion of the required improvement should be specified.

Kindly forward these comments to the office of Mullin and Lonergan Associates Inc., to address. If you have questions or comments please contact our office.

Sincerely,



Paul Pasonick

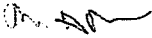
MICHAEL J. PASONICK JR. INC.

P.C. Girard Mecadon, Pittston City Solicitor
File

Mullin & Lonergan Associates, Inc.

4624 Longshore Avenue • Philadelphia, Pennsylvania 19135 • 215-333-1717 • FAX 215-332-6599

MEMO

To: Savino Bonita
From: Margaret Ann Morris 
Subject: Subdivision Revisions
Date: June 29, 1999

Attached are two copies of the Revised Subdivision Ordinance for the City of Pittston. Changes have been made on the following pages in response to the engineer's comments:

1. Page 22 --Section 404. I.4.e
2. Page 31 -- Section 405.X.5.b
3. Page 36 -- Section 515
Page 39 -- Section 606.A.
4. Page 39 -- Section 606. A.
5. Page 36 and 16.

If you have any other comments on the document please let me know. Thank you.

MAYOR MICHAEL A. LOMBARDO, IN PLACE

JULY 14, 1999

"A N O R D I N A N C E"

"REGULATING TRAFFIC ON CERTAIN STREETS IN THE CITY OF PITSTON: PROVIDING FOR THE ERECTION OF TRAFFIC SIGNS AND PROVIDING PENALTIES FOR THE VIOLATION HEREOF AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith."

BE IT ORDAINED by the City Council of the City of Pittston, and it is hereby ordained by the Authority of the same, that;

SECTION 1. On Depew Street, one hundred fifty {150} feet northeasterly from the intersection with Butler Street, traffic shall move only in a southerly direction to Butler Street.

SECTION 2. A sign indicating the direction of traffic, shall be erected and maintained at every intersection where movement of traffic in the opposite direction is prohibited.

SECTION 3. Any persons violating the provisions hereof shall, upon conviction thereof, pay a fine of not more than twenty-five {\$25.00} dollars, for each offense, together with judgement or imprisonment if the amount of said judgement is not paid.

SECTION 4. All Ordinances or parts of Ordinance or Resolutions in conflict herewith be and the same are hereby repealed.


SECTION 5. This Ordinance shall become effective ten {10} days after final passage.

PASSED ON FIRST READING: July 14, 1999

PASSED ON SECOND & FINAL READING: August 11, 1999

ATTEST:

APPROVED:


CITY CLERK
MAYOR

FILE OF COUNCIL
No. 5 {1999}

MAYOR MICHAEL A. LOMBARDO, IN PLACE NOVEMBER 29, 1999

"A N O R D I N A N C E"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2000 AND ENDING DECEMBER 31, 2000."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,456,900				1,456,900
Licenses & Permits	34,950				34,950
Fines & Forfeits	29,000				29,000
Interest & Rents	35,900				35,900
Intergovernmental Revenues	207,900	146,000		399,900	753,800
Departmental Earnings	424,300		112,400		536,700
Miscellaneous Revenue	2,000				2,000
Other Financing Sources	2,563,400				2,563,400
Beginning Cash Balance 1/1/00	<u>149,860</u>	<u>90,500</u>	<u>130,000</u>	<u>100</u>	<u>370,460</u>
TOTAL	<u>4,904,210</u>	<u>236,500</u>	<u>242,400</u>	<u>400,000</u>	<u>5,783,110</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	550,950				550,950
Public Safety	965,860				965,860
Health & Welfare	6,350				6,350
Sanitation	472,600				472,600
Highways	413,750	61,500			475,250
Parks & Recreation	100,500				100,500
Debt Service	2,213,200				2,213,200
Miscellaneous Expenditures	68,000		56,000	108,300	232,300
Other Financing Uses	113,000	120,000	75,000	291,700	599,700
Year End Cash Balance 12/31/00	<u>-0-</u>	<u>55,000</u>	<u>111,400</u>	<u>-0-</u>	<u>166,400</u>
TOTAL	<u>4,904,210</u>	<u>236,500</u>	<u>242,400</u>	<u>400,000</u>	<u>5,783,110</u>

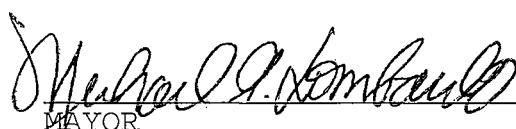
PASSED ON FIRST READING: November 29, 1999

PASSED ON SECOND & FINAL READING: December 29, 1999

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 6 {1999}

MAYOR MICHAEL A. LOMBARDO, IN PLACE NOVEMBER 29, 1999

"AN ORDINANCE"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2000

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2000 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty {30} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	2.75 mills
Library	1.00 mills
Parks	1.25 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

This ordinance and real estate tax shall take effect January 1, 2000

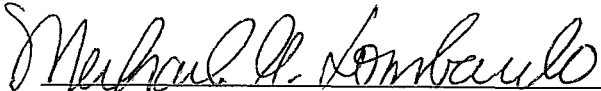
PASSED ON FIRST READING: November 29, 1999

PASSED ON SECOND & FINAL READING: December 29, 1999

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 7 {1999}

MAYOR MICHAEL A. LOMBARDO, IN PLACE NOVEMBER 29, 1999

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A ONE PER-CENT {1%} EARNED INCOME TAX WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} Earned Income Tax on earned income and net profits on earned income and net profits earned by Non-Residents of the City of Pittston for work done, or services performed or rendered in the City of Pittston, under the authority of Act 511 of 1965, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2000;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Earned Income Tax of one per-cent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2000.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2000.

PASSED ON FIRST READING: November 29, 1999

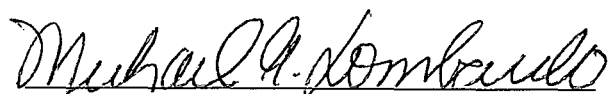
PASSED ON SECOND & FINAL READING: December 29, 1999

ATTEST:



CITY CLERK

APPROVED:



MAYOR

FILE OF COUNCIL
No. 8 {1999}

MAYOR MICHAEL A. LOMBARDO, IN PLACE NOVEMBER 29, 1999

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH
IMPOSES A TEN DOLLAR {\$10.00} PER YEAR OCCUPATIONAL PRIVILEGE TAX
WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a ten
{\$10.00} dollars Occupational Privilege Tax on all individuals within the City of Pittston
under the Authority of Act 511 of 1965,

WHEREAS, the income derived from the imposition of said tax is necessary to conduct
the affairs of the City for the year 2000;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and
it is hereby ordained by the Authority of the same,

SECTION 1. That the Occupational Privilege Tax of ten {\$10.00} dollars
presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning
January 1, 2000.

SECTION 2. That all ordinances or parts of ordinances conflicting with the
provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2000.

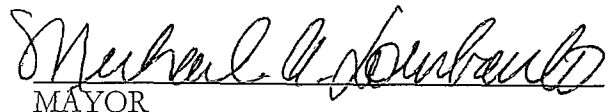
PASSED ON FIRST READING: November 29, 1999

PASSED ON SECOND & FINAL READING: December 29, 1999

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 9 {1999}

MAYOR MICHAEL A. LOMBARDO, IN PLACE NOVEMBER 29, 1999

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSSTON WHICH
IMPOSES A ONE PER-CENT {1%} TAX UPON THE TRANSFER OF REAL
ESTATE WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} transfer tax on the transfer of real estate within the City, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2000;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Real Estate Transfer Tax of one percent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2000.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2000.

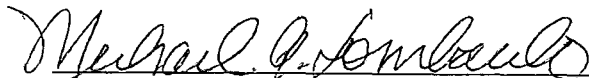
PASSED ON FIRST READING: November 29, 1999

PASSED ON SECOND & FINAL READING: December 29, 1999

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 1 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE JANUARY 19, 2000

"A N O R D I N A N C E"

“AMENDING AN ORDINANCE FILE OF COUNCIL NO. 8 {1997} RELATING TO THE PAID FIREMAN’S PENSION FUND IN THE CITY OF PITTSSTON, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING AND PROVIDING COST-OF LIVING INCREASES TO RETIRED MEMBERS UNDER THE PLAN.”

Be it ordained by the City Council of the City of Pittston and it is hereby ordained by the authority of the same;

That pursuant to Section 4322.1 of the Third Class City Code, any City may, at any time, at its discretion, upon the recommendation of the consulting actuary of the Paid Fireman’s Pension Fund, provide cost-of-living increases to retired members under the plan.

SECTION 16. That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time one hundred dollar {\$100.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired members under the plan.


The total of any such allowances shall not at any time exceed one-half of the current salary being paid firemen of the highest pay grade.

This ordinance shall become effective ten days after final passage.

PASSED ON FIRST READING: January 19, 2000

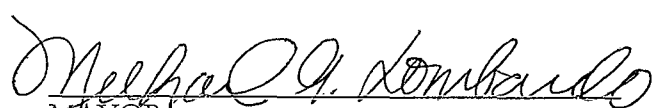
PASSED ON SECOND & FINAL READING: February 16, 2000

ATTEST:



CITY CLERK

APPROVED:



MAYOR

No. 1 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE JANUARY 19, 2000

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 8 {1997} RELATING TO THE PAID FIREMAN'S PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING AND PROVIDING COST-OF LIVING INCREASES TO RETIRED MEMBERS UNDER THE PLAN."

Be it ordained by the City Council of the City of Pittsburgh and it is hereby ordained by the authority of the same;

That pursuant to Section 4322.1 of the Third Class City Code, any City may, at any time, at its discretion, upon the recommendation of the consulting actuary of the Paid Fireman's Pension Fund, provide cost-of-living increases to retired members under the plan.

SECTION 1. Fund Created; purpose of fund generally.

In accordance with and pursuant to the provisions of the Act of June 23, 1931, P.L. 932, Art. XLIII, Sec. 4230, et seq., as amended, there is hereby created in the city a pension fund to be designated as the "Paid Firemen's Pension Fund," for the purpose of providing pensions to the members of such fund and to such other beneficiaries as shall be specified in this Ordinance. Such fund shall receive property and funds and shall hold and distribute funds for the purpose and benefit of the members and other beneficiaries of the fund.

SECTION 2. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly requires otherwise;

Fund: The "Paid Firemen's Pension Fund."

Member or Members: A person employed by the City as a paid and uniformed member of the bureau of fire.

Children: Children of a member or of a deceased member, but limited to children who are under eighteen years of age.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

{a} The monthly salary is defined as the total taxable amount paid to an employee during any calendar month less "special" pay. This would include the regular scheduled salary plus any "other" taxable pay such as: city overtime, holiday pay, vacation buy back, sick day buy back etc. Any pay received during the month which would be defined as "special" pay would not be included in monthly salary. "Special" pay would include any pay which the city is reimbursed from outside organizations such as the Drug Task Force, The Housing Authority, the DUI Check Points Program etc.

{b} The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 forms less any "special" pay received that year.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - An employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph {a} above} paid during the last calendar month prior to retiring for pension calculation. The monthly salary shall be divided into two parts, "regular scheduled" salary and "other" salary. Regular scheduled salary is the monthly pay amount multiplied by twelve. The "other" taxable salary are items such as city earned overtime, and benefit buy backs, i.e. holiday pay, vacation pay, and sick pay. These items are added to the annualized monthly pay making an annual taxable salary. This combined figure is used to determine the annual pension which is paid monthly.

Example: Regular monthly wages (\$2,500) times 12 months = \$30,000. All sources of "other" pay = \$4,600 added to the monthly annualized salary (\$30,000 + \$4,600) = \$34,600 which forms the basis of the annual pension of \$17,600 paid monthly at \$1,465 (rounded off) per month.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some past time in his/her career with the city has the option of using the average salary {as defined in paragraph b. above} of the five highest years of employment with the city.

SECTION 3. Board of Managers - Established; Composition; Appointment of members.

The Paid Firemen's Pension fund shall be under the direction and control of a board of managers consisting of the Mayor, the director of Accounts and finance, the director having charge of the bureau of fire, the City Controller, the Chief of the Bureau of fire, ex officio, and two members of the Bureau of Fire to be chosen by the members of the Bureau of Fire. Of the first managers so chosen by the Bureau of Fire, one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter, one manager shall be chosen for a term of four years to take the place of the manager whose term expires. In case of a vacancy among the managers chosen by the members of the Bureau of Fire, a successor shall be chosen by such members for the unexpired term.

SECTION 4. Board of Managers - Powers and Duties.

{a} The paid Firemen's Pension Fund shall be applied under such regulations as the board of managers shall prescribe. It shall be the duty of the board of managers to present to the City Council, annually, a detailed statement of its assets and liabilities on or before the first meeting of the City Council in February of the following year. The board of managers shall have authority to do all things necessary to provide an effective and a financially sound fund and incur such expenses as they deem appropriate for such purposes.

{b} The Board of Managers of the City of Pittston, Paid Firemen's Pension Fund shall control, direct and be responsible for the administration of the said Pittston Firemen's Pension Fund; however, the said Firemen's Pension Fund Association will be committed to the custody and management of the Trustee or Trustees designated herein. The said Trustee is to manage the Fund in the best interest and welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittston.

SECTION 5. Acceptance and administration of gifts, grants, devises, etc.

The City may take by gift, grant, devise or bequest any money or property, real, personal or mixed, for the benefit of the Paid Firemen's Pension Fund. In such cases, the City shall observe all and singular the conditions and directions of the donors, and such property shall be administered by such of the board of managers who are officers of the City. Unless there is a specific ordinance adopted with reference to such gift, grant, devise or bequest, the same shall be transferred by such officer to the fund.

SECTION 6. Investment of funds.

If any funds under this article are invested, they shall be invested in accordance with the provisions of the Fiduciaries Investment Act of 1949, and the amendments thereto.

SECTION 7. Members of Fund designated.

All members on January 1, 1969 and all subsequently employed members shall be considered members of the Paid Firemen's Pension Fund.

SECTION 8. Contributions of members.

For the year 1997, there shall be paid into the paid Firemen's Pension Fund by each member in the manner prescribed in this article 1/10 of 1% {one tenth of one per cent} of the salary of each member. Such sum shall be deducted at each payroll period by the City Treasurer and shall be paid by him forthwith to the Treasurer of the fund.

SECTION 9. Contributions by City from taxes.

The City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 10. Use of funds, persons eligible to receive pension payments.

The Paid Firemen's Pension Fund shall be applied, under such regulations as the board of managers shall prescribe, for the benefit of such members of the bureau of fire as shall receive honorable discharge therefrom by reason of service or age or disability, widows of retired members, and the families of such as may be killed or who die in the service. All such pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale together with service increments as hereinafter provided. Benefits allowed from such fund to families of such as are killed or who die in service shall take into consideration the member's widow and his minor children under eighteen years of age, if any survive.

Such regulations shall prescribe a minimum period of continuous service not less than twenty years, after which members of the bureau of fire may be retired or elect to be retired on pension from active duty, and such members as are retired shall be subject to service, from time to time, as a firemen's reserve in cases of emergency until unfitted for such service, when they may be finally discharged by reason of age or disability. Upon the death of a member who retires on pension or who could have retired on pension, or is killed or dies in the service, payments as provided in this article shall be made to his widow during her life; and if there be no widow, but there are children eligible, payment shall be made to them until such children reach age eighteen.

It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee should be entitled to a vested pension based on the pro rata share of years vested.

SECTION 11. Pensions and service increments.

{a} Payments of pension shall not be a charge on any fund in the treasury of the City of under its control, save the Firemen's Pension Plan herein provided for in Definitions of Salary and Pension Calculation. The basis of the pension of a member shall be determined by the monthly salary of the member at the date of retirement, or the highest average annual salary which he received during any five years of service preceding retirement, whichever is the higher, whether for disability, or by reason of age or service and except as to service increments provided for in subsection {b} of this section, shall be one-half the annual salary of such member at the time of retirement computed at such monthly or average annual rate, whichever is higher.

{1} In the case of the payment of pensions to members for permanent injury incurred in service, and to families of members killed or who die in service, the amount and commencement of the payment of the pension shall be fixed by regulations of the board. Such regulations shall not take into consideration the amount and duration of workmen's compensation allowed by law. Payments to widows of members retired on pension or killed in the service on or after January 1, 1960, or who die in the service on or after January 1, 1968, shall be the amount payable to the member or which would have been payable had he been retired at the time of his death.

{b} In addition to the pension which is authorized to be paid from the Firemen's Pension Fund by this Ordinance and notwithstanding the limitation therein placed upon such pensions and upon contributions, every contributor who shall become entitled to the pension shall also be entitled to the payment of a "Service Increment" in accordance with and subject to the conditions hereinafter set forth.

{1} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this Ordinance during which a contributor has been employed by such City and paid out by the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this Ordinance. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred {\$100.00} per month.

{2} Each contributor, from and after the effective date of this Ordinance, shall pay into the pension fund a monthly sum in addition to his pension contribution, which shall not exceed the sum of {\$1.00} dollar per month. And provided, that such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years.

{3} Any person who is a member of the department on the effective date of this Ordinance who has already reached the age of sixty-five years shall have his service increment computed on the years of employment prior to the date of reaching his sixty-fifth birthday.

{4} Service increment contributions shall be paid at the same time and in the same manner as pensions, and may be withdrawn in full, without interest, by persons who leave the employment of such City, subject to the same conditions by which retirement contributions may be withdrawn, or by persons who retire before becoming entitled to any service increment.

{5} All members of the bureau of fire who are not contributors to the pension fund and all those employed by the City after the effective date of this Ordinance, if required to become contributors to the pension fund, shall be subject to the provisions of this Ordinance.

SECTION 12. Separation from service prior to retirement.

If for any cause any member of the bureau of fire contributing to the pension fund shall cease to be a member of the bureau of fire before he becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such member shall be refunded to him in full without interest. If any such member shall have returned to him the amount contributed, and shall afterward again become a member of the bureau of fire, he shall not be entitled to the pension designated until twenty years after his re-employment, unless he shall return to the pension fund the amount withdrawn, in which event the period of twenty years shall be computed from the time the member first became a member of the bureau of fire, excluding therefrom any period of time during which the member was not employed by the bureau of fire. In the event of the death of a member of the bureau of fire not in the line of service before the member becomes entitled to the pension aforesaid and such member is not survived by a widow or family entitled to payments as herein before provided, the total amount of contributions paid into the pension fund by the member shall be paid over to his estate. In case of the death of a member not in the line of service before the member becomes entitled to the pension aforesaid and such member is survived by a widow eligible to receive benefits as hereinbefore provided, the total amount of contributions paid into the pension fund by a member shall be paid over to such widow.

SECTION 13. Pensions not subject to attachment, assignment, levy, etc.

All pensions granted under this article, and every portion thereof, shall not be subject to pledge, assignment, or transfer and shall be exempt from attachment and shall not be seized, taken or subject to detainer or levied upon by virtue of an execution or any process or proceeding whatsoever.

SECTION 14. Payments to be charged only to the fund.

Payments of pensions under this article shall not be a charge on any fund in the Treasury of the City or under its control, save the Paid Firemen's Pension Fund provided for in this article.

That the Council of the City of Pittston upon the recommendation of the Board of Managers, hereby designates as its Trustee, ASCO Financial Group, Pierce Street, Kingston, Pennsylvania to receive from the City Treasurer any allocation received by the City of Pittston from the Commonwealth of

Pennsylvania, from the City of Pittston itself, from Bureau of Firemen employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 15. The provisions of this Ordinance shall become effective immediately and remain in full force and effect thereafter.

SECTION 16. That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time one hundred dollar {\$100.00} per month ad hoc cost-of living increase to the pension benefits of the current retired members under the plan.

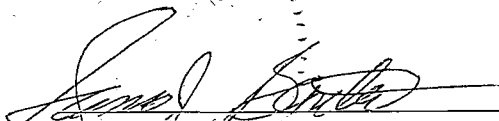
The total of any such allowances shall not at any time exceed one-half of the current salary being paid firemen of the highest pay grade.

PASSED FIRST READING: January 19, 2000

PASSED SECOND AND FINAL READING: February 16, 2000

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 2 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE JANUARY 19, 2000

"AN ORDINANCE"

“AMENDING AN ORDINANCE FILE OF COUNCIL NO. 6 {1997} RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING AND PROVIDING COST-OF LIVING INCREASES TO RETIRED MEMBERS UNDER THE PLAN.”

Be it ordained by the City Council of the City of Pittsburgh and it is hereby ordained by the authority of the same;

That pursuant to Section 4303.1 of the Third Class City Code, any City may, at any time, at its discretion, upon the recommendation of the consulting actuary of the Police Pension Fund, provide cost-of-living increases to retired members under the plan.

SECTION 22. That the City Council of the City of Pittsburgh hereby ordains and authorizes to provide a one-time two hundred dollar {\$200.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired members under the plan.

The total of any such allowances shall not at any time exceed one-half of the current salary being paid patrolmen of the highest pay grade.

This ordinance shall become effective ten days after final passage.

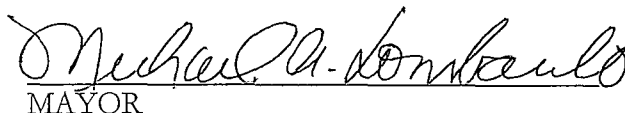
PASSED ON FIRST READING: January 19, 2000

PASSED ON SECOND & FINAL READING: February 16, 2000

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 2 {2000}

MAYOR MICHAEL A. LOMABARDO, IN PLACE

JANUARY 19, 2000

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 6 {1997} RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, AUTHORIZING AND PROVIDING COST-OF LIVING INCREASES TO RETIRED MEMBERS UNDER THE PLAN."

Be it ordained by the City Council of the City of Pittsburgh and it is hereby ordained by the authority of the same;

That pursuant to Section 4303.1 of the Third Class City Code, any City may, at any time, at its discretion, upon the recommendation of the consulting actuary of the Police Pension Fund, provide cost-of-living increases to retired members under the plan.

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittsburgh, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there should be established by contract and designation by the City Council of the City of Pittsburgh a Trustee organization to receive and invest such sums in the manner it deems most beneficial to the Fund so as to provide retirement and other benefits as shall be required by law or by the Ordinance and having in charge the distribution of the Police Pension Fund for the members of the Bureau of Police in the City of Pittsburgh, the City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 2. The City Council of the City of Pittsburgh is hereby authorized to appoint a Trustee or Trustees and to enter into a trust agreement with said Trustee upon such term or terms as the City Council shall establish, to invest and re-invest the Fund and to make payments out of the Fund in accordance with the provisions of the Plan & Trust Agreement. The Trustee may be a natural person or persons or corporation including a financial institution. Further, the City Council of the City of Pittsburgh may enter into contracts, deposit agreements, annuity contracts or trust accounts on behalf of the City with one {1} or more insurance companies, banks or other financial institutions or investment companies which may provide the pension and other benefits.

SECTION 3. The Council of the City of Pittsburgh shall control direct and be responsible for the administration of the said Trustee. The said Trustee is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the Pension Fund.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittsburgh, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted either 0% or one tenth of one percent from his or her gross salary. The individual employee shall determine his/her own contribution and advise the City Clerk/Administrator of that decision in writing. A copy of said decision shall be maintained in the

individual's employee personnel file. All members shall also contribute \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Trustee of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid section of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this Ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the first Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. {A} Payments for allowances shall not be a charge on any other fund in the treasury of the City under its control save the Police Pension Fund herein provided for. The basis of the appointment of the Pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection {b} of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average rate, whichever is the higher.

{B} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contribution in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars {\$100.00} per month.

{C} The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime, or upon reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving had he been retired at the time of his death.

{D} Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service, the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his lifetime and if he shall die, the pension payment that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child

or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retires at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund. It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within ninety {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee would be entitle to a vested pension based on the pro rate share of years vested.

SECTION 10. That all sums of money paid for any reason either for expense of running the said Pension Fund or any sums used for the payment of pensions to the officer, employees, widows, or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any officer and employee under this Ordinance shall be entitled to apply for a disability pension if he or she is permanently incapacitated from discharging the duties of his or her position by an injury or injuries or sickness received as a member of the said pension fund, while in the actual discharge of his or her duties, provided he or she has served continuously as a regular member of the Pittston Police Bureau for a period of not less than one {1} year. Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in the line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are not contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this Ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. That the Council of the City of Pittston hereby designates as its Trustee, ASCO Financial Group, Pierce,

St., Kingston, Pennsylvania to receive from the City Treasurer any allocations received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from Police employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 16. The definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month less "special" pay. This would include the regular scheduled salary plus any "other" taxable pay such as: city overtime, holiday pay, vacation buy back, sick day buy back etc. Any pay received during the month which would be defined as "special" pay would not be included in monthly salary. "Special" pay would include any pay which the city is reimbursed from outside organizations such as the Drug Task Force, The Housing Authority, the DUI Check Points Program etc.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 forms less any "special" pay received that year.

"Pension Calculation". The employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - An employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section #2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation. The monthly salary shall be divided into two parts, "regular scheduled" salary and "other" salary. Regular scheduled salary is the monthly pay amount multiplied by twelve. The "other" taxable salary are items such as city earned overtime, and benefit buy backs, i.e. holiday pay, vacation pay, and sick pay. These items are added to the annualized monthly pay making an annual taxable salary. This combined figure is used to determine the annual pension which is paid monthly.

Example: Regular monthly wages (\$2,500) times 12 months = \$30,000. All sources of "other" pay = \$4,600 added to the monthly annualized salary (\$30,000 + \$4,600) = \$34,600 which forms the basis of the annual pension of \$17,600 paid monthly at \$1,465 (rounded off) per month.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some past time in his/her career with the city has the option of using the average salary {as defined in paragraph b. above} of the five highest years of employment with the city.

SECTION 17. This Ordinance is declared to be urgent and necessary for the reservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 18. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

SECTION 19. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund are hereby repealed to be replaced by this Ordinance.

SECTION 20. That the City Council of the City of Pittston hereby designates that pursuant to the current labor contract between the Police Department and the City of Pittston that provision is made that any and all officers who have prior to their full-time employment been subject of employment by the City in the category of "special police officer" shall be allowed to claim said time as credit against the Police Pension Fund provided they comply with the terms and conditions as set forth by the Pension Trustee, ASCO Financial Group, Pierce Street, Kingston, Pennsylvania. Pursuant to Section 5 of this Ordinance, the percentage of individual contribution shall be the same in effect for the periods of time they have accumulated. The option to purchase special time shall be limited to a two-year opening from the date of final passage of this Amendment and that any and all requirements as set forth by ASCO Financial Services the pension trustee designee shall be complied with or said officers shall waive their right to claim the inclusion of special time into the Police Pension Fund calculations.

SECTION 21. Prior to the adoption of said Ordinance, a preliminary determination by the Pension Trustee has indicated that said action will have a non-affect of the current actuarial studies and projected responsibilities of the fund.

SECTION 22. That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time two hundred dollar {\$200.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired member under the plan.

The total of any such allowances shall not at any time exceed one-half of the current salary being paid patrolmen of the highest pay grade.

PASSED FIRST READING: January 19, 2000

PASSED SECOND & FINAL READING: February 16, 2000

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 3 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE MARCH 15, 2000

"AN ORDINANCE"

ESTABLISHING A SCHEDULE OF FEES AND CHARGES FOR ALL FILINGS AND APPLICATIONS OF THE ZONING ORDINANCE AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith.

WHEREAS, in accordance with Section 311, filing fees, of the City Zoning Ordinance, Mayor and Council shall establish a schedule of fees and charges for all filings and applications required by this Ordinance, and

WHEREAS, the fees and charges are necessary to administer and conduct the zoning affairs of the City;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston and it is hereby ordained and enacted by the Authority of the same,

SECTION 1. That the Schedule of Zoning Fees and Charges be as follows:

SCHEDULE OF ZONING FEES AND CHARGES CITY OF PITSTON

1. ZONING PERMITS

- A. Single and Two Family Residential, Mobile Homes \$25.00
- B. Multifamily Residential \$25.00 per dwelling unit
- C. Nonresidential Uses \$75.00 per principal structure
- D. Industrial Uses \$75.00 per principal structure
- E. Special Exception Uses \$250.00
- F. Accessory Uses/Residential \$25.00
Accessory Uses/Nonresidential \$75.00
- G. Change Use of Structure \$25.00
- H. Signs \$25.00
- I. Billboards \$100.00

2. CERTIFICATE OF ZONING COMPLIANCE

- A. Single and Two Family Residential, Mobile Homes \$25.00
- B. Multifamily Residential \$25.00 per dwelling unit
- C. Nonresidential Uses \$75.00 per principal structure
- D. Industrial Uses \$200.00 per principal structure
- E. Special Exception Uses \$250.00
- F. Accessory Uses/Residential \$25.00
Accessory Uses/Nonresidential \$75.00
Accessory Uses/Industrial \$200.00
- G. Signs \$25.00
- H. Billboards \$100.00

3. CERTIFICATE OF NONCONFORMITY

- A. Residential Uses \$50.00
- B. Nonresidential Uses \$50.00

4. APPLICATIONS TO ZONING HEARING BOARD

- A. Residential Uses \$200.00
- B. Nonresidential Uses \$275.00

In addition to the above referenced fees, the applicant shall be responsible for one-half of the appearance fee of the court stenographer. The party requesting the transcript shall incur the cost of the original transcript when required or requested.

5. APPLICATIONS FOR ZONING AMENDMENTS

- A. Residential Uses \$200.00
- B. Nonresidential Uses \$275.00

In addition to the above referenced fees, the applicant shall be responsible for one-half of the appearance fee of the court stenographer. The party requesting the transcript shall incur the cost of the original transcript, when required or requested.

6. COPIES OF MAPS AND PUBLICATIONS

- A. Zoning Ordinance \$25.00
- B. Zoning Map \$10.00

SECTION 2. That all Ordinances or parts of Ordinances or Resolutions in conflict herewith be and the same are hereby repealed.

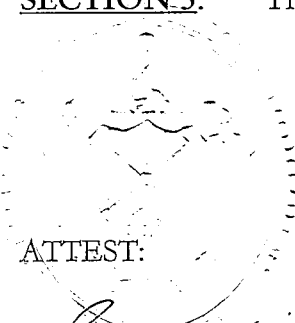
SECTION 3. This Ordinance shall become effective ten (10) days after final passage.

PASSED ON FIRST READING: March 15, 2000

PASSED ON SECOND & FINAL READING: April 12, 2000

ATTEST:

APPROVED:


Seno J. Brate
CITY CLERK

Michael A. Lombardi
MAYOR

FILE OF COUNCIL

No. 4 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE MARCH 15, 2000

"AN ORDINANCE"

ESTABLISHING A SCHEDULE OF FEES AND CHARGES FOR ALL FILINGS AND APPLICATIONS OF THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith.

WHEREAS, in accordance with Section 308, Fees of the City Subdivision and Land Development, Mayor and Council shall establish a Schedule of Fees and Charges for all filings and applications required by this Ordinance; and,

WHEREAS, the fees and charges are necessary to administer and conduct the Subdivision and Land Development Affairs of the City.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston and it is hereby ordained and enacted by the Authority of the same,

SECTION 1. That the Schedule of Subdivision and Land Development Fees and Charges be as follows:

SCHEDULE OF SUBDIVISION AND LAND DEVELOPMENT FEES AND CHARGES CITY OF PITTSSTON

1. PRELIMINARY PLAN

- A. Minor Subdivision - \$100.00 + \$20.00 per lot + Engineering and Consulting Fees.
- B. Major Subdivision - \$200.00 + \$25.00 per lot + Engineering and Consulting Fees.
- C. Land Development - \$200.00 + \$25.00 per lot or structure + Engineering and Consulting Fees.
- D. Zoning Variance - \$200.00.

2. FINAL PLAN

- A. Minor Subdivision - \$150.00
- B. Major Subdivision - \$250.00
- C. Land Development - \$250.00
- D. Zoning Variance - \$250.00

3. COPIES OF PUBLICATIONS

- A. Subdivision and Land Development Ordinance \$25.00

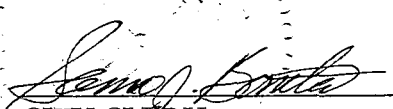
SECTION 2. That all Ordinances or parts of Ordinances or Resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. This Ordinance shall become effective ten (10) days after final passage.


PASSED ON FIRST READING: March 15, 2000

PASSED ON SECOND & FINAL READING: April 12, 2000

ATTEST


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 5 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE May 17, 2000

"AN ORDINANCE"

**"AMENDING AND ESTABLISHING A SCHEDULE OF FEES AND CHARGES
FOR ALL FILINGS AND APPLICATIONS OF THE BUILDING CODE
ORDINANCE AND REPEALING ALL OTHER ORDINANCES OR PARTS OF
ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH."**

WHEREAS, a Schedule of Fees and Charges are necessary to administer, conduct and regulate the construction, alteration, enlargement, equipment, repair, demolition, removal, conversion, use or maintenance of all building and structures, for all construction and plumbing work, as required by the Building Code Ordinance.

NOW, THEREFORE, be it ordained and enacted by the City Council of the City of Pittston and it is hereby ordained and enacted by the authority of the same,

SECTION 1. That the Schedule of Building and Plumbing Code Fees and Charges are as follows:

Schedule of Building and Plumbing Code Fees & Charges
City of Pittston

<u>Cost of Work Involved</u>		<u>Fee</u>
to	\$1,000.00	\$15.00
\$1,000.00 to	\$2,000.00	20.00
\$2,000.00 to	\$3,000.00	25.00
\$3,000.00 to	\$5,000.00	30.00

\$3.00 for each additional thousand thereafter

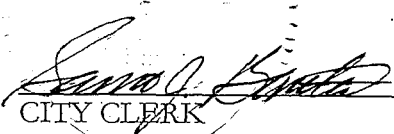
SECTION 2. That all ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective ten {10} days after final passage.

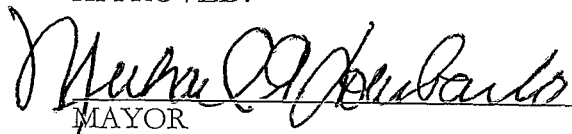
PASSED ON FIRST READING: May 17, 2000

PASSED ON SECOND & FINAL READING: June 21, 2000

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 6 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE July 20, 2000

"AN ORDINANCE"

**"ACCEPTING THE DEDICATION FOR THE PUBLIC USE AS A HIGHWAY
OF A CERTAIN PIECE, PARCEL OR PLOT OF LAND SITUATED IN THE
TOWNSHIP OF JENKINS, COUNTY OF LUZERNE, A PORTION OF A
FORTY {40} FOOT WIDE RIGHT-OF-WAY KNOWN AS TEDRICK STREET,
PRESENTLY UNOPENED."**

WHEREAS, Jenkins Township, a municipality and body politics organized and existing under the laws of the Commonwealth of Pennsylvania, owner of land situated along the southerly side of Tedrick Street and along the northerly side to the aforesaid Pittston City and Jenkins Township line, has dedicated a part thereof to the public use as a public highway to be known as Tedrick Street and has requested Council to accept the same and fix the lines thereof.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston, and it is hereby ordained and enacted by the authority of the same,

SECTION 1. That the land in the said Township of Jenkins situated along the southerly side of Tedrick Street and along the northerly side to the aforesaid Pittston City and Jenkins Township line and dedicated by the Township of Jenkins, owner, as a public highway, be and the same is hereby accepted by the said City as such and the same shall be known and designated hereafter as Tedrick Street.

SECTION 2. From and after the passage of this Ordinance, the lines of the said public highway shall be and the same are hereby fixed, terminated and laid down according to the following description:

Beginning along the southerly side of Tedrick Street, South 61 degrees 16 minutes West {188.07'} to a corner at the terminus of the existing pavement;

Thence crossing said Tedrick Street at a right angle, North 28 degrees 44 minutes West {40.00'} to a corner on the Northerly side of said street;

Thence along the Northerly side North 61 degrees 16 minutes East {167.01'} to a corner on the aforesaid Pittston City and Jenkins Township line;

Thence along said line South 57 degrees 12 minutes East {45.50'} to the place of beginning;

Containing an area of 7, 114.20 square feet of land.

Being a portion of a 40 foot wide right-of-way known as Tedrick Street, presently unopened, lying in the Township of Jenkins.

SECTION 3. That all ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.


SECTION 4. This ordinance shall become effective ten {10} days after final passage.

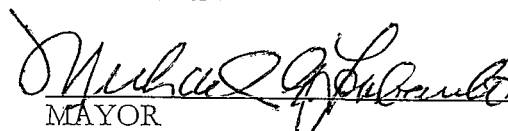
PASSED ON FIRST READING: July 20, 2000

PASSED ON SECOND & FINAL READING: August 16, 2000

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No . 7 {2000}

Mayor Michael A. Lombardo, In Place October 11, 2000

"AN ORDINANCE"

"INCREASING THE INDEBTEDNESS OF THE CITY OF PITSTON, COUNTY OF LUZERNE, COMMONWEALTH OF PENNSYLVANIA BY THE ISSUANCE OF ITS GENERAL OBLIGATION NOTE OF 2000 IN THE AMOUNT OF \$1,050,000 TO REFINANCE OUTSTANDING DEBT OF THE CITY, LAND ACQUISITIONS, PROVIDE FUNDS FOR CERTAIN CAPITAL IMPROVEMENTS AND CAPITAL PROJECTS; FIXING THE FORM, NUMBER, DATE, INTEREST, AND MATURITY THEREOF; MAKING A COVENANT FOR THE PAYMENT OF THE DEBT SERVICE ON THE NOTE; PROVIDING FOR THE FILING OF THE REQUIRED DOCUMENTS; PROVIDING FOR THE APPOINTMENT OF A SINKING FUND DEPOSITARY FOR THE NOTE; AND AUTHORIZING THE EXECUTION, SALE, AND DELIVERY THEREOF."

WHEREAS, the City of Pittston, County of Luzerne {the "City"} was incorporated under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the City has heretofore incurred debt which is outstanding in the principal amount of \$638,250, and

WHEREAS, it is necessary that the indebtedness of the City be increased for the purposes of {1} refinancing outstanding debt of the City, {2} land acquisitions, {3} providing funds for certain capital improvements and capital purchases (the Project); and

WHEREAS, the City is granted the power by section 1101 {1} of the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, approved July 12, 1972, Act No. 185 as re-enacted and amended by Act 52 of 1978 approved April 28, 1978 {the "Act"}, to incur indebtedness and to issue bonds or notes for the purpose of refunding its outstanding indebtedness; and

WHEREAS, it is necessary that the indebtedness of the city be increased for the purpose of funding the Project; and

WHEREAS, the proposed increase of debt, together with its nonelectoral indebtedness and its lease rental indebtedness presently outstanding, will not cause the limitations of the City, pursuant to constitutional and statutory authority, to be exceeded.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City of Pittston, County of Luzerne, Commonwealth of Pennsylvania, and it is hereby ordained and enacted by the authority of the same as follows:

SECTION 1. That the aggregate principal amount of the General Obligation Note of 2000 {the "Note"} of the City of Pittston, County of Luzerne, Commonwealth of Pennsylvania, proposed to be issued is \$1,050,000, same to be issued for the foregoing purposes and same to be incurred as nonelectoral debt.

SECTION 2. The period of useful life of the Project for which this obligation is to be issued is estimated to be in excess of fifteen years.

SECTION 3. Said indebtedness shall be evidenced by one General Obligation Note, in fully registered form, in the sum of \$1,050,000 dated and bearing interest from the earliest date of possible issue of said Note under the statutory time requirements as set forth in the Act of the General Assembly of the Commonwealth of Pennsylvania approved the 28th day of April, 1978, being Act 52 of 1978 Session, at a rate of interest of 5.68% per annum. The Note is payable for a term of fifteen years beginning January 15, 2001. Interest is payable on the unpaid balance of said Note during its term until paid. The Note shall mature in installments of principal and interest as shown on the attached Schedule hereinafter referred to as "Exhibit A".

The City reserves the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty.

The principal and interest of said Note shall be payable at the office of the sinking fund depository selected for the Note as hereinafter provided.

SECTION 4. The said Note is hereby declared to be a general obligation of the City. The City hereby covenants that it shall include the amount of debt service on the Note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts to the payment of such debt service; and shall duly and punctually pay or cause to be paid the principal of the Note and the interest thereon at the dates and places and in the manner stated in the Note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

The City hereby designates the Note as a "qualified tax-exempt obligation" within the meaning of Section 265{b}{3} of the Code, and hereby certifies its reasonable expectations that not more than \$10,000,000 in tax-exempt obligations will be issued by the City or any subordinate entities during the calendar year 2000.

The amounts which the City hereby covenants to pay in each of the fiscal years that the Note is outstanding on the basis of an interest rate of 5.68% are shown on Exhibit A hereto.

SECTION 5. The form of said Note shall be substantially as follows:

**UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LUZERNE
CITY OF PITTSBURGH
GENERAL OBLIGATION NOTE**

\$1,050,000

Dated: Dec 27 , 2000

KNOW ALL MEN BY THESE PRESENTS, that the City of Pittsburgh, County of Luzerne, Commonwealth of Pennsylvania {the "City"}, a local government unit existing by and under the laws of said Commonwealth, for value received, hereby acknowledges itself indebted and promises to pay to the purchaser, or registered assigns, the sum of One Million Fifty Thousand Dollars \$1,050,000 in installments as follows:

Fiscal Year 2001	\$ 45,697.46	Fiscal Year 2009	\$ 71,906.83
Fiscal Year 2002	48,361.76	Fiscal Year 2010	76,099.16
Fiscal Year 2003	51,181.36	Fiscal Year 2011	80,535.92
Fiscal Year 2004	54,165.34	Fiscal Year 2012	85,231.34
Fiscal Year 2005	57,323.30	Fiscal Year 2013	90,200.54
Fiscal Year 2006	60,665.38	Fiscal Year 2014	95,459.43
Fiscal Year 2007	64,202.31	Fiscal Year 2015	101,024.40
Fiscal Year 2008	67,945.47		

with interest on the unpaid principal balance at the rate of Five point six eight percent {5.68%} per annum payable on each fifteenth day of the month for a period of fifteen {15} years, together with interest on overdue principal, and to the extent permitted by law, on overdue interest, at the rate of zero percent {0%} {computer on the basis of 365 days to the year}, with the option in the local government unit to anticipate any installment of principal or any payment of interest at any time prior to the respective payment dates thereof, without notice or penalty.

Both principal and interest are payable in such coin or currency as at the respective dates of payment thereof shall be legal tender for the payment of public and private debts, at the office of the Manufacturers and Traders Trust, Wilkes-Barre, Pennsylvania.

It is hereby recited that this Note is authorized to be issued in accordance with the act of the General Assembly of the Commonwealth of Pennsylvania approved the 28th day of April, 1978, being Act 52 of the 1978 Session, as amended.

It is hereby certified that all acts, conditions, and things required to be or be done, happen, and be performed precedent to and in the issuance of this Note or in the creation of the debt of which it is evidence, have been done, happened, and been performed in regular and due form and manner as required by law; and that this Note, together with all other indebtedness of the said local government unit is not in excess of any constitutional or statutory limitation and for the proper budgeting, appropriation, and the prompt and full payment of all the obligations of this Note the entire faith, credit, and taxing power of the City are hereby irrevocably pledged.

It is hereby further certified that the said local government unit has effectively covenanted to include the amount of the debt service on this Note in each fiscal year for which such sums are due, in its budget for that year, to appropriate such amounts to the payment of such debt service, and to periodically pay or cause to be paid the principal and interest thereon at the dates and places and in the manner stated herein, according to the true intent and meaning hereof.

IN WITNESS WHEREOF, the City of Pittston Luzerne County, has caused this Note to be properly executed by its proper officers of the local government unit and its corporate seal to be hereto affixed, attested to by the City Clerk as of the 27th day of December, 2000.

{SEAL}
ATTEST.

CITY OF PITTSSTON

BY Michael Lombardo
Mayor Michael Lombardo

James J. Burt
City Clerk

SECTION 6. The said Note shall be executed in the name and under the corporate seal of the City by the Mayor and attested to by the City Clerk. The City Clerk is hereby authorized and directed to deliver said Note to the purchaser, and receive payment therefore on behalf of the City. The Mayor, or City Clerk are authorized and directed to prepare, verify and file the debt statement required by Section 410 of Act 52 of 1978, and to take other necessary action, including, if necessary or desirable, any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidation or subsidized debt.

SECTION 7. Manufacturers and Traders Trust, Wilkes-Barre, Pennsylvania, is hereby designated as the Sinking Fund Depository for the obligation herein authorized, and there is hereby created and established a Sinking Fund, to be known as "Sinking Fund - General Obligation Note of 2000", for the payment of the principal and interest thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The City Clerk shall deposit into the Sinking Fund, which shall be maintained until such obligation is paid in full, sufficient amounts for payment and interest on the obligation no later than the date upon which such payments shall become due. The Sinking Fund Depository shall, as and when said payments are due, without further action by the City withdraw available monies in the Sinking Fund and apply said monies to payment of the principal of and interest on the obligation.

SECTION 8. The Mayor and City Clerk are hereby authorized to contract with the Manufacturers and Traders Trust, Wilkes-Barre, Pennsylvania for its services as Sinking Fund Depository for the Note and paying agent for the same.

SECTION 9. In compliance with Section 701 of Act 52 of 1978, the City Council has determined that a private sale by negotiation, rather than public sale, is in the best financial interest of the City. Therefore, the Note in the amount of \$1,050,000, herein authorized to be issued and sold, is hereby awarded and sold to Manufacturers and Traders Trust, Wilkes-Barre, Pennsylvania, in accordance with its commitment to purchase the said Note at par; provided the said Note is in the form set forth in Section 5 of this Ordinance; and further provided that the proceedings have been approved by the Pennsylvania Department of Community and Economic Development if such approval is required under the provisions of the Act.

SECTION 10. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in a newspaper of general circulation, is ratified and confirmed. The advertisement of enactment in said newspaper is hereby directed with fifteen {15} days following the day of final enactment.

SECTION 11. All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

ORDAINED AND ENACTED THIS 15th Day of November 2000.

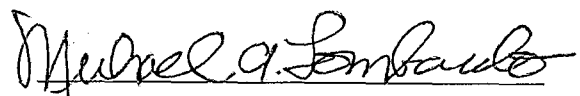
PASSED FIRST READING: October 11, 2000

PASSED SECOND & FINAL READING: November 15, 2000

Attest:


City Clerk

CITY OF PITTSBURGH


Mayor

(SEAL)

City of Pittston

Compound Period : Monthly

Nominal Annual Rate : 5.680 %

CASH FLOW DATA

Event	Start Date	Amount	Number Period	End Date
1 Loan	12/15/2000	1,050,000.00	1	
2 Payment	01/15/2001	8,680.00	180 Monthly	12/15/2015

AMORTIZATION SCHEDULE - Normal Amortization

Date	Payment	Interest	Principal	Balance
Loan 12/15/2000				1,050,000.00
2000 Totals	0.00	0.00	0.00	
1 01/15/2001	8,680.00	4,970.00	3,710.00	1,046,290.00
2 02/15/2001	8,680.00	4,952.44	3,727.56	1,042,562.44
3 03/15/2001	8,680.00	4,934.80	3,745.20	1,038,817.24
4 04/15/2001	8,680.00	4,917.07	3,762.93	1,035,054.31
5 05/15/2001	8,680.00	4,899.26	3,780.74	1,031,273.57
6 06/15/2001	8,680.00	4,881.36	3,798.64	1,027,474.93
7 07/15/2001	8,680.00	4,863.38	3,816.62	1,023,658.31
8 08/15/2001	8,680.00	4,845.32	3,834.68	1,019,823.63
9 09/15/2001	8,680.00	4,827.17	3,852.83	1,015,970.80
10 10/15/2001	8,680.00	4,808.93	3,871.07	1,012,099.73
11 11/15/2001	8,680.00	4,790.61	3,889.39	1,008,210.34
12 12/15/2001	8,680.00	4,772.20	3,907.80	1,004,302.54
2001 Totals	104,160.00	58,462.54	45,697.46	
13 01/15/2002	8,680.00	4,753.70	3,926.30	1,000,376.24
14 02/15/2002	8,680.00	4,735.11	3,944.89	996,431.35
15 03/15/2002	8,680.00	4,716.44	3,963.56	992,467.79
16 04/15/2002	8,680.00	4,697.68	3,982.32	988,485.47
17 05/15/2002	8,680.00	4,678.83	4,001.17	984,484.30
18 06/15/2002	8,680.00	4,659.89	4,020.11	980,464.19
19 07/15/2002	8,680.00	4,640.86	4,039.14	976,425.05
20 08/15/2002	8,680.00	4,621.75	4,058.25	972,366.80
21 09/15/2002	8,680.00	4,602.54	4,077.46	968,289.34
22 10/15/2002	8,680.00	4,583.24	4,096.76	964,192.58
23 11/15/2002	8,680.00	4,563.84	4,116.16	960,076.42
24 12/15/2002	8,680.00	4,544.36	4,135.64	955,940.78
2002 Totals	104,160.00	55,798.24	48,361.76	
25 01/15/2003	8,680.00	4,524.79	4,155.21	951,785.57

City of Pittston

Date	Payment	Interest	Principal	Balance
26 02/15/2003	8,680.00	4,505.12	4,174.88	947,610.69
27 03/15/2003	8,680.00	4,485.36	4,194.64	943,416.05
28 04/15/2003	8,680.00	4,465.50	4,214.50	939,201.55
29 05/15/2003	8,680.00	4,445.55	4,234.45	934,967.10
30 06/15/2003	8,680.00	4,425.51	4,254.49	930,712.61
31 07/15/2003	8,680.00	4,405.37	4,274.63	926,437.98
32 08/15/2003	8,680.00	4,385.14	4,294.86	922,143.12
33 09/15/2003	8,680.00	4,364.81	4,315.19	917,827.93
34 10/15/2003	8,680.00	4,344.39	4,335.61	913,492.32
35 11/15/2003	8,680.00	4,323.86	4,356.14	909,136.18
36 12/15/2003	8,680.00	4,303.24	4,376.76	904,759.42
2003 Totals	104,160.00	52,978.64	51,181.36	
37 01/15/2004	8,680.00	4,282.53	4,397.47	900,361.95
38 02/15/2004	8,680.00	4,261.71	4,418.29	895,943.66
39 03/15/2004	8,680.00	4,240.80	4,439.20	891,504.46
40 04/15/2004	8,680.00	4,219.79	4,460.21	887,044.25
41 05/15/2004	8,680.00	4,198.68	4,481.32	882,562.93
42 06/15/2004	8,680.00	4,177.46	4,502.54	878,060.39
43 07/15/2004	8,680.00	4,156.15	4,523.85	873,536.54
44 08/15/2004	8,680.00	4,134.74	4,545.26	868,991.28
45 09/15/2004	8,680.00	4,113.23	4,566.77	864,424.51
46 10/15/2004	8,680.00	4,091.61	4,588.39	859,836.12
47 11/15/2004	8,680.00	4,069.89	4,610.11	855,226.01
48 12/15/2004	8,680.00	4,048.07	4,631.93	850,594.08
2004 Totals	104,160.00	49,994.66	54,165.34	
49 01/15/2005	8,680.00	4,026.15	4,653.85	845,940.23
50 02/15/2005	8,680.00	4,004.12	4,675.88	841,264.35
51 03/15/2005	8,680.00	3,981.98	4,698.02	836,566.33
52 04/15/2005	8,680.00	3,959.75	4,720.25	831,846.08
53 05/15/2005	8,680.00	3,937.40	4,742.60	827,103.48
54 06/15/2005	8,680.00	3,914.96	4,765.04	822,338.44
55 07/15/2005	8,680.00	3,892.40	4,787.60	817,550.84
56 08/15/2005	8,680.00	3,869.74	4,810.26	812,740.58
57 09/15/2005	8,680.00	3,846.97	4,833.03	807,907.55
58 10/15/2005	8,680.00	3,824.10	4,855.90	803,051.65
59 11/15/2005	8,680.00	3,801.11	4,878.89	798,172.76
60 12/15/2005	8,680.00	3,778.02	4,901.98	793,270.78
2005 Totals	104,160.00	46,836.70	57,323.30	
61 01/15/2006	8,680.00	3,754.82	4,925.18	788,345.60
62 02/15/2006	8,680.00	3,731.50	4,948.50	783,397.10
63 03/15/2006	8,680.00	3,708.08	4,971.92	778,425.18
64 04/15/2006	8,680.00	3,684.55	4,995.45	773,429.73
65 05/15/2006	8,680.00	3,660.90	5,019.10	768,410.63
66 06/15/2006	8,680.00	3,637.14	5,042.86	763,367.77
67 07/15/2006	8,680.00	3,613.27	5,066.73	758,301.04

City of Pittston

	Date	Payment	Interest	Principal	Balance
68	08/15/2006	8,680.00	3,589.29	5,090.71	753,210.33
69	09/15/2006	8,680.00	3,565.20	5,114.80	748,095.53
70	10/15/2006	8,680.00	3,540.99	5,139.01	742,956.52
71	11/15/2006	8,680.00	3,516.66	5,163.34	737,793.18
72	12/15/2006	8,680.00	3,492.22	5,187.78	732,605.40
2006 Totals		104,160.00	43,494.62	60,665.38	
73	01/15/2007	8,680.00	3,467.67	5,212.33	727,393.07
74	02/15/2007	8,680.00	3,442.99	5,237.01	722,156.06
75	03/15/2007	8,680.00	3,418.21	5,261.79	716,894.27
76	04/15/2007	8,680.00	3,393.30	5,286.70	711,607.57
77	05/15/2007	8,680.00	3,368.28	5,311.72	706,295.85
78	06/15/2007	8,680.00	3,343.13	5,336.87	700,958.98
79	07/15/2007	8,680.00	3,317.87	5,362.13	695,596.85
80	08/15/2007	8,680.00	3,292.49	5,387.51	690,209.34
81	09/15/2007	8,680.00	3,266.99	5,413.01	684,796.33
82	10/15/2007	8,680.00	3,241.37	5,438.63	679,357.70
83	11/15/2007	8,680.00	3,215.63	5,464.37	673,893.33
84	12/15/2007	8,680.00	3,189.76	5,490.24	668,403.09
2007 Totals		104,160.00	39,957.69	64,202.31	
85	01/15/2008	8,680.00	3,163.77	5,516.23	662,886.86
86	02/15/2008	8,680.00	3,137.66	5,542.34	657,344.52
87	03/15/2008	8,680.00	3,111.43	5,568.57	651,775.95
88	04/15/2008	8,680.00	3,085.07	5,594.93	646,181.02
89	05/15/2008	8,680.00	3,058.59	5,621.41	640,559.61
90	06/15/2008	8,680.00	3,031.98	5,648.02	634,911.59
91	07/15/2008	8,680.00	3,005.25	5,674.75	629,236.84
92	08/15/2008	8,680.00	2,978.39	5,701.61	623,535.23
93	09/15/2008	8,680.00	2,951.40	5,728.60	617,806.63
94	10/15/2008	8,680.00	2,924.28	5,755.72	612,050.91
95	11/15/2008	8,680.00	2,897.04	5,782.96	606,267.95
96	12/15/2008	8,680.00	2,869.67	5,810.33	600,457.62
2008 Totals		104,160.00	36,214.53	67,945.47	
97	01/15/2009	8,680.00	2,842.17	5,837.83	594,619.79
98	02/15/2009	8,680.00	2,814.53	5,865.47	588,754.32
99	03/15/2009	8,680.00	2,786.77	5,893.23	582,861.09
100	04/15/2009	8,680.00	2,758.88	5,921.12	576,939.97
101	05/15/2009	8,680.00	2,730.85	5,949.15	570,990.82
102	06/15/2009	8,680.00	2,702.69	5,977.31	565,013.51
103	07/15/2009	8,680.00	2,674.40	6,005.60	559,007.91
104	08/15/2009	8,680.00	2,645.97	6,034.03	552,973.88
105	09/15/2009	8,680.00	2,617.41	6,062.59	546,911.29
106	10/15/2009	8,680.00	2,588.71	6,091.29	540,820.00
107	11/15/2009	8,680.00	2,559.88	6,120.12	534,699.88
108	12/15/2009	8,680.00	2,530.91	6,149.09	528,550.79
2009 Totals		104,160.00	32,253.17	71,906.83	

City of Pittston

	Date	Payment	Interest	Principal	Balance
109	01/15/2010	8,680.00	2,501.81	6,178.19	522,372.60
110	02/15/2010	8,680.00	2,472.56	6,207.44	516,165.16
111	03/15/2010	8,680.00	2,443.18	6,236.82	509,928.34
112	04/15/2010	8,680.00	2,413.66	6,266.34	503,662.00
113	05/15/2010	8,680.00	2,384.00	6,296.00	497,366.00
114	06/15/2010	8,680.00	2,354.20	6,325.80	491,040.20
115	07/15/2010	8,680.00	2,324.26	6,355.74	484,684.46
116	08/15/2010	8,680.00	2,294.17	6,385.83	478,298.63
117	09/15/2010	8,680.00	2,263.95	6,416.05	471,882.58
118	10/15/2010	8,680.00	2,233.58	6,446.42	465,436.16
119	11/15/2010	8,680.00	2,203.06	6,476.94	458,959.22
120	12/15/2010	8,680.00	2,172.41	6,507.59	452,451.63
2010	Totals	104,160.00	28,060.84	76,099.16	
121	01/15/2011	8,680.00	2,141.60	6,538.40	445,913.23
122	02/15/2011	8,680.00	2,110.66	6,569.34	439,343.89
123	03/15/2011	8,680.00	2,079.56	6,600.44	432,743.45
124	04/15/2011	8,680.00	2,048.32	6,631.68	426,111.77
125	05/15/2011	8,680.00	2,016.93	6,663.07	419,448.70
126	06/15/2011	8,680.00	1,985.39	6,694.61	412,754.09
127	07/15/2011	8,680.00	1,953.70	6,726.30	406,027.79
128	08/15/2011	8,680.00	1,921.86	6,758.14	399,269.65
129	09/15/2011	8,680.00	1,889.88	6,790.12	392,479.53
130	10/15/2011	8,680.00	1,857.74	6,822.26	385,657.27
131	11/15/2011	8,680.00	1,825.44	6,854.56	378,802.71
132	12/15/2011	8,680.00	1,793.00	6,887.00	371,915.71
2011	Totals	104,160.00	23,624.08	80,535.92	
133	01/15/2012	8,680.00	1,760.40	6,919.60	364,996.11
134	02/15/2012	8,680.00	1,727.65	6,952.35	358,043.76
135	03/15/2012	8,680.00	1,694.74	6,985.26	351,058.50
136	04/15/2012	8,680.00	1,661.68	7,018.32	344,040.18
137	05/15/2012	8,680.00	1,628.46	7,051.54	336,988.64
138	06/15/2012	8,680.00	1,595.08	7,084.92	329,903.72
139	07/15/2012	8,680.00	1,561.54	7,118.46	322,785.26
140	08/15/2012	8,680.00	1,527.85	7,152.15	315,633.11
141	09/15/2012	8,680.00	1,494.00	7,186.00	308,447.11
142	10/15/2012	8,680.00	1,459.98	7,220.02	301,227.09
143	11/15/2012	8,680.00	1,425.81	7,254.19	293,972.90
144	12/15/2012	8,680.00	1,391.47	7,288.53	286,684.37
2012	Totals	104,160.00	18,928.66	85,231.34	
145	01/15/2013	8,680.00	1,356.97	7,323.03	279,361.34
146	02/15/2013	8,680.00	1,322.31	7,357.69	272,003.65
147	03/15/2013	8,680.00	1,287.48	7,392.52	264,611.13
148	04/15/2013	8,680.00	1,252.49	7,427.51	257,183.62
149	05/15/2013	8,680.00	1,217.34	7,462.66	249,720.96
150	06/15/2013	8,680.00	1,182.01	7,497.99	242,222.97

City of Pittston

Date	Payment	Interest	Principal	Balance
151 07/15/2013	8,680.00	1,146.52	7,533.48	234,689.49
152 08/15/2013	8,680.00	1,110.86	7,569.14	227,120.35
153 09/15/2013	8,680.00	1,075.04	7,604.96	219,515.39
154 10/15/2013	8,680.00	1,039.04	7,640.96	211,874.43
155 11/15/2013	8,680.00	1,002.87	7,677.13	204,197.30
156 12/15/2013	8,680.00	966.53	7,713.47	196,483.83
2013 Totals	104,160.00	13,959.46	90,200.54	
157 01/15/2014	8,680.00	930.02	7,749.98	188,733.85
158 02/15/2014	8,680.00	893.34	7,786.66	180,947.19
159 03/15/2014	8,680.00	856.48	7,823.52	173,123.67
160 04/15/2014	8,680.00	819.45	7,860.55	165,263.12
161 05/15/2014	8,680.00	782.25	7,897.75	157,365.37
162 06/15/2014	8,680.00	744.86	7,935.14	149,430.23
163 07/15/2014	8,680.00	707.30	7,972.70	141,457.53
164 08/15/2014	8,680.00	669.57	8,010.43	133,447.10
165 09/15/2014	8,680.00	631.65	8,048.35	125,398.75
166 10/15/2014	8,680.00	593.55	8,086.45	117,312.30
167 11/15/2014	8,680.00	555.28	8,124.72	109,187.58
168 12/15/2014	8,680.00	516.82	8,163.18	101,024.40
2014 Totals	104,160.00	8,700.57	95,459.43	
169 01/15/2015	8,680.00	478.18	8,201.82	92,822.58
170 02/15/2015	8,680.00	439.36	8,240.64	84,581.94
171 03/15/2015	8,680.00	400.35	8,279.65	76,302.29
172 04/15/2015	8,680.00	361.16	8,318.84	67,983.45
173 05/15/2015	8,680.00	321.79	8,358.21	59,625.24
174 06/15/2015	8,680.00	282.23	8,397.77	51,227.47
175 07/15/2015	8,680.00	242.48	8,437.52	42,789.95
176 08/15/2015	8,680.00	202.54	8,477.46	34,312.49
177 09/15/2015	8,680.00	162.41	8,517.59	25,794.90
178 10/15/2015	8,680.00	122.10	8,557.90	17,237.00
179 11/15/2015	8,680.00	81.59	8,598.41	8,638.59
180 12/15/2015	8,680.00	41.41	8,638.59	0.00
2015 Totals	104,160.00	3,135.60	101,024.40	
Grand Totals	1,562,400.00	512,400.00	1,050,000.00	

City of Pittston

Last interest amount increased by 0.52 due to rounding.

Mortgage Amortization

Key Figures

Annual Loan Payments	\$104,160.00
Monthly Payments	\$8,680.00
Interest in First Calendar Year	\$58,462.54
Interest Over Term of Loan	\$512,400.00
Sum of All Payments	\$1,562,400.00

Inputs

Loan Principal Amount	\$1,050,000.00
Annual Interest Rate	5.68%
Loan Period in Years	15
Base Year of Loan	2001
Base Month of Loan	Jan

Payments in First 12 Months

Year	Month	Beginning Balance	Payments	Principal	Interest	Cumulative Principal	Cumulative Interest	Ending Balance
2001	Jan	\$1,050,000.00	\$8,680.00	\$3,710.00	\$4,970.00	\$3,710.00	\$4,970.00	\$1,046,290
	Feb	1,046,290.00	8,680.00	3,727.56	4,952.44	7,437.56	9,922.44	1,042,562
	Mar	1,042,562.44	8,680.00	3,745.20	4,934.80	11,182.76	14,857.24	1,038,817
	Apr	1,038,817.24	8,680.00	3,762.93	4,917.07	14,945.69	19,774.31	1,035,054
	May	1,035,054.31	8,680.00	3,780.74	4,899.26	18,726.43	24,673.57	1,031,274
	Jun	1,031,273.57	8,680.00	3,798.64	4,881.36	22,525.07	29,554.93	1,027,475
	Jul	1,027,474.93	8,680.00	3,816.62	4,863.38	26,341.69	34,418.31	1,023,658
	Aug	1,023,658.31	8,680.00	3,834.68	4,845.32	30,176.37	39,263.63	1,019,824
	Sep	1,019,823.63	8,680.00	3,852.83	4,827.17	34,029.20	44,090.80	1,015,971
	Oct	1,015,970.80	8,680.00	3,871.07	4,808.93	37,900.27	48,899.73	1,012,100
	Nov	1,012,099.73	8,680.00	3,889.39	4,790.61	41,789.66	53,690.34	1,008,210
	Dec	1,008,210.34	8,680.00	3,907.80	4,772.20	45,697.46	58,462.54	1,004,303

Yearly Schedule of Balances and Payments

Year	Beginning Balance	Payments	Principal	Interest	Cumulative Principal	Cumulative Interest	Ending Balance
2002	\$1,004,302.54	\$104,160.00	\$48,362	55,798	\$94,058.99	114,261.01	\$955,941
2003	955,941.01	104,160.00	51,181	52,979	145,240.33	167,239.67	904,760
2004	904,759.67	104,160.00	54,165	49,995	199,405.66	217,234.34	850,594
2005	850,594.34	104,160.00	57,323	46,837	256,728.95	264,071.05	793,271
2006	793,271.05	104,160.00	60,665	43,495	317,394.31	307,565.69	732,606
2007	732,605.69	104,160.00	64,202	39,958	381,596.61	347,523.39	668,403
2008	668,403.39	104,160.00	67,945	36,215	449,542.05	383,737.95	600,458
2009	600,457.95	104,160.00	71,907	32,253	521,448.86	415,991.14	528,551
2010	528,551.14	104,160.00	76,099	28,061	597,548.00	444,052.00	452,452
2011	452,452.00	104,160.00	80,536	23,624	678,083.89	467,676.11	371,916
2012	371,916.11	104,160.00	85,231	18,929	763,315.21	486,604.79	286,685
2013	286,684.79	104,160.00	90,200	13,960	853,515.71	500,564.29	196,484
2014	196,484.29	104,160.00	95,459	8,701	948,975.11	509,264.89	101,025
2015	101,024.89	104,160.00	101,025	3,135	1,050,000.00	512,400.00	0

The template also calculates several key figures, including Annual Loan Payments, Monthly Payments, Interest Paid in the First Calendar Year, Interest Paid over the Term of the Loan, and the Sum of All Payments over the Term of the Loan.

FILE OF COUNCIL
No. 8 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2001."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,502,000				1,502,000
Licenses & Permits	39,450				39,450
Fines & Forfeits	30,500				30,500
Interest & Rents	36,400	4,000	1,400		41,800
Intergovernmental Revenues	233,350	143,500		399,900	776,750
Departmental Earnings	421,200		111,000		532,200
Miscellaneous Revenue	3,000				3,000
Other Financing Sources	2,692,450				2,692,450
Beginning Cash Balance 1/1/01	<u>64,630</u>	<u>116,000</u>	<u>33,100</u>	<u>100</u>	<u>213,830</u>
TOTAL	<u>5,022,980</u>	<u>263,500</u>	<u>145,500</u>	<u>400,000</u>	<u>5,831,980</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	545,910				545,910
Public Safety	1,019,220				1,019,220
Health & Welfare	6,850				6,850
Sanitation	461,800				461,800
Highways	417,350	91,000			508,350
Parks & Recreation	103,200				103,200
Debt Service	2,207,950				2,207,950
Miscellaneous Expenditures	120,700		56,000	109,900	286,600
Other Financing Uses	140,000	122,000	75,000	290,100	627,100
Year End Cash Balance 12/31/01	<u>-0-</u>	<u>50,500</u>	<u>14,500</u>	<u>-0-</u>	<u>65,000</u>
TOTAL	<u>5,022,980</u>	<u>263,500</u>	<u>145,500</u>	<u>400,000</u>	<u>5,831,980</u>

PASSED ON FIRST READING: November 29, 2000

PASSED ON SECOND & FINAL READING: _____

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 8 {2000}

{Revised}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2001 AND ENDING DECEMBER 31, 2001."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,508,500				1,508,500
Licenses & Permits	39,450				39,450
Fines & Forfeits	30,500				30,500
Interest & Rents	36,400	4,000	1,400		41,800
Intergovernmental Revenues	233,350	143,500		399,900	776,750
Departmental Earnings	421,200		111,000		532,200
Miscellaneous Revenue	3,000				3,000
Other Financing Sources	2,692,450				2,692,450
Beginning Cash Balance 1/1/01	<u>64,630</u>	<u>116,000</u>	<u>33,100</u>	<u>100</u>	<u>213,830</u>
TOTAL	<u>5,029,480</u>	<u>263,500</u>	<u>145,500</u>	<u>400,000</u>	<u>5,838,480</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	545,910				545,910
Public Safety	1,023,220				1,023,220
Health & Welfare	6,850				6,850
Sanitation	461,800				461,800
Highways	417,350	91,000			508,350
Parks & Recreation	103,200				103,200
Debt Service	2,207,950				2,207,950
Miscellaneous Expenditures	120,700		56,000	109,900	286,600
Other Financing Uses	140,000	122,000	75,000	290,100	627,100
Year End Cash Balance 12/31/01	<u>2,500</u>	<u>50,500</u>	<u>14,500</u>	<u>-0-</u>	<u>67,500</u>
TOTAL	<u>5,029,480</u>	<u>263,500</u>	<u>145,500</u>	<u>400,000</u>	<u>5,838,480</u>

PASSED ON FIRST READING: _____

PASSED ON SECOND & FINAL READING: December 27, 2000

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 9 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"AN ORDINANCE"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2001

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2001 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty {30} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	2.75 mills
Library	1.00 mills
Parks	1.25 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

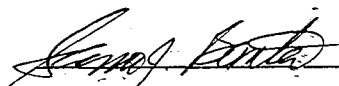
This ordinance and real estate tax shall take effect January 1, 2001

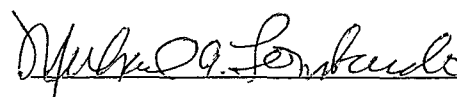
PASSED ON FIRST READING: November 29, 2000

PASSED ON SECOND & FINAL READING: December 27, 2000

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 10 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A ONE PER-CENT {1%} EARNED INCOME TAX WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} Earned Income Tax on earned income and net profits on earned income and net profits earned by Non-Residents of the City of Pittston for work done, or services performed or rendered in the City of Pittston, under the authority of Act 511 of 1965, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2001;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Earned Income Tax of one per-cent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2000.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2001.

PASSED ON FIRST READING: November 29, 2000

PASSED ON SECOND & FINAL READING: December 27, 2000

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 11 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH
IMPOSES A TEN DOLLAR {\$10.00} PER YEAR OCCUPATIONAL PRIVILEGE TAX
WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a ten
{\$10.00} dollars Occupational Privilege Tax on all individuals within the City of Pittston
under the Authority of Act 511 of 1965,

WHEREAS, the income derived from the imposition of said tax is necessary to conduct
the affairs of the City for the year 2001;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and
it is hereby ordained by the Authority of the same,

SECTION 1. That the Occupational Privilege Tax of ten {\$10.00} dollars presently
enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1,
2001.

SECTION 2. That all ordinances or parts of ordinances conflicting with the
provisions of this ordinance be and the same are hereby repealed.

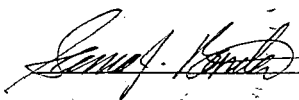
SECTION 3. This ordinance shall become effective January 1, 2001.

PASSED ON FIRST READING: November 29, 2000

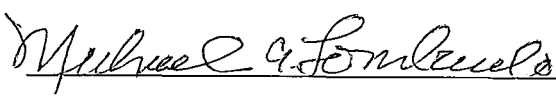
PASSED ON SECOND & FINAL READING: December 27, 2000

ATTEST:

APPROVED:



CITY CLERK



MAYOR

FILE OF COUNCIL
No. 12 {2000}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

NOVEMBER 29, 2000

"A N O R D I N A N C E"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITTSTON WHICH
IMPOSES A ONE PER-CENT {1%} TAX UPON THE TRANSFER OF REAL
ESTATE WITHIN THE CITY."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} transfer tax on the transfer of real estate within the City, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2001;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Real Estate Transfer Tax of one percent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2001.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2001.

PASSED ON FIRST READING: November 29, 2000

PASSED ON SECOND & FINAL READING: December 27, 2000

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 1 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
July 11, 2001

No. 1 {2001}

MAYOR MICHAEL LOMBARDO, IN PLACE

July 11, 2001

"AN ORDINANCE"

"AN ORDINANCE OF THE CITY OF PITTSTON REGULATING TRAFFIC STOPS BY PROVIDING FOR THE INSTALLATION OF STOP SIGNS AT VARIOUS INTERSECTIONS THROUGHOUT THE CITY AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HERewith."

BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Pittston as follows:

SECTION 1. STOP SIGN LOCATIONS.

The following intersections are established as stop intersections and official stop signs shall be erected or are ratified if previously erected, in such a position as to face traffic approaching the second-named street (the intersecting or through street) on the first named street (the stop street) in the direction or directions indicated for that intersection. Every driver of a vehicle approaching the intersection on the first named or stop street in the direction indicated in each case, shall stop the vehicle as required by 75 Pa.C.S.A. §3323(b) of the Vehicle Code and shall not proceed into or across the second-named or intersecting or through street until the driver has followed all applicable requirements of that section of the Motor Vehicle Code.

CITY OF PITTSTON (Stop Sign Locations)

South Pittston

Winter St. and Landon St.

facing east towards Winter St. - stop sign on own standard.
facing west towards Winter St. - stop sign on own standard.

Nafus St. and Vine St.

facing west on Nafus St. - stop sign on own standard.

Vine St. and E. Swallow St.

facing north towards Vine St. - stop sign on own standard.
facing south towards Vine St. - stop sign on own standard.
facing west towards E. Swallow St. - stop sign on own standard.

Vine St. and E. Frothingham St.

facing north towards Vine St. - stop sign on own standard.
facing south towards Vine St. - stop sign on own standard.

Vine St. and E. Oak St.

facing east towards E. Oak St. - stop sign on own standard.
facing west towards E. Oak St. - stop sign on own standard.

Vine St. and E. Columbus Ave.

facing north towards Vine St. - stop sign on own standard.

facing south towards Vine St. - stop sign on own standard.

Vine St. and Pine St.

facing east towards Pine St. - stop sign on own standard.

facing west towards Pine St. - stop sign on own standard.

Vine St. and John St.

facing east towards John St. - stop sign on own standard.

facing west towards John St. - stop sign on own standard.

Vine St. and Market St.

facing north towards Vine St. - stop sign on own standard.

facing south towards Vine St. - stop sign on own standard.

O'Connell St. and Market St.

facing north towards O'Connell St. - stop sign on own standard.

facing south towards O'Connell St. - stop sign on own standard.

facing east towards Market St. - stop sign on own standard.

facing west towards Market St. - stop sign on own standard.

O'Connell St. and John St.

facing north towards O'Connell St. - stop sign on own standard.

Curran St. and Market St.

facing north towards Curran St. - stop sign on own standard.

facing south towards Curran St. - stop sign on own standard.

Curran St. and John St.

facing west towards John St. - stop sign on telephone pole.

Tedrick St. and Pine St.

facing east towards Pine St. - stop sign on own standard.

facing west towards Pine St. - stop sign on telephone pole.

Tedrick St. and E. Columbus Ave.

facing north towards Tedrick St. - stop sign on own standard.

facing east towards E. Railroad St. - stop sign on own standard.

Tedrick St. and E. Oak St.

facing east towards E. Oak St. - stop sign on own standard.

LaGrange St. and Pine St.

facing east towards Pine St. - stop sign on own standard

facing west towards Pine St. - stop sign on own standard

LaGrange St. and E. Columbus Ave.

facing north towards LaGrange St. - stop sign on own standard

facing south towards LaGrange St. - stop sign on own standard

LaGrange St. and E. Oak St.

facing north towards LaGrange St. - stop sign on own standard.

facing south towards LaGrange St. - stop sign on own standard.

LaGrange St. and E. Frothingham St.

Facing north towards LaGrange St. - stop sign on own standard.

facing south towards LaGrange St. - stop sign on own standard.

LaGrange St. and E. Swallow St.

facing north towards LaGrange St. - stop sign on own standard.

facing west towards E. Swallow St. - stop sign on own standard.

E. Columbus Ave. and Roberts St.

facing south towards Roberts St. - stop sign on own standard.

Oregon Section

East St. and Kennedy Blvd.

facing west towards East St. - stop sign on own standard.

East St. and High St.

facing south towards High St. - stop sign on own standard

East St. and Elizabeth St.

facing south towards Elizabeth St. - stop sign on own standard.

Johnson St. and W. Columbus Ave.

facing north towards Johnson St. - stop sign on telephone pole.

facing south towards Johnson St. - stop sign on own standard.

Johnson St. and W. Oak St.

facing north towards Johnson St. - stop sign on own standard.

facing south towards Johnson St. - stop sign on own standard.

Johnson St. and W. Frothingham St.

facing north towards Johnson St. - stop sign on telephone pole.

facing south towards Johnson St. - stop sign on own standard.

Johnson St. and West St.

facing north towards Johnson St. - stop sign on telephone pole.

facing south towards Johnson St. - stop sign on own standard.

Johnson St. and Garfield St.

facing north towards Johnson St. - stop sign on telephone pole.

facing south towards Johnson St. - stop sign on own standard.

Johnson St. and Cleveland St.

facing east towards Cleveland St. - stop sign on own standard.

Elizabeth St. and Cleveland St.

facing north towards Elizabeth St. - stop sign on telephone pole.

facing south towards Elizabeth St. - stop sign on own standard.

facing east towards Cleveland St. - stop sign on telephone pole.

facing west towards Cleveland St. - stop sign on own standard.

Elizabeth St. and Garfield St.

facing east towards Garfield St. - stop sign on own standard.

facing west towards Garfield St. - stop sign on own standard.

Elizabeth St. and West St.

facing north towards Elizabeth St. - stop sign on own standard.

facing south towards Elizabeth St. - stop sign on own standard.

facing east towards West St. - stop sign on telephone pole.

facing west towards West St. - stop sign on own standard.

Elizabeth St. and W. Frothingham St.

facing east towards W. Frothingham St. - stop sign on own standard.

facing west towards W. Frothingham St. - stop sign on own standard.

facing north towards Elizabeth St. - stop sign on own standard.

facing south towards Elizabeth St. - stop sign on own standard.

Elizabeth St. and Oak St.

facing north towards Elizabeth St. - stop sign on own standard.

facing south towards Elizabeth St. - stop sign on own standard.

facing east towards W. Oak St. - stop sign on own standard.

facing west towards W. Oak St. - stop sign on own standard.

Elizabeth St. and W. Columbus Ave.

facing north towards Elizabeth St. - stop sign on own standard.

facing south towards Elizabeth St. - stop sign on own standard.

River St. and Garfield St.
facing east towards Garfield St. - stop sign on own standard.

River St. and West St.
facing east towards West St. - stop sign on own standard.

High St. and W. Columbus Ave.
facing north towards High St. - stop sign on own standard.
facing south towards High St. - stop sign on own standard.

Tompkins St. and W. Columbus Ave.
facing south towards Tompkins St. - stop sign on own standard.

Tompkins St. and W. Oak St.
facing north towards Tompkins St. - stop sign on own standard.
facing south towards Tompkins St. - stop sign on telephone pole.

Tompkins St. and W. Frothingham St.
facing east towards W. Frothingham St. - stop sign on own standard.
facing west towards W. Frothingham St. - stop sign on own standard.

Tompkins St. and West St.
facing west towards West St. - stop sign on own standard.

Tompkins St. and Garfield St.
facing east towards Garfield St. - stop sign on own standard.
facing west towards Garfield St. - stop sign on own standard.

Tompkins St. and Cleveland St.
facing north towards Tompkins St. - stop sign on own standard.

Main Street Pittston

S. Main St. and Boyd St.
facing west towards Boyd St. - stop sign on own standard.

S. Main St. and Winter St.
facing east towards Winter St. - stop sign on own standard.

S. Main St. and Nafus St.
facing east towards Nafus St. - stop sign on own standard.

S. Main St. and E. Frothingham St.
facing east towards E. Frothingham St. - stop sign on own standard.

S. Main St. and Oak St.
facing east towards E. Oak St. - stop sign on own standard.
facing west towards W. Oak St. - stop sign on own standard.

S. Main St. and Kennedy Blvd.
facing north towards Kennedy Blvd. - stop sign on own standard.

S. Main St. and Pine St.
facing east towards Pine St. - stop sign on own standard.

S. Main St. and Market St.
facing east towards Market St. - stop sign on own standard.

S. Main St. and Spring St.
facing east towards Spring St. - stop sign on own standard.

S. Main St. and Dock St.
facing west towards Dock St. - stop sign on street light pole.

N. Main St. and Butler St.
facing east towards Butler St. - stop sign on street light pole.

N. Main St. and Off Ramp too Coal Miners Statue
facing east towards Off Ramp. - stop sign on own standard.

N. Main St. and Lambert St.
facing east towards Lambert St. -stop sign on own standard.

N. Main St. and Parsonage St.
facing east towards Parsonage St. - stop sign on telephone pole.

N. Main St. and Curtis St.
facing east towards Curtis St. - stop sign on own standard.

N. Main St. and New St.
facing east towards New St. - stop sign on own standard.

N. Main St. and Milton St.
facing east towards Milton St. - stop sign on own standard.

N. Main St. and Rutledge Dr.
facing west towards Rutledge Dr. - stop sign on own standard.

N. Main St. and Chapel St.
facing east towards Chapel St. - stop sign on own standard.

N. Main St. and Union St.
facing east towards Union St. - stop sign on own standard.

N. Main St. and Ormsby Alley
facing east towards Ormsby Alley. - stop sign on own standard.

N. Main St. and Curry St.
facing east towards Curry St. - stop sign on own standard.

Off Ramp and Kennedy Blvd.
facing north towards off ramp - stop sign on own standard.

Cron St. and William St.
facing north towards Cron St. - stop sign on telephone pole.
facing south towards Cron St. - stop sign on own standard.

Cron St. and Water St.
facing north towards Cron St. - stop sign on telephone pole.

Wharfe St. and Water St.
facing south towards Wharfe St. - stop sign on telephone pole.

Wharfe St. and Dock St.
facing north towards Wharfe St. - stop sign on telephone pole.
facing south towards Wharfe St. - stop sign on own standard.

Wharfe St. and Market St.
facing south towards Wharfe St. - stop sign on telephone pole.

Kennedy Blvd. and Market St.
facing east towards Market St. - stop sign on own standard.

Kennedy Blvd. and Dock St.
facing east towards Dock St. - stop sign on own standard.

Charles St. and Kennedy St.
facing west towards Charles St. - stop sign on own standard.

Mill St. and Butler Alley
facing south towards Butler Alley - stop sign on own standard.

Mill St. and Hill Park Ave.

facing north towards Hill Park Ave. - stop sign on own standard.

Junction Area

Cliff St. and Ormsby Alley

facing east towards Ormsby Alley - stop sign on own standard.

Union St. and Cliff St.

facing north towards Cliff St. - stop sign on own standard.

facing south towards Cliff St. - stop sign on own standard.

Union St. and Thistle St.

facing south towards Thistle St. - stop sign on telephone pole.

Chapel St. and Thistle St.

facing north towards Thistle St. - stop sign on own standard.

Cornelia St. and New St.

facing north towards Cornelia St. - stop sign on own standard.

facing south towards Cornelia St. - stop sign on own standard.

Cornelia St. and Benedict St.

facing north towards Cornelia St. - stop sign on own standard.

facing south towards Cornelia St. - stop sign on own standard.

Cornelia St. and Curtis St.

facing north towards Cornelia St. - stop sign on own standard.

Wilford St. and Curtis St.

facing north towards Wilford St. - stop sign on own standard.

New St. and Bolin Ave.

facing east towards New St. - stop sign on own standard.

facing west towards New St. - stop sign on own standard.

New St. and Canyon Dr.

facing north towards Canyon Dr. - stop sign on own standard.

Broad St. and Church St.

facing north towards Church St. - stop sign on telephone pole

Broad St. and Foundry St.

facing north towards Foundry St. - stop sign on telephone pole

Broad St. and O'Connell St.

facing south towards O'Connell St. - stop sign on own standard.

Broad St. and Fear St.

facing south towards Fear St. - stop sign on own standard

Broad St. and Fulton St.

facing north towards Fulton St. - stop sign on own standard

Broad St. and Wilson St.

facing north towards Wilson St. - stop sign on own standard

Laurel St. and Butler St.

facing west towards Butler St. - stop sign on own standard

William St. and Wilson St.

facing north towards Wilson St. - stop sign on own standard

facing south towards Wilson St. - stop sign on own standard

William St. and Anderson St.

facing south towards Anderson St. - stop sign on telephone pole

William St. and Fulton St.

facing north towards Fulton St. - stop sign on own standard

facing south towards Fulton St. - stop sign on own standard

William St. and Fear St.

facing south towards Fear St. - stop sign on own standard

William St. and Defoe St.

facing north towards Defoe St. - stop sign on own standard

William St. and Foundry St.

facing south towards Foundry St. - stop sign on own standard

William St. and Church St.

facing north towards Church St. - stop sign on telephone pole.

facing south towards Church St. - stop sign on own standard.

Butler St. and Fulton St.

facing south towards Fulton St. - stop sign on own standard

Butler St. and Depew St.

facing north towards Depew St. - stop sign on own standard

facing east towards Butler St. - stop sign on own standard

facing west towards Butler St. - stop sign on own standard

Butler St. and Radcliffe St.

facing north towards Radcliffe St. - stop sign on own standard

facing east towards Butler St. - stop sign on own standard

Butler St. and Defoe St.

facing south towards Defoe St. - stop sign on telephone pole

facing west towards Butler St. - stop sign on own standard

Butler St. and Church St.

facing north towards Church St. - stop sign on own standard.

facing south towards Church St. - stop sign on own standard

Mill St. and George St.

facing south towards George St. - stop sign on own standard.

Mill St. and Church St.

facing north towards Church St. - stop sign on own standard.

facing south towards Church St. - stop sign on own standard.

facing east towards Mill St. - stop sign on own standard.

facing west towards Mill St. - stop sign on own standard.

Mill St. and Searle St.

facing north towards Searle St. - stop sign on own standard.

Mill St. and Radcliffe St.

facing south towards Radcliffe St. - stop sign on telephone pole

Mill St. and Hunter St.

facing north towards Hunter St. - stop sign on own standard.

facing south towards Hunter St. - stop sign on own standard.

Carroll St. and Hunter St.

facing east towards Carroll St. - stop sign on own standard.

facing west towards Carroll St. - stop sign on own standard.

Carroll St. and Radcliffe St.

facing north towards Radcliffe St. - stop sign on own standard.

facing south towards Radcliffe St. - stop sign on own standard.

facing east towards Carroll St. - stop sign on own standard.

Carroll St. and Church St.

facing north towards Church St. - stop sign on telephone pole
facing south towards Church St. - stop sign on own standard.
facing east towards Carroll St. - stop sign on own standard.
facing west towards Carroll St. - stop sign on own standard.

Sand St. and Daily St.

facing west towards Sand St. - stop sign on own standard

Church St. and Wood St.

facing west towards Wood St. - stop sign on own standard.

Church St. and Center St.

facing north towards Church St. - stop sign on own standard.
facing south towards Church St. - stop sign on own standard.
facing east towards Center St. - stop sign on own standard.
facing west towards Center St. - stop sign on own standard.

Church St. and Stark St.

facing east towards Stark St. - stop sign on own standard.

Prospect St. and Seneca St.

facing east towards Seneca St. - stop sign on telephone pole.

Prospect St. and Lambert St.

facing west towards Lambert St. - stop sign on telephone pole.

Prospect St. and Division St.

facing east towards Division St. - stop sign on own standard.

Searle St. and Leonard St.

facing east towards Leonard St. - stop sign on own standard.
facing west towards Leonard St. - stop sign on own standard.

Searle St. and Division St.

facing east towards Division St. - stop sign on own standard.
facing west towards Division St. - stop sign on own standard.

Searle St. and Dininny St.

facing east towards Dininny - stop sign on own standard.

Searle St. and Seneca St.

facing west towards Seneca St. - stop sign on own standard.

Searle St. and Webster St.

facing east towards Webster St. - stop sign on own standard.

Searle St. and Stark St.

facing west towards Stark St. - stop sign on own standard.

Searle St. and Center St.

facing east towards Center St. - stop sign on own standard.
facing west towards Center St. - stop sign on own standard.

Center St. and Hunter St.

facing south towards Hunter St. - stop sign on own standard.

Washington Terrace and Dininny St.

facing north towards Washington Terrace - stop sign on own standard.
facing south towards Washington Terrace - stop sign on own standard.
facing east towards Dininny St. - stop sign on own standard.

Washington Terrace and Division St.

facing west towards Division St. - stop sign on own standard.

Parsonage St. and Lyons Ln.

facing south towards Lyons Ln.- stop sign on own standard.

SECTION 2. FINE PROVISIONS..

Any person who violates any provision of this section shall, upon conviction, be sentenced to a fine consistent with Title 75-Section 3323 Stop Signs & Yield Signs or any subsequent amendments thereto.

SECTION 3. REPEALER.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not effect or impair any of the remaining provisions, sentences, clause, sections or parts of this Ordinance. It is hereby declared as the intent of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included thereof.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective ten (10) days after final passage.

ORDAINED AND ENACTED THIS 15 DAY OF AUGUST, 2001.

PASSED FIRST READING: July 11, 2001

PASSED SECOND READING: August 15, 2001

ATTEST:

APPROVED:



CITY CLERK


MAYOR

FILE OF COUNCIL
No. 2 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
August 15, 2001

No. 2 {2001}

MAYOR MICHAEL LOMBARDO, IN PLACE	August 15, 2001
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“AN ORDINANCE”

“AN ORDINANCE OF THE CITY OF PITSTON REDUCING THE EXISTING 35 MILE PER HOUR {MPH} SPEED LIMIT ON MAIN STREET AND KENNEDY BOULEVARD TO 25 MPH AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH.”

BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Pittston as follows:

SECTION 1. MAXIMUM SPEED LIMITS ESTABLISHED ON CERTAIN STREETS.

- A. It shall be unlawful for any person to drive a vehicle on any part of a street where the maximum speed limit applies at a higher speed than the maximum prescribed for that part of the street;

Maximum speed limits are established and reduced on portions of specified streets as follows:

STREET	BETWEEN	MAXIMUM SPEED LIMIT
Main Street {S.R. 2004}	from Kennedy Boulevard {S.R. 2037} To William Street	25 MPH
Main Street {S.R. 11 Southbound}	from William Street to Main Street {S.R. 2006}	25 MPH
Main Street {S.R. 2006}	from S.R. 11 to Kennedy Boulevard {S.R. 2037}	25 MPH
Kennedy Boulevard {S.R. 2037}	from Main Street {S.R. 2006} to Main Street {S.R. 2004}	25 MPH

See attached sketch.

SECTION 2. FINE PROVISIONS.

- A. Any person exceeding the maximum speed limit shall upon conviction be sentenced to a fine consistent with Title 75-Section 3362, relating to maximum speed limits or any subsequent amendments thereto.

SECTION 3. REPEALER.

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. SEVERABILITY.

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionally, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clause, sections or parts of this Ordinance. It is hereby declared as the intent of the City of Pittston that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof had not been included thereof.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective ten (10) days after final passage.

ORDAINED AND ENACTED THIS 12th DAY OF SEPTEMBER, 2001.

PASSED FIRST READING: August 15, 2001

PASSED SECOND READING: Sept. 12, 2001

ATTEST:

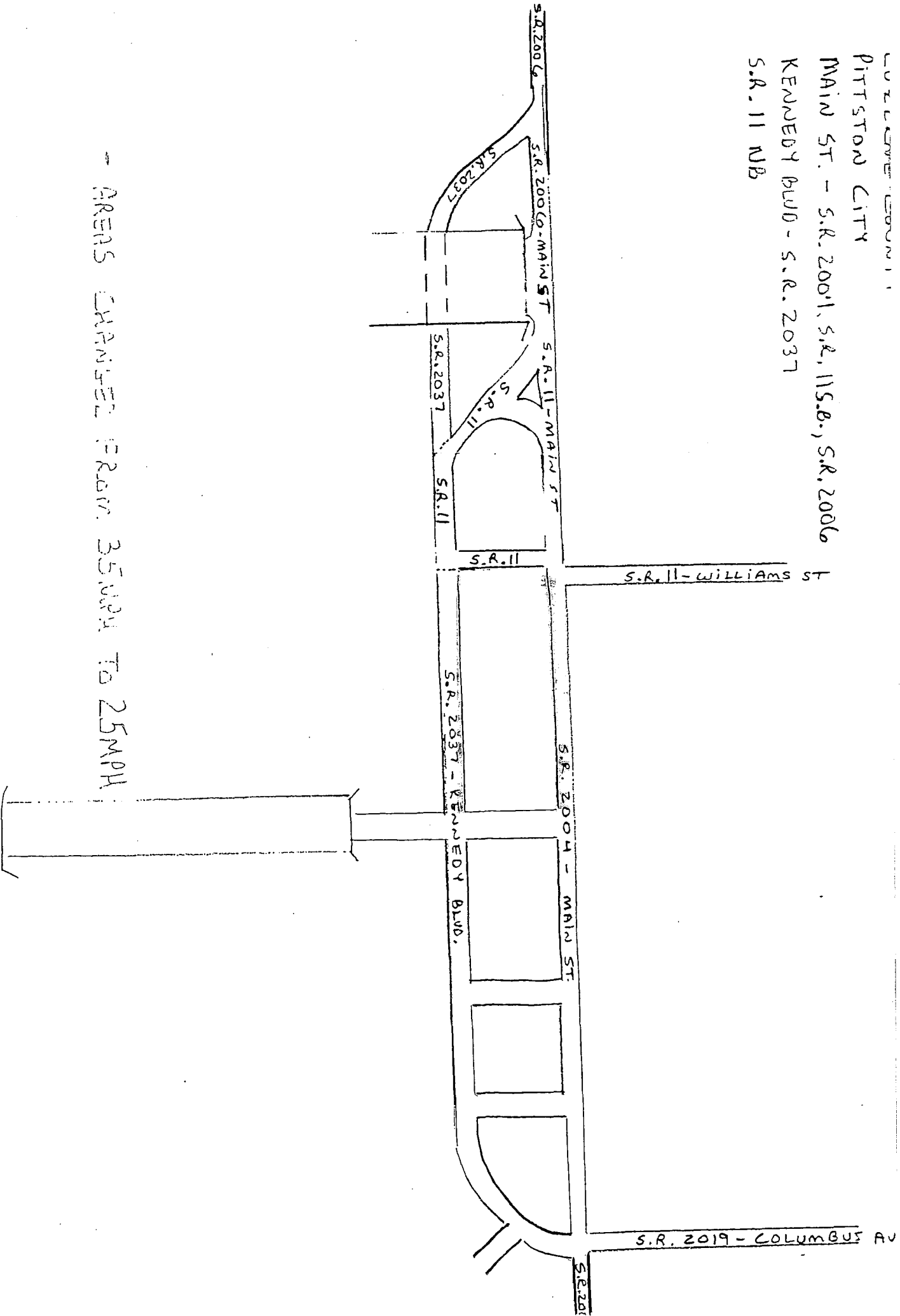
APPROVED:



Samuel J. Banta
CITY CLERK

Michael A. Lombardi
MAYOR

LOZECHE COUNTY
PITTSBURGH CITY
MAIN ST. - S.R. 2001, S.R. 115.B., S.R. 2006
KENNEDY BLVD - S.R. 2037
S.R. 11 NB



SKETCH: B. MEYERS
6/1/61

FILE OF COUNCIL
No. 3 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 7 {1997} PROVIDING FOR AND AUTHORIZING THE CITY OF PITSTON TO CREATE AND ESTABLISH A RETIREMENT FUND FOR FULL TIME, NON UNIFORM, SALARIED EMPLOYEES NOT NOW PROTECTED BY PENSION AUTHORIZED BY THE LAWS OF PENNSYLVANIA TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW, AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HERewith"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITSTON AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 7 {1997} SECTIONS 2, 3, 4, 4.1{a}, 4.1{b} AND 5 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 2.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 3. There shall be created a board to be known as the "Officers and Employees Retirement Board", consisting of the Mayor, the City Controller, the Director of Finance, two employees to be chosen by the employees contributing to the retirement fund, a retired city employee, and if members of Council participate in the retirement fund and are members of the fund, a member of Council

chosen by Council. A retired city employee receiving a city pension shall be a member of the board appointed using the following procedure:

1. If the City is a strong-mayor form of government, the appointment shall be made by the Mayor subject to confirmation of Council;
2. If the City is a council-manager form of government, the appointment shall be made by the manager subject to confirmation by council; or
3. In all other cases, Council shall, by majority vote, appoint.

Where a retired City employee association exists, nominations for appointment shall be accepted by the appointing authority. It shall be the duty of said board to register all persons employed by the said City, and to administer the collections and distribution of the fund, herein provided for, and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act.

SECTION 4.

{b} {1} Where an officer or employee shall have served for twelve {12} years, or more, and shall have attained the age of sixty {60} years and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty {20} years of service, he shall, in such event, during the remainder of his life, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employee shall have served for twelve {12} years, or more, and shall not have attained the age of sixty {60} years, and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty {20} years of service, he shall, in such event, during the remainder of his life, after attaining the age of sixty {60} years, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employee who has served for twenty {20} years, or more, and his tenure of office or employment shall be terminated without his voluntary action, then he shall be entitled to full compensation for the remainder of his life, after attaining age fifty-five, and conditioned upon his continuing his contributions into the fund at the same rate as when he was dismissed until he attains the age fifty-five.

{d} The widow or widower of an employee who retires on pension, or being eligible for pension, but is still employed full time, dies or is killed in the service on or after January 1, 1960, shall, during her or his lifetime or so long as she or he does not remarry, be entitled to receive a pension calculated at the rate of fifty {50} per centum of the pension the employee was receiving or would have been receiving had he or she been retired at the time of his or her death. Any employee who is unmarried at the time council elects to make payments to widows or widowers of employees, may elect, within thirty {30} days after the adoption of the ordinance, not to have a widow or widower receive such payments, and the employee shall not be responsible for payments to secure such coverage.

SECTION 4.1

{a} The board may, subject to the approval required under subsection {b}, increase the compensation of any member of the fund

by reason of and after the termination of the services of such member of the fund. Such increases shall be in conformity with a uniform scale, which shall be based on the Consumer Price Index for all urban consumers calculated by the Bureau of Labor Statistics of the United States Department of Labor, but the total of any such allowance shall not at any time exceed one-half of the current salary being paid to non-uniformed employees of the highest pay grade.

{b} The board may recommend the increase described in subsection {a} to the city council at any time. Provided that the provisions of section 305 of the act of December 18, 1984 (P.L. 1005, No. 205), known as the 'Municipal Pension Plan Funding Standard and Recovery Act' have been satisfied, the council, by ordinance, may approve this increase subject, however, to the approval of the mayor.

SECTION 5. The officers and employees of any city, creating such fund and board shall upon the acceptance of this act, pay unto said board monthly an amount equal to three {3} per centum of their monthly salaries or wages, and if the council elects to make such payments, an additional amount not to exceed one per centum if deemed necessary by the council to provide sufficient funds for payments to widows and widowers of members retired on pension or killed in the service, except as hereinafter provided concerning laborers, which shall be applied to the purpose of this act.

If for any cause any person contributing to the fund who has served less than twelve {12} years shall cease to be in the service of the city, he shall become entitled to the total amount of the contributions paid into the fund by him, without interest. Any person, who has served for a period of less than twenty {20} years, and who has not reached the age of fifty-five {55} years, and who voluntarily retires from such service, shall be entitled only to the return of his total contributions to the fund without interest.

SECTION 15. All Ordinances or parts of Ordinance inconsistent herewith are hereby repealed.

SECTION 16. This Ordinance shall become effective immediately upon final reading.

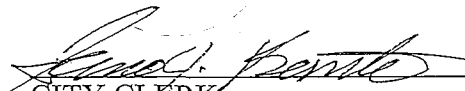
ORDAINED AND ENACTED THIS 14th day of November, 2001.

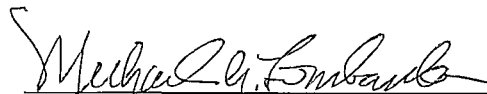
PASSED FIRST READING: November 14, 2001

PASSED 2nd & FINAL READING: December 12, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 3 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 7 {1997} PROVIDING FOR AND AUTHORIZING THE CITY OF PITTSSTON TO CREATE AND ESTABLISH A RETIREMENT FUND FOR FULL TIME, NON UNIFORM, SALARIED EMPLOYEES NOT NOW PROTECTED BY PENSION AUTHORIZED BY THE LAWS OF PENNSYLVANIA TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSSTON AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 7 {1997} SECTIONS 2, 3, 4, 4.1{a}, 4.1{b} AND 5 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1. Be it ordained by the City Council of the City of Pittston and it is hereby ordained by the authority of the same; That the City of Pittston may, under the provisions of the Act of May 23, 1945, P.L. 903, as amended, an act authorizing cities of the third class to establish an optional retirement system for officers and employees, create and hereby does create an Officers and Employees Retirement System, under the conditions and subject to the qualifications following:

SECTION 2. The following words and phrases, unless a different meaning is plainly required by the context shall have the following meanings:

"Person", an officer or employee of the City.

"Employee", a person in the service of the city, who is either, or who is not now adequately protected under all circumstances by pensions authorized by the laws of this Commonwealth and in force at the time of the passage of this Ordinance.

"Officer", a person elected or appointed to City service.

"Board", Officers and Employees Retirement Board.

"City", or "Cities", The City of Pittston.

"Fund", Officers and Employees Retirement Fund.

"Compensation", retirement allowance or compensation.

"He", the masculine and feminine pronouns.

"Joint Coverage Member", of the retirement system shall mean a city employee who shall have become a member of the retirement systems subsequent to the last date permitted by such city for statement of preferences concerning social security coverage, or who, having become a member on or before such date, shall have filed with the Retirement Board a written statement that he or she elects Social Security coverage under an agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth.

"Single Coverage Member" of the retirement system shall mean a city employee who shall have become a member of the retirement system on or before the last date permitted by such city for statement or preference concerning social security coverage, and who either shall have filed with the Retirement Board a written statement that he or she does not elect social security coverage under any agreement with the Federal Secretary of Health, Education and Welfare entered into by the Commonwealth, or shall not have filed with the Retirement Board any written statement.

"Years of Service" shall include any time, nor exceeding six years spent by the employee on active duty with the armed forces of the United States, providing that he received an honorable discharge or a certificate of satisfactory service and he pays to the board an amount equal to three per centum of his last monthly salary or wage prior to entering on active duty for each month he is not employed by the city because of his active duty with the armed forces.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

"Vesting" The twelve year vesting Section 4 paragraph c. will extend to all sections which previously required 20 years for vesting and vesting type benefits.

SECTION 3. There shall be created a board to be known as the "Officers and Employees Retirement Board", consisting of the Mayor, the City Controller, the Director of Finance, two employees to be chosen by the employees contributing to the retirement fund, a retired city employee, and if members of Council participate in the

retirement fund and are members of the fund, a member of Council chosen by Council. A retired city employee receiving a city pension shall be a member of the board appointed using the following procedure:

1. If the City is a strong-mayor form of government, the appointment shall be made by the Mayor subject to confirmation of Council;
2. If the City is a council-manager form of government, the appointment shall be made by the manager subject to confirmation by council; or
3. In all other cases, Council shall, by majority vote, appoint.

Where a retired City employee association exists, nominations for appointment shall be accepted by the appointing authority. It shall be the duty of said board to register all persons employed by the said City, and to administer the collections and distribution of the fund, herein provided for, and make such reasonable rules in the premises as such board may deem necessary to carry into effect the provisions of this act.

SECTION 4. {a} That every person now or hereafter elected or appointed to an office of, or employed by, the city, of the age sixty {60} years and upwards who shall have served as an officer or employee for a period of twenty {20} years, or more, shall, upon application to the board, be retired from service, and shall during the remainder of his life receive the compensation fixed by this ordinance subject to such qualifications as are hereinafter contained.

If any person shall have served twenty {20} years and voluntarily retires shall, by continuing his contributions until the age of fifty-five {55}, be entitled to the above compensation at age sixty {60}.

During the lifetime of any such person he shall be entitled to receive as compensation annually from the fund set aside for the purpose, fifty {50} per centum of the amount which would constitute the highest average annual salary or wages which he earned during any five {5} years of his service for the city, or which would be determined by the rate of the monthly pay of such person at the date of retirement, whichever is the higher. Said compensation to be paid in semi-monthly payments.

{b} {1} Where an officer or employee shall have served for twelve {12} years, or more, and shall have attained the age of sixty {60} years and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty {20} years of service, he shall, in such event, during the remainder of his life, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employee shall have served for twelve {12} years, or more, and shall not have attained the age of sixty {60} years, and his tenure of office or employment shall be terminated without his voluntary action before the expiration of twenty {20} years of service, he shall, in such event, during the remainder of his life, after attaining the age of sixty {60} years, be entitled to receive such portion of the full compensation as the period of his service up to date of its termination bears to the full twenty-year period of service; where an officer or employee who has served for twenty {20} years, or more, and his tenure of office or employment shall be terminated without his voluntary action, then he shall be

entitled to full compensation for the remainder of his life, after attaining age fifty-five, and conditioned upon his continuing his contributions into the fund at the same rate as when he was dismissed until he attains the age fifty-five.

{2} Should an officer or employee, however, become so permanently disabled as to render him unable to perform the duties of his position or office after fifteen {15} years of service, and before attaining the age of fifty-five {55} years, he shall be entitled to full compensation during such disability. Proof of such disability shall consist of the sworn statement of three {3} practicing physicians, designated by the board, that the employee is in a condition of health which would permanently disable him from performing the duties of his position or office. Such person shall thereafter be subject to physical examination at any reasonable time or times, upon order of the board, and upon his refusal to submit to any such examination, his compensation shall cease.

{c} Where the city has entered into an agreement with the Commonwealth to place certain employees under the Federal Social Security Act, the compensation to be paid joint coverage members according to the provisions of subsections {a} and {b} of this section payable after the age and upon that portion of annual compensation on which social security benefits are payable, shall be reduced by an amount equal to forty {40} per centum of the primary insurance amount of social security paid or payable to the member. Such reduction shall be subject to the following provisions.

{i} Upon attainment of the age at which social security benefits are payable by a beneficiary receiving compensation according to the provisions of subsections {a} and {b} of this section or upon retirement of a contributor after attaining that age, his eligibility to the old age insurance benefit and the primary insurance amount of social security, upon which the reduction in the compensation shall be based, shall be computed by the board in the manner specified in the Federal Social Security Act, except that in determining such eligibility and such amount only wages or compensation for services performed in the employ of the city shall be included.

{ii} The reduction shall not apply to compensation for total and permanent disability payable under subsection {b} of this section.

{iii} Whenever the amount of the reduction from the compensation shall have been once determined, it shall remain fixed for the duration of the compensation, except that any decrease in the primary insurance amount under the Social Security Act shall result in a corresponding decrease in the amount of the reduction from the compensation.

{iv} The total sum, including social security benefits, to be received upon retirement by an employee who is a member of the system at the time of the agreement, shall not be less than the compensation that would be paid upon the retirement system in the absence of the agreement.

{c.1} Where the city has entered into an agreement with the Commonwealth to place certain employees under the Federal Social Security Act, the retirement board may authorize any joint coverage member of the retirement system to elect according to the provisions of this subsection to receive compensation without the reduction provided for in subsection {c} of this section, provided he shall make a lump-sum payment to the retirement board equal to

the difference between the amount of the accumulated fund to his credit in the fund as of the last date for which salary or wages was paid and the amount which would have been to his credit in such fund if contributions had been made on that portion of his salary or wages on which social security allowances are payable at the same rate as made on the portion of his salary or wages in excess thereof from the time that such salary or wages became subject to social security coverage. Such election shall be made in writing, in the form prescribed by the retirement board, and shall be accompanied by the lump-sum payment herein required.

The retirement board may authorize any such member to make the election herein provided at any time, and if made prior to retirement, such member shall, in addition to any lump-sum payments required, pay to the board contributions on his entire salary or wages thereafter received at the rate provided in Section 10.1 of this Act for monthly salary or wages in excess of than on which social security allowances are payable.

{d} The widow or widower of an employee who retires on pension, or being eligible for pension, but is still employed full time, dies or is killed in the service on or after January 1, 1960, shall, during her or his lifetime or so long as she or he does not remarry, be entitled to receive a pension calculated at the rate of fifty {50} per centum of the pension the employee was receiving or would have been receiving had he or she been retired at the time of his or her death. Any employee who is unmarried at the time council elects to make payments to widows or widowers of employees, may elect, within thirty {30} days after the adoption of the ordinance, not to have a widow or widower receive such payments, and the employee shall not be responsible for payments to secure such coverage.

SECTION 4.1

{a} The board may, subject to the approval required under subsection {b}, increase the compensation of any member of the fund by reason of and after the termination of the services of such member of the fund. Such increases shall be in conformity with a uniform scale, which shall be based on the Consumer Price Index for all urban consumers calculated by the Bureau of Labor Statistics of the United States Department of Labor, but the total of any such allowance shall not at any time exceed one-half of the current salary being paid to non-uniformed employees of the highest pay grade.

{b} The board may recommend the increase described in subsection {a} to the city council at any time. Provided that the provisions of section 305 of the act of December 18, 1984 (P.L. 1005, No. 205), known as the 'Municipal Pension Plan Funding Standard and Recovery Act' have been satisfied, the council, by ordinance, may approve this increase subject, however, to the approval of the mayor.

SECTION 5. The officers and employees of any city, creating such fund and board shall upon the acceptance of this act, pay unto said board monthly an amount equal to three {3} per centum of their monthly salaries or wages, and if the council elects to make such payments, an additional amount not to exceed one per centum if deemed necessary by the council to provide sufficient funds for payments to widows and widowers of members retired on pension or killed in the service, except as hereinafter provided concerning laborers, which shall be applied to the purpose of this act.

If any compensation be granted to a person who has not been a contributor to the fund, as herein provided, for an aggregate period of twenty {20} years, such person shall be required to pay unto the board for the benefit of the fund, monthly, an amount equal to three {3} per centum of his compensation until such time

as his contribution shall have been extended to a period of twenty {20} years.

If for any cause any person contributing to the fund who has served less than twelve {12} years shall cease to be in the service of the city, he shall become entitled to the total amount of the contributions paid into the fund by him, without interest. Any person, who has served for a period of less than twenty {20} years, and who has not reached the age of fifty-five {55} years, and who voluntarily retires from such service, shall be entitled only to the return of his total contributions to the fund without interest.

If for any cause any person contributing to the fund shall cease to be in the service of any city before he shall become entitled to any compensation, the total amount of the contribution paid into the fund by him shall be refunded, in full, without interest: Provided, however, if any such person shall have returned to him the amount contributed, as aforesaid, and shall afterwards re-enter the service of the city, he shall not be entitled to the compensation designated, unless he shall return to the fund the amount withdrawn, in which event, the required period of service under this act shall be computed from the time he first entered the service of the city; otherwise the date of his period of service shall commence upon re-entry. In the event of the death of any person after he becomes entitled to any compensation and has not elected to retire, the total amount of contributions paid into the fund by him shall be paid over to his estate, without interest.

SECTION 6. No person holding a position in any city as an employee, at a per diem wage, shall be compelled to pay or contribute toward the fund herein provided for, but he shall have the option or choice of so doing, and shall only, upon electing to contribute to the fund, become entitled to the compensation provided by this act: provided, however, that he shall be required to contribute three {3} per centum of his wages and the same percentage upon any amount of compensation he receives after his retirement.

SECTION 7. All officers and employees, except elected officers, eligible for full pension hereunder, shall retire at the age of seventy {70} years.

SECTION 8. The head of every department and office, employing persons entitled under the provisions of this ordinance to receive compensation, shall certify to the board all persons so employed, and the amount of salary or wages which is paid to said employee, together with dismissals, resignations or terminations of service, and from the records of their office or department shall furnish such other relative information as the board shall require.

SECTION 9.

{a} It shall be the duty of the board to receive and retain and, when deemed advisable, to invest the funds payable in accordance with the provisions of this act, and to pay over by warrant or check, the amount due to said officers and employees or to designate a Trustee to do so.

{b} The board may at its discretion commit the Fund to the custody and management of a Trustee or Trustees having offices located in the City to manage the Fund in the best welfare of the said Fund. The agreement of management between the board and the Trustee or Trustees shall be approved by the City Council. Any Trustee or Trustees entering into a management agreement with the board shall be entitled to reasonable compensation for their said management, which compensation shall be paid from the Pension Fund herein.

SECTION 10. The council of the City of Pittston shall annually set aside, apportion and appropriate out of all taxes and income of

such city unto the board, a sum sufficient to maintain the compensation due under this act and any additional amount deemed necessary, to provide sufficient funds for payments to widowers of members retired on pension or killed in the service.

SECTION 10.1 Where the city has entered into an agreement with the Commonwealth to place its employees under the Federal Social Security Act, the board shall appoint an actuary, and may fix his compensation. The actuary shall determine the present value of the liability on account of pensions payable under the provision of section four of this act to employees who are members of the system on the effective date of the agreement, and shall offset the value of any assets in the pension fund to determine the unfunded liability. The city may make such payments as it desires towards the unfunded liability until the accumulated reserve equals the present value of the liability. The actuary shall also determine the amount which shall be contributed, annually, into the fund on account of service of all new and original members subsequent to the date of the agreement.

Officers and employees shall pay to the board, monthly, an amount equal to three and one-half percentum of that portion of monthly compensation on which social security allowances are payable and five per centum of any monthly compensation in excess of that on which social security allowances are payable. The remainder of the needed annual contribution for service subsequent to the date of the agreement, as determined by the actuary, shall become the obligation of the city and shall be paid by it to the board by annual appropriations. The provisions of this section shall, in all applicable cases, supersede the provisions relating to contributions in section 5 and section 10 of this act.

SECTION 11.

{a} The benefits conferred by this ordinance shall apply to all persons employed in any capacity, by or holding positions in the city in accordance with its provisions, except as hereinafter provided.

{b} All full time salaried employees are hereby required to become a member of the Fund. Per diem officers and employees are hereby required to become a member of the Fund within ninety days from the date of this Ordinance or within ninety days of their employment whichever is later. Otherwise any per diem officer and employee now employed or who may hereafter become employed by the city neglecting to become a member of the Fund within said specified time forfeits any and all rights to said membership and shall become ineligible for future membership in said Fund.

Part-timed salaried officers and employees may waive their right to membership in the Fund provided that said waiver is executed within ninety days of the enactment of this Ordinance, or within ninety days of their employment whichever is later. Otherwise part time salaried officers and employees shall be members of the Fund. A part-time salaried officer and employee is defined as any officer or employee whose annual salaried compensation is budgeted for less than \$6,000.00 dollars.

SECTION 12. The time of service herein specified shall be computed from the time of the first or original service to the city, and need not be continuous. No compensation shall be paid under the provisions of this ordinance, however, until after January 1, 1977.

SECTION 13. The compensation, herein mentioned, shall not be subject to attachment or execution, and shall be payable only to the beneficiary designed by this act, and shall not be subject to assignment or transfer.

SECTION 14. That the Council of the City of Pittston hereby

designates as its Trustee, ASCO Financial Group, Riverside Commons, 575 Pierce Street, Suite 301, Kingston, Pennsylvania to receive from the City Treasurer any allocations received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from non-uniform salaried employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

This Ordinance shall become effective immediately upon final reading.

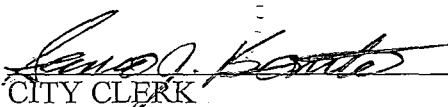
ORDAINED AND ENACTED THIS 14th day of November, 2001.

PASSED FIRST READING: November 14, 2001

PASSED 2nd & FINAL READING: December 12, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 4 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 1 {2000} RELATING TO THE PAID FIREMAN'S PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW, AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HERewith"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 1 {2000} SECTION 2 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 2.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 17. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

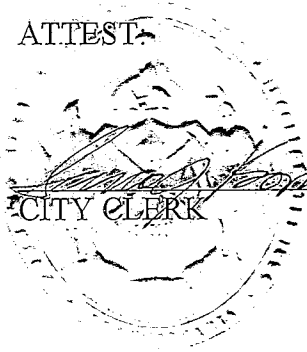
SECTION 18. This Ordinance shall become effective immediately upon final reading.

ORDAINED AND ENACTED THIS 14th day of November, 2001.

PASSED FIRST READING: November 14, 2001

PASSED 2nd & FINAL READING: December 12, 2001

ATTEST



APPROVED:

Michael J. Lombardi
MAYOR

FILE OF COUNCIL
No. 4 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 1 {2000} RELATING TO THE PAID FIREMAN'S PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW, AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HERewith"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 1 {2000} SECTION 2 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1. Fund Created; purpose of fund generally.

In accordance with and pursuant to the provisions of the Act of June 23, 1931, P.L. 932, Art. XLIII, Sec. 4230, et seq., as amended, there is hereby created in the city a pension fund to be designated as the "Paid Firemen's Pension Fund," for the purpose of providing pensions to the members of such fund and to such other beneficiaries as shall be specified in this Ordinance. Such fund shall receive property and funds and shall hold and distribute funds for the purpose and benefit of the members and other beneficiaries of the fund.

SECTION 2. Definitions.

For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section, unless the context clearly requires otherwise;

Fund: The "Paid Firemen's Pension Fund."

Member or Members: A person employed by the City as a paid and uniformed member of the bureau of fire.

Children: Children of a member or of a deceased member, but limited to children who are under eighteen years of age.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 3. Board of Managers - Established; Composition; Appointment of members.

The Paid Firemen's Pension fund shall be under the direction and control of a board of managers consisting of the Mayor, the director of Accounts and finance, the director having charge of the bureau of fire, the City Controller, the Chief of the Bureau of fire, ex officio, and two members of the Bureau of Fire to be chosen by the members of the Bureau of Fire. Of the first managers so chosen by the Bureau of Fire, one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter, one manager shall be chosen for a term of four years to take the place of the manager whose term expires. In case of a vacancy among the managers chosen by the members of the Bureau of Fire, a successor shall be chosen by such members for the unexpired term.

SECTION 4. Board of Managers - Powers and Duties.

{a} The paid Firemen's Pension Fund shall be applied under such regulations as the board of managers shall prescribe. It shall be the duty of the board of managers to present to the City Council, annually, a detailed statement of its assets and liabilities on or before the first meeting of the City Council in February of the following year. The board of managers shall have authority to do all things necessary to provide an effective and a financially sound fund and incur such expenses as they deem appropriate for such purposes.

{b} The Board of Managers of the City of Pittston, Paid Firemen's Pension Fund shall control, direct and be responsible for the administration of the said Pittston Firemen's Pension Fund; however, the said Firemen's Pension Fund Association will be committed to the custody and management of the Trustee or Trustees designated herein. The said Trustee is to manage the Fund in the best interest and welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the General Fund of the City of Pittston.

SECTION 5. Acceptance and administration of gifts, grants, devises, etc.

The City may take by gift, grant, devise or bequest any money or property, real, personal or mixed, for the benefit of the Paid Firemen's Pension Fund. In such cases, the City shall observe all and singular the conditions and directions of the donors, and such property shall be administered by such of the board of managers who are officers of the City. Unless there is a specific ordinance adopted with reference to such gift, grant, devise or bequest, the same shall be transferred by such officer to the fund.

SECTION 6. Investment of funds.

If any funds under this article are invested, they shall be invested in accordance with the provisions of the Fiduciaries Investment Act of 1949, and the amendments thereto.

SECTION 7. Members of Fund designated.

All members on January 1, 1969 and all subsequently employed members shall be considered members of the Paid Firemen's Pension Fund.

SECTION 8. Contributions of members.

For the year 1997, there shall be paid into the paid Firemen's Pension Fund by each member in the manner prescribed in this article 1/10 of 1% {one tenth of one per cent} of the salary of each member. Such sum shall be deducted at each payroll period by the City Treasurer and shall be paid by him forthwith to the Treasurer of the fund.

SECTION 9. Contributions by City from taxes.

The City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 10. Use of funds, persons eligible to receive pension payments.

The Paid Firemen's Pension Fund shall be applied, under such regulations as the board of managers shall prescribe, for the benefit of such members of the bureau of fire as shall receive honorable discharge therefrom by reason of service or age or disability, widows of retired members, and the families of such as may be killed or who die in the service. All such pensions as shall be allowed to those who are retired by reason of the disabilities or of service or age shall be in conformity with a uniform scale together with service increments as hereinafter provided. Benefits allowed from such fund to families of such as are killed or who die in service shall take into consideration the member's widow and his minor children under eighteen years of age, if any survive.

Such regulations shall prescribe a minimum period of continuous service not less than twenty years, after which members of the bureau of fire may be retired or elect to be retired on pension from active duty, and such members as are retired shall be subject to service, from time to time, as a firemen's reserve in cases of emergency until unfitted for such service, when they may be finally discharged by reason of age or disability. Upon the death of a member who retires on pension or who could have retired on pension, or is killed or dies in the service, payments as provided in this article shall be made to his widow during her life; and if there be no widow, but there are children eligible, payment shall be made to them until such children reach age eighteen.

It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee should be entitled to a vested pension based on the pro rata share of years vested.

SECTION 11. Pensions and service increments.

{a} Payments of pension shall not be a charge on any fund in the treasury of the City of under its control, save the Firemen's Pension Plan herein provided for in Definitions of Salary and Pension Calculation. The basis of the pension of a member shall be

determined by the monthly salary of the member at the date of retirement, or the highest average annual salary which he received during any five years of service preceding retirement, whichever is the higher, whether for disability, or by reason of age or service and except as to service increments provided for in subsection {b} of this section, shall be one-half the annual salary of such member at the time of retirement computed at such monthly or average annual rate, whichever is higher.

{1} In the case of the payment of pensions to members for permanent injury incurred in service, and to families of members killed or who die in service, the amount and commencement of the payment of the pension shall be fixed by regulations of the board. Such regulations shall not take into consideration the amount and duration of workmen's compensation allowed by law. Payments to widows of members retired on pension or killed in the service on or after January 1, 1960, or who die in the service on or after January 1, 1968, shall be the amount payable to the member or which would have been payable had he been retired at the time of his death.

{b} In addition to the pension which is authorized to be paid from the Firemen's Pension Fund by this Ordinance and notwithstanding the limitation therein placed upon such pensions and upon contributions, every contributor who shall become entitled to the pension shall also be entitled to the payment of a "Service Increment" in accordance with and subject to the conditions hereinafter set forth.

{1} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this Ordinance during which a contributor has been employed by such City and paid out by the City Treasury and multiplying the said number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contributor in accordance with the provisions of this Ordinance. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred {\$100.00} per month.

{2} Each contributor, from and after the effective date of this Ordinance, shall pay into the pension fund a monthly sum in addition to his pension contribution, which shall not exceed the sum of {\$1.00} dollar per month. And provided, that such service increment contribution shall not be paid after a contributor has reached the age of sixty-five years.

{3} Any person who is a member of the department on the effective date of this Ordinance who has already reached the age of sixty-five years shall have his service increment computed on the years of employment prior to the date of reaching his sixty-fifth birthday.

{4} Service increment contributions shall be paid at the same time and in the same manner as pensions, and may be withdrawn in full, without interest, by persons who leave the employment of such City, subject to the same conditions by which retirement contributions may be withdrawn, or by persons who retire before becoming entitled to any service increment.

{5} All members of the bureau of fire who are not contributors to the pension fund and all those employed by the City after the effective date of this Ordinance, if required to become contributors to the pension fund, shall be subject to the provisions of this Ordinance.

SECTION 12. Separation from service prior to retirement.

If for any cause any member of the bureau of fire contributing to the pension fund shall cease to be a member of the bureau of fire before he becomes entitled to a pension, the total amount of the contributions paid into the pension fund by such member shall be refunded to him in full without interest. If any such member shall have returned to him the amount contributed, and shall afterward again become a member of the bureau of fire, he shall not be entitled to the pension designated until twenty years after his re-employment, unless he shall return to the pension fund the amount withdrawn, in which event the period of twenty years shall be computed from the time the member first became a member of the bureau of fire, excluding therefrom any period of time during which the member was not employed by the bureau of fire. In the event of the death of a member of the bureau of fire not in the line of service before the member becomes entitled to the pension aforesaid and such member is not survived by a widow or family entitled to payments as herein before provided, the total amount of contributions paid into the pension fund by the member shall be paid over to his estate. In case of the death of a member not in the line of service before the member becomes entitled to the pension aforesaid and such member is survived by a widow eligible to receive benefits as hereinbefore provided, the total amount of contributions paid into the pension fund by a member shall be paid over to such widow.

SECTION 13. Pensions not subject to attachment, assignment, levy, etc.

All pensions granted under this article, and every portion thereof, shall not be subject to pledge, assignment, or transfer and shall be exempt from attachment and shall not be seized, taken or subject to detainer or levied upon by virtue of an execution or any process or proceeding whatsoever.

SECTION 14. Payments to be charged only to the fund.

Payments of pensions under this article shall not be a charge on any fund in the Treasury of the City or under its control, save the Paid Firemen's Pension Fund provided for in this article.

That the Council of the City of Pittston upon the recommendation of the Board of Managers, hereby designates as its Trustee, ASCO Financial Group, Pierce Street, Kingston, Pennsylvania to receive from the City Treasurer any allocation received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from Bureau of Firemen employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 15. The provisions of this Ordinance shall become effective immediately and remain in full force and effect thereafter.

SECTION 16. That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time one hundred dollar {\$100.00} per month ad hoc cost-of living increase to the pension benefits of the current retired members under the plan.

The total of any such allowances shall not at any time exceed one-half of the current salary being paid firemen of the highest pay grade.

SECTION 17. All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

SECTION 18. This Ordinance shall become effective immediately upon final reading.


PASSED FIRST READING: November 14, 2001

PASSED SECOND AND FINAL READING: December 12, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 5 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 2 {2000} RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW, AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HERewith"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITTSBURGH AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 2 {2000} SECTIONS 1 AND 16 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1.1 Board of Managers - Established; Composition; Appointment of Members.

The Police Pension Fund shall be under the direction and control of a Board of Managers consisting of the Mayor, the City Controller, the Director of Accounts and Finance, the Chief of Police, Director of Public Safety, and two {2} members of the Police Department to be chosen by members of the Police Department contributing to the retirement fund.

SECTION 16.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

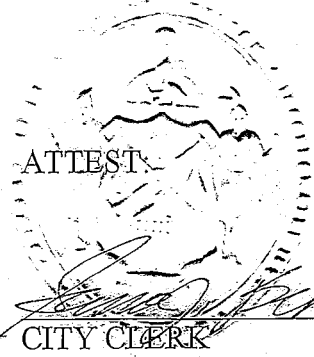

SECTION 23. This Ordinance shall become effective immediately upon final reading.

ORDAINED AND ENACTED THIS 14th day of November, 2001.


PASSED FIRST READING: November 14, 2001

PASSED 2nd & FINAL READING: December 12, 2001

ATTEST

The seal of the City of San Francisco is visible, featuring a circular design with a mountain, a bay, and a ship, surrounded by the words "CITY OF SAN FRANCISCO".
A handwritten signature of the City Clerk is written over the seal.
CITY CLERK

APPROVED:

A handwritten signature of the Mayor is written over a horizontal line.
MAYOR

FILE OF COUNCIL

No. 5 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 14, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 14, 2001

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 2 {2000} RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITSTON, PENNSYLVANIA, A THIRD CLASS CITY, TO RESOLVE PENSION BENEFITS IN EXCESS OF THOSE AUTHORIZED BY STATE LAW AND AMENDING THE LANGUAGE OF SPECIFIC SECTIONS NOT CONSISTENT WITH STATE LAW, AND REPEALING ALL ORDINANCES OR PARTS THEREOF INCONSISTENT HERewith"

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PITSTON AND THAT IS IT HEREBY ORDAINED BY THE AUTHORITY OF THE SAME; THAT FILE OF COUNCIL NO. 2 {2000} SECTIONS 1 AND 16 BE HEREBY AMENDED TO READ AS FOLLOWS:

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittston, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there should be established by contract and designation by the City Council of the City of Pittston a Trustee organization to receive and invest such sums in the manner it deems most beneficial to the Fund so as to provide retirement and other benefits as shall be required by law or by the Ordinance and having in charge the distribution of the Police Pension Fund for the members of the Bureau of Police in the City of Pittston, the City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 1.1 Board of Managers - Established; Composition; Appointment of Members.

The Police Pension Fund shall be under the direction and control of a Board of Mangers consisting of the Mayor, the City Controller, the Director of Accounts and Finance, the Chief of Police, Director of Public Safety, and two {2} members of the Police Department to be chosen by members of the Police Department contributing to the retirement fund.

SECTION 2. The City Council of the City of Pittston is hereby authorized to appoint a Trustee or Trustees and to enter into a trust agreement with said Trustee upon such term or terms as the City Council shall establish, to invest and re-invest the Fund and to make payments out of the Fund in accordance with the provisions of the Plan & Trust Agreement. The Trustee may be a natural person or persons or corporation including a financial institution. Further, the City Council of the City of Pittston may enter into contracts, deposit agreements, annuity contracts or trust accounts on behalf of the City with one {1} or more insurance companies, banks or other financial institutions or investment companies which may provide the pension and other benefits.

SECTION 3. The Council of the City of Pittston shall control direct and be responsible for the administration of the said Trustee. The said Trustee is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the Pension Fund.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittston, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted either 0% or one tenth of one percent from his or her gross salary. The individual employee shall determine his/her own contribution and advise the City Clerk/Administrator of that decision in writing. A copy of said decision shall be maintained in the individual's employee personnel file. All members shall also contribute \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Trustee of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid section of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this Ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the first Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. {A} Payments for allowances shall not be a charge on any other fund in the treasury of the City under its control save the Police Pension Fund herein provided for. The basis of the appointment of the Pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection {b} of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average rate, whichever is the higher.

{B} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contribution in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars {\$100.00} per month.

{C} The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime, or upon reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving had he been retired at the time of his death.

{D} Any police officer who has less than ten years of

service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service, the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his lifetime and if he shall die, the pension payment that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund. It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within ninety {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee would be entitled to a vested pension based on the pro rate share of years vested.

SECTION 10. That all sums of money paid for any reason either for expense of running the said Pension Fund or any sums used for the payment of pensions to the officer, employees, widows, or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any officer and employee under this Ordinance shall be entitled to apply for a disability pension if he or she is permanently incapacitated from discharging the duties of his or her position by an injury or injuries or sickness received as a member of the said pension fund, while in the actual discharge of his or her duties, provided he or she has served continuously as a regular member of the Pittston Police Bureau for a period of not less than one {1} year.) Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in the line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service the compensation may be fifty per centum of his annual compensation.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are not contributors to the said Pension Fund and all those so

employed after the enactment of this Ordinance shall be subject to the provisions of this Ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. That the Council of the City of Pittston hereby designates as its Trustee, ASCO Financial Group, Pierce St., Kingston, Pennsylvania to receive from the City Treasurer any allocations received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from Police employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 16.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 17. This Ordinance is declared to be urgent and necessary for the reservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 18. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

SECTION 19. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund are hereby repealed to be replaced by this Ordinance.

SECTION 20. That the City Council of the City of Pittston hereby designates that pursuant to the current labor contract between the Police Department and the City of Pittston that provision is made that any and all officers who have prior to their full-time

employment been subject of employment by the City in the category of "special police officer" shall be allowed to claim said time as credit against the Police Pension Fund provided they comply with the terms and conditions as set forth by the Pension Trustee, ASCO Financial Group, Pierce Street, Kingston, Pennsylvania. Pursuant to Section 5 of this Ordinance, the percentage of individual contribution shall be the same in effect for the periods of time they have accumulated. The option to purchase special time shall be limited to a two-year opening from the date of final passage of this Amendment and that any and all requirements as set forth by ASCO Financial Services the pension trustee designee shall be complied with or said officers shall waive their right to claim the inclusion of special time into the Police Pension Fund calculations.

SECTION 21. Prior to the adoption of said Ordinance, a preliminary determination by the Pension Trustee has indicated that said action will have a non-affect of the current actuarial studies and projected responsibilities of the fund.

SECTION 22. That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time two hundred dollar {\$200.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired member under the plan.

The total of any such allowances shall not at any time exceed one-half of the current salary being paid patrolmen of the highest pay grade.

SECTION 23. This Ordinance shall become effective immediately upon final reading.

PASSED FIRST READING: November 14, 2001

PASSED SECOND & FINAL READING: December 12, 2001

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 6 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES
OF THE CITY OF PITSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1,
2002 AND ENDING DECEMBER 31, 2002."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,542,795				1,542,795
Licenses & Permits	40,400				40,400
Fines & Forfeits	51,700				51,700
Interest & Rents	24,200	3,000	1,000		28,200
Intergovernmental Revenues	332,950	130,050		399,900	862,900
Departmental Earnings	415,800		111,000		526,800
Miscellaneous Revenue	3,000				3,000
Other Financing Sources	2,521,300				2,521,300
Beginning Cash Balance 1/1/02	-0-	30,000	8,000	100	38,100
TOTAL	<u>4,932,145</u>	<u>163,050</u>	<u>120,000</u>	<u>400,000</u>	<u>5,615,195</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	556,050				556,050
Public Safety	1,225,236				1,225,236
Health & Welfare	6,970				6,970
Sanitation	405,620				405,620
Highways	538,220	34,000			572,220
Parks & Recreation	124,170				124,170
Debt Service	2,178,000				2,178,000
Miscellaneous Expenditures	37,250		35,000	112,300	184,550
Other Financing Uses	158,000	124,000	75,000	287,700	644,700
Year End Cash Balance 12/31/02	-0-	5,050	10,000	-0-	15,050
TOTAL	<u>5,229,516</u>	<u>163,050</u>	<u>120,000</u>	<u>400,000</u>	<u>5,912,566</u>

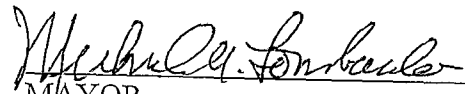
PASSED ON FIRST READING: November 29, 2001

PASSED ON SECOND & FINAL READING: _____

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 6 {2001}

{Amended}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITSTON FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2002 AND ENDING DECEMBER 31, 2002."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,555,015				1,555,015
Licenses & Permits	40,400				40,400
Fines & Forfeits	75,700				75,700
Interest & Rents	27,200	3,000	1,000		31,200
Intergovernmental Revenues	382,950	130,050		399,900	912,900
Departmental Earnings	432,950		222,000		654,950
Miscellaneous Revenue	3,000				3,000
Other Financing Sources	2,692,300				2,692,300
Beginning Cash Balance 1/1/02	<u>14,215</u>	<u>30,000</u>	<u>8,000</u>	<u>100</u>	<u>52,315</u>
TOTAL	<u>5,223,730</u>	<u>163,050</u>	<u>231,000</u>	<u>400,000</u>	<u>6,017,780</u>

ESTIMATED EXPENDITURES

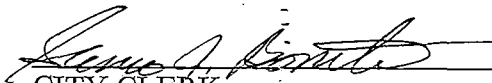
	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	551,050				551,050
Public Safety	1,226,560				1,226,560
Health & Welfare	5,860				5,860
Sanitation	405,620				405,620
Highways	538,220	34,000			572,220
Parks & Recreation	123,170				123,170
Debt Service	2,178,000				2,178,000
Miscellaneous Expenditures	37,250		35,000	112,300	184,550
Other Financing Uses	158,000	124,000	186,000	287,700	755,700
Year End Cash Balance 12/31/02	<u>-0-</u>	<u>5,050</u>	<u>10,000</u>	<u>-0-</u>	<u>15,050</u>
TOTAL	<u>5,223,730</u>	<u>163,050</u>	<u>231,000</u>	<u>400,000</u>	<u>6,017,780</u>

PASSED ON FIRST READING: _____

PASSED ON SECOND & FINAL READING: December 27, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 7 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

“AN ORDINANCE”

“FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2002.”

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2002 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty {30} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	2.75 mills
Library	1.00 mills
Parks	1.25 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

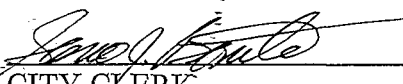
This ordinance and real estate tax shall take effect January 1, 2002.

PASSED ON FIRST READING: November 29, 2001

PASSED ON SECOND & FINAL READING: December 27, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 8 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

"AN ORDINANCE"

**"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A ONE PER-CENT {1%} EARNED INCOME TAX WITHIN THE CITY."**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} Earned Income Tax on earned income and net profits on earned income and net profits earned by Non-Residents of the City of Pittston for work done, or services performed or rendered in the City of Pittston, under the authority of Act 511 of 1965, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2002;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Earned Income Tax of one per-cent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2002.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.


SECTION 3. This ordinance shall become effective January 1, 2002.

PASSED ON FIRST READING: November 29, 2001

PASSED ON SECOND & FINAL READING: December 27, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 9 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

“AN ORDINANCE”

“RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A ONE PER-CENT {1%} TAX UPON THE TRANSFER OF REAL ESTATE WITHIN
THE CITY.”

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} transfer tax on the transfer of real estate within the City, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2002;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Real Estate Transfer Tax of one percent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2002.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2002.

PASSED ON FIRST READING: November 29, 2001

PASSED ON SECOND & FINAL READING: December 27, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 10 {2001}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 29, 2001

MAYOR MICHAEL LOMBARDO, IN PLACE

November 29, 2001

"AN ORDINANCE"

**"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A TEN DOLLAR {\$10.00} PER YEAR OCCUPATIONAL PRIVILEGE TAX WITHIN
THE CITY."**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a ten {\$10.00} dollars Occupational Privilege Tax on all individuals within the City of Pittston under the Authority of Act 511 of 1965,

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2002;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Occupational Privilege Tax of ten {\$10.00} dollars presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2002.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2002.

PASSED ON FIRST READING: November 29, 2001

PASSED ON SECOND & FINAL READING: December 27, 2001

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 1 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
September 18, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

September 18, 2002

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 5 {1987}, CITY OF PITTSTON
ZONING ORDINANCE AND AS AMENDED BY FILE OF COUNCIL NO. 4 {1992},
AMENDING ARTICLE IV, SECTION 401, ZONING MAP"

BE IT ORDAINED, by the City Council of the City of Pittston, and it is hereby ordained by the authority of the same;

ARTICLE IV, SECTION 401. The City Zoning Map of 1987 and as amended in 1992 is hereby amended as follows:

The existing R-2 zone from the second block of Broad Street {north side} north to Middle Alley and east to Foundry Street be rezoned C-2 as per the attached proposed zoning map change.

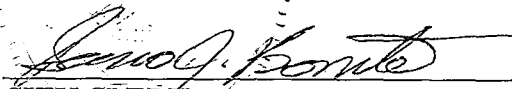
All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

This ordinance shall become effective ten {10} days after final reading.

PASSED ON FIRST READING: September 18, 2002

PASSED ON SECOND & FINAL READING: September 30, 2002

ATTEST:

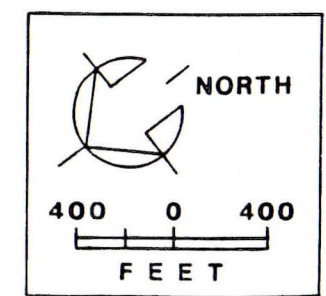
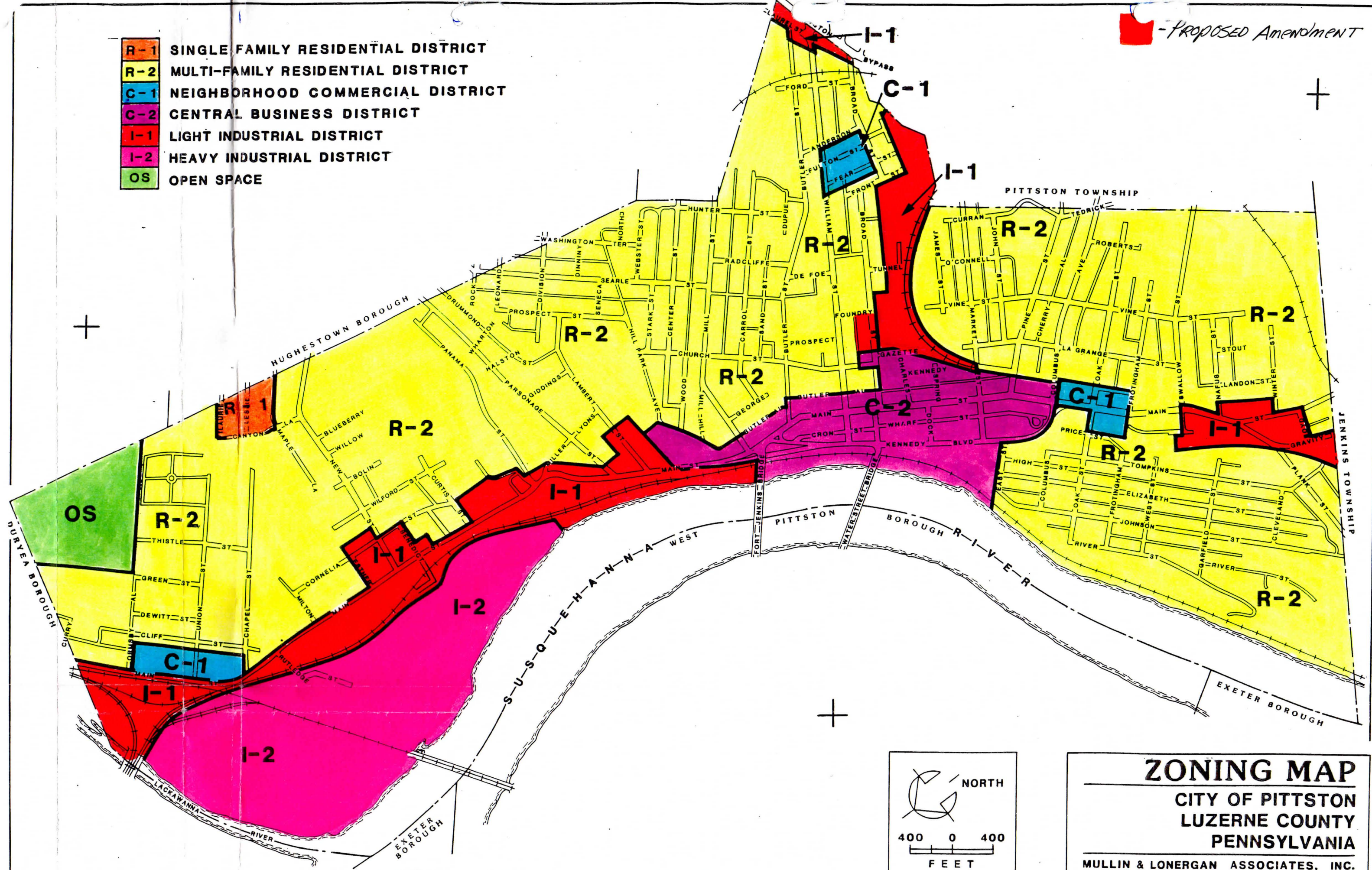

CITY CLERK

APPROVED:


MAYOR

- R-1** SINGLE FAMILY RESIDENTIAL DISTRICT
- R-2** MULTI-FAMILY RESIDENTIAL DISTRICT
- C-1** NEIGHBORHOOD COMMERCIAL DISTRICT
- C-2** CENTRAL BUSINESS DISTRICT
- I-1** LIGHT INDUSTRIAL DISTRICT
- I-2** HEAVY INDUSTRIAL DISTRICT
- OS** OPEN SPACE

- PROPOSED Amendment



ZONING MAP
 CITY OF PITTSBURGH
 LUZERNE COUNTY
 PENNSYLVANIA
 MULLIN & LONERGAN ASSOCIATES, INC.

FILE OF COUNCIL
No. 2 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
September 18, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

September 18, 2002

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO.1 {1966}, SEWER AND WATER ORDINANCE, AND AS AMENDED BY FILE OF COUNCIL NO. 3 {1967}, NO. 6 {1990} AND NO. 3 {1991}, AMENDING SECTION 2, ANNUAL USAGE AND MAINTENANCE FEES"

BE IT ORDAINED, by the City Council of the City of Pittston, and it is hereby ordained by the authority of the same;

SECTION 2. Each and every person or municipality existing or located inside or outside the legal boundaries of the City of Pittston utilizing either a sanitary or storm service which discharges its flow through any storm or sewer line which is owned and operated by the City and which runs through, across, or under the legal boundaries of the City shall pay an annual usage and maintenance fee of \$50.00 per equivalent dwelling unit {EDU} per year.

Commercial structures will pay a fee based on detailed water usages as detailed in the attached Schedule A.

The rental and maintenance fee shall be payable by such person or municipality where the property is located within thirty {30} days of billing.

SECTION 6. All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

This ordinance shall become effective immediately upon final reading.

PASSED ON FIRST READING: September 18, 2002

PASSED ON SECOND & FINAL READING: September 30, 2002

ATTEST

CITY CLERK

APPROVED:

MAYOR

FILE OF COUNCIL

No. 2 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
September 18, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

September 18, 2002

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO.1 {1966}, SEWER AND WATER ORDINANCE, AND AS AMENDED BY FILE OF COUNCIL NO. 3 {1967}, NO. 6 {1990} AND NO. 3 {1991}, AMENDING SECTION 2, ANNUAL USAGE AND MAINTENANCE FEES"

BE IT ORDAINED, by the City Council of the City of Pittston, and it is hereby ordained by the authority of the same;

SECTION 1. RENTAL OR CHARGE REQUIRED.

Any occupied building using the storm and sanitary services of the City of Pittston shall not be connected without a sewer permit issued by the City Clerk stating the name of the owner, location of the property by ward, street and number, kind of drainage allowed and the proper tappage fee required.

Every owner of real property, whether for personal use, rental for profit or not-for-profit, located inside or outside the legal boundaries of the City of Pittston utilizing the storm and sanitary system which is operated and maintained by the City of Pittston shall pay an annual sewer usage and maintenance fee.

SECTION 2. Each and every person or municipality existing or located inside or outside the legal boundaries of the City of Pittston utilizing either a sanitary or storm service which discharges its flow through any storm or sewer line which is owned and operated by the City and which runs through, across, or under the legal boundaries of the City shall pay an annual usage and maintenance fee of \$50.00 per equivalent dwelling unit {EDU} per year.

Commercial structures will pay a fee based on detailed water usages as detailed in the attached Schedule A.

The rental and maintenance fee shall be payable by such person or municipality where the property is located within thirty {30} days of billing.

SECTION 3.

The annual sewer usage and maintenance fee shall be a lien on the property charged with the payment thereof. If not paid after thirty {30} days notice, said delinquent fee may be collected by an action in assumpsit in the name of the City against the owner of the property charged and/or the municipality where the property is located. The City of Pittston may be distress or writ of execution levy on personal property on the premises and sell said property to satisfy the account; or file a lien similar in the nature of a municipal lien. All costs, including court fees, attorney fees, etc., of which will be paid by the property owner or municipality.

Any person or entity who shall institute the use of the City sewer system, both sanitary and sewer, as described in this section during a part of the year shall pay according to Section 4, COLLECTION Paragraph B.

SECTION 4.

For the purpose of this section, the year or current year shall be intended to mean the twelve {12} month period commencing January 1 and ending December 31.

The annual sewer usage and maintenance fee, together with the penalty and interest thereon, if any, shall constitute a lien on the real property.

The City of Pittston shall designate, by resolution, a collection agent who or which is authorized to collect such annual sewer rental or charge together with any penalty and/or interest thereon. Said agent shall perform the duties of said office in accordance with the rules and regulations of the Wyoming Valley Sanitary Authority which were adopted on June 19, 1967, and as amended subsequent thereto.

The said rules and regulations of the Wyoming Valley Sanitary Authority are hereby incorporated in this ordinance by reference as though the same were more fully set forth herein at length and as the same may be amended from time to time by the Board of Directors of the Wyoming Valley Sanitary Authority.

The City Council of the City of Pittston hereby designates the Wyoming Valley Sanitary Authority as its agent on a yearly basis until terminated to collect the user fee assessment as indicated. The Wyoming Valley Sanitary Authority will receive a fee of seven {7%} percent of gross amount billed paid within 120 days of billing. The Wyoming Valley Sanitary Authority will be responsible for an original billing and one {1} delinquent billing as part of their services. After that, the City of Pittston will assume collection responsibility.

Commercial accounts will be billed quarterly and maintained by the Wyoming Valley Sanitary Authority until the end of the year. If delinquent at that time, the City of Pittston will assume responsibility for collection.

COLLECTION

A. Date of payment.

The annual service usage and maintenance fee shall be payable within thirty {30} days of billing.

B. Payment for fractional use of sanitary sewer system.

Newly constructed dwelling units shall be billed at the following rate:

January 1 through June 30	100% of fee
July 1 through December 31	50% of fee

Newly constructed commercial units shall be billed according to usage.

C. Penalty for late payment.

If said annual service usage and maintenance fee is not paid within thirty {30} days of billing, a ten {10%} percent penalty shall be added to the amount of the usage and maintenance fee and also an interest charge of one-half of one percent {1/2 of 1%} per month until said usage and maintenance fee penalty and interest are paid.

SECTION 5. LIABILITY FOR DAMAGES.

The City shall not be liable for any damage or expense resulting from leaks, stoppages or defective plumbing work from any other cause occurring to any premises or within any house or building; and it is expressly stipulated by and between the City and the owner that no claims shall be made against the said City on account of the breaking or stoppage of or any damage or expenses to any lateral, building sewer or house connection when the cause thereof is found to be in the lateral, building sewer or house connection except for the collection lines flowing through the City of Pittston.

SECTION 6. All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

This ordinance shall become effective immediately upon final reading.

PASSED ON FIRST READING: September 18, 2002

PASSED ON SECOND & FINAL READING: September 30, 2002

ATTEST:

CITY CLERK

APPROVED:

MAYOR

SCHEDULE A

SEWER SERVICE CHARGES FOR METERED WATER

UNDER ORDINANCE NUMBER OF 2002

First 15,000 gallons per quarter @ \$0.90 per 1000 gallons = \$ 13.50
 Next 185,000 gallons per quarter @ \$0.60 per 1000 gallons = \$ 111.00

First 200,000 gallons per quarter @ \$0.6225 per 1000 gallons = \$ 124.50
 Next 1,800,000 gallons per quarter @ \$0.36 per 1000 gallons = \$ 648.00

First 2,000,000 gallons per quarter @ \$0.38625 per 1000 gallons = \$ 772.50
 All over 2,000,000 gallons per quarter @ \$0.30 per 1000 gallons.
 Minimum charge \$43.20 per year; \$10.80 per quarter = 12,000 gallons

SERVICE CHARGE PER 1000 GALLONS PER QUARTER

12	\$10.80	51	35.10	90	58.50	525	241.50	1500	592.50
13	11.70	52	35.70	91	59.10	550	250.50	1525	601.50
14	12.60	53	36.30	92	59.70	575	259.50	1550	610.50
15 (0.90)	13.50	54	36.90	93	60.30	600	268.50	1575	619.50
16 (0.60)	14.10	55	37.50	94	60.90	625	277.50	1600	628.50
17	14.70	56	38.10	95	61.50	650	286.50	1625	637.50
18	15.30	57	38.70	96	62.10	675	295.50	1650	646.50
19	15.90	58	39.30	97	62.70	700	304.50	1675	655.50
20	16.50	59	39.90	98	63.30	725	313.50	1700	664.50
21	17.10	60	40.50	99	63.90	750	322.50	1725	673.50
22	17.70	61	41.10	100	64.50	775	331.50	1750	682.50
23	18.30	62	41.70	105	67.50	800	340.50	1775	691.50
24	18.90	63	42.30	110	70.50	825	349.50	1800	700.50
25	19.50	64	42.90	115	73.50	850	358.50	1825	709.50
26	20.10	65	43.50	120	76.50	875	367.50	1850	718.50
27	20.70	66	44.10	125	79.50	900	376.50	1875	727.50
28	21.30	67	44.70	130	82.50	925	385.50	1900	736.50
29	21.90	68	45.30	135	85.50	950	394.50	1925	745.50
30	22.50	69	45.90	140	88.50	975	403.50	1950	754.50
31	23.10	70	46.50	145	91.50	1000	412.50	1975	763.50
32	23.70	71	47.10	150	94.50	1025	421.50	2000 (0.38625)	772.50
33	24.30	72	47.70	155	97.50	1050	430.50	2500	922.50
34	24.90	73	48.30	160	100.50	1075	439.50	3000	1072.50
35	25.50	74	48.90	170	103.50	1100	448.50	3500	1222.50

SCHEDULE A (Continued)

75	49.50	180	106.50	1125	457.50	4000	1372.50
76	50.10	190	107.50	1150	466.50	4500	1522.50
77	50.70	200 (0.36)	124.50	1175	475.50	5000	1672.50
78	51.30	225 (0.36)	133.50	1200	484.50	5500	1822.50
79	51.90	250	142.50	1225	493.50	6000	1972.50
80	52.50	275	151.50	1250	502.50	6500	2122.50
81	53.10	300	160.50	1275	511.50	7000	2272.50
82	53.70	325	169.50	1300	520.50	7500	2422.50
83	54.30	350	178.50	1325	529.50	8000	2572.50
84	54.90	375	187.50	1350	538.50	8500	2722.50
85	55.50	400	196.50	1375	547.50	9000	2872.50
86	56.10	425	205.50	1400	556.50	9500	3022.50
87	56.70	450	214.50	1425	565.50	10000	3172.50
88	57.30	475	223.50	1450	574.50	15000	4672.5
89	57.90	500	232.50	1475	583.50	20000	6172.50

SCHEDULE A (Continued)

36	26.10	75	49.50	180	106.50	1125	457.50	4000	1372.50
37	26.70	76	50.10	190	107.50	1150	466.50	4500	1522.50
38	27.30	77	50.70	200 (0.36)	124.50	1175	475.50	5000	1672.50
39	27.90	78	51.30	225 (0.36)	133.50	1200	484.50	5500	1822.50
40	28.50	79	51.90	250	142.50	1225	493.50	6000	1972.50
41	29.10	80	52.50	275	151.50	1250	502.50	6500	2122.50
42	29.70	81	53.10	300	160.50	1275	511.50	7000	2272.50
43	30.30	82	53.70	325	169.50	1300	520.50	7500	2422.50
44	30.90	83	54.30	350	178.50	1325	529.50	8000	2572.50
45	31.50	84	54.90	375	187.50	1350	538.50	8500	2722.50
46	32.10	85	55.50	400	196.50	1375	547.50	9000	2872.50
47	32.70	86	56.10	425	205.50	1400	556.50	9500	3022.50
48	33.30	87	56.70	450	214.50	1425	565.50	10000	3172.50
49	33.90	88	57.30	475	223.50	1450	574.50	15000	4672.5
50	34.50	89	57.90	500	232.50	1475	583.50	20000	6172.50

FILE OF COUNCIL

No. 3 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 20, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 20, 2002

“AN ORDINANCE”

“AN ORDINANCE OF THE CITY OF PITTSTON ESTABLISHING FEES TO BE IMPOSED FOR THE ADMINISTRATION OF EMERGENCY RESCUE SERVICES BY THE CITY OF PITTSTON FIRE DEPARTMENT; AUTHORIZING THE ADMINISTRATION AND ENFORCEMENT OF SAID FEES; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH.”

WHEREAS, the City of Pittston Fire Department provides emergency rescue services, including but not limited to, extrication from vehicles, within the City of Pittston ; and

WHEREAS, said extrication and other services are possible through the use of a city owned emergency response vehicle; and

WHEREAS, the City Council of the City of Pittston recognizes a continuing increase in the costs of providing such emergency rescue services ; and

WHEREAS, in order to better protect the public health, safety and welfare, and to protect and reserve public funds and tax dollars, it is necessary to adopt a policy of reimbursement of expenses incurred when an emergency response vehicle responds to a call.

BE IT ORDAINED AND ENACTED, AND IT IS HEREBY ORDAINED AND ENACTED by the City Council of the City of Pittston as follows:

SECTION 1. SERVICES FOR WHICH THE CITY OF PITTSTON GENERAL FUND SHALL BE REIMBURSED.

The City of Pittston general fund shall be reimbursed whenever a rescue vehicle responds to an emergency. Said emergency shall include, but not be limited to, automobile accidents and residential and commercial fires. Emergency rescue services provided by the Fire Department include, but are not limited to, extrication by the (jaws of life) and the use of any other specialized equipment

SECTION 2. INFORMATION TO BE PROVIDED

Any person who is rendered the services herein specified shall provide the Pittston City Fire Department the following information;

- a. Name, address and telephone number ;
- b. Name, Address of insurance carder (if applicable).

SECTION 3. FEES TO BE CHARGED

The Pittston City Fire Department shall be reimbursed for rescue services based upon the following schedule :

- A. Hazard Control; scene lighting ; and / or application of oil absorbent two hundred fifty (250.00) dollars per motor vehicle ;
- B. Technical rescue, extrication and hazardous materials response seven hundred fifty (750.00) dollars per motor vehicle and/or seven hundred fifty (750.00) dollars per individual.
- C. E M S Assist : two hundred fifty (250.00) dollars per motor vehicle and / or two hundred fifty (250.00) dollars per individual.

SECTION 4. COST OF LABOR

The cost of labor shall include the actual wage rates including fringe benefits paid by the City to all personnel involved in the extinguishing of any extraordinary fire or in cleaning up any extraordinary spill or release involving chemicals or petroleum.

SECTION 5. RESPONSIBILITY FOR CONTROL, EXTINGUISHMENT OR CLEANUP OF PETROLEUM OR CHEMICAL SPILLS

The owner of petroleum, chemicals or the common carrier of any type whatsoever including pipelines carrying said petroleum or chemicals, shall be responsible for the control, extinguishment, or cleanup of petroleum or chemical spills, releases or fire involving said petroleum or chemicals in the City of Pittston. In the event of the failure of the owner or common carrier, including pipelines, to control, extinguish or cleanup any spill, fire or release The City may perform the necessary work and bill such person to compensate the City for both direct and indirect cost and expense, including but not limited to special equipment and materials used and labor costs.

SECTION 6. SPECIAL EQUIPMENT OR MATERIAL

Special equipment or material used by the City for which any owner or common carrier will be responsible may include but is not limited to the following:

- A. Foam
- B. Dry chemicals
- C. Oil absorbent
- D. Etc. Etc. Etc.:

SECTION 7. BILLING

Any applicable charges for rescue services rendered to a person shall be billed by the City, and/or its designated agent (s), to the person and / or the persons insurance carrier. Reimbursement will be for but not limited to personnel labor, cost of material used, environmental damages, equipment loss including all personal protective clothing being worn by the rescue personnel and any other hidden cost to the Pittston City Fire Department or the City of Pittston.

SECTION 8. EMERGENCY SERVICES NOT TO BE REFUSED FOR LACK OF INSURANCE OR ABILITY TO PAY

Nothing in this ordinance shall authorize any City bureau or department or City staff member or bureau or department personnel to refuse or delay any rescue service to any person, firm, organization, or corporation, due to the lack of insurance coverage or ability to pay for said rescue service.

SECTION 9. VIOLATIONS AND PENALTIES

Any person who shall fail, neglect or refuse to comply with any of the terms or provisions of this ordinance or of any regulation or requirement, pursuant hereto and authorized hereby shall upon conviction thereof be ordered to pay a fine of one thousand (\$1000.00) dollars and in default of payment of fines and costs, imprisoned not more than ninety (90) days. Each days violation shall constitute a separate offense.

SECTION 10. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any provision shall be deemed to be invalid for any reason, the validity of any of the remaining provisions of this ordinance shall not be affected. It is hereby declared as the intention of the City Council of the City of Pittston that this ordinance would have been adopted had such invalidity not been included therein.

SECTION 11. REPEALER

All other ordinances or parts thereof inconsistent herewith, be and same are hereby repealed.

SECTION 12.


This Ordinance shall become effective ten (10) days after final reading.

PASSED ON FIRST READING: November 20, 2002


PASSED ON SECOND & FINAL READING: December 18, 2002

ATTEST:

APPROVED:



CITY CLERK





MAYOR

FILE OF COUNCIL
No.4 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 20, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 20, 2002

“A N O R D I N A N C E”

“AMENDING AN ORDINANCE FILE OF COUNCIL NO. 5 {2001}, RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITSTON, PENNSYLVANIA, A THIRD CLASS CITY, TO PROVIDE A SERVICE-RELATED BENEFIT WHICH IS IN COMPLIANCE WITH THE THIRD CLASS CITY CODE AND BY PROVIDING A SPECIAL AD HOC POST RETIREMENT COST-OF-LIVING ADJUSTMENT PURSUANT TO ACT 64 OF 2002.”

WHEREAS, the City Council of the City of Pittston previously established the Police Pension Plan; and

WHEREAS, the City Council of the City of Pittston intends to comply with Act 64 of 2002;

NOW, THEREFORE, BE IT ORDAINED, AND ENACTED, by the City Council of the City of Pittston and it is hereby ordained by the authority of the same;

SECTION 11. That any police officer or employee under this Ordinance who becomes totally disabled due to injuries sustained in the line of duty shall be deemed to be fully vested in the police pension fund, regardless of the actual number of years of credited services, and shall be eligible for immediate retirement benefits. Proof of disability shall be by competent medical evidence provided by the claimant from three {3} practicing physicians, designated by the pension board. The claimant shall thereafter at any time be subject to physical examination at any reasonable time or times, upon order of the pension board.

SECTION 22. {B} That a one-time post-retirement be provided to the eligible retired members of the police pension plan, the eligibility and amount of such adjustment to be provided in Act 64 of 2002, and that such adjustment be retroactively effective to the first monthly pension benefit paid after June 30, 2002.

SECTION 23. This Ordinance shall become effective immediately upon final reading.

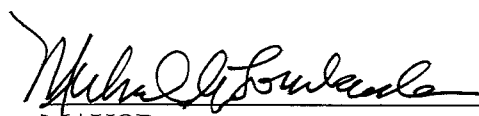
PASSED ON FIRST READING: November 20, 2002

PASSED ON SECOND & FINAL READING: December 18, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 4 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 20, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 20, 2002

“A N O R D I N A N C E”

“AMENDING AN ORDINANCE FILE OF COUNCIL NO. 5 {2001}, RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITSTON, PENNSYLVANIA, A THIRD CLASS CITY, TO PROVIDE A SERVICE-RELATED BENEFIT WHICH IS IN COMPLIANCE WITH THE THIRD CLASS CITY CODE AND BY PROVIDING A SPECIAL AD HOC POST RETIREMENT COST-OF-LIVING ADJUSTMENT PURSUANT TO ACT 64 OF 2002.”

WHEREAS, the City Council of the City of Pittston previously established the Police Pension Plan; and

WHEREAS, the City Council of the city of Pittston intends to comply with Act 64 of 2002;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston and it is hereby ordained by the authority of the same;

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittston, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there should be established by contract and designation by the City Council of the City of Pittston a Trustee organization to receive and invest such sums in the manner it deems most beneficial to the Fund so as to provide retirement and other benefits as shall be required by law or by the Ordinance and having in charge the distribution of the Police Pension Fund for the members of the Bureau of Police in the City of Pittston, the City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 1.1 Board of Managers - Established; Composition; Appointment of Members.

The Police Pension Fund shall be under the direction and control of a Board of Mangers consisting of the Mayor, the City Controller, the Director of Accounts and Finance, the Chief of Police, Director of Public Safety, and two {2} members of the Police Department to be chosen by members of the Police Department contributing to the retirement fund.

SECTION 2. The City Council of the City of Pittston is hereby authorized to appoint a Trustee or Trustees and to enter into a trust agreement with said Trustee upon such term or terms as the City Council shall establish, to invest and re-invest the Fund and to make payments out of the Fund in accordance with the provisions of the Plan & Trust Agreement. The Trustee may be a natural person or persons or corporation including a financial institution. Further, the City Council of the City of Pittston may enter into contracts, deposit agreements, annuity contracts or trust accounts on behalf of the City with one {1} or more insurance companies, banks or other financial institutions or investment companies which may provide the pension and other benefits.

SECTION 3. The Council of the City of Pittston shall control direct and be responsible for the administration of the said Trustee. The said Trustee is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the Pension Fund.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittston, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted either 0% or one tenth of one percent from his or her gross salary. The individual employee shall determine

his/her own contribution and advise the City Clerk/Administrator of that decision in writing. A copy of said decision shall be maintained in the individual's employee personnel file. All members shall also contribute \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Trustee of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid section of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this Ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the first Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. {A} Payments for allowances shall not be a charge on any other fund in the treasury of the City under its control save the Police Pension Fund herein provided for. The basis of the appointment of the Pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection {b} of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average rate, whichever is the higher.

{B} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contribution in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars {\$100.00} per month.

{C} The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime, or upon reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving had he been retired at the time of his death.

{D} Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service, the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his lifetime and if he shall die, the pension payment that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund. It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within ninety {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The

calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee would be entitled to a vested pension based on the pro rate share of years vested.

SECTION 10. That all sums of money paid for any reason either for expense of running the said Pension Fund or any sums used for the payment of pensions to the officer, employees, widows, or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any police officer or employee under this Ordinance who becomes totally disabled due to injuries sustained in the line of duty shall be deemed to be fully vested in the police pension fund, regardless of the actual number of years of credited services, and shall be eligible for immediate retirement benefits. Proof of disability shall be by competent medical evidence provided by the claimant from three {3} practicing physicians, designated by the pension board. The claimant shall thereafter at any time be subject to physical examination at any reasonable time or times, upon order of the pension board.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are not contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this Ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. That the Council of the City of Pittston hereby designates as its Trustee, ASCO Financial Group, Pierce St., Kingston, Pennsylvania to receive from the City Treasurer any allocations received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from Police employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 16.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 17. This Ordinance is declared to be urgent and necessary for the reservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 18. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

SECTION 19. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund are hereby repealed to be replaced by this Ordinance.

SECTION 20. That the City Council of the City of Pittston hereby designates that pursuant to the current labor contract between the Police Department and the City of Pittston that provision is made that any and all officers who have prior to their full-time employment been subject of employment by the City in the category of "special police officer" shall be allowed to claim said time as credit against the Police Pension Fund provided they comply with the terms and conditions as set forth by the Pension Trustee, ASCO Financial Group, Pierce Street, Kingston, Pennsylvania. Pursuant to Section 5 of this Ordinance, the percentage of individual contribution shall be the same in effect for the periods of time they have accumulated. The option to purchase special time shall be limited to a two-year opening from the date of final passage of this Amendment and that any and all requirements as set forth by ASCO Financial Services the pension trustee designee shall be complied with or said officers shall waive their right to claim the inclusion of special time into the Police Pension Fund calculations.

SECTION 21. Prior to the adoption of said Ordinance, a preliminary determination by the Pension Trustee has indicated that said action will have a non-affect of the current actuarial studies and projected responsibilities of the fund.

SECTION 22. {A} That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time two hundred dollar {\$200.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired member under the plan.

{B} That a one-time post-retirement be provided to the eligible retired members of the police pension plan, the eligibility and amount of such adjustment to be provided in Act 64 of 2002, and that such adjustment be retroactively effective to the first monthly pension benefit paid after June 30, 2002.

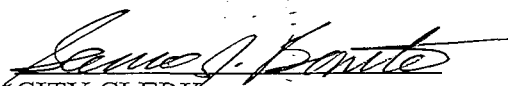
The total of any such allowances shall not at any time exceed one-half of the current salary being paid patrolmen of the highest pay grade.

SECTION 23. This Ordinance shall become effective immediately upon final reading.

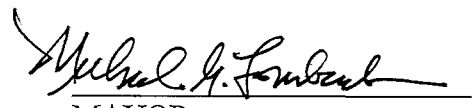
PASSED FIRST READING: November 20, 2002

PASSED SECOND & FINAL READING: December 18, 2002

ATTEST:


CITY CLERK

APPROVED:


MAYOR

CITY OF PITTSBURGH POLICE PENSION PLAN

ACT 64 COLA EFFECTIVE JULY 1, 2002

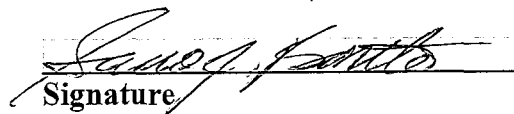
Name	SSN	Dates		Whole Years of Service	Whole Years on Ret'mt. @ 1-1-2001	Pre Act 64 Monthly Pension	Act 64 Formula			Act 64 Monthly Increase Before Offset (BA + LA)	Previous Monthly Municipal COLAs 1989 to 2001	Offset 65% of Previous Monthly COLAs	Act 64 COLA (Monthly Increase at 7-1-2002)	Total Monthly Pension After Act 64 COLA
		Hire	Retirement				Base Adjmt. (BA)	Longevity Factor (LF)	Longevity Adjmt. (LA)					
O'Brien James T	209-16-4383	07/01/1938	11/01/1959	21	41	\$ 483.80	\$129.15	1.825	\$ 235.70	\$ 364.85	\$ 200.00	130.00	\$ 234.85	\$ 718.65
													\$ 234.85	

I hereby certify that I have reviewed the retiree data outlined above, and the information contained thereon is accurate.

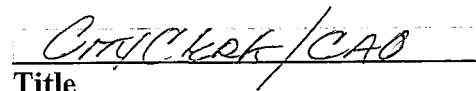
Date

12-18-02

Signature



Title



FILE OF COUNCIL

No. 5 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 20, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 20, 2002

“AN ORDINANCE”

“AN ORDINANCE OF THE CITY OF PITTSBURGH APPOINTING A CHIEF ADMINISTRATIVE OFFICER {CAO} AND THE DUTIES AND TRANSITION FOR THE OPERATION AND MONITORING OF THE CITY OF PITTSBURGH POLICE, NON-UNIFORMED, AND PAID FIREMAN’S PENSION PLANS; AND REPEALING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES OR RESOLUTIONS INCONSISTENT HEREWITH.”

WHEREAS, the City of Pittsburgh maintains a Police Pension Plan, Non-Uniformed Pension Plan and paid Fireman’s Pension Plan; and

WHEREAS, the above-referenced plans are governed by provisions of the Commonwealth of Pennsylvania Municipal Pension Plan Funding Standard and Recovery Act of December 18, 1984, P.L. 1005, No. 205, known as Act 205; and

WHEREAS, Act 205 requires that a municipality participating in the funding associated with the Act, appoint a Chief Administrative Officer to coordinate all matters relating to operation and maintenance of the Municipality’s Pension Funds; and

WHEREAS, the City of Pittsburgh is desirous of complying with the Commonwealth of Pennsylvania Act 205; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, pursuant to the above-referenced legislation that the Council of the City of Pittsburgh hereby appoints the City Clerk to fulfill the duties of Chief Administrative Officer of the above referenced City of Pittsburgh pension plans.

BE IT FURTHER ORDAINED AND ENACTED, the duties of the Chief Administrative Officer will be as follows:

- {A} 1. Coordination of all matters relating to the pension funds.
- 2. Liaison with Pennsylvania Public Employee Retirement Commission, Department of the Auditor General, and the plans’ Administrative Agent.
- 3. Ensuring municipal compliance with Act 205 funding requirements.
- {B} Preparation of the following:
 - 1. Financial requirement/Minimum Municipal Obligation calculation. {This form to be submitted to the Council on or before September 30th of each year.}
 - 2. Certification Form AG 385- {March 31st Filing Date}
 - 3. Certification Form AG 490- {April 1st Filing Date}
 - 4. Maintenance of Account Records, Journals, Rosters, and Ledgers relating to the plans.
 - 5. Monitoring and reconciliation of receipts and disbursements.

BE IT FURTHER ORDAINED AND ENACTED, in the event the Chief Administrative Officer is unable to perform these duties, the transition of responsibility will be as follows:

1. Director of Accounts and Finance
2. Controller
3. Mayor

All other ordinances and resolutions or parts thereof inconsistent herewith, be and the same are hereby repealed.

This Ordinance shall become effective ten {10} days after final reading.

PASSED ON FIRST READING: November 20, 2002

PASSED ON SECOND & FINAL READING: December 18, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 6 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND
EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2003 AND ENDING DECEMBER 31, 2003."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,546,190				1,546,190
Licenses & Permits	40,550				40,550
Fines & Forfeits	69,000				69,000
Interest & Rents	21,500	3,000	1,000		25,500
Intergovernmental Revenues	323,290	133,150		399,900	856,340
Departmental Earnings	436,300		222,000		658,300
Miscellaneous Revenue	5,000				5,000
Other Financing Sources	2,619,410				2,619,410
Beginning Cash Balance 1/1/03	<u>{81,000}</u>	<u>4,000</u>	<u>30,000</u>	<u>100</u>	<u>{46,900}</u>
TOTAL	<u>4,980,240</u>	<u>140,150</u>	<u>253,000</u>	<u>400,000</u>	<u>5,773,390</u>

ESTIMATED EXPENDITURES

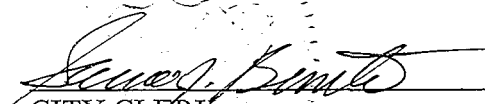
	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	559,660				559,660
Public Safety	1,310,610				1,310,610
Health & Welfare	5,880				5,880
Sanitation	341,340				341,340
Highways	524,865				524,865
Parks & Recreation	104,610				104,610
Debt Service	2,175,770				2,175,770
Miscellaneous Expenditures	60,500		39,000	113,710	213,210
Other Financing Uses	167,840	112,000	186,000	286,290	752,130
Year End Cash Balance 12/31/03	<u>-0-</u>	<u>28,150</u>	<u>28,000</u>	<u>-0-</u>	<u>56,150</u>
TOTAL	<u>5,251,075</u>	<u>140,150</u>	<u>253,000</u>	<u>400,000</u>	<u>6,044,225</u>

PASSED ON FIRST READING: November 27, 2002

PASSED ON SECOND & FINAL READING: _____

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 6 {2002}

{amended}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2003 AND ENDING DECEMBER 31, 2003."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,546,190				1,546,190
Licenses & Permits	40,550				40,550
Fines & Forfeits	89,000				89,000
Interest & Rents	33,500	3,000	1,000		37,500
Intergovernmental Revenues	323,290	133,150		399,900	856,340
Departmental Earnings	443,800		222,000		665,800
Miscellaneous Revenue	5,000				5,000
Other Financing Sources	2,697,700				2,697,700
Beginning Cash Balance 1/1/03	<u>{70,000}</u>	<u>4,000</u>	<u>30,000</u>	<u>100</u>	<u>{35,900}</u>
TOTAL	<u>5,109,030</u>	<u>140,150</u>	<u>253,000</u>	<u>400,000</u>	<u>5,902,180</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	552,960				552,960
Public Safety	1,225,713				1,225,713
Health & Welfare	5,880				5,880
Sanitation	341,340				341,340
Highways	482,417				482,417
Parks & Recreation	104,610				104,610
Debt Service	2,167,770				2,167,770
Miscellaneous Expenditures	60,500		39,000	133,000	232,500
Other Financing Uses	167,840	117,000	186,000	267,000	737,840
Year End Cash Balance 12/31/03	<u>-0-</u>	<u>23,150</u>	<u>28,000</u>	<u>-0-</u>	<u>51,150</u>
TOTAL	<u>5,109,030</u>	<u>140,150</u>	<u>253,000</u>	<u>400,000</u>	<u>5,902,180</u>

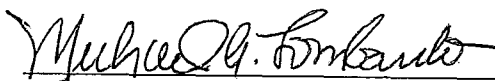
PASSED ON FIRST READING: _____

PASSED ON SECOND & FINAL READING: December 30, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 7 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

“A N O R D I N A N C E”

“FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2003.”

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2003 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty {30} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	2.75 mills
Library	1.00 mills
Parks	1.25 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

This ordinance and real estate tax shall take effect January 1, 2003.

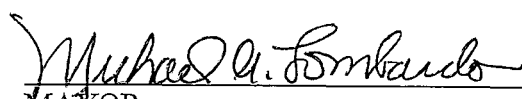
PASSED ON FIRST READING: November 27, 2002

PASSED ON SECOND & FINAL READING: December 30, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 8 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

"A N O R D I N A N C E"

**"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A ONE PER-CENT {1%} EARNED INCOME TAX WITHIN THE CITY."**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} Earned Income Tax on earned income and net profits on earned income and net profits earned by Non-Residents of the City of Pittston for work done, or services performed or rendered in the City of Pittston, under the authority of Act 511 of 1965, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2003;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Earned Income Tax of one per-cent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2003.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

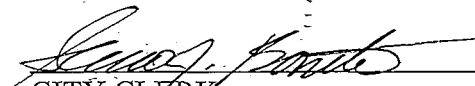
SECTION 3. This ordinance shall become effective January 1, 2003.

PASSED ON FIRST READING: November 27, 2002

PASSED ON SECOND & FINAL READING: December 30, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 9 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

"AN ORDINANCE"

**"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A ONE PER-CENT {1%} TAX UPON THE TRANSFER OF REAL ESTATE WITHIN
THE CITY."**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} transfer tax on the transfer of real estate within the City, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2003;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Real Estate Transfer Tax of one percent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2003.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

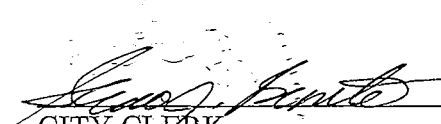
SECTION 3. This ordinance shall become effective January 1, 2003.

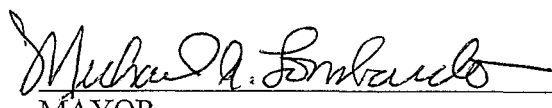
PASSED ON FIRST READING: November 27, 2002

PASSED ON SECOND & FINAL READING: December 30, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL
No. 10 {2002}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 27, 2002

MAYOR MICHAEL LOMBARDO, IN PLACE

November 27, 2002

"AN ORDINANCE"

**"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A TEN DOLLAR {\$10.00} PER YEAR OCCUPATIONAL PRIVILEGE TAX WITHIN
THE CITY."**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a ten {\$10.00} dollars Occupational Privilege Tax on all individuals within the City of Pittston under the Authority of Act 511 of 1965,

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2003;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Occupational Privilege Tax of ten {\$10.00} dollars presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2003.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2003.

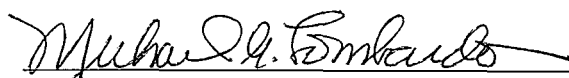
PASSED ON FIRST READING: November 27, 2002

PASSED ON SECOND & FINAL READING: December 30, 2002

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. I {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
FEBRUARY 19, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

February 19, 2003

"AN ORDINANCE"

"AMENDING AN ORDINANCE, FILE OF COUNCIL NO. 3 {1997} RELATING TO SANITATION AND THE PROMOTION OF PUBLIC HEALTH AND SAFETY, PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL COLLECTION AND DISPOSAL SERVICE FOR ALL GARBAGE, RUBBISH AND ASHES ACCUMULATED IN THE CITY, PROVIDING FOR THE ENFORCEMENT AND PENALTIES FOR VIOLATION THEREOF, AND DESIGNATING THE CITY OF PITTSTON AS THE EXCLUSIVE COLLECTOR OF ALL RESIDENTIAL (E.D.U.) SOLID WASTE AND RECYCLABLE MATERIALS WITHIN THE CITY OF PITTSTON, AMENDING SECTION 2 "ADMINISTRATION" BY PROVIDING FOR AN ABATEMENT OF FEES FOR SERVICES PROVIDED BY THE CITY WHEN AN EQUIVALENT DWELLING UNIT IS NON-BILLABLE, AND REPEALING ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH."

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston and it is hereby ordained by the Authority of the same; that File of Council No. 3 {1997} Section 2 be hereby amended to read as follows:

Section 2. Administration:

- F. An owner of a non-billable EDU defined as any EDU which is determined and found to be non-billable by and through the policies and procedures currently in place and the practice followed by the Wyoming Valley Sanitary Authority shall be exempt from the fees established by File of Council No. 3 {1997} from the standard billing and payment obligation set forth therein. All EDU's determined and found to be billable by the policies and procedures followed by the Wyoming Valley Sanitary shall be required for the payment of all fees and payment obligations as established in File of Council No. 3 {1997}. The City Treasurer/Tax Collector shall rely on the WVSA billable EDU'S listing for the City of Pittston as a checks and balances for the City's billable EDU's. This amendment and the exclusion created herein shall be applied retroactively to January 1, 2002 and shall be determined and authorized by the City Treasurer/Tax Collector. Any and all appropriate refunds authorized and approved by the City Treasurer/Tax Collector shall be made in accordance herewith.

Section 7. Severablity.

The provisions of this ordinance shall be severable and if any provision shall be deemed to be invalid for any reason, the validity of any of the remaining provisions of this ordinance shall not be affected. It is hereby declared as the intention of the City Council of the City of Pittston that this Ordinance would have been adopted had such invalidity not been included therein.

Section 8. Repealer.

All Ordinances or Resolutions or parts of Ordinances or Resolutions which are inconsistent herewith are hereby repealed.

Section 9. Effective Date.

This Ordinance shall become effective ten (10) days after final reading.

ORDAINED AND ENACTED THIS 19th of February, 2003.

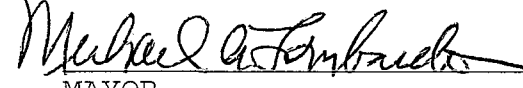
PASSED FIRST READING: FEBRUARY 19, 2003

PASSED ON SECOND & FINAL READING: MARCH 19, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 1 {2003}

MAYOR MICHAEL LOMBARDO, IN PLACE

February 19, 2003

"A N O R D I N A N C E"

"AMENDING AN ORDINANCE, FILE OF COUNCIL NO. 3 {1997} RELATING TO SANITATION AND THE PROMOTION OF PUBLIC HEALTH AND SAFETY, PROVIDING FOR THE ESTABLISHMENT OF A MUNICIPAL COLLECTION AND DISPOSAL SERVICE FOR ALL GARBAGE, RUBBISH AND ASHES ACCUMULATED IN THE CITY, PROVIDING FOR THE ENFORCEMENT AND PENALTIES FOR VIOLATION THEREOF, AND DESIGNATING THE CITY OF PITTSBURGH AS THE EXCLUSIVE COLLECTOR OF ALL RESIDENTIAL (E.D.U.) SOLID WASTE AND RECYCLABLE MATERIALS WITHIN THE CITY OF PITTSBURGH, AMENDING SECTION 2 "ADMINISTRATION" BY PROVIDING FOR AN ABATEMENT OF FEES FOR SERVICES PROVIDED BY THE CITY WHEN AN EQUIVALENT DWELLING UNIT IS NON-BILLABLE, AND REPEALING ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HERewith."

THE FOLLOWING SECTIONS ARE HEREBY AMENDED:

SECTION 2. f

SECTION 7.

SECTION 8.

SECTION 9.

BE IT ORDAINED AND ENACTED:

Section 1. Definitions:

That the following words when used in this Ordinance shall have the meanings ascribed to them in this Section, except in those instances where the context clearly indicates otherwise:

a. "Garbage" means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of foods. It shall not include more than a minimum amount of free liquids. It shall not include food-processing waste from commercial canneries, packing plants, or similar industries, nor large quantities of condemned food products.

b. "Ashes" means the residue from the burning of wood, coal, coke, and other combustible materials for the purposes of residential heating and cooking. It shall not include the cinders produced in steam generating plants.

c. "Rubbish" means all waste materials not included in garbage and ashes except rubbish from building construction or reconstruction, street construction and maintenance refuse, industrial refuse, dead animals, abandoned large machinery or vehicles or such other waste materials as are not commonly produced in homes, stores and institutions.

d. "Refuse" means garbage, ashes and rubbish as herein defined.

e. "Residential Commercial Unit" means any building containing six (6) or more equivalent dwelling units. Included shall be all individual EDU's which number a minimum of six {6} and all owned by a single legal entity.

f. "Person" means a natural person, firm, partnership, association or corporation.

g. "Authorized Hauler" means the City, its' contracted hauler or any city licensed private hauler.

h. "Equivalent Dwelling Unit" means a dwelling unit in a house or row of houses or building. A dwelling unit being defined as a building thereof with exclusive culinary and/or sanitary facilities designed for occupancy and used by one person or one family (household).

i. "Commercial Establishment" means any property in the city used for other than residential purposes, whether or not such purpose is for profit, and including but not limited to restaurants, hotels, cafes, clubs, dormitories, cafeterias, dealers in consumable foodstuffs and industrial or manufacturing entities of any nature whatsoever. Commercial establishment shall also include Residential Units which are located outside of the City of Pittston boundaries.

j. "Public Place" means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, spaces, grounds and buildings.

k. "Residential Commercial Group Properties" means any group of properties owned by a "person" {as defined} and containing a minimum of six Equivalent Dwelling Units.

Section 2. Administration:

a. All refuse accumulated in the City shall be collected, conveyed and disposed of by the City and the cost of such service shall be paid as provided in the Schedule of Fees set forth in Section 5 hereof. It shall be unlawful for any person to collect, convey over any of the streets or alleys of the City or dispose of any refuse accumulated in the City without first being licensed by the City. Collectors of refuse from outside of the City shall have the right to haul such refuse over City streets, if such collectors comply with the provisions of this Section as to their equipment and vehicles. Commercial Enterprises may elect refuse removal by a private licensed hauler or utilize the City's service through a negotiated contract.

b. The collection and disposal of refuse in the city of Pittston shall be under the supervision of the Director of Streets and Public Improvements. He shall have authority to make regulations concerning the days of collection, type and location of waste containers and such other matters pertaining to the collection and disposal as he deems advisable, and to change and modify the same after notice as required by law, provided that such regulations are not contrary to the provisions hereof. An aggrieved person shall have the right to appeal against any regulation made by the Director of Streets and Public Improvements to the City Council which may confirm, modify or revoke any such regulation.

c. Commercial Enterprises at which place refuse is accumulated and who desire personally to collect and dispose of that refuse, and persons who desire to dispose of waste material not included in the definition of refuse, and collectors of refuse from outside of the City who desire to haul over the streets of the City, shall use a water tight vehicle provided with a tight cover and so operated as to prevent offensive odors escaping therefrom and refuse from being blown, dropped or spilled. Such disposal shall be made outside the City limits, unless otherwise expressly authorized by City Council. The Director of Streets and Public

Improvements shall have authority to make such other reasonable regulations concerning individual collection and disposal and relating to the hauling over City streets by collectors of refuse from outside of the City as he may deem necessary, subject to the right of appeal as set forth in sub-section (b) hereof.

d. Ownership of refuse material set out for collection shall be vested in the City. The ownership of all material placed on the City Dump be vested in the owner of the dump premises.

e. City residents who own and operate a commercial business within the City limits and who have contracted with a licensed private hauler for such business and who desire to use such facility for the disposal of their personal household garbage may do so. Such residents are required to comply with the City's Recycling Ordinance and must provide the City Recycling Coordinator with written documentation of weights of recyclables and garbage at the time designated in the City's Recycling Ordinance. Such residents are further required to serve written notice of their intentions to not utilize the City's service by February 1st of each year. This notice shall include the name and address of the commercial business as well as the name and address of the city licensed private hauler. It shall be the responsibility of the resident to verify the city license of the private hauler.

f. An owner of a non-billable E.D.U. defined as any E.D.U. which is determined and found to be non-billable by and through the policies and procedures currently in place and the practice followed by the Wyoming Valley Sanitary Authority shall be exempt from the fees established by File of Council No. 3 {1997} from the standard billing and payment obligation set forth therein. All E.D.U.'s determined and found to be billable by the policies and procedures followed by the Wyoming Valley Sanitary shall be required for the payment of all fees and payment obligations as established in File of Council No. 3 {1997}. The City Treasurer/Tax Collector shall rely on the WWSA billable E.D.U.'s listing for the City of Pittston as a checks and balances for the City's billable E.D.U.'s. This amendment and the exclusion created herein shall be applied retroactively to January 1, 2002 and shall be determined and authorized by the City Treasurer/Tax Collector. Any and all appropriate refunds authorized and approved by the City Treasurer/Tax Collector shall be made in accordance herewith.

Section 3. Pre-Collection Practices:

a. Separation of Refuse shall each be placed and maintained in separate containers.

b. Preparation of Refuse.

1. All garbage before being placed in garbage cans for collection shall have drained from it all free liquids and may be wrapped in paper.

2. All rubbish shall be drained of liquid before being deposited for collection.

3. Tree trimmings, hedge clippings and similar material shall be cut to a length not to exceed four feet and securely tied in bundles not more than two feet thick before depositing into collection.

c. Refuse Containers:

1. a. Garbage receptacles shall be made of metal or durable hard plastic, must be water tight, and be provided with tight fitting covers.

b. No person shall use for the reception of garbage, any receptacle having the capacity of more than thirty (30) gallons, nor exceed thirty (30) pounds in weight.

c. All garbage receptacles shall be kept as sanitary as possible and shall be thoroughly cleansed by the occupant after garbage is removed by the collector.

2. Ash receptacles shall be of metal and have a capacity of not more than ten (10) gallons.

3. Rubbish receptacles shall be of suitable kind, which can be easily handled by one man, such as a plastic bag.

4. a. All refuse receptacles shall be provided by the owner, tenant, lessee or occupant of the premises.

b. All refuse receptacles shall be maintained in good condition. Any receptacle that does not conform to the provisions of this ordinance or that may have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof shall be promptly replaced upon notice. Failure to comply may be deemed a violation of this ordinance and additionally may result in refusal to collect or the removal of the defective receptacle as refuse.

d. Storing of Refuse:

1. No person shall place any refuse in any street alley or other public place, or upon any private property whether owned by such person or not, within the City except it be in proper receptacles for collection or under an express approval granted by the City Council. No person shall throw or deposit any refuse in any stream or other body of water.

2. Any unauthorized accumulation of refuse on any premises is hereby declared to be a nuisance and is prohibited. Failure to remove any existing accumulations of refuse within thirty days after the effective date of this ordinance shall be deemed a violation of this ordinance.

3. It shall be unlawful for any person, other than the occupants of the premises on which refuse receptacles are stored or the collector, to remove the covers of any of the contents of refuse receptacles.

e. Points of Collection:

Refuse receptacles shall be placed for collection at ground level on the property, not within the right-of-way of a street or alley and accessible to and not more than ten (10) feet from the side of the street or alley from which collection is made.

Section 4. Collection Practices.

a. Frequency of Collection.

1. Refuse will be collected at least once each week.

b. Limitation on Quantity.

1. It is the intent of the ordinance that the reasonable accumulation of refuse of each family (E.D.U.) for the collection period shall be three (3) garbage bags as defined in Section 3. b. 1. for the standard charge. The Director of Streets and Public

Improvements may refuse to collect unreasonable amounts or to make an additional charge for such amounts.

c. Special Refuse Problems.

1. Contagious Disease Refuse. The removal of wearing apparel, bedding or other refuse from homes or other places where highly infectious diseases have prevailed shall be performed under the supervision and direction of the Director of Streets and Public Improvements and the Health Officer/Agent. Such refuse shall not be placed in containers for regular collections.

2. Inflammable or Explosive Refuse. Highly inflammable or explosive materials shall not be placed in containers for regular collections but shall be disposed of as directed by the Director of Streets and Public Improvements at the expense of the owner or possessor thereof.

Section 5 Fees:

a. The fees for the collection and disposal of refuse placed for collection at ground level and not more than ten (10) feet distant from the side of the streets or alley from which collection is made shall be as follows:

1. Each property owner will be responsible for the payment of each Equivalent Dwelling Unit (E.D.U.) owned by them.

2. The fee for each Residential E.D.U. will be One Hundred Twenty (\$120.00) Dollars per year.

3. All of the fees fixed by this subsection with the exception of Residential Commercial Units and Residential Commercial Group Properties shall be payable semi-annually or in advance. A discount of Twenty (\$20.00) Dollars shall be allowed on all fees paid for a year in advance, provided that payment of all fees are made within Thirty (30) days from the mailing of the first semi-annual bill for such fees. All fees may be paid semi-annually in advance at one half of the annual fee, but such payments shall not be subject to a discount.

4. Each E.D.U. with a maximum of two persons, both over the age of sixty five (65) will be charged the reduced rate of One Hundred (\$100.00) Dollars per year billed semi-annually. Persons in this category are not eligible for any other discount. Persons in this category must make application for the special rate by requesting and completing an application which is available at the office of the City Clerk. Each application must be accompanied by appropriate proof of age ie. Birth Certificate, Drivers License, Pace Card etc. All of the fees fixed by this subsection with the exception of the Residential Commercial Unit shall be payable every six months as billed and further changes in dates of payment or amount of fees shall be done by Resolution of Council.

5. a. The yearly rate for Residential Commercial Units and Residential Commercial Group Properties will be Ninety (\$90.00) Dollars per E.D.U. This fee shall be paid by the owner on a monthly basis unless otherwise requested.

b. All fees shall be considered delinquent if not paid within thirty (30) days from the date of the mailing of the bill thereof and a delinquent charge of ten (10%) will be added.

c. The Director of Street and Public Improvements may discontinue refuse collection service to all delinquent accounts, unless City Council specifically directs otherwise.

Section 6. Penalties:

Any person, whether as principal, agent or employee, violating or assisting in violation of any provisions of this Ordinance or of any Regulation made by Council or the Director of Streets and Public Improvements under the provisions hereof shall, upon conviction thereof before a District Magistrate pay a fine of not less than Twenty Five (\$25.00) Dollars and not more than Three Hundred (\$300.00) Dollars. In default of the payment of such fine and costs of prosecution such person may be imprisoned in the County Jail for a period of not more than ten (10) days. After notice, each day of violation with the provisions of this Ordinance or any such Regulation shall be deemed a separate offense and be subject in all respect to the same penalty as the first offense, and separate proceedings may be instituted and separate penalties imposed for each individual violation after the first conviction.

In addition, the City may at its' discretion, collect delinquent fees by an action of assumpsit in the name of the City against the owner of the property charged. The City of Pittston may by distress or writ of execution levy on personal property on the premises and sell said property to satisfy the account; or file a lien in the nature of a municipal lien. All costs, including court fees, attorneys fees, etc., incurred in such action may be paid by the property owner.

It will be the responsibility of the Superintendent of the Department of Sanitation to set the cost of Commercial accounts as well as the cost of bulk items and the method of billing same.

Section 7. Severability.

The provisions of this ordinance shall be severable and if any provision shall be deemed to be invalid for any reason, the validity of any of the remaining provisions of this ordinance shall not be affected. It is hereby declared as the intention of the City Council of the City of Pittston that this Ordinance would have been adopted had such invalidity not been included therein.

Section 8. Repealer.

All Ordinances or Resolutions or parts of Ordinances or Resolutions which are inconsistent herewith are hereby repealed.

Section 9. Effective Date.

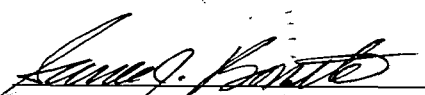
This Ordinance shall become effective ten (10) days after final reading.

ORDAINED AND ENACTED THIS 19th day of February 2003.

PASSED FIRST READING: February 19, 2003

PASSED SECOND AND FINAL READING: MARCH 19, 2003

ATTEST


CITY CLERK

APPROVED


MAYOR

"AN ORDINANCE"

FILE OF COUNCIL

No. 2 {2003}

*MAYOR MICHAEL A. LOMBARDO, IN PLACE
FEBRUARY 19, 2003*

MAYOR MICHAEL LOMBARDO, IN PLACE

February 19, 2003

"AMENDING AN ORDINANCE, FILE OF COUNCIL NO. 4 {2002} RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, PROVIDING FOR ANY AND ALL OFFICERS THE OPTION TO PURCHASE YEARS OF SERVICE AS SPECIAL POLICE OFFICERS, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH."

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittsburgh and it is hereby ordained by the Authority of the same; that File of Council No. 4 {2002} Section 20 be hereby amended to read as follows:

Section 20.

That pursuant to the current labor contract between the Police Department and the City of Pittsburgh a provision is made that any and all police officers who have prior to their full-time employment, been subject of employment by the City in the category of "Special Police Officer" shall be allowed to claim said time as credit against the Police Pension Fund provided they comply with the terms and conditions as set forth by the Pension Trustee, ASCO Financial Group. Pursuant to Section 5 of this Ordinance, the percentage of individual contribution shall be the same in effect for the periods of time they have accumulated. The option to purchase "special time" shall be complied with or said officers shall waive their right to claim the inclusion of special time into the Police Pension Fund calculations.

Section 18.

The provisions of this Ordinance are severable if any part of same is declared invalid. The validity of the remaining provisions shall be unaffected thereby.

Section 19.

That any and all former Laws and Ordinances of the City of Pittsburgh concerning the Pittsburgh City Police Pension Fund are hereby repealed to be replaced by this Ordinance.

Section 23.

This Ordinance shall become effective ten (10) days after final reading.

ORDAINED AND ENACTED THIS 19th of February 2003

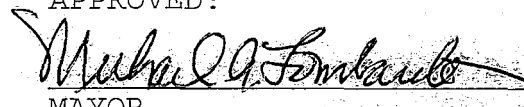
PASSED FIRST READING: FEBRUARY 19, 2003

PASSED SECOND AND FINAL READING: MARCH 19, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 2 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

February 19, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

February 19, 2003

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO.4 {2002}, RELATING TO THE POLICE PENSION FUND IN THE CITY OF PITTSBURGH, PENNSYLVANIA, A THIRD CLASS CITY, AMENDING SECTION 20, PROVIDING FOR ANY AND ALL OFFICERS THE OPTION TO PURCHASE YEARS OF SERVICE AS SPECIAL POLICE OFFICERS, AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES INCONSISTENT HEREWITH."

WHEREAS, the City Council of the City of Pittsburgh previously established the Police Pension Plan; and

WHEREAS, the City Council of the city of Pittsburgh intends to comply with Act 64 of 2002;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittsburgh and it is hereby ordained by the authority of the same;

SECTION 1. Be it ordained by the City Council and Mayor of the City of Pittsburgh, Luzerne County, Pennsylvania, that it is hereby ordained by the authority of the same; that there should be established by contract and designation by the City Council of the City of Pittsburgh a Trustee organization to receive and invest such sums in the manner it deems most beneficial to the Fund so as to provide retirement and other benefits as shall be required by law or by the Ordinance and having in charge the distribution of the Police Pension Fund for the members of the Bureau of Police in the City of Pittsburgh, the City Council shall appropriate an amount of money sufficient to keep the fund actuarially sound.

SECTION 1.1 Board of Managers - Established; Composition; Appointment of Members.

The Police Pension Fund shall be under the direction and control of a Board of Managers consisting of the Mayor, the City Controller, the Director of Accounts and Finance, the Chief of Police, Director of Public Safety, and two {2} members of the Police Department to be chosen by members of the Police Department contributing to the retirement fund.

SECTION 2. The City Council of the City of Pittsburgh is hereby authorized to appoint a Trustee or Trustees and to enter into a trust agreement with said Trustee upon such term or terms as the City Council shall establish, to invest and re-invest the Fund and to make payments out of the Fund in accordance with the provisions of the Plan & Trust Agreement. The Trustee may be a natural person or persons or corporation including a financial institution. Further, the City Council of the City of Pittsburgh may enter into contracts, deposit agreements, annuity contracts or trust accounts on behalf of the City with one {1} or more insurance companies, banks or other financial institutions or investment companies which may provide the pension and other benefits.

SECTION 3. The Council of the City of Pittsburgh shall control direct and be responsible for the administration of the said Trustee. The said Trustee is to manage the Fund in the best welfare of the said Fund and to be entitled to reasonable compensation for their said management to be paid from the Pension Fund.

SECTION 4. That the said Pension Fund shall maintain a Fund that shall be given by bequest, legacy, gifts, donations, fund appeals, or from funds subscribed by the public, or from unclaimed articles in possession of the police.

SECTION 5. That in addition to the sum provided for the said Pension Fund by the City of Pittsburgh, all members of the said Fund as qualified under Section 2 of this Ordinance shall have deducted either 0% or one tenth of one percent from his or her gross salary. The individual employee shall determine

his/her own contribution and advise the City Clerk/Administrator of that decision in writing. A copy of said decision shall be maintained in the individual's employee personnel file. All members shall also contribute \$1.00 for service increment, which is to be paid in monthly payments by the City Treasurer to the duly elected Trustee of the said Pension Fund.

SECTION 6. The fund shall be used for the pensioning of the officers and employees mentioned in the aforesaid section of this ordinance and widows and children of same as hereinafter provided.

SECTION 7. All expenditures necessary for the maintenance of the said Pension Fund shall be paid by the said Fund and will be the responsibility of the City of Pittston. No money except as heretofore set forth shall be paid out except for the purposes of pensions for members of the Police Bureau and other officers and their widows and children as contemplated by this Ordinance. The said Pension Fund Association shall make an annual report to the City Council and Mayor on the first Monday of January of each year. The report shall give an account of all receipts and disbursements of the fund of such other matters or shall properly be embodied in such report.

SECTION 8. {A} Payments for allowances shall not be a charge on any other fund in the treasury of the City under its control save the Police Pension Fund herein provided for. The basis of the appointment of the Pension shall be determined by the rate of the monthly pay of the member at the date of injury, death, honorable discharge, or retirement, or the highest average annual salary which the member received during any five years of service preceding injury, death, honorable discharge, or retirement whichever is the higher, and except as to service increments provided for in subsection {b} of this section, shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly or average rate, whichever is the higher.

{B} Service increment shall be the sum obtained by computing the number of whole years after having served the minimum required by this act during which a contributor has been employed by such number of years so computed by an amount equal to one-fortieth of the retirement allowance which has become payable to such contribution in accordance with the provisions of this act. In computing the service increment, no employment after the contributor has reached the age of sixty-five years shall be included, and no service increment shall be paid in excess of one hundred dollars {\$100.00} per month.

{C} The widow of a member of the police force or a member who retires on pension who dies or if no widow survives or if she survives and subsequently dies, then the child or children under the age of eighteen years of a member of the police force or a member who retires on pension who dies on or after the effective date of this amendment, shall during her lifetime, or upon reaching the age of eighteen years in the case of a child or children, be entitled to receive the pension the member was receiving had he been retired at the time of his death.

{D} Any police officer who has less than ten years of service and who dies or is totally disabled due to injuries or mental incapacities not in line of duty and is unable to perform the duties of a police officer, may be entitled to a pension of twenty-five per centum of his annual compensation. For death or injuries received after ten years of service, the compensation may be fifty per centum of his annual compensation.

The disability pension may be payable to the police officer during his lifetime and if he shall die, the pension payment that he was receiving may be continued to be paid to his widow if she survives or if she subsequently dies or remarries, then the child or children under the age of eighteen years of the police officer.

SECTION 9. Every policeman or other employee in the Bureau of Police eligible under this ordinance who retires who shall have served for the term of 20 years and wishes to be retired at his own request may do so and be entitled to receive a pension. The pension being determined from date of said resignation is submitted to Council, provided however, the Council shall have the right to retire any police officer who shall have served twenty years or more, if, in its opinion, the said officer or employee is either physically, or mentally incapacitated from performing his or her duty in the bureau of police. That all people covered by this ordinance must retire from the Bureau of Police upon reaching the age of 65. This is a mandatory retirement age. Any member of the Bureau of Police who at the age of 65 has not completed 20 years of service is entitled to receive only the monies he has paid by contributing into the said Pension Fund. It is further enacted that in addition to the vesting of said pension as outlined above, there is established a vested benefit wherein an employee may be eligible for vested benefits if he has completed twelve {12} years of total service and must have filed written notice with the municipality of the intention to vest within ninety {90} days after termination. Further, the City through its trustees will be responsible for the accuracy of the vested pension benefit payable upon an employee's superannuation retirement date. The

calculation of pension shall be based on the percentage of years as it relates to the standard vesting period of twenty {20} years. The employee would be entitled to a vested pension based on the pro rate share of years vested.

SECTION 10. That all sums of money paid for any reason either for expense of running the said Pension Fund or any sums used for the payment of pensions to the officer, employees, widows, or children entitled thereto under this Ordinance shall be paid by check signed by the Treasurer and anyone else designated by Council.

SECTION 11. That any police officer or employee under this Ordinance who becomes totally disabled due to injuries sustained in the line of duty shall be deemed to be fully vested in the police pension fund, regardless of the actual number of years of credited services, and shall be eligible for immediate retirement benefits. Proof of disability shall be by competent medical evidence provided by the claimant from three {3} practicing physicians, designated by the pension board. The claimant shall thereafter at any time be subject to physical examination at any reasonable time or times, upon order of the pension board.

SECTION 12. That if a member shall resign before eligibility under this Ordinance or shall be dismissed by the proper authorities he shall be entitled only to receive the sum he has paid by contribution into said Pension Fund without interest.

SECTION 13. That all officers and employees of the Bureau of Police who are not contributors to the said Pension Fund and all those so employed after the enactment of this Ordinance shall be subject to the provisions of this Ordinance.

SECTION 14. That the City Treasurer of the City of Pittston has the right to inspect the books and records of the Pittston Police Pension Fund Association during the course of each annual year.

SECTION 15. That the Council of the City of Pittston hereby designates as its Trustee, ASCO Financial Group, Pierce St., Kingston, Pennsylvania to receive from the City Treasurer any allocations received by the City of Pittston from the Commonwealth of Pennsylvania, from the City of Pittston itself, from Police employees and from gifts, grants, devises, or bequests made pursuant to this Ordinance and shall invest such funds in the manner it deems beneficial to the Fund so as to provide retirement and other benefits as shall be required by the laws of the Commonwealth of Pennsylvania and this Ordinance where it shall be established from time to time by resolution of the City Council of the City of Pittston.

SECTION 16.

"Salary" the definition of the term "salary" shall be either of the following two definitions:

a. The monthly salary is defined as the total taxable amount paid to an employee during any calendar month. This would include the regular fixed scheduled salary {all W-2 wages}, but to specifically exclude other taxable pay such as: vacation buy back, sick day buy back, compensatory pay and personal leave pay.

b. The five year average earnings shall be the average of the highest five years annual earnings as taken from the employee's W-2 wages less any vacation buy back, sick day buy back, compensatory pay and personal leave pay.

"Pension Calculation" the employee pension shall be calculated using the monthly or five year average salary as follows:

Monthly - Any employee who retires during the course of any year shall do so effective the 1st of the month. He/she can use the monthly taxable wages {as defined in Section 2, paragraph a. above} paid during the last calendar month prior to retiring for pension calculation.

Five Year Average - An employee who for some unforeseen reason is at a lower pay scale than at some time in his/her career with the city has the option of using the average salary {as defined in Section 2, paragraph b. above} of the five {5} highest years of employment with the city.

SECTION 17. This Ordinance is declared to be urgent and necessary for the reservation of the public peace, health, safety, and welfare and after full discussion with all interested parties and shall take effect and be in force after due passage.

SECTION 18. The provisions of this Ordinance are severable if any part of same is declared invalid, the validity of the remaining provisions shall be unaffected thereby.

SECTION 19. That any and all former Laws and Ordinances of the City of Pittston concerning the Pittston City Police Pension Fund are hereby repealed to be replaced by this Ordinance.

SECTION 20. That pursuant to the current labor contract between the Police Department and the City of Pittston a provision is made that any and all police officers who have prior to their full-time employment, been subject of employment by the City in the category of "Special Police Officer" shall be allowed to claim said time as credit against the Police Pension Fund provided they comply with the terms and conditions as set forth by the Pension Trustee, ASCO Financial Group. Pursuant to Section 5 of this Ordinance, the percentage of individual contribution shall be the same in effect for the periods of time they have accumulated. The option to purchase "special time" shall be complied with or said officers shall waive their right to claim the inclusion of special time into the Police Pension Fund calculations.

SECTION 21. Prior to the adoption of said Ordinance, a preliminary determination by the Pension Trustee has indicated that said action will have a non-affect of the current actuarial studies and projected responsibilities of the fund.

SECTION 22. {A} That the City Council of the City of Pittston hereby ordains and authorizes to provide a one-time two hundred dollar {\$200.00} per month ad hoc cost-of-living increase to the pension benefits of the current retired member under the plan.

{B} That a one-time post-retirement be provided to the eligible retired members of the police pension plan, the eligibility and amount of such adjustment to be provided in Act 64 of 2002, and that such adjustment be retroactively effective to the first monthly pension benefit paid after June 30, 2002.

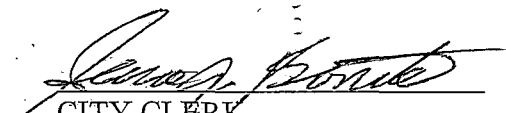
The total of any such allowances shall not at any time exceed one-half of the current salary being paid patrolmen of the highest pay grade.

SECTION 23. This Ordinance shall become effective ten (10) days after final reading.

PASSED FIRST READING: February 19, 2003

PASSED SECOND & FINAL READING: March 19, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 3 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

April 16, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

April 16, 2003

"AN ORDINANCE"

"AMENDING AN ORDINANCE FILE OF COUNCIL NO. 5 {1987}, CITY OF PITSTON ZONING ORDINANCE AND AS AMENDED BY FILE OF COUNCIL NO. 4 {1992} AND NO. 1 {2002}, AMENDING ARTICLE IV, SECTION 401, ZONING MAP"

BE IT ORDAINED, by the City Council of the City of Pittston, and it is hereby ordained by the authority of the same;

ARTICLE IV, SECTION 401. The City Zoning Map of 1987 and as amended in 1992 and 2002 is hereby amended as follows:

The existing Cosgrove Park and former Railroad Station property on Market Street be rezoned from R-2 {Multi-Family Residential District} to C-1 {Neighborhood Commercial District}, as per the attached proposed zoning map change.

All ordinances or parts of ordinances or resolutions in conflict herewith be and the same are hereby repealed.

This ordinance shall become effective ten {10} days after final reading.

PASSED ON FIRST READING: April 16, 2003


PASSED ON SECOND & FINAL READING: May 21, 2003

ATTEST:

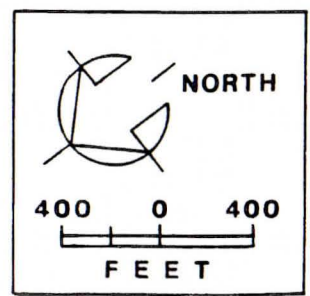
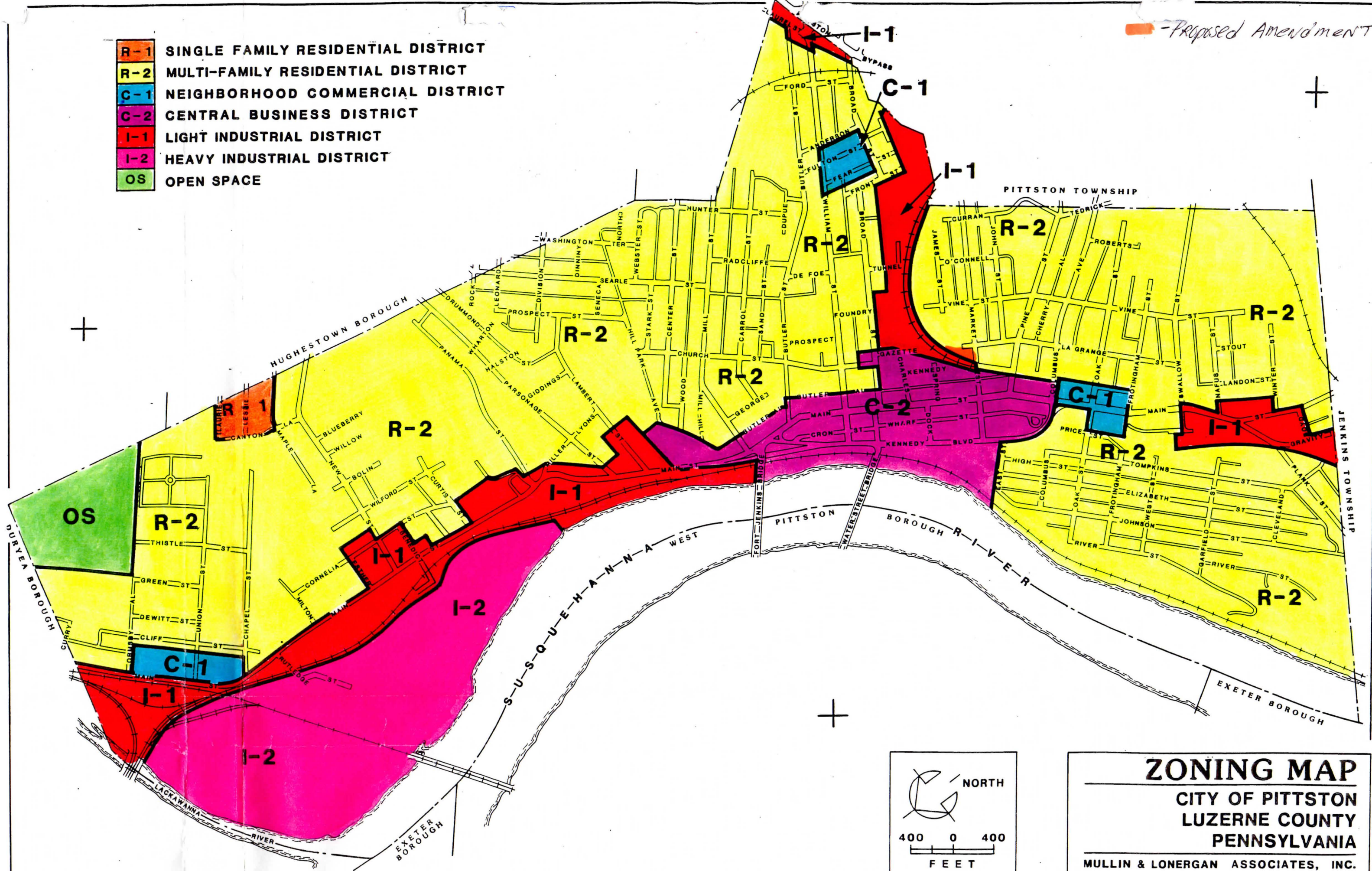
CITY CLERK

APPROVED:

MAYOR

 - Proposed Amendment

- R-1** SINGLE FAMILY RESIDENTIAL DISTRICT
- R-2** MULTI-FAMILY RESIDENTIAL DISTRICT
- C-1** NEIGHBORHOOD COMMERCIAL DISTRICT
- C-2** CENTRAL BUSINESS DISTRICT
- I-1** LIGHT INDUSTRIAL DISTRICT
- I-2** HEAVY INDUSTRIAL DISTRICT
- OS** OPEN SPACE



ZONING MAP
CITY OF PITTSBURGH
LUZERNE COUNTY
PENNSYLVANIA
MULLIN & LONERGAN ASSOCIATES, INC.

FILE OF COUNCIL

No. 4 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

JULY 16, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

July 16, 2003

"A N O R D I N A N C E"

"AN ORDINANCE OF THE CITY OF PITSTON ESTABLISHING A SERVICE CHARGE FEE FOR CERTIFICATION AS TO THE PAYMENT STATUS OR DELINQUENT TAX STATEMENT PREPARED BY THE TAX COLLECTOR'S OFFICE"

WHEREAS, the Pittston City Tax Collector's Office is often requested to provide individuals, firms and corporations with a statement regarding current or delinquent taxes;

WHEREAS, Pittston City recognizes the important significance of real estate tax certifications to the smooth and effective flow of commerce within the local real estate market; and

WHEREAS, the Commonwealth Court of Pennsylvania has held that the charging of fees for tax certifications in the absence of a municipal ordinance would cause an elected official to violate Section 3(a) of the State Ethics Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Pittston and it is hereby **ORDAINED** by the authority of the same:

SECTION 1.

RESOLVED that Pittston City hereby approves the Pittston City Tax Collector as the municipal officer authorized to provide tax certifications upon request by the public and hereby authorizes said Tax Collector to assess, collect and retain, as compensation for providing such additional service, a fee of Five (\$5.00) Dollars, which fee may, by resolution, be increased from time to time.

SECTION 2.

The provisions of this Ordinance shall be severable and if any provision shall be deemed to be invalid for any reason, the validity of any of the remaining provisions of this Ordinance shall not be affected. It is hereby declared as the intention of the City Council of the City of Pittston that this Ordinance would have been adopted had such invalidity not been included therein.

SECTION 3. REPEALER.

All Ordinances or parts of Ordinances, which are inconsistent herewith, are hereby repealed.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall become effective Ten (10) days after final passage.

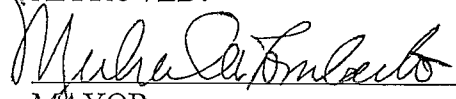
PASSED ON FIRST READING: July 16, 2003

PASSED ON SECOND & FINAL READING: August 20, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 5 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 19, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 19, 2003

"A N O R D I N A N C E"

"AN ORDINANCE VACATING A CERTAIN PORTION OF AN UNNAMED ALLEY ON THE SOUTH SIDE OF MT. CARMEL CHURCH, LYING BETWEEN WILLIAM AND BROAD STREET, PITSTON CITY, LUZERNE COUNTY, PENNSYLVANIA"

WHEREAS, a certain approximately twelve (12) foot wide alley, a portion of which is located on the south side of Our Lady of Mount Carmel Church and rectory and a proposed parish center that will attach to the east of the church along William Street, Pittston City, Luzerne, County, Pennsylvania and lying between Tax Map No. E11/NE3 Lots 2, 3, 4, and 5 and Tax Map No. E11/SE2 Block 6, Lots 14 A, 14, 15, and 16 of said Mount Carmel Church, was publicly dedicated."

WHEREAS, said alley is unnamed on the aforesaid map (the portion which is being vacated is hereinafter referred to as "Alley"); and

WHEREAS, "The Most Reverend James C. Timlin, D.D. Bishop of the Diocese of Scranton, Trustee for Our Lady of Mount Carmel Roman Catholic Congregation," (Hereinafter "owner") owns property on both sides of a portion of the alley; and

WHEREAS, the owner requests that the portion of the alley between its existing properties be vacated in order to eliminate any vehicular hazards between the building and the rear parking lot; and

WHEREAS, it has been ascertained by the City of Pittston authorities that, in view of the above that it is now desirable for the City of Pittston authorities to vacate said Alley.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, and it is hereby ordained and enacted by the City Council of the City of Pittston, Luzerne County, Pennsylvania, that this Ordinance is hereby enacted as follows:

1. This Ordinance shall be known and may be cited as the "Ordinance Vacating a Certain Portion of an Unnamed Alley on the south side of Mt. Carmel Church Lying Between William Street and Broad Street."
2. The City of Pittston hereby formally vacates a portion of the Alley

BEGINNING at a point of intersection of the Northerly Right-of-Way line of Rear William Street Alley with the Northeasternly Right-of-Way line of Anderson Street;

THENCE along Northerly Right-of-Way line of Rear William Street Alley South 66°00'00" East, one-hundred seventy-six and sixteen hundredths (176.16) feet to a corner;

THENCE crossing said rear William Street Alley South 24°00'00" West, twelve and no one-hundredth (12.00) feet to a point in the South of Right-of-Way line of Rear William Street Alley;

THENCE along Southerly Right-of-Way line of said Alley North 66°00'00" West, one-hundred seventy-two and nine one-hundredths (172.09) feet to the Northerly Right-of-Way line of Anderson Street;

THENCE along said Right-of-Way line North 5°15'14" East, twelve and sixty-seven one-hundredths (12.67) feet to a place of beginning.

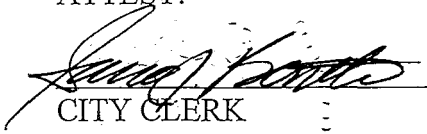
CONTAINING 2,090 square feet, being more or less.

This Ordinance shall become effective Ten (10) days after final passage.

PASSED ON FIRST READING: November 19, 2003

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

October 15, 2003

Pittston City Counsel
35 Broad St.
Pittston, PA 18640

RE: Our Lady Mt. Carmel Parish Center (vacate Alleyway)

Dear Counsel Members,

On behalf of Father Paul McDonnell and Our Lady Mt. Carmel Parish, Facility Design & Development, Ltd. requests permission and approval to vacate the said Alley on the south side of Mt. Carmel Church, and the proposed Parish Center that will attach to the east of the Church.

The requested vacated area length extends from the northeast corner of the Church property line at Anderson St. - N66° 00' 00" W - 202.32 feet northwest, to the southeast corner of the Church property bordering Adnizio's Funeral Home property (see attached exhibit A).

The requested vacated Alley will benefit the Church's proposed Parish Center rear entrance, by eliminating any vehicular hazards between the building and the rear parking lot. Planters will be placed on each side of the said Alley to prevent traffic there.

We request that the City Counsel authorize the City Solicitor to proceed with the vacation of said Alley. Should you have any questions, please feel free to contact me.

Very Truly Yours,
Facility Design & Development, Ltd.


Gene Romaldini
Project Manager

ME: GR

Cc: Father Paul McDonnell
Larry Piazza
Tony Palermo
Tom Reilly
Partners
File

New York Office:
19 Murray Street
4th Floor
New York, New York 10007
Phone (212) 964-5453
Fax (212) 571-0393

Scranton Office:
Scranton Life Building
Suite 730
538 Spruce Street
Scranton, Pennsylvania 18501
Phone (570) 504-5065
Fax (570) 504-5067

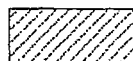
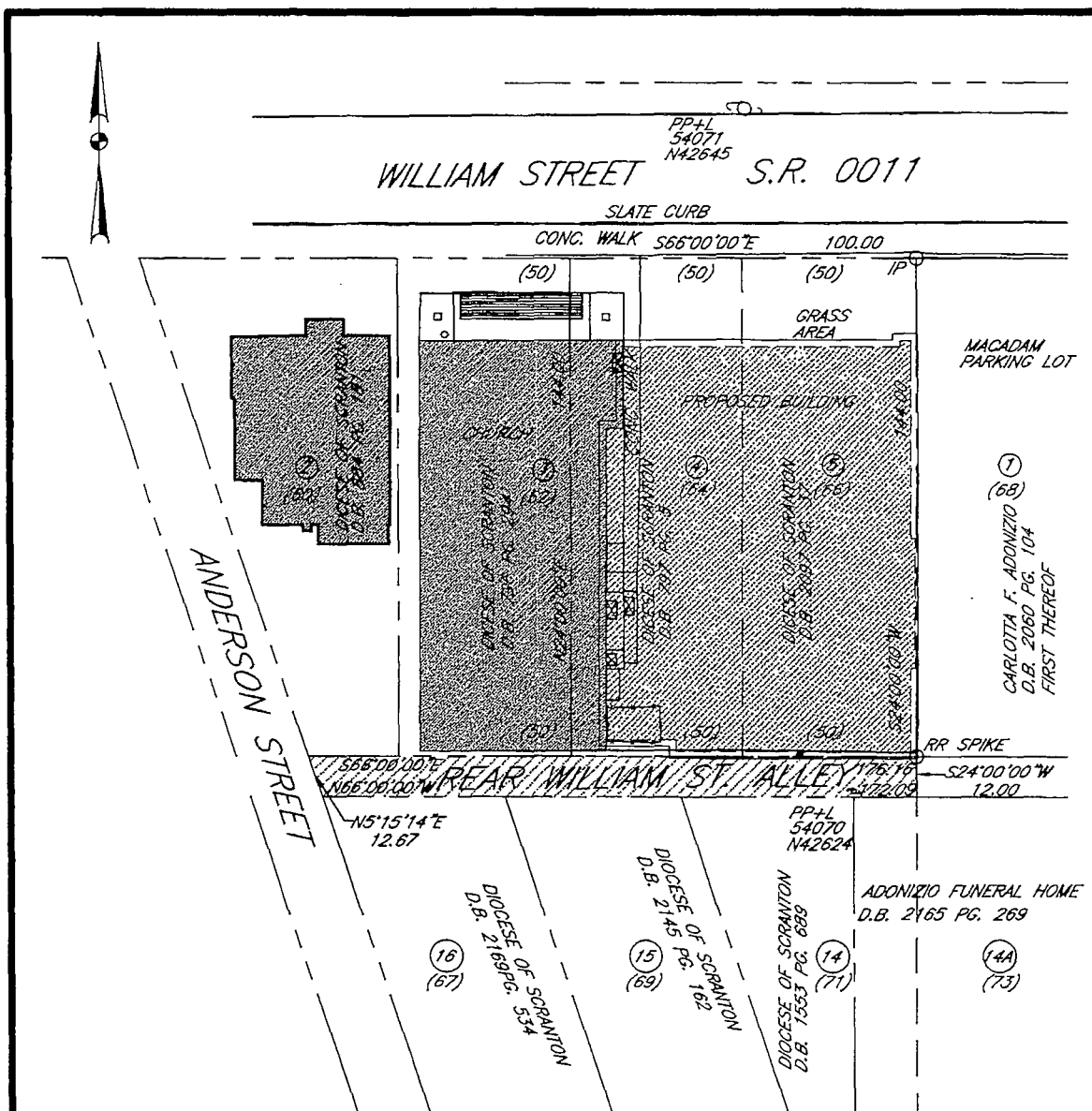
Wilkes-Barre Office:
One South Main Street
Wilkes-Barre, Pennsylvania 18701
Phone (570) 824-1234
Fax (570) 822-5337

State College Office:
2013 Sandy Drive
Suite 201
State College, Pennsylvania 16801
Phone (814) 238-6621
Fax (814) 238-7706

info@facilitydesignltd.com
www.facilitydesignltd.com

**FACILITY DESIGN
& DEVELOPMENT, LTD.**

ARCHITECTS
PLANNERS



ALLEY AREA TO BE VACATED = 2,090 SQ. FT.

DRAFT

Approved By: TJR		CITY OF PITTSTON	Date: 11/19/03
Drawn By: JPN	Checked By: RBM		
		VACATION OF UNNAMED ALLEY AT REAR OF OUR LADY OF MOUNT CARMEL CHURCH CITY OF PITTSTON LUZERNE COUNTY, PENNSYLVANIA	Project No. 03073
		REILLY ASSOCIATES CONSULTING ENGINEERS 222 Wyoming Avenue West Pittston, Pennsylvania 18643 Telephone (570) 654-2473	Drawing No. 03073-1
			1 OF 1

FILE OF COUNCIL
No. 6 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

**"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND
EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR
COMMENCING JANUARY 1, 2004 AND ENDING DECEMBER 31, 2004."**

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,546,190				1,546,190
Licenses & Permits	40,550				40,550
Fines & Forfeits	89,000				89,000
Interest & Rents	33,500	400	100		34,000
Intergovernmental Revenues	323,290	135,100		399,900	858,290
Departmental Earnings	443,800		240,000		683,800
Miscellaneous Revenue	5,000				5,000
Other Financing Sources	2,697,700				2,697,700
Beginning Cash Balance 1/1/04	<u>{220,300}</u>	<u>23,150</u>	<u>40,000</u>	<u>100</u>	<u>{ 157,050}</u>
TOTAL	<u>4,958,730</u>	<u>158,650</u>	<u>280,100</u>	<u>400,000</u>	<u>5,797,480</u>

ESTIMATED EXPENDITURES


	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	552,960				552,960
Public Safety	1,225,713				1,225,713
Health & Welfare	5,880				5,880
Sanitation	341,340				341,340
Highways	482,417				482,417
Parks & Recreation	104,610				104,610
Debt Service	2,167,770				2,167,770
Miscellaneous Expenditures	60,500		59,100	133,000	252,600
Other Financing Uses	167,840	117,000	195,000	267,000	746,840
Year End Cash Balance 12/31/04	<u>-0-</u>	<u>41,650</u>	<u>26,000</u>	<u>-0-</u>	<u>67,650</u>
TOTAL	<u>5,109,030</u>	<u>158,650</u>	<u>280,100</u>	<u>400,000</u>	<u>5,947,780</u>

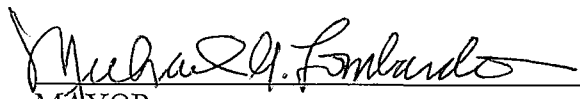
PASSED ON FIRST READING: November 26, 2003

PASSED ON SECOND & FINAL READING: _____

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 6 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 26, 2003

{AMENDED}

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

"AN ORDINANCE TO PROVIDE FOR THE PAYMENT OF DEBTS AND EXPENSES OF THE CITY OF PITTSFORD FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2004 AND ENDING DECEMBER 31, 2004."

ESTIMATED REVENUES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
Taxes	1,661,330				1,661,330
Licenses & Permits	43,500				43,500
Fines & Forfeits	80,000				80,000
Interest & Rents	82,100	400	100		82,600
Intergovernmental Revenues	322,780	135,100		399,900	857,780
Departmental Earnings	444,550		240,000		684,550
Miscellaneous Revenue	19,680				19,680
Other Financing Sources	2,641,600				2,641,600
Beginning Cash Balance 1/1/04	<u>{180,000}</u>	<u>23,150</u>	<u>40,000</u>	<u>100</u>	<u>{ 116,750}</u>
TOTAL	<u>5,115,540</u>	<u>158,650</u>	<u>280,100</u>	<u>400,000</u>	<u>5,954,290</u>

ESTIMATED EXPENDITURES

	<u>General Fund</u>	<u>Highway Aid Fund</u>	<u>Sewer Maint. Fund</u>	<u>Comm. Dev. Fund</u>	<u>Total All Funds</u>
General Government	532,200				532,200
Public Safety	1,241,090				1,241,090
Health & Welfare	6,075				6,075
Sanitation	342,440				342,440
Highways	409,020				409,020
Parks & Recreation	70,640				70,640
Debt Service	2,144,160				2,144,160
Miscellaneous Expenditures	75,565		59,100	133,000	267,665
Other Financing Uses	294,350	117,000	195,000	267,000	873,350
Year End Cash Balance 12/31/04	<u>-0-</u>	<u>41,650</u>	<u>26,000</u>	<u>-0-</u>	<u>67,650</u>
TOTAL	<u>5,115,540</u>	<u>158,650</u>	<u>280,100</u>	<u>400,000</u>	<u>5,954,290</u>

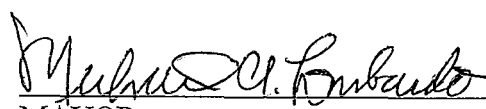
PASSED ON FIRST READING: _____

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 7 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2004."

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2004 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty {30} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	2.75 mills
Library	1.00 mills
Parks	1.25 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

This ordinance and real estate tax shall take effect January 1, 2004.

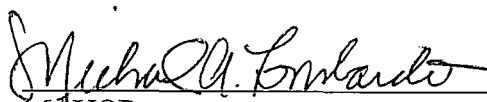
PASSED ON FIRST READING: November 26, 2003

PASSED ON SECOND & FINAL READING: _____

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 7 {2003}

(AMENDED)

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

"FIXING GENERAL AND SPECIAL TAXES FOR THE FISCAL YEAR 2004."

SECTION 1.

Be it enacted and ordained by the Council of the City of Pittston, Pennsylvania, and it is hereby enacted and ordained by the authority of the City of Pittston, for the fiscal year 2004 certain deficiencies prior thereto, a tax is hereby levied on all real, and mixed property, within the limits of the City of Pittston, taxable according to the law of the State of Pennsylvania, for the purpose as follows:

"To provide for revenue purposes and for payment of necessary bills to support the City and to make necessary improvements, there is hereby levied Thirty-Six {36} Mills on the Dollar of Valuation."

SECTION 2. TAX DEPOSIT - SPECIAL ACCOUNTS

Real Estate tax levy to be deposited in the following accounts:

General Purposes	25.00 mills
Debt Service	3.75 mills
Library	1.00 mills
Parks	1.25 mills
Pension System Recovery Program	5.00 mills

SECTION 3. DISCOUNTS

Pursuant to Section 10 of the "Local Tax Collection Law" a taxpayer subject to the payment of a tax levied by this ordinance shall be entitled to a discount of two percent {2%} from the amount of such tax upon making payment of the whole amount of such tax within two {2} months after the date of the tax notice.

SECTION 4. PENALTIES

A taxpayer subject to the payment of a tax levied by this ordinance, who shall fail to make payment of such tax for four {4} months after the date of tax notice, shall be charged a penalty of ten percent {10%} {which penalty shall be added to the tax by the Tax Collector and shall be collected by the Tax Collector.}

SECTION 5. EFFECTIVE DATE

This ordinance and real estate tax shall take effect January 1, 2004.

PASSED ON FIRST READING: _____

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:

APPROVED:


CITY CLERK


MAYOR

FILE OF COUNCIL

No. 8 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A ONE PER-CENT {1%} EARNED INCOME TAX WITHIN THE CITY FOR THE FISCAL YEAR 2004."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} Earned Income Tax on earned income and net profits on earned income and net profits earned by Non-Residents of the City of Pittston for work done, or services performed or rendered in the City of Pittston, under the authority of Act 511 of 1965, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2004;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Earned Income Tax of one per-cent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2004.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2004.

PASSED ON FIRST READING: November 26, 2003

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL
No. 9 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE
November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

“AN ORDINANCE”

**“RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES
A ONE PER-CENT {1%} TAX UPON THE TRANSFER OF REAL ESTATE WITHIN
THE CITY FOR THE FISCAL YEAR 2004.”**

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a one per-cent {1%} transfer tax on the transfer of real estate within the City, and;

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2004;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Real Estate Transfer Tax of one percent {1%} presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2004.


SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2004.

PASSED ON FIRST READING: November 26, 2003

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:


CITY CLERK

APPROVED:


MAYOR

FILE OF COUNCIL

No. 10 {2003}

MAYOR MICHAEL A. LOMBARDO, IN PLACE

November 26, 2003

MAYOR MICHAEL LOMBARDO, IN PLACE

November 26, 2003

"AN ORDINANCE"

"RE-ENACTING THE ORDINANCE OF THE CITY OF PITSTON WHICH IMPOSES A TEN DOLLAR {\$10.00} PER YEAR OCCUPATIONAL PRIVILEGE TAX WITHIN THE CITY FOR THE FISCAL YEAR 2004."

WHEREAS, the City of Pittston has presently in force an Ordinance imposing a ten {\$10.00} dollars Occupational Privilege Tax on all individuals within the City of Pittston under the Authority of Act 511 of 1965,

WHEREAS, the income derived from the imposition of said tax is necessary to conduct the affairs of the City for the year 2004;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Pittston and it is hereby ordained by the Authority of the same,

SECTION 1. That the Occupational Privilege Tax of ten {\$10.00} dollars presently enforced in the City of Pittston be re-enacted for the fiscal year, beginning January 1, 2004.

SECTION 2. That all ordinances or parts of ordinances conflicting with the provisions of this ordinance be and the same are hereby repealed.

SECTION 3. This ordinance shall become effective January 1, 2004.

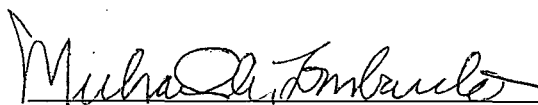
PASSED ON FIRST READING: November 26, 2003

PASSED ON SECOND & FINAL READING: December 30, 2003

ATTEST:

APPROVED:


CITY CLERK


MAYOR

CITY OF PITTSTON
LUZERNE COUNTY, PENNSYLVANIA

Ordinance
No. 11 2003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PITTSTON, LUZERNE COUNTY, PENNSYLVANIA, SETTING FORTH ITS INTENT TO ISSUE A GENERAL OBLIGATION NOTE, SERIES OF 2003, OF THE CITY IN THE AGGREGATE PRINCIPAL AMOUNT OF SIX HUNDRED THOUSAND DOLLARS (\$600,000) PURSUANT TO THE ACT OF THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA, 53 PA.C.S. CHAPTERS 80-82, AS AMENDED, REENACTED AND SUPPLEMENTED, KNOWN AS THE LOCAL GOVERNMENT UNIT DEBT ACT (THE "ACT"); FINDING THAT A PRIVATE SALE BY NEGOTIATION IS IN THE BEST FINANCIAL INTERESTS OF THE CITY; DETERMINING THAT SUCH NOTE SHALL EVIDENCE NONELECTORAL DEBT OF THE CITY; SPECIFYING THAT SUCH INDEBTEDNESS IS TO BE INCURRED TO PROVIDE FUNDS TO FINANCE A PROJECT OF THE CITY WHICH CONSISTS OF, AMONG OTHER THINGS: (1) FUNDING THE DESIGN, ACQUISITION, CONSTRUCTION, RENOVATION, IMPROVEMENT, AND INSTALLATION, FURNISHING AND EQUIPPING OF IMPROVEMENTS AND/OR ADDITIONS TO THE CITY'S FACILITIES AND PROPERTIES, INCLUDING, BUT NOT LIMITED TO, THE ACQUISITION OF VEHICLES AND OTHER MUNICIPAL EQUIPMENT, STREET PAVING, FIRE SYSTEM AND SERVICE IMPROVEMENTS, RECREATION FACILITIES IMPROVEMENTS AND EQUIPMENT ACQUISITION, MUNICIPAL BUILDINGS RENOVATIONS AND IMPROVEMENTS, TECHNOLOGY AND INFORMATION IMPROVEMENTS AND EQUIPMENT ACQUISITION, AND ACQUISITION AND IMPROVEMENT OF THE MUNICIPAL STREET LIGHTING SYSTEM; (2) ADDITIONAL CAPITAL PROJECTS OF THE CITY TO THE EXTENT APPROVED BY THE COUNCIL; AND (3) PAYING THE COSTS AND EXPENSES OF ISSUING THE 2003 NOTE; SETTING FORTH THE REASONABLE ESTIMATED USEFUL LIVES OF THE CAPITAL PROJECTS TO BE FINANCED BY THE 2003 NOTE; ACCEPTING A PROPOSAL FOR THE PURCHASE OF SUCH 2003 NOTE AT PRIVATE SALE BY NEGOTIATION; PROVIDING THAT SUCH 2003 NOTE, WHEN ISSUED, SHALL CONSTITUTE A GENERAL OBLIGATION OF THE CITY; FIXING THE DENOMINATION, DATED DATE, INTEREST PAYMENT DATES, INTEREST RATES, REDEMPTION PROVISIONS AND PLACE OF PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH 2003

NOTE; AUTHORIZING SPECIFIED OFFICERS OF THE CITY TO CONTRACT WITH THE PAYING AGENT FOR ITS SERVICES IN CONNECTION WITH THE 2003 NOTE; SETTING FORTH THE SUBSTANTIAL FORM OF THE 2003 NOTE EVIDENCING THE DEBT; AUTHORIZING EXECUTION AND ATTESTATION OF SUCH 2003 NOTE; PROVIDING COVENANTS RELATED TO DEBT SERVICE APPLICABLE TO SUCH 2003 NOTE TO THE EXTENT REQUIRED BY THE ACT AND PLEDGING THE FULL FAITH, CREDIT AND TAXING POWER OF THE CITY IN SUPPORT THEREOF; CREATING A SINKING FUND IN CONNECTION WITH SUCH 2003 NOTE, TO THE EXTENT REQUIRED BY THE ACT; DESIGNATING THE PAYING AGENT TO BE THE SINKING FUND DEPOSITARY; PROVIDING A COVENANT TO INSURE PROMPT AND FULL PAYMENT FOR SUCH 2003 NOTE WHEN DUE; SETTING FORTH REGISTRATION AND TRANSFER PROVISIONS WITH RESPECT TO SUCH 2003 NOTE; AUTHORIZING THE EXECUTION OF ONE OR MORE INVESTMENT AGREEMENTS BY SPECIFIED OFFICERS OF THE CITY (IF APPLICABLE) AND THE PURCHASE OF CERTAIN U.S. TREASURY OBLIGATIONS OR ANY OTHER SECURITIES OR INVESTMENTS IN CONNECTION WITH THE PROJECT; AUTHORIZING AND DIRECTING SPECIFIED OFFICERS OF THE CITY TO DO, TO TAKE AND TO PERFORM CERTAIN SPECIFIED, REQUIRED, NECESSARY OR APPROPRIATE ACTS TO EFFECT THE ISSUANCE OF THE 2003 NOTE, INCLUDING, WITHOUT LIMITATION, THE PREPARATION OF A DEBT STATEMENT AND BORROWING BASE CERTIFICATE, AND THE FILING OF SPECIFIED DOCUMENTS WITH THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, ALL AS REQUIRED BY THE ACT; DECLARING THAT THE DEBT TO BE EVIDENCED BY SUCH 2003 NOTE, TOGETHER WITH ALL OTHER INDEBTEDNESS OF THE CITY, WILL NOT BE IN EXCESS OF ANY APPLICABLE LIMITATION IMPOSED BY THE ACT; AUTHORIZING PROPER OFFICERS OF THE CITY TO DELIVER THE 2003 NOTE UPON THE APPROVAL OF THE DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT; SETTING FORTH CERTAIN COVENANTS PRECLUDING THE CITY FROM TAKING ACTIONS WHICH WOULD CAUSE THE 2003 NOTE TO BECOME AN "ARBITRAGE BOND" OR A "PRIVATE ACTIVITY BOND" AS THOSE TERMS ARE USED IN THE INTERNAL REVENUE CODE OF 1986, AS AMENDED (THE "CODE"), AND APPLICABLE REGULATIONS PROMULGATED THEREUNDER; DESIGNATING THE 2003 NOTE AS A "QUALIFIED TAX-EXEMPT OBLIGATION" UNDER SECTION 265(b) OF THE CODE; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SEVERABILITY OF PROVISIONS; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INsofar AS THE SAME SHALL BE INCONSISTENT HERewith.

WHEREAS, the City of Pittston, Luzerne County, Pennsylvania (the "City"), was incorporated under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, it is necessary that the indebtedness of the City be increased for the purposes of providing funds for: (1) funding the design, acquisition, construction, renovation, improvement, and installation, furnishing and equipping of improvements and/or additions to the City's facilities and properties, including, but not limited to, the acquisition of vehicles and other municipal equipment, street paving, fire system and service improvements, recreation facilities improvements and equipment acquisition, municipal buildings renovations and improvements, technology and information improvements and equipment acquisition, and acquisition and improvement of the municipal street lighting system; (2) additional capital projects of the City to the extent approved by the Council; and (3) paying the costs and expenses of issuing the 2003 Note (collectively, the "Project"); and

WHEREAS, the 2003 Note will be issued pursuant to the Act of the General Assembly of the Commonwealth of Pennsylvania, 53 P.a.C.S., Chapters 80-82, as amended, reenacted and supplemented, and known as the Local Government Unit Debt Act (the "Act"); and

WHEREAS, it is necessary that the indebtedness of the City be increased for the purpose of funding the Project; and

WHEREAS, the proposed increase of debt, together with its nonelectoral indebtedness and its lease rental indebtedness presently outstanding, will not cause the limitations of the City, pursuant to constitutional and statutory authority, to be exceeded; and

WHEREAS, the City received a commitment letter, dated November 6, 2003, for the financing of the Project (the "Commitment Letter") from First National Community Bank, Dunmore, Pennsylvania (the "Purchaser"); and

WHEREAS, the City desires to formally approve the Project, to accept the Commitment Letter and to authorize the incurrence of nonelectoral debt under the Act, and the execution and delivery of the Commitment Letter.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pittston, Luzerne County, Pennsylvania, and it is hereby ordained and enacted by the authority of same as follows:

SECTION 1. That the aggregate principal amount of the General Obligation Note, Series of 2003 (the "2003 Note") of the City, proposed to be issued is \$600,000, same to be issued for the foregoing purposes and same to be incurred as nonelectoral debt.

SECTION 2. The City hereby approves the Project to be undertaken consisting of providing funds for: (1) funding the design, acquisition, construction, renovation, improvement, and installation, furnishing and equipping of improvements and/or additions to the

City's facilities and properties, including, but not limited to, the acquisition of vehicles and other municipal equipment, street paving, fire system and service improvements, recreation facilities improvements and equipment acquisition, municipal buildings renovations and improvements, technology and information improvements and equipment acquisition, and acquisition and improvement of the municipal street lighting system; (2) additional capital projects of the City to the extent approved by the Council; and (3) paying the costs and expenses of issuing the 2003 Note.

It is hereby determined and declared that the estimated useful life of the capital projects to be financed with a portion of the proceeds of the 2003 Note range from 10 to at least 25 years.

It is hereby certified that an aggregate principal amount of the 2003 Note at least equal to the realistic estimated cost of each such capital project shall mature prior to the end of the useful life of such project. Stated installments or maturities of principal of the 2003 Note will not be deferred beyond the later of one year after the estimated date for the completion of the construction portion of the Project, if any, or two years from the date of issuance of the 2003 Note.

SECTION 3. Said indebtedness shall be evidenced by one general obligation note in the amount of \$600,000, dated and bearing interest from the earliest date of possible issue of said 2003 Note under the statutory time requirements as set forth in the Act, at a variable rate of interest specified in the Commitment Letter, payable on the unpaid balance of said 2003 Note during the term of said 2003 Note. Interest is payable on the unpaid balance of said 2003 Note during its term until paid. The 2003 Note shall mature in installments of principal and at the maximum rate of interest as shown on the attached Schedule hereinafter referred to as "Exhibit A."

The City reserves the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, in accordance with the limitations as specified in the Commitment Letter, if any.

The principal and interest of said 2003 Note shall be payable at the office of the sinking fund depository selected for the 2003 Note as hereinafter provided.

SECTION 4. The said 2003 Note is hereby declared to be a general obligation of the City. The City hereby covenants that it shall include the amount of debt service on the 2003 Note for each fiscal year in which such sums are payable in its budget for that year; shall appropriate such amounts from its general revenues for the payment of such debt service; and shall duly and punctually pay or cause to be paid from its general revenues the principal of the 2003 Note and the interest thereon at the dates and places and in the manner stated in the 2003 Note according to the true intent and meaning thereof, and for such proper budgeting, appropriation, and payment, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

The amounts which the City hereby covenants to pay in each of the fiscal years that the 2003 Note is outstanding on the basis of the maximum interest rate as specified in the Commitment Letter are shown on Exhibit A hereto.

SECTION 5. The 2003 Note, when issued, will be a general obligation of the City.

SECTION 6. In accordance with the provisions of Section 265(b) of the Internal Revenue Code of 1986, as amended (the "Code"), the City hereby finds, determines and designates the 2003 Note as a "qualified tax-exempt obligation" as defined in Section 265(b)(3)(B) of the Code, for the purposes of such Section 265(b) of the Code. The City determines that it and all entities with which it is aggregated under Section 265(b)(3)(E) of the Code have not issued, and do not reasonably expect to issue, tax-exempt obligations which, in the aggregate, exceed or will exceed Ten Million Dollars (\$10,000,000) during the calendar year 2003. The City also determines that it will not engage in any action or inaction which will or may cause the 2003 Note to fail or cease to constitute a "qualified tax-exempt obligation" under Section 265(b)(3) of the Code.

SECTION 7. The City covenants to and with the registered owner of the 2003 Note that it will make no use of the proceeds of such issue or do or suffer any other action which, if such use or action had been reasonably expected on the date of issue of such 2003 Note, would cause such 2003 Note to be an "arbitrage bond" or a "private activity bond" as those terms are defined in Section 148 and Section 141 of the Code and the applicable regulations thereunder. The City further covenants that it will comply with the requirements of such Section 148 and Section 141 and with the regulations thereunder throughout the term of this issue. In addition, the Mayor of the City being the official(s) responsible for issuing the 2003 Note, attested by the City Clerk, are hereby authorized and directed to execute and deliver, in the name and on behalf of the City, any and all documents or other instruments which Bond Counsel may reasonably request in connection with the providing of its opinion that the 2003 Note is not an "arbitrage bond" or a "private activity bond" within the meaning of Section 148 and Section 141 of the Code and the regulations promulgated thereunder, including, without limitation, a certificate dated the date of issuance and delivery of the 2003 Note, which certificate shall set forth the reasonable expectations of the City as to the amount and use of the proceeds of the 2003 Note.

SECTION 8. The form of said 2003 Note shall be substantially as shown on the attached Exhibit B.

SECTION 9. The said 2003 Note shall be executed in the name and under the corporate seal of the City by the Mayor, the Director of Accounts and Finance, and the Controller of the City and attested to by the City Clerk in substantially the form attached hereto together with such changes, modifications, insertions and deletions as such officers, with the advice of counsel, deem necessary and appropriate; their execution and delivery thereof shall be conclusive evidence of the approval and authorization by the City of the final terms of the 2003 Note. The City Clerk is hereby authorized and directed to deliver said 2003 Note to the Purchaser, and receive payment therefor on behalf of the City. The Mayor of the City and the City Clerk of the City are authorized and directed to prepare, verify and file the debt statement

required by Section 8110 of the Act, and to take other necessary action, including, if necessary or desirable, the filing, either before or after the issuance of the 2003 Note, additional debt statements or any statements required to qualify any portion of the debt from the appropriate debt limit as self-liquidating or subsidized debt.

SECTION 10. First National Community Bank, Dunmore, Pennsylvania, is hereby designated as the Sinking Fund Depositary for the obligation herein authorized, and there is hereby created and established a Sinking Fund, to be known as the "City of Pittston, Luzerne County, Pennsylvania, Sinking Fund - General Obligation Note, Series of 2003", for the payment of the principal and interest thereon which shall be deposited into the Sinking Fund no later than the date upon which the same becomes due and payable. The Finance Director of the City shall deposit into the Sinking Fund, which shall be maintained until such obligation is paid in full, sufficient amounts for payment and interest on the obligation no later than the date upon which such payments shall become due. The Sinking Fund Depositary shall, as and when said payments are due, without further action by the City withdraw available monies in the Sinking Fund and apply said monies to payment of the principal of and interest on the obligation.

SECTION 11. The Mayor of the City is hereby authorized to contract with First National Community Bank for its services as Sinking Fund Depositary for the 2003 Note and Paying Agent for the same (the "Paying Agent").

SECTION 12. In compliance with Section 8161 of the Act, the Council has determined that a private sale by negotiation, rather than public sale, is in the best financial interest of the City. The Commitment Letter is hereby accepted and the 2003 Note in the amount of \$600,000, herein authorized to be issued and sold, is hereby awarded and sold to the Purchaser in accordance with its commitment to purchase the said 2003 Note at par; provided the said 2003 Note is dated the date of delivery thereof to the Purchaser and is in substantially the form set forth in Exhibit B to this Ordinance with such changes as may be approved by the officers of the City executing such 2003 Note; and further provided that the proceedings have been approved by the Department of Community and Economic Development if such approval is required under the provisions of the Act. A copy of said Commitment Letter shall be attached hereto as Exhibit C and lodged with the official minutes of this meeting and is hereby incorporated herein by reference.

SECTION 13. If necessary, the City hereby approves the execution of one or more investment agreements, the purchase of certain U.S. Treasury obligations or any other securities or investments (the "Investments") for investment of the proceeds of the 2003 Note in connection with the Project. The City hereby authorizes and directs the Mayor of the City and the City Clerk to attest any investment agreement on behalf of the City, in the form approved by the Solicitor and Bond Counsel of the City. The Investments shall be limited to those authorized under law for proceeds of the 2003 Note.

SECTION 14. The action of the proper officers and the advertising of a summary of this Ordinance as required by law in a newspaper of general circulation in the City, is ratified and confirmed. The advertisement of enactment in said newspaper is hereby directed within fifteen (15) days following the day of final enactment.

SECTION 15. The proper officers of the City are hereby authorized to execute and deliver such other documents and to take such other action as may be necessary or proper to effect the completion of the financing or the intent and purposes of this Ordinance.

SECTION 16. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Ordinance, it being the intent of the City that the remainder of this Ordinance shall remain in full force and effect.

SECTION 17. All ordinances or parts of ordinances not in accord with this Ordinance are hereby repealed insofar as they conflict herewith.

SECTION 18. This Ordinance shall be effective in accordance with Section 8003 of the Act.

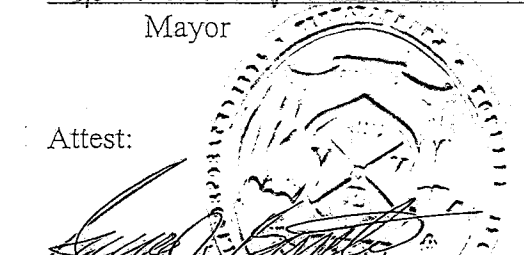
ORDAINED AND ENACTED THIS 3RD DAY OF DECEMBER, 2003.

CITY OF PITTSTON
Luzerne County, Pennsylvania

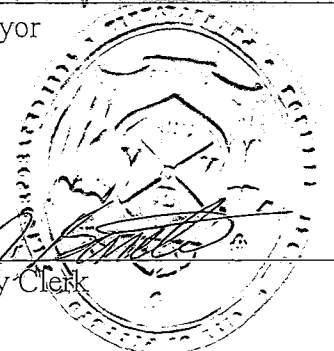


Mayor

Attest:



City Clerk



PASSED ON FIRST READING NOVEMBER 26 2003

PASSED ON SECOND AND FINAL READING: DECEMBER 3rd, 2003

EXHIBIT A

Amortization Schedule

City of Pittston
Debt Amortization

AMT. FINANCED - \$600,000
4.24% for the first ten years
6.1% for the remaining 10 years

<u>#</u>	<u>Date</u>	<u>TOTAL PAYMENT</u>	<u>INTEREST</u>	<u>PRINCIPAL</u>	<u>BALANCE</u>
					\$ 600,000.00
1	1/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
2	2/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
3	3/15/2004	\$ 2,021.26	\$ 2,021.26	\$ -	\$ 600,000.00
4	4/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
5	5/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
6	6/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
7	7/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
8	8/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
9	9/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
10	10/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
11	11/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
12	12/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
13	1/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
14	2/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
15	3/15/2005	\$ 1,951.56	\$ 1,951.56	\$ -	\$ 600,000.00
16	4/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
17	5/15/2005	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
18	6/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
19	7/15/2005	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
20	8/15/2005	\$ 10,268.77	\$ 2,160.66	\$ 8,108.11	\$ 591,891.89
21	9/15/2005	\$ 2,131.46	\$ 2,131.46	\$ -	\$ 591,891.89
22	10/15/2005	\$ 2,062.70	\$ 2,062.70	\$ -	\$ 591,891.89
23	11/15/2005	\$ 10,239.57	\$ 2,131.46	\$ 8,108.11	\$ 583,783.78
24	12/15/2005	\$ 2,034.45	\$ 2,034.45	\$ -	\$ 583,783.78
25	1/15/2006	\$ 2,102.26	\$ 2,102.26	\$ -	\$ 583,783.78
26	2/15/2006	\$ 10,210.37	\$ 2,102.26	\$ 8,108.11	\$ 575,675.67
27	3/15/2006	\$ 1,872.44	\$ 1,872.44	\$ -	\$ 575,675.67
28	4/15/2006	\$ 2,073.06	\$ 2,073.06	\$ -	\$ 575,675.67
29	5/15/2006	\$ 10,114.30	\$ 2,006.19	\$ 8,108.11	\$ 567,567.56
30	6/15/2006	\$ 2,043.87	\$ 2,043.87	\$ -	\$ 567,567.56
31	7/15/2006	\$ 1,977.93	\$ 1,977.93	\$ -	\$ 567,567.56
32	8/15/2006	\$ 10,151.98	\$ 2,043.87	\$ 8,108.11	\$ 559,459.45
33	9/15/2006	\$ 2,014.67	\$ 2,014.67	\$ -	\$ 559,459.45
34	10/15/2006	\$ 1,949.68	\$ 1,949.68	\$ -	\$ 559,459.45
35	11/15/2006	\$ 10,122.78	\$ 2,014.67	\$ 8,108.11	\$ 551,351.34
36	12/15/2006	\$ 1,921.42	\$ 1,921.42	\$ -	\$ 551,351.34
37	1/15/2007	\$ 1,985.47	\$ 1,985.47	\$ -	\$ 551,351.34
38	2/15/2007	\$ 10,093.58	\$ 1,985.47	\$ 8,108.11	\$ 543,243.23
39	3/15/2007	\$ 1,766.95	\$ 1,766.95	\$ -	\$ 543,243.23
40	4/15/2007	\$ 1,956.27	\$ 1,956.27	\$ -	\$ 543,243.23
41	5/15/2007	\$ 10,001.28	\$ 1,893.17	\$ 8,108.11	\$ 535,135.12
42	6/15/2007	\$ 1,927.07	\$ 1,927.07	\$ -	\$ 535,135.12

43	7/15/2007	\$	1,864.91	\$	1,864.91	\$	-	\$	535,135.12
44	8/15/2007	\$	10,035.18	\$	1,927.07	\$	8,108.11	\$	527,027.01
45	9/15/2007	\$	1,897.87	\$	1,897.87	\$	-	\$	527,027.01
46	10/15/2007	\$	1,836.65	\$	1,836.65	\$	-	\$	527,027.01
47	11/15/2007	\$	10,005.98	\$	1,897.87	\$	8,108.11	\$	518,918.90
48	12/15/2007	\$	1,808.40	\$	1,808.40	\$	-	\$	518,918.90
49	1/15/2008	\$	1,868.68	\$	1,868.68	\$	-	\$	518,918.90
50	2/15/2008	\$	9,976.79	\$	1,868.68	\$	8,108.11	\$	510,810.79
51	3/15/2008	\$	1,720.80	\$	1,720.80	\$	-	\$	510,810.79
52	4/15/2008	\$	1,839.48	\$	1,839.48	\$	-	\$	510,810.79
53	5/15/2008	\$	9,888.25	\$	1,780.14	\$	8,108.11	\$	502,702.68
54	6/15/2008	\$	1,810.28	\$	1,810.28	\$	-	\$	502,702.68
55	7/15/2008	\$	1,751.88	\$	1,751.88	\$	-	\$	502,702.68
56	8/15/2008	\$	9,918.39	\$	1,810.28	\$	8,108.11	\$	494,594.57
57	9/15/2008	\$	1,781.08	\$	1,781.08	\$	-	\$	494,594.57
58	10/15/2008	\$	1,723.63	\$	1,723.63	\$	-	\$	494,594.57
59	11/15/2008	\$	9,889.19	\$	1,781.08	\$	8,108.11	\$	486,486.46
60	12/15/2008	\$	1,695.37	\$	1,695.37	\$	-	\$	486,486.46
61	1/15/2009	\$	1,751.88	\$	1,751.88	\$	-	\$	486,486.46
62	2/15/2009	\$	9,859.99	\$	1,751.88	\$	8,108.11	\$	478,378.35
63	3/15/2009	\$	1,555.97	\$	1,555.97	\$	-	\$	478,378.35
64	4/15/2009	\$	1,722.69	\$	1,722.69	\$	-	\$	478,378.35
65	5/15/2009	\$	9,775.23	\$	1,667.12	\$	8,108.11	\$	470,270.24
66	6/15/2009	\$	1,693.49	\$	1,693.49	\$	-	\$	470,270.24
67	7/15/2009	\$	1,638.86	\$	1,638.86	\$	-	\$	470,270.24
68	8/15/2009	\$	9,801.60	\$	1,693.49	\$	8,108.11	\$	462,162.13
69	9/15/2009	\$	1,664.29	\$	1,664.29	\$	-	\$	462,162.13
70	10/15/2009	\$	1,610.60	\$	1,610.60	\$	-	\$	462,162.13
71	11/15/2009	\$	9,772.40	\$	1,664.29	\$	8,108.11	\$	454,054.02
72	12/15/2009	\$	1,582.35	\$	1,582.35	\$	-	\$	454,054.02
73	1/15/2010	\$	1,635.09	\$	1,635.09	\$	-	\$	454,054.02
74	2/15/2010	\$	9,743.20	\$	1,635.09	\$	8,108.11	\$	445,945.91
75	3/15/2010	\$	1,450.48	\$	1,450.48	\$	-	\$	445,945.91
76	4/15/2010	\$	1,605.89	\$	1,605.89	\$	-	\$	445,945.91
77	5/15/2010	\$	9,662.20	\$	1,554.09	\$	8,108.11	\$	437,837.80
78	6/15/2010	\$	1,576.70	\$	1,576.70	\$	-	\$	437,837.80
79	7/15/2010	\$	1,525.83	\$	1,525.83	\$	-	\$	437,837.80
80	8/15/2010	\$	9,684.81	\$	1,576.70	\$	8,108.11	\$	429,729.69
81	9/15/2010	\$	1,547.50	\$	1,547.50	\$	-	\$	429,729.69
82	10/15/2010	\$	1,497.58	\$	1,497.58	\$	-	\$	429,729.69
83	11/15/2010	\$	9,655.61	\$	1,547.50	\$	8,108.11	\$	421,621.58
84	12/15/2010	\$	6,090.15	\$	6,090.15	\$	-	\$	421,621.58
85	1/15/2011	\$	1,518.30	\$	1,518.30	\$	-	\$	421,621.58
86	2/15/2011	\$	9,626.41	\$	1,518.30	\$	8,108.11	\$	413,513.47
87	3/15/2011	\$	1,345.00	\$	1,345.00	\$	-	\$	413,513.47
88	4/15/2011	\$	1,489.10	\$	1,489.10	\$	-	\$	413,513.47
89	5/15/2011	\$	9,549.18	\$	1,441.07	\$	8,108.11	\$	405,405.36
90	6/15/2011	\$	1,459.90	\$	1,459.90	\$	-	\$	405,405.36
91	7/15/2011	\$	1,412.81	\$	1,412.81	\$	-	\$	405,405.36
92	8/15/2011	\$	9,568.01	\$	1,459.90	\$	8,108.11	\$	397,297.25
93	9/15/2011	\$	1,430.71	\$	1,430.71	\$	-	\$	397,297.25
94	10/15/2011	\$	1,384.55	\$	1,384.55	\$	-	\$	397,297.25

95	11/15/2011	\$	9,538.82	\$	1,430.71	\$	8,108.11	\$	389,189.14
96	12/15/2011	\$	1,356.30	\$	1,356.30	\$	-	\$	389,189.14
97	1/15/2012	\$	1,401.51	\$	1,401.51	\$	-	\$	389,189.14
98	2/15/2012	\$	9,509.62	\$	1,401.51	\$	8,108.11	\$	381,081.03
99	3/15/2012	\$	1,283.77	\$	1,283.77	\$	-	\$	381,081.03
100	4/15/2012	\$	1,372.31	\$	1,372.31	\$	-	\$	381,081.03
101	5/15/2012	\$	9,436.15	\$	1,328.04	\$	8,108.11	\$	372,972.92
102	6/15/2012	\$	1,343.11	\$	1,343.11	\$	-	\$	372,972.92
103	7/15/2012	\$	1,299.79	\$	1,299.79	\$	-	\$	372,972.92
104	8/15/2012	\$	9,451.22	\$	1,343.11	\$	8,108.11	\$	364,864.81
105	9/15/2012	\$	1,313.91	\$	1,313.91	\$	-	\$	364,864.81
106	10/15/2012	\$	1,271.53	\$	1,271.53	\$	-	\$	364,864.81
107	11/15/2012	\$	9,422.02	\$	1,313.91	\$	8,108.11	\$	356,756.70
108	12/15/2012	\$	1,243.27	\$	1,243.27	\$	-	\$	356,756.70
109	1/15/2013	\$	1,284.72	\$	1,284.72	\$	-	\$	356,756.70
110	2/15/2013	\$	9,392.83	\$	1,284.72	\$	8,108.11	\$	348,648.59
111	3/15/2013	\$	1,134.02	\$	1,134.02	\$	-	\$	348,648.59
112	4/15/2013	\$	1,255.52	\$	1,255.52	\$	-	\$	348,648.59
113	5/15/2013	\$	9,323.13	\$	1,215.02	\$	8,108.11	\$	340,540.48
114	6/15/2013	\$	1,226.32	\$	1,226.32	\$	-	\$	340,540.48
115	7/15/2013	\$	1,186.76	\$	1,186.76	\$	-	\$	340,540.48
116	8/15/2013	\$	9,334.43	\$	1,226.32	\$	8,108.11	\$	332,432.37
117	9/15/2013	\$	1,197.12	\$	1,197.12	\$	-	\$	332,432.37
118	10/15/2013	\$	1,158.50	\$	1,158.50	\$	-	\$	332,432.37
119	11/15/2013	\$	9,305.23	\$	1,197.12	\$	8,108.11	\$	324,324.26
120	12/15/2013	\$	1,130.25	\$	1,130.25	\$	-	\$	324,324.26
121	1/15/2014	\$	1,680.27	\$	1,680.27	\$	-	\$	324,324.26
122	2/15/2014	\$	9,788.38	\$	1,680.27	\$	8,108.11	\$	316,216.15
123	3/15/2014	\$	1,479.72	\$	1,479.72	\$	-	\$	316,216.15
124	4/15/2014	\$	1,638.26	\$	1,638.26	\$	-	\$	316,216.15
125	5/15/2014	\$	9,693.52	\$	1,585.41	\$	8,108.11	\$	308,108.04
126	6/15/2014	\$	1,596.25	\$	1,596.25	\$	-	\$	308,108.04
127	7/15/2014	\$	1,544.76	\$	1,544.76	\$	-	\$	308,108.04
128	8/15/2014	\$	9,704.36	\$	1,596.25	\$	8,108.11	\$	299,999.93
129	9/15/2014	\$	1,554.25	\$	1,554.25	\$	-	\$	299,999.93
130	10/15/2014	\$	1,504.11	\$	1,504.11	\$	-	\$	299,999.93
131	11/15/2014	\$	9,662.36	\$	1,554.25	\$	8,108.11	\$	291,891.82
132	12/15/2014	\$	1,463.46	\$	1,463.46	\$	-	\$	291,891.82
133	1/15/2015	\$	1,512.24	\$	1,512.24	\$	-	\$	291,891.82
134	2/15/2015	\$	9,620.35	\$	1,512.24	\$	8,108.11	\$	283,783.71
135	3/15/2015	\$	1,327.95	\$	1,327.95	\$	-	\$	283,783.71
136	4/15/2015	\$	1,470.23	\$	1,470.23	\$	-	\$	283,783.71
137	5/15/2015	\$	9,530.92	\$	1,422.81	\$	8,108.11	\$	275,675.60
138	6/15/2015	\$	1,428.23	\$	1,428.23	\$	-	\$	275,675.60
139	7/15/2015	\$	1,382.15	\$	1,382.15	\$	-	\$	275,675.60
140	8/15/2015	\$	9,536.34	\$	1,428.23	\$	8,108.11	\$	267,567.49
141	9/15/2015	\$	1,386.22	\$	1,386.22	\$	-	\$	267,567.49
142	10/15/2015	\$	1,341.50	\$	1,341.50	\$	-	\$	267,567.49
143	11/15/2015	\$	9,494.33	\$	1,386.22	\$	8,108.11	\$	259,459.38
144	12/15/2015	\$	1,300.85	\$	1,300.85	\$	-	\$	259,459.38
145	1/15/2016	\$	1,344.21	\$	1,344.21	\$	-	\$	259,459.38
146	2/15/2016	\$	9,452.32	\$	1,344.21	\$	8,108.11	\$	251,351.27

147	3/15/2016	\$	1,218.19	\$	1,218.19	\$	-	\$	251,351.27
148	4/15/2016	\$	1,302.21	\$	1,302.21	\$	-	\$	251,351.27
149	5/15/2016	\$	9,368.31	\$	1,260.20	\$	8,108.11	\$	243,243.16
150	6/15/2016	\$	1,260.20	\$	1,260.20	\$	-	\$	243,243.16
151	7/15/2016	\$	1,219.55	\$	1,219.55	\$	-	\$	243,243.16
152	8/15/2016	\$	9,368.31	\$	1,260.20	\$	8,108.11	\$	235,135.05
153	9/15/2016	\$	1,218.19	\$	1,218.19	\$	-	\$	235,135.05
154	10/15/2016	\$	1,178.90	\$	1,178.90	\$	-	\$	235,135.05
155	11/15/2016	\$	9,326.30	\$	1,218.19	\$	8,108.11	\$	227,026.94
156	12/15/2016	\$	1,138.24	\$	1,138.24	\$	-	\$	227,026.94
157	1/15/2017	\$	1,176.19	\$	1,176.19	\$	-	\$	227,026.94
158	2/15/2017	\$	9,284.30	\$	1,176.19	\$	8,108.11	\$	218,918.83
159	3/15/2017	\$	1,024.42	\$	1,024.42	\$	-	\$	218,918.83
160	4/15/2017	\$	1,134.18	\$	1,134.18	\$	-	\$	218,918.83
161	5/15/2017	\$	9,205.70	\$	1,097.59	\$	8,108.11	\$	210,810.72
162	6/15/2017	\$	1,092.17	\$	1,092.17	\$	-	\$	210,810.72
163	7/15/2017	\$	1,056.94	\$	1,056.94	\$	-	\$	210,810.72
164	8/15/2017	\$	9,200.28	\$	1,092.17	\$	8,108.11	\$	202,702.61
165	9/15/2017	\$	1,050.17	\$	1,050.17	\$	-	\$	202,702.61
166	10/15/2017	\$	1,016.29	\$	1,016.29	\$	-	\$	202,702.61
167	11/15/2017	\$	9,158.28	\$	1,050.17	\$	8,108.11	\$	194,594.50
168	12/15/2017	\$	975.64	\$	975.64	\$	-	\$	194,594.50
169	1/15/2018	\$	1,008.16	\$	1,008.16	\$	-	\$	194,594.50
170	2/15/2018	\$	9,116.27	\$	1,008.16	\$	8,108.11	\$	186,486.39
171	3/15/2018	\$	872.65	\$	872.65	\$	-	\$	186,486.39
172	4/15/2018	\$	966.15	\$	966.15	\$	-	\$	186,486.39
173	5/15/2018	\$	9,043.10	\$	934.99	\$	8,108.11	\$	178,378.28
174	6/15/2018	\$	924.15	\$	924.15	\$	-	\$	178,378.28
175	7/15/2018	\$	894.33	\$	894.33	\$	-	\$	178,378.28
176	8/15/2018	\$	9,032.26	\$	924.15	\$	8,108.11	\$	170,270.17
177	9/15/2018	\$	882.14	\$	882.14	\$	-	\$	170,270.17
178	10/15/2018	\$	853.68	\$	853.68	\$	-	\$	170,270.17
179	11/15/2018	\$	8,990.25	\$	882.14	\$	8,108.11	\$	162,162.06
180	12/15/2018	\$	813.03	\$	813.03	\$	-	\$	162,162.06
181	1/15/2019	\$	840.13	\$	840.13	\$	-	\$	162,162.06
182	2/15/2019	\$	8,948.24	\$	840.13	\$	8,108.11	\$	154,053.95
183	3/15/2019	\$	720.89	\$	720.89	\$	-	\$	154,053.95
184	4/15/2019	\$	798.13	\$	798.13	\$	-	\$	154,053.95
185	5/15/2019	\$	8,880.49	\$	772.38	\$	8,108.11	\$	145,945.84
186	6/15/2019	\$	756.12	\$	756.12	\$	-	\$	145,945.84
187	7/15/2019	\$	731.73	\$	731.73	\$	-	\$	145,945.84
188	8/15/2019	\$	8,864.23	\$	756.12	\$	8,108.11	\$	137,837.73
189	9/15/2019	\$	714.11	\$	714.11	\$	-	\$	137,837.73
190	10/15/2019	\$	691.08	\$	691.08	\$	-	\$	137,837.73
191	11/15/2019	\$	8,822.22	\$	714.11	\$	8,108.11	\$	129,729.62
192	12/15/2019	\$	650.43	\$	650.43	\$	-	\$	129,729.62
193	1/15/2020	\$	672.11	\$	672.11	\$	-	\$	129,729.62
194	2/15/2020	\$	8,780.22	\$	672.11	\$	8,108.11	\$	121,621.51
195	3/15/2020	\$	589.45	\$	589.45	\$	-	\$	121,621.51
196	4/15/2020	\$	630.10	\$	630.10	\$	-	\$	121,621.51
197	5/15/2020	\$	8,717.88	\$	609.77	\$	8,108.11	\$	113,513.40
198	6/15/2020	\$	588.09	\$	588.09	\$	-	\$	113,513.40

199	7/15/2020	\$	569.12	\$	569.12	\$	-	\$	113,513.40
200	8/15/2020	\$	8,696.20	\$	588.09	\$	8,108.11	\$	105,405.29
201	9/15/2020	\$	546.09	\$	546.09	\$	-	\$	105,405.29
202	10/15/2020	\$	528.47	\$	528.47	\$	-	\$	105,405.29
203	11/15/2020	\$	8,654.20	\$	546.09	\$	8,108.11	\$	97,297.18
204	12/15/2020	\$	487.82	\$	487.82	\$	-	\$	97,297.18
205	1/15/2021	\$	504.08	\$	504.08	\$	-	\$	97,297.18
206	2/15/2021	\$	8,612.19	\$	504.08	\$	8,108.11	\$	89,189.07
207	3/15/2021	\$	417.36	\$	417.36	\$	-	\$	89,189.07
208	4/15/2021	\$	462.07	\$	462.07	\$	-	\$	89,189.07
209	5/15/2021	\$	8,555.28	\$	447.17	\$	8,108.11	\$	81,080.96
210	6/15/2021	\$	420.07	\$	420.07	\$	-	\$	81,080.96
211	7/15/2021	\$	406.52	\$	406.52	\$	-	\$	81,080.96
212	8/15/2021	\$	8,528.18	\$	420.07	\$	8,108.11	\$	72,972.85
213	9/15/2021	\$	378.06	\$	378.06	\$	-	\$	72,972.85
214	10/15/2021	\$	365.86	\$	365.86	\$	-	\$	72,972.85
215	11/15/2021	\$	8,486.17	\$	378.06	\$	8,108.11	\$	64,864.74
216	12/15/2021	\$	325.21	\$	325.21	\$	-	\$	64,864.74
217	1/15/2022	\$	336.05	\$	336.05	\$	-	\$	64,864.74
218	2/15/2022	\$	8,444.16	\$	336.05	\$	8,108.11	\$	56,756.63
219	3/15/2022	\$	265.59	\$	265.59	\$	-	\$	56,756.63
220	4/15/2022	\$	294.05	\$	294.05	\$	-	\$	56,756.63
221	5/15/2022	\$	8,392.67	\$	284.56	\$	8,108.11	\$	48,648.52
222	6/15/2022	\$	252.04	\$	252.04	\$	-	\$	48,648.52
223	7/15/2022	\$	243.91	\$	243.91	\$	-	\$	48,648.52
224	8/15/2022	\$	8,360.15	\$	252.04	\$	8,108.11	\$	40,540.41
225	9/15/2022	\$	210.03	\$	210.03	\$	-	\$	40,540.41
226	10/15/2022	\$	203.26	\$	203.26	\$	-	\$	40,540.41
227	11/15/2022	\$	8,318.14	\$	210.03	\$	8,108.11	\$	32,432.30
228	12/15/2022	\$	162.61	\$	162.61	\$	-	\$	32,432.30
229	1/15/2023	\$	168.03	\$	168.03	\$	-	\$	32,432.30
230	2/15/2023	\$	8,276.14	\$	168.03	\$	8,108.11	\$	24,324.19
231	3/15/2023	\$	113.82	\$	113.82	\$	-	\$	24,324.19
232	4/15/2023	\$	126.02	\$	126.02	\$	-	\$	24,324.19
233	5/15/2023	\$	8,230.06	\$	121.95	\$	8,108.11	\$	16,216.08
234	6/15/2023	\$	84.01	\$	84.01	\$	-	\$	16,216.08
235	7/15/2023	\$	81.30	\$	81.30	\$	-	\$	16,216.08
236	8/15/2023	\$	8,192.12	\$	84.01	\$	8,108.11	\$	8,107.97
237	9/15/2023	\$	42.01	\$	42.01	\$	-	\$	8,107.97
238	10/15/2023	\$	40.65	\$	40.65	\$	-	\$	8,107.97
239	11/15/2023	\$	8,149.98	\$	42.01	\$	8,107.97	\$	0.00
240	12/15/2023	\$	0.00	\$	0.00	\$	-	\$	0.00
		\$	869,527.69	\$	269,527.69	\$	600,000.00		

EXHIBIT B

Form of 2003 Note

UNITED STATES OF AMERICA
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF LUZERNE
CITY OF PITTSBURGH

GENERAL OBLIGATION NOTE
SERIES OF 2003

\$600,000

Dated: December __, 2003

KNOW ALL MEN BY THESE PRESENTS, that the City of Pittsburgh, Luzerne County, Pennsylvania (the "City"), a city existing by and under the laws of the Commonwealth of Pennsylvania (the "Commonwealth"), for value received, hereby acknowledges itself indebted and promises to pay to First National Community Bank, Dunmore, Pennsylvania (the "Bank" or the "Purchaser"), or registered assigns, the sum of Six Hundred Thousand Dollars (\$600,000) or such lesser amount as has been advanced by the Bank to the City or such lesser particular sum as shall represent the unpaid balance of such principal sum advanced to the City, with interest at the variable rate specified and computed in accordance with the terms of the Commitment Letter (as defined in the hereinafter mentioned Ordinance), payable on the unpaid balance of said Note (hereinafter defined) during the term of said Note. Payments of principal and interest at the maximum rate are payable as shown on the attached Schedule A.

If the due date for payment of interest on or principal of this Note shall be a Saturday, Sunday, legal holiday or a day on which banking institutions in the Commonwealth are authorized by law or executive order to close, then payment of such interest, principal or redemption price need not be made on such date, but may be made on the next succeeding day which is not a Saturday, Sunday, legal holiday or a day upon which banking institutions in the Commonwealth are authorized by law or executive order to close with the same force and effect as if made on the due date for payment of principal or interest and no interest shall accrue thereon for any period after such due date.

Both principal and interest are payable in such coin or currency as on the respective date of payment thereof and shall be legal tender for the payment of public and private debts, at the office of the Bank, as paying agent, located in Dunmore, Pennsylvania.

This General Obligation Note, Series of 2003 (the "Note") is issued under and pursuant to provisions of the Ordinance finally enacted by the City Council of the City on December __, 2003 (the "Ordinance"). This Note is authorized to be issued under the Local Government Unit Debt Act of the Commonwealth, as reenacted and amended (the "Act"), without the assent of electors, and pursuant to the Ordinance. This Note shall be issued in the principal amount of \$600,000 and is subject to provisions and is entitled to the benefit of provisions of the Ordinance. The terms and provisions of the Ordinance are hereby incorporated by reference as if set forth fully herein.

The City has covenanted in the Ordinance, to and with the registered owner(s) hereof, that it (i) shall include the amount of the debt service for this Note, for each fiscal year of the City in which such amounts are payable, in its budget for that fiscal year, (ii) that it shall appropriate such amounts from its general revenues for the payment of such debt service in each such fiscal year, and (iii) that it shall duly and punctually pay or cause to be paid from the sinking fund established under the Ordinance or any other of its revenues or funds the principal amount of this Note and the interest due thereon at the dates and places and in the manner stated therein, according to the true intent and meaning thereof and for such budgeting, appropriation and payment the City has pledged, irrevocably, its full-faith, credit and taxing power.

In the Ordinance, the City has covenanted to and with registered owners of this Note that it will make no use of the proceeds of this Note, or do or suffer any other action, which, if such use or action had been reasonably expected on the date of issuance of the Note, would cause this Note to be an "arbitrage bond" or a "private activity bond" as such terms are defined in Section 148 and 141 of the Internal Revenue Code of 1986, as amended (the "Code"), and the applicable regulations thereunder. The City has further covenanted that it will comply with the requirements of such Section 148 and 141 and with the regulations thereunder throughout the term of this Note.

The City shall have the right to anticipate any or all installments of principal or any payment of interest at any time prior to the respective payment dates thereof, in accordance with the limitations as specified in the Commitment Letter, if any.

The Note does not pledge the credit or taxing power of the Commonwealth; nor shall this Note be deemed an obligation of the Commonwealth; nor shall the Commonwealth be liable for payment of the principal of or interest on this Note.

The Purchaser shall have the right to exercise the remedies set forth in the Act. Any failure by the Purchaser to exercise any right or privilege hereunder shall not be construed as a waiver of the right or privilege to exercise such right or privilege, or to exercise any other right or privilege, at any other time, and from time to time, thereafter.

This Note has been designated in the Ordinance by the City as a "qualified tax-exempt obligation," within the meaning of Section 265(b)(3) of the Code (being deemed designated under Section 265(b)(3)(D)(ii)).

No recourse shall be had for the payment of the principal of or interest on this Note, or for any claim based hereon or on the Ordinance, against any member, officer or employee, past, present, or future, of the City or of any successor body, as such, either directly or through the City or any such successor body, under any constitutional provision, statute or rule of law, or by the enforcement of any assessment or by any legal or equitable proceeding or otherwise, and all such liability of such members, officers or employees is released as a condition of and as consideration for the issuance of the Note.

It is hereby certified that the approval of the Department of Community and Economic Development of the Commonwealth for the City to issue and deliver this Note has

been duly given pursuant to the Act; that all acts, conditions and things required by the laws of the Commonwealth to exist, to have happened or to have been performed, precedent to or in connection with the issuance of this Note or in the creation of the debt of which this Note is evidence, exist, have happened and have been performed in regular and due form and manner as required by law; that this Note, together with all other indebtedness of the City are within every debt and other limit prescribed by the Constitution and the statutes of the Commonwealth; that the City has established with the Paying Agent, as sinking fund depository, a sinking fund for this Note and shall deposit therein amounts sufficient to pay the principal of and interest on this Note as the same shall become due and payable; and that for the prompt and full payment of all obligations of this Note, the full faith, credit and taxing power of the City are hereby irrevocably pledged.

IN WITNESS WHEREOF, the City of Pittston, Luzerne County, Pennsylvania, has caused this Note to be properly executed by its Mayor, its Director of Accounts and Finance and its Controller and its corporate seal to be hereto affixed, attested to by its City Clerk as of the ____ day of December, 2003.

CITY OF PITTSTON
Luzerne County, Pennsylvania

By: Michael J. Lombardo
Mayor

By: [Signature]
Director of Accounts and Finance

By: Chris Latona
Controller

Attest:

[Signature]
City Clerk

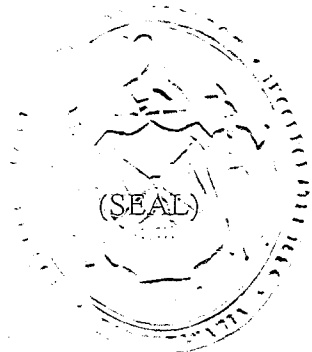


EXHIBIT "A"

City of Pittston
Debt Amortization

AMT. FINANCED - \$600,000
4.24% for the first ten years
6.1% for the remaining 10 years

#	Date	TOTAL PAYMENT	INTEREST	PRINCIPAL	BALANCE
					\$ 600,000.00
1	1/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
2	2/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
3	3/15/2004	\$ 2,021.26	\$ 2,021.26	\$ -	\$ 600,000.00
4	4/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
5	5/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
6	6/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
7	7/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
8	8/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
9	9/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
10	10/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
11	11/15/2004	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
12	12/15/2004	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
13	1/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
14	2/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
15	3/15/2005	\$ 1,951.58	\$ 1,951.58	\$ -	\$ 600,000.00
16	4/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
17	5/15/2005	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
18	6/15/2005	\$ 2,160.66	\$ 2,160.66	\$ -	\$ 600,000.00
19	7/15/2005	\$ 2,090.96	\$ 2,090.96	\$ -	\$ 600,000.00
20	8/15/2005	\$ 10,268.77	\$ 2,160.66	\$ 8,108.11	\$ 591,891.89
21	9/15/2005	\$ 2,131.46	\$ 2,131.46	\$ -	\$ 591,891.89
22	10/15/2005	\$ 2,062.70	\$ 2,062.70	\$ -	\$ 591,891.89
23	11/15/2005	\$ 10,238.57	\$ 2,131.48	\$ 8,108.11	\$ 583,783.78
24	12/15/2005	\$ 2,034.45	\$ 2,034.45	\$ -	\$ 583,783.78
25	1/15/2006	\$ 2,102.26	\$ 2,102.26	\$ -	\$ 583,783.78
26	2/15/2006	\$ 10,210.37	\$ 2,102.26	\$ 8,108.11	\$ 575,675.67
27	3/15/2006	\$ 1,872.44	\$ 1,872.44	\$ -	\$ 575,675.67
28	4/15/2006	\$ 2,073.06	\$ 2,073.06	\$ -	\$ 575,675.67
29	5/15/2006	\$ 10,114.30	\$ 2,008.19	\$ 8,108.11	\$ 567,567.56
30	6/15/2006	\$ 2,043.87	\$ 2,043.87	\$ -	\$ 567,567.56
31	7/15/2006	\$ 1,977.93	\$ 1,977.93	\$ -	\$ 567,567.56
32	8/15/2006	\$ 10,151.98	\$ 2,043.87	\$ 8,108.11	\$ 559,459.45
33	9/15/2006	\$ 2,014.67	\$ 2,014.67	\$ -	\$ 559,459.45
34	10/15/2006	\$ 1,949.68	\$ 1,949.68	\$ -	\$ 559,459.45
35	11/15/2006	\$ 10,122.78	\$ 2,014.67	\$ 8,108.11	\$ 551,351.34
36	12/15/2006	\$ 1,921.42	\$ 1,921.42	\$ -	\$ 551,351.34
37	1/15/2007	\$ 1,985.47	\$ 1,985.47	\$ -	\$ 551,351.34
38	2/15/2007	\$ 10,093.58	\$ 1,985.47	\$ 8,108.11	\$ 543,243.23
39	3/15/2007	\$ 1,766.95	\$ 1,766.95	\$ -	\$ 543,243.23
40	4/15/2007	\$ 1,956.27	\$ 1,956.27	\$ -	\$ 543,243.23
41	5/15/2007	\$ 10,001.28	\$ 1,893.17	\$ 8,108.11	\$ 535,135.12
42	6/15/2007	\$ 1,927.07	\$ 1,927.07	\$ -	\$ 535,135.12

43	7/15/2007	\$	1,864.91	\$	1,864.91	\$	-	\$	535,135.12
44	8/15/2007	\$	10,035.18	\$	1,927.07	\$	8,108.11	\$	527,027.01
45	9/15/2007	\$	1,897.87	\$	1,897.87	\$	-	\$	527,027.01
46	10/15/2007	\$	1,836.65	\$	1,836.65	\$	-	\$	527,027.01
47	11/15/2007	\$	10,005.98	\$	1,897.87	\$	8,108.11	\$	518,918.90
48	12/15/2007	\$	1,808.40	\$	1,808.40	\$	-	\$	518,918.90
49	1/15/2008	\$	1,868.68	\$	1,868.68	\$	-	\$	518,918.90
50	2/15/2008	\$	9,976.79	\$	1,868.68	\$	8,108.11	\$	510,810.79
51	3/15/2008	\$	1,720.80	\$	1,720.80	\$	-	\$	510,810.79
52	4/15/2008	\$	1,839.48	\$	1,839.48	\$	-	\$	510,810.79
53	5/15/2008	\$	9,888.25	\$	1,780.14	\$	8,108.11	\$	502,702.68
54	6/15/2008	\$	1,810.28	\$	1,810.28	\$	-	\$	502,702.68
55	7/15/2008	\$	1,751.88	\$	1,751.88	\$	-	\$	502,702.68
56	8/15/2008	\$	9,918.39	\$	1,810.28	\$	8,108.11	\$	494,594.57
57	9/15/2008	\$	1,781.08	\$	1,781.08	\$	-	\$	494,594.57
58	10/15/2008	\$	1,723.63	\$	1,723.63	\$	-	\$	494,594.57
59	11/15/2008	\$	9,889.19	\$	1,781.08	\$	8,108.11	\$	486,486.46
60	12/15/2008	\$	1,695.37	\$	1,695.37	\$	-	\$	486,486.46
61	1/15/2009	\$	1,751.88	\$	1,751.88	\$	-	\$	486,486.46
62	2/15/2009	\$	9,859.99	\$	1,751.88	\$	8,108.11	\$	478,378.35
63	3/15/2009	\$	1,555.97	\$	1,555.97	\$	-	\$	478,378.35
64	4/15/2009	\$	1,722.69	\$	1,722.69	\$	-	\$	478,378.35
65	5/15/2009	\$	9,775.23	\$	1,667.12	\$	8,108.11	\$	470,270.24
66	6/15/2009	\$	1,693.49	\$	1,693.49	\$	-	\$	470,270.24
67	7/15/2009	\$	1,638.86	\$	1,638.86	\$	-	\$	470,270.24
68	8/15/2009	\$	9,801.60	\$	1,693.49	\$	8,108.11	\$	462,162.13
69	9/15/2009	\$	1,664.29	\$	1,664.29	\$	-	\$	462,162.13
70	10/15/2009	\$	1,610.60	\$	1,610.60	\$	-	\$	462,162.13
71	11/15/2009	\$	9,772.40	\$	1,664.29	\$	8,108.11	\$	454,054.02
72	12/15/2009	\$	1,582.35	\$	1,582.35	\$	-	\$	454,054.02
73	1/15/2010	\$	1,635.09	\$	1,635.09	\$	-	\$	454,054.02
74	2/15/2010	\$	9,743.20	\$	1,635.09	\$	8,108.11	\$	445,945.91
75	3/15/2010	\$	1,450.48	\$	1,450.48	\$	-	\$	445,945.91
76	4/15/2010	\$	1,605.89	\$	1,605.89	\$	-	\$	445,945.91
77	5/15/2010	\$	9,662.20	\$	1,554.09	\$	8,108.11	\$	437,837.80
78	6/15/2010	\$	1,576.70	\$	1,576.70	\$	-	\$	437,837.80
79	7/15/2010	\$	1,525.83	\$	1,525.83	\$	-	\$	437,837.80
80	8/15/2010	\$	9,684.81	\$	1,576.70	\$	8,108.11	\$	429,729.69
81	9/15/2010	\$	1,547.50	\$	1,547.50	\$	-	\$	429,729.69
82	10/15/2010	\$	1,497.58	\$	1,497.58	\$	-	\$	429,729.69
83	11/15/2010	\$	9,655.61	\$	1,547.50	\$	8,108.11	\$	421,621.58
84	12/15/2010	\$	6,090.15	\$	6,090.15	\$	-	\$	421,621.58
85	1/15/2011	\$	1,518.30	\$	1,518.30	\$	-	\$	421,621.58
86	2/15/2011	\$	9,626.41	\$	1,518.30	\$	8,108.11	\$	413,513.47
87	3/15/2011	\$	1,345.00	\$	1,345.00	\$	-	\$	413,513.47
88	4/15/2011	\$	1,489.10	\$	1,489.10	\$	-	\$	413,513.47
89	5/15/2011	\$	9,549.18	\$	1,441.07	\$	8,108.11	\$	405,405.36
90	6/15/2011	\$	1,459.90	\$	1,459.90	\$	-	\$	405,405.36
91	7/15/2011	\$	1,412.81	\$	1,412.81	\$	-	\$	405,405.36
92	8/15/2011	\$	9,568.01	\$	1,459.90	\$	8,108.11	\$	397,297.25
93	9/15/2011	\$	1,430.71	\$	1,430.71	\$	-	\$	397,297.25
94	10/15/2011	\$	1,384.55	\$	1,384.55	\$	-	\$	397,297.25

95	11/15/2011	\$	9,538.82	\$	1,430.71	\$	8,108.11	\$	389,189.14
96	12/15/2011	\$	1,356.30	\$	1,356.30	\$	-	\$	389,189.14
97	1/15/2012	\$	1,401.51	\$	1,401.51	\$	-	\$	389,189.14
98	2/15/2012	\$	9,509.62	\$	1,401.51	\$	8,108.11	\$	381,081.03
99	3/15/2012	\$	1,283.77	\$	1,283.77	\$	-	\$	381,081.03
100	4/15/2012	\$	1,372.31	\$	1,372.31	\$	-	\$	381,081.03
101	5/15/2012	\$	9,436.15	\$	1,328.04	\$	8,108.11	\$	372,972.92
102	6/15/2012	\$	1,343.11	\$	1,343.11	\$	-	\$	372,972.92
103	7/15/2012	\$	1,299.79	\$	1,299.79	\$	-	\$	372,972.92
104	8/15/2012	\$	9,451.22	\$	1,343.11	\$	8,108.11	\$	364,864.81
105	9/15/2012	\$	1,313.91	\$	1,313.91	\$	-	\$	364,864.81
106	10/15/2012	\$	1,271.53	\$	1,271.53	\$	-	\$	364,864.81
107	11/15/2012	\$	9,422.02	\$	1,313.91	\$	8,108.11	\$	356,756.70
108	12/15/2012	\$	1,243.27	\$	1,243.27	\$	-	\$	356,756.70
109	1/15/2013	\$	1,284.72	\$	1,284.72	\$	-	\$	356,756.70
110	2/15/2013	\$	9,392.83	\$	1,284.72	\$	8,108.11	\$	348,648.59
111	3/15/2013	\$	1,134.02	\$	1,134.02	\$	-	\$	348,648.59
112	4/15/2013	\$	1,255.52	\$	1,255.52	\$	-	\$	348,648.59
113	5/15/2013	\$	9,323.13	\$	1,215.02	\$	8,108.11	\$	340,540.48
114	6/15/2013	\$	1,226.32	\$	1,226.32	\$	-	\$	340,540.48
115	7/15/2013	\$	1,186.76	\$	1,186.76	\$	-	\$	340,540.48
116	8/15/2013	\$	9,334.43	\$	1,226.32	\$	8,108.11	\$	332,432.37
117	9/15/2013	\$	1,197.12	\$	1,197.12	\$	-	\$	332,432.37
118	10/15/2013	\$	1,158.50	\$	1,158.50	\$	-	\$	332,432.37
119	11/15/2013	\$	9,305.23	\$	1,197.12	\$	8,108.11	\$	324,324.26
120	12/15/2013	\$	1,130.25	\$	1,130.25	\$	-	\$	324,324.26
121	1/15/2014	\$	1,680.27	\$	1,680.27	\$	-	\$	324,324.26
122	2/15/2014	\$	9,788.38	\$	1,680.27	\$	8,108.11	\$	316,216.15
123	3/15/2014	\$	1,479.72	\$	1,479.72	\$	-	\$	316,216.15
124	4/15/2014	\$	1,638.26	\$	1,638.28	\$	-	\$	316,216.15
125	5/15/2014	\$	9,693.52	\$	1,585.41	\$	8,108.11	\$	308,108.04
126	6/15/2014	\$	1,596.25	\$	1,596.25	\$	-	\$	308,108.04
127	7/15/2014	\$	1,544.76	\$	1,544.76	\$	-	\$	308,108.04
128	8/15/2014	\$	9,704.36	\$	1,596.25	\$	8,108.11	\$	299,999.93
129	9/15/2014	\$	1,554.25	\$	1,554.25	\$	-	\$	299,999.93
130	10/15/2014	\$	1,504.11	\$	1,504.11	\$	-	\$	299,999.93
131	11/15/2014	\$	9,662.36	\$	1,554.25	\$	8,108.11	\$	291,891.82
132	12/15/2014	\$	1,463.46	\$	1,463.46	\$	-	\$	291,891.82
133	1/15/2015	\$	1,512.24	\$	1,512.24	\$	-	\$	291,891.82
134	2/15/2015	\$	9,620.35	\$	1,512.24	\$	8,108.11	\$	283,783.71
135	3/15/2015	\$	1,327.95	\$	1,327.95	\$	-	\$	283,783.71
136	4/15/2015	\$	1,470.23	\$	1,470.23	\$	-	\$	283,783.71
137	5/15/2015	\$	9,530.92	\$	1,422.81	\$	8,108.11	\$	275,675.60
138	6/15/2015	\$	1,428.23	\$	1,428.23	\$	-	\$	275,675.60
139	7/15/2015	\$	1,382.15	\$	1,382.15	\$	-	\$	275,675.60
140	8/15/2015	\$	9,536.34	\$	1,428.23	\$	8,108.11	\$	267,567.49
141	9/15/2015	\$	1,386.22	\$	1,386.22	\$	-	\$	267,567.49
142	10/15/2015	\$	1,341.50	\$	1,341.50	\$	-	\$	267,567.49
143	11/15/2015	\$	9,494.33	\$	1,386.22	\$	8,108.11	\$	259,459.38
144	12/15/2015	\$	1,300.85	\$	1,300.85	\$	-	\$	259,459.38
145	1/15/2016	\$	1,344.21	\$	1,344.21	\$	-	\$	259,459.38
146	2/15/2016	\$	9,452.32	\$	1,344.21	\$	8,108.11	\$	251,351.27

147	3/15/2016	\$	1,218.19	\$	1,218.19	\$	-	\$	251,351.27
148	4/15/2016	\$	1,302.21	\$	1,302.21	\$	-	\$	251,351.27
149	5/15/2016	\$	9,368.31	\$	1,260.20	\$	8,108.11	\$	243,243.16
150	6/15/2016	\$	1,260.20	\$	1,260.20	\$	-	\$	243,243.16
151	7/15/2016	\$	1,219.55	\$	1,219.55	\$	-	\$	243,243.16
152	8/15/2016	\$	9,368.31	\$	1,260.20	\$	8,108.11	\$	235,135.05
153	9/15/2016	\$	1,218.19	\$	1,218.19	\$	-	\$	235,135.05
154	10/15/2016	\$	1,178.90	\$	1,178.90	\$	-	\$	235,135.05
155	11/15/2016	\$	9,326.30	\$	1,218.19	\$	8,108.11	\$	227,026.94
156	12/15/2016	\$	1,138.24	\$	1,138.24	\$	-	\$	227,026.94
157	1/15/2017	\$	1,176.19	\$	1,176.19	\$	-	\$	227,026.94
158	2/15/2017	\$	9,284.30	\$	1,176.19	\$	8,108.11	\$	218,918.83
159	3/15/2017	\$	1,024.42	\$	1,024.42	\$	-	\$	218,918.83
160	4/15/2017	\$	1,134.18	\$	1,134.18	\$	-	\$	218,918.83
161	5/15/2017	\$	9,205.70	\$	1,097.59	\$	8,108.11	\$	210,810.72
162	6/15/2017	\$	1,092.17	\$	1,092.17	\$	-	\$	210,810.72
163	7/15/2017	\$	1,056.94	\$	1,056.94	\$	-	\$	210,810.72
164	8/15/2017	\$	9,200.28	\$	1,092.17	\$	8,108.11	\$	202,702.61
165	9/15/2017	\$	1,050.17	\$	1,050.17	\$	-	\$	202,702.61
166	10/15/2017	\$	1,016.29	\$	1,016.29	\$	-	\$	202,702.61
167	11/15/2017	\$	9,158.28	\$	1,050.17	\$	8,108.11	\$	194,594.50
168	12/15/2017	\$	975.64	\$	975.64	\$	-	\$	194,594.50
169	1/15/2018	\$	1,008.16	\$	1,008.16	\$	-	\$	194,594.50
170	2/15/2018	\$	9,116.27	\$	1,008.16	\$	8,108.11	\$	186,486.39
171	3/15/2018	\$	872.65	\$	872.65	\$	-	\$	186,486.39
172	4/15/2018	\$	966.15	\$	966.15	\$	-	\$	186,486.39
173	5/15/2018	\$	9,043.10	\$	934.99	\$	8,108.11	\$	178,378.28
174	6/15/2018	\$	924.15	\$	924.15	\$	-	\$	178,378.28
175	7/15/2018	\$	894.33	\$	894.33	\$	-	\$	178,378.28
176	8/15/2018	\$	9,032.26	\$	924.15	\$	8,108.11	\$	170,270.17
177	9/15/2018	\$	882.14	\$	882.14	\$	-	\$	170,270.17
178	10/15/2018	\$	853.68	\$	853.68	\$	-	\$	170,270.17
179	11/15/2018	\$	8,990.25	\$	882.14	\$	8,108.11	\$	162,162.06
180	12/15/2018	\$	813.03	\$	813.03	\$	-	\$	162,162.06
181	1/15/2019	\$	840.13	\$	840.13	\$	-	\$	162,162.06
182	2/15/2019	\$	8,948.24	\$	840.13	\$	8,108.11	\$	154,053.95
183	3/15/2019	\$	720.89	\$	720.89	\$	-	\$	154,053.95
184	4/15/2019	\$	798.13	\$	798.13	\$	-	\$	154,053.95
185	5/15/2019	\$	8,880.49	\$	772.38	\$	8,108.11	\$	145,945.84
186	6/15/2019	\$	756.12	\$	756.12	\$	-	\$	145,945.84
187	7/15/2019	\$	731.73	\$	731.73	\$	-	\$	145,945.84
188	8/15/2019	\$	8,864.23	\$	756.12	\$	8,108.11	\$	137,837.73
189	9/15/2019	\$	714.11	\$	714.11	\$	-	\$	137,837.73
190	10/15/2019	\$	691.08	\$	691.08	\$	-	\$	137,837.73
191	11/15/2019	\$	8,822.22	\$	714.11	\$	8,108.11	\$	129,729.62
192	12/15/2019	\$	650.43	\$	650.43	\$	-	\$	129,729.62
193	1/15/2020	\$	672.11	\$	672.11	\$	-	\$	129,729.62
194	2/15/2020	\$	8,780.22	\$	672.11	\$	8,108.11	\$	121,621.51
195	3/15/2020	\$	588.45	\$	588.45	\$	-	\$	121,621.51
196	4/15/2020	\$	630.10	\$	630.10	\$	-	\$	121,621.51
197	5/15/2020	\$	8,717.88	\$	609.77	\$	8,108.11	\$	113,513.40
198	6/15/2020	\$	588.09	\$	588.09	\$	-	\$	113,513.40

199	7/15/2020	\$	569.12	\$	569.12	\$	-	\$	113,513.40
200	8/15/2020	\$	8,896.20	\$	588.09	\$	8,108.11	\$	105,405.29
201	9/15/2020	\$	546.09	\$	546.09	\$	-	\$	105,405.29
202	10/15/2020	\$	528.47	\$	528.47	\$	-	\$	105,405.29
203	11/15/2020	\$	8,654.20	\$	546.09	\$	8,108.11	\$	97,297.18
204	12/15/2020	\$	487.82	\$	487.82	\$	-	\$	97,297.18
205	1/15/2021	\$	504.08	\$	504.08	\$	-	\$	97,297.18
206	2/15/2021	\$	8,612.19	\$	504.08	\$	8,108.11	\$	89,189.07
207	3/15/2021	\$	417.36	\$	417.36	\$	-	\$	89,189.07
208	4/15/2021	\$	462.07	\$	462.07	\$	-	\$	89,189.07
209	5/15/2021	\$	8,555.28	\$	447.17	\$	8,108.11	\$	81,080.96
210	6/15/2021	\$	420.07	\$	420.07	\$	-	\$	81,080.96
211	7/15/2021	\$	406.52	\$	406.52	\$	-	\$	81,080.96
212	8/15/2021	\$	8,528.18	\$	420.07	\$	8,108.11	\$	72,972.85
213	9/15/2021	\$	378.06	\$	378.06	\$	-	\$	72,972.85
214	10/15/2021	\$	365.86	\$	365.86	\$	-	\$	72,972.85
215	11/15/2021	\$	8,486.17	\$	378.06	\$	8,108.11	\$	64,864.74
216	12/15/2021	\$	325.21	\$	325.21	\$	-	\$	64,864.74
217	1/15/2022	\$	336.05	\$	336.05	\$	-	\$	64,864.74
218	2/15/2022	\$	8,444.16	\$	336.05	\$	8,108.11	\$	56,756.63
219	3/15/2022	\$	265.59	\$	265.59	\$	-	\$	56,756.63
220	4/15/2022	\$	294.05	\$	294.05	\$	-	\$	56,756.63
221	5/15/2022	\$	8,392.67	\$	284.56	\$	8,108.11	\$	48,648.52
222	6/15/2022	\$	252.04	\$	252.04	\$	-	\$	48,648.52
223	7/15/2022	\$	243.91	\$	243.91	\$	-	\$	48,648.52
224	8/15/2022	\$	8,360.15	\$	252.04	\$	8,108.11	\$	40,540.41
225	9/15/2022	\$	210.03	\$	210.03	\$	-	\$	40,540.41
226	10/15/2022	\$	203.26	\$	203.26	\$	-	\$	40,540.41
227	11/15/2022	\$	8,318.14	\$	210.03	\$	8,108.11	\$	32,432.30
228	12/15/2022	\$	162.61	\$	162.61	\$	-	\$	32,432.30
229	1/15/2023	\$	168.03	\$	168.03	\$	-	\$	32,432.30
230	2/15/2023	\$	8,276.14	\$	168.03	\$	8,108.11	\$	24,324.19
231	3/15/2023	\$	113.82	\$	113.82	\$	-	\$	24,324.19
232	4/15/2023	\$	126.02	\$	126.02	\$	-	\$	24,324.19
233	5/15/2023	\$	8,230.06	\$	121.95	\$	8,108.11	\$	16,216.08
234	6/15/2023	\$	84.01	\$	84.01	\$	-	\$	16,216.08
235	7/15/2023	\$	81.30	\$	81.30	\$	-	\$	16,216.08
236	8/15/2023	\$	8,192.12	\$	84.01	\$	8,108.11	\$	8,107.97
237	9/15/2023	\$	42.01	\$	42.01	\$	-	\$	8,107.97
238	10/15/2023	\$	40.65	\$	40.65	\$	-	\$	8,107.97
239	11/15/2023	\$	8,149.98	\$	42.01	\$	8,107.97	\$	0.00
240	12/15/2023	\$	0.00	\$	0.00	\$	-	\$	0.00
		\$	869,527.69	\$	269,527.69	\$	600,000.00		

EXHIBIT C

Commitment Letter

November 6, 2003

City of Pittston
 c/o Brian P. Koscelansky, Esquire
 Stevens & Lee
 425 Spruce Street
 Suite 300
 Scranton, PA 18503

RE: Proposal for \$600,000 maximum aggregate principal amount General Obligation Note, Series 2003 of the City of Pittston, Luzerne County, Pennsylvania (the "2003 Note")

Gentlemen:

In accordance with your Request for Financing Proposal, dated October 30, 2003 (the "RFP"), First National Community Bank (the "Bank") hereby offers to provide a Credit Facility (as defined in the RFP, and upon the terms and conditions hereinafter set forth) to the City of Pittston, Luzerne County, Pennsylvania (the "City") to finance the 2003 Project (as that term is defined in the RFP).

We are pleased to offer to the City the Credit Facility, to be represented by the 2003 Note, under the following terms and conditions:

1. Principal Amount – The maximum aggregate principal amount of the 2003 Note shall be \$600,000. Proceeds of the 2003 Note will be available to the City as a non-revolving line of credit from the Bank. From the date of closing through and including July 15, 2005, the City shall be entitled to draw upon the credit facility represented by the 2003 Note to pay the costs and expenses associated with eligible capital Project of the City (as identified in the ordinance of the City to be enacted). On July 15, 2005, all unused credit available under the 2003 Note shall expire and the principal balance of the 2003 Note shall be scheduled for repayment by the City to the Bank, together with interest thereon, through December 31, 2023, in accordance with the terms of the 2003 Note and the ordinance. Such terms of repayment shall be scheduled, assuming in each case, the resetting of the interest rate provisions to the maximum possible interest rate.

2. Interest Rate – The interest rate on the 2003 Note will be one of the following options:

Rate:	Option #1	A tax-free rate of 3.49% fixed for the initial three (3) years.
	Option #2	A tax-free rate of 3.74% fixed for the initial five (5) years.
	Option #3	A tax-free rate of 3.99 fixed for the initial seven (7) years.
	Option #4	A tax-free rate of 4.24 fixed for the entire ten (10) years.
	Option #5	A tax-free rate of 4.99 fixed for the entire twenty (20) years.

Rate Adjustment: On each of the above referenced anniversaries of the loan closing (if applicable) the interest rate shall be adjusted to a mutually agreed upon interest rate; however, if both the Bank and the Borrower are unable to agree upon a mutually acceptable interest rate, the interest rate

11/6/03

shall be equal to seventy percent (70%) of the National Prime Rate, as it changes from time to time. At no time will the interest rate exceed a tax-free rate of 6.10%.

3. Loan Term – The 2003 Note shall have a final maturity of November 15, 2033.
4. Payment Terms – The City will make principal and interest payments on the 2003 Note as follows:

On January 15, 2004 and on the 15th day of each month thereafter, through and including July 15, 2005, the City shall pay to the registered owner of the 2003 Note, interest only on the principal balance of the 2003 Note. On August 15, 2005, and on the 15th day each month thereafter, the City shall pay to the registered owner of the 2003 Note an amount equal to such amount as will fully amortize the outstanding principal balance of the loan in equal quarterly payments, at the then-applicable interest rate, through the final maturity of the loan.

5. Interest on the 2003 Note to be Tax-Exempt – The City will enter into such covenants, accompanied by the opinion of Bond Counsel and the Solicitor, as shall be necessary to assure (a) the customary tax free treatment of interest paid on the 2003 Note in accordance with the Internal Revenue Code of 1986 as amended, and the laws of the Commonwealth of Pennsylvania, and (b) that the 2003 Note are each a “qualified tax exempt obligation” for purposes and effect of the Internal Revenue Code.

In the event that the 2003 Note shall lose its tax-free status, the interest rate on such 2003 Note shall be due and payable at the discretion of the Bank unless the Bank and the Borrower can agree upon a mutually acceptable taxable rate.

6. Redemption or Prepayment provision – The City shall be entitled to prepay all or any portion of the 2003 Note at any time, without premium or penalty.
7. Security – The 2003 Note shall constitute a general obligation of the City payable from the taxes and other revenues of the City. To secure repayment of the 2003 Note, the City shall irrevocably pledge its full faith, credit and taxing power and shall covenant to budget, appropriate and pay such amounts as shall be necessary to repay the principal of and interest when due on each of the 2003 Note.
8. Documents – The City Solicitor or Bond Counsel shall provide loan documents and opinions in a form satisfactory to the Bank, including, without limitation, the following: (a) Certificates to the effect that the City has full legal authority to execute any and all documents associated with this transaction and that this loan will constitute a valid and binding obligation of the City, (b) Certificates and opinions to the effect that there are no restrictions on the City prohibiting it from entering into this transaction, and (c) Evidence of the receipt of the approval of Department of Community and Economic Development with respect to the incurrence of the indebtedness of the City as evidenced by the 2003 Note, as required by Pennsylvania Local Government Unit Debt Act.
9. Payment of Costs and Expenses – At closing of the 2003 Note, the City shall pay all fees and expenses of the transaction, including, without limitation, the fees and expenses of Bond Counsel, the Solicitor to the City and Financial Consultant. The Bank will not charge any fees, costs, or points in connection with the issuance of the 2003 Note except as follows:

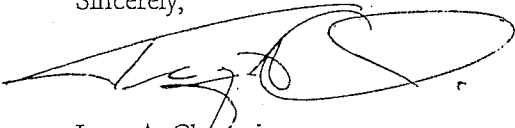
A loan closing fee in the amount of \$2,500.00.

10. Annual Financial Statements – The City will provide to the Bank an Annual Audited Financial Statement within 120 days of the end of each fiscal year of the City and also will provide to the Bank such other financial information as may be deemed necessary, proper or desirable by the Bank.
11. Acceptance of This Agreement – This commitment letter may be accepted by having the authorized officers of the City sign the acceptance set forth below and returning the signed original to the Bank on or before November 30, 2003, otherwise this commitment shall become invalid and non-binding.
12. Closing – Closing for the 2003 Note shall occur on or before December 31, 2003, at a time and place mutually acceptable to the City and the Bank, otherwise this commitment shall terminate without liability or further obligation of the Bank. In such event, the City shall be responsible for any cost or fee incurred or resulting from this commitment.

This commitment is further contingent upon there being no change in your financial condition prior to settlement, which the Bank deems to be materially adverse.

We sincerely appreciate the opportunity to work with the City of Pittston.

Sincerely,



Jerry A. Champi
Executive Vice President

JAC/ms

The City hereby agrees to the conditions imposed herein and further agrees that the terms and conditions of this Agreement are for the benefit of, and may be enforced by, the Bank.

City of Pittston

By: Michele A. Lombardo
Title: MAYOR

Date: 11/26/03

By: [Signature]
Title: CITY CLERK

Date: 11/26/03