

# City of Scranton

Bureau of Engineering  
Phone 348-4191

December 15, 1987

Jerry Rich, Secretary  
Pennsylvania Public Utility Commission  
Harrisburg, Pennsylvania 17120

Dear Mr. Rich:

On December 14, 1987, a pre-bid conference was held at City Hall in order to get a consultant on board for a structural analysis of the railroad bridge in Moscow over Route 690 - State Highway Route 35005.

As you know, under PUC Order C-861119, the City of Scranton has been ordered to prepare a report within six months from the service date of the Commission's Order.

Unfortunately, there were no bidders present. We are asking that an extension be granted so that we have ample time to prepare this work. Further, in a recent conversation with State Representative Gaynor Cawley, I was informed that the Moscow railroad bridge is included in Legislation that would entitle the City to receive state and federal funding for both design and construction. In the event this bill does pass, the City would only pay a fraction of the engineering costs; this would include correction and/or replacement of the deficiencies in the structure.

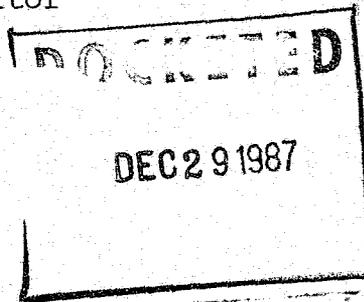
To summarize, I am requesting this extension be granted. Should you have any further questions, please call me at my office.

Sincerely yours,

John J. Luciani, P.E.  
City Engineer

cc: Representative Cawley  
Mayor Wenzel  
City Solicitor

JJL:alk



Representative Belardi  
City Council  
Director Pisano, DPW

BUREAU OF  
S & C

DEC 21 1987

RAIL SAFETY  
DIVISION



COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA PUBLIC UTILITY COMMISSION  
P. O. BOX 3265, HARRISBURG, Pa. 17120

January 8, 1988

IN REPLY PLEASE  
REFER TO OUR FILE

Mr. John J. Luciani, P.E., City Engineer  
Bureau of Engineering  
City of Scranton  
Scranton, PA 18503

In re: C-861119  
Moscow Borough Council  
v.  
City of Scranton, Lackawanna  
County and Pennsylvania  
Department of Transportation

Dear Mr. Luciani:

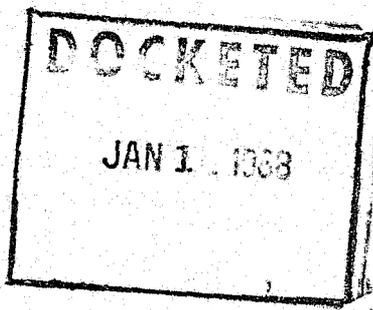
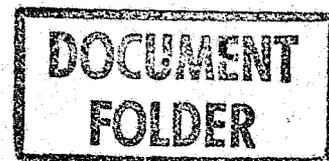
Your letter of December 15, 1987 has been received.

The request for an extension of time to complete the ordered report is not properly filed. Such a request should be in the form of a formal petition filed in accordance with the Rules of Practice and Procedure, Title 52.

Should you have further questions concerning this matter, please contact this office.

Very truly yours,

Jerry Rich  
Secretary



*City of Scranton*  
*Pennsylvania*

**ORIGINAL**

*David B. Miller, Esq.*  
*City Solicitor*



*Municipal Building*  
*340 North Washington Avenue*  
*Scranton, Pennsylvania 18503*  
*(717) 348-4105*

*Office of the City Solicitor*

April 18, 1988

Jerry Rich, Secretary  
Pennsylvania Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17120

**RECEIVED**

**APR 19 1988**  
**SECRETARY'S OFFICE**  
**Public Utility Commission**

RE: Moscow Borough Bridge  
Docket No. C-861119  
Our File No. 7192

Dear Secretary Rich:

Enclosed for filing, please find the City of Scranton's original and nine copies of the Petition for Extension of Time in the above captioned matter.

If you have any questions please do not hesitate to contact my office.

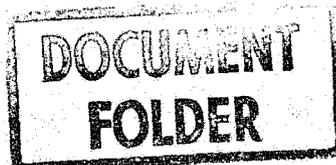
Very truly yours,

*Carlene R. Gallo*

CARLENE R. GALLO, ESQUIRE  
First Assistant City Solicitor

CRG/kmg

Enclosure





3. This Respondent brought a Complaint against the City of Scranton alleging that the Moscow Borough Bridge, which carried Steamtown Rail Cars over Market Street, was in dangerous disrepair and demanding that the City of Scranton be ordered to make repairs.

4. A hearing on the Complaint referred to in Paragraph 3 was held on May 14, 1987 in front of Administrative Law Judge Morris Mindlin.

5. An Order was entered by the Commission on October 26, 1987 which ordered that the City of Scranton have an independent engineering study done of the Moscow Borough Bridge within six (6) months of the Order.

6. The City of Scranton published invitations to bid in December 1987 but received no bids on the date of the bid opening, December 21, 1987.

7. Subsequent to the date of the bid opening, the Pennsylvania State Legislature passed an Amendment to the Pennsylvania State Bridge Bill. This Legislation was signed into law by Governor Robert Casey.

8. This law placed the Moscow Borough Bridge on the Bridge Bill as one to be replaced at 80% cost to the Commonwealth of Pennsylvania (See document attached as Exhibit "A").

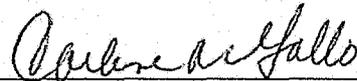
9. In addition, the entity which utilized the tracks running over the bridge, Steamtown, U.S.A., is no longer conducting business at this time and does not expect to run any excursions over the subject bridge this season. (See Affidavit attached as Exhibit "B").

10. The independent study was ordered for the purpose of determining if the bridge needed repairs or replacing. In order for the City of Scranton to avail itself of the Bridge Bill monies, it must conduct a study according to Penndot standards to determine if the bridge needs repairs or replacing. The City is attempting to determine the standards for said Penndot study so that said study can be used for both the P.U.C. proceeding and to comply with the Bridge Bill, rather than spending taxpayer dollars for two separate studies.

11. Most recently, the City has retained CECO Associates to do the Engineering Study of the bridge, but CECO has indicated it will need an additional 60 days within which to prepare the study. (See Document attached as Exhibit "C")

12. The delay by the City of Scranton in obtaining the study was not willful or intentional but has resulted from the foregoing set of facts.

WHEREFORE, the City of Scranton hereby requests the Public Utility Commission to grant an extension of 60 days time within which to secure said study.



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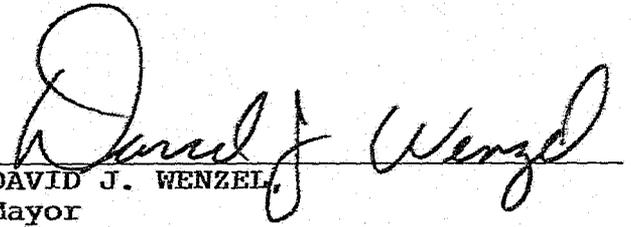
CARLENE R. GALLO, ESQUIRE  
First Assistant City Solicitor  
Municipal Building  
340 North Washington Avenue  
Scranton, Pa. 18503  
(717) 348-4105

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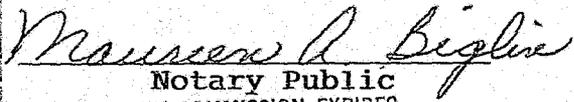
COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF LACKAWANNA :

A F F I D A V I T

I, DAVID J. WENZEL, being duly sworn according to law, deposes and says that the facts set forth in the foregoing Petition are true and correct to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
DAVID J. WENZEL,  
Mayor

SWORN and subscribed to  
before me, a Notary Public  
this 18<sup>th</sup> day of  
April, 1988.

  
\_\_\_\_\_  
Notary Public  
MY COMMISSION EXPIRES  
MAY 9, 1988  
SCRANTON, LACKA. CO., PA.

CERTIFICATE OF SERVICE

I, Carlene R. Gallo, Esquire, First Assistant City Solicitor for the City of Scranton hereby certify that copies of the foregoing Petition are being served on counsel of all parties on April 18, 1988 as follows:

BY HAND DELIVERY

James J. Walker, Esquire  
Suite 631-635 Connell Building  
Scranton, Pa. 18503

BY FIRST CLASS MAIL

Herbert G. Zahn, Esquire  
Pennsylvania Department of Transportation  
520 Transportation and Safety Building  
Harrisburg, Pa. 17120

Thomas P. Cummings, Esquire  
200 Adams Avenue  
Scranton, Pa. 18503

*Carlene R. Gallo (HRS)*

---

**CARLENE R. GALLO, ESQUIRE**  
First Assistant City Solicitor  
Municipal Building  
340 North Washington Avenue  
Scranton, Pa. 18503  
(717) 348-4105

## Report of the Committee of Conference on Senate Bill No. 515

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 515, entitled:

~~"An act amending the act of December 8, 1982 (P.L. 848, No. 235), entitled 'An act providing for the adoption of capital projects related to the repair, rehabilitation or replacement of highway bridges to be financed from current revenue or by the incurring of debt and capital projects related to highway and safety improvement projects to be financed from current revenue of the Motor License Fund, \* \* \*, and making mathematical corrections,"~~

AMENDING THE ACT OF DECEMBER 8, 1982 (P.L. 848, NO. 235), ENTITLED 'AN ACT PROVIDING FOR THE ADOPTION OF CAPITAL PROJECTS RELATED TO THE REPAIR, REHABILITATION OR REPLACEMENT OF HIGHWAY BRIDGES TO BE FINANCED FROM CURRENT REVENUE OR BY THE INCURRING OF DEBT AND CAPITAL PROJECTS RELATED TO HIGHWAY AND SAFETY IMPROVEMENT PROJECTS TO BE FINANCED FROM CURRENT REVENUE OF THE MOTOR LICENSE FUND, \* \* \*; FURTHER PROVIDING FOR PROJECTS IN ALLEGHENY COUNTY, ELK COUNTY, FOREST COUNTY, MCKEAN COUNTY, POTTER COUNTY, WARREN COUNTY AND WASHINGTON COUNTY; REALLOCATING FUNDS FOR A PROJECT IN WASHINGTON COUNTY; AND MAKING MATHEMATICAL CORRECTIONS,"

respectfully submit the following bill as our report:

J. DOYLE CORMAN

ROY W. WILT

J. BARRY STOUT

(Committee on the part of the Senate.)

AMOS K. HUTCHINSON

MAX PIEVSKY

SAMUEL E. HAYES, JR.

(Committee on the part of the House of Representatives.)

EXHIBIT A

	1	<u>Luzerne St.</u>			
	2	<u>Culvert over</u>			
	3	<u>Lucky Run</u>			
	4	<u>Creek.</u>			
	5	<u>Bridge Replace-</u>			
	6	<u>ment.....</u>	<u>300,000</u>	<u>30,000</u>	<u>330,000</u>
0,000	7	<u>(15) City of</u>			
110,000	8	<u>Scranton.</u>			
	9	<u>West Moun-</u>			
	10	<u>tain Rd.</u>			
	11	<u>over West</u>			
	12	<u>Mountain</u>			
	13	<u>Creek.</u>			
0,000	14	<u>Bridge Replace-</u>			
110,000	15	<u>ment.....</u>	<u>100,000</u>	<u>10,000</u>	<u>110,000</u>
	16	<u>(15) Borough of</u>			
	17	<u>MOSCOW.</u>			
	18	<u>Market St.</u>			
	19	<u>Bridge carry-</u>			
	20	<u>ing Steam-</u>			
0,000	21	<u>town railroad</u>			
110,000	22	<u>tracks.</u>			
	23	<u>Bridge Replace-</u>			
	24	<u>ment.....</u>	<u>1,000,000</u>	<u>100,000</u>	<u>1,100,000</u>
	25	<u>(K5) Lackawanna</u>			
	26	<u>Railroad Author-</u>			
	27	<u>ity Bridge</u>			
10,000	28	<u>over Grassy</u>			
110,000	29	<u>Island Creek.</u>			
	30	<u>Lackawanna</u>			

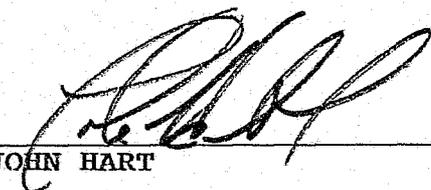
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COMMONWEALTH OF PENNSYLVANIA :  
: SS.  
COUNTY OF LACKAWANNA :

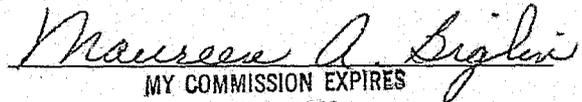
A F F I D A V I T

I, JOHN HART, do hereby swear and affirm that I am General Manager of Steamtown, U.S.A. and that I have sufficient personal knowledge and information, as well as the authority, to make the following representation:

There will be no train excursions over the Moscow Borough Bridge during the 1988 season.

  
\_\_\_\_\_  
JOHN HART

SWORN and subscribed to  
before me, a Notary Public  
this 15<sup>th</sup> day of  
April, 1988.

  
MY COMMISSION EXPIRES  
MAY 9, 1988  
SCRANTON, LACKA. CO., PA.



**ceco associates inc.**

consulting engineers

suite 202, scranton electric building  
p.o. box 995, scranton, pennsylvania 18501  
717-342-3101

Angelo J. Rosati, P.E.  
President

April 12, 1988

Attorney Carline Gallo  
Assistant City Solicitor  
City of Scranton  
Municipal Building  
Scranton, Pennsylvania 18503

Re: Lackawanna County  
Borough of Moscow  
Railroad Bridge over Traffic Route 690  
PUC Docket No. C-861119

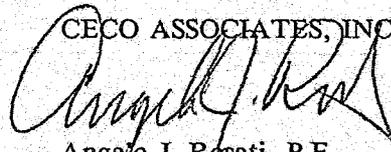
Dear Attorney Gallo:

As per our telephone conversation, CECO Associates, Inc. will require approximately sixty (60) days from this date to fully complete the in-depth inspection of the railroad bridge over Traffic Route 690 in the Borough of Moscow, as stipulated in the Pennsylvania Public Utility Commissioner Order to the City of Scranton.

This time will be required to complete specific testing, including securing and testing concrete samples and possibly providing load testing of the structure.

We would anticipate being able to provide you with a complete in-depth inspection report, including concrete test results, photographs, structural calculations and observations within sixty (60) days of this date.

Very truly yours,

CECO ASSOCIATES, INC.  
  
Angelo J. Rosati, P.E.  
President

AJR/tb

cc: File (2)

EXHIBIT C

C-86119 Deisher

City of Scranton  
Pennsylvania

David B. Miller, Esq.  
City Solicitor



Office of the City Solicitor

Municipal Building  
340 North Washington Avenue  
Scranton, Pennsylvania 18502  
(717) 348-4105

APR 22 1988

**RAIL SAFETY  
DIVISION**

April 19, 1988

**RECEIVED**

**APR 22 1988**

**SECRETARYS OFFICE  
Public Utility Commission**

Mr. David C. Hart, P.E., Manager  
Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
Rail Safety Division  
Bureau of Safety and Compliance  
P. O. Box 3265  
Harrisburg, Pa. 17120

RE: Moscow Borough vs. City of Scranton, et al.  
C-861119 (Our File No. 7192)

Dear Mr. Hart:

I am in receipt of your letter dated April 18, 1988. Please be advised that a formal Petition requesting an extension of time in which to comply with the Commission's Order requiring preliminary technical study of the Moscow Borough Bridge was sent to the Secretary of the Pennsylvania Public Utility Commission on April 18, 1988 for filing.

Thank you for your consideration in notifying the City of the impending deadline.

Very truly yours,

*Carlene R. Gallo*

CARLENE R. GALLO, ESQUIRE  
First Assistant City Solicitor

CRG/kmg

cc: Thomas P. Cummings, Esq.  
Herbert G. Zahn, Esq.  
James J. Walker, Esq.

**DOCUMENT  
FOLDER**

**DOCKETED**  
APR 25 1988

C-861119

JAMES J. WALKER

*Attorney at Law*

DOCKETED  
APR 23 1988

SUITE 631-635 CONNELL BUILDING  
SCRANTON, PENNSYLVANIA 18503

(717) 348-0776

April 20, 1988

CARBONDALE OFFICE  
17 PARK PLACE  
CARBONDALE, PA 18407

(717) 282-7590

DOCUMENT  
INDEX

RECEIVED

APR 26 1988

SECRETARYS OFFICE  
Public Utility Commission

Commonwealth of Pennsylvania  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA. 17120

ATTENTION: JERRY RICH, SECRETARY

Re: Moscow Borough Council, Complainant v City of Scranton,  
Lackawanna County and Pennsylvania Department of Transportation,  
Respondent's (Bridge-State Highway Route 35005-Traffic Route 690)

Dear Mr. Rich:

On or about April 18, 1988, the City of Scranton, a Respondent hereinabove, filed a Petition to Public Utility Commission for Extension of Time Within Which To Obtain An Independent Engineering Study Of The Railroad Bridge Over Traffic Route 690, requesting an additional sixty (60) day period within which to comply with the October 26, 1987 Order entered by the Public Utility Commission. Said Order required that an engineering study be completed of the Moscow Borough Bridge within six (6) months of the date of that Order and that the responsibility for the undertaking and payment of said study was to be borne by the City of Scranton. Please be advised that upon request of the Respondent, City of Scranton, the Complainant, Moscow Borough Council, is not opposed to the sixty (60) day extension of time within which to secure the independent engineering study as requested by the City of Scranton. This approval and consent with and to the extension of time is conditioned upon the understanding that any extension of time will only be granted for a sixty (60) day period, as per the Petition filed by the City of Scranton.

Please contact me if you have any further questions regarding this matter or if you need any further information herein.

Very truly yours,  
*James J. Walker*  
JAMES J. WALKER  
Solicitor, Moscow Borough

CC: Carlene R. Gallo, Esquire

Thomas P. Cummings, Esquire

John Quinn

Herbert G. Zahn, Esquire