

**COUNCIL MEETING
MONDAY, MARCH 20, 2017
COUNCIL CHAMBERS
www.lackawannanv.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Keith Lewis presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Lewis.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Noman, Iafallo, Jerge, Surdyke, Lewis
Dept. Heads: Present: Law, Comptroller, Public Works, Recreation,
Public Safety**

Executive Session: Moved by Lewis seconded by Jerge to move to executive session at 7:22 PM

Meeting reconvened at 7:52 PM

Roll Call: Council Present: Noman, Iafallo, Jerge, Surdyke, Lewis

Approval of Minutes: of regular meeting of March 6, 2017

Moved by Lewis seconded by Jerge to adopt minutes as written
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Departmental Reports:

1. City Comptroller-A/P Check Listing #36, February 28, 2017
2. City Comptroller-A/P Check Listing #37, March 7, 2017

Moved by Jerge seconded by Lewis receive and file departmental reports one and two
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Communications from the Mayor:

State of the City 2017

3. To: City Council

I held a public address regarding the State of the City on March 3, in Council Chambers.
(Complete announcement on file with City Clerk)

MAYOR SZYMANSKI

Moved by Lewis seconded by Surdyke receive and file
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Comptroller Bigaj-Sobol Stepping Down as Comptroller for Self Demotion

4. To: City Council:

As per Chapter 4.3E of the City Charter, I am informing the honorable members of the city council that Peggy-Bigaj-Sobol has accepted a self demotion from the position of city comptroller and is no longer the acting comptroller.

We wish her all the best as she returns to her previous title of Account Clerk typist; she will serve as a tremendous asset in assisting the provisional city comptroller.

Peggy has done a tremendous job as comptroller and I would like to personally thank her for her years of service as comptroller. In her short time as comptroller, the city was audited over a dozen times and the results stated that her office is in tremendous order.

MAYOR SZYMANSKI

Moved by Surdyke seconded by Noman to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Communications from the Council:

Legal Action-Former Director of Development

5. To: City Council

I am asking for the Council Members to instruct the City Attorney to prepare legal action in regards to the former Director of Development's activities surrounding the proposed sale of the former Friendship House at 264 Ridge Road.

Thank you in advance for your anticipated cooperation.

ABDUSALAM NOMAN-1ST WARD COUNCIL MEMBER

Moved by Lewis seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Planning & Zoning Board Approval-264 Ridge Road

6. To: City Council

I am demanding that the proposed building to be erected on the site of the former Friendship House be required to go before the Planning & Zoning Boards as soon as possible.

Thank you in advance for your anticipated cooperation.

Moved by Lewis seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Communications from Department/Division Heads:

DPW-Insurance Check

7. To: City Council

I am requesting that the insurance recovery check for the damaged plow truck, in the amount of \$20,452.19 be placed into budget code A.5132.416 (City Garage truck repairs) in order to pay for the repairs needed for this vehicle. If you have any additional questions you may contact me at your earliest convenience. An additional insurance check received in the amount of \$1675.00, Ordinance amended to \$22,127.19.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

Moved by Lewis seconded by Iafallo receive and file, act on amended ordinance
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

Residency Waiver

8. To: City Council

Please put the attached Resolution on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Lewis seconded by Jerge receive and file, act on Resolution
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

Communications from Citizens:

March for Justice

9. To: City Council

1. Give the council of the upcoming March for Justice where resident will be marching in protest of the NFTA not providing service for the citizens of Lackawanna and the hardship it cause it citizens we are also asking elected official to participate in this most important march along with other individual who will be participating such as the clergy, business people and other individual from other counties who will be joining us
2. Give you a brief update of the upcoming Lackawanna Community Fun Day

JOHN INGRAM

Moved by Lewis seconded by Noman receive and file
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

Business Registrations:

Ebitsam Ali-33 Franklin St.-dba "Luxury Cases"- selling phone cases on-line

Moved by Iafallo seconded by Noman to approve business registration
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

Moktar Juran-9 Norfred Dr.-dba 1550 Abbott Road Inc.-Insurance Company

Moved by Lewis seconded by Jerge to apporve business registration
Yeas: Noman, Iafallo, Jerge, Durdyke, Lewis Carried 5-0

Muhamed Ahmed & Rathwan Ahmed-69 Colton Ave.-dba Hookawanna Smoke Shop
283 Ridge Rd.

Moved by Lewis seconded by Surdyke to **TABLE** for study, Director of Public Safety to meet with applicants
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

Jack Mehta-3200 Pomeroy Lane, Ontario-dba Cricket Phone Store-734 Ridge Rd

Moved by Iafallo seconded by Jerge to approve business registration

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Entertainment Licenses:

Class 1-

Lackawanna Grove-2847 South Park Ave
Lake Erie Co-op Society-3200 South Park Ave
Matthew Glab Post #1477-1965 Abbott Rd

Class 2-

American Legion Post #63-144 Kirby Ave
Downtown LA-717 Ridge Rd
Father Baker K of C-2838 South Park Ave

Moved by Lewis seconded by Iafallo to approve entertainment licenses

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Resolution:

Resolution #7, 2017-Meeting Date Change

WHEREAS, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for meeting dates of the Lackawanna City Council; and

WHEREAS, the City Council is desirous of complying with the City of Lackawanna Open Meetings Law of the State of New York, and

WHEREAS, the City Council is desirous of changing the meeting date of Monday, April 17, 2017 to be rescheduled to Tuesday, April 18, 2017, and

BE IT FURTHER RESOLVED, that a copy of this resolution be posted on the centrally located bulletin board in the lobby of City Hall, the Council bulletin board, the City Clerk's Office and on the official website for the City.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Noman to adopt resolution as written, changing meeting date of Monday, April 17, 2017 to Tuesday, April 18, 2017

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Resolution #8, 2017-Residency Waiver

WHEREAS, the position of Director of Development and City Comptroller are currently vacant or soon shall be, and

WHEREAS, the Council has determined that it is in the best interests of the City to waive the requirements of residency in order to hire the best qualified persons for Director of Development and City Comptroller

NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 31-21 of the Municipal Code the residency requirement for the positions of Director of Development and City Comptroller be and hereby are waived

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo to adopt ordinances as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Ordinances:

(1) DPW-Plow Truck-Insurance Check

AN ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE ADOPTED JUNE 16, 2016

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2016-2017 Budget Ordinance adopted June 16, 2016 is hereby amended to increase appropriations and revenue for Insurance Recovery for a Plow Truck

SECTION 2. That the 2016-2017 Budget Ordinance is hereby amended to increase by \$22,127.19 budget code A.5132.416 City Garage, Truck Repairs and Tires

SECTION 3. That the 2016-2017 Budget Ordinance is hereby amended to increase budget Code A..2680 Insurance Recoveries by \$22,127.19

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo to adopt ordinance as amended

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

(2) Budget Transfer-Comptroller Training

AN ORDINANCE AMENDING THE 2016-2017 BUDGET ORDINANCE ADOPTED JUNE 16, 2016

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the 2016-2017 Budget Ordinance adopted June 16, 2016 is hereby amended to transfer appropriations for training for Comptroller

SECTION 2. That the 2016-2017 Budget Ordinance is hereby amended to transfer \$2685.00 to budget code A.1315.101 Comptroller, Personal Services

SECTION 3. That the 2016-2017 Budget Ordinance is hereby amended to transfer \$2685.00 From budget code A.1355.101 Assessment, Personal Services

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Tabled Items:

Moved by Lewis seconded by Jerge to remove from table, Purchase Offer, 18 Glenwood, communication #18, and Ordinance, from February 8, 2017 meeting

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Moved by Lewis seconded by Noman to amend purchase price from \$500 to \$1000

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Moved by Lewis seconded by Jerge to adopt ordinance for sale of 18 Glenwood as amended

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY
PURSUANT TO MUNICIPAL CODE CHAPTER 12**

BE IT ENACTED by the City Council of the City of Lackawanna, New York as follows:

SECTION 1. That the City Council hereby approves of the transfer part of property known as SBL 141.43-6-34.1 (18 Glenwood Ave.) a parcel 60 feet by 100 feet, to L.H.D.C.

SECTION 2. That transfer is made for the sum of \$1,000 in cash to the City of Lackawanna

SECTION 3. That the purchaser/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City of Lackawanna

SECTION 4. That the Law department shall prepare documents to be executed for the transfer of the property

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Jerge to adopt ordinance as amended-purchase price \$1000

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Adjournment:

Moved by Lewis seconded by Jerge meeting adjourned

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Keith E. Lewis, Council President

Jeffrey P. DePasquale, City Clerk