

**COUNCIL MEETING**  
**MONDAY, AUGUST 21, 2017**  
**COUNCIL CHAMBERS**  
[www.lackawannany.gov](http://www.lackawannany.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 Safety, Recreation**  
**Development**  
**Excused: Public Works**

**Executive Meeting:**

Moved by Lewis seconded by Surdyke to move to executive meeting at 7:11 PM  
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried: 5-0

**Meeting reconvened at 7:20 PM**  
**Roll Call: Noman, Iafallo, Jerge, Surdyke, Lewis**

**Approval of Minutes:** of regular meeting of July 17, 2017

Moved by Lewis seconded by Surdyke to adopt minutes as written  
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

**Departmental Reports:**

1. City Comptroller-A/P Check Listing #56, July 20, 2017
2. City Comptroller-A/P Check Listing #57, July 31, 2017
3. City Comptroller-A/P Check Listing #01, August 3, 2017
4. City Comptroller-A/P Check Listing #02, August 11, 2017
5. City Treasurer-Total receipts deposited in the General Fund Account for July 2017
6. City Clerk-Monthly Revenue Report for July 2017

Moved by Lewis seconded by Noman receive and file departmental reports one thru six  
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis Carried 5-0

**Communications from the Mayor:**

**Support for Road Closing for “Arts on Ridge”**

7. To: City Council

I am writing this letter in support of the Arts on Ridge project. As you are aware, this has been a new addition of support of our Lackawanna heritage and culture and we are looking to expand with the help of the Chamber of Commerce organizing it this year.

In the years past we tried to avoid closing down Ridge Road due to the fact that it is our main thoroughfare, however, I believe if we try this exciting venture with the road temporarily closed, we will be able to see just how large this venue can grow. If it is successful, we will try it again next year with the road closed, if it is not...we'll go back to the drawing board and try to rework it.

Artists of all categories have been contacted and this is looking to be the largest and best Arts on Ridge yet. I ask that the city council vote in support of closing Ridge Road temporarily from noon until 9 pm on September 9<sup>th</sup>, 2017. That will give the vendors enough time to stage their equipment and vending materials and enough time to pack up and exit without disruption.

Thank you for your time and appreciation.

**GEOFFREY M SZYMANSKI-MAYOR**

Moved by Lewis seconded by Iafallo, receive and file Mayor's communication

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Communications from the Council:**

**Bingo Inspector Appointment**

8. To: City Council

Leonard Marcinkowski has resigned as Bingo Inspector due to health issues. I am asking for the support of my fellow Council Colleagues to appoint Tami Nicholson of 396 Martin Rd., as a Bingo Inspector.

Tami had worked in Las Vegas at the Golden Nugget Casino as a Cage Cashier. She is currently employed at HSBC Bank, where she has balanced corporate accounts and is currently a Central Account Review Analyst.

For 5 years she volunteered as a bingo worker at the David McKeever American Legion Post in South Buffalo. I believe she is qualified to perform the duties of bingo inspector.

Thank you in advance for your anticipated support.

**KEITH E LEWIS-COUNCIL PRESIDENT**

**KEVIN R SURDYKE-4<sup>th</sup> WARD COUNCIL MEMBER**

Moved by Lewis seconded by Surdyke to appoint Tami Nicholson as Bingo Inspector effective immediately

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Waive Rules:**

Moved by Lewis seconded by Surdyke to waive rules regarding Bingo Inspector applicant

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

To: City Council

As you know there is one vacant position for bingo inspector. We are asking for the support of our fellow Council Colleagues, to appoint Ellen Wilson of 113 Della Drive.

Ellen has been employed at the Catholic Health Systems for 28 years, and has been responsible for managing the work in an office of several doctors for 20 years. The last 8 years she has been working in the billing department.

We believe she is qualified to perform the duties of bingo inspector.

Thank you in advance for your anticipated support.

**KEVIN R SURDYKE-4<sup>TH</sup> WARD COUNCIL MEMBER**

**KEITH E LEWIS-COUNCIL PRESIDENT**

Moved by Lewis seconded by Surdyke to appoint Ellen Wilson as Bingo Inspector, effective immediately

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**WNY Children's Psychiatric Center**

9. To: City Council

Please support the attached letter from Assemblyman Kearns & Senator Gallivan

**KEITH E LEWIS-COUNCIL PRESIDENT**

We are writing to inform you that the WNY Children's Psychiatric Center which serves nineteen counties in Western New York was scheduled to move from West Seneca, New York to the Buffalo Psychiatric adult facility. The move was ill conceived and would impact the therapeutic benefits that these children receive in the school type campus and rural setting in West Seneca. The current facility has the lowest 30 day and 90 day readmission rates of any similar children's mental health facility in New York. Also, the Joint Commission gave the facility a grade of 99.9%. We were able to win unanimous passage of two bills in both the NYS Assembly and Senate this Session. The bill will be sent to Governor Cuomo's desk for his signature or veto and we are encouraging all the local legislative bodies to pass Certified Resolutions of Support to keep the facility in West Seneca and encourage Governor Cuomo to sign the bill into law.

We are asking that your legislative body or council vote on and approve a certified resolution of support attached and below, which would advocate for keeping the facility in its current facility and not discontinue the facility and good work that is being done for healing these children.

Your help and participation would be most welcome.

**MICHAEL P KEARNS-NYS ASSEMBLY 142<sup>ND</sup> DISTRICT**

**SENATOR PATRICK GALLIVAN-DISTRICT 59/NYS SENATE**

Moved by Lewis seconded by Noman receive and file, act on resolution

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**"No Parking" Sign-Warsaw & Electric**

10. To: City Council

The residents in the area of Queen of Angels Church, the former St. Michael's Church, have informed me that the church parishioners have been blocking their driveways.

Therefore, I have requested that the City Attorney prepare an ordinance "No Parking" (within 50 feet) on all four corners of Warsaw and Electric Avenue. I also asked that the ordinance be presented at the upcoming August 21, 2017 City Council meeting.

I am also requesting that signs be erected on all four corners of Warsaw and Electric Avenue, prohibiting parking within 50 feet.

If you have any questions, please feel free to contact me, at your earliest convenience.

**ANNETTE IAFALLO-2<sup>ND</sup> WARD COUNCIL MEMBER**

Moved by Iafallo seconded by Lewis receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Enforce Parking Laws-Queen of Angels Church**

11. To: City Council

As you are well aware, there has been an on-going parking problem around the vicinity of Queen of Angels Church anytime there are services there. Included in that problem are people that park

on the adjacent side streets that partially block private driveways or block them altogether. This situation is causing a hardship for the residents that live there.

As the Council Member responsible for that area, I have requested the Director of Public Safety direct the Police Department to take appropriate enforcement action against those persons that park illegally. I am requesting they be ticketed, or towed if necessary, so that the residents who reside on these streets can maneuver in and out of their driveways without difficulty.

Thank you for your anticipated cooperation in this matter.

**ANNETTE IAFALLO-2<sup>nd</sup> WARD COUNCIL MEMBER**

Moved by Iafallo seconded by Surdyke receive and file, direct Public Safety Director to comply with request

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Communications from Department/Division Heads:**

**Amending Chapters 194 Streets & Sidewalks and Chapter 215 Traffic & Vehicles**

12. To: City Council

Please put the attached ordinances on the agenda for council approval. Thank you.

**ANTONIO SAVAGLIO-CITY ATTORNEY**

Moved by Lewis seconded by Noman receive and file, act on ordinances

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Commissioner of Deeds-Leslie Palczewski**

13. To: City Council

I am requesting you to approve Commissioner of Deeds status for Leslie Palczewski. If you have any questions or concerns you may contact me at your earliest convenience.

**ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS**

Moved by Lewis seconded by Surdyke grant request

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Fire Department Retirees**

14. To: City Council

Please be advised that the following employees have retired from the Fire Department:

July 28, 2017 Raymond Janczyk

July 30, 2017 Richard Chmielowic

**CAROLYN NICOMETO-CITY COMPTROLLER**

Moved by Lewis seconded by Iafallo receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Budget Transfer-Worker's Compensation-Special Revenue Fund**

15. To: City Council

As per discussion with council and Mayor during the budgeting process and based on the recommendation of the Independent Auditors for the City of Lackawanna, I am informing you that I will be expending money from the Workers' Compensation Reserve fund to pay for the Workers' Compensation settlements which exceeded budget amounts for the Special Revenue Fund Garbage and Refuse. As per the Office of the State Comptroller GML Section 6-j-"a referendum is not

required either to create or expend moneys from the reserve”. At this time I am expecting to utilize approximately \$240,000.00 but this may change depending on any settlement claims that may be processed in August 2017 for the prior fiscal period ending July 2017.

If you have any questions please feel free to contact me.

**CAROLYN NICOMETO-CITY COMPTROLLER**

Moved by Lewis seconded by Noman receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Budget Transfer-Offset State Contract Pricing**

16. To: City Council

I am requesting a transfer of \$53,500 to the Special refuse fund to off-set the increase in the State Contract Pricing for the cost for hauling and disposal of rubbish for the year 2016-2017.

**CAROLYN NICOMETO-CITY COMPTROLLER**

Moved by Lewis seconded by Surdyke receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**2016-2017 Budget Transfers**

17. To: City Council

Attached please find list of transfers made with approval by the Mayor for your review. These transfers were made as per pursuant to Chapter 12.12 Subdivision (C) 2 of the City Charter. The Director of the Department of Administration and Finance, with the approval of the Mayor, may transfer any unencumbered appropriation balance or portion thereof between the same general classifications of expenditures within any department: and he or she shall report all such transfers to the Council.

(Complete list on file with the City Clerk)

**CAROLYN NICOMETO-CITY COMPTROLLER**

Moved by Lewis seconded by Noman receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Budget Transfer-Comptroller-Consultant Fees**

18. To: City Council

I am requesting a budget transfer of \$3,000.00 from budget account A.1315.469 City Comptroller-Consultant Fees to account A.1315.101 City Comptroller-Personal Services for the fiscal year 2017-2018. This adjustment is necessary to properly record the expense for assistance for closing of the prior fiscal year.

**CAROLYN NICOMETO-CITY COMPTROLLER**

Moved by Lewis seconded by Surdyke receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Advertise for Bids-Demolition of Lincoln School**

19. To: City Council

As you are all well aware the City of Lackawanna has received \$500,000 from the Restore NY IV Program and \$300,000 from the County of Erie Community Development Block Grant Allocation for the demolition of Lincoln School at 100 Dona Street.

The bid document specifications have been compiled so I am now asking City Council to direct the City Clerk to formally advertise for bids in the front Page on August 30, 2017 for this demolition project.

There will be a fee of \$25.00 and the bid document will be pick up at the Office of LaBella Associates at 300 Pearl Street, Buffalo, NY 14202 and returned to the City Clerk's Office by 10:45 a.m. on Thursday, September 14, 2017, 714 Ridge Road, Room 215, Lackawanna, NY 14218.

**DREW SHAPIRO-DIRECTOR of DEVELOPMENT**

Moved by Noman seconded by Lewis approve request, City Clerk to advertise for bids

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Purchase Offer-75 Center Street**

20. To: City Council

My office has received an offer from L.H.D.C. in the amount of \$1,000 to purchase the parcel located at 75 Center Street for purpose of constructing a Single-Family Home. The current lot size is 105 x 121 and has an assessed value of \$10,000.

Therefore, it is my recommendation that the City Council, **APPROVE** the sale of 75 Center Street to L.H.D.C. in the amount of \$1,000 for the construction of a Single-family home.

**FRANK E KRAKOWSKI-CITY ASSESSOR**

Moved by Noman seconded by Iafallo receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Communications from Citizens:**

**The Legion of Mary Book Barrow**

21. To: City Council

I am Sandra Wall of Our Lady of Victory Basilica's Legion of Mary organization. My request for permission to put a Book Barrow on the Abbott Road sidewalk area in front of the Abbott Plaza was tabled on June 19<sup>th</sup> at the City Council meeting. I would like to request that you remove it from the table and put it on the agenda to present it for action at the August 21<sup>st</sup> City Council Meeting.

**SANDRA WALL-LEGION of MARY-OLV BASILICA**

**Tabled Item:**

Moved by Lewis seconded by Noman to remove communication #18 from June 19, 2017 meeting

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Moved by Lewis seconded by Noman to approve request

Yeas: Noman, Surdyke

Nays: Iafallo, Jerge, Lewis

**Motion Failed: 3-2**

**Arts on Ridge-Closure of Ridge Road**

22. To: City Council

On Saturday September 9, 2017 the Lackawanna Chamber of Commerce will be hosting the 3<sup>rd</sup> Annual Arts on Ridge Festival.

The Festival is set to take place on Ridge Road between Electric and South Park Avenues starting at 2 pm and concluding at 8pm.

The Arts on Ridge Committee is requesting the closure of Ridge Road to accommodate the foot traffic. A Slow Roll will be in the city that morning and they will be ending at 2pm at the start of Arts on Ridge bring hundreds of individuals into the heart of the city.

We have made arrangements with the OLV Institutions for access to their parking lots 780-790 Ridge Road.

Two stages will be set up, one for youth and one for adult performances. Artisans will be displaying along Ridge Road and along with local food vendors we will have a few local breweries sampling as well.

If you have any questions, comments or concerns please do not hesitate to contact me.

**MICHAEL SOBASZEK-LACKAWANNA CHAMBER of COMMERCE-EXECUTIVE DIRECTOR**

Moved by Lewis seconded by Iafallo to approve request, refer to Public Safety Director

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

### **Mt. Olive Baptist Church-Road Closure**

23. To: City Council

I, Patricia Doctor Lott, a member of Mt. Olive Baptist Church in Lackawanna, will be having a re-enactment of the crucifixion on Mt. Olive Church grounds on Sept. 9<sup>th</sup>, @ noon. For the safety of the participants, I am requesting that Wasson Ave @ Church to Mills be blocked and Church @ Wasson be blocked for a total of 2 ½ hours. I am requesting from 12 noon to 2:30 pm.

**PATRICIA DOCTOR LOTT-PARISHIONER**

Moved by Lewis seconded by Noman approve request to close Wasson Ave. between Church & Mills on September 9<sup>th</sup> from 12:00 PM till 2:30 PM. Public Safety Director to ensure proper implementation

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

### **Lackawanna Yemen Soccer Club**

24. To: City Council

I am enclosing the list of all players Lackawanna City residents who registered and participated with the Lackawanna Yemen Soccer Club during this 2017 Soccer Season. Rosters show 207 players at \$6.00, which would be a subsidy of \$1,242.00. I am requesting for funding from the Lackawanna Recreation Department. Any questions please call me.

(Complete list on file with City Clerk)

**ALI SALEH-ASSISTANT DIRECTOR**

### **Address Council-Dennis Lorden**

25. To: City Council

I would like to speak to the council about the ice house. Mostly about 159, 119 the outside entertainment, the fence you can not pass a drink throw, why it is put on a city park, and other things.

Would you please put this on the agenda for august 21, 2017 thank you

**DENNIS LORDEN-RESIDENT**

Moved by Lewis seconded by Jerge receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Lackawanna Little Loop Football-Fence on Electric Avenue**

26. To: City Council

We are writing this letter because under the new leadership of Lackawanna Little Loop, we have renovated the conditions and have expanded our organization to levels never before dreamed of. All four teams are almost to capacity and our cheerleading squads are full with great new energetic coaches as well.

The city as a whole has been very generous with our organization and we have also reached out to many vendors and other great Lackawanna organizations that want to help us attain our goal of being a model organization that will attract our kids to want to play football and cheerleading.

One of those organizations is the Buffalo Bills. They have matched other teams raised funds to purchase new bleachers so the parents of the children can see the games better. We are looking into this exciting venture because our bleachers, although are in good condition, are not very high and don't give our parents a decent view of the game or the cheerleading squads. We will relocate our current, home-side, bleachers to the visitor's side.

However, in order for this matching fund from our beloved Buffalo Bills to happen, we will need more space for these new bleachers.

We are requesting that the city authorize us to move our fence on Electric Avenue back by ten feet, moving it closer to the street. We will pay to have our fence relocated. This will continue to allow plenty of land for snow plow staging on Electric Avenue.

Thank you for your consideration.

**GLEN ECHEVERRIA JR-PRESIDENT**

**KEVIN PAGLIEI-DIRECTOR OF FOOTBALL OPERATIONS**

Moved by Jerge seconded by Iafallo approve request

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Reverter Clause Extension-149 & 163 Ingham**

27. To: City Council

I am requesting an extension on the property I bought from the City, 149 Ingham Avenue and 163 Ingham Avenue to me give time to build the house by September 2018.

Thank you for your cooperation in this matter.

**ABDULSALAM NOMAN**

Moved by Jerge seconded by Lewis grant request

Yeas: Iafallo, Jerge, Surdyke, Lewis

Excused: Noman

Carried 5-0

**Address Council-John Ingram**

28. To: City Council

Re: Item I would like to see put on the agenda

1. I would like a update on if or when the Family Dollar going to happen.
2. This question is concerning the council president is there any truth to the story that although you will be the new school Asst. Superintendent and that you want to still stay on as council president and if so how after all the problem the 2<sup>nd</sup> ward councilwoman face when she was just a clerk
3. I'm asking all the city councilman and councilwomen to please participate in the 6 Annual Lackawanna Communities Fun Days and Gala which will be held on August 25 thru August 26 I'm asking all elected official to please take time out and look at web site page which is [www.lackawannafundays.com](http://www.lackawannafundays.com) Also at the Gala where we will be honoring our very own



Lackawanna Drug Court and 2 of Lackawanna's formal police officer I would hope that all are elected official can participate in this wonderful event that represent the whole city.

**JOHN INGRAM**

Moved by Lewis seconded by Jerge receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Resolutions:**

**(1) Resolution #17, 2017-Children's Facilities**

**CERTIFIED RESOLUTION OF SUPPORT-A6505/S4630-Relates to prohibiting the collocation of certain children's facilities with adult facilities in Erie County**

**WHEREAS:** The Western New York Children's Psychiatric Center opened in West Seneca in 1970. The center takes seriously emotionally disturbed children between the ages of 4 to 18 years old from 19 Western New York counties. The 19 different counties in New York State include: Allegany, Cattaraugus, Cayuga, Chautauqua, Chemung, Erie, Genesee, Herkimer, Livingston, Monroe, Niagara, Ontario, Orange, Orleans, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, Wyoming and Yates; and

**WHEREAS:** Despite the significant volume from these 19 counties the Western New York Children's Psychiatric Center has the lowest 30 day and 90 day reinstatement or re-institutionalization rate of any facility in New York State. The costs of long term hospitalization and institutionalization are drastically reduced and eliminated when the readmission rates are low; and

**WHEREAS:** Governor Cuomo in his 2017 Budget proposed that the West Seneca Children's Psychiatric Center be moved to the Buffalo Psychiatric Center, an adult facility and campus. Moving these children into an adult setting would not be therapeutically beneficial and may in fact be detrimental to the psyches of many of these children; and

**WHEREAS:** The medicinal and therapeutic benefits of treating and counseling children with mental illnesses in both rural and school settings have been documented in many medical journals and academic papers. The Governor's proposal to place these children in a lock down facility with adults runs counter to science, logic and common sense; and

**WHEREAS:** The New York State Assembly and Senate unanimously passes A6505/S4630 which prohibit the collocation of certain children's facilities with adult facilities in Erie County; and

**WHEREAS:** Governor Cuomo needs to sign this bill and save WNY Children's Psychiatric Center in West Seneca.

**NOW THEREFORE BE IT RESOLVED:** The (town, village, city or county) legislative body supports the passage of the above bills in the New York State Legislature and also strongly encourages Governor Cuomo to immediately sign this necessary legislation into law.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY**

Moved by All seconded by All to adopt resolution as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Ordinances:**

**(1) Chapter 194-Amend Streets & Sidewalks**

## **AN ORDINANCE AMENDING CHAPTER 194, STREETS AND SIDEWALKS, OF THE CITY OF LACKAWANNA MUNICIPAL CODE**

**BE IT ENACTED** by the City Council of the City of Lackawanna, New York that City Code Chapter 194 shall be amended to add the following:

Article VIII. Complete Streets.

Chapter 194-34. Complete Streets.

### **A. Purpose.**

The purpose of this Article is to enable the streets of the City of Lackawanna to provide safe, convenient, and comfortable routes for walking, bicycling, and public transportation that encourage increased use of these modes of transportation, enable convenient travel as part of daily activities, improve the public welfare by addressing a wide array of health and environmental problems, and meet the needs of all users of the complete streets, including children, older adults, and people with disabilities, and provide adequate parking for commercial and residential uses.

### **B. Definitions.**

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section unless the context clearly requires otherwise:

1. "Complete streets" means design features that contribute to a safe, convenient, or comfortable travel experience for users, including, but not limited to, features such as: sidewalks; shared use paths; bicycle lanes; automobile lanes; paved shoulders; street trees and landscaping; planting strips; curbs; accessible curb ramps; bumps outs; crosswalk; refuge islands; pedestrian and traffic signal, including countdown and accessible signals; street furniture; bicycle parking facilities; public transportation stops and facilities; transit priority signalization; traffic calming devices such as rotary circles, traffic bumps, and surface treatments such as paving blocks, textured asphalt, and concrete; narrow vehicle lanes; raised medians; and dedicated transit lanes.
2. "Street" means any public right-of-way, including arterials, connectors, alley ways, lanes, and roadways by any other designation, as well as bridges, tunnels, and any other portions of the transportation network.
3. "Street project" means the construction, reconstruction, retrofit, maintenance, alteration, or repair of any street, and includes the planning, design, approval, and implementation processes, except that "street project" does not include minor routine upkeep such as cleaning, sweeping, mowing, spot repair, or interim measures on detour routes.
4. "Users" means individuals that use streets, including pedestrians, bicyclists, motor vehicle drivers, public transportation riders and drivers, and people of all ages and abilities, including children, youth, families, older adults, and individuals with disabilities.

### **C. Complete streets ordinance goals and guidelines.**

The City of Lackawanna shall attempt to enhance the safety, access, convenience and comfort of all users of all ages and abilities, providing for equality in use between pedestrians (including people requiring mobility aids), bicyclists, transit users, motorists and freight drivers, and businesses and residents who need adequate parking through the design, operation and

maintenance of a transportation network, so as to create a connected network of facilities accommodating each mode of travel that is consistent with and supportive of the local community and businesses, recognizing that all streets are different and that the needs of various users will be balanced in a flexible manner to achieve complete streets. This goal shall be implemented as follows:

1. The City of Lackawanna will consider including complete streets elements in all public transportation projects, in order to provide appropriate accommodation for bicycle, pedestrians, transit users and persons of all abilities, while promoting safe operations for all users, in comprehensive and connected networks, in a manner consistent with, and supportive of, the surrounding community.
2. As practical, the City of Lackawanna may incorporate complete streets infrastructure into existing streets so as to improve the safety and convenience of users, construct and enhance the transportation network for each category of users, and foster economic development and new employment.
3. The City of Lackawanna shall recognize that complete streets may be achieved through single elements incorporated into a particular project, or incrementally through a series of smaller improvements or maintenance activities over time. The City of Lackawanna shall approach every street project and program as an opportunity to improve streets and a transportation network for all users.
4. Complete streets, bicycle, pedestrian, and transit facilities shall be incorporated, when applicable and practical, in all city street project, and reconstruction, repaving, and rehabilitation projects, with only the following exceptions:
  - (a) Bicycles or pedestrians are prohibited by law from using the facility.
  - (b) The cost of establishing bikeways or walkways as part of the project would be disproportionate in cost or to anticipated future use (not the current use).
  - (c) The existing right-of-way is constrained in a manner that inhibits simple addition of transit, bicycle, or pedestrian improvements.
  - (d) Where such facilities would constitute a threat to public safety or health in the determination of the Director of Development or City Council.
5. All initial planning and design studies, and other project reviews, for public infrastructure projects requiring funding or approval by the City of Lackawanna shall:
  - (1.) Evaluate the effect of the proposed project on safe travel by all users, and
  - (2.) Identify measures to mitigate any adverse impacts on such travel that are identified.
6. When drafting or revising design guidelines, the City of Lackawanna shall consider including complete streets infrastructure and goals, bicycle lanes and cycle tracks, sidewalks, street crossings, curb geometries, and planting strips. The design of new or reconstructed facilities should anticipate and support likely future demand for bicycling, walking and transit facilities.

7. Because freight is important to the basic economy of the city and has unique right-of-way needs to support that role, freight will be a priority on streets classified as truck routes. Complete streets improvements that are consistent with freight mobility but also support other modes shall be considered on these streets.
8. Nothing in this chapter is intended to impose any additional civil liability upon the City of Lackawanna other than that which is imposed by existing law.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

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

Carried 5-0

**(2) Chapter 215-Amend Traffic & Vehicles-Electric & Warsaw**

**AN ORDINANCE AMENDING CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 215.43 shall be amended to add the following:

**62. Electric Avenue**

On the east side:

No parking at any time from the north curb line of Warsaw Street to a point 100 feet northerly therefrom.

No parking at any time from the south curb line of Warsaw Street to a point 100 feet southerly therefrom.

On the west side:

No parking from the north curb line of Warsaw Street to a point 100 feet northerly therefrom .

**219. Warsaw Street**

On the north and west sides:

No standing from the east curb line of Electric Avenue to a point thirty (30) feet easterly therefrom.

Section 215.43, Warsaw Street shall be amended by removing the following:

On the north and west sides:

No standing from the east curb line of Electric Avenue to a point thirty (30) feet easterly therefrom.

On the east south sides:

No standing from a point thirty (30) feet easterly of the east curb line of Electric Avenue to a point thirty (30) feet westerly of the west curb line of South Park Avenue from 4:00 p.m. Wednesday to 4:00 p.m. Sunday.

Replace with the following:

On both sides:

No parking at any time from the west curb line of Electric Avenue to a point 100 feet westerly therefrom.

No parking at any time from the east curb line of Electric Avenue to a point 100 feet easterly therefrom.

On the east and south sides:

No standing from a point 100 feet easterly of the east curb line of Electric Avenue to a point thirty (30) feet westerly of the west curb line of South Park Avenue from 4:00 p.m. Wednesday to 4:00 p.m. Sunday.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Iafallo second by Lewis to adopt ordinance as written  
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**(3) Chapter 215-Traffic & Vehicles-Amend Madison Avenue Parking**

**AN ORDINANCE AMENDING CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 215.43 shall be amended to add the following:

**218. Madison Avenue.**

On both sides:

No parking at any time from the east curb line of Hamburg Turnpike to a point fifty (50) feet easterly therefrom.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

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

Carried 5-0

**(4) Budget Transfer-Hauling of Rubbish**

**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 Fund Balance for Sanitation Hauling of Rubbish from the General Fund to the Special Revenue-Refuse and Garbage Fund

**SECTION 2.** That the 2016-2017 Budget Ordinance is hereby amended to appropriate \$53,500.00 from fund Balance

**SECTION 3.** That the 2016-2017 Budget Ordinance is hereby amended to add \$53,500.00 to budget code A.9000.9551 Transfer to Special Revenue Fund

**SECTION 4.** That the 2016-2017 Budget Ordinance is hereby amended to transfer \$53,500.00 from budget code A.9000.9551 Transfers to Special Revenue Fund to budget code CL.0000.5031 Special Revenue Fund-Garbage and Refuse Interfund Transfers

**SECTION 5.** That the 2016-2017 Budget Ordinance is hereby amended to decrease budget code CL.0000.5031 Special revenue fund-Garbage and Refuse Interfund Transfers by \$53,500.00

**SECTION 6.** That the 2016-2017 Budget Ordinance is hereby amended to increase budget code CL.8160.401 Special Revenue Fund-Hauling of Rubbish by \$53,500.00

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Lewis seconded by Surdyke to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**(5) Budget Transfer-Comptroller Personal Services**

**AN ORDINANCE AMENDING THE 2017-2018-BUDGET ORDINANCE  
ADOPTED JUNE 7, 2017**

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

**SECTION 1.** That the 2017-2018 Budget Ordinance adopted June 7, 2017 is hereby amended to increase appropriations for City Comptroller-Personal Services and decrease appropriations for City Comptroller-Consultant Fees

**SECTION 2.** That the 2017-2018 Budget Ordinance is hereby amended to increase by \$3,000.00 budget code A.1315.101 City Comptroller-Personal Services

**SECTION 3.** That the 2017-2018 Budget Ordinance is hereby amended to decrease by \$3,000.00 budget code A.1315.469 City Comptroller-Consultant Fees

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Lewis seconded by Surdyke to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**(6) Sale of 75 Center-L.H.D.C.**

**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 of property known as SBL 142.45-1-17.1 (75 Center Street) a parcel 105 feet by 121 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 Noman to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

**Adjournment:**

Moved by Lewis seconded by Surdyke meeting adjourned

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

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Keith E. Lewis, Council President

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Jeffrey P DePasquale, City Clerk