

**COUNCIL MEETING
MONDAY, SEPTEMBER 18, 2017
COUNCIL CHAMBERS
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, Development,
Public Works
Excused: Recreation**

Approval of Minutes: of regular meeting of September 05, 2017

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

Carried 5-0

Departmental Reports:

1. City Comptroller-A/P Check Listing #05, August 31, 2017
2. City Comptroller-A/P Check Listing #06, September 7, 2017
3. City Treasurer-Total Receipts Deposited in the General Fund for August 2017
4. City Clerk-Monthly Revenue report for August 2017

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

Carried 5-0

Communications from Department/Division Heads:

NYS Assessors Annual Conference

5. To: City Council

I am requesting approval to attend the New York State Assessors Annual Conference the week of October 1, 2017 in Lake Placid, New York. Funds are available in the current budget. A majority of the cost for the annual meeting will be reimbursed by the State of New York.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Jerge seconded by Noman to approve request
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

B.E.N.L.I.C. Property (86 Caldwell)

6. To: City Council

This letter shall serve to confirm that the City of Lackawanna is requesting that the Buffalo Erie Niagara Land Improvement Corporation, take ownership of the property located at 86 Caldwell, SBL #142.37-4-25.

The purpose of this acquisition is to enroll this property in the BENLIC Note & Mortgage Program to help facilitate the rehabilitation of the property thereby returning the property to the tax rolls. Rehabilitation would be supervised by BENLIC to assure the property is brought into compliance with city code. After which the Lien by BENLIC would be removed and the Property would be placed on the tax rolls.

I would therefore encourage the City Council to pass the attached ordinance allowing BENLIC to acquire this property.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Iafallo seconded by Lewis **TABLE** for study

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

2016-2017 Employee Benefit Liability Reserve Fund

7. To: City Council

In anticipation of employee retirements, please approve the creation of an Employee Benefit Liability Reserve Fund for the FYE July 31, 2017. These funds will be set up in accordance with the Office of the New York State Comptroller GML Section 6-p. Funding was approved in the 2016-17 City Budget.

If you have any questions, feel free to give me a call.

CAROLYN A NICOMETO-CITY COMPTROLLER

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

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

2016-2017 Budget Transfers-Accounts in Red

8. To: City Council

Attached, please find a list of transfers for your approval. These transfers will balance all of the accounts that were in the red at July 31, 2017.

If you have any questions, feel free to give me a call.

CAROLYN A NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Jerge grant request

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Communications from Citizens:

Flood Insurance-Assemblyman Kearns

9. To: City Council

Assemblyman Kearns would like to be out on the agenda for the September 18th meeting.

KELLY KRUG-NYS ASSEMBLY

Moved by Jerge seconded Lewis, receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Waive Rules:

Moved by Lewis seconded by Jerge to waive rules

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

2016-2017 Budget Transfers-Approved by Mayor

To: City Council

Please be advised, pursuant to Chapter 12.12 Subdivision (C) 2 of the City Charter, after a review of the Office of Department of Administration and Finance, Office of the City Clerk, Department of Development, Department of Public Works, Department of Public Safety, and Department of Recreation, the attached lists of transfer were made to balance many of the 2016-2017 accounts.

CAROLYN A NICOMETO-CITY COMPTROLLER

Moved by Lewis seconded by Jerge receive and file

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Lackawanna High School-Homecoming Parade & Bonfire

To: City Council

On Thursday, October 5, 2017 the Lackawanna City School District would like to have a Homecoming Parade as we have the past two years. Starting at 6:00pm we would like to have the students, staff and parents in the four buildings walk from the maintenance exit on the side of Lackawanna Middle School down Martin Rd. to South Park Ave. From South Park Avenue to take a right down all the way down to Veteran's Stadium. We would be arriving at the Stadium at approximately 6:20pm. During the parade we would like to request a police and fire truck escort.

On Thursday, October 5, we will also be having our bon fire beginning at approximately 7:00pm and would like to have a Fire truck onsite. The bon fire will end at approximately 9:30pm.

BRUCE R AXELSON-LACKAWANNA HIGH SCHOOL PRINCIPAL

Moved by Lewis seconded by Jerge approve request, Director of Public Safety to provide police & fire escort

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Business Registrations:

(1) Naef Alhajjaji-DBA Lucky Amani LTD (Grocery Store) - 19 Wasson Ave.

Moved by Noman seconded by Lewis to approve business registration

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

(2) Lance Wodja DBA Jokers of Lackawanna (Restaurant)-1783 Electric Ave

Moved by Lewis seconded by Iafallo to **TABLE** pending more information

Yeas: Noman, Iafallo, Surdyke, Lewis

Nays: Jerge

Carried 4-1

(3) Alvin Zells DBA Cagney's Coffee Café (Coffee Shop)-634 Ridge Rd

Moved by Iafallo seconded by Lewis to approve business registration

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Resolutions:

(1) Resolution #19, 2017-Employee Liability Reserve Fund

Whereas, In anticipation of City of Lackawanna employee retirements in fiscal year 2017-2018;
and

Whereas, The Office of the New York State Comptroller authorizes the City of Lackawanna to create an Employee Benefit Accrued Liability Reserve Fund, and

Whereas, the Employee Benefit Accrued Liability Reserve fund is authorized under New York State General Municipal Law (GML) Section 6-p, and

Whereas, the City of Lackawanna is desirous of creating an Employee Benefit Accrued Liability Reserve Fund in the amount of \$330,000.00 for fiscal year 2016-2017 to fund anticipated retirements in fiscal year 2017-2018, and

Whereas, Funding was approved in the 2016-2017 City Budget, and

Be it further resolved, that the City of Lackawanna hereby creates an Employee Benefit Accrued Liability Reserve Fund in the amount of \$330,000.00 for fiscal year ending July 31, 2017.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Jerge adopt resolution as written

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Tabled Items:

Moved by Lewis seconded by Jerge to remove communication #5 from meeting of 9/5/17, regarding change in meeting time

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Moved by Lewis seconded by Jerge to approve change in meeting time

Nays: Noman, Iafallo, Surdyke, Lewis

Yeas: Jerge

Motion FAILED 4-1

Moved by Lewis seconded by Jerge to remove from table, communication #9 from meeting of 9/5/17 regarding sale of 303 Ridge Rd. to Anthony Fruci

Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

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

Carried 5-0

(1) Ordinance-Sale of 303 Ridge Road

**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 141.44-4-1.2 (303 Ridge Rd.) a parcel 30 feet by 80 feet, to Anthony Fruci

SECTION 2. That transfer is made for the sum of \$1,500 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 Iafallo meeting adjourned
Yeas: Noman, Iafallo, Jerge, Surdyke, Lewis

Carried 5-0

Keith E. Lewis, Council President

Jeffrey P DePasquale, City Clerk