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COUNCIL MEETING
Monday, December 19, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Meeting called to order/Pledge of Allegiance.
NB: Meeting being recorded.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT. HEADS: Present: Law, Development
Absent: Public Safety, Public Works
Excused: Recreation

Hearings from Citizens:

Approval of Minutes of regular meeting of December 5, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes of December 5, 2011.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Departmental Reports:

1. City Clerk – Monthly Report for November, 2011.
2. City Treasurer – Receipts deposited in General Fund, November, 2011.
3. City Compt. – AP Check Listing #13, November 17, 2011.
4. City Compt. – AP Check Listing #14, November 22, 2011.
5. City Compt. – AP Check Listing #15, November 30, 2011.
6. City Compt. - AP Check Listing #16, December 8, 2011.

Moved by Jaworski, seconded by Schiavi to receive and file Departmental Reports.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from the Council:

Snowplowing Ordinance:

7. To: City Council

I am asking for your support for the attached Snowplowing Ordinance for residential and commercial property in the City of Lackawanna. Over the past years I have received several complaints that snow plow drivers have been pushing snow unto city right of ways and neighbor's driveways and sidewalks. The ordinance should alleviate these concerns.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Szymanski, seconded by Jaworski to amend ordinance from section 194.26 to 194.20.

Yeas: Noman Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Moved by Szymanski, seconded by Jaworski to repeal section 194.20 of the Municipal Code.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Moved by Szymanski, seconded by Jaworski to receive and file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from Department/Division Heads:

Tabled Items:

8. To: City Council

Attached please find tabled items that are over the ninety (90) day period established by the City Council on May 20, 1991, stating all items not acted upon after ninety days are null and void.

Meeting of May 2, 2011 – AP Check listing 1 through 4.

Meeting of Sept. 6, 2011 – allocate funding for demolition of 61 Ingham and 235 Ingham Ave.

JACQUELINE CAFERRO, CITY CLERK

Moved by Jaworski, seconded by Schiavi to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

STOP-DWI Resolution:

9. To: City Council

Please put the attached resolution regarding STOP-DWI on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Noman to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Settlement – Paszek vs. City of Lackawanna:

10. To: City Council

The Law Department requests Council approval to settle the above-referred case of \$7,500.00 to the defendant.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to grant request, approve settlement.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Agreement -STOP-DWI RESOLUTION NO. , 2011

WHEREAS, the City has been engaged in the STOP-DWI program in conjunction with the County of Erie for several years; and

WHEREAS, the County has requested the City to enter into a formal agreement with the County setting forth the terms and conditions between the county and the City; and

WHEREAS, attached hereto, is a copy of the proposed contract for the period commencing January 1, 2011 and terminating December 31, 2013; and

WHEREAS, the City Council deems it in the best interest of the City of Lackawanna to enter into said agreement,

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor be and hereby is authorized and directed to execute said agreement on behalf of the City of Lackawanna; and be it further

RESOLVED, that the City Clerk forward certified copies of this resolution to the Mayor, Director of Public Safety, Chief of Police and the City Attorney.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Jaworski to approve the request for the mayor to enter into agreement for Stop-DWI Program.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Snow Plowing Ordinance: Original on file in City Clerk's Office.

An ordinance establishing a fee of \$25.00 and a certificate of insurance for a snowplowing permit for anyone plowing a driveway on property other than their own within the city limits. Penalty for not obtaining a permit is \$250 or imprisonment for a period not to exceed 15 days or both.

Moved by Jaworski, seconded by Noman to adopt the ordinance as amended.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Adjournment:

Moved by Kulczyk, seconded by Szymanski that the meeting be adjourned in the name of Julian & Catherine Jaworski and Jane & Ed Zak.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

**COUNCIL/REORGANIZATIONAL MEETING
TUESDAY, JANUARY 4, 2011
COUNCIL CHAMBERS**

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

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
DEPT HEADS: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes of regular meeting of December 20 2010.

Moved by Schiavi, seconded by Jaworski to approve the minutes of December 20, 2010 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #19, December 15, 2010.
2. City Compt. – Statement of Cond. Of Approp. as of November 30, 2010.

Moved by Jaworski, seconded by Schiavi to receive & file departmental reports.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Voting Order:

3. To: City Council

I request the voting order for the year 2011 to be 1st Ward, 2nd Ward, 3rd Ward, 4th Ward and Council President. Thank you in advance for your cooperation.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Szymanski to approve voting order as follows:
1st, 2nd, 3rd, 4th Wards, followed by Council President.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Council Meeting Dates 2011:

4. To: City Council

I recommend the attached dates for the 2011 Council Meetings. Thank you for your consideration.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Council President Pro-Tempore:

5. To: City Council

I request your approval of the appointment of Geoffrey M. Szymanski for the position of Council President Pro-Tempore for the year 2011. Thank you in advance for your approval in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Kulczyk, seconded by Jaworski to receive & file, act on resolution

Yeas: Noman, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Abstain: Szymanski

Official Newspaper:

6. To: City Council

I request your approval of the Front Page, 2703 South Park Avenue, Lackawanna, NY as the designated official newspaper for the City of Lackawanna for the year 2011. Thank you for your cooperation in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Closing of M & T Bank:

7. To: City Council

With the recent decision of the State Banking Dept. to close the M&T Bank branch at 2731 South Park Ave., I feel will be a great loss to the City. It will also be a hardship and inconvenience to the residents of our City who have the convenience of this bank which is in walking distance for many. I am looking for the support of the Council to do whatever is necessary to try and save the M&T bank from closing. Thank you.

ABDUL NOMAN, 1ST WARD COUNCILMAN

Moved by Jaworski, seconded by Szymanski to receive & file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Sale of 2901 South Park Ave:

8. To: City Council

My office has received an offer from Matthew Nowinski, Sr. of 3473 South Park, in the amount of \$3,500. The parcel is approximately 50 x 148. The purchaser will build a storage facility along with small office on the parcel. The current assessed value for the 2010 Tax Roll is \$6,600. It is my recommendation that the City Council sell this parcel to Matthew Nowinski, Sr. for \$3,500. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Szymanski to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of 53 Stearns:

9. To: City Council

My office has received an offer from Thomas F. Sikorski, 57 Stearns Ave., in the amount of \$500. The parcel is approximately 45 x 107. The purchaser will build a 30 x 24 ft. garage on the parcel. The current assessed value for the 2010 Tax Roll is \$5,100. It is my recommendation that the City Council sell this parcel to Thomas F. Sikorski for \$500. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Noman to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

**Amendment to RPTL RE: Erie Wind Pilot Agreement:
Agreement on File in City Clerk's Office:**

10. To: City Council

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

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to approve the amendment

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Transfer Funds-Additional Police Captain:

11. To: City Council

After having several conversations with the Chief of Police and the Detective Captain, I realize the need for an additional police captain to oversee the Patrol Division.

I am attaching a letter from the Chief of Police that details the need for the additional captain's position. His letter explains the duties and job separation between first line (Lieutenants) and second line management (Captains) supervisors. The additional cost of a Police Captain would be minimal since we don't have to replace a lieutenant. The department currently has a sufficient number of lieutenants to cover the department shifts. I feel it is in the best interest of Public Safety that Your Honorable Body considers making the necessary transfers to fund an additional Police Captain position in the 2010-2011 City Budget. If there are any questions on this matter feel free to contact me, or Chief of Police James L. Michel, Jr.

RICHARD L. STARTEK, DIRECTOR OF PUBLIC SAFETY

Moved by Jaworski, seconded by Schiavi to receive & file, act on ordinance

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Szymanski

Use of Senior Center – 2011 Winter Fest:

12. To: City Council

The Lackawanna Youth Board and Bureau respectfully request your approval of the use of the Lackawanna Senior Center on Saturday, February 12, 2011, to hold our annual 2011 Winter Fest. We anticipate a large number of people will participate in the various events such as:

The Mayor's Bowl – our "Chili Cook Off"

The Hartland Carriages Horse drawn Wagon Ride

The Nickel City Reptile & Exotics animal show

Children's Activities

The festival hours are from 1 pm to 5 pm and we will need access to the building from 9:00 am.

JAMES SIERACKI

Moved by Jaworski, seconded by Szymanski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Commissioner of Deeds - Joseph Geyer & Steven Bremer:

13. To: City Council

We are requesting Council approval to be reappointed as Commissioner of Deeds in the City of Lackawanna. Our commissions expire 12-31-2010. Thank you for your consideration.

JOSEPH GEYER STEVEN BREMER

Moved by Jaworski, seconded by Schiavi to grant the request.Szymanski,

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Resolutions:

Council Meeting Dates: Resolution #1, 2011

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

WHEREAS, the City Council is desirous of complying with the Charter and the Open Meeting Law of New York State.

BE IT RESOLVED, the following meeting dates for the Council meetings or the year 2011 shall be as follows:

Tuesday January 4 (Reorganization & Regular Mtg.)	
Tuesday January 18	Monday July 11
Monday February 7	Monday August 15
Tuesday February 22	Tuesday September 6
Monday March 7	Monday September 19
Monday March 21	Monday October 3
Monday April 4	Monday October 17
Monday April 18	Tuesday November 1
Monday May 2	Monday November 21
Monday May 16	Monday December 5
Monday June 6	Monday December 19
Monday June 20	

BE IT RESOLVED, that all council meetings shall be held in City Hall unless deemed otherwise by the Council, and

BE IT FURTHER RESOLVED, that a copy of this resolution be posted on the centrally located bulletin board, the City Clerk's office and the Treasurer's office.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Noman to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Szymanski Council President Pro-Tempore: Resolution #2, 2011

WHEREAS, Chapter 3, Section 305 provides that the Council may select from its members a Council President Pro-Tempore who shall serve in place of the Council President in the event of the Council Presidents absence or disability, and

WHEREAS, the Council President Pro-Tempore, selected by the City Council shall serve as Council Pro-Tempore for a term of one year, expiring December 31, 2011; and

NOW THEREFORE BE IT RESOLVED, that Geoffrey M. Szymanski, 2nd Ward Council Member be and is hereby selected to be the Council President Pro-Tempore for the year 2011.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Jaworski, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Abstained: Szymanski

Official Newspaper-Front Page:

Resolution #3, 2011

WHEREAS, Chapter 2, Section 2.9 of the City Charter of Lackawanna, by resolution, designates a newspaper having general circulation and published within the City to serve as the “Official Newspaper” of the City.

NOW THEREFORE BE IT RESOLVED, that the Front Page, 2703 South Park Avenue, Lackawanna, New York is hereby designated as the official newspaper for the City of Lackawanna.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Szymanski, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ordinances:

Budget Amendment-Police Captain Position:

AN ORDINANCE AMENDING THE 2010-2011 BUDGET ORDINANCES ADOPTED JUNE 1, 2010.

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

SECTION 1: That the 2010-2011 Budget Ordinance is hereby amended to Appropriate \$68,579, of the City’s Fund Balance to code A3120.101 Police Captains.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Jaworski, seconded by Schiavi to adopt the ordinance as written,

Yeas: Noman, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Szymanski

Sale of 53 Stearns St. to Thomas Sikorski:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107.

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

SECTION 1. That the City Council hereby approved of the transfer of property known as SBL 142.63-3-20 a parcel approximately 45 feet by 107 feet to Mr. Thomas F. Sikorski.

SECTION 2. That transfer is made for the sum of \$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 Schiavi, seconded by Jaworski to adopt the ordinance as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of 2901 South Park to Matthew Nowinski:

An Ordinance authorizing the sale/transfer of property pursuant to Municipal Section 107.

SECTION 1. That the City Council hereby approves of the transfer of property known as SBL 142.46-9-17.1 a parcel 50 feet by 148 feet, to Matthew Nowinski

SECTION 2. That transfer is made for the sum of \$3,500 in cash to the City of Lackawanna,

SECTION 3. That the purchaser/transferee shall be responsible for expenses 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 Schiavi, seconded by Jaworski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Szymanski, seconded by Jaworski to adjourn the meeting in memory of John Haas.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE A. CAFERRO, CITY CLERK

COUNCIL MEETING
Tuesday, January 18, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
DEPT HEADS: Present: Law, Public Works, Public Safety, Recreation, Development

Hearing from Citizens:

Approval of Minutes of regular meeting of January 4, 2011

Moved by Schiavi , seconded by Szymanski to approve the minutes of January 4, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #20 – December 31, 2010.
2. City Compt. – AP Check Listing #21 – January 5, 2011.
3. City Compt. – Statement of Cond. Of Appropriations – Dec. 31, 2010.
4. City Treas. – Receipts into General Fund – December 31, 2010.
5. City Clerk – Monthly Report for December, 2010.

Moved by Jaworski, seconded by Schiavi to receive and file departmental reports 1 through 5.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Mayor:

Resurfacing Ridge Road:

6. To: City Council

I am requesting your Honorable Body approve the attached Resolution regarding resurfacing Ridge Road from South Park Avenue to Center Street.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Szymanski to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

St. Patrick's Day Parade:

7. To: City Council

I am requesting your Honorable Body approve the request from Pat Gallagher, Chairman of the Father Baker Knights of Columbus Council #2243, for their annual St. Patrick's Day Parade Festivities. The parade will follow a special mass at Our lady of Victory Basilica at 12:10 on Thursday, March 17th after which the raising of the Irish Flag will take place in front of City Hall. After the conclusion of the parade there will be corned beef and cabbage dinners and refreshments available at the Knights of Columbus Hall. Thank you in advance for your anticipated cooperation on this matter.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Schiavi to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communication from the Council:

St. Patrick's Day Parade:

8. To: City Council

I have received a communication from Pat Gallagher, Chairman of the Father Baker Council asking to approve the 2011 St. Patrick's Day festivities for Thursday, March 17, 2011. I have attached a copy of the letter from Mr. Gallagher with the schedule of the parade and festivities. I am asking for your support in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

M & T Bank – Opposition to Closing:

9. To: City Council

We are looking for your support in approving the attached resolution to stop the closing of the M & T Bank location in Lackawanna. Thank you for your consideration in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Rental Dwelling Registration:

10. To: City Council

Please review the attached ordinance at your earliest convenience and get back to me on your findings so that I may schedule a work session.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Personell-Outside Employment:

11. To: City Council

Please put the attached resolution regarding outside employment on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Schiavi to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Commissioner of Deeds – Police Department:

12. To: City Council

This letter serves to request your Honorable Body renew the attached listing of personnel that serve as Commissioner of Deeds for the Police Department. The current licenses expire on December 31, 2010.

Kevin Rozwood	David Darmstedter
Joseph Leo	Robert Janowski
James McGroarty, Jr.	Brian Lakso
David Joyce	Christopher Lalka
Daniel Sawicki	Tia Celestino
John Hruby	Rodney Pietras
Robert Friend	Keith Alvarez
Michael Gawronski	Chuck Jaworski
James L. Michel, Jr.	Katie Murray
Michelle Burke	Robert Lester
William Kukoleca, Jr.	Mark Packard
Bryan Girdlestone	

If you have any question, please contact me. Thank you.

JAMES L. MICHEL, JR., CHIEF OF POLICE

Moved by Schiavi, seconded by Kulczyk to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of 3305 South Park Avenue:

13. To: City Council

My office has received an offer for 3305 South Park Ave. from Dave Wolf of 3292 South Park Ave., in the amount of \$3,000. The parcel is approximately 87 X 212 the purchaser will be expanding his business to include this parcel. The current assessed value for the 2010 Tax Roll is \$27,000. If approved by the City Council, the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Miscellaneous:

Commissioner of Deeds-Brandon Falbo:

14. To: City Council

I hereby request an appointment as a Commissioner of Deeds for 2011. This appointment would be used solely for my duties at the Lackawanna Municipal Housing Authority.

BRANDON FALBO, Computer Support Specialist, L.M.H.A.

Moved by Schiavi, seconded by Szymanski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

RESOLUTIONS:

Resurfacing Ridge Road: Resolution # 4, 2011

Authorizing the implementation and funding in the first instance 100% of the Federal-Aid and State "Marchiselli" Program-Aid eligible costs, of a Transportation Federal-Aid project and appropriating funds therefore.

WHEREAS, the Project to Mill and Resurface Ridge Road from South Park Avenue to Center Street, in the City of Lackawanna, Erie County, PIN 5757.81, ("the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal Funds and 20% Non-Federal funds, and

WHEREAS, the City of Lackawanna desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-VI phase of the project PIN 5757.81.

NOW, THEREFORE, the Common Council of the City of Lackawanna, duly convened does hereby

RESOLVE, that the Common Council of the City of Lackawanna hereby approves the above-subject project: and it is hereby further

RESOLVED, that the Common Council of the City of Lackawanna hereby authorizes the City of Lackawanna to pay in the first instance 100% of the federal and non-federal shares Preliminary Engineering (Design I-IV) Phase of the Project or portions thereof; and it is further

RESOLVED, that the sum of \$100,000 is hereby appropriated from 2010 CHIPS Funds and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the amount required to pay full federal and non-federal share costs of the project's Preliminary Engineering (Design I-IV) phase exceeds the amount appropriated above, the City of Lackawanna shall convene its Common Council as soon as possible to appropriate said excess amount immediately upon the notification by New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of Lackawanna be and is hereby authorized to execute all necessary Agreements, certification or reimbursement requests for Federal Aid on behalf of the City of Lackawanna with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and municipality's first instance funding of project costs and permanent funding of the local share of the Federal-Aid and State-Aid eligible Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this resolution shall take place immediately.

Moved by Jaworski, seconded by Schiavi to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

M & T Bank – Opposition to Closing: Resolution # 5, 2011

WHEREAS, the City Council of the City of Lackawanna, New York, hereby is against the closing of the Lackawanna M & T Bank of 2731 South Park Ave.

WHEREAS, The City of Lackawanna, New York is the second largest city in the County of Erie, and

WHEREAS, Lackawanna has an aging population that depends on the services of the Lackawanna M & T Bank and

WHEREAS, many elderly and businesses utilize walk up services and closing of the bank would not give our residents an opportunity to have this service available. Many of the residents will be inconvenienced and not able to travel to another location, and

WHEREAS, the City of Lackawanna believes in utilizing business in Lackawanna when possible, and

WHEREAS, the City of Lackawanna does business with M & T Bank and is contemplating of removing all accounts from M & T Bank, and be it further **RESOLVED**, that the meeting of January 18, 2011 that a copy of this resolution be immediately dispatched to:

Congress Brian Higgins, NYS 27th Congressional District
Assemblyman Mark Schroeder, 145th District NYS Assembly
Legislator Daniel Kozub, Erie County Legislator
New York State Banking Department
MaryAnn Levinger, Branch manager, M & T Bank

This Resolution shall take effect immediately.

Moved by Schiavi, seconded by Noman, Szymanski, Kulczyk, Jaworski to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Personell - Outside Employment: Resolution NO. 6, 2011

RESOLVED, under penalty of dismissal, effective immediately no city employee is permitted any outside employment while collecting city derived New York State Disability benefits, Workers Compensation benefits and/or its city supplement, GML 205, 207 benefits.

RESOLVED, that this resolution shall take effect immediately.

Moved by Jaworski, seconded by Schiavi to adopt the resolution as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinance:

Sale of Property-Dave Wolf:

An ordinance authorizing the sale/transfer of property pursuant to Municipal Code Section 107

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 SBL151.05-2-27.1 a parcel 87 feet by 212 feet, to Dave Wolf.

SECTION 2. That transfer is made for the sum of \$3,000 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 Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Adjournment:

Moved by Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi to adjourn the meeting in the memory of Katherine Mandiak, Joseph Faircloth and William Faircloth, Sr.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE A. CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, February 7, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Safety, Recreation, Development
Excused: Public Works

Hearings from Citizens:

John Ingram-various questions

Approval of Minutes of regular meeting of January 18, 2011.

Moved by Schiavi, seconded by Szymanski to approve the minutes of January 18, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #22, January 13, 2011.
2. City Compt. – AP Check Listing #23, January 19, 2011.
3. City Compt. – AP Check Listing #24, January 28, 2011.
4. City Clerk – Monthly Report for January, 2011.
5. City Treasurer – Deposits into General Fund, January, 2011.

Moved by Jaworski, seconded by Schiavi to receive and file departmental reports 1 through 5.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Mayor:

Memorandum of Understanding-Martin Rd. Project/Burke Homes:

6. To: City Council

I am requesting your Honorable Body approve the Memorandum of Understanding Agreement between the City of Lackawanna and Burke Homes LLC so that we can move forward with the Martin Road Development Project. Thank you for your cooperation on this matter.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski seconded by Szymanski to table for study.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Global Concepts Charter School – Use of Stadium:

7. To: City Council

I am in receipt of the attached letter from Mr. William J. Bilowus, of the Global Concepts Charter School regarding the use of Veterans Stadium for the 2011-2012 Soccer Season. After discussing this with Angelo Iafallo, City of Lackawanna Recreation Department, he is in agreement as long as the rules and regulations are met. I am asking for your support in this matter. Thank you.

ABDUL NOMAN, 1ST WARD COUNCILMEMBER

Moved by Jaworski, seconded by Schiavi to table for study.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Demolition of Foreclosed Buildings in First Ward:

8. To: City Council

As of December 31, 2010 the City of Lackawanna foreclosed on some buildings in the first ward which are in deplorable condition and need to be demolished. There is no funding available in the General Fund and I am requesting we support the Director of Development to research grant monies thru the County or State for funding so these buildings can be demolished. Thank you for your help in this matter.

ABDUL NOMAN, 1ST WARD COUNCILMAN

Moved by Jaworski, seconded by Noman to receive and file, set up a meeting with Director of Development Ralph Miranda securing grant monies.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Development of 40 New Homes – 1st Ward:

9. To: City Council

I am asking for your support regarding the attached letter for the development in the First Ward for 40 new homes. This letter of support is only for the property. Thank you for your support.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to grant the request, Council goes on record as supporting the development.

Yeas: Noman, Kulczyk, Schiavi, Jaworski CARRIED 4-1

Nays: Szymanski

Communications from Department/Division Heads:
Business Registration-1446 Abbott Rd. – Primestar Receivables:

10. To: City Council

An application to conduct business has been received by my office by Mr. Zeyd Sattar for property located at 1446 Abbott Road (formerly Benchmark Inc.) doing business as Primestar Receivables LLC. This application has been submitted to code enforcement and given a certificate of compliance. Pending approval of the City Council, application will be approved.

JACQUELINE CAFERRO, CITY CLERK

Moved by Jaworski, seconded by Kulczyk to approve business registration.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Amend 2010-2011 Budget-Records Management Fund:

11. To: City Council

The City of Lackawanna has received a \$17,769 Grant from the Local Government Records Management Improvement Fund. In order to properly account for this grant it will be necessary to amend the 2010-2011 Budget. Attached please find an ordinance prepared by the Law Department for your approval.

ROBERT C. MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Szymanski to receive & file, act on ordinance.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Exterior Electrical Work:

12. To: City Council

On January 20, 2011, the City of Lackawanna Electrical Board determined that whenever electrical work is to take place outside any type structure the work should be considered as a level type 1 alteration as described under the Existing Building Code of New York State. I request your assistance by recommending by recommending this determination to the City Council for adoption. I propose the following for consideration through the Law Department and City Council. Include into the existing Chapter 107, a new section 107-19.A – All exterior electrical work performed within the City of Lackawanna shall be deemed a Level 1 Alteration as prescribed by the Existing Building Code of New York State. Thank you for your cooperation and anticipated cooperation.

JOSEPH GEYER, CODE ENFORCEMENT OFFICER

Moved by Jaworski, seconded by Szymanski to approve the request, City Attorney to prepare the necessary ordinance.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Bird Feeders:

13. To: City Council

Please consider placing the following code section into our local ordinances. There have been many situations where we have found people placing bird feed on the ground or not maintaining their bird feeders and the feed lies on the ground and becomes a food source for rodents. Please consider the following taken from the Erie County Sanitary Code:

“No person shall feed in the open domestic or wild fowl, birds or animals other than in a suitable container and in such a manner so as to prevent scattering of food upon the ground or ground level which can or will provide food for rodents, insects, vermin or other pests.”

This can be incorporated into the City of Lackawanna Municipal Code, Chapter 139, S139-11(a). Thank you for your consideration.

JOSEPH GEYER, CODE ENFORCEMENT OFFICER

Moved by Jaworski, seconded by Szymanski to approve and City Attorney to prepare the necessary ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Rodent Abatement Programs:

14. To: City Council

I have been informed that Erie County Health Department has stopped all rodent abatement through the county vector program. This county cut back shall affect the pellet drop of all storm receivers and the rodent control. Due to the work load placed upon myself and Mr. Grosso, I feel it would be in the cities best interest to contract with a sole source provider when it comes to the baiting and abatement of rodents within the City of Lackawanna. I also strongly recommend that the contract for this provider go through the Animal Control Officer, Mr. Fred Grosso. Thank you for your consideration.

JOSEPH GEYER, CODE ENFORCEMENT OFFICER

Moved by Szymanski, seconded by Jaworski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schaivi, Jaworski CARRIED 5-0

Advertise for Bids – Mowing:

15. To: City Council

Please instruct the City Clerk to advertise for bids for mowing and landscaping of various recreational and public property areas in the City of Lackawanna. Thank you.

THOMAS N. LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Jaworski, seconded by Noman to direct the City Clerk to advertise for bids

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Rosary/Ridge Railroad Bridge – Deterioration Report:

16. To: City Council

Please be advised that my office is in receipt of a Yellow Structural Flag (55100062) issued for the above referenced bridge, from the NYS Dept. of Transportation (DOT). The yellow flag was issued by the DOT as a result of their biennial bridge inspection program, and is related to structural deficiencies of this bridge. This bridge is owned and maintained by the City of Lackawanna and therefore, it is the responsibility of the City to address this condition so that the structural flag can be removed. The structural condition of the bridge has degraded over the past several years and includes cracking and spalling of prestressed slabs that support the bridge. It is expected that the structural deterioration will continue as time goes on. In discussing the structural problems with Ken Strell and his subsequent review of the yellow flag, he made me aware of the city's options. The options available are closing the structure, posting the bridge for a reduced load, repair and/or rehabilitate the structure, or total replacement. It was his recommendation to initially post the bridge for reduced maximum load, allowing the City to review its long term objectives for permanently correcting the problem. However in order for the City to do this in a manner that is acceptable to the DOT, Ken stated that a load rating analysis needs to be completed. The analysis includes a field inspection to determine the extent of deterioration that exists on the structure, and a review of the original design plans. From this information an analysis can be completed to determine the maximum loading that the structure can support. Based on the analysis, a recommendation would be made to the City on what the posting for the reduced load should be. It is my recommendation that the City Council immediately authorize the completion of the load rating analysis, so that we move forward to adequately address this condition. Once this is complete the findings would be immediately forwarded to the DOT and after proper posting of the bridge, the yellow structural flag can be removed. Then the City can review its options for long term correction of the structural problems.

THOMAS N. LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Jaworski, seconded by Szymanski to approve the request, Commissioner of Public Works to advertise for bids for evaluation of deterioration of bridge, send engineering report to the council.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Commissioner of Deeds – Frank Tobias:

17. To: City Council

I am requesting that I be renewed for my Commissioner of Deeds appointment. I reside at 159 Madison Ave., Lackawanna, NY. Thank you for your consideration in this matter. I am employed by the P.B.S. Consultants which are located at 659 Ridge Rd., Lackawanna, NY.

FRANK R. TOBIAS

Moved by Jaworski, seconded by Kulczyk to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinances:

Amending Budget – Allow Monies Secured for Records Management:

AN ORDINANCE AMENDING THE 2010-2011 BUDGET ORDINANCE ADOPTED JUNE 1, 2010.

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

SECTION 1. That the 2010-2011 Budget Ordinance adopted June 1, 2010 is hereby amended to provide funding for the Records Management Grant.

SECTION 2. That the 2010-2011 Budget Ordinance is hereby amended to add \$9,642 to code A1460.0101, Salaries; \$1,278 to code A1460.0405, Supplies and Materials; and \$6,849 to new code A1640.0444, Purchased Services.

SECTION 3. That the 2010-2011 Budget Ordinance is hereby amended to add the sum of \$17,769 to Revenue code A.0000.3060, State Aid, Records Management.

This ordinance shall take effect immediately.

Moved by Jaworski, seconded by Szymanski to adopt the ordinance as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Jaworski, seconded by Kulczyk the meeting be adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE A. CAFERRO, CITY CLERK

COUNCIL MEETING
Tuesday, February 22, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes of regular meeting of February 7, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes of February 7, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Departmental Reports:

1. AP Check Listing #25, January 31, 2011.
2. AP Check Listing #26, February 10, 2011.
3. City Compt. – Statement of Condition of Appropriations, Jan. 31, 2011.

Moved by Jaworski, seconded by Schiavi to receive & file departmental reports 1 through 3.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Communications from Department/Division Heads:

Promotions – City Employees

4. To: City Council
Please put the attached City Residency Resolution regarding promotion decisions for city employees on the agenda for council approval. Thank you.
ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Schiavi to receive & file.

Yeas: Noman, Kulczyk, Jaworski

Nays: Szymanski, Schiavi

Carried 3-2

Intermunicipal Agreement w School District

5. To: City Council
Please put the attached Intermunicipal Agreement Resolution on the agenda for council approval. Thank you.
ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Feeding Wild Birds Ordinance:

6. To: City Council
Please put the attached ordinance regarding the feeding of wild birds on the agenda for council approval. Thank you.
ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Noman to receive & file, act on ordinance

Yeas: Noman, Kulczyk, Schiavi, Jaworski Carried 4-1
Nays: Szymanski

Tabled Items Over 90 Days:

7. To: City Council
As per directive by the City Council meeting of May 20, 1991, the Council deemed all tabled items over ninety (90) days are nil and must be submitted to the Council to receive and file:

The following tabled items are hereby submitted to the Council:

Meeting of:	Item #	Reference	Submitted by
12/21/09	Resolution	Truck Rtes within City Limits	City Attorney
12/21/09	Resolution	SEQRA-Truck Regulations	City Attorney
07/14/10	#15	Sale of Property-139/141 Ingham	Assessor
09/20/10	# 4	Sale of Swan Street	Council Pres. Jaworski
09/20/10	Local Law	Tax exemption-Cold War Vets	Council Pres. Jaworski
10/04/10	Ordinance	Municipal Code-Cemeteries	City Attorney

JACQUELINE CAFERRO, CITY CLERK

Moved by Szymanski, seconded by Jaworski to R & F tabled items over 90 days.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Budget Transfer - Fire Dept. Building & Repairs:

8. To: City Council

Fire Chief Galanti requests transfer of \$15,000 into account A3410.0443 repairs to building and equipment. See attached letter explaining need for this request.

RICHARD STARTEK, DIRECTOR OF PUBLIC SAFETY

Moved by Jaworski, seconded by Noman to refer to City Comptroller to prepare necessary ordinance to transfer the monies.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

Business Registration - Change from Chapter 56 to Chapter 88:

9. To: City Council

I was contacted by General Code Inc., the company who does the codification of our ordinances and local laws for our municipal code book. The ordinance adopted by the City Council at the November Council meeting regarding business registration was adopted under Chapter 56. General Code suggests in keeping with the order of the municipal code that the business registration ordinance should be Chapter 88. I seek Council approval changing the Business Registrations legislation to Chapter 88. I will then forward to General Code for verification of such change for insertion into our municipal code books.

JACQUELINE CAFERRO, CITY CLERK

Moved by Jaworski, seconded by Noman to approve request, business license registration be deemed as Chapter 88 of the municipal code book.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

Miscellaneous:

New Business-Niagara Metals Granulation:

10. Business Registration License for Metal Recycling for Niagara Metals LLC, Niagara Metals Granulation, 1951 Hamburg Turnpike, Lackawanna, NY, Building 10 A&B, GAB&C.

Moved by Jaworski, seconded by Noman to approve the business license for Niagara Granulation.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

Entertainment Licenses:

Post 63 – 144 Kirby Ave – Class 2 - \$25.00

Moved by Szymanski, seconded by Jaworski to approve Class 2 license.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Murph's – 1 Warsaw Street – Class 2 - \$25.00

Moved by Jaworski, seconded by Noman to approve Class 2 license.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Lake Erie Club – 3200 South Park Avenue – Class 1 - \$50.00

Moved by Schiavi, seconded by Szymanski to approve Class 1

Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Yeas:

Red Eye Saloon – 1311 Abbott Road – Class 1 - \$50.00

Moved by Schiavi, seconded by Jaworski to approve Class 1

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Matthew Glab Post – 1965 Abbott Road – Class 1 - \$50.00

Moved by Szymanski, seconded by Schiavi to approve Class 1

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Downtown LA – 719 Ridge Road – Class 1 - \$50.00

Moved by Jaworski, seconded by Szymanski to approve Class 1

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Cagney's Too – 1254 Electric Avenue - Class 1 - \$50.00

Moved by Szymanski, seconded by Jaworski to approve Class 1

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Mulberry Café – 64 Jackson Avenue – Class 1 - \$50.00

Moved by Noman, seconded by Schiavi to approve Class 1

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski Carried 5-0

Cherrystone – 715 Ridge Road – Class 1 - \$50.

Moved by Szymanski, seconded by Jaworski to table for study, entertainment license is not approved

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

Resolutions:

Promotions Given to City Employees:

Whereas, residency for city employees enhances community pride, awareness and efficiency.

Now, therefore, Be It

Resolved, that the mayor is hereby directed to consider Lackawanna city residency as a criterion in making future promotion decisions for city employees allowing first preference to qualified city resident candidates, and it is further

Resolved, that this resolution shall take effect immediately.

Moved by Szymanski, seconded by Noman to adopt the resolution as written.

Yeas: Szymanski

Nays: Noman, Kulczyk, Schiavi, Jaworski

Motion defeated 4-1

Resolution #7, 2011

Inter-Municipal Agreement-Cost Sharing-City & School

RESOLVED, the intermunicipal agreement between the City and the School District for equipment cost sharing and fueling agreement is approved and the mayor is authorized to sign same.

RESOLVED, that this resolution shall take effect immediately.

Moved by Jaworski, seconded by Schiavi to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

Ordinances:

Feeding of Wild Birds/Animals

An Ordinance amending Chapter 66 of the City Code Animals by adding thereto Section 66-20.

BE IT ENACTED by the City Council of the City of Lackawanna, New York that Chapter 66 of the City Code Animals is amended by adding thereto S66.20.

SECTION 66.20 FEEDING OF WILD BIRDS

- A. No person shall in the open any domestic or wild fowl, birds or animals except in such a manner as to prevent scattering of feed or seed upon the
- B. ground or ground level which may or will provide food for rodents, insects, vermin or other pests.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Jaworski, seconded by Schiavi to adopt ordinance as written.

Yeas: Noman, Kulczyk, Schiavi, Jaworski

Carried 4-1

Nays: Szymanski

Adjournment:

Moved by Szymanski, seconded by Jaworski the meeting is adjourned in memory of Charles Barone.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Carried 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, March 7, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes: of regular meeting of February 22, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes of February 22, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #27, February 17, 2011.
2. City Compt. – AP Check Listing #28, February 24, 2011.
3. City Clerk – Monthly report for February, 2011.
4. City Compt. – AP Check Listing #29, February, 28, 2011
5. City Treasurer – Monthly report for February, 2011.

Moved by Jaworski, seconded by Schiavi to receive & file departmental reports 1 through 5.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Hispanic Festival at Friendship Property:

6. To: City Council

I am asking for your support on behalf of the Hispanic community to hold a festival on Saturday, June 18th and Sunday June 19th, 2011 between the hours of 11 am to 10 pm on the grounds of the former Friendship House, 264 Ridge Road. After speaking with Mr. Lopez he has agreed to provide the City with insurance, holding the City harmless, and all cleanup will be done by their organization.

Again, thank you for your support in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman the request be granted contingent on insurance, cleanup, security and providing toilets for the event.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from Department/Division Heads:

Bond Ordinance – Street Resurfacing & Fire House Repairs:

Original on File in City Clerk’s Office:

7. To: City Council

Attached for your approval, is the \$5,000,000 Bond Ordinance for the Resurfacing of Streets and Repairs to the Fire Houses as prepared by Orrick, Herrington & Sutcliffe, LLP. If you have any questions feel free to call.
ROBERT C. MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Noman to receive and file

Yeas: Noman, Kulczyk, Jaworski

Nays: Szymanski, Schiavi

CARRIED 3-2

ADJOURNMENT:

Moved by Szymanski, seconded by Schiavi the meeting be adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

**COUNCIL MEETING
MONDAY, MARCH 21, 2011
COUNCIL CHAMBERS**

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes: of regular Meeting of March 7, 2011.

Moved by Kulczyk, seconded by Jaworski to approve the minutes of March 7, 2011 as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. - Statement of Cond. Of Appropriations – Feb. 28, 2011.
2. City Compt. – AP Check Listing #30, March 10, 2011.

Moved by Jaworski, seconded by Schiavi to receive & file departmental reports 1 and 2.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Animal Capture Kit – Transfer Funds:

3. To: City Council

I am asking your support to supply our Animal Control Officer with a Talon Animal Capture Kit. The cost is \$1,621.00 and the price was researched by our purchasing agent, Tom Nicometo as being the best price for this equipment.

We need to transfer \$1,621.00 from contingent account A1900.1990 to A3510.444 traps. Again, thank you for your support in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Kulczyk to approve the request, comptroller to transfer \$1,621 from contingency acct. A1900.1990 to A3510.444 Traps to cover cost of a Talon Animal Capture Kit.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Remove Sign on Centennial Bridge for Lehigh Ave. Turn:

4. To: City Council

I am requesting the sign on Centennial Bridge indicating a no left hand turn onto Lehigh Avenue is removed. This has caused an inconvenience for the citizens who live in this area and I see no need for the sign. The wear and tear to Ingham Avenue necessitates the use of Lehigh Avenue and the removal of the no left turn sign is urgently needed. Thank you for your help in this matter.
ABDUL NOMAN, 1ST WARD COUNCILMAN

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Work Day Resolution:

5. To: City Council

Please put to attached Standard Work Day Resolution on the agenda for council approval. Thank you.
ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to receive and file

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

SALE OF 50 WILSON STREET:

6. To: City Council

Please put the attached ordinance for the sale of 50 Wilson St. SBL#141.51-4-42.1 to Habitat for Humanity on the agenda for council approval. Thank you.
FRANK E. KRAKOWSKI, CITY ASSESSOR

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

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Natural Place of Erie County:

7. To: City Council

For your review, attached is information on Natural Place of Erie County a supplied by The WNY Stormwater Coalition.
RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Rodent Control Program:

8, To: City Council

For your information, attached is an article of Erie County Rodent Control Program for 2011.

RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Schiavi to receive and file

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ordinances Chapter 66.14 & 66.6 – Animals:

9. To: City Council

Please put the attached ordinances Chapters 66.14 and 66.6 Animals. Prevention of dogs fenced or tethered within a public right-of-way, on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Schiavi to receive and file act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ordinance Sale of 50 Wilson St.:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107

BE IT ENACTED by 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 141.51-4-42-1 a parcel 60 feet by 101 feet, to Habitat for Humanity.

SECTION 2. That transfer is made for the sum of \$1.00 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 Jaworski, seconded by Noman to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ordinance Amending Chapter 66.6 – Animals:

An ordinance amending Chapter 66.6 of the City Code Animals.

BE IT ENACTED by the City Council of the City of Lackawanna, New York, that City Code Section 66.6 be amended to include the following:

1. Section 66-6G, No dog shall be secured, tethered or fenced within 25 feet of a public right of way unless the dog is on a leash held by a competent person sixteen years of age or older.

This ordinance shall take effect immediately only after the approval and signature of the Mayor.

Moved by Jaworski, seconded by Szymanski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Kulczyk, seconded by Szymanski that the meeting be adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, April 4, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development
Excused: Public Safety

Hearings from Citizens:

Approval of Minutes: of regular meeting of March 21, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes of March 21, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #31, March 21, 2011.
2. City Compt. – AP Check Listing #32, March 32, 2011.

Moved by Schiavi, seconded by Jaworski to receive & file departmental reports one and two.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Mayor:

Erie County Fire Mutual Aid Plan:

3. To: City Council

I am requesting your Honorable Body pass the attached resolution which will allow the Lackawanna Fire Department to participate with Erie County Fire Mutual Aid Plan. Thank you in advance for your anticipated cooperation on this matter.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Szymanski to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

School District Use of Polling Places:

4. To: City Council

Attached is a letter from the Lackawanna City School District asking for approval of the use of the Senior Center and Bocce Court for their School Board elections on May 17th, 2011. Access to the buildings will be at 11:30 am and the voting will be from 12:00 Noon until 9:00 PM on the day of the election. Thank you for your cooperation.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi to approve the request for the School Board Election Polling Places.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Parking Dorrance at South Park Ave:

5. To: City Council

I am asking for your support on the attached ordinance no parking here to corner for Dorrance Avenue at South Park. Thank you for your consideration in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to amend the ordinance to read 300 feet in place of 30 feet, receive and file, act on ordinance.

Yeas: Noman Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Drainage Problem – Smith Drive:

6. To: City Council

Attached is a letter and photos from Mrs. Charlene Brooks with concerns of drainage on Smith Drive. I am looking for the council's support to rectify this problem. Thank you in advance for your support.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi to refer to Commissioner of Public Works and Director of Development to keep citizens abreast as to the progress in eliminating the drainage problem on Smith Drive.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Rescind No Left Turn on Lehigh Ave.

7. To: City Council

As per our conversation at the last City Council meeting, I am asking for your support of an ordinance to reverse Traffic Ordinance which eliminates left turns onto Lehigh west bound on Ridge Road.

I have received numerous complaints for this concern due to the poor road condition of Ingham Avenue, and it's imperative that this change be made. The ordinance is attached for your review and I thank you for your support.
ABDUL NOMAN, 1ST WARD COUNCILMAN

Moved by Jaworski, seconded by Noman to grant the request.

Yeas: Noman, Jaworski

Nays: Szymanski, Kulczyk, Schiavi

Motion Failed 3-2

Budget Transfers – Cost of Retirement Buy-Outs:

8. To: City Council

I respectfully that your Honorable Body approve the following transfers from Code A1900.1931, "Reserve for Employee Negotiations", to cover the expenses relating to the retirement incentive buy-outs.

A1410.101 - \$52,000 A5110.101 - \$15,000

A1440.101 - \$60,000 A5132.101 - \$78,000

A8160.101 - \$45,000

ROBERT C. MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Szymanski to approve the transfers.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Noman

Bond Fire Dept. Repairs & Street Paving:

9. To: City Council

Attached for your approval in the \$5,000,000 Bond Ordinance for the Resurfacing of Streets and Repairs to the Fire Houses as prepared by Orrick, Herrington & Sutcliffe, LLP. The original ordinance has been amended to provide \$1.25M for the Firehouse repairs and \$3.75M for street resurfacing.

ROBERT C. MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Szymanski to receive & file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Advertise for bids – Resurfacing Streets:

10. To: City Council

Please direct the City Clerk to advertise for bids for various paving projects during the 2011 paving season.

TOM LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Szymanski, seconded by Noman to approve the request, City Clerk to advertise for bids.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Award Contract – Mowing & Landscaping:

11. To: City Council

On Wednesday, March 9, 2011, the City Clerk opened sealed bids for grass cutting at various recreational and public property areas in Lackawanna for the upcoming season. The bids were as follows:

VIP Property Maintenance \$1484.00

Emerald Dunes \$1241.00

Therefore, I am requesting your Honorable Body award the bids to both VIP Property Maintenance and Emerald Dunes.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Schiavi, seconded by Kulczyk to approve request, award contract to VIP Property Maintenance and Emerald Dunes.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Standard Work Day – Retirement System:

12. To: City Council

Please put the attached resolution establishing standard work day for elected and appointed officials who participate in the New York State & Local Retirement System, on the agenda.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

National Prescription Drug Drop Off Day:

13. To: City Council

Informational flyer on the National Prescription Drug Drop Off Day scheduled for April 30, 2011 from 9:00am to 1:00pm at various sites in Erie County.

RALPH D. MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Noman to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Fire Chief Contract:

14. To: City Council

Request the Council approve the attached employment contract for the Fire Chief and authorize the Mayor to sign same.

ARC J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Noman to approve the contract for the Fire Chief.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Fire Dept. – Erie County Fire Mutual Aid Plan

Resolution #8, 2011

WHEREAS, the Lackawanna Fire Department elects to participate in the Erie County Fire Mutual Aid Plan and agrees to recognize a call for assistance through Emergency Services, Deputy Commissioner of Fire Safety for their designee; and will comply with the provisions of such plan as now is force and as amended from time to time; and that no restrictions exist against normal mutual aid assistance outside of the regular district whenever possible without jeopardizing home area fire protection;

BE IT RESOLVED, that this resolution shall take effect immediately.

Moved by Jaworski, seconded by Noman to adopt the resolution as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Standard Work Day – Retirement System:

Resolution #9, 2011

A resolution establishing standard work hours for appointed and elected officials participating in the New York State & Local Retirement System.

Moved by Jaworski, seconded by Szymanski to receive & file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinances:

Bond Ordinance Firehouse Repairs – Street Resurfacing:

Original on File in City Clerk’s Office:

An Ordinance authorizing the issuance of \$5,000,000 Bonds of the City of Lackawanna, Erie County, New York, to pay the cost of various capital items for said City.

Moved by Jaworski, seconded by Szymanski to adopt the bond ordinance as written, City Clerk to publish in official newspaper in the City.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Traffic Ordinance No Parking Dorrance and South Park:

An ordinance amending Chapter 215.43, City of Lackawanna Municipal code, Traffic & Vehicles.

Be it enacted by the City Council of the City of Lackawanna, New York, as follows:

Chapter 215.43 – Dorrance Avenue on southside.
No parking from a point of three hundred (300) feet westerly of the south
Curb line of Dorrance Avenue at the intersection of South Park Avenue.

This ordinance shall take effect immediately only after the approval and signature
of the Mayor.

Moved by Jaworski, seconded by Szymanski to adopt the ordinance amending
from 30 feet to 300 feet.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinance Allowing Left Turn On Lehigh West Bound on Ridge Rd:

Moved by Jaworski, seconded by Noman to adopt the ordinance as written.

Ayes: Noman Jaworski

Nays: Szymanski, Kulczyk, Schiavi MOTION DEFEATED 3-2

Adjournment:

Moved by Szymanski, seconded by Jaworski to adjourn the meeting in memory of
Sandra Leidy.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

BARBARA ROSINSKI, DEPUTY CITY CLERK

**COUNCIL MEETING
Monday, April 18, 2011
COUNCIL CHAMBERS**

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes: of regular meeting of April 4, 2011.

Moved by Schiavi, seconded by Kulczyk to adopt the minutes of April 4, 2011.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Treas. – Receipts deposited into General Fund March, 2011.
2. City Clerk – Monthly Report for March, 2011.
3. City Compt. – AP Check Listing #33, March 31, 2011.

Moved by Schiavi, seconded by Jaworski to receive & file departmental reports one through three.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Lackawanna Line Dance Team Jamboree:

4. To: City Council
I am asking for your support for the Lackawanna Line Dance Team to hold a Jamboree on Friday, July 15, 2011 at the Senior Center. This event will be held from 6:30 pm to 10:00 pm. They are requesting the use of 2 large coffee pots. The team will furnish their own coffee and coffee cups. They have previously held successful Jamboree's which were enjoyed by all who attended. Thank you for your support.
CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Veteran's Recognition Weekend:

5. To: City Council

I recently received the attached letter from the Veterans Recognition Weekend Committee regarding their festivities June 10th, 11th and 12th, 2011. I am looking for your help in supporting this organization for their 1st annual veteran's recognition weekend. Thank you.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi to receive & file information on 1st Annual Veterans Recognition Weekend to be held by Colonel Weber Post, Glab Post Auxiliary, Bett Toomey & Am Vets Post 897.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Class Action Suit - National Grid – Smith Dr. Flooding:

6. To: City Council

I am looking for your support to direct our City Attorney to inform the Public Service Commission of our intent to file a class action suit against National Grid and naming the City of Lackawanna Smith Drive Residents vs. National Grid. This suit is to have National Grid eliminate the flooding along Smith Drive and also to reimburse the residents of all monies caused by the flooding. Thank you for your support in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Kulczyk to grant request, refer to City Attorney to support class action suit against National Grid on behalf of citizens of Smith Dr and their flooding problem.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

NYS Dept. of Health-Health Day of Service, Day of Health:

7. To: City Council

I have attached an e-mail from Mary Rose Gaughan of the NYS Health Department regarding the upcoming events. These events are scheduled as follows:

The Day of Service May 17, 2011 – 8:30 am to 12:00 pm

The Day of Health May 20, 2011 – 12:00 noon to 4:00 pm

As you will see in her letter she has stated that she will need assistance from various departments to help make these events successful. Thank you in advance for working with Ms. Gaughan in these events.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Redistricting Erie County Legislature:

8. To: City Council

I seek your approval of a resolution establishing the City of Lackawanna's unified stand regarding the redistricting of the Erie County Legislature.

GEOFFREY SZYMANSKI, 2ND WARD COUNCILMAN

Moved by Szymanski, seconded by Noman to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Amato, Fox & Co. – Extend Agreement:

9. To: City Council

The Mayor has received a proposal from Amato, Fox and Company to extend the audit agreement. Upon reviewing the proposal I believe it would be in the best interest of the City to enter into the 5 year agreement. The proposal includes no increase for the 2010-2011 audit year and a modest \$150 increase for each year thereafter. Also, the City has the option of canceling the agreement at the end of any audit year. It is my recommendation that your honorable body authorize the Mayor to enter into the agreement with Amato, Fox and Company.

ROBERT C. MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Szymanski to refer to the City Comptroller to put the audit agreement out to bid.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

1st Ward Brownfield Opportunity Area Study:

10. To: City Council

For your information, a public informational meeting is scheduled for Thursday, April 28, 2011, 6:30 pm – 8:00 pm at the Yemenite Club, 109 Ridge Road, regarding Lackawanna's First Ward Brownfield Opportunity Area Nomination study.

RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Noman to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Miscellaneous:

Use of Stadium Parking Lot – Fire Dept.:

11. To: City Council

The Lackawanna Professional Firefighters IAFF Local 3166 and the National Kidney Foundation of WNY requests permission to use the parking lot

at Veterans Stadium on Saturday, May 28, 2011 from 9:00 am to 12:00 pm for the “Cruise for a Cause” motorcycle run. The proceeds from this run provide education, patient programs and events, free kidney screenings and other services to help the 170,000 Western New Yorkers who are currently living with chronic kidney disease. The parking lot will be used as the starting point for the run. Riders will arrive at Veterans Stadium to ensure that the parking lot is cleaned up after this function. Thank you for your consideration of this special event that will benefit many people in our community.
LT. JAMES FINO, SECRETARY, IAFF LOCAL 3166

Moved by Jaworski, seconded by Noman to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Business License – Ronald Amos:

12. Ronald Amos seeks approval of a business registration license to open the “Peoples Mart” store located at 283 Ridge Road.

Moved by Jaworski, seconded by Noman to approve the request for a business registration license for a convenience store “People Mart” only.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Unified Lawsuit Redistricting of Legislature:

Resolution #9, 2011

Whereas, the City of Lackawanna is located in the 1st District of the Erie County Legislature; and

Whereas, the City of Lackawanna is currently united under the Erie County Legislature; and

Whereas, the voters of Erie County have voted to downsize the number of Legislators of the Erie County Legislature; and

Whereas, municipalities with under 90,000 people in population must remain intact as a whole;

Therefore, Be It Resolved, that the City of Lackawanna is looking forward to remain intact a whole under the new redistricting lines of the Erie County Legislature; and

Be It Further Resolved, that the City of Lackawanna is willing to participate in a unified lawsuit in order to retain the city united in its goal at maintain district integrity.

This Resolution shall take effect immediately.

Moved by Szymanski, seconded by Jaworski to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Szymanski, seconded by Jaworski to adjourn in memory of Chester Beres and Mrs. Gardner.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, May 2, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Hearing from Citizens:

Approval of Minutes of regular meeting of April 18, 2011.

Moved by Schiavi, seconded by Jaworski to adopt the minutes as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – Statement of Cond. Of Approp. as of March 31, 2011.
2. City Compt. – AP Check Listing #34, April 7, 2011
3. City Compt. – AP Check Listing #35, April 14, 2011.
4. City Compt. – AP Check Listing #36, April 21, 2011.

Moved by Jaworski, seconded by Szymanski to table departmental reports.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Mayor:

National Safe Boating Week: **Proclamation on File**

5. To: City Council

I received a request from the United States Coast Guard Auxiliary asking the City of Lackawanna to recognize National Safe Boating Week May 21st through the 27th. I am requesting your Honorable Body read the attached proclamation at the next council meeting.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Szymanski to grant request, proclamation presented to US Coast Guard.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Grant Writers-Intergovernmental Agreement/Fire Dept.:

6. To: City Council

On April 4, 2011, the Lackawanna City Council unanimously passed the Erie County Fire Mutual Aid Program, a joint venture unifying all firefighting forces throughout Erie County, Niagara County and Southern Ontario with legally binding language with the sole purpose of aiding other municipalities in their time of need, or, should the day come when our firefighters need assistance, to be assured it will be there for the City of Lackawanna. It has long been understood that such agreements are advantageous in searching for grants. This letter is to remind your organization that I have sought grants for our firefighters during the last time the City Council and J. O'Connell and Associates met a few months back. Gary has the complete list of items I've asked for regarding our fire department. Please add the above-mentioned Inter-County/International agreement to all pertinent grants being sought for the City of Lackawanna Fire Department.

GEOFFREY M. SZYMANSKI, 2ND WARD COUNCILMAN

Moved by Szymanski, seconded by Noman to receive & file and refer to grant writers, O'Connell & Assoc.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from Department/Division Heads:

Sale of 80 North Drive:

7. To: City Council

My office has received an offer for the purchase of 80 North Dr. from Douglas Held of 86 North Drive, in the amount of \$1.00 plus the cost of survey and legal fees to close property. The parcel is approximately 70 X 80 and is unbuildable, see enclosed map, and lot is triangle shape. The recommendation from this office is to sell the property to Douglas Held for the price of \$1.00. If approved by the City Council, the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Schiavi to receive and file act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Sale of 65 Ingham Avenue:

8. To: City Council

My office has received an offer for the purchase of 65 Ingham Avenue

SBL# 141.44-3-13 in the amount of \$500. The parcel is approximately 30 x 120 and is unbuildable. The current value for the 2010 Tax Roll is \$2,300. The recommendation from this office is to sell the property to Nabeal Ahmed for the price of \$500. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

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

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of 25 Ingham Avenue:

9. To: City Council

My office has received an offer for the purchase of 25 Ingham Avenue, SBL# 141.44-1-19 from Asmahan Alkadi of 19 Ingham Ave., in the amount of \$350. The parcel is approximately 30 x 120 and is unbuildable. The current assessed value for the 2010 Tax Roll is \$2,300. The recommendation from this office is a sale price of \$500. If approved by the City Council the buyer shall be liable for all fees and cost of survey,

FRANK E. KRAKOWSKI, CITY ASSESSOR

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

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

New Business Registrations:

Business License – Maureen Lewis-Moracca Package & Receiving:

10. Maureen Lewis of 68 Wood St. seeks council approval of Moracca Package & Receiving Service, business to be located at 613 Ridge Road.

Moved by Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi to approve business license.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Business License – Rashid Afif – High Speed Communications:

11. Rashid Afif of 170 W. Elmview seeks council approval of High Speed Communications to be located at 2719 South Park Avenue.

Moved by Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi to approve business license.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Business License – Edwin Wojcik – Sunset Builders:

11b. Edwin Wojcik of 1585 Gowans Rd., Angola, NY, seeks council approval of business license as Sunset Builders, located at 3172 South Park Avenue.

Moved by Jaworski, seconded by Szymanski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Miscellaneous:

Live Music at 161 Steelawanna:

12. To: City Council

I, Edwin Borrero request a music permit for live music on June 17th thru June 18th for Fathers Day Weekend from 1:00 pm until 9:00 pm, at my property located at 161 Steelawanna.

Moved by Jaworski, seconded by Noman to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinances:

Sale of Property – Douglas Held:

An Ordinance authorizing the sale/transfer of property pursuant to Municipal Code Section 107.

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

SECTION 1. That the City Council hereby approved of the transfer part of property known as SBL 142.20-2-47 a parcel 70 feet by 80 feet, to Douglas Held

SECTION 2. That transfer is made for the sum of \$1.00 in cash to the City of Lackawanna.

SECTION 3. That the purchase/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 Jaworski, seconded by Schiavi to adopt the ordinance as written

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of Property - Nabeal Ahmed:

An Ordinance authorizing the sale/transfer of property pursuant to Municipal Code Section 107.

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 141.44-3-13 a parcel 30 feet by 120 feet, to Nabeal Ahmed.

SECTION 2. That the transfer is made for the sum of \$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 Schiavi, seconded by Kulczyk to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of Property – Asmahan Alkadi:

An Ordinance authorizing the sale/transfer of property pursuant to Municipal Code Section 107.

SECTION 1. That the City Council hereby approves the transfer part of property known a SBL 141.44-1-19 a parcel 30 feet by 120 feet, to Asmahan Alkadi.

SECTION 2. That the transfer is made for the sum of \$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 Schiavi, seconded by Jaworski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Kulczyk, seconded by Schiavi the meeting be adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, May 16, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Roll Call: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Works, Public Safety, Recreation, Development
Absent: Recreation-excused

Hearings from Citizens:

Approval of Minutes of regular meeting of May 2, 2011.

Moved by Schiavi, seconded by Kulczyk to adopt the minutes of the regular meeting of May 2, 2011.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #37, April 29, 2011.
2. City Treas. – Deposits into General Fund – April, 2011.
3. City Clerk – Monthly Report – April, 2011.

Moved by Szymanski, seconded by Schiavi to receive and file departmental reports one through three.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communication from the Mayor:

State Environmental Quality Review- Paving Improvement Project:

4. To: City Council
 Attached please find a State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) for paving Rehabilitation and Improvement Project to be completed on Ridge Road between South Park Avenue and the Centennial Bridge. Since the City is Lead Agency and the project is an Unlisted Action, I respectfully request that the City Council pass a resolution stating the project as proposed will not result in any adverse environmental impacts.

NORMAN L. POLANSKI, MAYOR

Moved by Jaworski, seconded by Noman to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:
Unifying City Under One Assembly District:

4A. To: City Council:

A resolution presented by Second Ward Councilman Szymanski unifying the City of Lackawanna under one Assembly District.

Moved by Szymanski, seconded by Jaworski to receive and file, act on the resolution.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

Nays: Noman

CARRIED 4-1

Communications from Department/Division Heads:

Auditors – Amato, Fox & Company:

5. To: City Council

The City of Lackawanna advertised for bids for the annual City Audit. The only bidder was Amato, Fox & Company and their proposal includes no increase for the 2010-2011 audit years and a modest \$150 increase for each of the four years thereafter. It is my recommendation that your honorable body authorize the Mayor to enter into the agreement with Amato, Fox & Company.
ROBERT MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Noman to authorize the Mayor to enter into an agreement with Amato, Fox & Company, Auditor, the sole bidder.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Standard Work Day:

6. To: City Council

Attached is a resolution regarding the “Standard Work Day Resolution” that now has been approved by the comptroller.
ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Advertise for Bids-Ridge Rd. Traffic Signal Project:

7. To: City Council

Please direct the City Clerk to advertise for bids for the implementation of the Ridge Road Traffic Signal project. As you are aware, we have received a \$50,000 grant with the city’s match of \$150,000.
THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Jaworski, seconded by Schiavi to approve the request, City Clerk to advertise for bids for the Ridge Road Traffic Signal Project.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

05/16/11

Advertise for Bids – Fire Station Repair:

8. To: City Council

Please direct the City Clerk to advertise for bids for repairs to Fire Stations 1,2, and 3. The funds are to be available from a portion of the bond that your honorable body recently passed.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Jaworski, seconded by Noman to approve the request, City Clerk to advertise for bids for repairs to Fire Stations 1, 2 & 3.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Advertise for Bids – McKinley Bridge Repair:

9. To: City Council

Please direct the City Clerk to advertise for bids for repairs to the McKinley Bridge. As you know, the NYSDOT has continued to issue safety flags due to the deterioration of access stairways, bridge rails and the sidewalk. Please keep in mind that there is also a \$50,000 grant from the dormitory authority to assist in this expense.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Szymanski, seconded by Schiavi to approve the request, City Clerk to advertise for bids for repairs to McKinley Bridge.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Contract for Resurfacing Project:

10. To: City Council

TVGA Consultants has reviewed the bids as submitted and opened on May 11th, 2011 for the 2011 Pavement Replacement Project – Phase I. TVGA has successfully worked with Destro Bros. Concrete Co., Inc. in the past, and the work was completed to the satisfaction of the owner. We therefore, recommend that the City of Lackawanna award the project to Destro Bros. Concrete Co., Inc. at their unit prices bid Base Bid items 1 through 9, and Alternate Bid items A-1 through A-5 with a total cost of \$1,686,650,00.

KENNETH STRELL, SR., TVGA

I respectfully request your Honorable Body take the appropriate action and award the contract.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Szymanski, seconded by Jaworski to table for further study.

Yeas: Noman, Szymanski, Jaworski

Nays: Kulczyk, Schiavi CARRIED 3-2

Block Party – Mt. Olive Church:

11. To: City Council

The Mt. Olive Missionary Baptist Church will be holding our annual Community Fun Day on Saturday, June 18, 2011 at 66 Wasson Ave. We humbly request that on this day we are allowed to block Wasson Ave. off to General traffic between the hours of 12:00 Noon to 6:00 PM to allow for the various activities that we have planned. Thank you in advance for your consideration.
REV. DION J. WATKINS, PASTOR

Moved by Jaworski, seconded by Noman to grant request for the Block Party at Mt. Olive Church.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Contract – Chamber of Commerce:

Complete Contract on File in City Clerk’s Office:

12. To: City Clerk

Attached is a request for the Renewal Agreement between the City of Lackawanna and the Lackawanna Area Chamber of Commerce.
MICHAEL SOBASZEK, EXECUTIVE DIRECTOR

Moved by Jaworski, seconded by Kulczyk to approve the renewal contract.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Business Registrations:

13. New Build – Family Dollar Store at 3241 South Park Avenue, Lackawanna, NY

Moved by Jaworski, seconded by Kulczyk to approve the business registration for a new build of a Family Dollar Store.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Unifying City Under One Assembly District: Resolution #10, 2011

A Resolution submitted by Councilman Szymanski to Unify the City of Lackawanna Under One Assembly District:

WHEREAS, well over a decade ago, the City of Lackawanna’s State Assembly District was divided in half, and

WHEREAS, it is often erroneously regarded as having two representatives serving our city, and

WHEREAS, due to political demographics, the city has sensed a shortcoming with dual representation and feels one unified district would serve the city best, and

WHEREAS, the City of Lackawanna feels it is best represented by having one representative in the New York State Assembly, and

NOW, THEREFORE, BE IT

RESOLVED, the City of Lackawanna strongly requests to the Governor, Assembly-Member John J. McEneny, President of the Senate, Senate Majority Leader, Senate Minority Leader, Speaker of the House, Assembly Majority Leader, and Assembly Minority Leader to unite our assembly district under one State Assembly Member, and be it further

RESOLVED, that the City of Lackawanna request the New York State Assembly Redistricting Committee strongly consider unifying the City of Lackawanna under one New York State Assembly-Member.

BE IT FINALLY RESOLVED, that this resolution shall take effect immediately

Moved by Szymanski, seconded by Jaworski to adopt the resolution unifying the City of Lackawanna under one Assembly District.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

Nays: Noman

CARRIED 4-1

Lackawanna Bengal's – Taste of Lackawanna:

Waive Rules:

Moved by Jaworski, seconded by Szymanski to waive rules .

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

The Lackawanna Bengals Football Organization is requesting permission to block the upper part of O'Dell Street (between Ingham Ave and Wilmuth St.) for Annual Taste of Lackawanna Festival being held on Saturday, June 4th 2011 between the hours of 9:00 AM and 9:00 PM. Your cooperation in this matter is greatly appreciated.

WADE TURNER, PRESIDENT

Moved by Jaworski, seconded by Szymanski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Adjournment:

Moved by Jaworski, seconded by Szymanski to adjourn the meeting in memory of Joseph Carnevale.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, PRESIDENT

BARBARA ROSINSKI, DEPUTY CLERK

COUNCIL MEETING
Monday, June 6, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Meeting called to order/Pledge of Allegiance
NB: Meeting being recorded

Roll Call:

Council: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski
Dept. Heads: Present: Law, Public Safety, Recreation, Development
Absent: Public Works

Hearings from Citizens:

Approval of Minutes: of meeting of May 16, 2011.

Moved by Schiavi, seconded by Szymanski to adopt the minutes of the regular meeting of May 16, 2011.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – Statement of Cond. Of Approp. as of April 30, 2011.
2. City Comp. – AP Check Listing #38, May 5, 2011.
3. City Comp. – AP Check Listing #39, May 12, 2011.
4. City Comp. – AP Check Listing #40, May 18, 2011.
5. City Comp. – AP Check Listing #41, May 21, 2011.
6. City Comp. – AP Check Listing #41, May 27, 2011.
7. City Treas. – Total Receipts deposited into General Fund, May, 2011.
8. City Clerk – Monthly report for revenues collected – May, 2011.

Moved by Jaworski, seconded by Szymanski to receive and file departmental reports one through 8.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Naval Park Free Admission:

9. To: City Council

I recently received the attached information on Veterans 4 Veterans. Saturday, June 11, 2011, the Buffalo and Erie County Naval Park are inviting all veterans and their families for free admission (with proof of military service) from 9:00 AM to 3:00 PM to the park. If you have never visited the site, this would be a great opportunity to do so.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Kulczyk to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ridge Rd. /Lehigh Ave. - Left Hand Turn:

10. To: City Council

After talking with concerned citizens of the First Ward and citizens from the City of Lackawanna they would like to be allowed a left hand turn on Lehigh during April 1st thru December 1st. This will allow traffic to flow smoothly down Ridge Road during the Spring, Summer and Fall months. Thank you for your consideration in this matter.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Noman to receive & file, act on ordinance,

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Szymanski

Use of Polling Places:

11. To: City Council

Attached is a letter from the Lackawanna City School District asking for approval of the use of the Senior Center and Bocce Court for their School Board elections on June 21, 2011 for budget election re-vote. Access to the building will be at 11:30 AM and the voting will be from 12:00 Noon until 9:00 PM on the day of election. Thank you or your cooperation.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Schiavi that permission is granted for the use of the Senior Center and Bocce Court for school elections.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Neighborhood Picnic:

12. To: City Council

The Rose Garden Opportunities group will be holding their annual neighborhood picnic at 868 Ridge Road on June 18th. It will be held from 4:00 PM to 8:00 PM, and they will be using a small sound system. Your support or this picnic is appreciated.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Jaworski, seconded by Szymanski that the request be granted.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Sale of Properties-Yemenite Benevolent Assoc.:

13. To: City Council

Please find attached copies of applications for the purchase of City owned properties at:

135 Ridge Road	125 – 127 Ridge Road
117 - 119 Ridge Road	121 – 123 Ridge Road
129 – 133 Ridge Road	113 Ridge Road

The Yemenite Benevolent Association is requesting to purchase the above mentioned properties in the amount o \$500 each. The Yemenite Association would like to expand their current building and make additional parking areas. I would appreciate your consideration in the sale of the properties to the Yemenite Benevolent Association.

ABDUL NOMAN, 1ST WARD COUNCILMAN

Moved by Szymanski, seconded by Noman to approve the sale of the properties to the Yemenite Benevolent Association for the amount of \$500 each covenants and restrictions attached.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Summer Employment for Youth:

14. To: City Council

For your information, attached is information on a State Program that encourages employers to hire 16,500 young people this summer, ages 14 to 21.

RALPH D. MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Szymanski, seconded by Jaworski to receive and file

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Household Hazardous Waste Drop Off Day:

15. To: City Council

For your information, Erie County in partnership with several county municipalities, including the City of Lackawanna, will hold the next Household Hazardous Waste Drop-Off on Saturday, June 18, 2011 at Erie County Community College, South Campus from 9:00 AM to 2:00 PM. Please enter the site from Big Tree Road.

RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Memorial Monument to 9/11:

16. To: City Council

The Lackawanna Professional Firefighters IAFF Local 3166 has received a piece of steel that was part of the World Trade Centers. The Union is currently having a monument designed by Stone Art Memorial to honor all those that perished on September 11, 2001. We are requesting permission for your honorable body to place this monument temporarily in front of fire station #2 so that we may unveil it during a ceremony in remembrance of the 10th anniversary of the terrorist attacks on our nation. We then request permission to have it permanently placed in front of fire station #3 once the repair work to that building is completed. Thank you for your consideration of this special project.

LT. JAMES FINO, SECRETARY, IAFF LOCAL 3166

Moved by Jaworski, seconded by Noman, Szymanski, Kulczyk, Schiavi, that the request be granted.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from Citizens:

Family Cookout-Live Music:

17. To: City Council

On Saturday, July 9th, 2011 I am having a family cookout in my backyard and would like to have a live band play at this outdoor event. I understand there is a noise ordinance "No Loud Music after 11:00 pm, and will be a relatively people friendly livable volume. Weather permitting, the party should start at 1:00 pm and end by 11:30 pm. The band should start at 6:00 pm and end by 11:00 pm. Please grant permission to have my band play at this outdoor event, and please feel free to stop by yourselves.

MARK D. KIELBASA

Moved by Jaworski, seconded by Schiavi to approve the request, live music to end no later than 11:00 pm, fee for live music entertainment license is waived.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Business Registrations:

18. Goraya Family Shop – store to be located at 723 Ridge Road.

Moved by Jaworski, seconded by Kulczyk to approve the business license and applicant to forward fee of \$20.00 to City Clerk.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Entertainment Licenses:

Bears Den – 2048 Abbott Road –Class 1 Live Music - \$50.00
Nite Capp – 1769 Abbott Road – Class 1 Live Music - \$50.00
Woody’s Pub – 1841 Abbott Road – Class 1 Live Music - \$50.00
Sage’s Third Base – 1213 Ridge Road – Class 1 Live Music - \$50.00
Bokan’s Pub – 2847 South Park Ave. – Class 1 Live Music - \$50.00
Col. Weber Post – 2902 South Park Ave. – Class 1 Live Music - \$50.00
Knights of Columbus – 2838 South Park Ave. Class 1 Live Music - \$50.00

Moved by Jaworski, seconded by Szymanski to approve entertainment licenses.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Talk of the Town – 283 Ridge Road – Class 1 Live Music - \$50.00

Moved by Jaworski, seconded by Szymanski to deny entertainment license.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinances:

Traffic Ordinance – Left Hand Turn on Lehigh from Ridge Rd.:

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

SECTION 1. That Chapter 215 of the City of Lackawanna Municipal Code is hereby amended by deleting Subsection A.2 thereto as follows:

Section 215.9.A.2 – Vehicles proceeding west on Ridge Road are permitted to turn left onto Lehigh Avenue from April 1st to December 1st.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY ONLY AFTER THE APPROVAL AND SIGNATURE OF THE MAYOR OF SAID ORDANCE

Moved by Jaworski, seconded by Noman to adopt the ordinance as written, Ordinance not in effect until the Mayor signs the ordinance.

Yeas: Noman, Kulczyk, Schiavi, Jaworski
Nays: Szymanski CARRIED 4-1

Waive Rules – SEQR Paving Project:

Moved by Szymanski, seconded by Jaworski to waive rules and introduce SEQR Resolution for the paving project.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

SEQR – Resolution #11, 2011 – Paving:

WHEREAS, the City of Lackawanna is in need of road repairs to Ridge Road between South Park Avenue and the Centennial Bridge; and

WHEREAS, the City of Lackawanna is the Lead Agency and the project is an Unlisted

Action;

WHEREAS, under the circumstances a State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF) for the paving rehabilitation and Improvement Project must be completed; and

NOW, THEREFORE, BE IT

RESOLVED, that the Paving Rehabilitation Project will not have a significant adverse Impact on the environment; that a negative declaration pursuant to SEQR may be issued; and no environmental impact statement need be prepared.

RESOLVED, that this resolution shall serve as notice issued by the City of Lackawanna Council conducting an uncoordinated environmental impact review, pursuant to and in accordance with Article 8 of the New York State Environmental Conservation Law and the regulations promulgated under Article 8 and set forth at part of 6.17 of title six of the NY Code of Rules and Regulations (collectively referred to as "SEQR"); and

BE IT FURTHER

RESOLVED, that the Mayor of the City of Lackawanna and/or the City Attorney be and the same are hereby authorized to any other documents that may be required to be filed in accordance with the SEQR review process for the project known as Paving Rehabilitation and Improvement Project on Ridge Road in the City of Lackawanna,

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Jaworski, seconded by Szymanski to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Waive Rules – Resurfacing Project Remove from Table:

Moved by Szymanski, seconded by Kulczyk to remove communication #10, Resurfacing Project from the table.

Yeas: Szymanski, Kulczyk, Schiavi
Nays: Noman, Jaworski CARRIED 3-2

Pavement Resurfacing Project – Award Bid Destro & Bros. Co.:

Moved by Szymanski, seconded by Kulczyk to award the contract for Pavement Replacement Project to Destro & Bros., Company for the low bid of \$1,686,650.00.

Yeas: Szymanski, Kulczyk, Schiavi
Nays: Noman, Jaworski CARRIED 3-2

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06/06/2011

Waive Rules – Sale of Property:

Moved by Jaworski, seconded by Szymanski to waive the rules.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of 187 Holbrook – Ali Almontaser:

Moved by Jaworski, seconded by Noman to approve the sale of 187 Holbrook to Ali Almontaser for the sale price of \$2,500.00 with reverter clause.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Jaworski, seconded by Kulczyk the meeting be adjourned in memory of Arlene Celestino.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

**SPECIAL COUNCIL MEETING
TUESDAY, JUNE 7, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us**

**Meeting called to order/Pledge of Allegiance
NB: Meeting being recorded.**

**Roll Call: Present: Szymanski, Kulczyk, Schiavi, Jaworski
Absent: Noman**

Ordinances:

An ordinance adopting the current expense budget of the City of Lackawanna for the fiscal year 2011 – 2012

Moved by Jaworski, seconded by Schiavi to adopt ordinance as amended.

Yeas: Kulczyk, Schiavi, Jaworski. Carried 3-1
Nays: Szymanski

Moved by Jaworski, seconded by Szymanski, meeting is adjourned.

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, June 20 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Meeting called to order/Pledge of Allegiance

NB: Meeting being recorded

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT. Heads: Present: Law, Public Works, Public Safety, Recreation, Development

Absent: Public Works

Hearings from Citizens:

Approval of Minutes: of the regular meeting of June 6, 2011 and the special meeting of June 7, 2011, as written.

Moved by Schiavi, seconded by Kulczyk to adopt the minutes of June 6, 2011 and June 7th, 2011

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Noman

Departmental Reports:

City Compt. – AP Check Listing #43, June 2, 2011.

Moved by Schiavi, seconded by Jaworski to receive and file departmental report one.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from the Mayor:

Ridge Rd Paving & Rehabilitation Project:

2To: City Council

Attached please find a formal resolution for the Ridge Road Paving Rehabilitation and Improvement Project which will be constructed between South Park Avenue and the new Centennial Bridge. I respectfully request that the City Council pass the attached resolution which will allow the City to enter into an agreement with the New York State Department of Transportation to receive the Federal Funding that has been allocated to this project.

NORMAN L. POLANSKI, MAYOR

Moved by Jaworski, seconded by Noman to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from Department/Division Heads:

Adjusted Base Proportions:

To: City Council

Pursuant to Article 19 of the NYS Real Property Tax Law and NYS Office of Real Property Services Rules, NYCRR-186-10 the legislative body of the City of Lackawanna must establish current and adjusted base proportions. Attached are forms EA6701 and EA6703 with computations of the Current Base Proportions and Adjusted Base Proportions for the City of Lackawanna and Lackawanna City School District portions of the 2011-2012 assessment roll. Please direct the City Clerk to certify these forms with the 0% Shift and forward them to the NYS Office of Real Property Services.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Noman to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Rental Unit Dwelling Registration:

To: City Council

Please have the attached ordinance relative to “Rental Unit Dwelling Registration” ordinance on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to receive and file, act on ordinance.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

McKinley Bridge Reconstruction Project/Low Bidder:

To: City Council

Please find attached the recommendation from TVGA Consultants for the award of the City of Lackawanna’s McKinley Parkway Bridge Selective Demolition and Safety Improvement Project. I respectfully request your Honorable Body to award the bid to the low bidder Nichols, Long & Moore Construction Corp. with a total cost of \$109,845.00.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Jaworski, seconded by Noman to award the contract to Nichols, Long & Moore for the reconstruction of the McKinley Bridge.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Miscellaneous:

Youth Basketball League:

To: City Council

My name is Maurice Burse and I'm Interested in starting a youth Basketball League. We have already received authorization from LMHA to use the basketball courts at Gates and Jeff Taggart Playgrounds. Today, I'm asking your Honorable Body to approve funding of \$6.00 per Lackawanna youth that will be registered to play in our program. I will submit all rosters of participants to Mr. Iafallo upon completion. League play is scheduled to start on Wednesday, June 29th. Thank you for your attention in this matter.

MAURICE BURSE

Moved by Jaworski, seconded by Noman to approve request for Lackawanna residents only.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Resolutions:

Funding-Pavement Replacement Ridge Rd.-South Park to Centennial Bridge:

Resolution #12, 2011:

An ordinance authorizing the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs of a Transportation Federal-Aid project and appropriating funds therefore. (complete text on file in City Clerk's Office.)

Moved by Jaworski, seconded by Schiavi to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Current Base Proportion –City of Lackawanna:

Resolution #13, 2011:

WHEREAS, The City of Lackawanna may adopt locally adjusted base proportions pursuant to Local Law No. 3, 1993 and Section 1903.4 of the New York State Real Property Tax Law,

NOW THEREFORE, BE IT

RESOLVED, that for the City of Lackawanna tax levies for fiscal year 2011-2012, it is hereby established:

That the Council hereby adopts a 0% shift of its adjusted base proportions resulting in the following locally adjusted base proportions:

<u>Shift</u>	<u>Homestead</u>	<u>Non-Homestead</u>
0%	45.42162	54.57838

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Current Base Proportions-Lackawanna School District:

Resolution #14, 2011:

WHEREAS, The City of Lackawanna may adopt locally adjusted base proportions pursuant to Local Law No. 3, 1993 and Section 1903.4 of the New York State Real Property Tax Law,

NOW THEREFORE, BE IT

RESOLVED, that for the Lackawanna School District tax levies for fiscal year 2011-2012, it is hereby established:

That the Council hereby adopts a 0% shift of its adjusted base proportions resulting in the following locally adjusted base proportions:

<u>Shift</u>	<u>Homestead</u>	<u>Non-Homestead</u>
0%	44.11093	55.88907

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Ordinances:

Rental Dwelling Registration:

An Ordinance enacting Chapter 84 of the Code of the City of Lackawanna entitled Rental Dwelling Unit Registration. (complete text on file in City Clerk's Office)

Moved by Schiavi, seconded by Szymanski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Kulczyk, seconded by Schiavi to adjourn the meeting.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

BARBARA ROSINSKI, DEPUTY CLERK

COUNCIL MEETING
Monday, July 11, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Meeting called to order/Pledge of Allegiance

NB: Meeting being recorded

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT HEADS: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes: of regular meeting of June 20, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes the regular meeting of June 20, 2011.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Departmental Reports:

1. City Clerk – Monthly report for June, 2011.
2. City Treas. – Receipts deposited into General Fund – June, 2011.
3. City Compt. – AP Check Listing #44, June 9, 2011.
4. City Compt. – AP Check Listing #45, June 16, 2011.
5. City Compt. – AP Check Listing #46, June 23, 2011.
6. City Compt. – AP Check Listing #47, June 29, 2011.
7. City Compt. – AP Check Listing #48, June 30, 2011.
8. City Compt. – Statement of Cond. Of Approp. as of May 31, 2011.

Moved by Schiavi, seconded by Jaworski to receive and file departmental reports one through eight.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Communications from the Council:

Sale of 187 Holbrook Ave:

9. To: City Council

The sale of 187 Holbrook Avenue has been approved by the City Council with a vote of 5-0 at our June 16, 2011 meeting. I am requesting the law department to submit an ordinance for the sale of 187 Holbrook with a reverter clause for 18 months to have the property up to code.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Schiavi, seconded by Noman City Attorney to prepare the necessary ordinance for approved sale of 187 Holbrook.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Sale of Property – Yemenite Benevolent Assoc.:

9A. To: City Council

The sale of 135 Ridge Road, SBL 141.43-1-11; 117-119 Ridge Rd., 141.43-1-7; 129-133 Ridge Rd., SBL141.43-1-10; 125-127 Ridge Rd., SBL 141.43-1-9; 121-123 Ridge Rd., SBL 141.43-1-8 and 113 Ridge Rd., SBL 141.43-1-6 has been approved to the Yemenite Benevolent Association with a vote of 5-0 at our June 6, 2011 meeting. I am requesting an ordinance authorizing the sale/transfer of property pursuant to municipal code section 107. Thank you.
ABDUL NOMAN, 1ST WARD COUNCILMAN

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

Yeas: Noman, Szymanski,

Nays: Kulczyk, Schiavi, Jaworski

Motion Failed 3-2

Communications from Department/Division Heads:

Michelle Drive Subdivision Street Lights:

10. To: City Council

Please put the attached resolution RE: Michelle Drive subdivision street lights on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Szymanski to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Purchase New Truck:

11. To: City Council

I am requesting your permission to purchase a new truck under state contract to replace the one which was destroyed by fire this past spring. The purchase would consist of a cab and chassis only. The dump box, plow, tower and salter were taken off the original truck and will be reused. We have received an insurance check for \$77,724.63 and the remainder would come from the capital fund snow equipment account. The total cost would be approximately \$109,000.00. If we are not allowed to purchase under state contract and must go to bid, there will be an increase in the cost of approximately \$25,000.00. Either way, I have enough money in my account to cover these expenses.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Jaworski, seconded by Szymanski permission granted to purchase a new truck.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Resurfacing Project – Award Contract Destro Bros.:

12. To: City Council

Please find attached the recommendation from TVGA Consultants for the award of the City of Lackawanna's 2011 Pavement Replacement Project – Phase 2. I respectfully request your Honorable Body take the appropriate action to award this contract.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Szymanski, seconded by Kulczyk to award contract to Destro Bros. Co. for resurfacing project contingent upon the sale of bond.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

Nays: Noman

CARRIED 4-1

Budget Transfers to Balance Accounts:

13. 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 the City Clerk, the Law Department, the Department of Administration and Finance, the Department of Development, the Department of Public Works, the Department of Recreation and the Department of Public Safety, the attached lists of transfers were made to balance many of the 2010-2011 accounts.

ROBERT MARCINIAK, CITY COMPTROLLER

NORMAN L. POLANSKI, MAYOR

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

City Owned Properties Available for Sale: List on file in Clerk's Office

14. To: City Council

The properties on the attached list (Marked Yes) are not needed for any municipal purposes. Please adopt the attached list of city owned property and make them available for sale as required by the City Charter and Municipal Code Chapter 12-7. Please forward any changes made by the City Council to my office. If you have any further questions please contact my office.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Schiavi, seconded by Jaworski to adopt the list of City owned properties available for sale established by the City Assessor.

Yeas: Noman, Kulczyk, Schiavi, Jaworski

Nays: Szymanski

CARRIED 4-1

Waive Rules:

Moved by Jaworski, seconded by Schiavi to waive the rules.

Yeas: Kulczyk, Schiavi, Jaworski

Nays: Noman, Szymanski

CARRIED 3-2

Hire Outside Counsel-Sale of 6 Lots – Ridge Road:

Moved by Jaworski, seconded by Schiavi to hire outside counsel in regards to the sale of properties on Ridge Road.

Yeas: Kulczyk, Schiavi, Jaworski

Nays: Noman, Szymanski

CARRIED 3-2

National Grid Install Luminaries-Michelle Dr. Subdivision: Resolution #15

WHEREAS, street lights are required to laminate the new Michelle Drive subdivision and a resolution is required by National Grid to proceed.

NOW, THEREFORE, BE IT

RESOLVED, that National Grid be and it is hereby authorized to install ten (10) 100-watt high pressure sodium Post Top Luminaries on a National Grid owned direct embedded fiber glass poles with underground service according to its written proposal to the city dated June 27, 2011.

RESOLVED, that this resolution shall take effect immediately.

Moved by Schiavi, seconded by Szymanski to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Adjournment:

Moved by Szymanski, seconded by Noman meeting be adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, August 15, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the Pledge of Allegiance led by the Council President.

Meeting called to order/Pledge of Allegiance
NB: Meeting is being recorded.

ROLL CALL: **Present:** Noman, Szymanski, Schiavi, Jaworski
 Excused: Kulczyk
DEPT. HEADS: **Present:** Law, Recreation, Development
 Excused: Public Safety
 Absent: Public Works

Hearings from Citizens:

Approval of Minutes: of regular meeting of July 11, 2011.

Moved by Schiavi, seconded by Jaworski to approve the minutes of the regular meeting of July 11, 2011.

Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Departmental Reports:

1. City Compt. – Statement of Cond. Of Approp. as of June 30, 2011.
2. City Compt. – AP Check Listing #49, July 8, 2011.
3. City Compt. – AP Check Listing #50, July 14, 2011.
4. City Treas. – Receipts deposited into General Fund, July 2011.
5. City Clerk – Monthly Report for July, 2011.

Moved by Jaworski, seconded by Schiavi to receive and file departmental reports one through five.

Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Communications from the Mayor:

Deer Population Control:

6. To: City Council

 I am requesting Council approval to approach the DEC for their approval to thin out the deer population in the City of Lackawanna. This request is due to the number of complaints form citizens concerned about the damage caused by

the deer. I have also had some conversation with a representative from the DEC requesting a letter of approval from the council.
NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Schiavi to approve the request.
Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

Galanti Park Improvement Project:

7. To: City Council

I am requesting your Honorable Body pass the attached resolution for the Galanti Park Improvement Project. Thank you in advance for your anticipated cooperation on this matter.

NORMAN L. POLANSKI, MAYOR

Moved by Jaworski, seconded by Schiavi to receive and file, act on the resolution.
Yeas: Noman, Schiavi, Jaworski
Nays: Szymanski

CARRIED 3-1

Communications from the Council:

Post Office Closing:

8. To: City Council

I am asking your support in passing the attached resolution against the closing of the Lackawanna Post Office. Thank you for your continued support in this effort.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Schiavi, seconded by Jaworski to receive and file, act on the resolution.
Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

Tabled Items:

9. To: City Council

As per directive of the City Council, meeting of May 20, 1991, the Council deemed all table items over ninety (90) days are nil and must be submitted to the Council to be received and filed. The following tabled items are hereby submitted to the Council:

<u>Meeting:</u>	<u>Item #</u>	<u>Reference</u>	<u>Submitted by:</u>
12/20/10	Res.	DPW Foreman included in Union	Szymanski
12/20/10	#5	Removal of no left turn on Lehigh	Noman
02/07/11	#6	Memorandum of Understanding Burke Homes-Martin Rd. Project	Mayor
02/07/11	#7	Global Concepts-Use of Stadium	Noman
02/22/11	Ent.Lic.	Cherrystone	Entertainment

JACQUELINE CAFERRO, CITY CLERK

Moved by Schiavi, seconded by Jaworski to receive and file tabled items over 90 days.
Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Sale of 98 School Street:

10. To: City Council

My office has received an offer for the above mentioned property from Christopher Welsh of 102 School St., in the amount of \$300 plus the cost of survey and legal fees to close property. The parcel is approximately 37 X 105 and is unbuildable. The recommendation from this office is to sell the above mentioned property to Christopher Welsh for the price of \$300. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Schiavi to receive and file, act on ordinance.
Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Sale of 2 Willow:

11. To: City Council

My office has received an offer for the above mentioned property from Thomas Carcione of 4 Willow in the amount of \$100 plus cost of survey and legal fees to close property. The parcel is approximately 80 X 105 and is unbuildable, because the Army Corps of Engineers retain an easement along Smokes Creek preventing any construction on the property. The recommendation from this office is to sell the above mentioned property to Christopher Welsh for the price of \$100. If approved by the City Council the buyer shall be liable for all fees and cost of survey.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Schiavi to receive and file, act on ordinance.
Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Sale of 31 North Drive:

12. To: City Council

I have received a purchase offer from Frank P. Lelito of 27 North Dr. to purchase the vacant property located at 10 North Drive. The parcel has a lot size of 10' x 129' and an assessed value of \$1,000. It's location between 27 & 37 North Drive serves no purpose to anyone except Mr. Lelito. It is my recommendation that the City Council sell the parcel to Frank P. Lelito for \$1.00 plus closing cost. If approved by the Council the buyer shall be liable for all fees and cost of survey if needed.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Schiavi, seconded by Noman to receive and file, act on ordinance.
Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Use of Veterans Stadium – Fire Dept.

13. To: City Council

The Lackawanna Professional Firefighters are requesting permission to use the parking lot at Veterans Stadium on September 11, 2011 for a 9-11 memorial ceremony and monument dedication. This ceremony will take place at 10:00 a.m. The fire department will have a tent erected for the ceremony similar to the one used for the Memorial Day event at the stadium. Fire department personnel will make sure the area is cleaned after the ceremony. Thank you for your consideration for this special event.

LT. JAMES FINE, SECRETARY, IAFF LOCAL 3166

Moved by Jaworski, seconded by Schiavi to waive rules to include communication from Lackawanna Fire Department.

Yeas: Noman Szymanski, Schiavi, Jaworski CARRIED 4-0

Moved by Jaworski seconded by Szymanski to grant permission for the Fire Dept. use of Veterans Stadium parking lot on September 11, 2011.

Yeas: Noman, Szymanski, Schiavi, Jaworski CARRIED 4-0

Resolutions:

Galanti Memorial Park- Improvements: Resolution # 16, 2011

Original on File in the City Clerks Office

A resolution authorizing the mayor to file an application for funds from the NYS Office of Parks and Recreation for grant amount not to exceed \$400,000, for improvements to Galanti Memorial Park.

Moved by Schiavi, seconded by Noman to adopt the resolution as written,

Yeas: Noman, Schiavi, Jaworski CARRIED 3-1

Nays: Szymanski

Opposition to Closing Lackawanna Post Office: Resolution # 17, 2011

WHEREAS, The City Council of the City of Lackawanna, New York, hereby is against the closing of the Lackawanna Post Office, and

WHEREAS, The City of Lackawanna, New York is the second largest city in the County of Erie, and

WHEREAS, Lackawanna has an aging population that depends on the services of the Lackawanna Post Office, and

WHEREAS, Many elderly and businesses utilize walk up services and closing of the post office would not give our residents an opportunity to have this service available. Many of the residents will be inconvenienced and not able to travel to another location. This will cause our residents to take two buses to go either to South Buffalo or Blasdell and be it further,

RESOLVED, that the meeting of August 15, 2011 that a certified copy of this resolution be immediately dispatched to:

Senator Charles E. Schumer, Senior Senator of New York State
Senator Kristen Gillibrand, Junior Senator of New York State
Senator Timothy Kennedy, NYS Senator 58th District
Governor Andrew Cuomo, Governor of New York State
Congressman Brian Higgins, NYS 27th Congressional District
Assemblyman Mark Schroeder, 145th District NYS Assembly
Assemblyman Kevin Smardz, 146th District NYS Assembly
Legislator Daniel Kozub, Erie County Legislator
THIS RESOLUTION SHALL TAKE EFFECTIVE IMMEDIATELY.

Moved by Szymanski, seconded by Noman to adopt the resolution as written.

Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

Ordinances:

Sale of 98 School St. – Christopher Welsh:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY
PURSUANT TO MUNICIPAL CODE SECTION 107.

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

SECTION 1. That the City Council hereby approves of the transfer part of
property known as SBL 141.67-2-35 a parcel 37 feet by 105 feet, to Christopher
Welsh.

SECTION 2. That transfer is made for the sum of \$300 in cash to the City
of Lackawanna,

SECTION 3. That the purchase/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 Schiavi, seconded by Noman to adopt the ordinance as written.

Yeas: Noman, Schiavi, Schiavi, Jaworski

CARRIED 4-0

Sale of 2 Willow – Thomas Carcione:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY
PURSUANT TO MUNICIPAL CODE SECTION 107.

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 142.78-1-36 a parcel 80 feet by 105 feet, to Thomas
Carcione.

SECTION 2. That transfer is made for the sum of \$100 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 Schiavi, seconded by Jaworski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

Sale of 31 North Drive – Frank P. Lelito:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107.

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 151.08-1-4.1 a parcel 10 feet by 129 feet, to Frank Lilito.

SECTION 2. That transfer is made for the sum of \$1 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 Jaworski, seconded by Szymanski to adopt the ordinance as written, amending the sale price stated in the agenda (\$100.00).

Yeas: Noman Szymanski, Schiavi, Jaworski

CARRIED 4-0

Sale of 21 Cooke St. – John Susz:

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107.

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 142.45-1-6 a parcel 32 feet by 124 feet, to John & Honoretta Susz.

SECTION 2. That transfer is made for the sum of \$900 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 EFFECTIVE IMMEDIATELY.

Moved by Jaworski, seconded by Szymanski to adopt the ordinance as written.

THIS ORDINANCE SHALL TAKE EFFECTIVE IMMEDIATELY.

Moved by Jaworski, seconded by Szymanski to adopt the ordinance as written.

Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

Adjournment:

Moved by Schiavi, seconded by Jaworski the meeting is adjourned.

Yeas: Noman, Szymanski, Schiavi, Jaworski

CARRIED 4-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

**AGENDA
SPECIAL COUNCIL MEETING
THURSDAY, AUGUST 25, 2011
COUNCIL CHAMBERS – 11:00 A.M.
www.ci.lackawanna.ny.us**

**Meeting called to order/Pledge of Allegiance
NB: Meeting being recorded.**

**Roll Call: Present: Noman, Szymanski, Schiavi, Jaworski
Excused: Kulczyk**

Resurfacing and Rehabilitation of Ridge Road

Moved by Jaworski, seconded by Szymanski to award contract for the resurfacing and rehabilitation of Ridge Road from the Bicentennial Bridge to South Park Avenue to Destro Brothers, low bidder.

Yeas: Noman, Szymanski, Schiavi, Jaworski. Carried 4-0

Repair and Rehabilitation of Fire House #3

Moved by Schiavi, seconded by Jaworski to award contract for the rehabilitation of Fire House #3 to the low bidder, Patrick Construction LLC.

Yeas: Noman, Kulczyk, Schiavi, Jaworski. Carried 4-0

Moved by Jaworski, seconded by Szymanski, special meeting is adjourned.

Yeas: Noman, Szymanski, Schiavi, Jaworski. Carried 4-0

Chuck Jaworski, Council President

Jacqueline A. Caferro, City Clerk

COUNCIL MEETING
Tuesday, September 6, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the Pledge of Allegiance led by the Council President.

Meeting called to order/Pledge of Allegiance

NB: Meeting is being recorded.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT HEADS: Present: Law, Public Works, Public Safety, Recreation, Development

Hearings from Citizens:

Approval of Minutes of the regular meeting of August 15, and special meeting of August 25, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes of August 15, 2011 and August 25, 2011.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Compt. – AP Check Listing #51, July 29, 2011.
2. City Compt. – AP Check Listing #52, July 29, 2011.
3. City Compt. – AP Check Listing #1, August 1, 2011.

Moved by Jaworski, seconded by Schiavi to receive and file departmental reports one through three.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Bethlehem Park Winter Parking:

4. To: City Council

I have received the attached letter from the Department of Public Works requesting an ordinance be drawn up to request no parking between the hours of 11:00 p.m. and 7:00 A.M. from November 1st through April 1st to help in clearing of the streets for snow removal in Bethlehem Park. I would appreciate your support in this matter.

ABDUL NOMAN, FIRST WARD COUNCILMEMBER

Moved by Jaworski, seconded by Noman to refer the request to Traffic & Safety.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Demolition 61 & 235-237 Ingham Avenue:

5. To: City Council

I am requesting your support for the City of Lackawanna to allocate funding for the demolition of the following city owned properties:

61 Ingham Avenue

235-237 Ingham Avenue

These properties are an eyesore and a hazard to the community. Thank you for your continued support in this matter.

ABDUL NOMAN, FIRST WARD COUNCILMEMBER

Moved by Jaworski, seconded by Szymanski that the request be tabled.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Noman

Paving Streets – First Ward:

6. To: City Council

The following streets are in desperate need of paving:

1. Ingham Avenue

5. Homestead

2. Washington

6. Bethlehem

3. Pearl Street

7. Lebanon

4. Glenwood

Funding needs to be allocated for these streets and I am looking for your help in obtaining these funds to start the paving in the year 2012. No streets were paved in the First Ward in 2011. Thank you for your support.

ABDUL NOMAN, FIRST WARD COUNCILMEMBER

Moved by Szymanski, seconded by Schiavi to receive and file.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 4-1

Nays: Noman

Communications from Department/Division Heads:

Dog Seizure/Impounding Fees:

7. To: City Council

Please put the attached dog ordinances, raising the rate on seizure and impoundment fees, on the agenda for council approval. Thank you.

ARC. J. PETRICCA, CITY ATTORNEY

Moved by Jaworski, seconded by Schiavi to receive and file, act on the ordinances

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski
Nays: Noman

CARRIED 4 – 1

Rodent Baiting & Trapping:

8. To: City Council

As you know Erie County has put an end to assisting communities in rat baiting and trapping. In the past they have done the baiting for the City. I am asking your honorable body to schedule a work session to discuss options and additional funding to address this issue.

RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Szymanski to grant the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ridge Road Traffic Signal Project:

9. To: City Council

Please find the attached recommendation from TVGA Consultants for the awarding of the Ridge Road Traffic Signal Implementation Project to South Buffalo Electric, Inc. at their unit prices bid with a total cost of \$616,435.99. I respectfully request your honorable body take the appropriate action and award this contract.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Jaworski, seconded by Schiavi that the Ridge Rd. Traffic Signal Project be awarded to South Buffalo Electric, Inc. in the amount of \$616,435.99.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Ordinances:

Dog Seizure & Impoundment Fee:

BE IT ENACTED by the City Council of the City of Lackawanna, New York, that City Code Section 66-10 is rescinded and reenacted as follows:

66-10 Seizure and Impoundment: Redemption of Dogs.

Any dog in violation of this chapter may be seized, impounded and redeemed pursuant to 118 of the Agriculture and Markets Law; provided, however, that the impoundment fee shall be \$25.00 for the seizure and \$16.00 per each day or portion thereof after seizure. A person who has had a dog seized or impounded for a violation of this chapter within the preceding five years shall pay a fee of \$50.00

for the seizure and \$16.00 per each day of portion thereof after seizure. A person who has had a dog seized or impounded for a violation of this chapter twice or more within the preceding five years shall pay a fee of \$100.00 for the seizure and \$16.00 per each day or portion thereof after seizure.

This Ordinance shall take effect immediately after the signature of the Mayor.

Moved by Schiavi, seconded by Jaworski that the Seizure and Impoundment Fee Ordinance be approved

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski
Nays: Noman

CARRIED 4-1

Dog Licensing/Identification:

BE IT ENACTED, by the City Council of the City of Lackawanna, New York, that City Code Section 66-14 is rescinded and reenacted as follows:

66-14 Licensing and Identification of Dogs

- A. Licensing of Dogs: All dogs within the City of Lackawanna being four months of age or older shall be licensed by the City Clerk's office. The owner of each dog required to be licensed shall obtain, complete and return to the City Clerk's office a dog license application, together with the license application fee, any license surcharges and such additional fees as may be established by the City Council and the City of Lackawanna. Each license application shall be accompanied by proof of vaccination against rabies and, if applicable, spaying and neutering papers are required. Each license shall be valid for one year and shall not be transferable.
- B. License Fees and Surcharges:
1. The annual fee for each dog license issued shall be:
 - (a) For each spayed/neutered dog: \$10.00.
 - (b) For each unsprayed/unneutered dog: \$18.00.
 - (c) Surcharge for each dog license not renewed in the specific renewal month: \$5.00.
 - (d) For each replacement tag: \$3.00.
 2. In the event that an owner of a dog which is licensed by another municipality in New York State moves into the City of Lackawanna, he/she must obtain an identification tag from the City Clerk's office. In such instance, there will be no additional fee owing to the City of Lackawanna until such time as the license from the other municipality expires.
- C. Identification of Dogs:
1. Each dog licensed by the City shall be assigned, at the time the dog is first licensed, a license tag and identification number. Such license tag shall include the identification number and shall be affixed to a collar on the dog at all times. The identification number relates to the ownership, current rabies status and a description of the dog.

2. No tag carrying an identification number shall be affixed to the collar of any other dog that the one to which that number has been assigned.
3. Any dog found in the City, whether on or off the owner's premises, leashed or unleashed, which is not wearing a license tag shall be considered a stray or stolen dog and is subject to seizure under Article 7 of the NYS Agriculture and Markets Law.

D. Exceptions: Any dog for which a statement from a licensed veterinarian is provided stating that vaccination for rabies would endanger the dog's health shall not be required to be vaccinated.

This Ordinance shall take effect immediately after the signature of the Mayor.

Moved by Jaworski, seconded by Schiavi that the ordinance amending Licensing of dogs be approved.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

Adjournment:

Moved by Szymanski, seconded by Jaworski that the meeting be adjourned in memory of the victims of 9/11.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

BARBARA ROSINSKI, DEPUTY CLERK

Moved by Jaworski, seconded by Szymanski to refer to the Traffic Safety Advisory Board for their opinion to the City Council.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Erie County Water Auth. Agreement:

6. To: City Council

I am requesting your Honorable Body approve a resolution between the Erie County Water Authority and the City of Lackawanna allowing the City to enter into an agreement with the County regarding milling of street, asphalt overlay and replacing water mains. Upon completion of this project the City shall submit an invoice to the County for \$61,886.30 and the County will make payment to the City within 60 days from receipt of said invoice subject to the approval of the Authority Board of Commissioners.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Szymanski to receive & file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Line Dance Team Jamboree:

7. To: City Council

I am asking for your support for the Lackawanna Line Dance Team to hold a Jamboree on Friday, October 21, 2011 at the Senior Center. This event will be held from 6:30 pm to 10:00 pm. They are requesting the use of 2 large coffee pots. The team will furnish their own coffee and coffee cups. Thank you for your support.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Schiavi, seconded by Jaworski to approve the request.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Department/Division Heads:

Transfer Funds – Balance Accts.:

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, 2011.

ROBERT MARCINIAK, CITY COMPTROLLER

Moved by Jaworski, seconded by Szymanski to grant the request and approve transfers.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Budget Transfers – Balance Accts.:

9. To: City Council

Please be advised, pursuant to Chapter 12.12, Subdivision (C)2 of the City Charter, after a review of the Department of Administration and Finance, the Department of Public Works, The Department of Recreation and the Department of Public Safety, the attached lists of transfers were made to balance many of the 2010-2011 accounts.

ROBERT MARCINIAK, CITY COMPTROLLER
NORMAN L.POLANSKI, MAYOR

Moved by Jaworski, seconded by Noman to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Award Contract –Kirst Const.-Fire House 1 & 2:

10. To: City Council

Please find the recommendation from TVGA Consultants for the award of the City of Lackawanna's Fire Station No.'s 1 and 2 Rehabilitation. I respectfully request your Honorable Body take the appropriate action to award this contract to Kirst Construction for the bid of \$526,000.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORK

Moved by Jaworski, seconded by Noman to award the contract for rehabilitation of Fire Houses #1 & #2 to Kirst Construction.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Erie County Multi Jurisdictional Hazard Mitigation Plan:

11. To: City Council

The City of Lackawanna, County of Erie and surrounding communities have joined together to update the 2005 Erie County Multi-Jurisdictional Hazard Mitigation Plan for continued compliance with the Disaster Mitigation Act of 2000 and its implementing regulations. To meet FEMA's requirements for plan approval, municipal staff members must participate in the plan update process through attending meeting, providing various types of information and feedback, identifying and assessing mitigation actions, and reviewing draft documents. In addition, it is also required that other stakeholders be given an opportunity to comment and become involved.

RICHARD STARTEK, DIRECTOR OF PUBLIC SAFETY
RALPH MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Szymanski to receive and file information submitted by the Director of Development.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Resolution # _____, 2011 Erie County Water Auth. Agreement
Original on File in City Clerk's Office

NOW, THEREFORE, BE IT

RESOLVED, that the attached contract is approved and the mayor is hereby authorized to sign same.

RESOLVED, that this resolution shall take effect immediately.

Moved by Jaworski, seconded by Szymanski to adopt the resolution as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Adjournment:

Moved by Jaworski, seconded by Schiavi that the meeting is adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE A. CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, October 3, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the Pledge of Allegiance led by the Council President.

Meeting called to order/Pledge of Allegiance
NB: Meeting is being recorded.

ROLL CALL: Present: _Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT HEADS: Present: Law, Public Safety, Development
Excused: Public Works, Recreation

Hearings from Citizens:

Approval of Minutes of the regular meeting of September 19, 2011.

Moved by Schiavi, seconded by Jaworski to approve the minutes of September 19, 2011
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Departmental Reports:

1. City Comptroller – AP Check Listing #4, September 15, 2011.
2. City Comptroller – AP Check Listing #5, September 21, 2011.

Moved by Schiavi, seconded by Jaworski to receive and file departmental reports.
Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from the Council:

Council Secretary – Kita:

3. To: City Council

I am asking your support in passing the attached resolution to extend the appointment of the current Council Secretary, Marlene M. Kita to the date of December 31, 2015. I am sure you will all agree that she has shown outstanding work ethics and professionalism in this position. This should help in a seamless transition for the incoming Councilmember's to the City of Lackawanna. Again, thank you in advance for your support.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Schiavi, seconded by Kulczyk to receive and file, act on resolution
Yeas: Noman, Kulczyk, Schiavi, Jaworski
Nays: 0
Pass: Szymanski (counted as yes vote) votes 4-0-1 CARRIED 5-0

Demolition-61 & 235-237 Ingham Ave:

4. To: City Council

At the Council Meeting of September 5, 2011 the item of demolition to 61 Ingham Avenue and 235-237 Ingham Avenue were tabled for study. Since that Council Meeting the City has held a public auction and these properties were not sold and are in the process of being transferred to the ownership of the City. Again, I ask your support to find the funding for demolition of these properties since they are a serious hazard to the community. Thank you for your continued support.

ABDUL NOMAN, 1ST WARD COUNCILMEMBER

Moved by Jaworski, seconded by Schiavi to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Demolition of Buildings:

5. To: City Council

I am asking your honorable body to allow for the advertisement of bids for the demolition projects listed below. We may have money available, the number of properties demolished will depend on the funds.

297 Ridge Road	1266 Ridge Road
303 Ridge Road	61 Ingham Avenue
622 Ridge Road	235-237 Ingham Avenue

RALPH D. MIRANDA, DIRECTOR OF DEVELOPMENT

Moved by Jaworski, seconded by Noman to approve the request, City Clerk to advertise for bids, Council Member Noman requests 622 and 1266 Ridge Road be removed from the list.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Communications from Citizens:

Parking Keever Street – Mary Novak

6. To: City Council

I am requesting permission to allow my guests at my annual Christmas Party to park on both sides of Keever Avenue, between South Park Ave. and Electric Ave., on Saturday, December 24th approximately from 4:00 p.m. to 10:00 p.m. (weather permitting). Thank you.

MARY M. NOVAK

Moved by Schiavi, seconded by Kulczyk to approve the request contingent upon weather conditions.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Bethlehem Park Halloween Parade/Use Bocce Court Building:

7. To: City Council

I am asking the Council's permission for the use of the BOCCE Court in Bethlehem Park on October 8, 15 & 22, 2011 for meetings, and on Saturday, October 29, 2011 at 3:30 pm, for our annual Bethlehem Park Halloween Parade.

Thank you.

ANDREA HAXTON

Moved by Szymanski, seconded by Noman to approve request for Bethlehem Park Halloween Parade.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Moved by Szymanski, seconded by Schiavi to amend request to include use of Bocce Court building on dates of October 8 and 22 only and for meetings regarding the Bethlehem Park Halloween Parade only.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski. Carried 5 - 0

Business Registration-Drag-In Auto Repair Service:

Drag-In Auto Repair & Service Corp – 1205 Ridge Rd. –T. Capuano.

Moved by Schiavi, seconded by Jaworski to approve business registration

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

Resolution #19, 2011 - Council Clerk Appointment-Marlene Kita:

Be it resolved that Marlene M. Kita, residing at 25 Orchard Place, Lackawanna, New York is hereby appointed to the position of Council Clerk for the term of Four years, said appointment to expire on December 31, 2015.

This resolution shall take effect immediately.

Moved by Schiavi, seconded by Kulczyk to adopt the resolution as written.

Yeas: Noman, Kulczyk, Schiavi, Jaworski

Nays: 0

Abstain: Szymanski (recorded as yes vote) votes 4-0-1 CARRIED 5-0

Adjournment

Moved by Kulczyk, seconded by Jaworski meeting is adjourned in memory of Robert Surdyke, John Mandiak and Mrs. Rozwood.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE A. CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, October 17, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Pro-Tem Geoffrey Szymanski presiding. The meeting was preceded by the Pledge of Allegiance led by Patrick McCusker.

Meeting called to order/ Pledge of Allegiance
NB: Meeting is being recorded.

ROLL CALL: Present: Noman, Kulczyk, Schiavi, Szymanski
Excused: Jaworski

Dept Heads: Present: Law, Development
Excused: Public Works
Absent: Public Safety, Recreation

Hearings from Citizens:

Approval of Minutes of regular meeting of October 3, 2011.

Moved by Schiavi, seconded by Kulczyk the minutes of October 3, 2011 are approved.
Yeas: Noman, Kulczyk, Schiavi, Jaworski CARRIED 4-0

Departmental Reports:

1. City Comp. – AP Check Listing #6, September 30, 2011.
2. City Treas. – Receipts deposited into General Fund, September, 2011.
3. City Clerk – Monthly Report for September, 2011.

Moved by Szymanski, seconded by Kulczyk to receive and file departmental reports.
Yeas: Noman, Kulczyk, Schiavi, Szymanski CARRIED 4-0

Communications from the Mayor:

CDBG Program Paving Streets:

4. To: City Council

I am requesting your Honorable Body approve the attached resolution regarding paving of streets. Thank you in advance for your anticipated cooperation.

NORMAN L. POLANSKI, JR., MAYOR

Moved by Szymanski, seconded by Noman to receive and file, act on resolution.
Yeas: Noman, Kulczyk, Schiavi, Szymanski CARRIED 4-0

Communications from the Council:

Utility Audit Contract - Troy and Banks:

Original on file in Clerk's Office:

5. To: City Council

I am asking your support for the Mayor to enter into a contract with Troy and Banks for a utility audit. Attached is a letter and copy of the proposal from Troy and Banks asking for the Councilmember's review. Thank you in advance for your help.

CHUCK JAWORSKI, COUNCIL PRESIDENT

Moved by Szymanski, seconded by Noman authorizing the Mayor to enter into a contract with Troy and Banks.

Yeas: Noman, Kulczyk, Schiavi, Szymanski CARRIED 4-0

Sale of Property 61 Beech St. – Anthony Catuzza:

6. To: City Council

I have received a purchase offer from Anthony Catuzza of 21 Beech St. to purchase the property located at 61 Beech St. The parcel has a lot size of 28' x 115' with a single family home and assessed value of \$20,000. It is my recommendation that the City Council sell the parcel to Anthony Catuzza for \$5,500 plus closing cost. If approved by Council, buyer shall be liable for all fees and cost of survey if needed.

FRANK E. KRAKOWSKI, CITY ASSESSOR

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

Yeas: Noman, Kulczyk, Schiavi, Szymanski CARRIED 4-0

Sale of Property 98 Elmview – James Parks:

7. To: City Council:

I have received a purchase offer from James Parks of 94 Elmview, to purchase the property located at 98 Elmview. The parcel has a lot size of 18' x 50' which has triangular shape and an assessed value of \$500. It is my recommendation that the City Council sell the parcel to James Parks for \$300 plus closing cost. If approved by the Council buyer shall be liable for all fees and cost of survey if needed.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Szymanski, seconded by Kulczyk to receive and file, act on ordinance.

Yeas: Noman, Kulczyk, Schiavi, Szymanski CARRIED 4-0

Resolutions:

Paving Ingham Ave.-CDBG Program: Resolution No. 20, 2011:

WHEREAS, the City of Lackawanna is in need of funds for eligible programs under the Community Development Block Grant Program; and

WHEREAS, the City of Lackawanna is desirous of obtaining financial assistance for these proposals; and

WHEREAS, it is in the public interest that the City of Lackawanna apply for such financial assistance for the Community Development Block Grant Program through the Erie County Department of Environment and Planning; and

Now, Therefore, Be It

RESOLVED, that the Mayor be and is hereby authorized and directed to file applications on the forms prescribed by the County of Erie for financial assistance in accordance with the provisions of the CBDG Program and upon approval of said requests to enter into and execute an agreement with the County of Erie for such financial assistance for the following projects:

1. Ingham Avenue Paving Project
2. Ingham Avenue Paving Project
3. Ingham Avenue Paving Project

Now, Therefore, Be It Further

RESOLVED, that various areas located in the City of Lackawanna meets HUDS Community Development Block Grant criteria designating it as a blighted area, eligible for Community Block Grant Funding.

This resolution shall take effect immediately.

Moved by Schiavi, seconded by Noman to adopt the resolution as written

Yeas: Noman, Kulczyk, Schiavi, Szymanski

CARRIED 4-0

Ordinances:

Sale of 61 Beech St – Anthony Catuzza:

An ordinance authorizing the sale/transfer of Property Pursuant to Municipal Code Section 107.

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 141.83-5-10 a parcel 28 feet by 115 feet, to Anthony Catuzza

SECTION 2. That the transfer is made for the sum of \$5,500 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 Schiavi, seconded by Szymanski to adopt the ordinance as written.

Yeas: Noman, Kulczyk, Schiavi, Szymanski

CARRIED 4-0

Sale of 98 Elmview – James Parks:

An Ordinance Authorizing the Sale/Transfer of Property Pursuant to Municipal Code Section 107.

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 142.12-7-13 a parcel 18' x 50' to James Parks.

SECTION 2. That the transfer is made for the sum of \$300 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 3. That the Law Department shall prepare documents to be executed for the transfer of the property.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Schiavi, seconded by Szymanski to adopt the ordinance as written.

Yeas: Noman, Kulczyk, Schiavi, Szymanski

CARRIED 4-0

Adjournment:

Moved by Szymanski, seconded by Schiavi the meeting is adjourned in memory of Jimmy “Bundy” Royster and Robert Surdyke.

Yeas: Noman, Kulczyk, Schiavi, Szymanski

CARRIED 4-0

GEOFFREY SZYMANSKI, PRESIDENT PRO-TEM

BARBARA ROSINSKI, DEPUTY CLERK

COUNCIL MEETING
Tuesday, November 1, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the Pledge of Allegiance led by the Council President.

Meeting called to order/Pledge of Allegiance
NB: Meeting being recorded.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

Dept. Heads: Present: Law, Public Safety, Recreation, Development
Absent: Public Works

Hearings from Citizens:

Approval of Minutes of the regular meeting of October 17, 2011.
Moved by Schiavi, seconded by Kulczyk to approve the minutes.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Departmental Reports:

1. City Comptroller – AP Check Listing #7, October 6, 2011.
2. City Comptroller – AP Check Listing #8, October 13, 2011.
3. City Comptroller – AP Check Listing #9, October 20, 2011.

Moved by Jaworski, seconded by Schiavi to receive and file departmental reports one through three.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from the Mayor:

Paving Streets Revised Resolution:

4. To: City Council

I am requesting your Honorable Body approve the attached resolution regarding paving of streets. Thank you in advance for your cooperation.

NORMAN L. POLANSKI, JR. MAYOR

Moved by Jaworski, seconded by Noman to receive and file, act on resolution.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Ridge Road Bridge Expenditure Reimbursement:

5. To: City Council

I am requesting your Honorable Body approve the attached resolution allowing the City to be reimbursed for expenditures for the close out of the Ridge Road Bridge Project. Thank you in advance for your anticipated cooperation.
NORMAN L. POLANSKI, JR., MAYOR

Moved by Jaworski, seconded by Noman to receive and file, act on resolution

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from Department/Division Heads:

Sale of Property 32 Ingham Ave. – Alamira Hizam:

6. To: City Council

I have received a purchase offer from Alamira Hizam of 23 Fowler to purchase the property located at 32 Ingham Avenue. The parcel has a lot size of 30' x 120' which is unbuildable and an assessed value of \$4,200. It is my recommendation that the City Council sell the parcel to Alamira Hizam for \$850 plus closing cost. If approved by Council buyer shall be liable for all fees and cost of survey if needed.

FRANK E. KRAKOWSKI, CITY ASSESSOR

Moved by Jaworski, seconded by Schiavi to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Galanti Park Pavilion – Award Bid Titan Development Inc.:

7. To: City Council

Please find attached the recommendation form TVGA Consultants for the award of the City of Lackawanna's Galanti Park Picnic Pavilion. I respectfully request your Honorable Body take the appropriate action and award the low bid to Titan Development, Incorporated for the amount of \$145,500.00.

THOMAS LOVE, COMMISSIONER OF PUBLIC WORKS

Moved by Jaworski, seconded by Kulczyk to award the bid to Titan Development, Inc. in the amount of \$145,500.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Purchase Offer for 297 Ridge Road:

8. To: City Council

I am hereby offering the sum of \$1,500.00 to purchase the property at 297 Ridge Road in Lackawanna. I will have it finished and in compliance with all of the City Ordinances within one year from the date of purchase. Please advise.

EDWIN BORRERO

Moved by Jaworski, seconded by Schiavi to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Purchase Offer – 622 Ridge Road:

9. An offer from Sadek Sharian of 98 Holland to purchase the property located at 622 Ridge Road, lot size 36 x 120 SBL 142.38-1-19 for the amount of \$5,000.

Moved by Jaworski, seconded by Noman to refer the offer from Sadek Sharian to the Director of Development for consultation.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Resolutions:

CDBG Program Agreement-Ingham Ave. Resolution No. 22, 2011

WHEREAS, the City of Lackawanna is in need of funds for eligible programs under the Community Development Block Grant Program; and

WHEREAS, the City of Lackawanna is desirous of obtaining financial assistance for these proposals; and

WHEREAS, it is in the public interest that the City of Lackawanna apply for such financial assistance from the Community Development Block Grant Program through the Erie County Department of Environment and Planning; and

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the Mayor be and is hereby authorized and directed to file applications on the forms prescribed by the County of Erie for financial assistance in accordance with the provisions of the CDBG Program and upon approval of said requests to enter into and execute an agreement with the County of Erie or such assistance for the following projects:

1. Ingham Avenue Paving Replacement Project
2. Ingham Avenue Selective Curb, Driveway and Sidewalk Replacement Project

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that various areas located in the City of Lackawanna meet HUDS Community Development Block Grant criteria designating it as a blighted area, eligible for Community Block Grant Funding.

This Resolution shall take effect immediately.

Moved by Schiavi, seconded by Noman to authorize the Mayor to file application for financial assistance in accordance with the CBDG Program and execute an agreement with the county.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Ridge Road Bridge – Federal and/or Marchiselli Aid:

Original on File in City Clerk's Office:

A resolution authorizing the Mayor to execute agreements for reimbursement for Federal Aid and/or Marchiselli Aid, for the Replacement of the Ridge Road Bridge over various railroads.

Moved by Jaworski, seconded by Schiavi to authorize the Mayor to execute agreement for Federal and/or Marchiselli Aid.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Adjournment:

Moved by Szymanski, seconded by Jaworski that the meeting be adjourned in memory of Florence Olszowy.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

CHUCK JAWORSKI, COUNCIL PRESIDENT

BARBARA ROSINSKI, DEPUTY CLERK

COUNCIL MEETING
Tuesday, November 21, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

Regular Session of the Lackawanna City Council met in the Council Chambers, Council President Chuck Jaworski presiding. The meeting was preceded by the pledge of Allegiance led by the Council President.

Meeting called to order/Pledge of Allegiance

NB: Meeting being recorded.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT. HEADS: Present: Law, Recreation, Development, Public Works
Excused: Public Safety

Hearings from Citizens:

Approval of Minutes of the regular meeting of November 1, 2011.

Moved by Schiavi, seconded by Kulczyk to adopt the minutes of regular meeting of November 1, 2011 as written.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Departmental Reports:

1. City Clerk – Monthly Report for October, 2011.
2. City Treas. – Receipts deposited in General Fund – October, 2011.
3. City Compt. – AP Check Listing #10, October 27, 2011.
4. City Compt. – AP Check Listing #11, October 31, 2011.
5. City Compt. – Statement of Cond. Of Appropriations, October, 2011.

Moved by Jaworski, seconded by Szymanski to receive and file departmental reports one through five

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from Department/Division Heads:

Local Law – 2% Cap Tax:

6. To: City Council
New York State has imposed a 2% Tax Cap for all municipalities with a provision to override said cap. Because the tax cap is new and there are still many unanswered questions regarding its implementation. NYCOM has suggested that it may not be a bad idea to pass the Local Law overriding the cap to “protect” the

Municipality if there is a technical or clerical error in the cap calculation or some other unforeseen occurrence that results in a municipality inadvertently exceeding its cap. Passing the Local Law simply authorizes the City to override the cap, but does not require it to do so. In a survey of 122 municipalities, 111 (91%) have indicated that they are considering, or have adopted, the override law. Enclosed please find a Local Law prepared by the Law Department for your approval.
ROBERT C. MARCINIAK, CITY COMPROLLER

Moved by Szymanski, seconded by Noman to table for study.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Business License - Nelsons Ridge Restaurant:

David LaFrance -DBA Nelsons Ridge (Restaurant) 2723 South Park Avenue –
(former Sheba's)

Moved by Kulczyk, seconded by Jaworski to grant the request, business license is approved

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Local Law – Tax Cap Override:

A local law authorizing a property tax in excess of the limit established by General Municipal Law.

Local Law tabled for study – No Vote.

ADJOURNMENT:

Moved by Jaworski, seconded by Kulczyk meeting is adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

COUNCIL MEETING
Monday, December 5, 2011
COUNCIL CHAMBERS
www.ci.lackawanna.ny.us

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

Meeting called to order/Pledge of Allegiance.

NB: Meeting being recorded.

ROLL CALL: Present: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

DEPT. HEADS: Present: Recreation, Development

Excused: Public Works, Law, Public Safety

Hearings from Citizens:

Approval of Minutes of the regular meeting of November 21, 2011.

Moved by Schiavi, seconded by Kulczyk to approve the minutes.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Departmental Reports:

1. City Compt. – AP Check Listing #12, November 14, 2011.

Moved by Schiavi, seconded by Jaworski to receive and file.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Communications from Department/Division Heads:

Sale of Fire Department Apparatus & Equipment:

2. To: City Council

The fire department has two pieces of apparatus, Engine 33 and Engine 11 along with several items of equipment such as 4" supply hose that are no longer of use to the department. I would like permission to sell these items.

RALPH GALANTI, FIRE CHIEF

Moved by Jaworski, seconded by Noman to grant permission for the Fire Chief for the sale of apparatus and equipment no longer in use.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski **CARRIED 5-0**

Full Agenda:

3. To: City Council

On behalf of the Citizens and voters of Lackawanna, NY we request that effective immediately all Council Agenda items be presented in their entirety on the City of Lackawanna Web Page, exactly as they would be printed in the Front Page, no later the close of business the Friday before a scheduled Council Meeting. So that all interested parties may examine the entire agenda. In the event that it is not posted on the web site by close of business that Friday, I request that a paper hardcopy be available in Council Chambers for all interested parties prior to the work session.

FAITH GORDON

Moved by Jaworski, seconded by Szymanski to receive and file.

Yeas: Szymanski, Kulczyk, Schiavi, Jaworski

Nays: Noman

CARRIED 4-1

Adjournment:

Moved by Jaworski, seconded by Schiavi meeting is adjourned.

Yeas: Noman, Szymanski, Kulczyk, Schiavi, Jaworski

CARRIED 5-0

CHUCK JAWORSKI, COUNCIL PRESIDENT

JACQUELINE CAFERRO, CITY CLERK

