

REGULAR COUNCIL MEETING
MONDAY, MARCH 2, 2020
COUNCIL CHAMBERS
www.lackawannany.gov

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

Meeting called to order

NB: Meeting being recorded

Roll Call: Council: Present: Ingram, Schultz, Moretti, Surdyke, Marrano

Dept. Heads: Present: Law, Comptroller (E), Recreation, Public Safety, Development (E),
Public Works

Approval of Minutes: of the regular meeting of February 24, 2020.

Moved by Marrano seconded by Moretti to adopt minutes of the regular meeting of February 24, 2020 as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller-** A/P Check Listing #31, dated February 20, 2020.

Moved by Marrano seconded by Schultz to receive and file departmental report #1.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Communication from the Mayor:

2. To: City Council

Please be advised that I will be attending the March 2nd, 2020 Council Meeting, at which I will deliver the State of the City Address.

ANNETTE IAFALLO, MAYOR CITY OF LACKAWANNA

Moved by Marrano seconded by Surdyke to receive and file.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/Department Heads:

Galanti Park Project

3. To: City Council

I request that the Council direct the City Clerk to advertise for bids for the Galanti park project. Bid date opening would be April 8th, 2020.

If you have any questions, please contact me.

ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

Moved by Marrano seconded by Surdyke to approve request, direct City Clerk to advertise for bids.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Request for Ordinance Regarding Collapsed Sewer Laterals

4. To: City Council

As you are aware there are several sewer lateral collapses in the city. In order to pave these streets, the collapses must first be addressed by the resident. The resident is required to repair the sewer lateral because it is their property. I am requesting an ordinance from the Council to enforce the repair of the sewer lateral in a timely fashion so that the needed paving projects can be completed. There are several avenues in which a resident can get financial relief but there are time restraints for each. The ordinance is needed to move the needed repairs forward.

If you have any questions, please contact me.

ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

Moved by Marrano seconded by Schultz to **TABLE** until the next scheduled meeting on March 16, 2020 for further research.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Retention of Bedford Business Partners, LLC for Strategic Marketing and Communication

5. To: City Council

As a follow up to the communication from this Department of February 20th, 2020 concerning the retention of Bedford Business Partners, LLC enclosed please find curriculum vitae of the principal of the entity, together with the proposed contract to retain their services.

RICHARD E. STANTON, DIRECTOR OF DEVELOPMENT

Charles (Chuck) Clark is President of Bedford Business Partners, a boutique strategic marketing and communications practice located in Lackawanna, N.Y. Bedford specializes in helping clients develop and implement client-focused strategic marketing initiatives to help drive business growth.

Through Chuck's professional membership in the American Marketing Association, the world-wide networking community for marketing practitioners. Bedford is connected to 'marketing best practices' applied in corporate, non-profit, and municipal businesses, including the creation of client targeting strategies, value propositions, brand positioning, communication/messaging roadmaps, and communication channel action plans. Other services provided include executive communications, public/community relations, and strategic events management.

Chuck has over 30 years of senior-level experience at large financial institutions, including M&T Bank, First National Bank and HSBC, where he held leadership roles in corporate marketing/branding, product management. He is also an accomplished higher education professional, with over 27 years of collegiate teaching experience in the areas of marketing, consumer behavior and organizational leadership – including currently serving as Assistant Professor of the Practice, Marketing at Medialle College in Buffalo, N.Y.

Chuck is a graduate of the State University of New York at Buffalo (U.B.) where he earned an MBA with 'with distinction' and a Bachelor of Science in Management *cum laude*. He is an inducted member of Beta Gamma Sigma, the international business honor society, and Delta Sigma Pi, the national business fraternity.

Chuck's non-professional interests include being a long-time season ticket holder for the Buffalo Bills and Sabres and proudly cheering on his alma-mater UB Bulls football and basketball teams.

Bedford Business Partners

What we do best...

Bedford Business Partners, LLC is a boutique strategic marketing and communication practice specializing in working collaboratively with clients to apply strategic insights, data, and practical, best practice approaches to developing and implementing client-focused strategic marketing solutions to drive business growth.

Strategic Marketing

- Apply research methods and data to define high potential clients for both new business acquisition and retention efforts.
- Use client research insights to design strategic messaging platforms including value propositions and overall brand positioning.
- Develop communications/messaging roadmaps and communications channel action plans to help increase brand awareness and engagement with target clients.
- Leverage partner network resources to design, build, and implement high-impact brand marketing programs delivered through traditional and online/social media methods (as appropriate).

Executive Communications

- Use strategic insights to inform the creation/delivery of executive/other leadership communications targeted to senior managers, employees, business partners, and key constituencies including:
 - Speeches.
 - Presentations (PowerPoint, video or other means).
 - Internal web/other engagement platform messaging platforms including social media.

Public/Community Relations

- Work with leadership to manage external brand image within operating footprint to include:
 - High level media relations, including managing press releases, interview scheduling and related events s/a press conferences (as required).
 - Serving in media spokesperson or consultant capacity for high media interest situations.
 - Creating polished white-papers and other related articles for placement in local and business publications across print, web, and social media platforms – to include blogs and other social engagement tactics.
 - Reviewing other press/community related material for content and consistency.
- Develop a crisis communication strategy and lead execution of plan elements as required.

Strategic Events Management

- Full scale logistical planning, execution, and management for special events and programs (tailored by program).

Full Contract on file in the City Clerk's office.

Moved by Marrano seconded by Surdyke to approve contract between the City and Bedford Business Partners LLC, not to exceed \$40,000, subject to contract changes.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Nason Pkwy and Ridge Road Quieting Measures and Improvements

6. To: City Council

Please receive this communication for informational purposes.

The City is looking at street quieting measures and improvements along Nason Parkway and Ridge Road to better connect our City with the regional resources of South Park, the Erie County Botanical Gardens, and the Basilica.

As part of our efforts we have planned improvements to connect the park through a pocket park between Ridge Road, and Nason Parkway. The pocket parkway is one of the amenities to be funded through the DRI Grant, pending extension of the implementation time for the same.

In addition we see benefit in restricting Nason Parkway to a one way street allowing southerly traffic to exit onto South Park, and the creation of bike lanes along the street.

The proposed changes to Nason Parkway are the topic of a public hearing scheduled to be held in the Council Chambers on March 5th, 2020 at 6:00pm.

Moved by Marrano seconded by Schultz to receive and file.
Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Resolution Supporting Legislation known as “Justice for Rachel” Act (A.06688A)

7. To: City Clerk

Please put the attached resolution on the agenda for council approval.

RICHARD S. JUDA, JR., ESQ.

RESOLUTION NO. 4, 2020

RE: Supporting Assemblyman Burke’s dangerous hearings legislation known as the “Justice for Rachel” Act (A.06688A)

WHEREAS, bail reform measures were included in the 2019 New York State omnibus budget package; and

WHEREAS, these reforms are causing significant concern in our community and among law enforcement officials; and

WHEREAS, New York State Assemblyman Patrick Burke has introduced legislation that would establish a system of dangerousness hearings that would create a process to keep potentially dangerous individuals in pre-trial custody; and

WHEREAS, the legislation adds a new section 510.55 of the criminal procedure law; and

WHEREAS, section 510.55 of the criminal procedure law establishes the conditions under which the people may seek pretrial detention due to the dangerousness of the principal; and

WHEREAS, upon the appearance of the principal charged with an offense listed in subdivision 1 of the legislation, and upon the motion of the people, the judge shall hold a dangerousness hearing. After the hearing and pending trial, the judge shall issue an order that either the individual be released on his or her own recognizance, released on certain conditions, or detained; and

WHEREAS, if after the dangerousness hearing, the judge finds by clear and convincing evidence that no conditions of release will reasonably assure the safety of any other person or the community, the judge shall order the pretrial detention of the principal; and

WHEREAS, this legislation is named in memory of Rachael Wierzbicki, who was killed in a domestic dispute and her alleged murderer was promptly released on bail, not considering the danger he posed to the community.

NOW, THEREFORE, BE IT

RESOLVED, that the City of Lackawanna goes on record in support of the “Justice for Rachael” Act in the New York State Assembly; and be it further

RESOLVED, that a certified copy of this resolution is sent to New York State Governor Andrew Cuomo, the Speaker of the New York State Assembly Carl Heastie, Senate Majority Leader Andrea Stewart-Cousins and any other party deemed necessary and proper.

FISCAL IMPACT: None for resolution.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Marrano seconded by Schultz to adopt resolution as written
Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Request from City Attorney to Waive the Rules regarding: attached resolution.

Moved by Marrano seconded by Schultz to waive the rules.

Carried 5-0

Moved by Marrano seconded by Ingram to receive and file, act on resolution.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Renewable Energy Resolution

RESOLUTION NO. 5, 2020

WHEREAS, On February 21, 2020, Governor Cuomo submitted a 30-day budget amendment entitled ‘Accelerated Renewable Energy Growth and Community Benefit Act’ for the purpose of meeting the Governor’s goals for renewable energy, and

WHEREAS, This amendment would establish a new system for permitting and siting renewable projects, setting aside the current “Article 10 Siting board” process, and

WHEREAS, Permitting will now be under the jurisdiction of a new entity – Office of Renewable Energy Siting (ORES), and

WHEREAS, the powers assigned to ORES will totally usurp and diminish local home rule, local zoning codes, local planning and Local Waterfront Revitalization Plans when permitting and siting renewable energy projects, and

WHEREAS, ORES will now have the power to Make available to developers “build-ready” sites Develop “uniform permitting standards” “coordinate, approve, evaluate, issue, amend, transfer and enforce siting permits” Limit the ability of local governments to raise objections to proposed projects Direct local appeals to ORES decisions to litigation through the Article 78 process Prohibit local governments from requiring any additional approvals or permits

WHEREAS, By filling this action as a 30-day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process, and

WHEREAS, This amendment represents a blatant attempt to usurp local government’s historical and constitutionally power of home rule in the areas of planning, zoning and land use.

NOW THEREFORE BE IT RESOLVED, that the City of Lackawanna does hereby go on record strongly opposing this Governor’s attempt to dilute and usurp the roles and powers of local governments in New York State, and

FURTHER BE IT RESOLVED, that the City of Lackawanna urges New York State Legislators to oppose this amendment and have it removed from the final budget document and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Lieutenant Governor Kathy Hochul, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Democratic Minority leader John J. Flanagan, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Marrano seconded by Surdyke to adopt resolution as written

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Use of Reserve Pumper Truck

8. To: City Council

Saturday, March 14th, is the Annual “Old Neighborhood” St. Patrick’s Day Parade. Firefighter Jim Judd requests permission to use a reserve pumper to take part in the Parade.

Your consideration in this matter is appreciated.

SHAD GARNER, PRESIDENT IAFF 3166

Moved by Marrano seconded by Moretti to approve request, refer to Director of Public Safety

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Lackawanna Community Fun Day

9. To: City Council

The Lackawanna Community Fun Day Planning Committee would like to thank you for your support of our efforts to unify the City of Lackawanna and provide residents with access to important resources for the past eight years. With your support, we are changing the spectrum of the event to promote Lackawanna’s Community Fun Day Event.

It is important that we gain your support to keep the momentum going and begin to start planning for the 9th Annual Lackawanna Community Fun Day Event 2020. This year we are taking a different approach to the event by having a three-day event at Jeffery Taggart Memorial Park on August 21 thru August 23, 2020.

The Lackawanna Fun Day Planning Committee is requesting your approval for the following:

1. All of our events outlined with this letter.
2. The use of the City of Lackawanna’s portable restrooms for our event at Jeffrey Taggart Memorial Playground.
3. The use of Wilkesbarre St., in the City of Lackawanna for our Youth Parade on Saturday August 22 from 11am – 12:30 pm which will run along Wilkesbarre St. from the Friendship House to Jeffery Taggart Memorial Playground and take approximately 30 minutes.

You will receive our 2020 schedule of events in a couple of weeks our goal is to strengthen our partnership with you and make you part of our event. The City of Lackawanna’s residents have shown an interest in seeing this event grow and we plan to work with the community to make sure it continues to be a success.

The purpose of Lackawanna Community Fun Day is provide the community with a safe and fun environment to celebrate our community and its diversity while giving Lackawanna youth the opportunity to access important resources and information to improve their quality of life. Your support is critical and we would not have been successful without you. 2020 is here and we hope to continue working with you for years to come.

JOHN INGRAM, 1ST WARD COUNCILMAN, CHAIRMAN OF LACKAWANNA COMMUNITY FUN DAY’S COMMITTEE

Moved by Marrano seconded by Moretti to approve request, refer to Director of Public Safety and DPW Commissioner

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

New Business Registration:

Ahmed A. Elbaneh, Sr., dba Cashspot LLC Service Outlet (tax preparation, travel, bookkeeping, other services), 1281 – 1283 Abbott Road.

Moved by Marrano seconded by Moretti to approve Business Registration.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Entertainment Licenses:

Diamond Club, 349 Ingham Avenue – Class I – Live Music and/or Mechanical Reproduction.

Moved by Marrano seconded by Schultz to approve Entertainment License.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Adjournment:

Moved by Marrano seconded by Ingram to adjourn meeting.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Jeffrey P. DePasquale - City Clerk