

REGULAR COUNCIL MEETING
MONDAY, MARCH 16, 2020
COUNCIL CHAMBERS
www.lackawannany.gov

There is no public participation or presence of the public at this meeting due to COVID-19 as advised by the State of New York.

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 (E), Public Safety, Development ,
Public Works (E)

Hearings from citizens:
NO CITIZENS PRESENT

Approval of Minutes: of the regular meeting of March 2, 2020.
NO ACTION - DEFERRED

Departmental Reports:

1. City Comptroller- A/P Check Listing #32, dated February 24, 2020.
 2. City Comptroller- A/P Check Listing #33, dated February 26, 2020.
 3. City Comptroller- A/P Check Listing #34, dated March 5, 2020.
 4. City Clerk- Monthly revenue report for February, 2020.
 5. City Treasurer -Total receipts deposited into the General Fund Account for February, 2020.
- NO ACTION - DEFERRED

Communication from the Mayor:

6. To: City Council

Due to the renovations at the Botanical Gardens and our own City Projects and updates, there will be the following change to Nason Parkway, effective April 1, 2020:

Nason Parkway, from Electric Avenue going east to South Park Avenue, will be **“One Way”**.

Traffic will be reduced to **25 miles** per hour on Nason Parkway.

No Traffic will be allowed to enter Nason Parkway going west from South Park Avenue, proper signage will be posted. Thank you for your anticipated cooperation.

ANNETTE IAFALLO, MAYOR, CITY OF LACKAWANNA

Moved by Marrano seconded by Schultz to receive and file.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/Department Heads:

Feral Cat Focus

7. To: City Council

Edie Offhaus from Feral Cat Focus would like to address the Council on the services they can provide to the City. For example: trapping, neutering, vaccinating and returning free roaming cats to the community. Thank you for your anticipated cooperation.

DEAN MORETTI, 3RD WARD COUNCILMAN, CITY OF LACKAWANNA

NO ACTION - DEFERRED

Healthy Buffalo Softball League and the City of Lackawanna

8. To: City Council

I am requesting your Honorable Body to authorize the use of Veteran's Stadium at 2960 South Park Ave. and Memorial Field on Ridge Rd. for use on each Friday between June 1, 2020 and August 28, 2020, with the exception of June 19, 2020 for use by the Healthy Buffalo Softball League. Healthy Buffalo has been renting these fields from the City of Lackawanna for many years with no issues of any sort. Healthy Buffalo has provided proof of insurance through the end of 2020. Thank you for your consideration.

BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION

NO ACTION - DEFERRED

Bids for Lawn Mowing and Landscaping

9. To: City Council

I am requesting your Honorable Body to authorize the City Clerk to advertise for lawn mowing and landscaping of various recreational and public property areas in the City of Lackawanna for the 2020 calendar year. If you have any questions, please feel free to contact me.

BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Chapter 215, Traffic and Vehicles and Chapter 204, Taxicab Ordinances

10. To: City Clerk

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

Chapter 215 – Traffic and Vehicles, and Chapter 204-Taxicabs.

Very truly yours,

RICHARD S. JUDA, JR., ESQ., CITY ATTORNEY

Moved by Marrano seconded by Schultz to receive and file, act on ordinances.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

10(A) AN ORDINANCE AMENDING CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 215.22 shall be amended to include the following:

<u>Intersection of</u>	<u>With stop sign(s) on</u>	<u>Entrances</u>
Newman Street (4-way)	Victory Avenue	North and South
Victory Avenue (4-way)	Newman Street	East and West

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Marrano seconded by Moretti to adopt ordinance as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

10 (B) AN ORDINANCE AMENDING CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE

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

Chapter 215.7 One-way roadways shall be amended to add the following:

8. Nason Parkway from Electric Avenue to South Park Avenue is hereby designated for one-way traffic in the easterly direction.

Chapter 215.31(D) Twenty-five (25) miles per hour shall be amended to add the following:

23. Nason Parkway

THIS ORDINANCE SHALL TAKE EFFECT APRIL 1, 2020.

Moved by Marrano seconded by Moretti to adopt ordinance as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

10 (C) AN ORDINANCE AMENDING CHAPTER 204 OF THE CODE OF THE CITY OF LACKAWANNA ENTITLED TAXICABS

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 204, Taxicabs shall be rescinded in its entirety.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Moved by Marrano seconded Ingram by to adopt ordinance 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.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION #6

Whereas, the City Council recognizes that the State of New York has taken necessary measurements to allow public bodies to meet and take such actions authorized by law without allowing the public to be physically present at the meeting; and

Whereas, the City Council also recognizes that the City of Lackawanna must take necessary measures to protect the public and limit the spread of the coronavirus; and

Whereas, the Director of Development oversees the operation of the Planning Board;

Now, therefore, in order to allow for the efficient operation of government during this period, the City Council of the City of Lackawanna hereby passes the following resolution:

Be it resolved, that the Director of Development is hereby authorized to approve site plans and issue permits within the parameters of the city code and after consultation with all members of the Planning Board as he shall deem necessary in an effort to assist small businesses with all rules, regulations and ordinances of the City of Lackawanna; and it is further

Resolved, that this resolution shall take effect immediately and shall be in effect for a period of 90 days unless further extended.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Marrano seconded by Moretti to adopt resolution as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Request from the DPW Commissioner to waive the rules regarding: attached ordinance.

LED Street Light Conversion

To: City Council

Please waive the rules for our City to pass the LED streetlight conversion. All information regarding the conversion is within your packet.

Dear Mayor Annette Iafallo

The City of Lackawanna has the opportunity to replace existing HID National Grid-owned roadway street lights to efficient LED roadway street lights at virtually minimal cost as part of National Grid's Outdoor Street Lighting LED Conversion Program.

National Grid has calculated the cost of converting your 2,326 HID roadway lights to LED lights at the currently calculated Net Book Value of \$170,482.86. Depending on the quantity and type of LED streetlights the City of Lackawanna selects for the conversion, National Grid has estimated that the City of Lackawanna can receive an Energy Efficiency Incentive from National Grid in the amount of \$132,785.00.

The Energy Efficiency Incentive is offered on a first-come first-served basis and will be provided even if it exceeds the Net Book Value that is paid to National Grid from the City of Lackawanna.

There are no additional capital costs required for National Grid to perform this conversion to LED streetlights. National Grid will perform the removal of the HID lights as well as the procurement and installation of the new LED lights. The company also will retain ownership of the lights and continue to be responsible for servicing your streetlight requirements.

If you are interested in this offer National Grid can proceed with providing you a formal LED conversion proposal which will remain valid for 180 days. Following receipt of your letter of intent to convert to LED as proposed National Grid will work with you to obtain the tariff LED types that you would like to replace the existing HID lights. Following the receipt of your selections National Grid will calculate and provide a formal letter for the Energy Efficiency Incentive.

In addition to converting its streetlights at minimal costs, the City of Lackawanna can anticipate saving money on its utility bill from the reduced energy usage of LED streetlights. National Grid can estimate those savings during your application process.

We would like to encourage you to act soon on this opportunity as Energy Efficiency Incentives and LED conversions are awarded and scheduled on a first-come, first-served basis.

I will be following up with you in the coming days to gauge your interest in this money-saving offer. If you would like to discuss this opportunity in more detail, please feel free to contact me at (716) 831-7104 or larry.martin@nationalgrid.com.

Sincerely,

Larry Martin

Jurisdiction Manager

Customer and Community Management

National Grid

144 Kensington Ave.

Buffalo, NY 14214

ANTHONY DESANTIS, DPW COMMISSIONER

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

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

AN ORDINANCE AMENDING THE 2019-2020 BUDGET ORDINANCES ADOPTED JUNE 13, 2019.

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

Section 1. That the 2019-2020 Budget Ordinance adopted June 13, 2019 is hereby amended to increase appropriations for Capital Project – National Grid LED Street Lighting.

Section 2. That the 2019-2020 Budget Ordinance is hereby amended to add \$170,482.86 to Budget Code A.9000.9550 Transfer to Other Fund-Capital.

Section 3. That the 2019-2020 Budget Ordinance is hereby amended to appropriate \$170,482.86 of the City's Fund Balance.

Section 4. That the 2019-2020 Budget Ordinance is hereby amended to add \$170,482.86 to Budget Code H.2080.402 National Grid LED Street Lighting.

Section 5. That the 2019-2020 Budget Ordinance is hereby amended to increase Budget Code H.0000.2545 Capital Fund Inter Fund Transfers by \$170,482.86.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Surdyke seconded by Schultz to adopt ordinance as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Request from Mayor Annette Iafallo to waive the rules.

James Michel – Retroactive Pay & Salary Adjustment

To: City Council

Dear Council Members-

After consultation with the City Attorney, I am requesting that the attached resolution be approved by the Council. Could you please waive the rules and address this important matter for me tonight. Thank you for your anticipated cooperation.

ANNETTE IAFALLO, MAYOR, CITY OF LACKAWANNA

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

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION #7, 2020

Whereas, the City of Lackawanna recognizes that there has been a disparity in pay between the Chief of Police and the Fire Chief for the last several years and,

Whereas, James Michel has served the City of Lackawanna faithfully for over 40 years as a law enforcement officer and now a Police Chief and,

Whereas, the City is desirous of passing this resolution to eliminate the gap between the salary of the Police Chief and the salary of the Fire Chief in light of James Michel's longevity and service to the City,

NOW therefore, be it resolved:

That the Mayor is authorized to increase the salary of the Chief of Police to \$91, 953 retroactive to January 1, 2020, and,

It is further resolved, that the Mayor is authorized to makes the following payments to the Chief of Police, James Michel in accordance with the attached schedule of payments to cover the years 2011 through 2019 for wages and longevity, and

It is further resolved, that the Mayor is authorized to pay an additional sum of \$17,500 to the Chief of Police as and for consideration and release of all claims related to this disparity in pay upon execution of such documents as the City Attorney deems necessary and appropriate to effectuate this settlement.

Schedule of Payments

The sum of \$11,325 for the calendar year 2019;

The sum of \$11,325 for the calendar year 2018;

The sum of \$11,325 for the calendar year 2017;

The sum of \$10,162 for the calendar year 2016;

The sum of \$11,325 for the calendar year 2015;

The sum of \$776 for the calendar year 2014;

The sum of \$8,100 for the calendar year 2013;

The sum of \$7,664 for the calendar year 2012;

The sum of \$7,998 for the calendar year 2011.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Marrano seconded by Ingram to adopt resolution as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Adjournment:

Moved by Marrano seconded by Schultz to adjourn meeting.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Jeffrey P. DePasquale - City Clerk