

**REGULAR COUNCIL MEETING**  
**MONDAY, April 6, 2020**  
**7:00 p.m. – Meeting**  
**\*Remote via Zoom Application – COVID – 19 Related\***  
[www.lackawannany.gov](http://www.lackawannany.gov)

Regular session of the Lackawanna City Council met remotely via Zoom Application, 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: Ingram, Schultz, Moretti, Surdyke, Marrano  
Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development, Public Works

Hearings from citizens:  
NO CITIZENS PRESENT

**Approval of Minutes:** of the regular meeting of March 2, 2020 and March 16, 2020.

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

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**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 Comptroller**- A/P Check Listing #35, dated March 12, 2020.
5. **City Comptroller**- A/P Check Listing #36, dated March 25, 2020.
6. **City Clerk**- Monthly revenue report for February, 2020.
7. **City Treasurer** -Total receipts deposited into the General Fund Account for February, 2020.
8. **City Treasurer**- Total receipts deposited into the General Fund Account for March, 2020.

Moved by Marrano seconded by Moretti to receive and file Departmental Reports one through eight.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Communication from the Council:**

9. To: City Clerk

Edie Offhaus from the 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, 3<sup>RD</sup> WARD COUNCILMAN, CITY OF LACKAWANNA**

Moved by Marrano seconded by Moretti to receive and file, approve request when COVID-19 conditions improve.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/Department Heads:**

**Healthy Buffalo Softball League and the City of Lackawanna**

10. 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**

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Use of Veteran's Stadium and Our Lady of Victory Girls' Softball**

11. To: City Council

I am requesting your Honorable Body to authorize the use of Veteran's Stadium at 2960 South Park Ave. by Our Lady of Victory Girls' Softball for practices and games during the months of April, May, and June 2020. OLV has not yet provided a set schedule, but the Recreation Department and OLV have been able to work together to avoid conflict with any city sanctioned events and activities in years past. OLV has provided proof of insurance through the end of June 2020. Thank you for your consideration.

Dear Mr. Lakso,

As the Athletic Director of Our Lady of Victory School, I am requesting the use of Veteran's Softball Field for our girls' softball team. They would use it for practices and games during the months of April and May. Practices will be from 3-5 pm; games are scheduled to begin between 4:00 and 4:30 pm. As the league games has not been released yet, I will forward that to you at a later date. Please inform me of any preferred game day for use of the field. A copy of our Certificate of Insurance is enclosed. If you have any questions or need further information, please contact me at 253-4679 or our principal, Ms. Carolyn Kraus at 828-9434. Once again, thank you.

Rick Diamond, Athletic Coordinator, Our Lady of Victory School.

**BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION**

Moved by Marrano seconded by Schultz to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Request for Bid Award for Lawn Mowing and Landscaping**

12. To: City Council

I am requesting your Honorable Body to award the bid for lawn mowing and landscaping of various recreational and public property areas in the City of Lackawanna for the 2020 calendar year to Mark Weinstein Jr. DBA Snowplow Doctor, 180 Lehigh St. Lackawanna, NY. The bids for each area are as follows:

First Ward: \$349

Second Ward: \$354

Third Ward: \$270

Fourth Ward: \$445

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

**BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION**

Moved by Marrano seconded by Moretti to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Request for Approval of an Ordinance for Transfer of Funds for Approved Resolution Between Erie County and the City of Lackawanna**

13. To: City Council

Please approve the transfer of funds for the resolution between Erie County and the City of Lackawanna approved at the December 16<sup>th</sup> meeting. A copy of the signed agreement is attached for your review. If you have any questions, please feel free to contact me.

**CAROLYN NICOMETO, CITY COMPTROLLER**

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

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**13 (A) 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 revenues for Cultural Services and increase appropriations for Maintenance of Recreation Area – Improvements and Fencing and Maintenance of Recreation areas – Repairs and Replacements.

SECTION 2. That the 2019-2020 Budget Ordinance is hereby amended to add \$150,000.00 to budget Code A.0000.2350 Cultural Services, Other Governments.

SECTION 3. That the 2019-2020 Budget Ordinance is hereby amended to increase expenditures by \$50,000 to budget Code A.7110.250 Improvements and Fencing.

SECTION 4. That the 2019-2020 Budget Ordinance is hereby amended to increase expenditures by \$100,000 to budget Code A.7110.443 Repairs and Replacements.

**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 for Review and Approval of the Standard Work Day Reporting Resolution for Elected and Appointed Officials Form RS 2417-A.**

14. To: City Council

Attached for your review is the Standard Work Day Reporting Resolution for Elected and Appointed Officials Form RS 2417-A. The form is utilized to establish the standard work day for each position within

the City as required by the New York State and Local Retirement System. Please review and approve the attached schedule. If you have any questions, please feel free to contact me. Information may be obtained by contacting the City Clerk's Office.

**CAROLYN NICOMETO, CITY COMPTROLLER**

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Request for approval of Shared Service Agreement Between the City of Lackawanna and the New York State Department of Transportation**

15. To: City Council

I request the City Council to approve this Shared Service Agreement between the City of Lackawanna and the New York State Department of transportation. Thank you for your anticipated cooperation.

**SHARED SERVICE AGREEMENT**

Between

NYS DOT and the City of Lackawanna

THIS AGREEMENT, dated March 10, 2020, is between the People of the State of New York, hereinafter referred to as "State" or "NYS DOT" and the City of Lackawanna, hereinafter referred to as "Municipality." Pursuant to Section 99-r of the General Municipal Law, the State and the Municipality wish to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties' resources. Shared Services shall mean any service provided by one party (Provider) or another party (Recipient). The State and the Municipality agree to share services as follows:

1. Description and Cost of Services, materials or Equipment to be shared: Provide details of the services, materials or equipment to be shared in the attached standard Schedule A. The total amount of the agreement shall not exceed twenty-five thousand dollars (\$25,000.00). If applicable, indicate that the return exchange will be determined at a later date.
2. The Provider's employees shall remain under full supervision and control of the Provider. The parties shall remain fully responsible for their own employees for all matters, including but not limited to, salary, insurance, benefits and Worker's Compensation.
3. If the borrowed machinery or equipment is damaged or otherwise needs repair arising out of or in connection with the Recipient's use, the Recipient shall be responsible for such repairs.
4. The Municipality agrees to defend and indemnify the State for any and all claims arising out of the Municipality's acts or omissions under this Agreement. The term of this Agreement shall be for two (2) or four (4) years from 3/10/2020 to 3/19/2024. The parties will endeavor to provide no less than thirty (30) days' notice of its intent to extend the Agreement. Either party may revoke this Agreement by providing sixty (60) days written notice of such revocation. Upon revocation, any outstanding obligations of the parties must be satisfied within thirty (30) days of the date of such revocation.

**ANTHONY DESANTIS, COMMISSIONER, DEPARTMENT OF PUBLIC WORKS**

Moved by Marrano seconded by Schultz to approve request.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Request for Police Officer Promotions**

16. Request City Council approval to promote police officer’s Jason Szentesy and Nicholas DeSantis from the status of patrolman to detective effective immediately. Patrolman’s Szentesy and DeSantis have been working in the narcotics division for over five (5) years as patrolmen.

**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

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

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**16 (A) 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, 2109 is hereby amended to increase the number of detectives per the budget from 4 to 6 for account A.3120.101 Personal Services, sub-section Detectives.

SECTION 2. That the 2019-2020 Budget Ordinance adopted June 13, 2019 is hereby amended to decrease the number of Police Officers per the budget from 25 to 23 for account A.3120.101 Personal Services, sub-section Police Officer.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Marrano seconded by the Council to adopt ordinance as written.

Yeas: Ingram, Schultz, Moretti, Surdyke, Marrano

Carried 5-0

**Business Registration:**

Robert J. Menter, dba Bill’s Boat Works (sell and repair boats, store boats, winterize and shrink wrap), 187 Wilmuth Avenue.

Moved by Marrano seconded by Schultz to approve business registration.

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

