

Agenda
Council Meeting
Monday, May 18, 2020
7:00 p.m. – Caucus/Meeting to immediately follow
****COVID-19 procedures in effect****
Live via Facebook @ <http://facebook.com/lackawannany/>

Meeting Called to Order/Pledge of Allegiance.

NB: Meeting being recorded.

Roll Call: Council: Ingram, Moretti, Surdyke, Marrano
Dept. Heads: Law, Development, Public Works, Public Safety, Comptroller, Recreation

Hearings from Citizens: See notice at bottom.

Approval of Minutes: of the regular meeting of May 6, 2020.

Departmental Reports:

1. **City Clerk** – Monthly Revenue Report for April, 2020.
2. **City Treasurer** – total receipts deposited into the General Fund Account for April, 2020.
3. **City Comptroller** – A/P Check Listing #39, dated April 23, 2020.
4. **City Comptroller** – A/P Check Listing #40, dated April 30, 2020.
5. **City Comptroller** – A/P Check Listing #41, dated May 6, 2020.

Communications from the Mayor:

6. **Mayor Iafallo** – Submits the annual Budget Message to the City Council and a communication requesting the City Council to repeal Article 19, particularly Section 1903 of the Real Property Tax Law, which re-establishes a unified tax rate to ensure Lackawanna’s economic future and to attract new businesses to the City. The Mayor is requesting the City Council approve the attached Budget Ordinance and Local Law.
***Agenda items #8(A) and #6(B) must be addressed prior to voting on the budget ordinance - #6(A).**
 - (A) *An ordinance adopting the current expense budget of the City of Lackawanna for the fiscal year 2020-2021. The sum of \$12,755,884.00, being the entire amount determined to be necessary to be raised by taxation to defray the expense of the City for 2020-2021 fiscal year, with a Unified Tax Rate of \$17.23 of assessed valuation.
 - (B) A local law repealing and amending Chapter 201. Article IV of the Lackawanna City Charter and known as the Homestead and Non-Homestead Base Proportions. That Chapter 201, Article IV, section 201-16 through 201-19 of the Lackawanna City Charter, entitled Homestead and Non-Homestead Base Proportions is hereby replaced in its entirety.

Communications from the Council:

7. **Council Member Schultz** - Submits letter to City Council resigning his position as 2nd Ward Council Member as of May 11, 2020.

Communications from Division/Department Heads:

8. **City Comptroller** – Requests City Council approve the attached Local Law to allow the City of Lackawanna to exceed the Property Tax Cap for the fiscal year 2020-2021 as prescribed in General Municipal Law Section 3-c.
 - (A) An Local Law authorizing a Property Tax in excess of the limit established in General Municipal Law Section 3-c. The City Council of the City of Lackawanna, County of Erie, is hereby authorized to adopt a budget for the fiscal year commencing August 1, 2020 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law Section 3-c. This local law shall take effect immediately upon filing with the Secretary of State.
9. **Fire Chief** – Requests City Council approve the selling of the following old Fire Department vehicle and equipment. The vehicle to be sold is a 2002 Chevy Suburban as it can no longer be used for Fire Department services because of safety issues. The equipment to be sold includes ladders more than 25 years old that no longer serve the Fire Department due to their age and condition. I am asking for permission to destroy any unsold items.

In addition, I request the City Council to approve the funds received from the sale of the listed items be placed in Fire Department budget code A.3410.0443 to cover the costs of maintenance on our service apparatus.

10. **DPW Commissioner** – Requests the City Council award the bid for the Galanti Park Restoration Project to Occhino Corporation in the amount of 203,193.50. Bids received are attached.

11. **City Attorney** – There is an additional fire hydrant installed at 2800 Hamburg Turnpike. I request the City Council please approve the attached resolution authorizing the yearly maintenance fee in accordance with the City’s existing Water Authority contract #WSA-014. The cost is approximately \$229.08 per year for the annual maintenance fee.

In addition, I request the City Council rescind the prior resolution for the installation of a hydrant at 3904 South Park Avenue.

- (A) A resolution whereas the City Council authorizes the addition of the additional fire hydrant at 2800 Hamburg Turnpike to its existing Water Authority contract #WSA-014, and agrees to pay the annual maintenance fee to the Erie County Water Authority in accordance with the current contract #WSA-014.

12. **Director of Development** – Requests the City Council approve the attached ordinance revising the City Permit Fee Schedule. It has been determined that the City fee schedule does not cover the cost of reviewing plans, and inspecting projects, and we have further determined that the City’s fee schedule is substantially lower than that of surrounding municipalities. (Complete copy of the proposed fee schedule and comparison on file in the City Clerk’s Office).

- (A) An ordinance amending Chapter 75-16, Building Code Administration, of the City of Lackawanna Municipal Code, specifically the Permit Fee Schedule, together with the Penalties for work performed without a permit.

13. **Director of Development** – Requests the City Council, as per the power pursuant to New York General City Law Section 20, review and approve the attached resolution regarding City Wide Zoning Code Amendments to regulate the use of land within and the area restrictions of said land usage. (Complete copy of City Wide Zoning Amendments on file in City Clerk’s Office).

- (A) A resolution that amends the following sections of City Code:

Section 75 - Special Use Permits;

Section 230(10) - Single Family Residential Property;

Section 230(11) – Mixed Residential Property;

Section 230(12) – Central Business District;

Section 230(13) – Neighborhood Commercial District;

Adopt a process for licensing and use of properties within the Central Business District and Neighborhood Commercial for Bed and Breakfasts.

Section 230(14) – Regional Commercial District;

Section 230(15) – Mixed Commercial Industrial;

Section 230(16) – Industrial;

Section 230(18) – Open Space; and

Section 230(17) – Bethlehem Redevelopment Area (BRA).

Communications from Citizens:

14. **Amanda Hucksohl, Program Manager of Reality Check for Erie/Niagara County** – Requests to meet with the City Council after the COVID-19 Pandemic to promote tobacco-free communities and policies surrounding the tobacco retail environment and advertising, retailer-density regulations, tobacco-free outdoors.

Old Business:

Adjournment:

Due to the COVID-19 pandemic City Hall is closed and meetings are closed to the public. Any questions from the public related to the meeting agenda must be received by email (cityclerk@lackny.com) or US Mail by 12 p.m. the day of the meeting to be considered.

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