

Agenda  
Council Meeting  
Monday, July 20, 2020  
7:00 p.m. – Caucus/Meeting to immediately follow  
**\*\*COVID-19 procedures in effect\*\***  
Live via Facebook @ <http://facebook.com/lackawannany/>

**Attention Residents:**

**In an effort to get the public more involved, beginning with the August 17<sup>th</sup> regular meeting of the Lackawanna City Council, future meetings will again be open to the public to attend. The venue has changed to the Senior Center to better comply with CDC and NYS COVID-19 guidelines. Wearing of masks and maintaining proper social distancing are required. The City Council, Department Heads and fellow citizens appreciate your cooperation.**

**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 June 15, 2020 and special meeting of June 29, 2020.

**Departmental Reports:**

1. **City Comptroller** – A/P Check Listing #46 dated June 11, 2020.
2. **City Comptroller** – A/P Check Listing #47, dated June 18, 2020.
3. **City Comptroller** – A/P Check Listing #48, dated June 22, 2020.
4. **City Comptroller** – A/P Check Listing #49, dated June 25, 2020.
5. **City Comptroller** – A/P Check Listing #50, dated June 30, 2020.
6. **City Clerk** – Monthly Revenue Report for June, 2020.
7. **City Treasurer** – Total receipts deposited into the General Fund Account for June, 2020.

**Communications from the Council:**

8. **Council President Marrano** – Requests the City Council fill the vacancy for 2<sup>nd</sup> Ward Council Member.  
  
(A) A resolution whereas the City Council, pursuant to Chapter 3, Section 3.2 of the Lackawanna City Charter, shall appoint a qualified person to serve as Council Member Second Ward, City of Lackawanna, term expiring December 31, 2020.
9. **Council Member Ingram** – Submits a communication regarding the following:
  - Requests the City Council instruct the Law Department to use whatever legal means necessary to take back the properties at 149 & 163 Ingham Avenue and 31 James Street that were sold to Hana Home Solutions, LLC by Mr. Noman.
  - Requests the City Council instruct the Law Department find out how Mr. Noman was able to rent city properties such as the Lackawanna Soccer Field to Global Charter School on three (3) separate occasions. If this is true then I am asking the City Council to instruct the Law department to request the money be returned to the City or returned to Global Charter School.

**Communications from Department/Division Heads:**

10. **City Comptroller** - Requests the City Council review and approve the attached 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 New York State and Local retirement System.
11. **City Comptroller** – Requests the City Council approve the attached budget amendment to appropriate funds from fund balance for the sale of an old fire truck to increase budget line Repairs to Equipment A.3410.443 for the fiscal by increasing year ending July 31. 2020.  
  
(A) An ordinance amending the 2019-2020 Budget Ordinance adopted June 13, 2019 by decreasing the fund balance by adding \$1,550.00 to budget code A.3410.443 Fire Department – Repairs to Equipment and increasing budget code A.0000.2770 Other Unclassified Revenues by \$1,550.00.
12. **City Comptroller** – Requests the City Council approve the attached budget amendment to transfer funds from the City’s General Fund to the Special Refuse Fund. This is necessary due to utilizing employees from the Maintenance of Streets Department to pick up trash during the COVID-19 Pandemic.  
  
(A) An ordinance amending the 2019-2020 Budget Ordinance adopted June 13, 2019 by increasing appropriations for budget code Cl.8160.101 Special Refuse – Personal Services by \$84,000.00, increasing budget code Cl.9000.9030 Social Security by \$6,500.00 and

increasing budget code CI.0000.5031 Interfund Transfer by \$90,500.00. Budget code A.5110.101 Maintenance of Streets – Personal Services is decreased by \$84,000.00, budget code A.9000.9030 Social Security is decreased by \$6,500.00 and budget code A.9000.9551 Interfund Transfer is decreased by \$90,500.00.

13. **City Comptroller** – Requests the City Council approve the attached budget ordinance that is required to record FEMA Revenue and recognition of Coronavirus Expenditures.

(A) An ordinance amending the 2019-2020 Budget Ordinance adopted June 13, 2019 by increasing revenues for the Emergency Disaster Assistance FEMA account A.0000.4960 by \$23,900.00 and increasing appropriations for budget code A.1620.496 Buildings – Emergency Disaster Coronavirus Supplies by \$12,000.00, increasing budget code A.3120.296 Police – Emergency Disaster Coronavirus Equipment by \$1,400.00, increasing budget code A.3120.496 Emergency Disaster Coronavirus Supplies by \$500.00, increasing budget code A.3410.296 Fire – Emergency Disaster Coronavirus Equipment by \$3,000.00 and increasing budget code A.3410.496 Fire – Emergency Disaster Coronavirus Supplies by \$7,000.00.

14. **City Comptroller** – Requests the City Council approve the attached budget ordinance to increase the budget line for Legal Advertising. The 2019-2020 Fiscal Year had multiple required advertisements which resulted in a larger than anticipated cost.

(A) An ordinance amending the 2019-2020 Budget Ordinance adopted June 13, 2019 by increasing budget code A.0000.1603 Vital Statistics Fees by \$1,500.00 and increasing budget code A.1410.465 Legal Advertising by \$1,500.00

15. **City Comptroller** - Requests the City Council approve the attached budget ordinance to transfer funds from the Mayor – Personal Services line to the Fire – Department Call-in Time line. This transfer is necessary to cover the extra overtime which incurred during the Coronavirus lock-down period in which trainees were not able to complete their training and fulfill their positions.

(A) An ordinance amending the 2019-2020 Budget Ordinance adopted June 13, 2019 by increasing budget code A.3410.102 Fire – Call-in Time by \$9,800.00 and decreasing budget code A.1210.101 Mayor – Personal Services by \$9,800.00.

16. **City Comptroller** – Advises the City Council please review the attached list of 2019-2020 budget transfers, authorized by the Mayor pursuant to Chapter 12.12 Subdivision (C)2 of the City Charter. These include the Office of Department of Administration and Finance, Office of the City Clerk, Department of Development, Department of Public Works, Department of Public Safety and Department of Recreation. These transfers were made to balance many of the 2019-2020 accounts.

17. **City Comptroller** – Requests the City Council review the attached RFP's for Audit Services for the City of Lackawanna for fiscal year 2019-2020. As per City Charter Section 12.19 the City Council shall appoint a Certified Public Accountant to perform an annual audit of the financial statements. The quotes received are as follows:

- The Bonadio Group CPA's:	Annual	\$20,000	Single	\$2,500
- EFPR Group CPA's, PLLC:		\$16,000		\$3,000
- Lumsden McCormic LLP:		\$18,000		\$3,000
- Tette, Ingersoll & Co., CPAs, PC:		\$17,000		\$1,000

Complete copies of the proposals are on file in the City Clerk's Office.

18. **City Attorney** – Submits two parking ordinances and a letter from the Fire Chief requesting that parking on Victory and Colton Avenues be amended to allow for alternate parking.

(A) An ordinance amending Chapter 215, City of Lackawanna Municipal Code, Traffic and Vehicles, specifically Section 215.43 Parking, Standing and Stopping Restrictions shall be amended as follows:

216. Victory Avenue

On the east side:

No parking from Maple Grove to a point thirty (30) feet southerly from the south curb line of Ridge Road from 4:00 p.m. Wednesday to 4:00 p.m. Sunday.

On the west side:

No parking from maple Grove to a point thirty (30) feet southerly from the south curb line of Ridge Road from 4:00 p.m. Sunday to 4:00 p.m. Wednesday.

(B) An ordinance amending Chapter 215, City of Lackawanna Municipal Code, Traffic and Vehicles, specifically Section 215.43 Parking, Standing and Stopping Restrictions shall be amended as follows:

44. Colton Avenue

On the east side:

No parking from Maple Grove to a point thirty (30) feet southerly from the south curb line of Ridge Road from 4:00 p.m. Wednesday to 4:00 p.m. Sunday.

On the west side:

No parking from maple Grove to a point thirty (30) feet southerly from the south curb line of Ridge Road from 4:00 p.m. Sunday to 4:00 p.m. Wednesday.

19. **City Attorney** - Submits an informational communication for City Council review regarding 161-163 Ingham Avenue – Reverter clause.
20. **City Clerk** – Requests City Council approve the attached resolutions supporting NYS Assembly Member Patrick Burke’s assembly bill #'s A.5654 and A.5694 designating South Park and Ridge Road as state highways.
  - (A) A resolution supporting NYS Assembly Member Patrick Burke’s Assembly bill # A.5654 designating South Park Avenue as a state highway.
  - (B) A resolution supporting NYS Assembly Member Patrick Burke’s Assembly bill # A.5694 designating Ridge Road as a state highway.
21. **Director of Development** – Submits for City Council review the Potential use of Bike Paths to Quiet Ridge Road, Improve Bike and Pedestrian safety, and add Multi-Modal Connectivity to Regional Destinations. In addition, it is requested that GoBike be allowed to give a ten (10) minute presentation to explain the options.
22. **Director of Development** – Submits to the City Council a communication regarding the City’s previous request for City Adoption of Pending Zoning Code Amendments and, as required by Municipal Law Section 239-m, suggestions contained therein from the Erie County Department of Planning.

**Communications from Citizens:**

23. **Thomas Divito, Resident** – Submits a communication and proposal regarding the Smokes Creek erosion issue, specifically behind 190 Sharon Parkway.
24. **Rich Foley, Resident** - Requests City Council approve a City waterline hooked up for the Community Garden on Bethlehem Street.

**Business Registrations:**

25. **Bart Adams, dba Flex E Brick Products, Inc.** (Sales of artificial brick and mortar), 1219 Abbott Road.
26. **Saqr Aladani, dba 360 Smokeshop Inc.** (Sales of tobacco products, hookah and E-liquids), 734 Ridge Road.

**Tabled Items:**

**Old Business:**

Status update of legal action regarding 161 Steelawanna Avenue.

**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](mailto:cityclerk@lackny.com)) or US Mail by 12 p.m. the day of the meeting to be considered.

[www.lackawannany.gov](http://www.lackawannany.gov)