

Regular Council Meeting
MONDAY, April 12, 2021
7:00 p.m. – Caucus/ Meeting to immediately follow
REMOTE ZOOM
****COVID-19 procedures in effect****
Live via Facebook@<http://Facebook.com/lackawannany>

Attention Residents:

The Remote Zoom format will remain in effect as long as it is authorized by Executive Order from the Governor, and until such time as the City Council resolution authorizing same is rescinded.

Meeting called to order/Pledge of Allegiance.

NB: Meeting being recorded.

Roll Call: Council: Ingram, Szymanski, Moretti, Surdyke, Marrano
Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development, Public Works (E), Public Information

Hearings from Citizens:

Approval of Minutes: of the regular meeting of March 15, 2021 and special meeting of March 29, 2021.

Moved by Marrano seconded by Ingram to adopt minutes of the regular meeting of March 15, 2021 and special meeting of March 29, 2021 as written.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller** – A/P Check Listing #32, dated March 11, 2021.
2. **City Comptroller** – A/P Check Listing #33, dated March 18, 2021.
3. **City Comptroller** – A/P Check Listing #34, dated March 24, 2021.
4. **City Comptroller** – A/P Check Listing #35, dated April 1, 2021.
5. **City Comptroller** - Cash Reconciliation, Revenue report and Statement of Condition of Appropriations as of February 28, 2021.
6. **City Comptroller** – Capital Fund, March 2021.
7. **City Clerk** - Monthly Revenue Report for March, 2021.
8. **City Treasurer** – Total receipts deposited into the General Fund Account for March, 2021.

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Communications from the Council:

Council President Marrano Requests the City Council Approve the Resolution Supporting the Wasson Avenue Community Development Center.

9. To: City Council

I am asking that this matter be placed on the next council agenda for consideration of this council's support as indicated in the proposed attached letter or letter of similar sentiment.

Thank you,

FREDERIC J. MARRANO, COUNCIL PRESIDENT

Hon. Frederic J. Marrano

Lackawanna City Council

714 Ridge Road

Lackawanna, New York 14218

Re: Wasson Avenue Community Development Project

Hon. Frederic J. Marrano:

Attached is the resolution you requested in support of the above-referred matter for council approval.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 16, 2021

Whereas, City officials have been recently approached in conjunction with the Wasson Avenue Community Development project said project to be located at 54 Wasson Avenue, and

Whereas, this project will benefit the city of Lackawanna and the residents of the first ward; and

Whereas, the project will consist of one newly constructed building which will house a medical facility, a community service facility, and a daycare facility; and

Whereas, this project will greatly benefit the residents of the city of Lackawanna by providing a much-needed health care facility in the first ward, affordable day care services, and a place to provide low and moderate income individuals senior services, youth services, and summer programs for tutoring as well as afterschool programs; and

Whereas, this project has the support of community leaders and businesses throughout the City of Lackawanna; the developer being Lackawanna Life Center Campus, Inc. an affiliate of Mount Olive Missionary Baptist Church

NOW, THEREFORE, BE IT

RESOLVED, the City Council of the City of Lackawanna and the Mayor of the City of Lackawanna believe that the completion of this project will go a long way toward providing quality health care access, affordable day care options and a gathering place for seniors in the community to congregate and that

this project will further foster community involvement by first ward residents and other residents of the city and hereby offer their whole hearted support for this community project.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 12, 2021
Lackawanna, New York

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Department/Division Heads:

Requests Approval of Ordinance to Close Out Capital Project – City of Lackawanna Local Waterfront Revitalization Program.

10. To: Honorable Frederic J. Marrano
Honorable Members of the City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members:

Please approve the attached ordinance to close out Capital Project: T-1000426 City of Lackawanna Local Waterfront Revitalization Program and return the funds back to the General Fund.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCES ADOPTED JUNE 9, 2020.

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

SECTION 1. That the 2020-21 Budget Ordinance adopted June 9, 2020 is hereby amended to refund the General Fund and close out Capital Project – T-1000426 City of Lackawanna Local Waterfront Revitalization Program.

SECTION 2. That the 2020-2021 Budget Ordinance is hereby amended to increase \$23,116.59 to budget Code A.0000.5990 Transfer from Other Fund-Capital.

SECTION 3. That the 2020-2021 Budget Ordinance is hereby amended to increase the City's Fund Balance by \$23,116.59.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 12, 2021
Lackawanna, New York

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance to Close Out Capital Project: DONA STREET DEMOLITION.

11. To: Honorable Frederic J. Marrano
Honorable Members of the City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members:

Please approve the attached ordinance to close out Capital Project: DONA STREET DEMOLITION and to transfer the reimbursed by the State back to the General Fund.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCES ADOPTED JUNE 9, 2020.

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

- SECTION 1.** That the 2020-21 Budget Ordinance adopted June 9, 2020 is hereby amended to refund the General Fund and close out Capital Project – DONA STREET DEMOLITION.
- SECTION 2.** That the 2020-2021 Budget Ordinance is hereby amended to increase \$500,000.00 to budget Code A.0000.5990 Transfer from Other Fund-Capital.
- SECTION 3.** That the 2020-2021 Budget Ordinance is hereby amended to increase the City's Fund Balance by \$500,000.00.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 12, 2021
Lackawanna, New York

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance to Increase Appropriations for the Fire Department and the Police Department for Equipment and Training.

12. To: Honorable Frederic J. Marrano
Honorable Members of the City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members:

Please approve the attached ordinance to increase appropriations for both the Police Department and Fire Department for equipment and training. Sales Tax Revenue received in April was higher than anticipated and therefore the funds are being allocated for necessary safety equipment, training aids and bicycles for patrol.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

Moved by Marrano seconded by Moretti to receive and file, act on ordinance, thank you to Public Safety Director Wolf, Police Chief Packard and Fire Chief Fino for their efforts.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AMENDING THE 2020-2021 BUDGET ORDINANCE ADOPTED JUNE 9, 2020.

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

SECTION 1. That the 2020-2021 Budget Ordinance adopted June 9, 2020 is hereby amended to increase appropriations for Police Department – Repairs to Equipment, Police Department – Bicycle Patrol, Police Department – Range and Training Facility and increase appropriations for Fire Department – Emergency Equipment.

SECTION 2. That the 2020-2021 Budget Ordinance is hereby amended to increase \$15,000.00 to budget code A.3120.0443 Police- Repairs to Equipment.

SECTION 3. That the 2020-2021 Budget Ordinance is hereby amended to increase \$15,000.00 to budget code A.3120.0210 Police- Bicycle Patrol.

SECTION 4. Budget Ordinance is hereby amended to increase \$6,000.00 to budget code A.3120.0205 Police – Range and Training Facility.

SECTION 5. That the 2020-2021 Budget Ordinance is hereby amended to increase \$26,000.00 to budget code A.3410.0253 Fire Department – Emergency Equipment.

SECTION 6. That the 2020-2021 Budget Ordinance is hereby amended to increase \$62,000.00 to budget code A.0000.1120 Non-Property Tax Distribution by County.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 12, 2021
Lackawanna, New York

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Contract for Masterson Advisors, LLC to Serve as the City's Financial Advisors.

13. To: Honorable Frederic J. Marrano
Honorable Members of the City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members:

Please review and approve the attached agreement with Masterson Advisors, LLC to serve as Financial Advisors for the City of Lackawanna. A Municipal Advisor is engaged by the City to provide services with respect to issuances of municipal securities or debt instruments. Kayla MacEwen has served as the City's Municipal Advisor for many years. Kayla and her team have recently moved to Masterson Advisor's, LLC and the contract is necessary to retain her as the City's Advisor.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

Moved by Marrano seconded by Szymanski to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Contract for Masterson Advisors, LLC to provide Continuing Disclosure Services.

14. To: Honorable Frederic J. Marrano
Honorable Members of the City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members:

Please review and approve the attached agreement with Masterson Advisors, LLC and the City of Lackawanna for Continuing Disclosure Services to be performed with respect to the current outstanding bonds. The City is required to disclosure the financial status to our current bond holders. Kayla MacEwen has been providing this service to the City of Lackawanna since the bond issue of 2011 and is familiar with the City's finances. She has recently moved to Masterson Advisors, LLC and a new contract is necessary to retain her services.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Senior Status.

15. To: Lackawanna City Council
714 Ridge Road
Lackawanna, New York 14218

Re: Senior Status Request

Hon. City Council:

The City Attorney is in receipt of a request for Senior Status for an employee with a serious medical condition. Pursuant to Section 36-21 of the City Charter the City Attorney requests that the Council waive the 12 month declaration of intent to retire for the affected employee.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

Moved by Marrano seconded by Szymanski to approve request, refer to City Comptroller. With thanks to that employee and best of health.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Use of Galanti Park for a Performance of Shakespeare in Delaware Park.

16. To: Honorable City Council President
Honorable City Council Members
714 Ridge Road
Lackawanna, NY 14218

Honorable Members of the City Council:

I am requesting your Honorable Body authorize the use of Galanti Park at 230 Martin Rd. by Shakespeare in Delaware Park for a performance on Saturday, July 24, 2021 at 7:00 PM. They will require the use of the Park from 5:30 PM to 8:30 PM for set-up and take-down. Included are COVID protocols and Shakespeare in Delaware Park will be providing proof of insurance.

Thank you for your consideration.

Sincerely,

BRIAN LAKSO, DIRECTOR OF PARKS & RECREATION

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Resolution Changing the Date of the Regular Council Meeting of June 21, 2021.

17. To: Honorable Council President
Honorable City Council Members
714 Ridge Road
Lackawanna, NY 14218

Dear City Council Members,

Please be advised that the regular meeting of the City Council scheduled for Monday, June 21, 2021 falls on a legal employee holiday- Juneteenth.

I requesting the City Council approve the attached resolution changing that regular meeting to Monday, June 28, 2021.

Thank you for your anticipated cooperation.

Respectfully,

JEFFREY P. DEPASQUALE, CITY CLERK

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 17, 2021

Whereas, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for meeting dates, time and location of the Lackawanna City Council; and

Whereas, the City Council is desirous of complying with the City of Lackawanna Open Meetings Law of the State of New York, and

Whereas, the City Council is desirous of changing the meeting date of June 21, 2021 to be rescheduled to June 28, 2021, and

Be it further resolved, that a copy of this resolution be posted on the centrally located bulletin board in the lobby of City Hall, the Council bulletin board, the City Clerk's Office and on the official website for the city.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 12, 2021
Lackawanna, New York

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests Approval to Utilize the Senior Center and Bocce Court.

18. Dear Mr. J. DePasquale:

On behalf of the Lackawanna Board of Education, I am asking if space could be made available for our upcoming May 18, 2021 School Board Election in your hall/building (Senior Center & Bocce Court).

The election will be held on Tuesday, May 18th between the hours of 12 noon and 9:00 P.M. Inspectors working would need access to said building/hall at 11:30 A.M.

I will confirm a date and time of delivery and pickup of voting machines as the date approaches and the School District will pay \$100.00 for the space being used.

I thank you in advance for your cooperation.

Sincerely,

AMBER ILLG, LACKAWANNA BOARD OF EDUCATION

Moved by Szymanski seconded by Marrano to approve request, refer to DPW Commissioner.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Business Registrations:

Nasim H. Ali, dba LACKAWANNA HALL, INC. (banquet hall), 283 Ridge Road.

Moved by Marrano seconded by Szymanski to approve Business Registration.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Korbyn Ardary, dba Intense Skateboards & BMX (retail shop), 2739 South Park Avenue.

Moved by Marrano seconded by Szymanski to approve Business Registration.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Danielle Barber, dba Cali's Closet (retail, hair styling & makeup), 191 Ridge Road.

Moved by Marrano seconded by Szymanski to approve Business Registration.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Igor Yuzbashev, dba Buffalo Homecare, Inc. (HR Office), 734 Ridge Road.

Moved by Marrano seconded by Szymanski to approve Business Registration.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

Old Business: Special thanks to the Lackawanna Fire Department for their heroic action for the Warsaw Street fire. No casualties or firefighter injuries. Outstanding job!

Adjournment:

Moved by Marrano seconded by Szymanski to adjourn meeting.-906. Asdfghjkl

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Jeffrey P. DePasquale - City Clerk

Any items to be placed on the agenda must be received by the City Clerk's Office by noon on the Wednesday before the scheduled meeting to be considered. Any public comments normally in person at the meeting during "Hearing from Citizens" MUST be related to topics already on the agenda and received by the City Clerk's Office no later than noon on the scheduled day of the meeting. Comments are accepted via US Mail Service, Fax @ 716-827-6453 or email at cityclerk@lackny.com.

www.lackawannany.gov