

`Agenda
Regular Council Meeting
Monday, June 28, 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authorized by Executive Order from the Governor, and until such time as the City Council resolution authorizing same is rescinded. Governor's Order extended through July 5, 2021.

Meeting Called to Order/Pledge of Allegiance.

NB: Meeting being recorded.

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

Hearings from Citizens:

Approval of Minutes: of the regular meeting of June 7, 2021.

Departmental Reports:

1. **City Comptroller** - A/P Check Listing #45, dated June 3, 2021.
2. **City Comptroller** - A/P Check Listing #46, dated June 10, 2021.
3. **City Comptroller** - A/P Check Listing #47, dated June 17, 2021.

Communications from the Council:

4. **Council Member Szymanski** – Requests City Council approve the attached resolution appointing him as Marriage Officer within the City of Lackawanna.

(A) A resolution, as per Domestic Relations Law – 1077, appointing Geoffrey M. Szymanski as Marriage Officer for the City of Lackawanna, term not to exceed four years, a limitation imposed by the law of New York State.
5. **Council Member Szymanski** – Requests the City Council review and approve the attached record of activities, as required by New York State and Local Retirement System.

Communications from Department/Division Heads:

6. **City Attorney** – Requests City Council approve the attached ordinances amending Chapter 119, Fire Prevention, of the City of Lackawanna Municipal Code.

(A) An ordinance amending Chapter 119, Fire Prevention of the City of Lackawanna Municipal Code, specifically Section 119-34. This article shall not prohibit the use of outdoor gas fire pits and/or fireplaces fueled by propane gas or natural gas only.
(B) An ordinance amending Chapter 119, Fire Prevention of the City of Lackawanna Municipal Code, specifically Section 119-36. The provisions of this article shall be administered and enforced by any officer of the Police Department, a City Fire Chief, City Fire Inspector/Marshall, City Building Inspector, or Code Enforcement Officer.

7. **City Attorney** – Requests the City Council approve and authorize the Mayor to sign the attached grant agreement between the City of Lackawanna and the United States Soccer Federation Foundation, Inc. This agreement memorializes the terms and conditions of the grant that was previously approved by the Council in a prior memorandum of understanding that was passed at the May 3, 2021 Council meeting.
8. **City Attorney** – Requests City Council approve the attached ordinance amending Chapter 230, Zoning of the City of Lackawanna Municipal Code. This ordinance amends section 5.2 – 3 subdivision (1) by removing the following language: “for at least 3 feet above the highest adjacent grade in A without an Available Base Flood Elevation.” In addition section 5.3 – 1 subparagraph 2 is amended, replacing language regarding new construction, and finally section 5.7 subdivision 3 is amended to replace certain language dealing with manufactured homes.
 - (A) An ordinance amending Chapter 230, Zoning of the City of Lackawanna Municipal Code, specifically Section 5.2-3(1) Utilities, 5.3-1(2a and b) Elevation, and 5.7(3) Manufactured Homes and Recreational Vehicles.
9. **City Attorney** – Requests, on behalf of the Mayor and City Comptroller, the reestablishment of the Assistant Comptroller’s position, which was elimination by the City Council several years ago. Starting salary shall be \$62,500.00. Please see the attached job description which is required to be approved by the Lackawanna Civil Service Commission.
10. **City Comptroller** – Requests City Council review and approve the attached Standard Work Day Resolution, Form RS 2418, as required by New York State and Local Retirement System.
11. **City Comptroller** – Requests the City Council approve the attached ordinance increasing the salary for the Civil Service Commission Secretary.
 - (A) An ordinance amending the 2021-2022 Budget Ordinance adopted May 18, 2021 by increasing the salary for the Civil Service Secretary by \$1,800.00, increasing budget line A.1430.0101 Personnel – Personnel Services by \$1,800.00, and decreasing the fund balance by \$1,800.00.
12. **City Comptroller** – Please be advised, pursuant to Chapter 12.12 Subdivision (c) 2 of the City Charter, after a review of 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, the attached list of transfers were made to balance many of the 2020-2021 accounts.
13. **City Comptroller** – Requests the City Council approve the attached ordinance to transfer funds for the Ridge Road Mill and Overlay Paving Project 2021. Funds to be reimbursed to the General Fund once the project is completed.
 - (A) An ordinance amending the 2020-2021 Budget Ordinance adopted June 9, 2020 by increasing budget code H.5110.205 Ridge Road Mill and Overlay Paving Project by \$800,000.00, increasing budget code H.0000.5013 Interfund Transfers by \$800,000.00, increasing budget code A.9000.9550 Transfer to Capital Account by \$800,000.00, and appropriating \$800,000.00 of the City’s Fund Balance.
14. **DPW Commissioner** – Advises the City Council that our engineers for the milling and paving of Ridge Road and bike path will be on hand to answer any questions about the design of this project. I am requesting that the City Council approve this project and the contractor that has been selected from the County bid list.
15. **City Assessor** – Requests the City Council approve the attached ordinance transferring the property located at 114 and 116 Center Street to the Lackawanna Housing Development Corporation (LHDC). The intent is to build one (1) single-family unit and two (2) single-family rental units as part of Erie County’s funding agreement. All three (3) homes will have direct road water and sewer access to Center Street. Price is \$1,500.00 per lot, totaling \$3,000.00.

(A) An Ordinance authorizing the Sale/Transfer of Property pursuant to Municipal Code Section 12. The City Council hereby approves of the transfer of property known as 114 and 116 Center Street, SBL #'s 142.45-2-38.1 and 142.45-3-37 respectively to the Lackawanna Housing Development Corporation for the sum of \$3,000.00. The Law Department shall prepare documents to be executed for the transfer of property.

16. **Director of Development** – Requests the City Council approve the attached ordinance transferring \$300,000.00 from the General Fund to Smart Growth Project.

(A) An ordinance amending the 2020-2021 Budget Ordinance adopted June 9, 2020 by transferring funds from the General Fund Balance to AC Smart Growth Project, increasing budget code A.3620.0469 Consulting Fees by \$300,000.00, and appropriating \$300,000.00 of the City's Fund Balance.

17. **Director of Public Safety** – Requests the City Council approve the attached request from local auto business owner Joshua Cullen to purchase the attached list of eleven (11) unserviceable city vehicles for the sum of \$2,000.00. Mr. Cullen will remove the vehicles at his own cost.

Communications from Citizens:

18. **Arc J. Petricca, Attorney at Law** – Requests City Council appoint Xiomara Rondon, 187 Pries Avenue, Buffalo, NY 14220 to Commissioner of Deeds Status for the City of Lackawanna. Term to expire December 31, 2022.

19. **Van Taylor, WNY Veterans Day Parade Committee** – Requests City Council approve the attached parade which utilizes a small portion of public highway in the City of Lackawanna. This parade will take place on Saturday, November 6, 2021, starting at 11:00 a.m. We are interested in you joining us and request a police cruiser to assist where necessary.

Business Registrations:

Bhupinder Singh, dba Shop-N-Go (convenience store), 1849 Abbott Road.

Roichard Perez, dba Great Lakes Mfg. LLC (manufacture pallets/boxes), 2600 Hamburg Turnpike.

Tabled Items:

Old Business:

Adjournment:

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 made 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