

**Regular Council Meeting**  
**MONDAY, June 7, 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authorized by Executive Order from the Governor, and until such time as the City Council resolution authorizing same is rescinded.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, Public Information

Hearings from Citizens: Update on Center Street and Ridge Road Paving Projects.

Approval of Minutes: of the regular meeting of May 17, 2021.

Moved by Marrano seconded by Ingram to adopt minutes of the regular meeting of May 17, 2021 as written.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. City Comptroller – A/P Check Listing #41, dated May 13, 2021.
2. City Comptroller – A/P Check Listing #42, dated May 20, 2021.
3. City Comptroller – A/P Check Listing #43, dated June 2, 2021.
4. City Comptroller – A/P Check Listing #44, dated June 1, 2021.
5. City Comptroller – Capital Fund Report for May, 2021.
6. City Comptroller – Cash Receipts Totals for May, 2021.
7. City Clerk – Monthly Revenue Report for May, 2021.

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from the Mayor:**

**Requests Approval of Resolutions Supporting Local Law Designating South Park Avenue and Ridge Road as State Highways.**

8. To: Mayor Annette Iafallo

Good Morning,

I hope all is well. We need Lackawanna to pass a home rules for the South Park and the Ridge Road bills. This is time sensitive and will need to be completed by no later than next week.

The form and detailed instructions can be found at <https://www.nysenate.gov/home-rule-form>

These instructions include how many copies, what sized paper to print on, and where to mail the Senate and the Assembly form.

When they pass the home rule resolution in the Council, they need to do TWO: one for South Park and one for Ridge Road

Each resolution MUST contain both the Senate and Assembly bill numbers.

For South Park, that is S.2926 and A.3661

For Ridge the numbers are: S.2927 and A.3668

If you have any questions please feel free to reach out.

**ELYSE FEARS, SENATOR KENNEDY'S OFFICE**

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 21, 2021**

**WHEREAS**, NY State Senator Tim Kennedy and NY State Assemblymen Patrick Burke have introduced legislation to designate Ridge Road as a state highway, attached hereto, and

**WHEREAS**, the legislation introduced is hereby designated as New York State Senate Bill S.2927 and New York State Assembly Bill A.3668; and

**WHEREAS**, the City Council deems it in the best interest of the City to support said legislation; and

**WHEREAS**, the City of Lackawanna does not have the power to enact such legislation by local law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

**RESOLVED**, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the NY State Legislature.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: June 7, 2021**

**Lackawanna, New York**

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 22, 2021**

**WHEREAS**, NY State Senator Tim Kennedy and NY State Assemblymen Patrick Burke have introduced legislation to designate South Park Avenue as a state highway, attached hereto, and

**WHEREAS**, the legislation introduced is hereby designated as New York State Senate Bill S.2926 and New York State Assembly Bill A.3661; and

**WHEREAS**, the City Council deems it in the best interest of the City to support said legislation; and

**WHEREAS**, the City of Lackawanna does not have the power to enact such legislation by local law.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the City Council hereby approves of and requests the enactment of the aforesaid legislation, and be it further

**RESOLVED**, that the Mayor is hereby authorized to request that the aforesaid legislation be enacted and forward said request to the NY State Legislature.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: June 7, 2021**

**Lackawanna, New York**

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

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Department Heads/Division Heads:**

**Requests Approval of Ordinance Transferring Funds for the Center Street Paving Project.**

9. 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 transfer funds for the Center Street Paving Project. These funds will be reimbursed to the General Fund once the project is completed.

If you have any questions please feel free to contact Tony DeSantis or myself.

Sincerely,

**CAROLYN A. NICOMETO, CITY COMPTROLLER**

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

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 transfer funds for the Center Street Paving Project 2021 from the General Fund Balance.

SECTION 2. That the 2020-2021 Budget Ordinance is hereby amended to increase budget code H.2080.600 Street paving by \$500,000.00

SECTION 3. That the 2020-21 Budget Ordinance is hereby amended to increase budget code H.0000.5013 Interfund Transfers by \$500,000.00.

SECTION 4. That the 2020-21 Budget Ordinance is hereby amended to increase budget code A.9000.9550 Transfer to Capital Account by \$500,000.00.

SECTION 4. That the 2020-2021 Budget Ordinance is hereby amended to appropriate \$500,000.00 of the City's Fund Balance.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: June 7, 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 Council's Consideration to Amend the Municipal Code Section 119-34 Exempting Outdoor Gas Fire Pits Fueled by Propane Gas.**

10. To: Lackawanna City Council  
Honorable Fred Marrano, President  
City Hall – Room 217  
714 Ridge Road  
Lackawanna, NY 14218

Re: City of Lackawanna Municipal Code for Open Burning

Dear Council Members,

I am requesting that your honorable body consider a change to the municipal code concerning the open burning law. Currently, residents are not permitted to have any type of fire on their property to sit by allowing them to enjoy the warm summer nights. I am requesting an addition to Section 119-34 Exceptions, to include outdoor gas fire pits that are fueled by propane gas only. These fire pits that use propane fuel are odorless, do not create smoke and operate with reasonable amount of flame as to not inconvenience other residents.

I am also requesting an addition to Section 119-36 Enforcement officers, to include the City Fire Inspector/Marshall. By adding the city Fire Inspector/Marshall to this section it will allow for a more efficient enforcement of this law.

I have attached a copy of the original Open Burning Law as it is currently written, along with a copy of the law containing the additions requested. All additions are highlighted in yellow.

Sincerely,

**JAMES J. FINO, FIRE CHIEF**

Moved by Szymanski seconded by Marrano to direct Law Department for an opinion regarding these two proposals.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval for Commissioner of Deeds Status for Michael Bivolcic of the City Clerk's Office.**

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

Dear Council Members:

I am requesting Commissioner of Deeds status for Michael Bivolcic, an employee in the Clerk's Office, within the City of Lackawanna, New York, term to expire 12/31/22.

I appreciate your anticipated cooperation in this matter.

Respectfully,

**JEFFREY P. DEPASQUALE, CITY CLERK**

Moved by Marrano seconded by Moretti to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of the Appointment of Kellie Mariano as a Bingo Inspector for a Term of Four Years.**

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

Dear Council Members,

In the past year, with the closure of Bingo games and the expiration of terms of two of our three bingo inspectors, we are down to one active inspector, Tami Nicholson.

Bingo has resumed and the need for the additional inspectors is upon us. I am requesting your honorable body approve the appointment of Kellie Mariano, 59 East Milnor Avenue, Lackawanna, to a four-year term as bingo inspector at an annual salary of \$1,500.00, term to expire December 31, 2024.

Thank you for your time and consideration.

Respectfully,

**JEFFERY P. DEPASQUALE, CITY CLERK**

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval for the Use of Three Playgrounds by Algonquin Sports.**

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

Honorable Members of the City Council:

I am requesting your Honorable Body to authorize the use of the following playgrounds for use by Algonquin Sports on the following Mondays. Algonquin has long partnered with the City of Lackawanna to operate its Soccer For Success program and, for this endeavor, is partnering with the Lackawanna Police Department.

Victory Playground – 6/28, 7/19, 8/9, 8/30

Center/Franklin Playground – 7/5, 7/26, 8/16

Ridgewood Village Playground – 7/12, 8/2, 8/23

Algonquin Sports will be offering various athletic activities on each individual date with LPD Officers joining in the activities in an effort to engage the young people of our community and create a sustained level of familiarity and trust between our police officers and the young people of our community.

Algonquin Sports will provide proof of insurance through the end of 2021. Thank you for your consideration.

Sincerely,

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

Moved by Marrano seconded by Moretti to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Citizens:**

**Requests Approval to Host a BBQ Chicken Dinner on July 1, 2021 at the Senior Center.**

14. Dear Council:

Thursday, July 1, 2021 will be the 6<sup>th</sup> year anniversary of my daughter Ashley's death. Due to COVID restrictions, the AshleyMay 5K has been cancelled the past 2 years. This year on July 1<sup>st</sup> the Chase and Mayci Foundation would like to host a Weidner's Chicken BBQ at the Senior Center from 4 – 7 pm. This would be a drive through event and follow all NYS COVID regulations. I have enclosed a copy of the Weidner's insurance certificate.

Thank you,

**ANDREA KWASNIEWSKI**

Moved by Marrano seconded by Szymanski to approve request, refer to Law Department, DPW Commissioner and Public Safety.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Business Registrations:**

Eric Ion, dba "The Carpet Man" (carpet sales and installation), 671 Ridge Road.

Moved by Marrano seconded by Szymanski to approve Business Registration.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Entertainment Licenses:**

J's White Elephant, 1404 Abbott Road, Class I – Live Music and/or Mechanical Reproduction.

Moved by Marrano seconded by Moretti to approve Entertainment License.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

**Tabled Items:**

Moved by Szymanski seconded by Marrano to remove communication #6, **TABLED** at the regular meeting of May 17, 2021, and approve the Mayor signing an MOU between the City of Lackawanna and the US Soccer Foundation Mini- Pitch Program.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

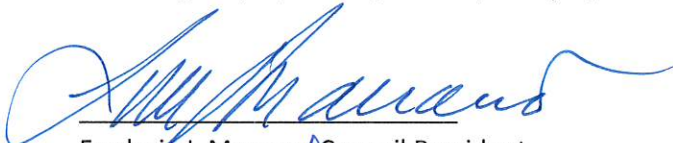
**Old Business:**

**Adjournment:**

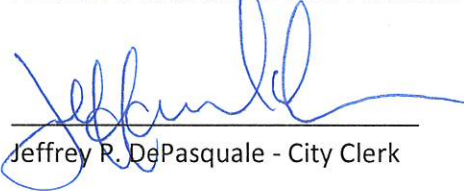
Moved by Szymanski seconded et. ael to adjourn meeting in memory of William Eagan, Sr.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0



Frederic J. Marrano - Council President



Jeffrey R. 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](mailto:cityclerk@lackny.com).

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