

Regular Council Meeting
MONDAY, October 25, 2021
6:30 p.m. – Caucus/ Meeting to immediately follow
REMOTE ZOOM
****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, Szymanski, Moretti, Surdyke, Marrano
Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development,
Public Works, Public Information (E)

Hearings from Citizens: None Received

Approval of Minutes: of the regular meeting of October 4, 2021.

Moved by Marrano seconded by Szymanski to adopt minutes of October 4, 2021 as written.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Departmental Reports:

1. **City Comptroller** – Capital Fund Checking Account for September, 2021.
2. **City Comptroller** – A/P Check Listing #9, dated September 29, 2021.
3. **City Comptroller** – A/P Check Listing #10, Dated October 4, 2021.
4. **City Comptroller** – A/P Check Listing #11, dated October 7, 2021.
5. **City Comptroller** – A/P Check Listing #12, dated October 18, 2021.
6. **City Clerk** – Monthly Revenue Report for September, 2021.

Moved by Marrano seconded by Moretti to receive and file Departmental Reports one through six.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Communications from Division/Department Heads:

Requests Approval to Reinstall Traffic Signals at South Park and Sharon Parkway, and Abbott Road and Elmview.

7. To: Honorable Council,
I am requesting city council to approve reinstalling traffic signals at South Park Avenue and Sharon Parkway as well as Abbott Rd and Elmview Avenue. The bid includes the price for both signal lights. These lights were knocked down by car accidents and are to be considered emergency repairs. If you have any questions, please contact me.
Thank you,
ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

Moved by Marrano seconded by Ingram to approve request.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance to Rescind the No Left Turn from Ridge Road onto Lehigh Avenue.

8. To: Honorable Council,

I am asking the council to rescind the no left hand turn from the westbound lane on Ridge Road south onto Lehigh Avenue.

If you have any questions, please contact me.

Thank you,

ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

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

Yeas: Ingram, Moretti, Surdyke, Marrano

Nay: Szymanski

Carried 4-1

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE.

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 215.9 Turning movements shall be amended by rescinding the following:

215.9(A) (2) Vehicles proceeding west on Ridge Road are prohibited from turning left onto Lehigh Avenue.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 25, 2021

Lackawanna, New York

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

Yeas: Ingram, Moretti, Surdyke, Marrano

Nay: Szymanski

Carried 4-1

Requests Approval of Contract Between Small Wireless Communications Facilities and the City of Lackawanna.

9. To: Jeffrey DePasquale, City Clerk

714 Ridge Road

Lackawanna, New York 14218

Re: Contract between Small Wireless Communications Facilities and the City of Lackawanna

Dear Mr. DePasquale:

Please put the attached contract on the agenda for council approval.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

A copy of this information may be obtained by contacting the City Clerk's Office.

Moved by Marrano seconded by Szymanski to **TABLE** request pending further information regarding ownership of the power poles.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance for Budget Transfer for the Ridge Road Mill and Paving Project.

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

Dear Council Members:

Please approve the attached budget transfer of \$100,000.00 for the Ridge Road Mill and Overlay Paving Project. This amount is necessary to fund the difference between the original estimate and the final bid awarded including the change order for the signals. These funds will be reimbursed back to the City through CHIPS funding of \$120,000.00 grant through Erie County.

If you have any questions please feel free to contact Anthony 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 2021-2022 BUDGET ORDINANCE ADOPTED
MAY 18, 2021.**

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

- SECTION 1. That the 2021-2022 Budget Ordinance adopted May 18, 2021 is hereby amended for the transfer funds for the Ridge Road Mill and Overlay Paving Project 2021 from the General Fund Balance.
- SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code H.5110.205 Ridge Road Mill and Overlay Paving Project by \$100,000.00.
- SECTION 3. That the 2021-22 Budget Ordinance is hereby amended to increase budget code H.0000.5013 Interfund Transfers by \$100,000.00.
- SECTION 4. That the 2021-22 Budget Ordinance is hereby amended to increase budget code A.9000.9550 Transfer to Capital Account by \$100,000.00.
- SECTION 5. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$100,000.00 of the City's Fund Balance.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 25, 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 Ordinance to Transfer Funds for the Street Signal Replacement Project.

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

Dear Council Members:

Please approve the transfer of funds for the Street Signal Replacement project from Fund Balance of \$200,000.00. The Street Signal Replacement projects consist of the signals on the intersections of South Park/Sharon and Abbott Rd./West Elmview. Any funds received through insurance reimbursement or not used will be returned to Fund Balance.

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

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 2021-2022 BUDGET ORDINANCE ADOPTED
MAY 18, 2021.**

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

- SECTION 1. That the 2021-2022 Budget Ordinance adopted May 18, 2021 is hereby amended for the transfer funds for Street Signal Replacement Project from the General Fund Balance.
- SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code A.5110.201 Equipment by \$200,000.00.
- SECTION 3. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$200,000.00 of the City's Fund Balance.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 25, 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 Transfer Funds within the Special Revenue Fund for the Fiscal Year Ended July 31, 2021.

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

Dear Council Members:

Please approve the attached ordinance to transfer funds within the Special Revenue Fund for the fiscal year ended July 31, 2021. These transfers are necessary to balance out any short falls that occurred during the year.

The over expenditures were tipping fees and payroll. The cost of garbage disposal has been steadily increasing throughout the years along with the volume of rubbish. The payroll overage was a direct result of individuals using their vacation/sick/personal time and it was necessary to utilize the employees who are normally paid out of the General Fund to work garbage pickup.

All funds transferred were budgeted funds and fund balance was not used.

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

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

Moved by Marrano seconded by Szymanski 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 increase appropriations for Garbage and Refuse – Personal Services, Personal Services – Overtime and Hauling of Rubbish and decrease appropriations for Workers Compensation.

SECTION 2. That the 2020-2021 Budget Ordinance is hereby amended to increase \$40,017.04 to budget code CL.8160.101 Garbage and Refuse – Personal Services.

SECTION 3. That the 2020-2021 Budget Ordinance is hereby amended to increase \$10,397.85 to budget code CL.8160.102 Garbage and Refuse – Overtime.

SECTION 4. That the 2020-2021 Budget Ordinance is hereby amended to increase \$17,500.00 to budget code CL.8160.401 Garbage and Refuse – Hauling of Rubbish.

SECTION 5. That the 2020-2021 Budget Ordinance is hereby amended to decrease \$67,914.89 to budget code CL.9000.9040 Workers Compensation.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 25, 2021
Lackawanna, New York

Moved by Marrano seconded by Szymanski to adopt ordinance as written.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

List of Transfers Made to Balance Various 2020-2021 Accounts.

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

Re: 2020-2021 Budget Transfers

Dear Council Members:

Please be advised, pursuant to Chapter 12.12 Subdivision (C) 2 of the City Charter, after 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 lists of transfers were made to balance many of the 2020-2021 accounts.

Respectfully,

CAROLYN A. NICOMETO, CITY COMPTROLLER

Moved by Marrano seconded by Moretti to receive and file.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Budget Transfers for the Fiscal Year Ended July 1, 2021.

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

Dear Council Members:

Please approve the attached budget transfers for the fiscal year ended July 31, 2021.

These budget transfers are required to cover accruals and accounts with shortfalls. No funds are required to be transferred from the fund balance.

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

Request to Waive the Rules.

Moved by Marrano seconded by Szymanski to waive the rules.

Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Resolution Authorizing the Mayor to Sign, Submit and Execute a Contract with the Erie County Community Development Block Grant Program.

To: Honorable Council President
Honorable Council Members

714 Ridge Road
Lackawanna, NY 14218

Dear Honorable Body,

It is requested, on behalf of Connie D. Miner & Co., Grant Consultants, that the City Council waive the rules at the regular meeting on Monday, October 25, 2021 and act on the attached resolution authorizing the Mayor to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) Program for the cited project(s) listed therein and upon approval of the ECCDBG.

Thank you for your time and consideration in this very important matter.

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. 28, 2021

Community Development Block Grant Funding

Whereas, the City of Lackawanna is in need of funding for eligible programs under the Community Block Grant Program; and

Whereas, the City of Lackawanna is desirous of obtaining financial assistance for these proposals; and

Whereas, it is in the public interest that the City of Lackawanna apply for such financial assistance from the Community Development Block Grant Program through Erie County Department of Environment and Planning; and

Whereas, a public hearing was held on October 19, 2021 in the Council Chambers of Lackawanna City Hall for citizen input and suggestions for projects submitted for funding, and

Whereas, the Lackawanna City Council submits the following project(s) to be considered for funding by the CDBG Program during the 2022-2023 grant cycle:

1st Priority – Cleveland Avenue Milling and ADA Ramps, requesting \$100,000.00 in CDBG funds with a cash match from the City of Lackawanna for \$10,772;

2nd Priority – Cleveland Avenue Concrete Curbs, requesting \$100,000.00 in CDBG funds with a cash match from the City of Lackawanna for \$25,021.60 OR \$33,375.00;

Now, therefore be it resolved, that the Lackawanna City Council authorizing the Mayor Annette Iafallo to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) Program for the cited project(s) upon approval of the ECCDBG; and

Be it further resolved, that the City of Lackawanna will provide the matching funds for Projects #1 and #2 using H.2080.0600 Streets.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 25, 2021
Lackawanna, New York

Moved by Marrano seconded by Szymanski to adopt resolution as written.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Business Registrations:

Abdulkarim Ahmed, dba Azal Station Inc., 2540 South Park Avenue.

Moved by Marrano seconded by Ingram to approve Business Registration.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

John Salsman, dba Wayside Mobile Home Court, 3447 South Park Avenue.

Moved by Marrano seconded by Szymanski to approve Business Registration.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Dewayne Raye, dba Buffalo Pro Dips LLC, 1212 Abbott Road, STE G.

Moved by Marrano seconded by Moretti to approve Business registration.
Yeas: Ingram, Szymanski, Moretti, Surdyke, Marrano Carried 5-0

Tabled Items:

Old Business:

Adjournment:

Moved by Marrano seconded by et al to adjourn meeting in memory of former Lackawanna Police Officer Paul Cierechowicz.
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 comments made at the meeting are restricted to agenda items only. It is requested that gentlemen remove their hats and that all cell phones be placed in silent mode so as to not disturb the proceedings. Proper decorum and respect towards fellow citizens, Council Members and City Officials must be adhered to or you will be asked to leave the Council Chambers. There is no input from the public during the caucus portion of the meeting. Thank you.

