

**Council Meeting/Annual Reorganization
TUESDAY, JANUARY 4, 2022
6:30 p.m. – Caucus/ 7:00 p.m. Meeting
Live via Facebook@http://Facebook.com/lackawannany**

Meeting called to order/Pledge of Allegiance.

NB: Meeting being recorded.

**Roll Call: Council: Muflahi, Anderson, Moretti, Surdyke, Marrano
Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development,
Public Works (Remote Zoom), Public Information**

Hearings from Citizens: None

Approval of Minutes: of regular meeting of December 20, 2021.

Moved by Marrano seconded by Surdyke to adopt the regular meeting minutes of December 20, 2021 as written.

Yeas: Moretti, Surdyke, Marrano

Pass: Muflahi, Anderson

Carried 5-0

Departmental Reports:

- 1. City Comptroller - A/P Check Listing #20, dated December 15, 2021.**
- 2. City Comptroller – A/P Check Listing #21, dated December 22, 2021.**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from the Council:

Requests Approval of 2022 Council Voting Order.

- 3. To: Honorable City Council Members
714 Ridge Road
Lackawanna, NY 14218**

Dear esteemed colleagues,

I am asking this Honorable Body to approve continuing the current order of Council voting as follows:
1st Ward, 2nd Ward, 3rd Ward, 4th Ward, Council President.

This order is how it's traditionally been done; I see no reason to change it. Thank you for your anticipated cooperation in this matter.

Respectfully,

FREDERIC J. MARRANO, COUNCIL PRESIDENT

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Resolution to Resume Council Meetings Via Zoom Format Effective January 18, 2022.

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

Dear Colleagues,

Attached is a resolution changing our meeting format to the remote zoom format that the previous Council has been recently utilizing. With a new City Council presiding, I wanted to present the option to continue our meetings live and in person, or if the State of New York permits, reverting back to the remote zoom format, starting with our next meeting on Tuesday, January 18, 2022.

Thank you for your time and consideration,

Respectfully,

KEVIN R. SURDYKE, FOURTH WARD COUNCIL MEMBER

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION No. 1, 2022

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 sensitive to the health, safety and welfare of our citizens and public officials with regards to the different variants of COVID-19 virus; and

Whereas, pending approval of New York State Legislators, and signed into law by Governor Kathy Hochul, the City Council is desirous of conducting its meetings in a location and format that maintains the safety and well-being of our citizens and public officials. The City Council is desirous of re-establishing the remote zoom format, effective with our meeting of Tuesday, January 18, 2022, and inclusive of any regular and special meetings, until such time the City Council rescinds this resolution with a subsequent resolution and/or the State of New York no longer allows such format for public meetings;

Therefore be it resolved, that the City Council Meetings, effective January 18, 2022 shall be conducted via remote zoom format, until such time this City Council rescinds this resolution with a subsequent resolution and/or the State of New York no longer allows such format for public meetings; and

Be it further resolved that the start time of regular City Council meetings shall begin immediately after the caucus, scheduled before each regular meeting at 6:30 p.m. A copy of this resolution shall be posted on the bulletin board in the main 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: January 4, 2022
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/Department Heads:

Requests Approval of Resolutions Designating Council Pro-Tempore for 2022, Council Meeting Dates for 2022 and the Official Newspaper for the City in 2022.

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

Dear Honorable Body,

Please approve the attached resolutions that are typical for the Annual Reorganization Meeting. The resolutions are as follows:

Resolution #2: Council President Pro Tempore 2022.

Resolution #3: Council Meeting Dates 2022.

Resolution #4: Official Newspaper of the City of Lackawanna 2022.

Thank you for your anticipated cooperation.

Respectfully,

JEFFREY P. DEPASQUALE, CITY CLERK

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION No. 2, 2021

Whereas, Chapter 3, Section 3.5 of the Charter of the City of Lackawanna provides that the City Council may elect from its members, a Council President Pro-Tempore who shall serve in the event of the Council President's absence or disability; and

Whereas, the Council President Pro-Tempore, selected by the City Council, shall serve as Council President Pro-Tempore for the term of one year, expiring on December 21, 2022,

Now, Therefore, Be it Resolved, that Council Member Kevin R. Surdyke, Council Member of the 4th Ward, be and hereby is selected and appointed to be Council President Pro-Tempore for the year 2022.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: January 4, 2022
Lackawanna, New York

Moved by Marrano seconded by Moretti to adopt resolution as written.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION No. 3, 2021

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

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

Be it resolved, the following meeting dates for the City Council meetings for the year 2022 shall be as follows:

Tuesday, January 4 – Reorg. Meeting
Tuesday, January 18 (MLK Day)
Monday, February 7
Monday, February 28
Monday, March 14
Monday, March 28
Monday, April 11
Monday, April 25
Monday, May 9
Monday, May 23
Monday, June 6
Monday, June 20

Monday, July 11
Monday August 15
Tuesday, September 6 (Labor Day)
Monday, September 19
Monday, October 3
Monday, October 24
Monday, November 7
Monday, November 21
Monday, December 5
Monday, December 19

Be it further resolved, that all Council meetings shall be held in Lackawanna City Hall unless otherwise deemed by the City Council; 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, on the Council bulletin and in the City Clerk’s Office.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: January 4, 2022
Lackawanna, New York

Moved by Marrano seconded by Muflahi to adopt resolution as written.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION No. 4, 2021

Whereas, Chapter 2, Section 2.9 of the City Charter of the City of Lackawanna by resolution, designates a newspaper having general circulation and published within the City to serve as the “Official Newspaper” of the City.

Now therefore be it resolved, that the Buffalo Business First, 465 Main Street, Suite #100, Buffalo, NY 14203, is hereby designated as the official newspaper for the City of Lackawanna for the year 2022.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: January 4, 2022
Lackawanna, New York

Moved by Marrano seconded by Anderson to adopt resolution as written.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Commissioner of Deeds Status for Amira Muflahi.

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

Dear Council Members,

I am requesting Commissioner of Deeds status in the City of Lackawanna for Amira H. Muflahi, First Ward Council Member. Term to expire 12/31/2024.

I appreciate your anticipated cooperation in this matter.

Respectfully,

JEFFREY P. DEPASQUALE, CITY CLERK

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

Dear Council Members,

I am requesting Commissioner of Deeds status in the City of Lackawanna for Karl R. Anderson, Second Ward Council Member. Term to expire 12/31/2024.

I appreciate your anticipated cooperation in this matter.

Respectfully,

JEFFREY P. DEPASQUALE, CITY CLERK

Moved by Marrano seconded by Moretti to approve request.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance Creating a Second Assistant City Attorney Position.

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

Re: Assistant City Attorney Position

Hon. City Council:

The City Attorney requests that you waive the rules and authorize the creation of a second assistant city attorney position with an annual salary of \$44,290. City Attorney will be happy to discuss this matter at the work session in further detail as to why this is being brought up on an emergency basis. This will be a temporary position and will be funded out of the City Attorney's judgment and claims.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

Moved by Marrano seconded by Surdyke to receive and file, act on ordinance.
Yeas: Muflahi, Anderson, 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 to increase the number of Assistant City Attorneys from one to two.
- SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code A.1420.0101 Department of Law – Assistant City Attorney by \$12,000.00.
- SECTION 3. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$12,000.00 from budget code A.1900.1930 Special Items – Judgments and Claims.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

**Dated: January 4, 2022
Lackawanna, New York**

Moved by Marrano seconded by Moretti to adopt ordinance as written.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval Authorizing the Mayor to Sign the Lackawanna Firefighters Contract.

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

Hon. City Council:

The City Attorney requests that you waive the rules and authorize the Mayor to sign the attached contract between the City and the Lackawanna Professional Fire Fighters Association, Local 3166, I.A.F.F., AFLO-CIO.

Finalizing of this contract was delayed due to an illness of the firefighter's attorney and the City wishes to settle this matter.

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 Moretti seconded by Marrano to approve request.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance Utilizing a Pre-Approved Grant for the City Swim Project.

9. 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 recognize the revenue and related expenditure for the Ralph C. Wilson, Jr. Legacy Fund for Youth Sports administered by the Community Foundation for Greater Buffalo. This grant was awarded after the City of Lackawanna Budget for the year ended July 31, 2022. These funds will be used for the City Swim Project at the Lackawanna High School.

If you have any questions regarding the grant of the City Swim Project please feel free to contact either Brain Lakso or myself.

Sincerely,

CAROLYN A. NICOMETO, CITY COMPTROLLER

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

Yeas: Muflahi, Anderson, 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 to increase budget code A.0000.2070. Contributions from Private agencies for Youth by \$10,540.00.

SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code A.7020.0404.0000 Recreation Administration-Special Sporting Events by \$10,540.00.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

**Dated: January 4, 2022
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

Old Business:

Adjournment:

Moved by Marrano seconded by Muflahi to adjourn meeting.
Yeas: Muflahi, Anderson, 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.
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