

**Regular Council Meeting**  
**Monday, February 28, 2022**  
**REMOTE ZOOM FORMAT**  
**6:30 p.m. – Caucus/ Meeting to follow**  
**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 (Vacant),**  
**Public Works, Public Information**

**Hearings from Citizens:** Addressed with communications below.

**Approval of Minutes:** of the regular meeting of February 7, 2022.

Moved by Marrano seconded Moretti to adopt minutes of the February 7, 2022 meeting as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **City Comptroller** - A/P Check Listing #26, dated February 4, 2022.
2. **City Comptroller** – A/P Check Listing #27, dated February 11, 2022.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from the Mayor:**

**Requests Approval of Resolution Waiving the Residency Requirement for the Director of Development.**

3. To: Honorable Council President  
Honorable Council Members

Dear Council-

I hereby request the City Council approve the resolution to “waive the residency requirement” for Lauren M. Jednak, residing in Buffalo, to be appointed as *Director of Development*.

Per Section 5-38 of the City Charter each officer and employee of the City during the period of his or her employment is to maintain his or her residence within the corporate limits of the City. As you know the shortage of qualified department heads within the City limits has led to previous requests of the same waiver.

As you know, the current Director has resigned and has taken employment elsewhere. After conducting interviews, I feel Lauren is the best candidate for this position.

Please contact me if you have any questions.

Respectfully,

**ANNETTE IAFALLO, MAYOR**

Moved by Marrano seconded by Moretti to receive and file, act on resolution.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 6, 2022**

**WHEREAS**, Lauren M. Jednak shall be duly appointed by Mayor Iafallo to the position of Director of Development effective March 1, 2022; and

**WHEREAS**, the City Council is empowered to waive the requirement of the residency in those instances where the employer has difficulty hiring or promoting the most qualified person because of the residency requirement.

**NOW, THEREFORE BE IT RESOLVED,**

That pursuant to Chapter 5-38 of the Municipal Code of the City of Lackawanna, the residency requirement for Lauren M. Jednak, Director of Development, be and the same is hereby waived.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022**  
**Lackawanna, New York**

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

Carried 5-0

**Requests Approval of Resolution Waiving the Residency Requirement for the City Comptroller.**

4. To: Honorable Council President  
Honorable Council Members

Dear Council-

I hereby request the City Council approve the resolution to "waive the residency requirement" for Linda Marie Hybicki, residing in Tonawanda, to be appointed as *City Comptroller*.

Per Section 5-38 of the City Charter each officer and employee of the City during the period of his or her employment is to maintain his or her residence within the corporate limits of the City. As you know the shortage of qualified department heads within the City limits has led to previous requests of the same waiver.

As you know, the City Comptroller resigned and Peggy Bigaj-Sobol has been Acting Comptroller. Peggy has done an excellent job and I thank her for her hard work.

After conducting interviews, I feel Linda is the best candidate for this position.

Please contact me if you have any questions.

Respectfully,

**ANNETTE IAFALLO, MAYOR**

Moved by Marrano seconded by Moretti to receive and file, act on resolution.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 7, 2022**

**WHEREAS**, Linda Marie Rybicki shall be duly appointed by Mayor Iafallo to the position of City Comptroller effective March 1, 2022; and

**WHEREAS**, the City Council is empowered to waive the requirement of the residency in those instances where the employer has difficulty hiring or promoting the most qualified person because of the residency requirement.

**NOW, THEREFORE BE IT RESOLVED,**

That pursuant to Chapter 5-38 of the Municipal Code of the City of Lackawanna, the residency requirement for Linda Marie Hybicki, City Comptroller, be and the same is hereby waived.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022  
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/Department Heads:**

**Requests Approval for Use of Veteran's Stadium by Kodex Elite Sports Training.**

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

Honorable Members of the City Council:

Kodex Elite Sports Training is requesting your Honorable Body to authorize their use of Veteran's Stadium for Flag Football games and practices as indicated in their included schedule between May 7 and July 31, 2022.

As a result of LA Sports Club's willingness to adjust their scheduled programming at Veterans Stadium, this request does not create a conflict with any regularly scheduled activities.

Kodex Elite Sports Training has provided proof of valid insurance.

Dear Community Member:

Hello. My name is Desmond L. Glover and I founded and run Kodex Elite Sports Training. Part of its mission is to build a local network community of both players and fans and tap into the energy of one of the fastest growing sports in.

The Sports Fitness Industry Association's (SFIA) most recent Participation Report noted that Flag has grown to 6.8mm participants, up 23% in the previous 5 years, vs. a 15% decline for tackle to 5.1mm. Flag's growth rate far exceeds that of soccer, lacrosse, ice hockey, rugby and other major team sports. Our area needs to be part of this trend and we are bringing you this opportunity to help our local community.

Kodex Elite Sports Training would like to host flag football tournament (18+ yr olds) at the Veterans Stadium during the late spring and summer of 2022. We would like to use this national attention and these national events to bring both 8 man flag football as well as 5 man flag football to western New York.

The dates we are looking to acquire the field are:

May 7 & 8, 14, 21, 28. June 4, 11, 18, 25. July 2, 9, 16, 23, 30 & 31.

Each event will run 7 hours with a start time of 4pm. If we happen to entertain prime time hours we would be ok with having to use the field lights. We are a fully insured organization and all liability will be placed upon us. We also maintain a cleanup crew to make sure we leave the field as it was upon our arrival.

Thank you in advance for your generosity and support.

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

**DESMOND L. GLOVER, PRESIDENT KODEX ELITE SPORTS TRAINING**

Sincerely,

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

Moved by Muflahi seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Authorization for the YMCA to use Various Playgrounds within the City for the Y on the Fly Program.**

6. 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 to authorize the YMCA to use Bethlehem Park, Ridgewood Village and Martin Road Playgrounds for its Y on the Fly Program. This program would run from Monday June 27 to Friday September 2, 2022 with specific dates yet to be scheduled. The YMCA is fully insured.

The YMCA has very successfully run its Y on the Fly program for many years throughout Western New York, including last summer at LMHA's Taggart Playground, and wants to offer more programs to the youth of our community in the summer months. Y on the Fly brings recreational activities as well as providing healthy food options to the young people they seek to serve. The Y on the Fly program is free of cost to all youth participants.

Sincerely,

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

Moved by Muflahi seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Transfer of Funds to Cover the Purchase of Parts and Supplies in the DPW Department.**

7. To: Honorable Council,

I am requesting the transfer of funds to the following accounts to cover the purchase of parts and supplies for the remainder of the budget year.

Budget Line: A.5132.416 City Garage Truck Repairs and Tires

Starting Balance: \$63,000

Requested Transfer: \$30,000

Notes: Current Balance \$18,000 with 3 outstanding bills totaling \$16,000

Budget Line: A.5132.414 City Garage Highway Supplies

Starting Balance: \$5,000

Requested Transfer: \$2,500

Notes: Current Balance \$1464.86

Budget Line: CL.8160.443 Sanitation Repairs and Replacements

Starting Balance: \$10,000

Requested Transfer: \$10,000

Notes: This line is currently in the negative

If you have any questions, please contact me.

Thank you,

**ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded by Moretti 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 17, 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 17, 2021 is hereby amended to increase appropriations for Garage Truck Repairs and Tires and Garage Highway Supplies.

SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to add \$30,000.00 to budget code A.5132.416 Truck Repairs and Tires and \$2,500 to A.5132.414 Highway Supplies.

SECTION 3. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$32,500.00 of the City's Fund Balance.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022**

**Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

### **ORDINANCE**

#### **AN ORDINANCE AMENDING THE 2021-2022 BUDGET ORDINANCE ADOPTED MAY 17, 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 17, 2021 is hereby amended to increase appropriations BY \$10,000.00 for budget code A.9000.9551 Transfer to Special Revenue Fund.

- SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$10,000.00 of General Fund Balance.
- SECTION 3. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code CL.0000.5031 Special Revenue Fund-Garbage and Refuse Interfund Transfers by \$10,000.00.
- SECTION 4. That the 2021-2022 Budget Ordinance is hereby amended to increase budget code CL.8160.443 Special Revenue Fund – Garbage and Refuse, Repairs and Replacement by \$10,000.00.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022  
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Establishment of Property Address for SBL#141.15-1-6 as 8 Dona Street.**

8. To: Common Council of the City of Lackawanna

From: Deborah J. Skulski-Wakelam, City Assessor

Date: February 22, 2022

Re: Establishment of Property Address Along the Dona Street Extension

The owners, ECIDA on the Bethlehem site are also the owner of sub-portion 2303 Hamburg Turnpike bearing SBL#141.15-1-6.

They are seeking their own address at said sub parcel so that they may receive mail at their property.

In anticipation of such request we had reserved the number "8 Dona" street for their parcel. I am requesting you to assign them that number.

A draft Resolution assigning 8 Dona Street to SBL#141.15-1-6 follows.

**DEBORAH J. SKULSKI-WAKELAM, CITY ASSESSOR**

Moved by Muflahi seconded by Moretti to receive and file, act on resolution.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 8, 2022**

**Whereas**, Pursuant to Chapter 194-7 of the Lackawanna City Code all changes to Street Address in the City of Lackawanna are to be approved by the City Council; and

**Whereas**, the County of Erie has recently completed the extension of Dona Street in westerly direction from Route 5 into the former Bethlehem Steel Site; and

**Whereas**, the owners, ECIDA on the Bethlehem site are also the owner of sub-portion of 2303 Hamburg Turnpike bearing SBL#141.15-1-6, and are seeking their own address at this sub parcel so that they may receive mail at their property; and

**Whereas**, in anticipation of such a request we had reserved the number “8 Dona” street for their parcel, and it is now hereby

**Resolved that;**

1. The parcel of land bearing SBL#141.15-1-6 is hereafter renamed and renumbered to be 8 Dona Street; and

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022**  
**Lackawanna, New York**

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

Carried 5-0

**Requests Approval of Ordinance to Transfer Funds to Increase Development Consulting Fees Regarding the City Hall pocket park.**

9. To: Lackawanna City Council

Re: City Hall Connection Pocket Park

Attached please find three invoices from Pinto Construction for work on the above-referenced project. These invoices have been submitted for grant approval which is currently pending. After discussion with the Mayor, Director of Development and Director of Public Works we are hereby requesting the Council authorize payment to Pinto Construction so that they do not have to wait for grant reimbursement.

Pay app #11 (\$52,949.07) was paid out of Director of Development consulting budget funds. Pay app #12 (\$35,910) and #13 (\$13,400.84) have not been paid.

The City Attorney, after consulting with the Director of Development, requests that the Council authorize the transfer of \$102,259.91 from the general fund to the operating fund (consulting) so that Pinto can be paid for apps #12 and #13. The Director of Development’s consulting budget will also be reimbursed \$52,949.07 for pay app #11.

At a later date the City Attorney will provide the Council with a breakdown of all amounts expended and approved by the grant. It is anticipated that all amounts charged by Pinto Construction will be totally reimbursed.

**RICHARD S. JUDA, JR., CITY ATTORNEY**

Moved by Marrano seconded by Moretti 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 17, 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 17, 2021 is hereby amended to increase appropriations for Development Consulting Fees.

SECTION 2. That the 2021-2022 Budget Ordinance is hereby amended to add \$102,259.91 to budget code A.3620.469 Consulting Fees.

SECTION 3. That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$102,259.91 of the City's Fund Balance.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022  
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Resolution Authorizing the Mayor to Execute the 2022 STOP-DWI Contract.**

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

Re: 2022 STOP-DWI Program

Hon. City Council:

I respectfully request that the Council approve and authorize the execution of the attached contract between the County of Erie and the City of Lackawanna to allow participation and receive funding from the above – referred program.

Very truly yours,

**RICHARD S. JUDA, JR., CITY ATTORNEY**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 9, 2022**

**WHEREAS**, the City has been engaged in the STOP-DWI program in conjunction with the County of Erie for several years; and

**WHEREAS**, the County has requested the City to enter into a formal agreement with the County setting forth the terms and conditions between the County and the City; and

**WHEREAS**, attached hereto, is a copy of the proposal contract for the period commencing January 1, 2022 and terminating December 31, 2022; and

**WHEREAS**, the City Council deems it in the best interest of the City of Lackawanna to enter into said agreement,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Mayor be and hereby is authorized and directed to execute said agreement on behalf of the City of Lackawanna; and be it further



**RESOLVED**, that the City Clerk forward certified copies of this resolution to the Mayor, Director of Public Safety, Chief of Police and the City Attorney.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: February 28, 2022**  
**Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Citizens:**

**Requests Approval for use of Public Streets for the 3<sup>rd</sup> Annual AshleyMay 5k Run.**

11. To: Dear Council Members,

On Sunday June 26, 2022, I am currently planning an event to take place in the city of Lackawanna. After having to cancel the past 2 years due to Covid I am excited for this event to continue. The 3<sup>rd</sup> Annual AshleyMay 5k run/walk for domestic violence awareness, in honor of what would be my daughters 28<sup>th</sup> birthday, will begin and end at Galanti Park. I have enclosed a copy of the course, which is certified by USA Track and Field, certification number NY18006JG.

I am requesting permission to be able to use the public streets on this day starting at 10 am. The safety of runners, motorists, and volunteers are of the utmost importance to me. For this reason, I am also asking you to consider the support of the Lackawanna Police Department at main intersections to avoid any unnecessary chaos.

If you have any further questions regarding this event you can contact me at 583-1759 or visit our website for event details, ashleymay5k.net.

I'm hopeful this will be a great event held in the city for many years to come! Thank you for your time and consideration.

**ANDREA KWASNIEWSKI, RESIDENT**

Moved by Muflahi seconded by Surdyke to approve request, refer to Director of Public Safety, DPW Commissioner and Director of Recreation.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of a Parade Permit in Celebration of St. Patrick's Day.**

12. To: Honorable Mayor Annette Iafallo  
714 Ridge Road  
Lackawanna, New York

RE: 2022 St. Patrick's Day parade and Festivities

Dear Mayor Iafallo:

The Limestone Hill Friends of St. Patrick are planning the annual St. Patrick's Day parade and Festivities for St. Patrick's Day, Thursday March 17, 2022.

The Festivities will include the following:

12:10 PM Special Mass – Our Lady of Victory Basilica

12:45 PM The Annual Shortest St. Patrick's Day Parade  
(Parade Route: Our Lady of Victory Basilica to City Hall)

1:00 PM Raising of the Irish Flag commemorating St. Patrick's Day

Guest Speakers: City of Lackawanna Mayor and Parade Representatives

Thank you for your consideration.

Respectfully,

**MICHAEL CUSACK/THOMAS MCGOWAN, CO-CHAIRMEN, PATRIOTS CLUB/COL. WEBER POST 898**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Entertainment Licenses:**

**Class I – Live Music and/or Mechanical Reproduction.**

Murph's Warsaw Grill, 1 Warsaw Street

Nite Cappe, 1769 Abbott Road

The Pour House Sports Bar, 2847 South Park Avenue

Moved by Surdyke seconded by Marrano to approve the above Class I Entertainment Licenses.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Class II – Coin Operated Mechanical Reproduction.**

Steel City Pub, 1449 Abbott Road

American Legion Post 63, 144 Kirby Avenue

J's White Elephant, 1404 Abbott Road

Moved by Marrano seconded by Moretti to approve the above Class II Entertainment Licenses.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Tabled Items:**

**Old Business:**

**Adjournment:**

Moved by Surdyke seconded et al to adjourn meeting in memory of US Coast Guard Veteran and Lackawanna Police Officer Doc Strycharz, Josephine Kendrick and Marcia Palczak.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

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Frederic J. Marrano-Council President

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Jeffrey P. DePasquale - City Clerk

People wishing to speak before the City Council shall provide their name, address and limit their comments to three (3) minutes on agenda items only. Please direct any comments to the Council President. To place an item on the agenda, persons shall submit their correspondence to the City Clerk's Office in a signed letter or via email ([cityclerk@lackny.com](mailto:cityclerk@lackny.com)) with full address and phone number contained therein, and must be RECEIVED prior to 12:00 noon on the Wednesday preceding the meeting. The City Council has final approval of all agenda items. If attending the meeting in person, please silence your cell phones and gentlemen remove your hats. Commentary and actions shall always be respectful of the City Council, Department Heads and fellow citizens or you will be escorted from Chambers.

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