

**Regular Council Meeting
Monday, April 25, 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.**

Remote Zoom format is authorized by Executive Order of the Governor through June 9, 2022.

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

Hearings from Citizens: Please refer to communications from Citizens below.

Approval of Minutes: of the regular meeting of April 11, 2022.

Moved by Marrano seconded Muflahi to adopt minutes of the regular meeting of April 11, 2022 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller** – A/P Check Listing #32, dated April 8, 2022.
2. **City Comptroller** – A/P Check Listing #33, dated April 19, 2022.

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 Division/Department Heads:

Requests Approval of Lease Agreement between the City of Lackawanna and the Healthy Buffalo Softball League.

3. To: Honorable City Council President
 Honorable City Council Members
 714 Ridge Rd.
 Lackawanna, NY 14218

Honorable Members of City Council:

I am requesting your Honorable Body to authorize the use of Veterans' Stadium at 2960 South Park Ave. for use each Tuesday between May 31, 2022 and August 31, 2022 for use by the Healthy Buffalo Softball League. Healthy Buffalo has been renting fields from the City of Lackawanna for many years with no issues of any sort. Healthy Buffalo has provided proof of insurance through the end of 2022.

Thank you for your consideration.

Sincerely,

BRIAN LAKSO, DIRECTOR OF PARKS & RECREATION.

Moved by Marrano seconded by Moretti to approve request, as amended by the City Attorney.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Notification of Retirement of the Commissioner of Public Works.

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

Dear Council Members:

Please be advised that Mr. Anthony DeSantis, Commissioner of Public Works, has retired.

The effective date of Mr. DeSantis' retirement is April 15th, 2022.

Very truly yours,

LINDA M. HYBICKI, CITY COMPTROLLER

Moved by Marrano seconded by Anderson to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Notification of Retirement of Lieutenant from the Police Department.

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

Dear Council Members:

Please be advised that Lt. Robert Janowski retired from the Police Department, effective February 26th, 2022.

Very truly yours,

LINDA M. HYBICKI, CITY COMPTROLLER

Moved by Marrano seconded by Moretti to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval for the Fire Department to Advertise for Bids for New Personal Protective Equipment.

6. To: Lackawanna City Council
Attn: Council President Frederic Marrano

Subject: Personal Protective Equipment Bids

Honorable Council Members:

I respectfully request authorization for the Fire Department to Advertise for bids for new personal protective equipment. The funding for the equipment has been provided by Assemblyman Patrick Burke by utilizing available funds from a DASNY grant.

*Lackawanna City Council
Honorable Fred Marrano, President
City Hall – Room 217
714 Ridge Road*

Lackawanna, NY 14218

Re: Request to advertise for bids for Personal Protective Equipment

Dear Council Members,

I am requesting permission from your Honorable Body to advertise for bids for new Personal Protective Equipment for the Fire Department.

This equipment will include turn out gear, boots and gloves for each member of the department. Equipment specifications will be filed with the City Clerk's office.

The funding for this project is provided by a DASNY grant sponsored by Assemblyman Pat Burke.

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

Sincerely,

JAMES J. FINO, FIRE CHIEF

Respectfully,

JOHN WOLF, DIRECTOR OF PUBLIC SAFETY

Moved by Marrano seconded by Moretti to direct City Clerk to advertise for bids.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of the Resolution Relocating the Splash Pad to Franklin Street Playground.

7. To: Honorable Council President

Honorable City Council

714 Ridge Road

Lackawanna, NY 14218

Dear Honorable Body,

The Department of Development requests the City Council approve the attached resolution pertaining to the Splash Pad.

An archeological sensitivity assessment dated August 2021 stated that Memorial Field, originally proposed as the site location, is a very sensitive area for Euro-American archeological resources, specifically burial grounds from the mid-19th to early 20th century and is a former site of the Howard Cemetery, a potter's field with a substantial number of interred individuals. A copy of the study is located in the Development Office.

This council action is necessary to maintain funding for the project through Empire State Development (ESD).

Respectfully Submitted,

LAUREN JEDNAK, DIRECTOR OF DEVELOPMENT

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 15, 2022

WHEREAS, the City of Lackawanna was previously allocated approximately \$325,000 in CDBG funds through the County of Erie to further develop recreational activities; and

WHEREAS, the City had previously designated Memorial Field along Ridge Road for the design and construction of a splash pad along with other amenities; and

WHEREAS, archeological concerns with the previous site at Memorial Field necessitate the relocation of the splash pad;

NOW, THEREFORE, BE IT

RESOLVED, that the Lackawanna City Council authorizes the relocation of the splash pad to the Franklin Street playground and hereby authorizes the Department of Development, the Mayor, and the City Attorney to take any and all actions necessary to effectuate the relocation of the splash pad and further authorizes the Mayor to execute any and all documents including grant applications and contracts as may be necessary to apply for and or obtain grants and other funding available through the County of Erie and the State of New York as part of the Development of this parcel.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: April 25, 2022
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Submission of a Synopsis Regarding the Open Meetings Law that Permits Videoconferencing.

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

Hon. City Council:

The State Legislature changed the open meetings law to permit videoconferencing. Attached is a synopsis of the new law for discussion at the next council meeting.

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 Surdyke to **TABLE** action pending further information.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Submission of Completed Audits Performed by the Office of the New York State Comptroller.

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

Dear City Council Members,

Pursuant to Section 35 of New York State General Municipal Law (GML), the City Clerk's Office is submitting copies to your Honorable Body of two recently completed audits by The Office of the New York State Comptroller. They are:

- 1) Network Management and Internal Controls
- 2) Garbage Collection Fees

Please refer to the last paragraph on Page 11 in the Network Management audit and the last paragraph on page 13 of the Garbage Collection Fees audit. Both paragraphs refer to the City Council's response to each audit.

Respectfully,
JEFFREY P. DEPASQUALE, CITY CLERK

Moved by Marrano seconded by Moretti to receive and file, refer to City Comptroller, City Assessor and Law Department for recommendations as to any legislation that may be needed.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Submission of a Communication Regarding 23 and 27 Washington Street.

10. To: Dear City Council Members,

My name is Fathi Mohsin and I bought an almost condemned house (23 Washington) a few years ago. I thought the land attached was part of my purchase (27 Washington) but later found out it was not. My experience with the city has been very frustrating. The home needed a lot of renovating and I brought it up to livable conditions as well as cleaned up the city lot next door.

The lot (27 Washington) was filled with garbage, shrubs, rodents, and uneven land. When I take garbage to the curb I was told I cannot do so even though I explained it was the city's responsibility to clean it and not mine. I went to city hall many times to ask why the city isn't cleaning it and that I want to purchase it because of how close it is to my home. I was sent to different departments and spoke with many people, at one point I was told I will be billed for the cleaning the city did to the property, that's when I was very mad. The city never stepped on to the property, and if they did clean it (which they did not) – it belonged to the city and not me. I made many offers, and I was never informed when the offers were rejected and why. The city assessor and DPW were difficult to work with, and they told me that the property was not for sale anymore. An employee named Shannon, was very nice and understanding but she couldn't really do anything.

On February 22, 2022, I placed a bid for \$1,500. I have invested so much into my home and the cleaned city lot next door and I would like to make further improvements to the curb appeal of my residence. My children deserve a clean outdoor space to grow and explore.

Things need to be more inviting in how business is handled in the office in the city of Lackawanna. My experience has been frustrating and I hope to move past it. Thank you for your time and consideration.

FATHI MOHSIN, LACKAWANNA RESIDENT

Moved by Marrano seconded by Muflahi to receive and file, refer to City Assessor, Law Department and Director of Development. Response requested by next Council Meeting on May 9, 2022.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Business Registration:

Natika Evans, dba Nikki's Family Diner, 1245 Abbott Road.

Moved by Marrano seconded by Moretti to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

-

Old Business:

Adjournment:

Moved by Marrano seconded Muflahi to adjourn meeting.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Jeffrey P. DePasquale - City Clerk

Persons 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) 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 the 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.

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