

**Regular Council Meeting**

**Monday, May 23, 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 approved legislation through June 8, 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 the Communications from Citizens below.

**Approval of Minutes:** of the regular meeting of May 9, 2022.

Moved by Marrano seconded Anderson to adopt the minutes of the regular meeting of May 9, 2022 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **City Clerk**– Monthly Revenue Report for April, 2022.
2. **City Comptroller** – A/P Check Listing #36, dated May 13, 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 the Mayor:**

**Requests Approval of Budget Ordinance for the Fiscal Year 2022-2023.**

3. To: Honorable Council President  
Honorable Council Members

Accompanying this letter is the Proposed Budget for the City of Lackawanna for the fiscal year: August 1, 2022 to July 31, 2023.

Also attached is a Sheet which highlights the key factors of said Proposed Budget.

Please keep in mind that, in the prior fiscal year, two of the three long-outstanding labor negotiations inherited upon my taking office in 2020 were successfully resolved, with contract agreements reached with the unions representing our public works and fire department. Settlement of the police officers contract agreement was reached in 2020-2021. In like fashion, the 2022-2023 budget anticipates the

timely resolution of current CSEA labor negotiations and modest raises for various department heads, as efforts continue towards implementing a more competitive and equitable compensation structure.

The budget continues to extend the promise of tax relief to our property owners: no tax increase or garbage fee increase will be implemented for a third year in a row.

As highlighted in the attached, Proposed Budget and Highlight Sheet, efforts continue to fulfill my Administrations promise to rebuild Lackawanna's economy and provide tax relief to property owners.

Currently, over \$100 million in new development projects are in-progress or near completion, all of which will add to the City tax base over time. In addition, we anticipate adding more projects in the near future on both city-owned parcels and within emerging Erie County-led Renaissance Commerce Park.

I thank this Honorable Body for their cooperation and support of these and other efforts benefiting all those who live and work in the City of Lackawanna.

Respectfully,

**ANNETTE IAFALLO, MAYOR**

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

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

## **ORDINANCE**

### **AN ORDINANCE ADOPTING THE CURRENT EXPENSE BUDGET OF THE CITY OF LACKAWANNA FOR THE FISCAL YEAR 2022-2023**

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

- Section 1:* The City Charter of the City of Lackawanna, New York requires that the City Council, at a meeting thereof, held not later than the 10<sup>th</sup> day of June, adopt a Current Expense Budget for the fiscal year, August 01<sup>st</sup>, 2022, through July 31<sup>st</sup>, 2023, showing all City expenditures and revenues and including the real property tax rate.
- Section 2:* That the sum of \$12,720,898, being the entire amount determined to be necessary to be raised by taxation to defray the expense of the City for the 2022-2023 fiscal year, in accordance with the detailed statement of revenues and expenses, as estimated and adopted by the City Council, be and the same is hereby levied upon all real and personal property subject to taxation upon the assessment roll of the City of Lackawanna for the 2022-2023 fiscal year.
- Section 3:* That the City Clerk be and hereby is directed to extend and apportion the said sum levied and to be raised by taxation, as aforesaid, in the last assessment roll of the City of Lackawanna delivered to him and to deliver a certified duplicate of the same, with a warrant annexed, under the seal of the City of Lackawanna, to the City Treasurer, commanding her to receive, levy and collect the several sums in said roll specified as assessed against the persons or property therein mentioned or described with such percentage in the manner provided by law for the collection and levying of City taxes by the City Treasurer.

*Section 4:* That the following schedule be and the same is hereby adopted as the Current Expense Budget of the City of Lackawanna for the fiscal year August 1, 2022 through July 31, 2023, along with the revenues and taxation estimated and levied herein, and that the same be and hereby is appropriated in the sum set forth in the third column of said schedule to the use of the several boards, departments and offices for the purposes enumerated therein, to wit:

Unified Tax Rate: **\$16.75 of assessed valuation**

*Section 5:* That the City Clerk be and is hereby directed to forward a copy of the Ordinance to the: City Treasurer; Director of Administration and Finance; City Comptroller and the City Attorney's Office.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 24, 2022  
Lackawanna, New York**

Moved by Marrano seconded Moretti to adopt ordinance as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from the Council:**

**Requests Approval of Resolution Condemning the Hate Crime on May 14, 2022 on the Residents of Buffalo, New York.**

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

Dear Colleagues:

I am requesting that you join me in supporting and approving the attached resolutions. They are as follows:

A resolution condemning the hate crime perpetuated against the fine citizens of the City of Buffalo, New York on May 14, 2022.

A resolution supporting the return to live, in-person Council meetings in Council Chamber, beginning with the regular meeting on Monday, June 6, 2022.

Thank you for your anticipated cooperation.

Respectfully,

**FREDERIC J. MARRANO, COUNCIL PRESIDENT**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 16, 2022**

**Whereas**, on May 14, 2022, the citizens of Buffalo, New York, senselessly suffered the loss of ten human lives, with several others injured, in a horrific act of racial hate at the Tops Supermarket on Jefferson Avenue; and

**Whereas**, the people of Buffalo were going about their daily lives, without regard to the tragedy that was about to unfold, whether they were shopping for their families, working at the store to support themselves or keeping the store and its patrons safe from harm's way; and

**Whereas**, this unspeakable act, by a person who does not reside anywhere near this area, has brought unwanted attention and heart ache to the citizens of Buffalo, New York, known as the "City of Good Neighbors," and all surrounding communities, including the County of Erie, the State of New York, and the United States of America; and

**Whereas**, the City Council of the City Lackawanna, New York, on behalf of all residents in the City of Lackawanna, stand in unison with the people of the City of Buffalo, the people of Erie County, the people of the State of New York and all the people of the United States of America, to condemn this despicable act of violence against one segment of our society;

**Now, therefore be it**

**Resolved** that the City of Lackawanna is calling on our elected leaders at every level to do anything and everything within their power to do what they can to end this type of violence, to do what they can to ensure that acts like these, whether it be supermarket, school, concert, religious service, or wherever people gather in mass, to do what they can to ensure the safety and well-being of our citizens of every race, ethnicity, nationality, etcetera:

**And Be It Further Resolved** that the City Council of the City of Lackawanna is calling on our government to punish the person responsible for this hate crime to be prosecuted to the fullest extent of the law.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 23, 2022**  
**Lackawanna, New York**

Moved by Marrano seconded Anderson to adopt resolution as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION No. 17, 2022**

**Whereas**, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for meeting dates, time and location of the 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, while being sensitive to the health, safety and welfare of our citizens and public officials with regards to the different variants of the COVID-19 virus; and

**Whereas**, the City Council is desirous of re-establishing live, in-person meetings;

**Therefore be it resolved,** that City Council meetings effective June 6, 2022, shall be conducted in-person in Council Chambers, located on the second floor of Lackawanna City Hall, with caucus beginning at 6:30 p.m., with the regular meeting to commence at 7:00 p.m.;

**Be it further resolved** that the resolution passed by this honorable body on January 4, 2022 authorizing meetings to be conducted in the remote zoom format is hereby rescinded. 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: May 23, 2022**  
**Lackawanna, New York**

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

Carried 5-0

**Requests Approval of the 2022-2025 Snow Removal and Ice Control Agreement.**

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

Re: 2022-2025 Snow Removal and Ice Control Agreement

Hon. City Council:

Please put the above-referred agreement 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 Surdyke to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Ordinance Regarding the Sale of 27 Washington Street.**

6. To: Jeffrey DePasquale, City Clerk  
714 Ridge Road  
Lackawanna, New York 14218

Re: Sale of 27 Washington Street to Mohsin

Dear Mr. DePasquale:

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

Very truly yours,

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

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**ORDINANCE**

**AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE  
CHAPTER 12.**

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

SECTION 1. That the City Council hereby approves of the transfer of property known as 27 Washington Street, SBL 141.51-4-9 to Fathi Mohsin.

SECTION 2. That the transfer is made for the sum of \$1,500 in cash to The City of Lackawanna.

SECTION 3. That the purchaser/transferee shall be responsible for all expenses related to the transfer as set forth in Chapter 12, Section 11 of the City Code.

SECTION 4. That the Law Department shall prepare documents to be executed for the transfer of the property.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 24, 2022**  
**Lackawanna, New York**

Moved by Muflahi seconded Moretti to adopt ordinance as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Resolution Authorizing the Mayor to Enter into Any Agreements Necessary to Obtain Title to the Dona Street Extension.**

7. To: Lackawanna City Council

From: Richard S. Juda, Jr., Esq., City Attorney

Dear Council Members:

Attached please find a resolution that was passed in 2019 covering the Dona Street extension. At that time, it was anticipated that the City would take title to this street. Enclosed is a proposed resolution authorizing the City to accept title, and authorizing the Mayor to execute documents in conjunction with this transaction.

I respectfully request that the Council pass the Attached resolution and authorize the Mayor to enter into any additional agreements as may be necessary for the City to obtain title to this parcel.

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

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 18, 2022**

WHEREAS, the Buffalo & Erie County Industrial Land Development Corporation (the ILDC) currently owns approximately 130 acres of real property at the Renaissance Commerce Park (the "RCP"); and

WHEREAS, the County of Erie (the "County") and the ILDC have expended over \$6 million dollars at the RCP on site acquisition, rail line removal and installation, infrastructure installation, utilities installation, and environmental remediation, in addition to the development and construction of Dona Street, being the extension of Dona Street westward of Route 5 on a portion of the RCP as depicted within the Exhibit A attached hereto; and

WHEREAS, it has been contemplated that the City of Lackawanna would ultimately take all right, title and fee interest in and to Dona Street; and

WHEREAS, pursuant to Resolution No. 21, 2019 passed on October 21, 2019, the City of Lackawanna (the "City") has obtained an easement interest (the "Easement") over Dona Street; and

WHEREAS, in the time since the City has taken its easement interest over Dona Street, the ILDC has acquired fee title to all of the land (the "Dona Street Land") underlying the Easement, as so depicted within the Exhibit A attached hereto; and

WHEREAS, the Dona Street Land currently is subject to at least three (3) separate New York State Brownfield Cleanup Agreements ("BCA") and the ILDC is currently in the process of consolidating the Dona Street Land into a single BCA known as BCA Site 11-13, C915198M; and

WHEREAS, the City, consistent with Resolution No. 21, 2019, is now desirous of taking title to Dona Street Land; and

WHEREAS, with respect to taking title to the Dona Street Land, it is in the best interest of, and it will be necessary for, the City to become a party to BCA Site 11-13, C915198M.

NOW THEREFORE BE IT RESOLVED, that the City hereby accepts fee title to the Dona Street Land by deed to be executed and recorded in the Erie County Clerk's Office so covering the parcel shown by the survey and legal description, said survey and legal description as may be finally revised or updated with said changes to be approved by the Mayor in consultation with the City Attorney, attached hereto as Exhibit A; and be it further

RESOLVED, that the Mayor is authorized to execute any and all documents appropriate and necessary to take title to the Dona Street Land; and be it further

RESOLVED, that the Mayor is hereby authorized to enter into and execute any addendum or amendments to BCA Site 11-13, C915198M as may be necessary and required by the New York State Department of Environmental Conservation.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 23, 2022  
Lackawanna, New York**

Moved by Marrano seconded Moretti to adopt resolution as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Submits a Copy of Municipal Code Chapter 12, City-Owned Real Estate, Disposition of for Council Review.**

8. To: Hon. City Council Members

From: Richard S. Juda, Jr., City Attorney

RE: Disposition of City-Owned Real Estate

I thought it would be a good idea to provide the Council with the relevant sections of the City Charter dealing with disposition of city owned real estate. Attached is a copy of Chapter 12 which governs the procedures by the city for the disposition of real estate.

Section 12-2 provides that it is the City Council's responsibility to determine what city-owned real estate is available for sale. Any sales shall be by city ordinance (Section 12-3). Generally, there are 2 types of properties acquired by the city. The first is property which is held for a public purpose. The 2<sup>nd</sup> category covers all other city owned real property the most of which is acquired via tax foreclosure. Under the first type of property an affirmative vote of  $\frac{3}{4}$  of all members of the city council is required while all other city owned real property may be sold by a majority vote of the Council and approved by the Mayor. (Section 12-3A.)

Paragraphs B and C of Section 12-3 specify that if a purchaser has unpaid real property taxes or pending code violations they are ineligible to purchase property from the city.

Under certain circumstances authorization is required by state legislature. This includes city streets, parks, playgrounds or any other property owned by the city which was used for recreation purposes. (Section 12-4). That type of property is also required to be sold at public auction. (Section 12-5).

The city has also adopted certain procedures for the sale of city owned real estate. These procedures are set forth in Section 12-7. In order to do so the City Council must pass an ordinance. The City Assessor is to maintain and revise a list of properties available for private sale. It is my understanding that such list is posted on our city website. However, in accordance with the City Charter I will make sure that the City Assessor is aware of the fact that she is to give the Council a list of properties available for sale by June 1 of each year. (Section 12-7).

The City Assessor must also file with the City Council a recommendation to sell or to receive and file any offer for sale. (Section 12-7, Paragraph H). Then the City Council shall either: (1) receive and file the offer; (2) approve the sale; or (3) authorize and direct the City Assessor to advertise the property for sale and proceed to sell the property at public auction subject to the approval of the Council which may accept or reject all bids received;

If the city does sell any property by public auction the auction is supposed to be run by the City Assessor, (Section 12-8). Even under this circumstance the Council has the right to approve the best offer or highest bid made for the property. (Section 12-9).

Section 12-11 governs the terms of sale. I will not go through all of those procedures but they are specified under that section for your review.

So in a nutshell, when an offer to purchase comes in the City Assessor should confirm with all appropriate departments whether the property is being used by the City and/or whether it is being used for a public purpose. In addition, the City Assessor should check with the Building Department and the Treasurer's office to determine that the purchaser has no outstanding code violations and no outstanding taxes owed. After doing so the City Assessor should notify both the Mayor and the City Council of the offer. If the sale is Council approved, the Mayor should be notified to approve the sale and at the next scheduled Council meeting, the City Attorney should advise the Council that the Mayor has or has not approved the sale and shall present an Ordinance to the Council for final approval.



I believe this procedure is in accordance with the City Charter. Please let me know if you have any questions.

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

Moved by Marrano seconded Moretti to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Submits Information Regarding Section 103(A) of Public Officers Law which Pertains to Video Conferencing Council Meetings.**

9. To: Lackawanna City Council

From: Richard S. Juda, Jr., Esq., City Attorney

Dear Council Members:

Attached is a copy of section 103-a of Public Officers Law which pertains to video conferences. Also attached is a proposed local law. I wanted to provide this to all Council members before the next meeting for review. Please email me with any questions or concerns you may have.

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

**A copy of the information may be obtained by contacting the City Clerk's office.**

Moved by Marrano seconded Anderson to receive and file, to put on next agenda.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Ordinance Regarding Holland Avenue Parking.**

10. To: Jeffrey DePasquale, City Clerk

714 Ridge Road

Lackawanna, New York 14218

Re: Holland Avenue Ordinance

Dear Mr. DePasquale:

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

Very truly yours,

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

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**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 215.43 shall be rescinded and replaced as follows:

94. **Holland Avenue**

**On the east and west side:**

No parking at any time on the east or west side of Holland Avenue from its intersection of east and west lines of Holland Avenue with the south line of Ridge Road to a distance of 30 feet south of said south line of Ridge Road at any time.

**Alternate Parking**

A. **On the west side** - Beginning 30 feet south of the intersection of the south line of Ridge Road with the west line of Holland Avenue, no parking from 4:00 p.m. Sunday to 4:00 p.m. Wednesday.

B. **On the east side** – Beginning 30 feet south of the intersection of the south line of Ridge Road with the east line of Holland Avenue, no parking from 4:00 p.m. Wednesday to 4:00 p.m. Sunday.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 23, 2022  
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of CPL as the Engineering Consultants for the Veteran’s Stadium Project.**

11. To: Honorable Council,

I request the Council approve CPL as the engineering consultants for Veteran’s Stadium Rehabilitation Project to satisfy grant requirements.

Thank you,

**ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Performance Bond Changes and Approval of a Concrete Affidavit.**

12. To: Honorable Council

I am proposing the following changes to the performance bonds found in Chapter 194. Streets and Sidewalks Article v. Opening Streets and Sidewalks. §194-29 Bond; insurance required, as well as the addition of a concrete affidavit.

In Chapter 194. Streets and Sidewalks Article v. Opening Streets and Sidewalks. §194-29 Bond; insurance required we would like the following updated:

- Change the sum of the performance bond from a set \$2000.00 to 10% of the project cost with a minimum of \$5000.00
- Change the mention of the office of Chief Engineer to the office of the Commissioner of Public Works.

The updated Article should read:

Before any permit to open a street, sidewalk, or alley shall be granted by the Chief Engineer, the applicant for such permit is required to file with the City Clerk a performance bond in the sum totaling 10% of the project cost with a minimum of \$5000.00 or such other amount as may be established by the Council to guarantee the replacement and refilling of any excavation pursuant to specifications on file in

the office of the Commissioner of Public Works and proof of public liability insurance in such amount and coverage as established by the Council.

We are also asking for the approval of a Concrete Affidavit to be on file at City Hall. This would include a signature noting that the permit applicant is aware of the regulations to be followed when putting in a driveway.

If you have any further questions, please contact me.

Thank you,

**ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded Surdyke to approve request, refer to Law department for ordinance.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval for Gregg Kowalik to attend the NYS DOT Training Program.**

13. To: Honorable Council,

I request that the Council approve sending Foreman Gregg Kowalik to the NYS DOT 2022 Highway School training program from June 6, 2022 through June 8, 2022.

If you have any questions, please contact me.

Thank you,

**ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Ordinance Transferring Funds from General Fund to Special Revenue Fund.**

14. To: Honorable Frederic J. Marrano

Honorable Members of the City Council

714 Ridge Road

Lackawanna, NY 142187

Re: Budget Ordinance: Transfer from General Fund to Special Revenue Fund

Dear Council members:

Please approve the attached Ordinance to transfer funds from the General Fund to the Special Revenue Fund in the amount of \$135,000.00.

The transfer addresses the loss of garbage fee revenue [an approximate reduction of 130 units] in 2021-2022 and 2022-2023, as well as salary/benefit cost increases.

If you have any questions, please feel free to contact me at your convenience.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPROLLER**

Moved by Marrano seconded 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 ORDINANCES ADOPTED MAY 18<sup>TH</sup>, 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<sup>th</sup>, 2021, is hereby amended to accommodate a General Fund transfer of funds to the Special Revenue Fund [due to an approximate 130 unit reduction in garbage fees, both in 2021-2022 and 2022-2023; and salary/ benefit cost increases].

**FOR THE GENERAL FUND**

**SECTION 2.** That the 2021-2022 Budget Ordinance is hereby amended to add \$135,000.00 to Budget Code A9000.9551 (“Transfer to Other Fund – Special Revenue”).

**SECTION 3.** That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$135,000.00 of the City’s Fund Balance in this respect.

**FOR THE SPECIAL REVENUE FUND**

**SECTION 4.** That the 2021-2022 Budget Ordinance is hereby amended to increase Budget Code CL-0000.5031 (“Interfund Transfers”) by \$135,000.00.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: May 24, 2022**  
**Lackawanna, New York**

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

Carried 5-0

**Requests Approval of Commissioner of Deeds Status for the Building Inspector, Steven Balon.**

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

Dear Honorable Body,

The Department of Development requests that Building Inspector Steven Balon be approved to become a Commissioner of Deeds for the City of Lackawanna, term to expire December, 31, 2024.

Your approval will enable him to sign required affidavits for permits; samples are attached to this letter.

Should you require additional information please contact me at (716) 827-6421.

Respectfully,

**LAUREN M. JEDNAK, DIRECTOR OF DEVELOPMENT**

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

Carried 5-0

**Requests Approval of Commissioner of Deeds Status for Paralegal, Chenita Johnson.**

16. To: Jeffrey P. DePasquale  
Lackawanna City Clerk  
City of Lackawanna  
714 Ridge Road, Room 215  
Lackawanna, New York 14218

Dear Mr. DePasquale:

Please put this matter on our agenda at the next council meeting.

I request a Commissioner of Deeds appointment of Chenita Johnson, residing at 1876 Weston Avenue, Niagara Falls, New York. She is employed in my office as a paralegal.

Thank you for your assistance.

Very truly yours,

**ARC J. PETRICCA, Attorney and Counselor at Law**

Moved by Moretti seconded Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Business Registration:**

Lakeitha Jones, dba Kaysway LLC, 1478 Abbott Road.

Moved by Marrano seconded by Moretti to **TABLE** pending further study by the Law Department and Code Enforcement.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

April Stewart, dba Mocha Butter Cosmetics, 719 Ridge Road.

Moved by Muflahi seconded by Anderson to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Tabled Items:**

**Old Business:**

**Adjournment:**

Moved by Marrano seconded et al to adjourn meeting in memory of the Tops shooting victims, and their families.

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