

**Regular Council Meeting**  
**Monday, July 11, 2022**  
**Council Chambers**  
**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 (E), Surdyke, Marrano**  
**Dept. Heads: Law, Comptroller, Recreation, Public Safety, Development, Public Works, Public Information**

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of June 21, 2022.

Moved by Marrano seconded Anderson to adopt the minutes of the regular meeting of June 21, 2022 as written.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Departmental Reports:**

1. **City Treasurer** – Cash Receipts Totals for June, 2022.
2. **City Comptroller** – A/P Check Listing #41, dated June 21, 2022.
3. **City Comptroller** – A/P Check Listing #42, dated July 5, 2022.
4. **City Comptroller** – A/P Check Listing #43, dated July 5, 2022.

Moved by Marrano seconded by Muflahi to receive and file Departmental Reports one through four.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Communications from the Council:**

**Submission of Communications Regarding Property at 222 Ridge Road and Raising Safety Awareness for Children at Play.**

5. To: Jeffrey P. DePasquale  
City Clerk  
714 Ridge Road  
Lackawanna, NY 14218

Dear Mr. DePasquale

Attached please find agenda items I would like to be included in the next City Council meeting.

The first attachment is regarding the property of 222 Ridge Rd. and concerns of the property owner, Marius Owens.

Notes from Meeting with Marius Owens

1. Maintenance of city fence:

- Fence is run down and has overgrown shrubs and weeds around it

- Part of the fence is broken and is in dire need of repair
- Mr. Owens requests the city repair/replace fence and maintain the grass and cleanliness of the city owned property
- Mr. Owens has concerns for children’s safety as gun range is behind fence

Moved by Muflahi seconded by Marrano to receive and file, refer to DPW Commissioner and Code Enforcement.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

## 2. North End of Wilkesbarre St. and City Street Light

- North End of Wilkesbarre is city owned and has been neglected
- Looks more like a driveway than an actual street
- No sidewalks or curbs are detected
- Only one city light at the corner (Ridge) and none on the side along North Wilkesbarre
- Mr. Owens has also maintained this by cutting weeds that sprout through the cracked asphalt
- The west entrance/exit of the apartment building faces this street and there isn’t any street lights that illuminate that area (safety concerns)

Moved by Muflahi seconded by Marrano to receive and file, refer to DPW Commissioner, Law Department and Director of Development.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

## 3. Slaughterhouse

- Lack of structural barriers to prevent animals from roaming onto property
- Recently had a chicken on property that escaped slaughter house
- Maintenance of Slaughterhouse property is unacceptable and needs to be cleaned
- Sanitation and odor emanating from building is a concern

Moved by Muflahi seconded by Marrano to receive and file, refer to Code Enforcement, Director of Development and Law Department.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

## 4. The second attachment is regarding my concerns for raising safety awareness for children at play as well as signage placement for children with autism.

Dear Respected City Council Members and Department Directors:

As we continue to discuss the importance of public safety and protecting children from controllable elements such as reckless drivers, vehicle and pedestrian traffic safety, and implementing safety devices such as traffic lights, cross walks, and speed bumps; I believe it is important to weigh and discuss the factors that need to be addressed when brainstorming such topic.

I would like to implement signage in my district which would help alleviate some of the problem and possibly prevent a tragedy. After much discussion with residents, it becomes more and more apparent that their concern regarding reckless driving and speeding is a top priority of theirs as well as mine.

I understand that it is a multifaceted issue with not a one size fits all solution but rather a myriad of required implemented factors in order to create a safe environment for children, pedestrians, as well as drivers.

The importance of placing signage such as “Children at Play.” “Child with Autism.” “Please Slow Down,” as well as “School Zone,” is paramount and gives drivers a heightened conscience, a moral duty to slow down and be vigilant of children while driving. Signage along with an increase in police presence is vital

to help crack down on speeders. Police presence will undoubtedly reduce the amount of speeders; especially if speeders are stopped and ticketed for traffic violations. These features can be applied immediately once placement is decided.

Attached is information from Autism Speaks regarding autism and the prevalence with statistics directly from the CDC. I introduce this to you to bring to your attention how many children/families are affected with autism; our community is not immune to it, but rather very present in our city.

I hope to begin the dialogue and work towards a complex yet feasible solution. Please share with me your thoughts and comments.

Best Regards,

**AMIRA H. MUFLAHI, FIRST WARD COUNCIL MEMBER**

Moved by Muflahi seconded by Anderson to **TABLE**, refer to soon to be re-established traffic safety board.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval for the Use of Galanti Park for the Touring Production of Shakespeare in Delaware Park.**

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 use of Galanti Park at 230 Martin Rd. on Monday, August 22, 2022 at 7:00 PM for a touring production of Shakespeare in Delaware Park. SDP has provided proof of insurance for the event. Thank you for your consideration.

Sincerely,

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

Moved by Muflahi seconded by Marrano to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval for the Use of Victory Playground Soccer Mini-Pitch by Independent Health Soccer for Success Program.**

7. 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 use of Victory Playground Soccer Mini-pitch by Independent Health's Soccer for Success Program. They plan to run their Girls in the Game programming every Tuesday, Wednesday, and Thursday from July 18 to September 9. Proof of insurance is on file.

Sincerely,

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

Moved by Muflahi seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Authorization for the Mayor to Execute the Contract Extension Agreement Between the City and Administrative Unit, Local 815/Unit 6775-02.**

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

Re: Memorandum of Understanding between City and Administrative Unit

Dear Mr. DePasquale:

After negotiations with Local 815/Unit6775-02, Administrative Unit, the City has reached a tentative agreement for Council approval on a contract extension. The Mayor is in agreement and requests authorization to execute this contract.

Please place this matter on the upcoming agenda for Council approval.

Very truly yours,

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

Moved by Muflahi seconded by Marrano to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval to Authorize the Mayor to Execute the CDBG Agreement Between the City and the County of Erie for the Cleveland Avenue Paving Project/Curb Replacement.**

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

Re: CDBG Agreement – Cleveland Avenue

Honorable City Council:

Please find the Community Development Block Grant Agreement between the County of Erie and the City for the Cleveland Avenue Paving Project/ Curb Replacement. Mr. DeSantis can further explain but the agreement provides additional CDBG funds to complete this project. The Council is requested on behalf of the Mayor and Commissioner of Public Works to review, approve and authorize the Mayor to enter into this agreement.

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 Muflahi seconded by Marrano to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval to Sell Two (2) 2017 Ford Explorer Police Vehicles.**

10. To: Lackawanna City Council  
Attn: Council President Frederic Marrano  
From: John Wolf, Director of Public Safety

SALE OF POLICE DEPARTMENT VEHICLES

Honorable Council Members:

I respectfully request authorization to sell the following police vehicles. Newer replacement vehicles will be purchased for the department.

- 2017 Ford Explorer Vin# 1FM5K8ARXHGB40633
- 2017 Ford Explorer VIN# 1FM5K8ARXHGB40634

All proceeds from the sale of aforementioned vehicles will be placed in the 2022-2023 police budget account A-3120.250.

Respectfully,  
**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

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

Carried 4-0

**Requests Approval to Sell Police Vehicle Previously Purchased Through the Federal Asset Forfeiture Funds Statute.**

11. To: Lackawanna City Council  
Attn: Council President Frederic Marrano  
From: John Wolf, Director of Public Safety

SALE OF POLICE DEPARTMENT VEHICLE

Honorable Council Members:

I respectfully request authorization to sell the following police vehicle, which had previously been purchased through the Federal Asset Forfeiture Funds statutes. Newer replacement vehicle will be under the same Federal Asset Forfeiture Fund.

- 2009 Mercedes Benz Vin# WDDGF81XX9F299276

All proceeds from the sale of aforementioned vehicle will be placed in the Police Department Asset Forfeiture Account, as required by federal statute.

Respectfully,  
**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

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

Carried 4-0

**Requests Approval of Ordinance Creating a Budget Code for Code Enforcement Vehicles.**

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

Dear Honorable Body,

The Director of Development requests Council Approval on the attached ordinance.

This ordinance:

1. Creates Budget Code (A-3620-0250) in the City's 2021-2022 budget titled, "Code Enforcement Vehicles"
2. Transfers \$30,000 from Grant Matching Funds budget code (A.33620.0444) "Grant Matching Funds" to budget code (A-3620-0250) titled, "Code Enforcement Vehicles"
3. Transfers \$4,250 from budget code (A-3620-0466) "Demolition of Building" to budget code (A-3620-0250) titled, "Code Enforcement Vehicles"

The total transfer of \$34,250 is for the replacement of one (1) Code Enforcement vehicle.

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

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

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

Carried 4-0

**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 add Budget Code A.3620.0250, entitled "Code Enforcement Vehicles", to the 2021-2022 Budget.
- SECTION 2.** That said 2021-2022 Budget ordinance is hereby amended to add \$34,250.00 to Budget Code A.3620.0250 ["Code Enforcement Vehicles"].
- SECTION 3.** That said 2021-2022 Budget Ordinance is hereby amended to reduce Budget Code A.3620.0444, entitled, "Grant Matches", by \$30,000.00.
- SECTION 4.** That said 2021-2022 Budget Ordinance is hereby amended to reduce Budget Code A.3620.0466, entitled "Demolition of Building", by \$4,250.00.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: July 13, 2022**  
**Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

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

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

Dear Honorable Council Members:

In furtherance of the attached "Estimate of Record" from the New York Municipal Insurance Reciprocal dated 6/29/2022, an insurance recovery in the amount of \$9,875.00 is expected prior to the end of the 2021-2022 Budget Year. Said insurance recovery relates to a May 16<sup>th</sup>, 2022, incident involving a Special Revenue Fund Garbage Vehicle.

Inasmuch as said insurance recovery is expected prior to the end of the current fiscal year and emergent and unexpected repairs and replacement parts were required as a result of said incident, it is respectfully requested the 2021-2022 Budget Ordinance adopted May 18<sup>th</sup>, 2021, be amended by this Honorable Body to accommodate a General Fund Transfer of funds to the Special Revenue Fund in the amount of \$9,875.00.

Attached please find an Ordinance which sets forth the details associated with this requested action.

Thank you for your kind attention in this respect.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPROLLER**

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

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**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 in the amount of \$9,875.00.

**FOR THE GENERAL FUND**

**SECTION 2.** That the 2021-2022 Budget Ordinance is hereby amended to add \$9,875.00 to Budget Code A9000.9551 (Transfer to Other Fund – Special Revenue”).

**SECTION 3.** That the 2021-2022 Budget Ordinance is hereby amended to appropriate \$9,875.00 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 \$9,875.00.

**SECTION 5.** That the 2021-2022 Budget Ordinance is hereby amended to thereafter add \$9,875.00 to Budget Code CL.8160.0443 (“Repairs and Replacement”).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: July 13, 2022  
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Submits Notification of Retirement of Senior Center Arts and Crafts Teacher.**

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

Dear Honorable Council Members:

Dear Council Members:

Please be advised that Ms. Marie Rutkowski, the Arts and Crafts Teacher at the Senior Center, has retired from her position effective June 29<sup>th</sup>, 2022.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPROLLER**

Moved by Marrano seconded by Muflahi to receive and file.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval of Change to City Code, Chapter 31-12.1, Senior Bingo Inspector and Resolutions Associated with Bingo Inspector Salaries.**

15. To: Honorable Council President  
Honorable City Council Members  
714 Ridge Road  
Lackawanna, New York 14218

Dear City Council,

I am requesting you review and approve the change I have proposed for Municipal Code Chapter 31 12.1, Senior Bingo Inspector, and the two attached associated resolutions regarding the salary of bingo inspectors and the senior bingo inspector. We are changing from a yearly salary to a per diem system to encourage a more uniform and fair system in compensating the inspectors for actual work performed. You previously approved this concept at a past meeting and I'd like to get this new system implemented in time for the fiscal year commencing August 1<sup>st</sup>, 2022.

The City Attorney has approved the changes in the proposed language for both the Municipal Code change and the associated resolutions.

Your prompt attention to this matter is greatly appreciated.

Respectfully,

**JEFFREY P. DEPASQUALE, CITY CLERK**

Moved by Marrano seconded by Surdyke to receive and file, act on proposed change to Municipal Code and both resolutions.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

"The City Clerk shall designate a Senior Bingo Inspector from the Municipal Bingo Inspectors appointed under section 31-11. Salary for this position shall be established by resolution of the City Council". The remainder of section 31-12, regarding additional duties of the Senior Bingo Inspector, shall remain unchanged.

Moved by Marrano seconded by Surdyke to approve request, City Attorney to amend Municipal Code.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**RESOLUTION NO. 20, 2022**

**Whereas**, as per Municipal Code Chapter 31, Section 11, the City of Lackawanna employees a maximum of six Municipal Bingo Inspectors assigned to the City Clerk's Office; and

**Whereas**, the Municipal Bingo Inspector's duties and responsibilities are established by Municipal Code Chapter 31, Section 12: and

**Whereas**, the salaries for Municipal Bingo Inspectors shall be established by resolution of the City Council; and

**Whereas**, the Municipal Bingo Inspector's compensation shall be \$100.00 for each bingo event attended as Municipal Bingo Inspector as part of his or her official capacity.

**Therefore**, the City of Lackawanna hereby establishes the compensation for Municipal Bingo Inspector's at \$100.00 for each bingo event attended and witnessed by the same.



**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: July 11, 2021**  
**Lackawanna, New York**

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

Carried 4-0

**RESOLUTION NO. 21, 2022**

**Whereas**, as per Municipal Code Chapter 31, Section 12.1, the City of Lackawanna employs a Senior Bingo Inspector; and

**Whereas**, the Senior Bingo Inspector is chosen from the current list of Bingo Inspectors; and

**Whereas**, the Senior Bingo Inspector receives a stipend for added duties and responsibilities; and

**Whereas**, as per Chapter 31-12, the Senior Bingo Inspector shall have the additional duties as set forth below:

- A. Verifying the accuracy of Bingo Reports.
- B. Confirming that the proper number of bingo inspections are performed and conducted in an acceptable manner.
- C. Coordinating the Bingo Inspection Process.
- D. Providing the City Clerk's Office with the bingo reports in a timely manner.
- E. Other duties designated by the City Clerk relating to the conduct of bingo games; and

**Whereas**, the Senior Bingo Inspector's compensation shall be \$125.00 for each bingo event supervised.

**Therefore**, the City of Lackawanna hereby establishes the compensation for Senior Bingo Inspector at \$125.00 for each bingo event attended and witnessed by same.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: July 11, 2022**  
**Lackawanna, New York**

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

Carried 4-0

**Tabled Items:**

**Old Business:**

1. [Gas Station Status on Ridge Road at Steelawanna.](#)

2. Mandatory Council Response to State audit addressing “Garbage User Fees.”
3. Update on Traffic Lights at Abbott and Elmview and South Park and Roland.

**Adjournment:**

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

Carried 4-0

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Frederic J. Marrano-Council President

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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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