

Regular Council Meeting
Tuesday, September 6, 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, Surdyke, Marrano
Dept. Heads: Law, Comptroller, Recreation, Public Safety (Excused at 6:47 p.m.),
Development, Public Works, Public Information

Hearings from Citizens:

Approval of Minutes: of the regular meeting of August 15, 2022.

Moved by Marrano seconded Muflahi to adopt the minutes of the regular meeting of August 15, 2022 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Clerk** – Monthly Revenue Report for June, 2022.
2. **City Clerk** – Monthly Revenue Report for July, 2022.
3. **City Comptroller** – A/P Check Listing #1, dated August 26, 2022.
4. **City Comptroller** – A/P Check Listing #2, dated August 29, 2022.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/Department Heads:

Requests Approval of Resolution Changing the Council Meeting of September 19, 2022 to September 20, 2022.

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

Honorable Council Members:

It has been brought to my attention by First Ward Council Member Amira Muflahi that there was some previous conversation with regards to changing the meeting date of the regular meeting of the City Council from Monday, September 19, 2022 to Tuesday, September 20, 2022.

I am requesting your honorable body approve the attached resolution changing the date of the meeting of September 19, 2022 to September 20, 2022.

Thank you for your anticipated cooperation pertaining to this matter.

Respectfully,
JEFFREY P. DEPASQUALE, CITY CLERK

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

Carried 5-0

RESOLUTION # 22, 2022

Whereas, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for the meeting dates 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 desirous of changing the meeting of the date of September 19, 2022 to be rescheduled to September 20, 2022; and therefore

Be it resolved, that the meeting date of September 19, 2022 is rescheduled to September 20, 2022; and

Be it further resolved, that a copy of this resolution shall be posted on 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: September 6, 2022
Lackawanna, New York

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

Carried 5-0

Requests Approval for Sale or City-Owned Property Located at 126 Steelawanna.

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

Re: Proposed Sale of 126 Steelawanna

Hon. City Council:

The owner of 14 Pearl Street Ali Saleh (AKA AYG LLC) has submitted an offer of \$4000.00 to purchase the city owned property located at 126 Steelawanna.

The following is information on this property and my recommendation:

The above property is 58.72 x 109.85.

It is adjacent to 14 Pearl Street which is connected to where his mother resides.

The property is City owned. The current assessment is \$6200.00

My professional recommendation is to sell the property for the offer of \$4000

Very truly yours,

DEBORAH J. SKULSKI-WAKELAM, CITY ASSESSOR

Moved by Marrano seconded by Surdyke to **TABLE** request, pending additional information regarding the buildability of the lot.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval for Sale of City-Owned Property Located at 499 Ridge Road.

7. To: Lackawanna City Council
714 Ridge Rd
Lackawanna, NY 14218

Re: Proposed Sale of 499 Ridge Rd

Hon. City Council:

The owner of 501 Ridge Rd has submitted an offer of \$1000.00 to purchase the city owned property located at 499 Ridge Rd.

The following is information on this property and my recommendation:

The above property is 32.18 x 137.

It is adjacent to 501 Ridge Rd.

The property is City owned. The current assessment is \$3800.00

My professional recommendation is to sell the property for the offer of \$1000

Very truly yours,

DEBORAH J. SKULSKI-WAKELAM, CITY ASSESSOR

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Marrano

No: Surdyke

Carried 4-1

Requests Approval for the Purchase of a 2023 F-150 XL SuperCab 4x4.

8. To: Honorable City Council,

I request that the Council approve the purchase of a 2023 F-150 XL SuperCab 4x4 following the terms of the quote that is attached. Total cost \$39,582.17, this quote is under state contract.

If you have any questions, please contact me.

Thank you,

ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval to Purchase a Bobcat Skid Steer Loader.

9. To: Honorable City Council,

I request that the Council approve the purchase of a Bobcat Skid Steer Loader follow the terms of the quote attached. Total cost \$44,407.78, this includes trade in of the old machine.

If you have any questions, please contact me.

Thank you,

ANTHONY DESANTIS, COMMISSIONER OF PUBLIC WORKS

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance Regarding Transfer of Funds from the Employee Benefits Reserve to Police Department Personal Services.

10. 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 Police Captain Joseph Leo retired effective August 20th, 2022.

As set forth in the 2022-2023 Operating Budget adopted on May 23rd, 2022, funds to cover the cost of Captain Leo's retirement are maintained in the Employee Benefits Reserve to the Police Department Personal Services budget code is attached for your review, consideration and approval.

Very truly yours,

LINDA M. HYBICKI, CITY COMPTROLLER

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 2022-2023 BUDGET ORDINANCES ADOPTED MAY 23RD, 2022.

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

SECTION 1. That the 2022-2023 Budget Ordinance adopted May 23rd, 2022, is hereby amended to accommodate a transfer of budgeted funds within the General Fund, in accordance with a "NOTE" set forth in the 2022-2023 Operating Budget, i.e.:

"... Police Officers are expected to retire in the 2022-2023 Fiscal Year. It is estimated that said retirements will approximate a total of expense to the City in the amount of \$762,000. An Employee Benefits Reserve was established previously and has been funded periodically, to present. The funds in the Employee Benefits Reserve are sufficient to cover the cost of the...retiring Police Officers in 2022-2023."

GENERAL FUND

SECTION 2. That the 2022-2023 Budget Ordinance is hereby amended to transfer funds in the amount of \$269,941.57 out of the Employee Benefits Reserve Budget Code (A.0000.0912).

SECTION 3. That the 2022-2023 Budget Ordinance is hereby amended to increase the Police Department Personal Services Budget Code (A.3120.0101) in the amount of \$269,941.57.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 8, 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 Revising the Current Mileage Reimbursement for the City of Lackawanna.

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

Dear Honorable Body:

The purpose of this correspondence is to ask the City Council to pass a resolution to revise the City of Lackawanna's current mileage reimbursement rate.

On January 28th, 2013, the City Council approved the request of Director of Development at the time (Mr. Ralph D. Miranda), and moved to increase the mileage reimbursement rate from \$.31 a mile to \$.555 per mile, in accordance with the IRS standard allowable reimbursement rate.

Attached please find a copy of IR-2022-124, issued by the IRS on June 9th, 2022, which sets forth mileage reimbursement rate that went into effect on July 1st, 2022, i.e., \$.625.

Said rate remains in effect through December 31st, 2022.

It is respectfully requested that the City Council pass a resolution that will, going forward, allow the City of Lackawanna to reimburse employees for mileage expenses in accordance with the standard mileage rate guidelines set forth by the Internal Revenue Service.

Thank you for your kind consideration in this respect.

Very truly yours,

LINDA M. HYBICKI, CITY COMPTROLLER

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 23, 2022

WHEREAS, the City travel policy currently provides for employees and elected officials to receive mileage reimbursement, and

WHEREAS, the City policy has not been updated for several years, and

WHEREAS, the Internal Revenue Service allows for mileage deductions at an established rate which the IRS amends from time to time, and

WHEREAS, the City follows the IRS guidelines,

NOW, THEREFORE, BE IT

RESOLVED, that the City rate of reimbursement for mileage for out of town travel shall hereby be established at the allowable IRS rate in effect at the time of travel until further action by the City Council.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 6, 2022
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Ordinance Transferring Funds from Police Department Personal Services to Police ATV Patrol.

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

Dear Honorable Body:

This correspondence is offered to the City Council in support of the attached letter from Public Safety Director, Mr. John Wolf, dated August 30th, 2022.

In said letter, Mr. Wolf asks that funds be transferred from the Police Department's *Personal Services* budget code to a newly created *Police ATV Patrol* budget code.

An Ordinance supporting Mr. Wolf's request is attached for your review and consideration.

Thank you for your kind consideration in this respect.

To: *Lackawanna City Council*

Attn: Council President Frederic Marrano

RE: Transfer of Funds

Honorable Council Members:

I respectfully request authorization for the Police Department to transfer the following funds:

\$44,917.00 from A.3120.0106 (New Complaint Writer) to 0211 (Police ATV Patrol)

Thank you for your anticipated cooperation in the above regard.

Respectfully,

JOHN WOLF, DIRECTOR OF PUBLIC SAFETY

Very truly yours,

LINDA M. HYBICKI, CITY COMPROLLER

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 2022-2023 BUDGET ORDINANCES ADOPTED MAY 23RD, 2022.

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

SECTION 1. That the 2022-2023 Budget Ordinance adopted May 23rd, 2022, is hereby amended to add the following Budget Code:

Department: Police Department

Budget Code: A.3120.0211 – Police ATV Patrol

GENERAL FUND

SECTION 2. That the 2022-2023 Budget Ordinance is hereby amended to transfer excess funds in the amount of \$44,917.00 out of the Police Department Personal Services (Other) Budget Code [A.3120.0106].

SECTION 3. That the 2022-2023 Budget Ordinance is hereby amended to increase the Police Department Police ATV Patrol Budget Code (A.3120.0211) in the amount of \$44,917.00 [A.3120.0211].

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

**Dated: September 8, 2022
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests Approval of Ordinance for the Contract between the City and SAIA Communications
Regarding the City-Wide Radio System.**

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

Dear Honorable Body:

This correspondence is offered to the City Council in support of the attached letter from Public Safety Director, Mr. John Wolf, dated August 30th, 2022.

In said letter, Mr. Wolf request Council's approval relative to a new city-wide radio system.

An Ordinance outlining the funding sources associated with Mr. Wolf's request is attached for your review and consideration.

Thank you for your kind consideration in this respect.

To: *Lackawanna City Council*
Attn: Council President Frederic Marrano
Re: City Wide Radio System

Honorable Council Members:

I respectfully request the City Council approve the attached contract between SAIA Communication and the City of Lackawanna regarding a new city-wide radio system for the Police, Fire and DPW. Copy of contract is attached. The monies for the new system are itemized by the ordinance provided by the comptroller.

Respectfully,

JOHN WOLF, DIRECTOR OF PUBLIC SAFETY

Very truly yours,

LINDA M. HYBICKI, CITY COMPTROLLER

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

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCES ADOPTED MAY 23RD, 2022.

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

SECTION 1. That the 2022-2023 Budget Ordinance adopted May 23rd, 2022, is hereby amended to add the following Budget Code to the Capital Fund: H.2080.0213- City-Wide Radio System (SAIA).

GENERAL FUND

SECTION 2. That the 2022-2023 Budget Ordinance is hereby amended to transfer budgeted funds in the amount of \$30,000.00 out of the “Police Department Equipment Budget Code” [A3120.0202].

SECTION 3. That the 2022-2023 Budget Ordinance is hereby amended to transfer budgeted funds in the amount of \$21,000.00 out of “Maintenance of Streets Equipment” Budget Code [A.5110.0201].

SECTION 4. That the 2022-2023 Budget Ordinance is hereby amended to transfer budgeted funds in the amount of \$2,720.00 out of the “Fire Department Emergency Equipment” Budget Code [A3410.0253].

SECTION 5. That the 2022-2023 Budget Ordinance is hereby amended to add \$53,720.00 to the “Transfer to Other Fund – Capital” Budget Code [A9000.9550].

CAPITAL FUND

SECTION 6. That the 2022-2023 Budget Ordinance is hereby amended to reverse budgeted funds in the amount of \$32,280, as contained in the “Fire Protective Equipment 2022 (DASNY Equipment” Budget Code [H.2080.0603], for the purchase of the radio system.

SECTION 7. That the 2022-2023 Budget Ordinance is hereby amended to increase the “Capital Fund Inter Fund Transfers” Budget Code [H.0000.5031] by \$53,720.00.

SECTION 8. That the 2022-2023 Budget Ordinance is hereby amended to allocate the budgeted funds in the amount of \$53,720 to the “City-Wide Radio System (SAIA)” budget code [H.2080.0213].

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

**Dated: September 8, 2022
Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Moved by Marrano seconded by Muflahi to approve contract between the City and SAIA Communications.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of Bid from Galbo Construction for Basketball Courts.

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

Re: Basketball Court Refurbishment bids
Honorable Council Members:

I respectfully request that we accept the bid from Galbo Construction for the refurbishment of the three (3) basketball courts located at Ludel, Victory and Bethlehem Park playgrounds. The funding for this project is provided by SLFRF State and Local Fiscal Recovery Funds which is part of the American Rescue Plan Act.

Sincerely,

BRIAN LAKSO, DIRECTOR OF PARKS AND RECREATION

Moved by Surdyke seconded by Marrano to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests Approval to use McKinley Parkway for the Annual Veteran's Day Parade.

15. To: Lackawanna City Clerks Officer

Thank you so much for your help getting the word out 2021 of which it was a huge success.

We are pleased to announce we are going to do it again the date will Saturday November 5, 2022. We respectfully request the parade be added to the Council Agenda. We would like you and your staff to join us at our meeting to go over details of the parade.

We want to march along the same pre-plan route as last year with the hope that you will join us.

We noted the sign on McKinley Parkway that's says welcome to the City of Lackawanna, so we are looking into contact the correct council member to be determined for that part of McKinley Parkway.

The Buffalo Common Council will waive the permits fees in honor of our veterans for the parade on Buffalo Streets. We would like to meet with you to talk about the same thing.

The Veterans Day Parade is striving to produce a better, stronger and more publicly visible Parade throughout western New York. If we bring the parade closer to the people by district, we could high light the local vets in the area and educate people on what Veterans Day is all about. If there are any veterans in your area, please let us know.

Thank you,

PHIL ARNOLD, PARADE CHAIR

Moved by Muflahi seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Commissioner of Deeds Status for Staff Members of ACCESS OF WNY.

16. To: To Whom It May Concern:

I am requesting a Commissioner of Deeds status for the following ACCESS OF WNY employees;

Muna Munassar – Program Manager, Sarita Sanders – Vendor Supervision, Talib Abdullah - MSW, Executive Director, Rowaida Mohamed – Immigration Coordinator, Zahir Ahmed – Intake Specialist, Noof Salman – Intake Specialist, Raghad Abdullah – Receptionist.

Following expires December 2022 – Rowaida Mohamed – Immigration Coordinator

I can be reached at (716) 332-5901, if you have any questions.

Sincerely,

TALIB ABDULLAH, MSW, EXECUTIVE DIRECTOR

Moved by Muflahi seconded by Marrano to approve request, terms to expire December 31, 2024.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Submission of three (3) Items to be Placed on the Agenda.

17. To: Lackawanna City Council

Please include three items on your agenda for September 6, 2022.

1. As of the submission I have still NOT observed any parked police cars to observe the cars flying through the 4-way stops at Adrian and Elkhart.
2. Is 155 Center a half-way house for sex offenders? This address repeatedly comes up on the sex offender's notification.
3. Considering the number of dogs that are running around loose in the City of Lackawanna, being walked off-lead and also the number of dogs that are not licensed in the City of Lackawanna, it does not seem feasible to have a part-time ACO. Full time is needed. ACO needs to be able to verify that all dogs running at large are licensed and up-to-date on shots with the city BEFORE being returned to their owners. Fines should be increased.

Thank you,

FAITH GORDON, RESIDENT

Moved by Marrano seconded by Muflahi to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Request to Waive the Rules.

Moved by Marrano seconded by Moretti to waive the rules.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval to Purchase Light Poles for the Intersection of South Park and Ridge Road.

Moved by Marrano seconded by Anderson to grant permission to the DPW Commissioner to order 11 new poles, repair of 3 existing poles at a cost not to exceed \$90,000.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

Old Business:

Adjournment:

Moved by Marrano seconded by et al to adjourn meeting in honor of Josephine Surdyke.

Yeas: Muflahi, Anderson, 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.

www.lackawannany.gov