

REORGANIZATIONAL/ REGULAR MEETING
JANUARY 21, 2014
COUNCIL CHAMBERS
www.lackawannany.gov

Reorganizational & Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council Present: Noman, Iafallo, Jerge, Lewis, Pirowski
Dept Heads: Present: Public Works, Law, Comptroller
Excused: Public Safety, Recreation

Approval of Minutes: of regular meeting of December 16, 2013

Moved by Pirowski, seconded by Iafallo to adopt minutes of December 16, 2013 as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Departmental Reports:

1. City Comptroller- Statement of Condition of Approp. as of November 30, 2013
2. City Comptroller- A/P Check Listing #20, December 4, 2013
3. City Comptroller- A/P Check Listing #21, December 5, 2013
4. City Comptroller- A/P Check Listing #22, December 12, 2013
5. City Clerk- Monthly report for December 2013
6. City Treasurer- Receipts deposited into General Fund for December 2013

Moved by Pirowski seconded by Jerge to receive and file departmental reports one through six
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from the Council:

Council Voting Order

7. To: City Council

I request the voting order of the Council to remain the same as previous years, voting order to be: First, Second, Third and Fourth Ward Council Members followed by the Council President.

HENRY R. PIROWSKI-COUNCIL PRESIDENT

Moved by Pirowski seconded by Jerge to approve voting order
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Deputy Clerk Reappointment

8. To: City Council

I respectfully request Council approval of a resolution reappointing Gail Nicholson as Deputy City Clerk for the City of Lackawanna.

KEITH E. LEWIS- FOURTH WARD COUNCIL MEMBER

Moved by Pirowski seconded by Noman to receive and file and act on resolution

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Various Resolutions for Council Approval

9. To: City Council

I respectfully submit for Council approval the following resolutions:

A resolution establishing the City Council meeting dates for the year 2014

A resolution appointing Council President Pro-Tempore for year 2014

A resolution establishing the official newspaper of the City

Respectfully submitted

JACQUELINE CAFERRO- CITY CLERK

Moved by Pirowski seconded by Iafallo to receive and file, act on resolution

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from Department Heads:

Transfer of Funds for DPW

10. To: City Council

I am requesting your Honorable Body approve the attached ordinance.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from Citizens:

Purchase Offer-45 Wilkesbarre Street

11. To: City Council

On October 21, 2013 at the regular Council meeting, your Honorable Body tabled for study a request from Catholic Charities of Buffalo to purchase the City-owned lot referenced above for one dollar (\$1.00).

I am asking your Honorable Body to remove this item from the table at the next regular scheduled Council meeting and reconsider the request as Catholic Charities of Buffalo is willing to purchase this property for five hundred dollars (\$500.00) as was also touched upon at the Council meeting of October 21, 2013.

Your time and consideration is greatly appreciated.

CATHERINE A PANCZYKOWSKI-MCGUIRE DEVELOPMENT COMPANY

Moved by Pirowski seconded by Iafallo to accept the recommendation of the City Assessor **not** to sell property for \$500

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolutions:

Resolution #1, 2014- Deputy City Clerk Appointment

BE IT RESOLVED, that Mrs. Gail Nicholson residing at 127 Leonard Street, Lackawanna, New York; is hereby appointed to the position of Deputy Clerk of the City of Lackawanna, New York for a term of four (4) years, said appointment to expire on December 31, 2017,

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by Pirowski to adopt resolution, reappointing Gail Nicholson as Deputy City Clerk for four years

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolution #2, 2014 Council Meeting Dates for 2014

WHEREAS, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for meeting dates of the Lackawanna City Council, and

WHEREAS, the City Council is desirous of complying with the charter of the City of Lackawanna and the Open Meetings Law of the State of New York:

BE IT RESOLVED, the following meeting dates for the City Council meetings for the year 2014 shall be as follows:

Tuesday, January 21 (Reorg. & Reg. meeting)
Monday, February 3
Tuesday, February 18
Monday, March 3
Tuesday, March 18
Monday, April 7
Monday, April 21
Monday, May 5
Monday, May 19
Monday, June 2
Monday, June 16

Monday, July 14
Monday, August 11
Tuesday, September 2
Monday, September 15
Monday, October 6
Monday, October 20
Monday, November 3
Monday, November 17
Monday, December 1
Monday, December 15

BE IT RESOLVED, that all Council meetings shall be held in Lackawanna City Hall unless deemed otherwise by the City Council; and

BE IT FURTHER RESOLVED, that a copy of this resolution be posted on the centrally located bulletin board in the lobby of City Hall, on the Council bulletin board and in the City Clerk's Office.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Noman to adopt resolution as written, establishing meeting dates for 2014

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolution #3, 2014 Council President Pro Tempore for 2014

Whereas, Chapter 3, Section 3.5 provides that the Council may select from its members, a Council President Pro-Tempore who shall serve in place of the Council President in the event the Council President's absence or disability; and

Whereas, the Council President Pro-Tempore, selected by the City Council shall serve as Council President Pro Tempore for a term of one year, expiring December 31, 2014; and

Now therefore be it resolved, that Noman, Council Member of the First Ward be and hereby is selected and appointed to be Council President Pro Tempore for the year 2014.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski, seconded by Jerge to adopt resolution appointing Council Member Noman as Council President Pro-Tempore for the year 2014

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolution #4, 2014 Official Newspaper

Whereas, Chapter 2, Section 2.9 of the City Charter of Lackawanna by resolution, designates a newspaper having general circulation and published within the City to serve as the "Official Newspaper" of the city.

Now therefore be it resolved that the Front Page Newspaper, 2703 South Park Avenue, Lackawanna, New York is hereby designated as the official newspaper of the City of Lackawanna.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Noman to adopt resolution establishing the official newspaper as the "Front Page Newspaper"

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances

An ordinance amending the budget, transferring funds to the Department of Public Works accounts

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED ON JULY 20, 2013

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

Section 1. That the 2013-2014 Budget Ordinance adopted on July 20, 2013 is hereby amended to increase the appropriation for overtime in the Department of Public Works.

Section 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$5,000 to budget code A5132.102 Maintainers, and

Section 3. That the 2013-2014 budget ordinance is hereby amended to add \$3,500 to budget code A5132.418 clothing allowance, and

Section 4. That the 2013-2014 budget ordinance is hereby amended to increase the appropriation of \$8,500 from the City’s fund balance.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written, adding funds to the Department of Public Works

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Waive Rules

Moved by Pirowski seconded by Jerge to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communication from Council Member Lewis

12. To: City Council

I am requesting your support to direct the City Comptroller to present to this body, a copy of next year’s (2014-2015) budget report, by our next scheduled meeting.

This request should include the status of all current and recently hired employees (with their raises), number of employees per step level for next year (actual), and all Bond payments that are current or due to start for our fiscal year.

Please understand that I am not requesting the Mayor’s budget early, on the contrary, I would like for us to start the process much earlier than 5/10/14, and this current information is needed.

Thank you for your anticipated support.

KEITH E LEWIS-FOURTH WARD COUNCIL MEMBER

Moved by Pirowski, seconded by Jerge to receive and file
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Adjournment

Moved by Jerge, seconded by Iafallo, meeting adjourned
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R. Pirowski, Council President

Jacqueline A. Caferro, City Clerk

**REGULAR MEETING
FEBRUARY 3, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council Present: Noman, Iafallo, Lewis, Pirowski

Excused: Jerge

Dept Heads: Present: Public Works, Law, Comptroller, Recreation

Excused: Public Safety

Approval of Minutes: of meeting of January 21, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of January 21, 2014 as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Departmental Reports:

1. City Comptroller- A/P Check Listing #23, December 12, 2013
2. City Comptroller- A/P Check Listing #24, December 18, 2013
3. City Comptroller- A/P Check Listing #25, December 31, 2013
4. City Comptroller- A/P Check Listing #26, January 10, 2014

Moved by Pirowski seconded by Noman to receive and file departmental reports one through four

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Communications from Department/Division Heads:

New York State DEC Contract

5. To: City Council

Attached please find a contract between the City Clerk and the New York State Department of Environmental Conservation which enables our personnel to sell sporting licenses

The approval of this contract is necessary to establish the City Clerk as an issuing agent for the purchase of hunting, fishing, muzzle loading and bow hunting licenses through the DEC program. Any questions or concerns, please feel free to contact me.

(Complete contract on file with City Clerk)

JACQUELINE CAFERRO-CITY CLERK

Moved by Pirowski seconded by Lewis to approve contract between NYS DEC and Lackawanna City Clerk's office to sell sporting/hunting licenses

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Purchase Offer-2078 Abbott Road

6. To: City Council

I have received a purchase offer from NOCO Energy Corporation in the amount of \$1,000. NOCO would like to purchase a rear portion approximately 70 x 70; to be used for expansion of the current NOCO Property at 2078 Abbott Rd.

It is my recommendation that the City Council sell the parcel to NOCO Energy contingent upon planning board approval.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Pirowski seconded by Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Bingo Inspectors Re-appointment

7. To: City Council

I request re-appointment of the bingo inspectors for a two (2) year term. The following persons are currently serving as bingo inspectors:

Thelma Glover, Connie Bauer and Leonard Marcinkowski

Respectfully submitted.

JACQUELINE CAFERRO-CITY CLERK

Moved by Pirowski seconded by Noman to table for study

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Director of Development

8. To: City Council

Please put the attached on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Iafallo to receive and file, act on resolution

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Ordinance Amending Chapter 66 Animals

9. To: City Council

Please put attached ordinance on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Resolutions:

Resolution #5, 2014- Residency Waiver

WHEREAS, the position of Director of Development is currently vacant, and

WHEREAS, the Council has determined that it is in the best interests of the City to waive the requirements of residency in order to hire the best qualified person for Director of Development.

NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 31-21 of the Municipal Code the residency requirement for the position of Director of Development be and hereby is waived.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt resolution, as written, waiving residency requirements for position of Director of Development

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Ordinances

An ordinance requiring all dog owners provide proof of liability insurance

AN ORDINANCE AMENDING CHAPTER 66, CITY OF LACKAWANNA MUNICIPAL CODE, ANIMALS

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

Chapter 66-14 shall be amended to include the following:

E. The owner of each dog shall be personally liable and accountable for his/her dogs. The owner of each dog shall provide proof of liability insurance to cover accountability for the property where the dog is housed. Said insurance must cover the breed of dog housed. No license shall be issued or renewed for a dog without said proof of insurance. An owner who fails to comply with the provisions of this section shall be subject to a fine not to exceed \$250.00.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Noman to adopt ordinance as written, dog owners must provide proof of liability insurance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Adjournment

Moved by Pirowski, seconded by Iafallo, meeting adjourned

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Henry R. Pirowski, Council President

Gail Nicholson, Deputy City Clerk

**REGULAR MEETING
FEBRUARY 18, 2014
COUNCIL CHAMBERS**
www.lackawannany.gov

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council Present: Noman, Iafallo, Jerge, Lewis, Pirowski

Dept Heads: Present: Public Works, Law, Comptroller, Recreation

Excused: Public Safety

Approval of Minutes: of meeting of February 3, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of February 3, 2014 as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Departmental Reports:

1. City Treasurer-Receipts deposited into General Fund, January 2014
2. City Clerk-Monthly report for January 2014

Moved by Pirowski seconded by Jerge to receive and file departmental reports one through two

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from the Council:

Ridge & Abbott Intersection

3. To: City Council

I asked the David Joyce of the Traffic Safety Advisory Board for a status on my request from October of last year, regarding the problem with drivers not honoring the “right lane must turn right, traffic law on Abbott Road at the corner of Ridge Road heading west.

I am pleased that our Director of Public Works, Mr. DeSantis, installed a second sign near the corner reinforcing the lane as a right turn only lane. However, as discussed in caucus during the October Council meeting, when this was originally brought up, I would like to ensure that we add markings to the street that also indicate the right lane as a specific turning lane. With spring hopefully arriving within the next few months, I want to ensure these remain a priority.

The ignorance of drivers not adhering to the policy continues to pose a safety threat to other drivers, pedestrians, and people waiting for the bus at the northwest corner of Abbott and Ridge. Hopefully

these proactive measures, along with police reinforcement, will help alleviate any potential problems at this corner relating to this issue.

Your anticipated cooperation is truly appreciated.

Joe Jerge-Third Ward Councilman

Moved by Jerge seconded by Pirowski to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Sale of Seized Narcotic Vehicle-2003 BMW

4. To: City Council

This letter services to request your Honorable Body approve and allow the purchasing agent Tom Nicometo, to sell the following seized narcotics vehicle:

2003 BMW- VIN #WBABN33483PG61457

Thank you for your anticipated cooperation in the above regard.

DANA BRITTON-DIRECTOR OF PUBLIC SAFETY

Moved by Pirowski seconded by Jerge, permission granted for Purchasing Agent to sell seized 2003 BMW

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Purchase Offer-2052 Abbott Rd.

5. To: City Council

I have received a new purchase offer from NOCO Energy Corporation in the amount of \$2,500. NOCO would like to purchase a rear portion approximately 70 x 70; to be used for expansion of the current NOCO Property at 2078 Abbott Rd.

It is my recommendation that the City Council **sell the parcel** to NOCO Energy for the amount of \$4,000 contingent upon planning board approval.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Jerge seconded by Pirowski to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Recreation Department-Clerks Position

6. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to provide funding for the clerk's position in the Recreation Department.

If you have any questions, please feel free to give me a call.

PEGGY BIGAJ-SOBOL-CITY COMPTROLLER

Moved by Lewis seconded by Pirowski to table communication for study

Yeas: Jerge, Lewis, Pirowski

Nays: Noman, Iafallo

Carried 3-2

Insurance Recovery Proceeds

7. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to recognize receipt of insurance recovery proceeds.

If you have any questions, please feel free to give me a call.

Moved by Pirowski seconded by Lewis to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from Citizens:

Election-Use of Polling Places-School

8. To: City Council

On behalf of the Lackawanna Board of Education, I am asking to use the Bocce Court and also a room in the Senior Citizen’s Center for our upcoming May 20, 2014 Budget Vote and Election.

The Election will be held between the hours of 12:00 noon and 9:00 P.M... Inspectors would need access to said buildings at 11:30 A.M. on that day.

Due to the election timeline, please confirm as soon as possible.

I thank you in advance for your cooperation.

MARISA CHINI-BOARD CLERK

Moved by Pirowski seconded by Jerge to grant permission for the use of the Bocce Court and the Senior Citizen Building for school elections on May 20, 2014

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Holbrook St. Renamed Cleveland Myles Way

9. To: City Council

In honor of Black History month the Baker Homes Tenant Council and the family of the Late Cleveland Myles, the former owner of “Myles Deli” petitions the City Council to have Holbrook Street designated as “Cleveland Myles Way”.

Mr. Myles was a long time resident of the First Ward, a father of 11 children, 1 foster child and many other children throughout the community. He owned and operated a deli for more than 27 years until his death in 1994. His children continued on in his footsteps until 2003.

Mr. Myles was a strong pillar of the community and was there to help anyone and everyone without question or hesitation. He was honored by the First Ward Boosters Club in recognition of his dedication to the community. Mr. Myles was also a member of the Lackawanna Police Pistol Club.

This designation of Holbrook Street as “Cleveland Myles Way” will forever memorialize the contribution Mr. Myles has made in the lives of so many families that currently live in the First Ward and others who have moved on to other areas.

We the Baker Homes Tenant Council and the Myles family, thank you and the City Council for any and all assistance and support to make this request a reality.

DAVID HARDY-BHTC PRESIDENT

Moved by Noman seconded by Pirowski to approve request, designating Holbrook Street as Cleveland Myles Way

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

St. Patrick's Day Parade

10. To: City Council

The Limestone Hill Friends of St Patrick are planning the annual St Patrick's Day Parade and Festivities for St Patrick's Day, Monday, March 17, 2014.

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 Irish Flag commemorating St Patrick's Day

Guest Speakers: City of Lackawanna Mayor and Parade Representatives

1:30 PM Corned Beef and Cabbage Dinners/Sandwiches and Refreshments Available at Father Baker Council Knights of Columbus and Col. Weber Post #898

On behalf of the many Irish American residents and members of the Limestone Hill Friends of St Patrick, we respectfully request permission for:

PARADE PERMIT

RAISE IRISH FLAG NEXT TO THE CITY'S AMERICAN FLAG FOR THE DAY

A PODIUM FOR SPEAKERS NEAR FLAG RISING

MICHAEL CUSACK/THOMAS MCGOWAN-CO-CHAIRMAN PATRIOTS CLUB

Moved by Pirowski seconded by Iafallo, permission granted for parade, use of podium and raising of the Irish flag

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Miscellaneous

Business License

Fulvio Stampone-Convenient Wine & Spirits-2540 Hamburg Turnpike

Moved by Pirowski seconded by Noman to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Entertainment Licenses:

Mulberry Café-64 Jackson Avenue-Class 1-Live Music- \$50

Moved by Noman seconded by Pirowski to approve entertainment license

Yeas: Noman, Iafallo, Lewis, Pirowski

Excused: Jerge

Carried 4-0

Downtown LA Lounge-719 Ridge Road-Class 2-Mechanical Music-\$25

American Legion Post 63-144 Kirby Ave-Class 2-Mechanical Music-\$25

Knights of Columbus-2838 South Park-Class 2-Mechanical Music-\$25

Lackawanna Grove-2847 South Park-Class 1-Live Music-\$50

Cherrystone-715 Ridge Rd-Class 1-Live Music-\$50
McMudz-1441 Electric Ave-Class 2-Mechanical Music-\$25
Ernie Weber's-3167 South Park-Class 1-Live Music-\$50
Murph's-1 Warsaw St-Class 2-Mechanical Music-\$25

Moved by Pirowski seconded by Iafallo to approve entertainment licenses
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Ordinances

(1.) Insurance Recovery Funds

An ordinance amending the 2013-2014 budget to recognize receipt of \$4,488.80, insurance recovery proceeds

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase revenues and appropriations for the receipt of an insurance recovery check.

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$4,488.80 to budget code A.0000.2680 Insurance Recoveries.

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to increase appropriations by \$4,488.80 for budget code A.3120.0443

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

(2.) Sale of Property-NOCO Energy Corp

An ordinance approving the sale of SBL 151.08-2-31.13, a vacant parcel to NOCO Energy

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107

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 part of property known as SBL 151.08-2-31.13 a parcel 70 feet by 70 feet, Vacant Parcel to NOCO Energy Corporation

SECTION 2. That transfer is made for the sum of \$4,000 in cash to the City of Lackawanna

SECTION 3. That the purchase/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City of Lackawanna

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

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by Noman to adopt ordinance as amended, changing purchase amount to \$2500 and adding a reverted clause pertaining to expansion period

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Waive Rules

Moved by Jerge seconded by Lewis to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Lobbyist

Moved by Jerge seconded by Lewis to hire Masiello, Martucci, Calabrese & Associates as Lobbyist for a period of (1) year

Yeas: Iafallo, Jerge, Lewis, Pirowski
Nays: Noman Carried 4-1

Adjournment

Moved by Pirowski, seconded by Noman, Iafallo, Jerge, Lewis, meeting adjourned in memory of Matthew DePasquale

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk

**REGULAR MEETING
MARCH 3, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council Present: Noman, Iafallo, Jerge, Lewis, Pirowski

**Dept Heads: Present: Public Works, Law, Comptroller, Recreation
Public Safety, Development**

Approval of Minutes: of regular meeting of February 18, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of February 18, 2014 as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Departmental Reports:

1. City Compt.-A/P Check Listing #27, January 14, 2014
2. City Compt.-A/P Check Listing #28, January 23, 2014
3. City Compt.-A/P Check Listing #29, January 31, 2014
4. City Compt.-A/P Check Listing #30, February 4, 2014
5. City Compt.-A/P Check Listing #31, February 7, 2014
6. City Compt.-A/P Check Listing #32, February 13, 2014
7. City Comp.-Statement of Cond. of Appropriations as of January 31, 2014

Moved by Pirowski seconded by Noman to receive and file departmental reports one through seven

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from the Council:

Portable Vendor Fees

8. To: City Council

I have included copies of communications sent to the Mayor regarding the waiving of residency requirements for the hiring of a Director of Development. I have also included a copy of a directive from the meeting of September 3, 2014 requesting an ordinance regarding a hiring

freeze. I am also waiting for a response from the Law Department regarding portable food vendors.

HENRY R. PIROWSKI -COUNCIL PRESIDENT

Moved by Pirowski seconded by Jerge to receive and file, City Attorney to prepare ordinance for portable vendors

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Alternate Parking Hours

9. To: City Council

I would like to request a change to the alternate parking time from **6 PM to 6 PM to 4 PM to 4 PM.**

Many people arrive home from work prior to 6 PM. The result is residents who fail to move their vehicle after 6 PM, causing congestion on our side streets.

Changing the time period to 4 PM will result in fewer people who need to move their vehicles shortly after returning home from work.

Your anticipated cooperation is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Pirowski to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ridgewood Village-Speed Limit Change

10. To: City Council

At the behest of a large number of constituents, I would like to request the speed limit inside the perimeter of Ridgewood Village and Greenwood Ave be changed from 30MPH to 20MPH.

Based on this request, I would like to ask that signs be erected at the following intersections indicating a 20MPH speed limit:

Abbott and Fernald

Abbott and Errington

Ridge and Community (with another sign erected to the left of the wooded sign welcoming people to Ridgewood Village)

Abbott and Greenwood

Fernald and Fairmont

Your anticipated cooperation is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Pirowski to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

NRP Group-Construction of Single Homes

11. To: City Council

This letter shall serve to confirm that the City of Lackawanna has reserved the attached list of 35 properties for utilization by the Lackawanna Homes LLC., and the NRP Group, LLC to be

included in the development of forty-eight (48) newly constructed single family rental homes, and a clubhouse, as part of Lackawanna Homes Development. The NRP Group LLC., agreed to an acquisition price of One Hundred Fifty Thousand and no/100 dollars (\$150,000) for the 35 vacant properties.

Therefore it is my recommendation that the City Council **approve** the sale along with the attached ordinance.

FRANK E. KRAKOWSKI-CITY ASSESSOR

Moved by Pirowski seconded by Noman to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances

(1.) NRP Group-Single Home Construction

AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107

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 The Homes of Lackawanna (See Attached) 35 parcels of, Vacant Property to Lackawanna Homes LLC..

SECTION 2. That transfer is made for the sum of \$150,000 in cash to the City of Lackawanna

SECTION 3. That the purchaser/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City of Lackawanna

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

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Noman to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules

Moved by Pirowski seconded by Lewis to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinance

Alternate Parking Hours-Change

AN ORDINANCE AMENDING CHAPTER 215, CITY OF LACKAWANNA MUNICIPAL CODE, TRAFFIC AND VEHICLES

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

Chapter 215.43 shall be amended as follows:

1. All provisions in this Chapter that state, “No parking from 6 P.M. Sunday to 6 P.M. Wednesday” shall be rescinded and replaced with the following:

No parking from 4 P.M. Sunday to 4 P.M. Wednesday.

2. All provisions in this Chapter that state, “No parking from 6 P.M. Wednesday to 6 P.M. Sunday” shall be rescinded and replaced with the following:

No parking from 4 P.M. Wednesday to 4 P.M. Sunday

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules

Moved by Pirowski seconded by Lewis to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Speed Limit Change-Ridgewood Village

AN ORDINANCE AMENDING CHAPTER 215, CITY OF LACKAWANNA MUNICIPAL CODE, TRAFFIC AND VEHICLES

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

Chapter 215.31 A. shall be amended to add the following:

3. Community Drive
4. Errington Avenue
5. Fairdale Road
6. Fairmont Avenue
7. Fernold Avenue
8. Greenwood Avenue
9. Lincroft Road
10. Millhurst Road
11. Ridgewood Circle
12. Rodman Road
13. Scotia Road
14. Sudbury Road
15. Winstead Road

Add the following section:

Chapter 215.31 D. Twenty (20) miles per hour

Twenty (20) miles per hour is hereby established as the maximum speed at which vehicles may proceed within this City on or along highways as follows:

1. Community Drive
2. Errington Avenue
3. Fairdale Road

- 10. Rodman Road
- 11. Scotia Road
- 12. Sudbury Road
- 13. Winstead Road

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules

Moved by Pirowski seconded by Iafallo to waive rules
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Fire Dept-Use of Engine #2

To: City Council

Saturday, March 15th is the 21st Annual “Old Neighborhood” St. Patrick’s Day Parade. Firefighter Jim Judd requests permission to use Engine 2 to take part in the Parade. Your consideration in this matter is appreciated.

JIM FINO-PRESIDENT IAFF 3166

Moved by Pirowski seconded by Jerge to grant permission, pending liability insurance
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules

Moved by Pirowski seconded by Jerge to waive rules
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business Licenses:

The Press Box LLC- 1841 Abbott Road-Tavern

Moved by Pirowski seconded by Lewis to approve business license
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

A 2 Z Auto Repair & Collision- 1212 Abbott Road- Auto Repair

Moved by Pirowski seconded by Lewis to approve business license
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules

Moved by Pirowski seconded Jerge to waive rules
 Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

City Attorney Seminar

To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to provide funding for the City Attorney and Assistant City Attorney to attend a continuing education seminar in accordance with Chapter 5, Article VII, section 5-64A of the City Charter.

If you have any questions, please feel free to give me a call.

PEGGY BIGAJ-SOBOL-CITY COMPTROLLER

City Attorney Seminar Ordinance

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase appropriations for a continuing education seminar for the Law Department

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$700 to budget code A.1420.464 Law Department, Travel Allowance

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to appropriate \$700 of the City’s Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Adjournment

Moved by Pirowski seconded by Iafallo, meeting is adjourned

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk

**REGULAR MEETING
MARCH 18, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council Present: Noman, Iafallo, Lewis, Pirowski
Excused: Jerge
Dept Heads: Present: Public Works, Law, Recreation, Development
Excused: Public Safety, Comptroller**

Approval of Minutes: of regular meeting of March 3, 2014

Moved by Pirowski, seconded by Noman to adopt minutes of March 3, 2014 as written
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Departmental Reports:

1. City Compt.-A/P Check Listing #33, February 20, 2014
2. City Compt.-A/P Check Listing #34, February 28, 2014
3. City Clerk- Monthly Report for February 2014
4. City Treasurer- Receipts deposited into general fund, February 2014

Moved by Pirowski seconded by Iafallo to receive and file departmental reports one through four
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Communications from the Council:

Demolitions-Baiting of Buildings

5. To: City Council

Over the past year, I have fielded complaints from members of the community who reside and do business near structures that were recently demolished. These complaints center on the movement of rodents from the demolished buildings to homeowners and business alike, both during and at the completion of the demolition.

I would like to request that we prepare and adopt an ordinance mandating the baiting of buildings for rodents that are scheduled for demolition at least 7 days prior to the demolition. In the case of emergency City funded demolitions, I would suggest that we might waive the 7-day rule but still require a building to be baited for rodents prior to knocking it down whenever that is

feasible. A permit is currently required to demolish buildings in our City and that piece would simply be added to the composition of the permit process for no additional (permit) fee.

I am unaware of any policy we have concerning this matter at this point, but I am certainly of the opinion that it is a necessary step in controlling the movement of rodents.

We have taken great measures to curtail our rodent problem in the City (garbage totes, county baiting programs) and this would just be one more proactive step to alleviate unnecessary growth of the issue.

Your anticipated cooperation is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Pirowski seconded by Iafallo to grant request, buildings to be baited before demolition

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Demolition of Lincoln School Cost

6. To: City Council

I am requesting that the Director of Development find out the cost for the demolition of the former Lincoln High School on Dona Street.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to grant request, Director of Development to secure an estimate of the demolition costs of the Lincoln School

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Demolition of Buildings

7. To: City Council

I have been asking for the past four (4) years for the City Attorney to take Court Action against the owners of the properties that are abandoned. Again, I am requesting for the City Attorney to obtain a court order to force the banks and private owners of the following dilapidated, vacant, and abandoned houses in the First Ward to be demolished.

(1) 67 Ingham Ave. (2) 56 Ingham Ave. (bank owned) (3) 69 Dona St (4) 65 Dona St.

(5) 305 Ridge Rd. (bank owned) (6) 24 Glenwood St. (7) 35 Steelawanna St.

(8) 109 Holbrook St.

Thank you.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to grant request, City Attorney to proceed with court actions against owners of abandoned properties to be demolished

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Funding for a "Roving Secretary"

8. To: City Council

Several months back, the Council discussed a permanent position to serve as a "roving secretary" to assist all department heads during their time of need. This was explained as a cost cutting measure due to the lack of need for full time help in both purchasing and recreation. During our discussion on the subject of a "roving secretary", we did quantify the need for part time help in purchasing and seasonal help in recreation (as well as other areas).

Over the past several months, for a variety of reasons; the legal department, purchasing, recreation, as well as the treasurer have all either required or requested additional help. Due to the need, along with my original and continued support of the notion of having a “roving secretary”, I would like to ask both Council President Pirowski and Councilman Lewis to reconsider your vote, as I have, to add the position of the recreation secretary (to serve as “roving secretary”) back to the budget for the remainder of this budget year.

Your consideration is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Pirowski seconded by Noman to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Communications from Department/Division Heads:

Public Works-Sale of Vehicle

9. To: City Council

The Department of Public Works is asking permission to sell the 2010 Crown Victoria, VIN#:2FABP7BV2AX111325. We are asking the money made from the vehicle to be put back into account number A.5132.443, which will then be used to refurbish 2001 High Lift #9. If You have any questions or concerns please feel free to contact me at your earliest convenience.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded by Lewis to grant permission, 2010 Crown Victoria to be sold, proceeds to be put into acct A5132.443 to help defray the cost of refurbishing 2001 high lift #9

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinance Amending Chapter 190

10. To: City Council

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

Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Lewis to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinance Amending Chapter 168

11. To: City Council

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

Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Lewis to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinances Enacting Chapter 155 Municipal Code Violations Bureau

12. To: City Council

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

Thank you

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Communications from Citizens

YOUTHBUILD Application

13. To: City Council

The Baker Homes Tenant Council, under the new leadership of its President Latonda Brown, will be submitting a 2014 YOUTHBUILD APPLICATION in concert with a regional collaborator. The BHTC is requesting:

1. A letter of support from the City Council
2. Designation as Designated Developer on the following City owned parcels:
 - a. A&E Building
 - b. 90 Dona Street, Lincoln School Site
3. Identification of Learning Lab Sites in the Second, Third and Fourth Wards
4. Attendance at First Ward Stakeholders Meeting to discuss Oshiei Foundation Report and develop a working strategy to address identified problems

The YOUTHBUILD Grant which is due on April 22, 2014, provides training opportunities to City wide youth's that are at-risk to drop out or have dropped out of school. The locations requested will be learning lab sites where the youths will learn the construction and other related trades, while beautifying the city and addressing eyesores.

The training of the youth's in the learning lab sites will be complemented with GED preparation and enrollment in Construction Technology training component at wither Erie Community College or within the Lackawanna Public School District with the assistance of Erie 1 BOCES.

A timely, work session is warranted to adequately discuss this matter in greater detail to address any and all concerns you or other members of the Council may have. I thank you in advance on behalf of the youth's within the City of Lackawanna and its resident who will benefit from this grant.

Respectfully

GEORGE W. HALSEY III-ROSS PROGRAM MANAGER

Moved by Pirowski seconded by Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Entertainment Licenses:

Nite Capp-1769 Abbott Rd-Class 1-Live Music-\$50

Col. Weber Post-2909 South Park-Class 1-Live Music-\$50

Matthew Glab Post-1965 Abbott Rd-Class 1-Live Music-\$50

J's White Elephant-1404 Abbott Rd.-Class 1-Live Music-\$50

Lake Erie Club-3200 South Park-Class 1-Live Music-\$50
Steel City Pub-1449 Abbott Rd.-Class 1-Live Music-\$50

Moved by Pirowski seconded to approve entertainment licenses
Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Business Licenses:

Aaron Braun (Kelly's Parkside Chocolates) 1283 Abbott Road

Moved by Pirowski seconded by Lewis to table for study

Carried 4-0

Ordinances:

(1) An ordinance providing no more than two totes per building/structure, property owner responsible for replacement cost of lost or destroyed tote

AN ORDINANCE AMENDING CHAPTER 190 SOLID WASTE, CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code 190-3A, shall be rescinded and replaced with the following:

The City shall provide and assign to each single family residential unit one tote (but no more than two totes per building/structure). Residents may obtain additional totes from the City at a cost to be determined by the Commissioner of Public Works.

No single family residential unit shall have more than two totes. Totes shall be used for the collection, storage and disposal of all garbage and non-recyclable refuse and rubbish that may accumulate or be produced by them. All totes shall be owned by the City. Any tote assigned to a residential unit shall remain at that residential unit and shall not be removed from said unit. In the event that a tote assigned to residential unit is lost, damaged, destroyed or missing, the property owner shall be responsible for the replacement cost for said tote.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as amended
Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(2) An ordinance establishing a fee of \$50 per item for any bulk item collected outside the dates designated for bulk pickup

AN ORDINANCE AMENDING CHAPTER 190, SOLID WASTE, CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 190-4A, shall be amended to add the following:

The Department of Public Works shall collect bulk items for a fee of \$50.00, per item, when collecting said bulk item on any date other than those dates designated by the department for bulk item pick-up. The property owner or resident must give 48 hour notice to the Commissioner of Public Works.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(3) An ordinance setting a \$50 per year peddler fee for persons selling food and beverages

AN ORDINANCE AMENDING CHAPTER 168, CITY OF LACKAWANNA MUNICIPAL CODE, PEDDLERS AND SOLICITORS

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

Section 168.13 (E) License Fees. Is hereby replaced with the following:

E. The license fee for each applicant for a license to sell food and beverages including coffee, tea and soft drinks for human consumption shall be \$50.00 per annum or any fraction thereof.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(4) An ordinance establishing the Municipal Code Violations Bureau enabling the issuance of violation ticketing and establishing penalty fees for said offense

AN ORDINANCE ENACTING CHAPTER 155 OF THE CODE OF THE CITY OF LACKAWANNA ENTITLED MUNICIPAL CODE VIOLATIONS BUREAU

BE IT ENACTED.....

SECTIONS: 155.2 JURISDICTION

155.3 ISSUANCE OF TICKETS

155.4 SERVICE AND RETURN OF TICKETS

- 155.5 ANSWER TO TICKETS**
- 155.6 JUDICIAL REVIEW**
- 155.7 FAILURE TO COMPLY**
- 155.8 RECORDS**
- 155.9 ENFORCEMENT OF JUDGMENTS**
- 155.10 PENALTIES FOR OFFENSES**

(COMPLETE TEXT ON FILE WITH CITY CLERK)

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Entered into executive session at 7:50 P.M.

Meeting reconvened at 8:15 P.M.

Roll Call: Council: Present: Noman, Iafallo, Lewis, Pirowski

Adjournment

Moved by Pirowski seconded by Iafallo, meeting is adjourned in memory of Paula Sireika

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk

**REGULAR MEETING
APRIL 7, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council Present: Noman, Iafallo, Jerge, Pirowski
Excused: Lewis
Dept Heads: Present: Public Works, Public Safety, Comptroller, Development
Excused: Law, Recreation**

Approval of Minutes: of regular meeting of March 18, 2014

Moved by Pirowski, seconded by Noman to adopt minutes of March 18, 2014 as written
Yeas: Noman, Iafallo, Jerge, Pirowski Carried 4-0

Departmental Reports:

1. City Compt. – AP Check listing #35, March 6, 2014.
2. City Compt. – AP Check listing #36, March 13, 2014.
3. City Compt. – AP Check listing #37, March 20, 2014.
4. City Compt. – Statement of Cond. Of Appropriations.
5. City Clerk – Monthly report for March, 2014.
6. City Treas. – Receipts deposited into General Fund, March, 2014.

Moved by Pirowski seconded by Jerge to receive and file departmental reports one through six
Yeas: Noman, Iafallo, Jerge, Pirowski Carried 4-0

Communications from the Mayor:

Advertise for Mowing and Landscaping

7. To: City Council

I am requesting your Honorable Body to authorize the City Clerk to advertise for lawn mowing and landscaping of various recreational and public properties areas in the City of Lackawanna for the 2014 Calendar Year.

If you have any questions, please contact the Department of Recreation.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Jerge to grant request, City Clerk to advertise for bids
Yeas: Noman, Iafallo, Jerge, Pirowski Carried 4-0

Emergency Medical Ambulance Proposal

8. To: City Council

I am submitting for the agenda a Request for Proposal (RFP) regarding emergency medical ambulance service for the City of Lackawanna.

This RFP is for the purposes of providing basic life support (BLS) and advanced life support (ALS) paramedic ambulance services for the citizens of Lackawanna.

As you can see in the RFP, we are requesting more service from an ambulance company which will benefit all the residence of our City. It is thorough and comprehensive.

If you have any questions, please contact Fire Chief Galanti for more details.

(Complete proposal on file with City Clerk)

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Iafallo to grant request for RFP regarding emergency medical ambulance service

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Communications from Department/Division Heads:

School Intervention Program

9. To: City Council

I respectfully request the City Council restore the amount of \$2527.00 to the **2013-2014** Lackawanna City budget for the Youth Bureau/Youth Board line item A7310.490 (School Intervention Program).

This will enable the City Comptroller to seek reimbursement for the NYS approved amount of \$2527.00 from the New York State Office of Child and Family services from the 2012-2013 City budget.

The factors involved in seeking this reimbursement are overlapping budget years:

City of Lackawanna budget year of 8-01-2012 to 7-31-2013

The Erie County budget year of 1-1-2013 to 12-31-2013

The NYS budget year of 04-01-2013 to 3-31-2014

The net effect on the budget is zero.

JAMES S SIERACKI-YOUTH DIRECTOR

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Demolition- Emergency- 114 & 116 Center

10. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to provide funding for emergency demolitions of 116 & 114 Center.

If you have any questions, please feel free to give me a call.

PEGGY BIGAJ-SOBOL-CITY COMPTROLLER

Moved by Pirowski seconded by Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Police Department-Pistols & Holsters

11. To: City Council

The City of Lackawanna Police Departments semi-auto pistols are Generation 1 Glock pistols. The majority were purchased in 1997 and are at the point where they need to be replaced. The approximate cost for replacement, with lights and holsters is \$14,000.

I respectfully request to transfer funds from account #3120.418 to 3120.419 in the amount of \$14,000.00 to cover the cost of the new pistols, lights and holsters.

Your consideration of this request is greatly appreciated.

JAMES L MICHEL, JR-POLICE CHIEF

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

E Scrap 4 Project

12. To: City Council

Please be advised that Tony DeSantis and I have made arrangements for the City of Lackawanna to participate in a fund raiser for “Camp Good Days and Special Times”, together with Sunnking electronics recycling. Sunnking, in partnership with Camp Good Days and Special Times, has created a program entitled “E-Scrape 4 Camp” that recycles old electronics into funds to improve the quality of life for children and families whose lives have been touched by cancer.

At no cost or expense to the City, Sunnking will deliver storage boxes and wooden pallets. The pallets & boxes will be delivered on Wednesday, April 2nd and picked up on Friday, April 18th.

The collection and drop-off will be located at the City Garage on Reddon Street behind Veteran’s Memorial Stadium; Monday, April 7th thru Friday, April 11th from 8AM until 6PM.

Kindly, distribute the attached flyers with the information so that your constituents can participate while cleaning out there old electronics. Hopefully this will cut down on the volume that is discarded at the curb for municipal pickup.

Please do not hesitate to contact me in the event there are any questions or comments.

FRED K HEINLE-DIRECTOR OF DEVELOPMENT

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Travel Expenditures-Director of Development

13. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to provide funding for travel expenditures for the Director of Development.

If you have any questions, please feel free to give me a call.

PEGGY BIGAJ-SOBOL-CITY COMPTROLLER

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Communications from Citizens

Dyngus Day Parade-Use of Engine 2

14. To: City Council

Monday, April 21st is the Dyngus Day Parade. I request permission to use Engine 2 to take part in the Parade.

Your consideration in this matter is appreciated.

BILL TOJEK-VICE PRESIDENT IAFF 3166

Moved by Pirowski seconded by Jerge to grant request for use of Engine 2 for Dyngus Day Parade

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Annual Taste of Lackawanna-Youth Empowerment Program

15. To: City Council

The Lackawanna Youth Empowerment Program Inc. will be hosting its 7th Annual "Taste of Lackawanna". The event will be held Saturday June 7th 2014. Set up begins at 9am, but the actual event is held from 12pm until 8pm.

We are requesting permission to block off O'dell Street, between Ingham Ave and Wilmuth Street between the hours listed above.

Any further details needed, please contact our President at the phone number listed below.

We thank you in advance for your support.

WADE TURNER-LACKAWANNA YOUTH EMPOWERMENT PROGRAM

Moved by Pirowski seconded by Noman to grant request

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Alcoholic Anonymous – Use of City Property

16. To: City Council

Our group would greatly appreciate if the City Council would consider an ordinance and allow our group to use city property during our yearly Alcoholics Anonymous anniversary event.

The Buffalo Group is celebrating our 17th anniversary on April 12 and would like to set up a tent with tables behind our building for seating before the event. There are a couple of areas that we looked at and are requesting approval to set up in the parking lot, or in the walkway that connects Nason Parkway to the police parking lot.

The event we are holding would be running from 5pm until 10pm on April 12th and would be using a small parameter on city property. It would require minimum set up and clean up on our behalf and there would be no leftover trash after the event.

Thank you for your time and consideration on this matter.

BUFFALO GROUP ALCOHOLICS ANONYMOUS

No motion on the floor, request is denied

Habitat for Humanity

17. To: City Council

I am a future homeowner of Habitat for Humanity. I would like very much to build my home in the Wonderful City of Lackawanna. I have spoken to 1st Ward Councilman Noman and the Honorable Mayor Szymanski about this item.

In the City of Lackawanna are abandoned properties and plenty land. Habitat for Humanity can take a home and refurbish it and give the home to a family in need.

I understand Lackawanna Homes are building forty-eight (48) single family homes in the 1st Ward but I feel Habitat for Humanity should also have the opportunity to do so.

I would like to request this item to be put on the agenda for Monday, April 7, 2014 Council meeting.

MRS. BETTYE JACKSON

Moved by Pirowski seconded by Iafallo to receive and file.

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Commissioner of Deeds

18. To: City Council

Please put this matter on your agenda at the next Council Meeting. I request a Commissioner of Deeds appointment for Michelle Ciesla, residing at 120 Majestic Terrace, Lackawanna, NY 14218, an employee of my firm.

Thank you for your assistance.

ARC J PETRICCA

Moved by Pirowski seconded by Jerge to grant request for Commissioner of Deeds status for Michelle Cielsa

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Entertainment Licenses:

Winfield's Pub-1213 Ridge Rd-Class 1-Live Music

Moved by Pirowski seconded to Jerge to approve request for live music entertainment license

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Cagneys-1254 Electric Ave- Class 1-Live Music

Moved by Pirowski seconded by Jerge to approve request for live music entertainment license

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Business Licenses:

Elixer Vapor Lounge-283 Ridge Rd (lower rear)

Moved by Pirowski seconded by Noman to approve business license
Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

All Occasions by Cuzzins-283 Ridge Rd

Moved by Pirowski seconded by Noman to approve business license
Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Resolutions:

Council Meeting Date Change

RESOLUTION #6, 2014

Whereas, Chapter 3, Section 3.7 of the Charter of the City of Lackawanna provides for 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 New York State; and

Whereas, the City Council is desirous of changing the meeting date of Monday, April 21, 2014 to be rescheduled for Monday, April 28, 2014; and

Be it resolved, that the Council meeting previously scheduled for Monday, April 21, 2014 is hereby changed to Monday, April 28, 2014.

Be it further resolved, that a copy of this resolution be posted on the centrally located bulletin board in the lobby of City Hall and on the Council Bulletin board, in the City Clerk's Office and on the official website for the City.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt resolution as written
Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Ordinances:

(1.) School Intervention Program-Budget Amendment

AN ORDINANCE AMENDING THE 2013 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase revenues and appropriations for the youth initiative and services funds.

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$2,527.00 to Budget code A.0000.3825 School Drop-Out Program.

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to increase appropriations by \$2,527.00 for budget code A.7310.490 Youth Board School Intervention Program

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

(2.) Demolition of Buildings-114 & 116 Center Street-Budget Amendment

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase appropriations for emergency demolitions

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$46,000.00 to Budget code A.3620.466 Development, Demolition of Buildings

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to appropriate \$46000.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

(3.) Travel-Development-Budget Amendment

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase appropriations for travel allowance for Director of Development

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$250.00 to budget code A.3620.464 Development, Travel Allowance

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to appropriate \$250.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Tabled Items:

Moved by Pirowski seconded by Jerge to remove business license for Kelly's Chocolates from the table

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Moved by Pirowski seconded by Jerge to approve business license for Kelly's Parkside Chocolates (1283 Abbott Rd)

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Waive Rules

Moved by Pirowski seconded by Jerge to waive rules to include ordinance amending the budget transferring \$14,000 to budget A3120.419 Police Department for purchase of new firearms

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to transfer appropriations for the purchase of new firearms

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to transfer \$14,000.00 to budget code A.3120.419 Police, Firearms and Ammo

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to transfer \$14,000.00 from budget code A.3120.418 Police, Uniforms and Accessories

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Moved by Pirowski seconded by Jerge to waive rules to include a computer resources policy to govern and regulate the City of Lackawanna Electronic Technology Resources

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Computer Resources Policy

To: City Council

This letter shall serve to confirm that the City of Lackawanna does not currently have in place a Computer Resource Policy to govern and regulate the City of Lackawanna Electronic Technology Resources.

I would therefore encourage the City Council to pass the attached written policy in order to regulate the City's Electronic Equipment and Resources.

I believe it is in the City's best interest to adopt this policy.

(Complete policy on file with City Clerk)

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Pirowski seconded by Jerge to adopt policy as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Adjournment

Moved by Pirowski seconded by Noman, Iafallo, Jerge to adjourned in memory of Lynn Deren

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk

**REGULAR MEETING
APRIL 28, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council Present: Noman, Iafallo, Jerge, Lewis, Pirowski
Dept Heads: Present: Public Works, Public Safety, Comptroller, Development,
Law, Recreation, Assessor**

Approval of Minutes: of regular meeting of April 7, 2014

Moved by Pirowski, seconded by Jerge to adopt minutes of April 7, 2014 as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Departmental Reports:

1. City Compt. – AP Check listing #38, March 27, 2014.
2. City Compt. – AP Check listing #39, March 31, 2014.
3. City Compt. – AP Check listing #40, April 3, 2014.
4. City Compt. – AP Check listing #41, April 10, 2014.
5. City Compt. – AP Check listing #42, April 17, 2014.
6. City Compt. – Statement of Cond. Of Appropriations, March 31, 2014.

Moved by Pirowski seconded by Jerge to receive and file departmental reports one through six
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from Department/Division Heads:

Sale of Police Vehicles

7. To: City Council

This letter serves to request your Honorable Body approve and allow the purchasing agent, Tom Nicometo, to sell the following marked police vehicles:

Car #21-2007 Ford-VIN#1FMEU73E07UA88248 (135,000 miles)

Car #24-2008 Ford-VIN#2FAHP71VX8X131067 (160,000 miles)

Thank you for your anticipated cooperation in the above regard.

DANA J BRITTON-DIRECTOR of PUBLIC SAFETY

Moved by Pirowski seconded by Iafallo to approve request, Purchasing Agent authorized to sell police vehicles

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Land Bank Acquisition at In Rem Auction

8. To: City Council

This letter shall serve to confirm that the City of Lackawanna is requesting that the Buffalo Erie Niagara Land Improvement Corporation, acquire two Properties at the next City of Lackawanna In Rem auction.

The properties are as follows;

205 Ridge Rd SBL# 141.43-3-14.1

330-336 Ridgewood Circle SBL# 142.12-2-18

The purpose of this acquisition is to rehabilitate the properties thereby returning them to the tax rolls. Rehabilitation would be completed by BENLIC and not City Tax Dollars.

I would therefore encourage the City Council to pass the attached Resolution allowing BENLIC to acquire these properties at our next In Rem Auction in late May 2014.

FRANK E KRAKOWSKI-CITY ASSESSOR

A RESOLUTION SUBMITTED BY MAYOR GEOFFREY M SZYMANSKI OF THE CITY OF LACKAWANNA

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the City of Lackawanna, Erie County, has recognized the need to address the growing issue of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that City of Lackawanna hereby officially requests that BENLIC acquire one or more properties from the list of prioritized properties below (addresses and Section Block Lot (SBL) numbers included):

1st Priority Property 205 Ridge Road SBL # 140900 141.43-3-14.1

2nd Priority Property 330-336 Ridgewood Circle SBL # 140900 142.12-2-18

; and be it further

RESOLVED, that the City of Lackawanna has completed the required Standardized Inspector’s Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the City of Lackawanna agrees to pay the costs associated with foreclosure of each property selected by BENLIC from the above list of properties; and be it further

RESOLVED, that the City of Lackawanna agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that pursuant to section 1610 of the New York Not-for-Profit Corporation Law, should BENLIC acquire one or more properties from the above list, the City of Lackawanna hereby agrees to remit to BENLIC fifty percent of the real property taxes collected for a period of five years on the specific parcel(s) of real property identified below:

- 1st Priority Property 205 Ridge Road SBL # 140900 141.43-3-14.1
- 2nd Priority Property 330-336 Ridgewood Circle SBL # 140900 142.12-2-18

; and be it further

RESOLVED, that should the Mayor of the *City of Lackawanna* object to the foreclosure or sale of a parcel of property selected by BENLIC at any time after the commencement of the foreclosure proceeding, the *City of Lackawanna* shall indemnify BENLIC for any costs/liabilities associated with such tax foreclosure action; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Chairperson of the Buffalo Erie Niagara Land Improvement Corporations; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo’s Office of Strategic Planning; and the Mayors of the cities of Buffalo and Tonawanda.

This Resolution shall take effect immediately

Moved by Jerge seconded by Pirowski to table for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Citizens

Block Party-May 3, 2014 in Honor of Cleveland Myles

9. To: City Council

Dear members of the Council. First, let me express our gratitude for the vote to re-name the portion of Holbrook to “Cleveland Myles Way”. On behalf of our family, we thank you.

Secondly, we are asking for permission to close off Holbrook Street from Wilmuth to Phillips Place on May 3, 2014 from the hours of 12 noon-6 pm. This is to have a block party to say thank you to the community and to celebrate along with our family.

Please call me or respond in writing. The name will be put up on May 2, and this is the reason for the request for the 3rd, if it is at all possible, or May 4th as the rain date.

MRS. BRIDGET JOHNSON

Moved by Jerge seconded by Noman to approve request for block party honoring Cleveland Myles on May 3, 2014 (rain date May 4th)

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Lackawanna Community Youth Parade

10. To: City Council

The Lackawanna Community Fun Days Planning Committee would like to thank you for your support of our efforts to unify the City of Lackawanna and provide residents with access to important resources for the past two years. With your support, over 40 local community organizations participated in our Health, Wellness, and Resource Fair including Child and Family Services, Catholic HEALTH, Baker Victory Services, Meals on Wheels and many more. The addition of Kid’s Day allowed us to provide a fun, safe and educational environment for over 400 children and families and display our talented youth with performances by C&M Dance and the LA Invaders Drill Team.

It is important that we keep the momentum going and begin to start planning for Community Fun Days 2014. This year we are expanding our reach as we plan four days of events to give residents throughout the City of Lackawanna more access to critical resources. We have added a Health, Wellness, & Resource Fair on Tuesday May 6th at Second Baptist Church, a 50 & Older Basketball Tournament and concert at Jeffrey Taggart Memorial Playground on June 7th in partnership with the Taste of Lackawanna, and our main event Friday July 25th Senior Day and Saturday July 26th Kid’s Day, at 560 Ridge Road, next to the Lackawanna Library.

The Community Fun Days Planning Committee is requesting your approval for the following:

1. All of the events outlined above
2. The use of the City of Lackawanna’s portable restrooms for our main events, Friday, July 25th and Saturday 26th at 560 Ridge Road
3. The use of Ridge Road for our Youth Parade on Saturday, July 26th from 11:00 am - 11:30 am from City Hall, 714 Ridge Road to the Lackawanna Library, 560 Ridge Rd.

Enclosed, you will find our 2014 schedule of events. Our goal is to strengthen our partnership with you and make you a part of our event. The City of Lackawanna’s residents have shown an interest in seeing this event grow and we plan to work with the community to make sure it continues to be a success.

The purpose of Lackawanna Community Fun Days is to provide the community with a safe and fun environment to celebrate our community and its diversity while giving Lackawanna residents the opportunity to access important resources and information to improve their quality of life. Your support is critical and we would not have been successful without you. 2014 is here and we hope to continue working with you for years to come.

JOHN E INGRAM-CHAIRMAN

Moved by Pirowski seconded by Noman to approve request for Lackawanna Community Fun Days Parade on July 26th and use of portable toilets

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business Licenses:

“A Place in the Park”- Salon and Day Spa-1283 Abbott Rd

Moved by Pirowski seconded by Jerge to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Executive Session

Moved by Pirowski seconded by Jerge to enter into executive session at 7:25 pm

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried -5-0

Meeting reconvened at 7:53 pm

Roll Call:

Council: Present: Noman, Iafallo, Jerge, Lewis, Pirowski

Adjournment

Moved by Pirowski seconded by Iafallo, meeting is adjourned

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk

**REGULAR MEETING
MAY 5, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

Meeting called to order

NB: Meeting being recorded

Roll Call: Council: Present: Noman, Iafallo, Jerge, Lewis, Pirowski

**Dept. Heads: Present: Law, Development, Public Works, Comptroller,
Recreation**

Excused: Public Safety

Approval of Minutes: of regular meeting of April 28, 2014

Moved by Pirowski, seconded by Lewis to adopt minutes of April 28, 2014 as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from the Council:

City Employee Retirements Pending

1. To: City Council

I requested that the City Attorney prepare an Ordinance/Resolution, stipulating that the City Council be informed of all pending City employee retirements.

COUNCIL PRESIDENT PIROWSKI

Moved by Pirowski seconded by Lewis to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Computer Policy

2. To: City Council

I requested that the City Attorney prepare an ordinance pertaining to the Computer Policy that was passed by the Council at the April 7, 2014 meeting.

COUNCIL PRESIDENT PIROWSKI

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Police Department-Purchase Vehicles

3. To: City Council

I respectfully request permission to purchase three (3) unmarked police vehicles at no cost to the City.

The vehicles will be purchased through asset forfeiture funds.

JAMES L MICHEL, JR-POLICE CHIEF

Moved by Lewis seconded by Noman to approve request, Purchasing Agent authorized to purchase vehicles for the police department

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

NYS Work Day Reporting

4. To: City Council

Attached for your review and approval is the Standard Work Day Reporting Resolution for Elected and Appointed Officials (Form RS 2417-A). The form is utilized to establish the standard work day for each position within the City as required by the New York State and Local Retirement System.

PEGGY-BIGAJ-SOBOL-CITY COMPTROLLER

Moved by Pirowski seconded by Iafallo to approve standard work day reporting resolution as required by NYS Retirement System

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Eviction for Illegal Drug Activity

5. To: City Council

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

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Citizens

Rename Pearl Street

6. To: City Council

I am writing you this letter regarding my late Father, Willie McMillan. Who used to reside at 55 Pearl in Lackawanna, NY 14218. Who passed away this year. I would like to have Pearl St. named after him in his memory. My Dad worked for the City of Lackawanna Sanitation Dept. for many years and was a pillar of the community.

Thank you.

THE FAMILY OF WILLIE MCMILLAN

Moved by Pirowski seconded by Noman to table for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances:

AN ORDINANCE AMENDING CHAPTER 116 OF THE CODE OF THE CITY OF LACKAWANNA ENTITLED EVICTION FOR ILLEGAL DRUG ACTIVITY

116.4 BE IT ENACTED by the City Council of the City of Lackawanna, New York that the following sections of Chapter 116 shall be rescinded and replaced as follows:

116.4 SERVICE OF NOTICE, COMMENCEMENT OF EVICTION PROCEEDINGS

B. If the owner or landlord, or his agent, does not make such application within five days thereafter, or having made it, does not in good faith diligently prosecute it, the person, corporation or enforcement agency giving notice may bring a proceeding under this chapter for such removal as though the petitioner were the owner or the landlord of the premises, and shall have precedence over any similar proceeding thereafter brought by such owner or landowner or to the one theretofore brought by him and not prosecuted diligently and in good faith. Proof of illegal drug activity at the desired premises or by the occupants thereof, or if those resorting thereto, shall constitute evidence of the unlawful use of the demised premises required to be stated in the petition for removal. Notwithstanding the provision of Section 116.5 and 116.6 of this Chapter, multiple instances of illegal drug activity are not required to commence an eviction proceeding under this Chapter. Both the person(s) in possession of the property and the owner or landlord shall be made respondents in the proceeding under this Chapter.

116.6 OTHER EVIDENCE OF PROHIBITED CONDUCT AS PRESUMPTION OF THE EXISTENCE OF ILLEGAL DRUG ACTIVITY

Two (2) or more incidents of the following activities at any building, structure or real property within one (1) year period prior to the commencement of a civil action by notice of such action as provided within this Chapter shall be prima facie evidence of the existence of illegal drug activity.

(1) Service of an accusatory instrument charging any of the offenses defined in Article 220 and 221 of the New York State law occurring upon the property. For the purposes of this section, an accusatory instrument shall include, but not be limited to, any criminal information, misdemeanor and/or felony complaint filed in a court of competent jurisdiction.

(2) Service of a search warrant on the building, structure or real property where controlled substances, marihuana [marijuana], drug paraphernalia and/or weapons are seized.

(3) Recovery of illegal controlled substances, drug paraphernalia or illegal firearms or weapons on the building, structure or real property.

(4) Investigative purchases of illegal controlled substances on the building, structure or real property by law enforcement agencies of their agents.

116.7 CIVIL PENALTIES

A court granting a petition pursuant to this section may, in addition to any other order provided by law, make an order imposing and requiring the payment by the respondent of a civil penalty not exceeding five-thousand dollars (\$5,000.00) to the City of Lackawanna, in which subject premises is located, and the payment of reasonable attorneys' fees and the cost of the proceeding to the petitioner. In any such case, multiple respondents shall be jointly and severally liable for any payment so ordered, and the amounts of such payments constitute a lien upon the subject property.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules -Mowing and Landscaping

Moved by Pirowski seconded by Lewis to waive rules
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Contract-Mowing and Landscaping

On Thursday, May 1, 2014, the City Clerk opened sealed bids for grass cutting at various recreational and public property areas in Lackawanna for the upcoming season. The bids are as follows:

M&C Lawn Service- \$1,520.00 Emerald Dunes- \$1,507.00

Therefore, I am requesting your Honorable Body award the bids to both M&C Lawn Services and Emerald Dunes.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded by Lewis to award contract for mowing and landscaping to M & C Lawn Care and Emerald Dunes

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules-Press Box

Moved by Pirowski seconded by Lewis to waive rules
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Entertainment License

Press Box- 1841 Abbott Rd-Live Music- Class 1- \$50.00

Moved by Pirowski seconded by Lewis to approve license
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Adjournment

Moved by Pirowski seconded by Lewis, meeting adjourned
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R Pirowski-Council President

Jacqueline A Caferro –City Clerk

**REGULAR MEETING
MAY 19, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Noman, Iafallo, Jerge, Lewis, Pirowski
Dept. Heads: Present: Law, Development, Public Works, Comptroller,
Recreation
Excused: Public Safety**

Approval of Minutes: of regular meeting of May 5, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of May 5, 2014 as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Departmental Reports:

1. City Clerk – Monthly report for April, 2014.
2. Treasurer – Receipts deposited into General Fund – April 2014
3. City Compt. – AP Check Listing #43, April 24, 2014.
4. City Compt. – AP Check listing #44, April 29, 2014.
5. City Compt. – AP Check Listing #45, April 30, 2014.

Moved by Jerge, seconded by Pirowski to receive and file departmental reports one thru five
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from the Mayor:

Proposed Operating Budget for 2014-2015

6. To: City Council

Pursuant to Chapter 12, Section 12.3 and 12.4 of the City Charter, I submit herewith my proposed budget for the City of Lackawanna for fiscal year August 1, 2014 through July 31, 2015.

The proposed General Fund Operating Budget figure of \$23,645,413 reflects an increase from last year's budget. The total tax levy of \$9,727,429 reflects an increase of \$477,348 from last year's budget.

I am presenting to you my budget for the 2014-2015 budget year. In this budget, I am presenting a commonly used form of revenue that will be shared by all entities within our city. It is an

“Enterprise Fund” in which the cost of garbage/sanitation of the Department of Public Works will be placed in this fund. A user fee will be charged and the resulting revenues will be used to cover the expenses. These revenues are solely from the user fee and separate from the tax levy as well as not subject to the tax cap. This will take a local law to be adopted prior to the Enterprise Fund being established and the budget voted on.

To inform the members of the City Council, almost all revenues are down. These valuable funds that are down are PILOT’s, Sales Tax, Coin, Cable Franchise, Treasurer’s Fees, Clerk’s Fees, Development, Police Fees, Vital Stats, Civil Service, Franchise Fees, Interest on Real Property, Bingo, Other Licenses, Sale of Real Property, Refunds, Other Revenues, Roadway Safety Grant and Lunch Program. The largest reduction comes from Sales Tax, down \$300,000.00.

Our staffing level is below what I would consider a safe level, particularly in the Police Department. Throughout this process, I have tirelessly tried to avoid any form of layoffs. Many have families and wish to grow in this city, while others are looking to start families. Through this dedicate process; I have been able to avert any layoffs from this budget. As a city, we still must be able to provide quality services for our residents, the most visible services are public safety and recreation.

Also, to simplify some of the major accounts in the General Operating Budget, health care is almost \$3,721,705, salaries are \$10,979,795, retirements are over \$2,594,688, and debt service is over \$1,300,000, street lighting is \$735,000 and fire hydrant rental is \$115,000. This is over \$18,600,000 and this doesn’t cover contractual items and other day to day operations.

As usual, I am looking to use fund balance to help offset the deficit. This will leave us with \$2,000,000 left for a healthy fund balance reserve which we must have to help offset any unforeseen situations, including weather disasters.

One doesn’t have to travel far to see the lack of growth in our community, specifically, business. As I was driving throughout our city recently, something glaring became obvious; at every entrance to our city there are empty buildings that once had a business. Without businesses, more and more of the burden of taxing are falling on homeowners. If this trend continues, there might come a time where there are no businesses in our city, and then ALL of the burden will fall on the residents.

Our city has a large population of seniors and there are fewer families with children moving or staying here. Our population is on a constant decline. As I have reviewed former budget messages from former mayors, this message has been made clear for years. We are now at the point of no-return regarding non-homestead tax levies and business retention and recruiting. As more businesses leave, the greater the shortfall of our bottom line. As I have had conversations with all the members of the City Council over the years, all of us have acknowledged this rapidly growing and obvious problem.

As I and my staff struggle to find solutions for this budget, I have reached out for advice and guidance from the City of Buffalo, particularly, Comptroller Mark Schroeder, as well as West Seneca Supervisor Shelia Meaghan and Cheektowaga Supervisor Mary Holtz. Their information was incredibly helpful and I truly appreciate their help, support, and assistance.

As this budget is presented to you, I am still exploring avenues to address the current shortfall and will continue to explore, throughout the year, all avenues for a more financially vibrant city.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Noman to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Unlicensed Vehicles

7. To: City Council

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

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Solid Waste

8. To: City Council

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

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Pirowski

Nays: Lewis

Carried 4-1

City Employee Retirement

9. To: City Council

Please put the attached resolution on the agenda for council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Jerge to receive and file, act on resolution

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Citizens:

Crosswalks

10. To: City Council

As citizens of Lackawanna, we request the placement of cross walks in areas of the city in which children have to cross the street.

We are aware that cross walks have been requested by citizens in recent past and have been denied due to liability matters; however, other local municipalities have found ways to put in crosswalks more safely for all and have not had liability issues.

We look forward to sharing our research with the Council in hopes that you will have congruent views as local municipalities and put in cross walks to make our community a safer place to live, work, and play for all.

AUTUMN FARR

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Deer Crossing Signs

11. To: City Council

As a citizen of Lackawanna and a resident of South Shore Blvd, I have identified the need to institute deer crossing signs on South Shore Blvd. and other streets in Lackawanna in which both have deer and street traffic.

On behalf of the entire City of Lackawanna, my fellow classmates and I are requesting that deer crossing signs be strategically positioned on our streets for the safety of the people, deer, and landfills.

We look forward to discussing this matter with the City Council and thank you in advance for your anticipated individual and collective support and assistance in making our streets safer for all living creatures: man and deer!

MAXWELL MATWIJKOW

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business Licenses:

(1) **Route 62** – 2723 South Park Avenue- owner Yaser Afif- Restaurant

Moved by Pirowski seconded by Jerge to table for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(2) **West End Market**- 321 Ridge Road- owner Thabit Husson- Store

Moved by Pirowski seconded by Jerge to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances:

(1) **Unlicensed Vehicles**

**AN ORDINANCE AMENDING CHAPTER 230, CITY OF LACKAWANNA
MUNICIPAL CODE, ZONING**

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

Section 230-52 Junk Vehicles is hereby rescinded and replaced with the following:

Section 230-52 Unlicensed Vehicles

- A.** No unlicensed, unregistered or inoperable vehicle shall be stored outdoors for more than thirty (30) days.
- B.** The outdoor storage of more than one unlicensed, unregistered or inoperable vehicle, per parcel, is prohibited.
- C.** Unlicensed, unregistered or inoperable vehicles shall be stored at the rear of the parcel whenever possible.
- D.** Unlicensed, unregistered or inoperable vehicles shall be stored so that said vehicle is not visible from the public right-of-way, whenever possible.

E. This section shall not apply to storage of such vehicles at repair shops, automotive sales business or junkyards which are in compliance with applicable zoning and licensing requirements.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(2) Regulations for Solid Waste-Items for Pickup

AN ORDINANCE AMENDING CHAPTER 190 SOLID WASTE, CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 190-2, shall be amended by adding the following:

190-2 Separation and Preparation of Solid Waster for Collections

K. The City shall collect no more than three bundles of wood. Wood shall be tied with string or twine in bundles not to exceed 48 inches in length and 12 inches in diameter and weigh no more than 40 pounds.

L. The City shall not collect more than one cubic yard of debris.

190-2 Separation and Preparation of Solid Waste for Collections

G.

4. No more than five (5) bulk items shall be placed for collection and accepted by the City.

190-5 Prohibited Deposits or Accumulations

H. The City shall not collect televisions, computers, monitors or other electronic devices.

I. The City shall not collect any fencing, sheds or decks.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Pirowski

Nays: Lewis

Carried 4-1

(3) Police Vehicle Sale Proceeds

AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013

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

SECTION 1. That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase revenues and appropriations for the sale proceeds of 2010 Crown Victoria.

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$3,600.00 to

Budget code A.0000.2660 Sale of Real Property

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to increase appropriations by \$3,600.00 for budget code A.5132.0443.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolutions:

Employee Retirement

WHEREAS, the Council desires to be informed of the employment status of the City's workforce

NOW, THEREFORE, BE IT

RESOLVED, that the City Comptroller's Office inform the Council, in writing, the retirement date of a city employee within five (5) days of the retirement of said employee.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt resolution as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Adjournment

Moved by Pirowski seconded by Jerge meeting is adjourned.
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R Pirowski-Council President

Jacqueline A Caferro –City Clerk

**REGULAR MEETING
JUNE 2, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Noman, Iafallo, Lewis, Pirowski
Excused: Jerge
Dept. Heads: Present: Law, Development, Public Works, Comptroller,
Recreation
Excused: Public Safety**

Approval of Minutes: of regular meeting of May 19, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of May 19, 2014 as written
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Departmental Reports:

1. City Comptroller- A/P Check Listing #46, May 8, 2014
2. City Comptroller- A/P Check Listing #47, May 14, 2014
3. City Comptroller- Statement of Condition of Appropriations, April 30, 2014

Moved by Pirowski seconded by Iafallo to receive and file departmental reports one thru three
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Communications from the Council:

Advertise for Bids

4. To: City Council

I am requesting the Council to direct the City Clerk to advertise for bids for demolition for the following City owned houses. These houses are in deplorable condition and are uninhabitable and need to be demolished.

(1) 27, 29, 33 Bethlehem St (2) 48 Steelawanna St (3) 297 Ridge Rd

I am also requesting the City Council Members approve the transfer of funds from the bonds account and also use funds from the Friendship House account.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to receive and grant request
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Communications from Department/Division Heads:

Tabled Items Over 90 Days

5. To: City Council

The policy established by the City Council on May 20, 1991, directs that all tabled items not acted upon within ninety (90) days be deemed null and void and to be resubmitted to the City Council to be received and filed. I respectfully submit the following tabled agenda over 90 days for Council review:

<u>Meeting Date</u>	<u>From:</u>	<u>Regarding:</u>
9/3/13-#27	Chief Galanti	Permission to purchase new pumper
9/3/13-#28	Islamic Mosque	Request return of land at 31 South Street
9/3/13-Ord.	Comptroller	Request transfer of \$30,000 for lobbyist
9/3/13-Bus. Lic.	Sonja Mason	Steel City Lounge-283 Ridge Rd-Bus. License
10/7/13-#31	Chief Galanti	Permission to purchase generators House 2 & 3
10/21/13-#11	Assessor	Purchase Offer Cath. Charities-45 Wilkesbarre
11/18/13-#8	Member Lewis	Seeks results of Traffic Study
11/18/13-#9	Member Lewis	Requests additional smaller totes-65 gallon
12/2/13- #3	Member Noman	Designate Friendship House property for a Splash Pad
12/16/13-#9	Islamic Mosque	Return of purchased land at 31 South Street
12/16/13-Ord	City Attorney	Alternate parking on Pine Street
2/3/14-#7	City Clerk	Reappointment of Bingo Inspectors
2/18/14-Ord	Comptroller	Amend Budget-Transfer \$17,650-Recreation Clerk Position

JACQUELINE CAFERRO-CITY CLERK

Moved by Pirowski seconded by Iafallo to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Electronic & Hazardous Household Waste Drop-Off

6. To: City Council

The City of Lackawanna will no longer accept curbside pickup for electronics. The City Garage will be hosting an electronic drop off located at 67 Reddon Street. The drop off will be held June 9-13 from 8:00 am-6:00 pm. Erie County is also hosting a Household Hazardous Waste drop off, located at ECC South, June 14 from 9 am-2 pm. If you have any questions or concerns feel free to contact me at your earliest convenience.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

B.E.N.L.I.C. Property Resolution

7. To: City Council

This letter shall serve to confirm that the City of Lackawanna is requesting that the Buffalo Erie Niagara Land Improvement Corporation, acquire two Properties at the next City of Lackawanna In Rem auction.

The properties are as follows:

1745 Abbott Rd SBL # 142.15-4-31

36 Center St SBL # 142.37-5-1

The purpose of this acquisition is to rehabilitate the properties thereby returning them to the tax rolls. Rehabilitation would be completed by BENLIC and not City Tax Dollars.

I would therefore encourage the city Council to pass the attached Resolution requesting BENLIC to acquire these properties at our next In Rem auction in late June or early July 2014.

FRANK E. KRAKOWSKI-CITY ASSESSOR

Moved by Pirowski seconded by Noman to receive and file, act on resolution

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Current & Adjusted Base Proportions

8. To: City Council

Pursuant to Article 19 of the New York State Real Property Tax Law and New York State Office of Real Property Service Rules, NYCRR-186-10, the legislative body of the City of Lackawanna must establish current and adjusted base proportions.

Attached are forms EA6701 and EA6703 with computations of the Current Base Proportions and Adjusted Base Proportions for the City of Lackawanna and Lackawanna School District portions of the 2014-2015 assessment roll. Please direct the City clerk to certify these forms with the 0% Shift and forward them to the New York State Office of Real Property Services.

(Complete text on file with City Clerk)

FRANK E KRAKOWSKI-CITY LACKAWANNA

Moved by Pirowski seconded by Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Mobile Homes and Mobile Home Courts

9. To: City Council

Please put the attached ordinance on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Lewis to receive and file, act on ordinance.

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Parking on Sidewalks

10. To: City Council

Please put the attached ordinance on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Sidewalk Cafes

11. To: City Council

Please put the attached ordinance on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Pirowski seconded by Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Miscellaneous:

Business License:

(1) **Gas Plus Express** – 3287 South Park Avenue- owner Mohamed Ahmed

Moved by Pirowski seconded by Lewis to approve business license for Gas Plus Express

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Resolution #8, 2014

A resolution approving Buffalo Erie Niagara Land Improvement Corporation acquisition of 1745 Abbott Road and 36 Center Street at the next In Rem auction.

(Complete text on file with City Clerk)

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Lewis to adopt resolution as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinances:

(1) Placement of Mobile Homes, Recreational Vehicles, Boats and Trailers on City Streets or parked on front yards throughout the City

**AN ORDINANCE AMENDING CHAPTER 154, CITY OF LACKAWANNA
MUNICIPAL CODE, MOBILE HOME COURTS**

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

Chapter 154, Article I. General Provisions 154-6. Placement of mobile homes and housing is hereby rescinded and replaced as follows:

- A. No mobile homes or housing shall be placed anywhere in the City of Lackawanna except in a Mobile home court as defined herein.
- B. No recreational vehicles, coaches, house trailers (travel or vacation), boat or boat trailer combination, may be parked on City streets or stored or left standing in the front yard of any lot containing a one-family or multifamily residence in the City of Lackawanna.
- C. This section does not apply to the rear portion of any lot described herein, provided said boat, trailer or other vehicles described in Subsection B above are parked or stored more than ten (10) feet from any one-family or multifamily residence in the City of Lackawanna.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(2) An ordinance restricting parking on sidewalks or protruding on a sidewalk or public street right of way

**AN ORDINANCE AMENDING CHAPTER 194 OF THE CITY OF LACKWANNA
ENTITLED STREETS AND SIDEWALKS**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that the following sections of Chapter 194 shall be amended by adding the following:

194-5.5

No person shall park a vehicle on a sidewalk. No vehicle shall be parked in a driveway in such a manner that the vehicle protrudes on a sidewalk or a public street, highway or right-of-way.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(3) An ordinance establishing legislation and regulations pertaining to sidewalk cafes

**AN ORDINANCE AMENDING CHAPTER 194 OF THE CODE OF THE CITY OF
LACKAWANNA ENTITLED STREETS AND SIDEWALKS**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that the following sections of Chapter 194 shall be amended by adding the following:

ARTICLE VII. Sidewalk Uses.

194-33. Sidewalk Cafes

- A. An owner or operator of a restaurant abutting in whole or in part upon a public street, who desires to extend the services of such restaurant onto the sidewalk portion of the public street on which the restaurant abuts, may file an application therefore with the Director of Development. The application shall be accompanied by a currently dated plot plan drawn to scale of 1/4 inch equals one foot.

(Complete text on file with City Clerk)

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Waive Rules

Moved by Pirowski seconded by Lewis to waive rules to introduce three items

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

South Park Ave and Ridge Road-Relinquish to State

To: City Council

I am, once again, asking that the City Council waive the rules for tonight's meeting in order to suspend in three home rule messages, as per Senator Timothy Kennedy's request. These home rule messages are requesting that the State of New York absorb responsibility of US 62/South Park Avenue and Ridge Road.

As many of you are aware, the proposal for absorbing South Park Ave. by the State of New York is not a new enterprise. It was brought up last year to the City Council and it has been on the Senate floor for 5 years, originally sponsored by then Senator, William Stachowski.

The new situation is adding Ridge Road to the equation.

If the Council so chooses to act on this, it must be reminded that the 2014 Albany session is about to come to end. Lawmakers will be voting on final legislation and once it is over, they will only meet, sporadically, a few more times before the end of the year.

Attached to this are the three home rule requests. Interesting to note, there is no Assembly sponsorship for South Park Avenue's Home Rule Request and both houses must sponsor similar bills.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Lewis to grant request for the State of New York to absorb responsibility of South Park Ave and Ridge Rd

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Volleyball License

Press Box- 1841 Abbott Rd

Moved by Pirowski seconded by Lewis to approve volleyball license for the Press Box Restaurant/Tavern, volleyball season is June 1st through September 1st, hours of operation are 12:00 noon till 10:00 P.M. only

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Business License

Route 62 Diner-2723 South Park Ave-Yaser Afif

Moved by Pirowski seconded by Lewis to approve business license for Route 62

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

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Adjournment

Moved by Pirowski seconded by Iafallo meeting is adjourned.

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Henry R Pirowski-Council President

Jacqueline A Caferro –City Clerk

**SPECIAL MEETING
FRIDAY, AUGUST 1, 2014 – 12:00 NOON
COUNCIL CHAMBERS
www.lackawannany.gov**

**Meeting Called to Order.
NB: Meeting being recorded**

Roll Call: Council: Noman, Iafallo, Jerge, Lewis, Pirowski

Agenda:

Settlement of property located at 300 Commerce Drive.

Tabled Items:

Adjournment

**REGULAR MEETING
DECEMBER 1, 2014
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Noman, Iafallo, Jerge, Pirowski
Excused: Lewis
Dept. Heads: Present: Law, Development, Public Works, Recreation,
Public Safety
Excused: Comptroller**

Approval of Minutes: of regular meeting of November 17, 2014

Moved by Pirowski, seconded by Noman to adopt minutes of regular meeting of November 17, 2014 as written

Yeas: Noman, Iafallo, Jerge, Pirowski Carried 4-0

Departmental Reports:

1. City Comptroller- A/P Check Listing #15, dated November 7, 2014

Moved by Pirowski seconded by Iafallo to receive and file departmental report

Yeas: Noman, Iafallo, Jerge, Pirowski Carried 4-0

Communications from Council:

Police Chief-Storm Procedures

2. To: City Council

I had several questions for the Police Chief in an effort to learn from this last storm and to make sure we run as efficiently as possible in the future. I asked the Police Chief if I was correct in my understanding that during the disaster storm meeting that took place earlier this month, the primary responsibility of the Police Chief would be to coordinate the clearing of cars from the roads, in order to make way for heavy equipment.

Our Mayor stated publicly and our Department of Public Works Commissioner confirmed, this was the largest impediment to clearing the streets in a timelier manner. I asked the Police Chief what steps he took to address this concern.

Furthermore, it was my understanding, that the Police Chief did not report to work at all during the storm, stating, and I quote, "I'm a City Hall employee, and when City Hall is closed, I don't have to work." I asked the Police Chief if that statement was true, and if he did not show up for work, did he only delegate his authority to his subordinates. In speaking with a company that was assisting the City with the towing of vehicles, they confirmed that the Police Chief was not coordinating with them. Due to the seriousness of the matter, I informed the Police Chief that I expected an immediate response, but as of today, I have not received a response from the Police Chief.

COUNCIL PRESIDENT PIROWSKI

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Communications from Department/Division Heads:

Commissioner of Deeds- City Clerk Personnel

3. To: City Council

I respectfully request approval of Commissioner of Deeds status for the following City Clerk personnel: Jacqueline Caferro, Gail Nicholson, Colleen Mure and Linda Smerka.

JACQUELINE CAFERRO-CITY CLERK

Moved by Pirowski seconded by Iafallo, to approve request for Commissioner of Deeds status for City Clerk personnel within the City of Lackawanna

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Commissioner of Deeds-Law Clerk

4. To: City Council

I hereby request appointment by your honorable body as Commissioner of Deeds.

DENISE FITZGIBBONS-CITY LAW CLERK

Moved by Jerge seconded by Pirowski, to approve request for Commissioner of Deeds status as Law Clerk within the City of Lackawanna

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Communications from Citizens:

Commissioner of Deeds-Elder Care Solutions

5. To: City Council

I request Council approval to renew Commissioner of Deeds status for: Myself & Florika Miranda.

I also request Council approval to appoint Pamela R. Fichtner as Commissioner of Deeds.

Thank you for your consideration.

ROXANNE SORENSEN-ELDER CARE SOLUTION OF WNY, LLC

Moved by Pirowski seconded by Jerge, to approve request for Commissioner of Deeds status within the City of Lackawanna for their work at Elder Care Solutions

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Adjournment:

Moved by Pirowski seconded by Jerge to adjourn in memory of Mary Ellen Lewis

Yeas: Noman, Iafallo, Jerge, Pirowski

Carried 4-0

Henry R Pirowski-Council President

Jacqueline A. Caferro –City Clerk