

**Regular Council Meeting**  
**Monday, April 24, 2023**  
**6:30 p.m. – Caucus/ 7:00 p.m. Meeting**  
**Live via Facebook@http://Facebook.com/lackawannany**

**Meeting called to order/Pledge of Allegiance.**

**NB: Meeting being recorded.**

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

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of April 11, 2023.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of April 11, 2023 as written.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Departmental Reports:**

1. **City Clerk** – Monthly Revenue Report for March, 2023.

Moved by Marrano seconded by Surdyke to receive and file Departmental Report one.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Communications from the Council:**

**Requests Approval for the Review of the Letter from the Traffic Safety Board Regarding the LMHA Executive Director Mark Kuwik's Request Regarding Speed Bumps in the Area of Jeffrey Taggart Playground.**

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

Dear Esteemed Colleagues,

At the February 27, 2023 regular meeting of the Lackawanna City Council, this honorable body TABLED communication #15 from the Lackawanna Municipal Housing Authority (LMHA) Executive Director Mark Kuwik's request to have speed bumps installed on public roadways surrounding Jeffrey Taggart Playground, as well as the appropriate signage warning of said speed bumps.

As part of the TABLED action, the request was referred to the Traffic Safety Board to consider and recommend what action to take.

Attached is a letter outlining the results of that meeting. I ask that this Council consider removing that item from the TABLE and taking action on the same.

To: Lackawanna City Council  
From: Lackawanna Traffic Safety Board  
Re: Reinstallation of "Speed Bumps" on Wilmuth Street  
Dear Honorable Body:

A letter from LMHA Director, Mark Kuwik, to your Honorable Body requesting directive from same regarding the reinstallation of "speed bumps" at the Wilmuth Street location directly in front of the Jeffrey Taggart playground said letter and request was forwarded to the Traffic Safety Board, herein after the "TSB" for a recommendation.

The "TSB" considered various factors your Honorable Body should also consider such as, but not limited to, the following:

1. Legality - Any determination or opinion as to the legality, enforcement, installation, liabilities, design or appropriateness of speed bumps or similarly designated devices shall be the sole jurisdiction of The City of Lackawanna Law Department. The recommendation of the "TSB" is intended as a guide only.

To that end, the material supplied to the "TSB" by the Law Department has aided the "TSB" and has provided a foundation resulting in the suggestions arrived at by the "TSB" and contained herein.

While the concept of "speed bumps" has not been, to the knowledge of the "TSB", codified by statute it is the understanding of the "TSB" that there is no NYS law prohibiting installation of speed bumps but the concept has been designated a "Highway Design" feature and regulated in the NYS Uniform Traffic Control Device Manual (Department of Transportation). The implementation of such devices now referred to as "Traffic Calming" devices should, as a minimum, be implemented only after careful study. A study involving the approval of 75% of residents affected by the devices is recommended as well as the installation of vehicular "bump" warning signs.

2. Safety - It is the understanding and recommendation of the "TSB" that a balance should be arrived at regarding installation of such devices taking into consideration the needs and convenience of vehicular traffic and the safety of pedestrian needs as determined by the geography and uniqueness of the residential neighborhood and consideration of alternative methods of traffic "calming measures".
3. Alternatives - After due deliberation the "TSB" has considered alternative methods of traffic "calming" measures such as appropriate signage giving notice of playground activity together with increased police presence and traffic law enforcement. Each method has its benefits and its shortcomings including the use of "speed bumps".
4. Design - Should it be determined that the use of speed bumps is preferable it is recommended that attention be paid to the availability of various bump design options to include the use of "rumble strips", the latter being the more popular option currently. The "TSB" makes no design recommendation at this time.
5. Duration - The "TSB" suggests that the installation and removal of the "calming" devices be a factor, of playground usage, weather and school year times.

*Finally, it is the intent of the "TSB" that this recommendation be limited to the request of the LMHA only and is not intended to be a city-wide recommendation or policy concerning the installation, use, need, preference or design of traffic "calming" devices. Further study and research is needed before any such determination be made.*

*The "TSB" passed a recommendation (by a vote of 4 to 2) to allow the LMHA to install said traffic "calming" devices on a temporary, experimental basis only and further requiring the installation of appropriate traffic warning signage and verifiable residential approval of at least 75%.*

*Dated: April 18, 2023  
Traffic Safety Board*

**ORLANDO TAYLOR, TRAFFIC SAFETY BOARD CHAIRMAN**

Thank you for your time and consideration regarding this very important matter.

Respectfully,

**FREDERIC J. MARRANO, COUNCIL PRESIDENT**

Moved by Marrano seconded by Anderson to receive and file. (To revisit at the Tabled items section of this agenda).

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval of the 2023 Annual Law Enforcement Torch Run/Walk on Sunday, May 21, 2023.**

3. To: Lackawanna City Council

Council President Frederic J. Marrano

Re: Law Enforcement Torch Run/Walk 2023

Honorable Council Members:

I respectfully request authorization for the 2023 Lackawanna Leg of the Law Enforcement Torch Run/Walk. All details are attached.

*Honorable Council President*

*Honorable Council Members*

*714 Ridge Road*

*Lackawanna, NY 14218*

*Dear City Council,*

*I am requesting City Council approval for our Annual Law Enforcement Torch Run/Walk to benefit the Special Olympics of New York, which sponsors young athletes that change the future for people with intellectual disabilities, and lights the way for acceptance and inclusion. Many Police Departments in Western New York participate in this annual event, and I feel by adding the "2023 Lackawanna Leg" it would promote our community and Police Department in a positive light to our citizens and fellow Law Enforcement Departments.*

*The Proposed Torch Run/Walk would be Sunday, May 21, 2023. Registration would begin at 10:15 a.m. at the Senior Center, 230 Martin Road. The event would commence at 11:00 a.m., starting and finishing at the Senior Center. The route for the 3-mile run portion would be Martin Road to South Park Avenue, to Ridge Road, Orchard, Shamokin and back to Martin, finishing at the Senior Center. The route for the 1.5 mile walk portion will be Martin Road to South Park Avenue, to Holy Cross Cemetery, and then back to the Senior Center.*

*I attached the proposed flyer for your review. In addition, I am requesting assistance from the Police Department, and possibly the DPW, to assist with route and traffic control.*

*Respectfully,*

**CAITLIN JAWORSKI, LACKAWANNA POLICE DEPARTMENT**

Respectfully,

**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

Moved by Marrano seconded by Muflahi to approve request, refer to DPW Commissioner for assistance.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval to use Bethlehem Park and Ridgewood Village Playgrounds by the YMCA for their Y on the Fly Program.**

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

Honorable Members of City Council:

I am requesting your Honorable Body to authorize the YMCA to use Bethlehem Park and Ridgewood Village for its Y on the Fly Program. This program would run from June 27 to August 29, 2023 on Tuesday mornings and afternoons between 10:00 a.m. and 2:00 p.m. The YMCA is fully insured.

The YMCA has very successfully run its Y on the Fly Program for many years throughout Western New York, including last summer at Bethlehem Park and Ridgewood Village Playgrounds, as well as LMHA's Taggart Playground, and wants to offer more programs to the youth of our community in the summer months. Y on the Fly brings recreational activities to the young people who seek to serve. The Y on the Fly program is free of cost to all youth participants and is satisfactorily insured.

Sincerely,

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

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval for the City Clerk to Advertise for Bids for Electricity and Natural Gas for the City of Lackawanna.**

5. To: Honorable Council Members

I am asking the Council to please direct the City Clerk to bid out the electricity and natural gas for the City of Lackawanna. Right now we are buying both from Erie County Coop. This is a variable rate. I would like to bid it out for one year/two-year fixed rate to see if we realize savings. Preliminary estimates look like we would be able to save the city money over the next year doing this. If the savings are significant, I would then ask you to approve the lowest bid.

Thank you,

**THOMAS NICOMETO, PURCHASING AGENT**

Moved by Marrano seconded by Surdyke to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval of the Final Proposal to Cover the Additional Costs for the Center Street Reconstruction Project.**

6. To: Honorable City Council,

I am requesting that the Council approve the final proposal for additional cost for the Center Street reconstruction project for the additional sidewalk and snow storage replacement on the west side of the project. The additional cost totals \$173,816.50.

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Requests Approval of Ordinance Regarding the Contractual Expenses Related to the November and December 2022 Snow Storms – FEMA States of Emergency.**

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

RE: November, 2022 and December, 2022 Snow Storms.  
FEMA States of Emergency

Dear Council Members:

This transmittal is being submitted in furtherance of the request of Mayor Annette Iafallo in relation to the State of Emergency situations arising out of the November, 2022 and December, 2022 snow storms. The Director of Public Works, Mr. Anthony DeSantis and the Director of Purchasing, Mr. Thomas Nicometo, advise that the contractual expenses totaling \$1,255,173.93 must be processed for payment relative to emergent services rendered to maintain safety and order in the City of Lackawanna.

The attached ordinance is offered for your review and consideration, which requests the funding of the appropriate expenditure budget line, pending reimbursement from FEMA/New York State.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPTROLLER**

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

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**ORDINANCE**

**AN ORDINANCE AMENDING THE 2022-2023 BUDGET ORDINANCES ADOPTED MAY 23<sup>RD</sup>, 2022.**

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

**SECTION 1.** That the 2022-2023 Budget Ordinance adopted May 23, 2022, is hereby amended to transfer funds in the amount of \$1,255,173.93 in relation to the November and December, 2022 Snow Storm States of Emergency, pending reimbursement from FEMA and/or New York State.

**SECTION 2.** That the 2022-2023 Budget Ordinance is hereby amended to transfer \$1,255,173.93 of unappropriated fund balance to the A.5110.0408 Budget Code entitled: "Maintenance of Streets: Contractual Expenses (FEMA)".

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**Dated: April 26, 223**  
**Lackawanna, New York**

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

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Tabled Items:**

Moved by Marrano seconded by Surdyke to remove item #15 TABLED at the February 27, 2023 regular meeting regarding the installation of speed bumps near the Jeffrey Taggart Playground.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

Moved by Marrano seconded by Muflahi to approve on a temporary and experimental basis including citizen input, refer to Engineering (DPW) Department to verify legal compliance with placement of signs and design of speed bumps.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

Moved by Marrano seconded by Anderson to remove item #7 TABLED at the April 11, 2023 regular meeting regarding Buffalo Olmstead Parks Conservancy utilizing the municipal parking lot at Memorial Field for a September, 2023 event.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

**Old Business:**

**Adjournment:**

Moved by Marrano seconded et al to adjourn meeting in memory of Valentine Wolf.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-0

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Frederic J. Marrano-Council President

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Jeffrey P. DePasquale - City Clerk

[Persons wishing to speak before the City Council shall provide their name, address and limit their comments to three \(3\) minutes on agenda items only. Please direct any comments to the Council President. To place an item on the agenda, persons shall submit their correspondence to the City Clerk's Office in a signed letter or via email \(cityclerk@lackny.com\) with full address and phone number contained therein, and must be received PRIOR to 12:00 noon on the Wednesday preceding the meeting. The City Council has the final approval of all agenda items. If attending the meeting in person, please silence your cell phones and gentlemen remove your hats. Commentary and actions shall always be respectful of the City Council, Department Heads and fellow citizens or you will be escorted from Chambers.](#)

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