

Regular Council Meeting
Monday, August 14, 2023
6:30 p.m. Caucus- 7:00 p.m. Meeting
Live via [Facebook@http//Facebook.com/lackawannany](http://Facebook.com/lackawannany)

Meeting called to order/Pledge of Allegiance.

NB: Meeting being recorded.

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

Hearings from Citizens:

Approval of Minutes: of the July 10, 2023 regular Council Meeting.

Moved by Marrano seconded by Muflahi to adopt minutes for the regular meeting on July 10, 2023 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller** - A/P Check Listing #46, dated 6/30/2023 – 7/12/2023.
2. **City Comptroller** - A/P Check Listing #47, dated 7/17/2023.
3. **City Comptroller** - A/P Check Listing #48, dated 7/18/2023.
4. **City Comptroller** - A/P Check Listing #49, dated 7/19/2023 – 7/20/2023.
5. **City Comptroller** - A/P Check Listing #50, dated 7/27/2023.
6. **City Treasurer** - Cash Receipts Totals from 6/1/2023 – 6/30/2023.
7. **City Clerk** - Monthly Revenue Report for June, 2023.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/ Department Heads:

Requests the City Council Approve 4 Individuals to Attend the NYCOM Conference, (Council Member Kevin Surdyke, Mayor Iafallo, Assistant Comptroller Peggy Bigaj-Sobol and Comptroller Linda Hybicki).

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

Dear Honorable Body:

The purpose of this correspondence is to seek approval from the City Council for the following individuals to attend the New York Conference of Mayors and Municipal Officials (NYCOM) Fall Training School:

1. Kevin Surdyke (Councilmember);
2. Annette Iafallo (Mayor);
3. Peggy Bigaj-Sobol (Assistant Comptroller); and
4. Linda M. Hybicki (Comptroller).

The school is scheduled from September 18th, 2023, through September 22nd, 2023, and will be hosted at the Lake Placid Conference Center in Lake Placid, New York.

For each attendee, the cost of attendance is as follows:

- \$365.00 - NYCOM tuition costs;
- \$422.00 - full meal package costs; and
- \$881.40 - hotel cost.

In addition, mileage and toll costs will be incurred by each attendee.

Ample funds have been budgeted and are available in the respective Travel Allowance/Training accounts [i.e., A-1010-0464 (Council); A-1210-0464/0468 (Mayor); A.1315.0464 (Comptroller)].

Thank you for your kind consideration in this respect.

Very truly yours,

LINDA M HYBICKI, CITY COMPTROLLER

Moved by Marrano seconded by Muflahi to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the STOP-DWI Agreement.

9. To: Jeffery DePasquale, City Clerk
714 Ridge Road
Lackawanna, NY 14218

Re: STOP-DWI Agreement

Dear Mr. DePasquale:

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

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

Moved by Marrano seconded by Surdyke to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Proposed Agreement Between the City and the NYS Unified Court System.

10. To: Jeffery DePasquale
714 Ridge Road
Lackawanna, NY 14218

Re: Agreement between the City and NYS Unified Court System

Dear Mr. DePasquale:

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

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

A copy of this information may be obtained in the City Clerk's office.

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Agreement from Wendel to Update our Local Waterfront Revitalization Program.

11. To: Jeffrey DePasquale
714 Ridge Road
Lackawanna, NY 14218

Re: Agreement with Wendel

Dear Mr. DePasquale:

Attached is a proposed agreement from Wendel to update our local Waterfront Revitalization Program.

Please put said agreement on the agenda for discussion and council approval.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

A copy of this information may be obtained in the City Clerk's office.

Moved by Surdyke seconded by Muflahi to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Use of the Parking Lot at 2838 South Park Avenue by the National MS Society - Upstate NY for the Annual MS Scramble on October 15, 2023 at Holy Cross Cemetery.

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

Re: Use of Parking Lot at 2838 S. Park Avenue - New City Hall

Hon. City Council:

I am requesting the Council approve the use of the parking lot at 2838 S. Park Avenue by The National MS Society - Upstate New York for the annual MS Monster Scramble 5k/10k run on Sunday, October 15, 2023 at Holy Cross Cemetery from 8:00 a.m. to 12:00 p.m.

Very truly yours,

RICHARD S. JUDA, JR., CITY ATTORNEY

Moved by Marrano seconded by Moretti to approve request, refer to Director of Public Safety.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests City Council Approve the Sale of the City Owned Property Located at 175 Ridge Road to Melissa Irizarry.

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

Re: 175 Ridge Road

Hon. City Council:

The above proposed sale has been discussed with Mayor Iafallo. The owner of the adjoining vacant parcel at 179 Ridge Rd., Melissa Irizarry has requested to purchase the City owned property located on 175 Ridge Rd. The following is information on this property and my recommendation:

The above property is 32 x 125. Acquired through foreclosure in 2007. The current assessment is \$13,000.00. The offer is \$10,000.00.

I am in full support of the sale and returning this parcel to the tax roll.

Very truly yours,

DEBORAH SKULSKI-WAKELAM, CITY ASSESSOR

Moved by Muflahi seconded by Surdyke to **TABLE** request, refer to Assessor & Law Department.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests City Council Approve the Sale of the City Owned Property Located at 231 Ridge Road to the Community Health Center of Buffalo.

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

RE: 231 Ridge Road

Hon. City Council:

The above proposed sale has been discussed with Mayor Iafallo. The owner of the adjoining vacant parcel at 219 and 227 Ridge Rd., Community Health Center of Buffalo has requested to purchase the City owned property located on 231 Ridge Rd. The following is information on this property and my recommendations:

The above property is 33.26 x 118.56. Acquired through foreclosure in 1990. The current assessment is \$12,700.00. The offer is \$8,000.00.

I am in full support of the sale and returning this parcel to the tax roll.

Very truly yours,

DEBORAH J. SKULSKI-WAKELAM, CITY ASSESSOR

A copy of this information may be obtained in the City Clerk's office.

Moved by Muflahi seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests City Council Approve the Sale of the City Owned Property Located at 229 Ridge Road to the Community Health Center of Buffalo.

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

Re: 229 Ridge Road

Hon. City Council:

The above proposed sale has been discussed with Mayor Iafallo. The owner of the adjoining vacant parcel at 219 and 227 Ridge Rd., Community Health Center of Buffalo has requested to purchase the City owned property located on 229 Ridge Rd. The following is information on this property and my recommendation:

The above property is 30.81 x 125. Acquired through foreclosure in 2010. The current assessment is \$12,500.00. The offer is \$8,000.00.

I am in full support of the sale and returning this parcel to the tax roll.

Very truly yours,

DEBORAH J. SKULSKI-WAKELAM, CITY ASSESSOR

Moved by Muflahi seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Bid from New Wave Energy for Gas and Electric and for City Council to Authorize the Mayor to Sign Said Proposal.

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

Re: New Wave Energy - Gas and Electric Bid

Hon. City Council:

Enclosed is a proposal from New Wave Energy, LLC. According to the estimated pricing from the Erie County CO-OP for 2024 we will save over \$22,000.00 in electric and gas costs for 2024. The cost will decrease the MCF from \$4.968659 to \$4.80 and the electric will decrease from .07355 per KWH to .063 KWH. This will be a fixed rate for 2024 and near the end of 2024 we will once again review the pricing.

I am requesting your Honorable Council to accept this bid and authorize the Mayor to sign said proposal.

Very truly yours,

THOMAS J. NICOMETO, DIRECTOR OF PURCHASING

Moved by Marrano seconded by Surdyke to approve request, Mayor authorized to sign proposal.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests City Council Approve the Sale of an old Fire Department Vehicle; 1991 Spartan Pumper.

17. To: Lackawanna City Council
Honorable Fred Marrano, President
714 Ridge Road
Lackawanna, NY 14218

Dear Council Members,

I am requesting permission to sell an old Fire Department vehicle.

The vehicle to be sold is:

1997 Spartan Pumper

This truck was recently replaced with 2002 American LaFrance Pumper that was purchased from Orchard Park. The 1997 Spartan can no longer be used for firefighting purposes because it cannot pass pump certification tests or New York State Inspection and the cost of repairs to get the truck certified and inspected cannot be justified.

This vehicle no longer has any use to the Fire Department due to its age and condition. If the vehicle listed does not sell, I am asking permission to scrap the truck.

I am also asking for the funds received from the sale of this vehicle be placed into the Fire Department Budget under line 3410.0443 to allow for maintenance and tire replacement of current in-service apparatus.

If you have any questions please feel free to contact me.

Sincerely,

JAMES FINO, FIRE CHIEF

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests City Council Approve the Use of Veteran's Stadium for Football and Cheerleading Practice by Lackawanna Little Loop. Insurance has been provided.

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

Re: Lackawanna Little Loop use of Veteran's Stadium for football and cheerleading practice

Dear Honorable Members of the City Council;

As President of the Lackawanna Little Loop football and cheerleading organization, I am writing to you requesting use of Veteran's Stadium for the purpose of practicing there.

Due to the size of our teams, we are requesting the use of Veteran's Stadium to conduct our practices from the period of August 28th, 2023 to November 18th, 2023.

I have provided all insurance information for you.

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

Sincerely,

KEVIN PAGLIEI, PRESIDENT, LACKAWANNA LITTLE LOOP

Moved by Marrano seconded by Muflahi to approve request, refer to DPW Commissioner and Director of Public Safety.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests City Council Approve Use of Dorrance Avenue and McKinley Parkway for the 2023 Labor Day Parade. All petitions, permits and insurance have been filed.

19. To: Jeffrey DePasquale
714 Ridge Road
Lackawanna, NY 14218

Dear Mr. DePasquale,

I would like to thank you and the City of Lackawanna for your continued support and generosity in allowing the Buffalo Central Labor Council, AFL - CIO to start our parade in your community. We again are asking your permission to start our 2023 Labor Day parade at the Dorrance Ave & McKinley Parkway Circle at and around Holy Cross Cemetery. We will head on McKinley Parkway to Red Jacket Parkway into Cazenovia Park. We will begin line up at 11 a.m. and parade will start at 12 noon.

We continue to work with the City of Buffalo in organizing this event with great success, as long as mother nature cooperates, year after year. We have filed all petitions and permits that are required, including insurance and will again give neighborhood notice with flyering and through social media. We will have staff along the parade route to ensure safety and flow.

If any other information is needed, please let me know. We appreciate your consideration again this year and look forward to a great event.

Thank you,

DENISE ABBOTT, PRESIDENT, BUFFALO CENTRAL LABOR COUNCIL

Moved by Marrano seconded by Muflahi to approve request, refer to Director of Public Safety and Department of Public Works.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests to Waive the Rules:

Moved by Marrano seconded by Muflahi to waive the rules.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

William Taggart, Jr. Requests Approval for the Closure of Stoney Street from the West End (Wilmuth Avenue) to 121 Stoney Street for a School Supply Give-Away and Vendors.

To: City Clerk
714 Ridge Road
Lackawanna, NY 14218

I am writing you in regards to an event I'm having at my residence, 109 Stoney Street. I would like to request the closing off of Stoney St. from the west end (Wilmuth Ave.) to 121 Stoney St. The neighbors will be notified and can use the east end (Ingham Ave.). Music festival with school supply give away and vendors. The date is August 26, 2023 and the time is 12 p.m. to 8 p.m. Thank you in advance for any help you may be able to offer.

Sincerely,

WILLIAM TAGGART JR., RESIDENT

Moved by Muflahi seconded by Marrano to approve request, refer to Director of Public Safety and the DPW Commissioner.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Business Registration:

Nancy Brand, dba Brand New You (Hair Salon), 1453 Abbott Road.

Moved by Muflahi seconded by Moretti to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Table Items:

Old Business:

Adjournment:

Moved by Marrano seconded et al to adjourn meeting in memory of Thomas Heaslip.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0