

Regular Council Meeting
Tuesday, October 10, 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, Surdyke, Marrano
Dept. Heads: Law (E), Development, Public Works, Comptroller (E), Recreation, Public Safety, PIO

Hearings from Citizens:

Approval of Minutes: of the regular meeting of September 25, 2023.

Moved by Marrano seconded by Moretti to adopt minutes of the regular meeting of September 25, 2023 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller** – A/P Check Listing #2, dated 8/21/2023 – 8/24/2023.
2. **City Comptroller** – A/P Check Listing #3, dated 8/31/2023 – 9/7/2023.
3. **City Comptroller** – A/P Check Listing #4, dated 9/8/2023 – 9/15/2023.
4. **City Comptroller** – A/P check Listing #5, dated 9/19/2023 – 9/22/2023.
5. **City Comptroller** – Capital Check Listing #6, dated July, 2023.
6. **City Treasurer** – Cash Receipts Totals from 7/1/2023 – 7/31/2023.
7. **City Treasurer** – Cash Receipts Totals from 8/1/2023 – 8/31/2023.
8. **City Treasurer** – Cash Receipts Totals from 9/1/2023 – 9/30/2023.

Moved by Marrano seconded by Anderson to receive and file Departmental Reports one through eight.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/ Department Heads:

Requests the City Council Approve 2 Ordinances Regarding the Sale of 229 and 231 Ridge Road to Health Center of Buffalo. Sale was Previously Approved at the August 14, 2023 Council Meeting.

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

RE: Proposed Sale of Vacant Land at 229 & 231 Ridge Rd on August 14, 2023

Council approved the sale of 229 & 231 Ridge Rd on August 14, 2023

Attached please find the ordinance for approval of the sale.

Moved by Muflahi seconded by Anderson to receive and file, act on ordinances.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE
AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE
CHAPTER 12

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 the property known as SBL 141.43-7-2, 229 Ridge Road parcel of approximately 33.26x118.56, a vacant parcel, to Community Health Center of Buffalo.

SECTION 2. That transfer is made for the sum of \$8,000 in cash/check 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.

Dated: October 11, 2023
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE
AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE
CHAPTER 12

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 the property known as SBL 141.43-7-3, 231 Ridge Road parcel of approximately 33.26x118.56, a vacant parcel, to Community Health Center of Buffalo.

SECTION 2. That transfer is made for the sum of \$8,000 in cash/check 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.

Dated: October 11, 2023
Lackawanna, New York

Thank you,
DEBORAH J SKULSKI-WAKELAM, CITY ASSESSOR

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

Carried 5-0

Requests the City Council Approve the Transfer of Funds from the General Fund to the Police Department's Training School Budget to Cover the Cost of the Lexipol Service Agreement.

10. To: Lackawanna City Council
Attn: Council President Frederic Marrano
714 Ridge Road
Lackawanna, NY 14218

Re: Transfer of Funds

Honorable Council Members:

I respectfully request the City Council approve the transfer of \$42,261.30 from the General Fund to the Police Department's Training Schools Budget Line (A-3120-0468). See attached letter from Chief Mark Packard.

Director Wolf,

I am writing to you to request funding from the Lackawanna City Council, in the amount of \$42,261.30, to cover the cost of our service agreement with Lexipol LLC. This service agreement was entered into during July of 2023 with the agreement being signed 07 / 28 / 2023. The funds used to pay this bill were taken from the 2023-2024, Training Schools Budget Line (A-3120-0468), leaving that line over budget by \$7756.30. I humbly request these funds be awarded and put into aforementioned budget line, in order to restore this Budget Line to its original balance of \$35,000.00.

Respectfully,

Mark D. Packard, Chief of Police

Respectfully,

JOHN WOLF, DIRECTOR OF PUBLIC SAFETY

Moved by Marrano seconded by Surdyke to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Cooperative Agreement between County, City and E & R General Construction, Inc. Agreement Attached.

11. To: Grace Marrano, City Clerk
714 Ridge Road
Lackawanna, NY 14218

Re: Cooperative Agreement between County, City and E. & R. General Construction, Inc.

Dear Ms. Marrano:

Per the request of the Commissioner of Public Works, John Kuryak, I am requesting the attached agreement be placed 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

Request to Waive the Rules

Moved by Marrano seconded by Moretti to waive the rules.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Bid for Call Associates for Construction of the CMU Block Bath House Splash Pad in the Amount of \$645,334.00 and Authorize the Mayor to Sign Said Contract.

To: Lackawanna City Council

Hon. Frederic J. Marrano, President

714 Ridge Road

Lackawanna, New York 14218

RE: Construction of CMU Block Bath House Splash Pad

Hon. City Council:

I am asking the Honorable City Council for permission for the mayor to sign a contract with Call Associates Inc for the bid amount of \$645,334. The overall project is within the budget.

This contract includes:

- The construction of CMU bath house
- All plumbing and electrical fixtures
- Utility connections
- Sidewalk along perimeter of building
- Site prep associated with all the above tasks

Very truly yours,

THOMAS J. NICOMETO, PURCHASING AGENT

RE: Center Street Splash Pad Change Order

Hon. Frederic J. Marrano:

The City is asking the council to approve a change order in the amount of \$310,000 for the following items:

Removal of chain link fence and concrete sidewalk at Franklin Park.

Install/connect sanitary sewer, water service, draining structures, install asphalt parking lot, concrete sidewalk and sub base material for all.

Install poured in place (PIP) rubber surfacing for existing and proposed playground areas.

With 716 honoring the price they bid on the Center Street Project the City is saving well over \$100,000 on the Splash Pad. The requested money for the above items will be reimbursed by grant money that is

for the Splash Pad. The project is still within scope of budget. Once the change order is signed and the bid is accepted from Call Associates work will start as early as tomorrow.

Very truly yours,

THOMAS J. NICOMETO, PURCHASING AGENT

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the Approval of the Ordinance Regarding Center Street Reconstruction Project in Relation to Change Order Submitted by Clark Patterson Lee.

To: Lackawanna City Council

714 Ridge Road

Lackawanna, NY 14218

RE: Center Street Reconstruction Project

Hon. City Council:

Attached please find an ordinance to fund the Center Street Reconstruction Project in the additional amount of \$310,000.00 in relation to a change order submitted by Clark, Patterson & Lee, the engineering firm overseeing said project on our behalf. The change order covers utility construction costs necessary to complete the splash pad. CDBG funding and CHIPS funds will reimburse the City for this advance.

Very truly yours,

ANNETTE IAFALLO, MAYOR

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests Approval of their Annual Veterans Day Parade, November 4, 2023.

12. To: City Hall

714 Ridge Road

Lackawanna, NY 14218

Greetings

Lackawanna City Clerks Officer

Thank you so much for your help getting the word out in 2022 of which it was a huge success.

We are pleased to announce we are going to do it again, the date will be Saturday November 4, 2023.

We respectfully request the parade be added to the Lackawanna Council Agenda to wave fee and give permission to proceed with the parade we would like assistance from Lackawanna fire and Police departments to coordinate with Buffalo Fire and Police Departments. We would like you and or your staff to join us at our meeting to go over details of the parade.

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

The Veterans Day Parade is striving to produce a better, stronger and more publicly visible Parade throughout western New York. If we bring the parade closer to the people by district, we could high-

light the local vets in that area and educate people on what Veterans Day is about. If there are any Veterans in your area, please let us know.

You can mail correspondence letter to

Van Taylor
PO Box 177
Buffalo NY 14240

Thank you,

VAN TAYLOR/ PHIL ARNOLD, PARADE CHAIR

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Submits 2 Questions for the City Council. (A.) Status of Missing or Miss Allocated \$650,000.00. (B.) Looking for an Answer Regarding the Hiring of Sapphire Business Systems.

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

To the Honorable City Council,

1. Status of missing or miss allocated \$650,000?

2. A question was posed to the city attorney, Rick Juda, by council president, Fred Marrano. The question that was asked was if the mayor had the authority to hire sapphire business systems, without the city council's approval. Mr. Juda stated he would have that answer in a day or two. It's been a month. What's the answer?

Thank you,

ROBERT REESE, RESIDENT

Moved by Marrano seconded by Surdyke to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Business Registrations:

Akil Nagi, dba Paylink (POS System Sales/Computer Sales), 2743 South Park Avenue.

Moved by Muflahi seconded by Marrano to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Chris McKeever, dba Amish Valley Sheds, LLC, 1458 Abbott Road.

Moved by Muflahi seconded by Moretti to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Entertainment Licenses:

Justin Barends, Sonny Reds, 1841 Abbott Road, Class I Entertainment License- Live Music/Mechanical Reproduction.

Moved by Marrano seconded by Surdyke to **TABLE** Class I Entertainment License.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Tabled Items:

Old Business:

Adjournment:

Moved by Marrano seconded et al to adjourn meeting in memory of Patricia Caligiuri, a former Lackawanna City Assessor.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0