

Regular Council Meeting
Monday, October 23, 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, Development, Public Works, Comptroller, Recreation, Public Safety, PIO (E)

Hearings from Citizens:

Approval of Minutes: of the regular meeting of October 10, 2023.

Moved by Marrano seconded by Moretti to adopt minutes of the regular meeting of October 10, 2023 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **City Comptroller** – A/P Capital Fund Check Listing #1, dated 10/10/2023.
2. **City Comptroller** – A/P Capital Fund Check Listing #2, dated September, 2023.
3. **City Comptroller** – A/P Check Listing #6, dated 9/25/2023 – 10/5/2023.
4. **City Comptroller** – A/P check Listing #7, dated 10/6/2023 – 10/13/2023.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Mayor:

Requests the City Council Approve the Resolution Regarding the Community Development Block Grant Funding for 2023 – 2024 Grant Cycle for the Repaving of Kirby Avenue.

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

Dear Honorable Body,

I am seeking City Council approval for the attached resolution regarding projects I have proposed through the use of Community Development Block Grant (CDBG) funds for 2023-2024.

A Public Hearing was scheduled on October 23, 2023 at 9:30 a.m. seeking input from the community, our elected leaders and my thoughts regarding the use of these funds. The minutes of that Public Hearing have been recorded by the City Clerk and made part of the record.

Your anticipated cooperation regarding this important matter is greatly appreciated.

Respectfully,
ANNETTE IAFALLO, MAYOR

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

Carried 5-0

RESOLUTION NO. 12, 2023
COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING

Whereas, the City of Lackawanna is in need of funding for eligible programs under the Community Block Grant Program; and

Whereas, the City of Lackawanna is desirous of obtaining financial assistance for these proposals; and

Whereas, it is in the public interest that the City of Lackawanna apply for such financial assistance from the Community Development Block Grant Program through Erie County Department of Environmental & Planning; and

Whereas, a public hearing was held on October 23, 2023 in the Council Chambers of Lackawanna City Hall for citizen input and suggestions for projects to be submitted for funding, and

Now, therefore be it resolved, that the Lackawanna City Council submits the following project(s) to be considered for funding by the CDBG Program during the 2023-2024 grant cycle:

- 1st Priority – Repaving Kirby Avenue Part 1
- 2nd Priority – Repaving Kirby Avenue Part 2

Now, therefore be it resolved, that the Lackawanna City Council authorizing Mayor Annette Iafallo to sign, submit and execute a contract with the Erie County Community Development Block Grant (ECCDBG) Program for the cited project(s) upon approval of the ECCDBG; and

Be it further resolved, that the City of Lackawanna is committed to providing no less that 5% cash match for said project.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 23, 2023
Lackawanna, New York

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

Carried 5-0

Communications from Division/ Department Heads:

Requests the City Council Approve the Ordinance Regarding the Center Street Reconstruction Project in Relation to the Change Order Submitted by Clark, Patterson, Lee. This was Previously Approved at the October 10, 2023 Council Meeting and will be Adopted Retroactively to October 10, 2023.

6. To: Honorable Council President

Honorable City Council Members
714 Ridge Road
Lackawanna, NY 14218

Dear City Council Members,

Due to a procedural error at the October 10, 2023 City Council meeting the ordinance presented under the Request to Waive the Rules needs to be voted on and adopted retroactive to October 10, 2023. Council approved the request from Mayor Iafallo. However, I neglected to take a vote to adopt the ordinance.

I am including this on the agenda for the October 23, 2023 Council meeting.

Respectfully,

GRACE MARRANO, CITY CLERK

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AUTHORIZING AN INTER-FUND ADVANCE BETWEEN THE GENERAL FUND AND THE CAPITAL FUND.

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

SECTION 1. That the General Fund will advance \$310,000.00 to the Capital Fund for the Center Street Project (H.5110.0201.000).

SECTION 2. That the Capital fund will repay the advance with the reimbursements from CDBG funding and CHIPS.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: October 11, 2023
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Ordinance Regarding Payment of the Lexipol Invoice and the Transfer of the Fund Balance.

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

Dear Honorable Body:

At the October 10th, 2023, City Council Meeting, Council approved the requests of the Director of Public Safety, John Wolf, and the Police Chief Mark Packard to fund the cost associated with a service agreement entered into with Lexipol LLC.

A copy of the Certification of Action and the letters of Mr. Wolf and Chief Packard are attached hereto for your reference.

In furtherance thereof, attached please find an Ordinance for your review and consideration, which funds the Police Department's Training Schools Budget Line (A.3120.0468).

Please note that, in light of Council's approval on October 10th, 2023, and at the of the request of Mayor lafallo and Mr. Wolf, Lexipol's invoice in the amount of \$42,261.30 was processed and paid utilizing funds available in the Training Schools budget code (\$34,505.00); the excess of \$7,756.30 was temporarily charged to another budget code with available funds in the Police Department's budget (i.e., A.3120.0443 – Repairs to Equipment). Upon Council's approval of the attached Ordinance, the entire expense will be transferred and recorded in the appropriate Police Department's Training Schools Budget Line (A.3120.0468).

Thank you for your kind attention in this respect.

Very truly yours,

LINDA M. HYBICKI, CITY COMPROLLER

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE

AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCES ADOPTED JUNE 05TH, 2023

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

FOR THE GENERAL FUND

SECTION 1. That the 2023-2024 Budget Ordinance adopted June 05th, 2023, is hereby amended to transfer **\$42,261.30** of unappropriated fund balance to Budget Code **A.3120.0468** (Police Department: **"Training/Schools"**) in relation to Law Enforcement Policy Manual and Training Bulletin services for the 2023-2024 Fiscal Year.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

DATED: October 24, 2023

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests City Council Approve the Closing of Wasson Street to Gates Avenue on Saturday, October 28, 2023 from 12:00 p.m. to 4:00 p.m. for the 1st Ward's Fall Fest.

8. To: City Council

714 Ridge Road
Lackawanna, NY 14218

Good Morning,

I'm requesting that Church St. be closed from Wasson to Gates for safety reasons on Saturday October 28, 2023 from noon to 4 pm.

Community volunteers are holding the 1st Ward Fall Fest on the grounds of Second Baptist Church at 18 Church St. and the area in front of the church.

A large number of children will be attending. To keep the children safe, the block needs to be closed to traffic during the event.

Thank you.

KIMBERLY SMITH, RESIDENT

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Resident 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.

9. 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 Muflahi to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Business Registrations:

Joshua Pettit, Yeti Vape, 1385 Abbott Road. Amended Business Registration for Cannabis.

Moved by Moretti seconded by Anderson to **TABLE** Business Registration pending further information.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Salman Alhaj, Reemas Deli (Deli/Store), 1338 Electric Avenue.

Moved by Marrano seconded by Anderson to approve Business Registration.
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 Paul Petti and former City Attorney Antonio Savaglio.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Frederic J. Marrano-Council President

Grace Marrano - 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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