

**Regular Council Meeting**  
**Monday, November 20, 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 is being recorded.**

**Roll Call: Council: Muflahi, Anderson, Moretti, Surdyke, Marrano**  
**Dept. Heads: Law, Development, Public Works, Comptroller, Recreation, Public Safety, PIO**

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of November 6, 2023.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of November 6, 2023 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **City Clerk** – Monthly Report for September, 2023.
2. **City Clerk** – Monthly Report for October, 2023.
3. **City Comptroller** – A/P Check Listing #10, dated 11/2/2023 – 11/3/2023.
4. **City Comptroller** – A/P check Listing #11, dated 11/9/2023.
5. **City Treasurer** – Cash Receipt Totals for the Month of October, 2023.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from the Mayor:**

**Submits a Letter to the City Council Exercising Her Right to Veto the Legislation Regarding the Ordinance Amending Chapter 66 of the City Code Regarding Proof of Insurance as a Condition of Issuing a Dog License.**

6. Honorable Council President and Council Members  
714 Ridge Road  
Lackawanna, New York 14218

Re: Ordinance

I am in receipt of a certification for an Ordinance amending Chapter 66 from the Council agenda of November 6, 2023, whereby the Council approved an ordinance removing proof of insurance as a condition of issuing dog licenses within the City of Lackawanna.

I am exercising my right to veto this legislation for the following reasons:

First, there is absolutely no proof that removal of this condition will increase the revenue to the City from dog licensing.

Secondly, any responsible dog owner should have insurance coverage to cover any medical expenses and personal injury sustained by any individual injured as a result of a dog attack.

Thirdly, requiring insurance coverage will encourage tenants to be responsible and will make them think twice before taking ownership of dog breeds that inherently vicious, such as Pit Bulls, German Shepherds, etc.

I was personally attacked by a dog during campaigning in the past and luckily was not injured. The last reason is that responsible homeowners already have homeowner's insurance, so the only ones really affected by this ordinance are the tenants who rent and who tend to be the least concerned about complying with City ordinances. As this requirement adds no burden to homeowners as suggested by the former city clerk and in fact may result in fewer landlords being sued for the actions of their tenants.

Moved by Marrano seconded by Moretti to receive and file. No further action at this time.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/ Department Heads:**

**Requests the City Council Approve the Purchase of a 2024 Ford F-550 XL CC for a Total Cost of \$68,430.67**

7. Honorable Council

714 Ridge Road

Lackawanna, New York 14218

Honorable Council,

I request that the Council approve the purchase of a 2024 Ford F-550 XL CC following the terms of the quote that is attached. Total cost \$68,430.67.

Thank you,

**JOHN KURYAK, COMMISSIONER OF PUBLIC WORKS**

Moved by Marrano seconded by Muflahi to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5 - 0

**Requests the City Council Approve the Proposal from Sapphire Business Systems, Inc. to Reconcile Software and Procedural-Related Deficiencies. (The Cost is \$95.00/Hour for Approximately 150 Hours). Funds are Available in the Comptroller's Software Maintenance Budget.**

8. Honorable Council President

Honorable City Council

714 Ridge Road

Lackawanna, New York 14218

Dear Honorable Body:

At the request of Council, attached please find a Proposal from Sapphire Business Systems, Inc., which is respectfully submitted herewith for your review, consideration and approval.

The services outlined in the attached document are necessary to reconcile software and procedural-related deficiencies.

Please note that funds for the services outlined in Sapphire Business Systems, Inc.'s Proposal are available in the Comptroller's Software Maintenance budget code, i.e, code A.1315.0468.  
Thank you for your kind attention and consideration in this respect.

Linda Hybicki  
Comptroller's Office  
City of Lackawanna  
Re: Fiscal Year 2022-2023

*Sapphire Business Systems, Inc. will assist the Comptroller's Office in preparing the financial records of the City of Lackawanna for the 2022-2023 fiscal year audit.  
The procedures developed during preparation for the 2021-2022 audit will be carried forth into 2022-2023, with the goal of having all of the general ledger cash accounts reconcile to the external bank records.  
Sapphire's engagement will be on an hourly rate of \$95 per hour and is estimated to require approximately 150 hours. This estimate may change as the engagement continues depending upon issues that may be discovered during the process. Sapphire will provide monthly progress reports and provide updates should significant unforeseen problems should become apparent.  
Sapphire looks forward to working with the Comptroller and helping the City of Lackawanna in providing accurate and timely financial records.  
CHARLES P. BALIS, PRESIDENT*

Very truly yours,  
**LINDA M. HYBICKI, CITY COMPTROLLER**

Moved by Marrano seconded by Moretti to approve request.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Ordinance Transferring Funds in the Amount of \$5,000 from the Sale of an Old Fire Truck. Sale of the Fire Truck was Approved at the August 14, 2023 Council Meeting.**

9. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York 14218

Dear Honorable Body:

Please accept this correspondence in support of the attached Certification of Action Taken at the Council Meeting on August 14, 2023.

In furtherance thereof, in the attached letter from Fire Chief Fino dated November 6<sup>th</sup>, 2023, Chief Fino advises that \$5,000.00 was received for the sale of the old fire truck. Said receipt was recorded in "Other Unclassified Revenues" (A.2770).

An Ordinance transferring the funds to "Fire Department: Repairs to Buildings and Equipment" (A.3410.0443) is attached for your review and consideration.

Thanks for your kind attention in this respect.

Very truly yours,  
**LINDA M. HYBICKI, CITY COMPTROLLER**

Moved by Marrano seconded by Moretti 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 5<sup>TH</sup>, 2023.**

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

**SECTION 1.** That the 2023-2023 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to accommodate a transfer of funds in the General Fund in the amount of \$5,000.00, in furtherance of Council’s Certification of Action Taken at the Council Meeting of August 14<sup>th</sup>, 2023.

**FOR THE GENERAL FUND**

**SECTION 2.** That the 2022-2023 Budget Ordinance is hereby amended to transfer \$5,000.00 from Budget Code A2770 (“Other Unclassified Revenues”) to A.3410.0443 (“Repairs to Buildings and Equipment”).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: November 21, 2023  
Lackawanna, New York

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

Carried 5-0

**Requests the City Council Approve the Ordinance Regarding the Ralph Wilson, Jr. Grant in the Amount of \$11,345.00 That Will Fund the 2023-2024 Youth Swim Program**

10. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York 14218

**Re: Ralph Wilson, Jr. Legacy Funds Grant (\$11,345.00)**  
**Youth Swim Program**

Dear Honorable Body:

This correspondence is offered in furtherance of Mayor Annette lafallo’s directive and at the request of Brian Lakso, Director of Recreation, involving the above-referenced grant/program.

The grant application was submitted in the 2022-2023 fiscal year and the grant award has been received. The purpose of the grant is to fund the 2023-2024 Youth Swim Program.

Attached for Council’s review, consideration and approval is an Ordinance that will allow us to record said grant award in the 2023-2024 Fiscal Year (which increases revenue in the amount of \$11,345.00).

Thank you for your kind consideration 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 5<sup>TH</sup>, 2023.**

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

**SECTION 1.** That the 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to increase revenue and record grant funding received from the **Ralph Wilson, Jr. Legacy Funds**.

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to add **\$11,345.00** to Revenue Code A.2070 ("**Contributions from Private Agencies for Youth**").

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: November 21, 2023

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Authorize the Mayor to Sign the Letter to Extend the Services of Burke Group Through the Fiscal Year Ending July, 2026. Burke Group Provides the Actuarial Services Relative to the Valuation of Post-Retirement Health Care Costs. Burke Group has Provided Services to the City Since 2016.**

11. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York 14218

**Re: GASB 75 Service Agreement**

Dear Honorable Body:

Enclosed please find a letter from the Burke Group relative to actuarial services provided to the City of Lackawanna.

Burke Group has been providing this service to our City since 2016. The prices outlined in Appendix A of said letter are consistent with Burke Group's past fees.

Please note that the actuarial services Burke Group provides relate to the valuation of post-retirement health care costs. Per the Government Accounting Standards Board, this service is required; the post-retirement valuation information must be disclosed as a footnote in our Audited Financial Statements.

Both the City Attorney, Richard Juda, and Mayor Annette Iafallo have reviewed and approve the contents of the attached letter.

I would ask that Council kindly authorize Mayor Iafallo to sign the enclosed letter of Burke Group to extend their services through the fiscal year ending July, 2026.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPTROLLER**

Moved by Marrano seconded by Anderson to approve request, authorizes the Mayor to sign said letter.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

**Requests the City Council Approve the Ordinance Amending the 2023-2024 Budget Ordinance Allowing for the Transfer Between 2 Budget Codes Within the Development Department.**

12. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York

Dear Honorable Body:

This correspondence is offered in furtherance of Mayor Annette Iafallo's directive and at the request of Charles Clark, acting Director of Development.

Attached for Council's review, consideration and approval is an Ordinance that will allow for the requested transfer of **\$2,500.00** between two budget codes within the Development Department, i.e,

**Transfer From: "Travel Allowance"**  
**Transfer To: "Training/Schools – Code Enforcement/Safety"**

Thank you for your kind consideration in this respect.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPTROLLER**

Moved by Marrano seconded by Muflahi 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 5<sup>TH</sup>, 2023.**

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

**SECTION 1.** That the 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to **decrease** funds budgeted to the "**Development: Travel Allowance**" budget code (**A.3620.0464**) by **\$,2500.00**.

**SECTION 2.** That the 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to **increase** funds budgeted to the "**Development: Training/Schools – Code Enforcement/Safety**" budget code (**A.3620.0467**) by **\$2,500.00**.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: November 21, 2023  
Lackawanna, New York

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

Carried 5-0

**Requests the City Council Approve the Ordinance Transferring the Unappropriated Fund Balance Regarding the Grant Received from the NYS Office of Children and Family Services for the Bethlehem Park Hockey Court Renovations Project.**

13. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York

Re: Bethlehem Park Hockey Court Renovations project

Honorable Council Members,

The City received a grant from the NYS Office of Children & Family Services in the amount of \$33,000 which is dedicated to renovations at the Bethlehem Park Hockey Court. The NYS Office of Children & Family Services grant is a spend first grant with reimbursement requested from the NYS Office of Children & Family Services upon completion of the renovations.

I hereby request this Honorable Body authorize a transfer of unappropriated fund balance from the General fund to the Capital Fund in the amount of \$33,000 for the upfront expenses we incurred in relation to the Bethlehem Park Hockey Court Renovations project / NYS Office of Children & Family Services.

It is my understanding that the Comptroller will be preparing an Ordinance for this transfer.  
Thank you for your consideration in this matter.

***RE: NYS Office of Child & Family Services Grant (\$33,000.00)  
Bethlehem Park Hockey Court Renovation Project***

*Dear Honorable Body:*

*This correspondence is offered in furtherance of Mayor Annette Iafallo's directive and at the request of Brian Lakso, Director of Recreation, involving the above-referenced grant/project.*

*Attached for Council's review, consideration and approval is an Ordinance to pre-fund the Bethlehem Park Hockey Court Renovation project in the amount of \$33,000.*

*Thank you for your kind consideration in this respect.*

*Very truly yours,*

*Linda M. Hybicki, City Comptroller*

Very truly yours,

**BRIAN LAKSO, DIRECTOR OF RECREATION**

Moved by Muflahi seconded by Anderson 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 5<sup>TH</sup>, 2023.**

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

**SECTION 1.** That the 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to add the following budget Code to the Capital fund: **H.2080.0610 – “Bethlehem Park Street Hockey (OCFS)”**.

**GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$33,000.00** to the **“Transfer to Other Fund – Capital”** Budget code (**A9000.9550**).

**CAPITAL FUND**

**SECTION 3.** That the 2023-2024 Budget Ordinance is hereby amended to increase the **“Capital Fund Inter Fund Transfers”** Budget Code (**H.0000.5031**) by **\$33,000.00**.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$33,000.00** to the **“Bethlehem Park Street Hockey (OCFS)”** Budget Code (**H.2080.0610**).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: November 21, 2023  
Lackawanna, New York

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 Ordinance Regarding the Transfer of Unappropriated Fund Balance for the Grant Received from DASNY Which is Dedicated to the Lehigh Field/DASNY Grant.**

14. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, New York 14218

Re: Lehigh Field renovations project

Honorable Council Members,  
The City received a grant from DASNY in the amount of \$175,000 which is dedicated to renovations at Lehigh Field. The DASNY grant is a spend first grant with reimbursement requested from DASNY upon completion of the renovations.



I hereby request this Honorable Body authorize a transfer of unappropriated fund balance from the General Fund to the Capital Fund in the amount of \$175,000 for the upfront expenses we incurred in relation to the Lehigh Field/DASNY grant.

It is my understanding that the Comptroller will be preparing an Ordinance for this transfer.

Thank you for your consideration in this matter.

**RE: DASNY Grant (\$175,000.00)**  
**Lehigh Field**

*Dear Honorable Body:*

*This correspondence is offered in furtherance of Mayor Annette Iafallo's directive and at the request of Brian Lakso, Director of Recreation, involving the above-referenced grant/project.*

*Attached for Council's review, consideration and approval is an Ordinance to pre-fund the Lehigh Soccer Field Project in the amount of \$175,000.*

*Thank you for your kind consideration in this respect.*

*Very truly yours,*

*Linda M. Hybicki, City Comptroller*

Very truly yours,

**BRIAN LAKSO, DIRECTOR OF RECREATION**

Moved by Muflahi seconded by Anderson 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 5<sup>TH</sup>, 2023.**

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

**SECTION 1.** That the 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to add the following budget Code to the Capital fund: **H.2080.0430 – "Lehigh Soccer Field"**.

#### **GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$175,000.00** to the **"Transfer to Other Fund – Capital"** Budget code (**A9000.9550**).

#### **CAPITAL FUND**

**SECTION 3.** That the 2023-2024 Budget Ordinance is hereby amended to increase the **"Capital Fund Inter Fund Transfers"** Budget Code (**H.0000.5031**) by **\$175,000.00**.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$175,000.00** to the **"Lehigh Soccer Field"** Budget Code (**H.2080.0430**).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: November 21, 2023  
Lackawanna, New York

Moved by Muflahi seconded by Surdyke to adopt ordinance as written.  
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 Michael S. "Mickey" Szymanski.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

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Frederic J. Marrano-Council President

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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.

[www.lackawannany.gov](http://www.lackawannany.gov)