

**Regular Council Meeting**  
**Monday, December 18, 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 (Acting), Public Works (E), Comptroller, Recreation, Public Safety (E), PIO**

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of December 4, 2023.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of December 4, 2023 as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **City Comptroller** – A/P Check Listing #14, dated 11/30/2023.
2. **City Comptroller** – A/P check Listing #15, dated 12/1/2023 – 12/8/2023.
3. **City Comptroller** – A/P Capital Fund Check Listing #3, dated October, 2023.

Moved by Marrano seconded by Moretti to receive and file Departmental Reports one through three.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/Department Heads:**

**Submits to the Council a Communication Advising the Council that the Branch Pickup Schedule is Being Adjusted to Match the Single Item Bulk Pickup that Occurs the First Full Week of Each Month. With this change the Window for Pickup is Being Extended from the First Full Week of April and Will continue Through the first full Week of November.**

4. Honorable City Council Members  
714 Ridge Road  
Lackawanna, New York 14218

Honorable Mayor and Council,

Starting April 2024, branch pick up will be adjusted to match the schedule of the single item bulk pickups that occur the first full week of each month. With this change, we will be extending the window of pick up to begin the first full week of April and continue through the first full week of November. It is expected that this change will allow for larger projects to be completed though out the summer months. If you have any questions, please contact me.

Thank you,  
**JOHN KURYAK, COMMISSIONER OF PUBLIC WORKS**

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

Carried 5-0

**Requests the Council Approve the Sale of a 2006 Lincoln Pick – Up Police Vehicle. Proceeds will be placed in the Police Department code A.3120.0250.**

5. Lackawanna City Council  
Attn: Council President Frederic Marrano  
714 Ridge Road  
Lackawanna, New York 14218

Re: Sale of Police Department Vehicle

Honorable City Council Members:

I respectfully request authorization to sell the following police vehicle.

- 2006 Lincoln Pick-up Vin# 5LTPW18516FJ18452

All proceeds from the sale of aforementioned vehicle will be placed in the Police Department account code A-3120-250.

Respectfully,  
**JOHN WOLF, DIRECTOR OF PUBLIC SAFETY**

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

Carried 5-0

**Requests the Council Approve the Sale of 1988 Simon Duplex 100' Ladder Platform. This Will be Replaced by the Rosenbauer Ladder Platform that was Ordered in 2021 and Should be Received in the Next Couple of Months. The Sale Will not be Complete until the New Platform Arrives. Proceeds from the Sale Will be Placed in the fire Department budget for Maintenance and tire Replacement.**

6. Lackawanna City Council  
Honorable Fred Marrano, President  
714 Ridge Road  
Lackawanna, New York 14218

Dear Council Members,

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

The vehicle to be sold is:

1988 Simon Duplex 100' Ladder Platform

This truck will be replaced by the new Rosenbauer Ladder Platform that the city ordered in 2021 and will be delivered within the next couple of months.

The 1988 Simon Duplex Ladder Platform is still in service and I will not complete the sale of this truck until the new platform arrives.

I am also asking for the funds received from the sale of the 1988 Simon Duplex Ladder Platform 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

**Requests the City Council Approve and Authorize the Mayor to Enter into a Contractual Agreement with Musco Sports Lighting, LLC in the Amount of \$319,657 as Part of the Veteran's Stadium Renovation Project. The City's Portion of this Cost is \$9,809 with the Balance Paid by Money Allocated by the American Rescue Plan.**

7. Lackawanna City Council

Honorable Frederic J. Marrano, President

714 Ridge Road

Lackawanna, New York 14218

Re: Veterans Stadium Retrofit Lighting Project

Hon. Frederic J. Marrano:

I'm requesting City Council approval to authorize Mayor Iafallo to enter into a contractual agreement with Musco Sports Lighting, LLC in the amount of \$319, 657 as part of the Veterans Stadium renovation project. Musco is on Sourcewell Government Contract Number 0441123-MSI.

This portion of the Veterans Stadium Project will be funded by account A.17110.250 for \$9,809 with the balance paid by American Rescue Plan (ARPA) money allocated for this project.

A copy of the contract and design plan is included with this letter.

Very truly yours,

**BRIAN LAKSO, RECREATION DIRECTOR**

Moved by Marrano seconded by Surdyke to approve request, authorizes the Mayor to enter into a contractual agreement.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the city Council Approve the Use of Veteran's Stadium by LA Sports Club on Saturdays and Sundays from May 4, 2024 Through July 26, 2024 for Flag Football, as well as the Use of Franklin or Victory Playground for Practice on Tuesday or Thursday During the Same Time Period. Insurance Document Provided.**

8. Honorable City Council President

Honorable City Council Members

714 Ridge Road

Lackawanna, New York 14218

Honorable Members of City Council,

The LA Sports Club is requesting permission to use Veterans Stadium on Saturdays and Sundays from 8:00 AM to 2:00 PM between May 4, 2024 and July 26, 2024 for Flag Football. They also request weekly use of either Franklin or Victory playground for practice on either Tuesday or Thursday during the same date range.

LA Sports Club will work with my department to establish a firm practice schedule in the coming months. LA Sports Club already has valid insurance for Veterans' Stadium on file in my Department.

*"Dear Honorable Council Members:*

*First, we would like to thank you for the opportunity to review our request. We at Learning Sports Club Inc. would like to request that we have access to Victory Park, Franklin Park and Veterans Memorial Stadium for our LA Sports Club Flag Football Showcase league we planned on having for the spring of 2023.*

*We will partner with the NFL Flag and AFFL program to make this event happen. Starting May 4<sup>th</sup>, 2024 until July 26, 2024. We will conduct skills and drills practices at Franklin or Victory Park 1 day during the week on either Tuesday or Thursday, from 530pm to 730pm. We would like to have our games and drills at Veterans Memorial Stadium every Saturday and Sunday morning from 830am to 130pm. We will have the equipment to host such an event, but would like to request permission to paint the field, use the field, and upkeep (cutting the grass once a week for safety). Each child will be between the ages of 4 and 12. They will be given the chance to learn the basic skills of flag football as well as the opportunity to have fun. Each child would like to be required to pay a fee \$75 per child to cover the cost of equipment, their uniforms (Reversible NFL replica jersey), trophies for our flag super-bowl and materials for our All-Star Game, the clean-up supplies and insurance.*

*I have provided all the insurance information for you. We will also provide insurance for each child that signs up and participates and insurance for the field usage.*

*We genuinely believe that this would be something unique for the City of Lackawanna and our kids. Thank you in advance for your time. We look forward to working together for the kids.*

*Sincere Regards,  
Darrell Glover Jr."*

Sincerely,  
**BRIAN LAKSO, DIRECTOR OF PARKS & RECREATION**

Moved by Marrano seconded by Muflahi to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Ordinance for the Sale of 22 Edna Place to Juana Davila in the Amount of \$5,000; Assessed Value is \$6,900. This Property was Acquired Through Erie County foreclosure in 2014.**

9. Lackawanna City Council  
714 Ridge Road  
Lackawanna, NY 14218

Re: Request to Purchase 22 Edna

Honorable City Council:

After discussion with Mayor Iafallo; there is a request to purchase 22 Edna Place by Juana Davila for the amount of \$5000. The land is adjacent to the purchaser's home at 18 Edna Place. It has current assessment of \$6900.00; the property is 30x162. It was acquired through Erie County Foreclosure in 2014. I recommend this property be sold and added to the tax roll.

Very yours truly,

**DEBORAH J SKULSKI-WAKELAM, SOLE ASSESSOR**

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 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 142.4 1-44; 22 Edna Place. Parcel of approximately 30x162, a vacant parcel, to Juana Davila.

**SECTION 2.** That transfer is made for the sum of \$5,000 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: December 19, 2023

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the city Council Implement a 90-Day City-Wide Moratorium on all Cannabis-Related Development Activity. The 90-Day Pause Would Allow the City Time to Complete Legal and Other Research on Potential Zoning code Changes.**

10. Lackawanna City Council

Honorable Frederic J. Marrano, Council President

714 Ridge Road

Lackawanna, New York 14218

Re: 90 Day Moratorium on Cannabis related Development Activity

Dear Council President Marrano,

After consultation with Mayor Iafallo and in partnership with the Law Department, as Acting Director of Development I'm requesting the Lackawanna city Council implement a 90-day city-wide moratorium on all cannabis-related development activity.

At present, the city's zoning code and planning protocols do not properly address the handling of cannabis-related development of any nature, most notably the most popular retail dispensary.

This 90-day pause would allow the city time to complete legal and other research on potential zoning code changes and then implement appropriate revisions/amendments in cooperation with the City Council, Mayor's office, involved departments (Law, Development, Public Safety, Code Enforcement, City Clerk) and the city's zoning and planning boards.

I would be happy to provide more information at the December 18<sup>th</sup> City Council meeting.

Regards,

**CHARLES D. CLARK, DIRECTOR OF DEVELOPMENT (ACTING)**

Moved by Marrano seconded by Muflahi to approve request, refer to Code Enforcement, Director of Public Safety and the Law Department.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Business Registrations:**

**Mohsin Mohamed, South Park Smoke, Inc., 3047 South Park Avenue, (Tobacco Store).**

Moved by Marrano seconded by Moretti to TABLE Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Adjournment:**

Moved by Marrano seconded by et al to adjourn meeting in memory of Evelyn McNamara.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0