

**Regular Council Meeting**  
**Monday, February 5, 2024**  
**6:30 p.m. Caucus- Meeting will immediately follow the Caucus**  
**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/Marketing, Public Safety, Comptroller(E),**  
**Recreation, Public Works**

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of January 22, 2024.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of January 22, 2024 as amended as suggested by Council Member Surdyke.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **City Comptroller** – A/P Check Listing #19, dated 1/16/2024 – 1/22/2024.
2. **City Comptroller** – A/P Check Listing #20, dated 1/25/2024.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/Department Heads:**

**Requests the City Council Authorize the Use of Victory Playground and the Soccer Mini-Pitch by Independent Health’s Soccer for Success Program. Proof of Insurance has been Provided.**

3. Honorable City Council President  
Honorable City Council Members  
714 Ridge Road  
Lackawanna, NY 14218

Honorable Members of City Council,

I am requesting your Honorable Body to authorize the use of Victory Playground and the Soccer Mini-pitch by Independent Health’s Soccer for Success Program. They plan to run their programming on the following dates, but will work with the Recreation Department to maintain a flexible schedule if circumstances change:

Session 1: 4/22/24 – 6/19/24

Monday, Tuesday, and Wednesday

5:45pm – 7:45pm (coaches arrive early)  
6:00pm – 7:30 (practice time)

Session 2: 7/8/24 – 9/6/24  
Monday, Tuesday, and Wednesday  
5:45pm – 7:45pm (coaches arrive early)  
6:00pm – 7:30 (practice time)  
Proof of insurance has been provided.

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

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

Carried 5-0

**Requests the City Council Approve the Ordinance to Pre-Fund the Assistance to Firefighters Grant Budget Line in the Amount of \$38,616.25. The Bid for the Firefighting Hoses and Nozzles was Approved at the January 22, 2024 Council Meeting.**

4. Honorable Council President  
Honorable City Council  
714 Ridge Road  
Lackawanna, NY 14218

Re: FEMA Grant (\$38,616.25)  
Assistance to Firefighters Grant 2022 (FEMA)

Dear Honorable Body:

At the Council Meeting on December 18<sup>th</sup>, 2023, Council approved the request of Fire Chief Fino and directed the City Clerk to advertise for bids for new firefighting nozzles and hoses, with funding being provided by an Assistance to Firefighters Grant sponsored by FEMA. Attached for Council's review, consideration and approval is an Ordinance to pre-fund the Assistance to Firefighters Grant budget line in the amount of \$38,616.25. Thank you for your kind courtesy and consideration 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 2023-2024 Budget Ordinance adopted June 5<sup>th</sup>, 2023, is hereby amended to add the following Budget Code to the Capital Fund:  
**H.2080.0605.0001 – “Assistance to Firefighters Grant 2022 (FEMA)”**

**GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$38,616.25** 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 **“Transfer from General Fund”** Budget Code [H.0000.2545] by **\$38,616.25**.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$38,616.25** to the **“Assistance to Firefighters Grant 2022 (FEMA)”** budget code [H.2080.0605.0001].

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: February 6, 2024  
Lackawanna, New York

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

Carried 5-0

**Advises the City Council of the Retirement of Marcia Cullens, City Assessor’s Office, Effective January 19, 2024 and the Retirement of Richard Juda, City Attorney, Effective January 31, 2024.**

5. Honorable Frederic J. Marrano, Council President  
Honorable Members of the City Council  
714 Ridge Road  
Lackawanna, NY 14218

Dear Council Members,

Please be advised that Ms. Marcia Cullens, Clerk in the City Assessor’s Office has retired. The effective date of Ms. Cullen’s retirement is January 19<sup>th</sup>, 2024.

Please be advised that Mr. Richard Juda, City Attorney, has retired. The effective date of Mr. Juda’s retirement is January 31<sup>st</sup>, 2024.

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

Moved by Marrano seconded by et al, to receive and file, with thanks from the city for their years of service. Godspeed and best wishes on their retirement.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Ordinance to Transfer Funds from the General Fund to the Special Revenue Fund in the Amount of \$70,000 Per the Memorandum from Dan Geercken, DPW Foreman.**

6. Honorable Frederic J. Marrano, President  
Honorable Members of the City Council  
714 Ridge Road  
Lackawanna, NY 14218

**RE: Budget Ordinance: Transfer from General Fund to Special Revenue Fund**

Dear Council Members,

Attached please find a Memorandum from Dan Geercken, Department of Public Works Foreman, requesting a transfer of funds from the General Fund to the Special Revenue Fund to accommodate necessary repairs and replacements in the amount of \$70,000.00.

Attached for Council's review, consideration and approval is an Ordinance to transfer funds from the General Fund to the Special Revenue Fund in the amount of \$70,000.00.

Thank you for your kind courtesy and consideration in this respect.

*To: Comptroller's Office; City Council*

*From: Dan Geercken – Foreman*

*Re: Transfer of Funds – Sanitation repairs and replacements*

*With the current state of the City's Recycling and Garbage trucks, we have exceeded the budget amount for Garbage & Refuse – repairs and replacements. The DPW requests that the comptroller fund CL.8160.443 line in the amount of \$70,000.00 from the unappropriated fund balance, so that repairs may continue.*

*Respectfully,*

**DAN GEERCKEN, FOREMAN**

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 05<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 05<sup>th</sup>, 2023, is hereby amended to accommodate a General Fund transfer of funds to the Special Revenue Fund, as set forth below.

**FOR THE GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to add **\$70,000.00** to Budget Code **A.9000.9551** (“**Transfer to Other Fund – Special Revenue**”).

**SECTION 3.** That the 2023-2024 Budget Ordinance is hereby amended to appropriate **\$70,000.00** of the City’s Fund Balance in this respect.

**FOR THE SPECIAL REVENUE FUND**

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to increase Budget Code **CL.0000.5031** (“**Interfund Transfer**”) by **\$70,000.00**.

**SECTION 5.** That the 2023-2024 Budget Ordinance is hereby amended to add **\$70,000.00** to Budget Code **CL.8160.0443** (“**Repairs and Replacements**”).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: February 6, 2024  
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 review the Memorandum and Approve the Ordinance to Pre-Fund the Local Waterfront Revitalization Project in the Amount of \$65,000. \$50,000 will be Reimbursed Through the NYS Environmental Protection Grant. The Remaining \$15,000 is the City’s Contribution to Meet the MWBE (Minority and Women Owned Business Enterprise) Requirement.**

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

Re: ***NYS Environmental Protection Fund Grant (\$50,000)***  
***Local Waterfront Revitalization Program (EPF)***

Dear Honorable Body:

Attached please find a Memorandum from Chuck Clark, Development, Marketing & Public Information Director, relative to the above-referenced project and grant.

As outlined by Mr. Clark in his Memorandum, \$50,000.00 of the costs will be reimbursed through the Grant, with the City bearing responsibility for the remaining \$15,000.00 in costs.

The grant funds will be requested upon conclusion of the project.

Therefore, attached for Council’s review, consideration and approval is an Ordinance to pre-fund the Local Waterfront Revitalization Program budget line in the amount of \$65,000.00.

Thank you for your kind courtesy and consideration in this respect.

TO: Linda Hybicki, Comptroller  
FROM: Chuck Clark, Development, Marketing & Public Information  
DATE: January 30, 2024  
RE: LWRP Funding

In support of the LWRP project being coordinated through Wendel Engineers, which was approved by the City Council at their August 14, 2023, meeting, I'm requesting funding in the amount of \$65,000 be established as follows:

- Wendel Engineers \$50,000
- WWS Planning \$15,000
  - TOTAL \$65,000

\$50,000 represents the project costs which will be reimbursed through a NYS grant upon project completion, while \$15,000 is the city's required contribution to the project which has been dedicated to meeting the grant's MWBE requirement.

Please craft a resolution to be placed on the City Council's February 5, 2024 meeting agenda (deadline January 28<sup>th</sup> at Noon).

Thank you,  
Chuck

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

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 05<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 05<sup>th</sup>, 2023, is hereby amended to add the following Budget Code to the Capital Fund: **H.2080.0616.0000 – "Local Waterfront Revitalization Program (EFP)".**

#### **GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$65,000.00** 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 **"Transfer From General Fund"** Budget Code **[H.0000.2545]** by **\$65,000.00**.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$65,000.00** to the “**Local Waterfront Revitalization Program (EFP)**” budget code [**H.2080.0616.0000**].

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: February 5, 2024  
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 Approve the Ordinance and Transfer of Funds Regarding the CDBG Grant for the Wilmuth Avenue Milling and Paving Project in the amount of \$260,000. Approval of the Bid Award to 716 Contracting Took Place at the January 22, 2024 Council Meeting.**

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

RE: ***CDBG Grant (\$150,000-\$260,000)***  
***Wilmuth Avenue Project (CDBG)***

Dear Honorable Body:

At the Council Meeting on January 22<sup>nd</sup>, 2024, Council approved the request of the Deputy Commissioner of Capital Projects to fund the Wilmuth Avenue CDBG Project in the amount of \$260,000.00.

Attached for Council’s review, consideration and approval is an Ordinance offered in support of said request.

Thank you for your kind courtesy and consideration in this respect.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPROLLER**

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 05<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 05<sup>th</sup>, 2023, is hereby amended to add the following Budget Code to the Capital Fund: **H.2080.0606.0000 – “Wilmuth Avenue Project (CDBG)”**.

**GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$260,000.00** 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 “Transfer From the General Fund” Budget code [H.0000.2545] by \$260,000.00.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$260,000.00** to the **“Wilmuth Avenue Project (CDBG)”** budget code **[H.2080.0606.0000]**.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: February 5, 2024  
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 Approve the Sale of a 2021 Ford Police Interceptor Utility Vehicle. Proceeds will be Placed in the Lackawanna Operating Budget Department Account.**

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

To: Lackawanna City Council  
Attn: Council President Frederic Marrano

From: Dino Marrocco, Director of Public Safety

Subject: SALE OF POLICE DEPARTMENT VEHICLE

Honorable Council Members:

I respectfully request authorization to sell the following police vehicle.

- 2021 Ford Police Interceptor Utility Vin# 1FM5K8AB9MGC25394

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



Respectfully,  
**DINO MARROCCO, DIRECTOR OF PUBLIC SAFETY**

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

Carried 5-0

**Requests the City Council Name the City's Planning Board as Lead Agency for the State Environmental Quality Review (SEQR) Part 1 Regarding the Sale of the City-Owned Property on Alliance Drive to Empire Building Diagnostics and ItFitz Concrete.**

10: Honorable Frederic Marrano, City Council President  
Lackawanna City Hall  
714 Ridge Road – Room 215  
Lackawanna, NY 14218

Dear Council President Marrano,

The sale of city-owned property on Alliance Drive to Empire Building Diagnostics and ItFitz Concrete is subject to State Environmental Quality Review (SEQR) requirements (Part 1 short form). To comply with this requirement, I'm requesting an item be added to the Lackawanna City Council's February 5<sup>th</sup> meeting agenda naming the city's Planning Board as lead agency for this transaction. The Department of Development anticipates a negative declaration will result from the SEQR Part 1 review, which would be presented to the Planning Board for approval at their February 28<sup>th</sup> meeting. I will be happy to address any questions as needed.

Sincerely,  
**CHARLES D. CLARK, DIRECTOR OF DEVELOPMENT, MARKETING & PUBLIC INFORMATION**

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

Carried 5-0

**Business Registrations:**

**Tabled Items:**

**Adjournment:**

Moved by Marrano seconded by et al to adjourn meeting in memory of John Marsello Sr.  
Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

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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)