

**Regular Council Meeting  
Monday, March 4, 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(E), Marrano  
Dept. Heads: Law, Development/Marketing, Public Safety, Comptroller,  
Recreation(E), Public Works

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of February 20, 2024.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of February 20, 2024 as written.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Departmental Reports:**

1. **City Comptroller** – A/P Check Listing #22, dated 2/14/2024 – 2/15/2024.
2. **City Comptroller** – A/P Check Listing #23, dated 2/16/2024 – 2/22/2024.

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

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Communications from the Mayor:**

**Requests the City Council Approve the Resolution Requesting the Governor Increase the 2024-2025 Adopted State Budget for Additional State Aid.**

3. TO: Honorable City Council President  
Honorable City Council Members  
FROM: Mayor lafallo  
RE: Increase in AIM funding

I am requesting your Honorable Body pass the attached resolution requesting the Governor increase the 2024-25 adopted State Budget for additional state aid.

*Once the resolution is approved, a copy of the resolution is to be sent to Governor Kathy Hochul, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Timothy Kennedy, Assembly members Honorable Patrick Burke and Honorable Jonathan Rivera and the New York State Conference of Mayors.*

Thank you in advance for your anticipated cooperation.

Moved by Marrano seconded by Muflahi to receive and file, act on resolution.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**RESOLUTION # 4, 2024**

*Calling for an increase in AIM Funding*

**WHEREAS**, the Aid and Incentives for Municipalities (AIM) program plays a critical role in funding essential municipal services for cities and villages across New York State; and

**WHEREAS**, the City of Lackawanna shares the same priorities as our state leaders which is to make New York safer and more affordable; and

**WHEREAS**, New York’s local governments, who are on the frontlines of controlling property tax affordability and ensuring public safety, are integral to achieving those goals; and

**WHEREAS**, the State has not increased AIM funding in 15 years and according to the Bureau of Labor Statistics, inflation has increased by nearly 45% during the same period; and

**WHEREAS**, this neglect from the State has led to rising municipal tax burdens and harmful disinvestment in essential municipal services and staff; and

**WHEREAS**, the property tax cap further limits the ability of local governments to properly fund the services their residents need; and

**WHEREAS**, the challenges of rising inflation, the increasing cost of labor and supplies, and the end of extraordinary federal aid, only accentuate the need for an increase in AIM funding; and

**WHEREAS**, the Governor’s 2024-25 Executive Budget proposes to keep AIM funding flat; and

**WHEREAS**, an increase in AIM funding would reduce the local tax burden and help revitalize communities across New York;

**THEREFORE, BE IT RESOLVED**, the City of Lackawanna urges Governor Hochul to work with the leaders of the Senate and Assembly and increase AIM funding in the 2024-25 adopted Sate Budget.

**THIS RESOLUTION SALL TAKE EFFECT IMMEDIATELY.**

March 4, 2024

Moved by Marrano seconded by Moretti to adopt resolution as written.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Communications from Council:**

**Requests the Use of the Senior Center on Behalf of ACCESS of WNY on April 13, 2024 for a “Taste of the Middle East” Event in Recognition of Arab American Heritage Month.**

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

Dear Respected City Council Members,

The department of Public Works is requesting authorization to scrap the following vehicles:

Vehicle #	Make/Description	Year	Vin #
15	Ford – Dump Truck	2004	1FDAF57S04ED46318
18	Ford – P/U Truck	2008	1FTNF21538EE40450
54	Ford – E350 VAN	2005	1FBNE31L45HB17134
48	Elgin – STREET Sweeper	2001	P3470D

These vehicles are inoperable and hold no resale value. All parts that could be salvaged were taken off by our mechanics and stored in the DPW garage. All proceeds will be placed in the Lackawanna 2023-2024 Operating Budget Department of Public Works account code A-5110-0201.

Thank you in advance for your consideration of this request.

Regards,

**DANIEL GEERCKEN, SENIOR FOREMAN OF PUBLIC WORKS**

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Requests the City Council Approve an Additional 182 Hours at an Additional Cost of \$17,290 for Sapphire Business Systems to Complete the Reconciliation Process for the 2022-2023 Fiscal Year (32 Hours) and the 2023-2024 Fiscal Year (150 Hours).**

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

Dear Honorable Body:

At the request of Council, a Proposal from Sapphire Business Systems, Inc dated November 2<sup>nd</sup>, 2023, was supplied at the November 20<sup>th</sup>, 2023, Council Meeting. A copy of the Certification of Action Taken at Council Meeting and its attachments are attached herewith for your reference.

The services outlined in the attached document are necessary to reconcile software and procedural-related deficiencies. The reconciliation of data from August, 2022 through April, 2023 is complete. Please be advised that 132 hours of the 150 estimated hours have been utilized through February 17<sup>th</sup>, 2024, as itemized on the attached invoice dated February 19<sup>th</sup>, 2024.

The hours set forth in the Proposal dated November 2<sup>nd</sup> were an estimate. In order to complete the process for the 2022-2023 Fiscal Year, it is estimated that 32 additional hours will be necessary to complete the reconciliation for the 2023-2024 Fiscal Year.

Please note that funds for the additional services required totaling \$17,290 (32 hours + 150 hours= 182 hours x \$95.00) 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.

Very truly yours,

**LINDA M. HYBICKI, CITY COMPTROLLER**

**First Motion & Vote:**

Moved by Marrano seconded by Moretti to approve request.

Yeas: Moretti, Marrano

No: Muflahi, Anderson

Failed 2-2

Per instructions provided by the City Attorney, the Council had the option to take a second vote to TABLE item #7 since it failed due to a tie vote. The second motion & vote also failed.

**Second Motion & Vote:**

Moved by Marrano seconded by Moretti to TABLE request.

Yeas: Moretti, Marrano

No: Muflahi, Anderson

Failed 2-2

**Requests the City Council Approve the Ordinance for the Budget Transfer Regarding the Kirby Street Bridge Repair Expenditures Related to FEMA Submissions and to Advertise for Bids for Said Project.**

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

Dear Honorable Body:

Please accept this correspondence in support of the attached request from Daniel Geercken, Senior Foreman of Public Works.

Foreman Geercken requests an increase in the funds budgeted to the "Contractual Expenses (FEMA)" Budget Line (A.5110.0408) in the amount of \$42,223.31. The purpose of Foreman Geercken's request involves Kirby Street bridge repair expenditures that relate to FEMA submissions.

In the 2023-2024 budget, funds were set aside in the Contingent Expenditure Account (A.1900.1990) to accommodate such residual or unforeseen expenditures. As such, the Contingent Account will serve as the source for increasing the "Contractual Expense (FEMA)" budget line in this instance.

An Ordinance accomplishing said budget transfer is attached for your review and consideration.

Thank you for your kind attention in this respect.

*Re: Bid Advertising and Funding Authorization – Kirby Street Bridge Joint Replacement*

*Dear Respected City Council Members,*

*The department of Public Works is requesting City Council's authorization of the following steps related to the Kirby street bridge joint replacement project at their March 4, 2024 regular business meeting:*

- *Advertisement for bids*
- *Project funding through the comptroller's office under line item A-5110.0408*

*The project is estimated to cost in excess of \$42,223.31 per the attached from CPL Engineer:*

- *Total cost reimbursement through FEMA 2023 storm damage.*

*Thank you in advance for your consideration of this request.*

*Regards,*

**DANIEL GEERCKEN, SENIOR FOREMAN OF PUBLIC WORKS**

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

Moved by Marrano seconded by Anderson to receive and file, act on ordinance, refer to City Clerk for bid.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

## **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 Budget Code **A.5110.0408** ("**Contractual Expenses (FEMA)**") to accommodate a General Fund transfer of funds in the amount of **\$42,223.31**.

#### **FOR THE GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer **\$42,223.31** from Budget Code **A.1900.1990** ("**Contingent Account**") to Budget Code **A.5110.0408** ("**Contractual Expense (FEMA)**").

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: March 5, 2024  
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

### **Requests Approval of an Ordinance Regarding the Dog/Animal Control Officer Position Within the Department of Animal Control.**

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

**RE: Budget Ordinance: Dog/Animal control Officer Position In Control of Animals Department.**

Dear Council Members:

In furtherance of the attached Memorandum from Dino Marrocco, the Director of Public Safety, attached please find an Ordinance submitted for Council's review, consideration and approval. Said Ordinance serves to reflect the new position appointment appropriately in the 2023-2024 Budget. This involves: identifying two part time positions in the Department; and an allocation of already-budgeted funds equally between the two Officers.

The allocation is contained entirely within the Control of Animals Department; no additional funds or transfer is necessary.

Please note that the change (including the salary allocations) will be incorporated into future budgets, as required.

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

*To whom it may Concern,*

*With the addition of the second Animal Control Officer, the part-time salary of \$35,000.00 will be split in half with both Tony Catuzza Sr. & Caitlin M. Adams receiving a yearly salary of \$17,500.00. Both employees have been made aware of the change and have agreed to same.*

Regards,

**DINO MARROCO, DIRECTOR OF PUBLIC SAFETY**

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, Marrano

Carried 4-0

#### **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 relative to the Personal Services budget code (**A.3510.0101**) in the Control of Animals Department, as follows:

- Increasing the number of **Part Time Dog Control Officers** from “1” to “2”; and
- Splitting the salary already existing in said budget code (i.e., \$35,000.00), with one half being allocated for each position (i.e., \$17,500.00).

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

**DATED:** March 5, 2024

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Requests the City Council Approve the Waiving of the Interest in the Amount of \$2,689.67 for the Property Located at 23 Fisher (Rear). The Original Deed Was Recorded Properly for This Property, but the City Failed to Properly Name the New Owner and Properly Bill the Taxes to the New Owner.**

10. Lackawanna City Council  
714 Ridge Road

Lackawanna, NY 14218

Re: 23 Fisher Rear; SBL#142.16-4-29.21

Hon. City Council:

With regards to the above property it was brought to my attention in June 2023, that a clerical error occurred several years ago (2003) when this property was transferred to Holly and Nelson Tedesco. Due to this clerical error, the name of the previous owner to 23 Fisher Rear did not change in the City's data base and remained the prior owner of the premises. The original deed was recorded correctly, but after the deed was recorded, the City failed to properly name the new owner and send bills to the new owner. The previous owner erroneously paid the taxes on the subject property until 2016 which were escrowed with their mortgage. In 2016, the previous owner sold an adjacent property, bringing attention to the fact that the subject property had not been updated to reflect the new owner. As a result, I am asking the council to consider and approve waiving the interest in the amount of \$2,689.67 good thru 3/30/2024; that they may become current and pay the taxes in the amount of \$3,326.43. This is necessary to combine the Abbott Rd property and the 23 Fisher Rear together for one tax bill.

Very truly yours,

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

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Waive the Rules:**

Moved by Marrano seconded by Moretti to waive the rules.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Requests the City Council Approve an Ordinance Shifting Already Budgeted Funds Between Funds/Departments; Identifying the Appointment of an Acting Commissioner of Public Works and an Acting Foreman in the Special Refuse Fund.**

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

RE: **Budget Ordinance: Commissioner of Public Works/Special Refuse Fund Foreman Positions**

Dear Council Members:

Attached please find an Ordinance submitted for Council's review, consideration and approval. Said Ordinance serves to reflect the position appointments appropriately in the 2023-2024 Budget. This involves: a shift of already-budgeted funds between funds/departments; identifying the Foreman in the Special Refuse Fund in conjunction therewith. Funds totaling \$69,500.00 must be transferred from the Maintenance of Streets' Personal Services budget code (A.5110.0101) to the Special Refuse Fund's Personal Services budget code (CL.8160.0101).

Please note that the position change and footnote (as well as the salaries/allocations) will be incorporated into future budgets, as required.  
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, Marrano

Carried 4-0

### **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 increase the number of **Working Supervisors** for Budget Code **CL.8160.0101** from "1" to "2".

**SECTION 2.** That the 2023-2024 Budget Ordinance adopted on 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 3.** That the 2023-2024 Budget Ordinance is hereby amended to decrease Budget Code **A.5110.0101 ("Maintenance of Streets: Personal Services")** by **\$69,500.00** of the City's Fund Balance in this respect.

**SECTION 4.** That the 2023-2024 Budget Ordinance is hereby amended to increase Budget Code **A.9000.9551 ("Transfer to Other Fund – Special Revenue")** by **\$69,500.00**.

#### **FOR THE SPECIAL REVENUE FUND**

**SECTION 5.** That the 2023-2024 Budget Ordinance is hereby amended to increase Budget Code **CL.0000.5031 ("Interfund Transfers")** by **\$69,500.00**.

**SECTION 6.** That the 2023-2024 Budget Ordinance is hereby amended to increase Budget Code **CL.8160.0101 (Special Revenue Fund, Garbage & Refuse: "Personal Services")** by **\$69,500.00**.

**SECTION 7.** That the following footnote be added to the 2023-2024 Budget Ordinance in relation to one **Working Supervisor** position in Budget Code **CL.8160.0101** and the **Commissioner of Public Works** position in Budget Code **A.5110.0101**:



*\*In this Budget Year, a Foreman from the Special Revenue Fund (Garbage & Refuse) is serving as the acting Commissioner of Public Works. Both titles are non-union positions. As such, the Salary is being allocated between both titles, i.e., the salary associated with the Foreman position is reflected in CL.8160.0101 and the differential is reflected in A.5110.0101.*

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: March 5, 2024  
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Business Registrations:**

Bryan Covey, dba Against the Grain Barbershop, 734 Ridge Road.

Moved by Marrano seconded by Anderson to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

Joseph Georges, dba Queen City Auto Repair, 2600 Hamburg Turnpike.

Moved by Marrano seconded by Muflahi to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Entertainment Licenses:**

**Class I – Live Music and/or Mechanical Reproduction:**

1. Matthew Glab Post, 1865 Abbott Road.
2. Ice House Pub, Lanette Welch, 715 Ridge Road.
3. Curly's Grille & Banquet Center, Athena Kouimanis, 647 Ridge Road.
4. Col. B Weber VFW Post 898, 2909 South Park Avenue.

Moved by Marrano seconded by Moretti to approve Class I Entertainment Licenses one through four inclusive.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0

**Class II – Coin Operated Mechanical Reproduction:**

Daggerty's/Cagney's Too, Alvin Zells, 1254 Electric Avenue.

Moved by Marrano seconded by Anderson to approve Class II Entertainment License.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0


**Tabled Items:**

**Adjournment:**

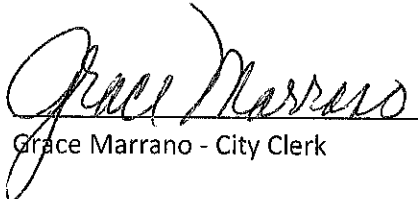
Moved by Marrano seconded by Moretti to adjourn meeting.

Yeas: Muflahi, Anderson, Moretti, Marrano

Carried 4-0



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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