

**Regular Council Meeting**  
**Monday, July 15, 2024**  
**Council Chambers**  
**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, Assistant Comptroller,**  
**Recreation (E), Public Works**

**Hearings from Citizens:**

**Approval of Minutes:** of the regular meeting of June 17, 2024 and the Special Meeting of June 27, 2024.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of June 17, 2024 and the special meeting of June 27, 2024.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Departmental Reports:**

1. **Assistant Comptroller** – A/P Check Listing #36, dated 6/21/2024.
2. **Assistant Comptroller** – A/P Check Listing #37, dated 7/2/2024.
3. **Assistant Comptroller** – A/P Capital Fund Check Listing #9, dated 6/21/2024.
4. **Assistant Comptroller** – A/P Capital Fund Check Listing #10, dated 6/21/2024.
5. **City Treasurer** – Total Cash Receipts 6/1/2024 – 6/30/2024.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Communications from Division/Department Heads:**

**Requests the City Council Approve the Ordinance Transferring Funds From Various DPW Budget Lines.**  
**Total Amount of Transfers is \$17,000.**

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

Dear Council Members,

I am requesting to transfer funds from multiple budget lines to cover overages that occurred during this fiscal year.

The transfers within the Department of Public Works are as follows.

\$7,000.00 from budget line A.5110.0101 into line A.1440.0102

\$10,000.00 from budget line A.5100.0101 into line A.3020.0102  
If you have any questions, please contact me.

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

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 AMENDING THE 2023-2024 BUDGET ORDINANCES ADOPTED JUNE 5, 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, 2023, is hereby amended to transfer budget appropriations for Personal Services between various DPW departments.
- SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to decrease the budget line A.5110.0101 Maintenance of Streets Personal Services by \$17,000.
- SECTION 3.** That the 2023-2024 Budget Ordinance adopted June 5, 2023, is hereby amended to increase the amount budgeted to expenditure code A.1440.0102 Engineering Overtime by \$7,000.00 and A.3020.0102 Communication System Overtime by \$10,000.00.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
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 Transferring Funds from the General Fund into the Lackawanna Little Loop/Lackawanna Legends Improvement Capital Budget Line in the Amount of \$400,000. The City Will Receive Full Reimbursement Through DASNY.**

7. To: Comptroller's Office; City Council  
From: Dan Geercken – Senior Foreman  
Re: Transfer of Funds: Lackawanna Little Loop/ Lackawanna Legends Improvements (DASNY Grant)

I am requesting that the Comptroller transfer funds from the general fund in the amount of \$400,000 to the Lackawanna Little Loop/ Lackawanna Legends Improvement Capital budget line. The city will receive full reimbursement within 6-8 months through DASNY. This grant was awarded to the City by NYS Assemblyman Patrick Burke.

If you have any questions, please contact me.

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

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 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 Ordinances adopted June 5, 2023, is hereby amended to add the following Budget Code to the Capital Fund:  
**H.2080.0618.0000 – “Lackawanna Little Loop and Legends Improvements Project (DASNY)”.**

**GENERAL FUND**

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to transfer unappropriated fund balance in the amount of **\$400,000.00** to the **“Transfer to Other Fund – Capital”** Budget Code **[A.9000.9550]**.

**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 **\$400,000.00**.

**SECTION 4.** That the 2023/2024 Budget Ordinance is hereby amended to allocate budgeted funds in the amount of **\$400,000.00** to the – **“Lackawanna Little Loop and Legends Improvements Project (DASNY)”** budget code **[H.2080.0618.0000]**.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
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 Final Invoice From Sapphire Business Systems in the Amount of \$2,280. This Amount Includes an Additional \$213.75 (For 2.25 Hours) Which Exceeded the Original Request.**

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

Dear Honorable Body:

Sapphire Business Systems, Inc. has completed the consulting services for the City of Lackawanna. However, the final invoice was for 2.25 hours, which is \$213.75, more than what your honorable body had approved. I am requesting authorizing to pay the final invoice totaling \$2,280.00 which includes the additional 2.25 hours. There is enough money in the budget line A.1315.468 Software Maintenance to pay this invoice.

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

Very truly yours,

**PEGGY BIGAJ-SOBOL, ASSISTANT 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 Tax Collection Agreement Between the City of Lackawanna and the Lackawanna City School District and Authorizing the Mayor to Sign Said Agreement.**

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

Re: Tax Collection Agreement Between City of Lackawanna and Lackawanna City School District.

Honorable Council President and Honorable Council Members:

Enclosed find a proposed Tax Collection Agreement Between City of Lackawanna and Lackawanna City School District.

The Board for the Lackawanna City School District approved and adopted same at its June 13, 2024 Board Meeting.

Please consider placing same on the next meeting (special meeting or otherwise) agenda, consider the proposed agreement, and consider authorizing the Mayor to sign same.

Please contact me with any questions. Thank you.

Respectfully submitted,

**JOHN P. GAUGHAN, CITY ATTORNEY**

**A copy of the Tax Collection Agreement may be obtained in the City Clerk's Office.**

Moved by Marrano seconded by Surdyke to approve agreement and authorize the Mayor to sign said agreement.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Resolution Banning Wind Turbines in Lake Erie.**

10. Grace Marrano, City Clerk  
714 Ridge Road  
Lackawanna, New York 14218

Re: Resolution Banning Wind Turbines in Lake Erie

Dear Ms. Marrano:

Please put the attached resolution on the agenda for the next meeting to obtain council approval.

Very truly yours,

**JOHN P. GAUGHAN, CITY ATTORNEY**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

#### **RESOLUTION NO. 7. 2024**

**WHEREAS**, the City of Lackawanna, Erie County New York borders Lake Erie; and

**WHEREAS**, the City of Lackawanna has a population of approximately 19,762 persons, median age of 39.1, median income of \$46,869, and a median property value of \$117,700 (2022 U.S Census Bureau); and

**WHEREAS**, the City of Lackawanna recognizes and values the importance of Lake Erie and continues to work diligently to safeguard and improve its own stewardship of Lake Erie and the Lake Erie Watershed; and

**WHEREAS**, approximately twelve million (12,000,000) people live in the Lake Erie watershed, including seventeen (17) metropolitan areas with more than fifty thousand (50,000) residents, an area shared between the United States and Canada and Lake Erie provides drinking water for approximately eleven million (11,000,000) inhabitants in the region; and

**WHEREAS**, New York State has passed the Climate Leadership and Community Protection Act (The Climate Act) calling for seventy (70) percent of electricity in the state to be produced by renewable resources by 2030, and for one hundred (100) percent of the state's electricity be generated by renewable resources by 2040; and

**WHEREAS**, Congressman Nicholas A. Langworthy has voiced deep concerns on the addition of Wind Turbines, and introduced legislation to curb this negative development in H.R 426, the Lakes Before Turbines Act which would protect our environment and local economies from ill-conceived wind energy projects on these waters; and

**WHEREAS**, wind energy has been designated by the Climate Act as an essential form of renewable energy; and

**WHEREAS**, there are a number of commercial wind energy facilities operating in Western New York, including in the City of Lackawanna, with more in the planning and permitting stages; and

**WHEREAS**, upon information and belief, New York State's power grid manager New York Independent Systems Operator (NYISO) has determined the Western New York zone of grid to be 89 percent free of carbon emissions in the generation of electricity; and

**WHEREAS**, upon information and belief, NYISO has described the lack of electricity transmission facilities capable of transmitting electricity from Western New York to downstate grid zones which are ninety (90) percent dependent on fossil fuels for generating electricity; and

**WHEREAS**, upon information and belief, New York State Energy Research and Development Authority determined in 2022 that now is not the right time to consider constructing offshore wind facilities in Lake Erie; and

**WHEREAS**, upon information and belief, the offshore wind industry is experiencing global difficulties related to inflation and supply line shortages as evidenced by the recent New York State Public Service Commission decision denying industry requests for higher power delivery rates, and

**WHEREAS**, upon information and belief, the long-planned Lake Erie offshore wind energy project known as Icebreaker Wind in proximity to Cleveland, Ohio, has recently been suspended; and

**WHEREAS**, the following questions concerning offshore wind energy facilities in fresh water bodies remain unanswered and are not included in the NYSERDA reports of 2011 and 2022:

- What assurances that toxic industrial wastes in the lake bed will not be disturbed to endanger safe drinking water and enter the food chain of Lake Erie's fish and bird species;
- How would the placement of offshore wind turbines in Lake Erie affect the migratory pathways and behavior of economically important game fish;
- What would be the impact on tourism of placing wind turbines in Lake Erie;
- Specifically how would offshore wind turbines in Lake Erie contribute to the emissions reduction goals of the Climate Act;
- How would the radar interference created by offshore wind turbines in Lake Erie affect the safety of shipping, recreational boating, search and rescue operations and international border security
- How would microplastics and toxic chemicals like BPA and PFAS emitted by wind turbines impact water quality and the ecology of Lake Erie;
- How much oil and other petroleum products are contained within each offshore wind turbine and how would oil spills from wind turbines be mediated, and other maintenance performed during annual periods of ice coverage on Lake Erie;
- How would noise and vibrations emitted by wind turbines impact the quiet enjoyment of Lake Erie by fishers, boaters and nearshore residents and visitors;
- What are the affects of vibrations emitted by wind turbines on the organisms living in the lake bed;
- How would the blinking red lights atop each offshore wind turbines be reconciled with increased interest in preventing light pollution in dark skies;
- What would be the impact of placing offshore wind turbines in Lake Erie's migratory flyways of birds, bats and butterflies;
- What are the cumulative impacts of placing offshore wind turbines in Lake Erie given the already large concentration of onshore wind turbines along the Ontario shoreline and the elevations overlooking the lake in Chautauqua County
- What restrictions or no-go zones would be imposed on fishers and boaters in Lake Erie
- How would the Public Trust Doctrine which serves to protect the interests of all Western New Yorkers in a healthy Lake Erie be honored in the context of primary financial benefits to the offshore wind industry

- How would offshore wind turbines impact historic sites such as shipwrecks and lighthouses
- Would the rights of the Seneca Nation of Indians to administer water quality standards on the Cattaraugus Reservation be a consideration in placing offshore wind turbines in Lake Erie;
- Would the high costs of offshore wind energy in Lake Erie be explained to Town of Hamburg electricity ratepayers in terms of monthly increases to their utility bills
- How would property values along the lake shore be impacted by viewsheds including offshore wind turbines and their industrial support and maintenance activities.

Conclusion: Some of these questions cannot be answered, or would be cost prohibitive to address. There are many documented examples of negative impacts of wind turbines on both terrestrial and aquatic environments. There are alternatives such as small modular nuclear and hydropower, which deserve significant consideration as possible future sources of power and do not negatively affect Lake Erie or other large bodies of water.

**WHEREAS**, the City of Lackawanna has great concern that New York state and/or any authority agency, commission or department thereof might allow private and/or public entities to construct, place, position, and/or install, with or without permanent bases, pylons, piers or similar structures, one or more wind turbines in the waters of Lake Erie; and

**WHEREAS**, the City of Lackawanna has great concern that the fresh water of Lake Erie, along with the overall health of Lake Erie, the wildlife that depends on Lake Erie, the wildlife that traverses Lake Erie and the continuing restoration of Lake Erie will be placed at risk if wind turbines are constructed in the waters of Lake Erie;

**NOW, THEREFORE BE IT RESOLVED:**

The City of Lackawanna opposes, at this time, any efforts to introduce offshore wind turbines in the waters of Lake Erie.

**BE IT FURTHER RESOLVED**, that the City Clerk shall forward an email copy of this City Council resolution to:

- Honorable Governor Kathy Hochul: [Melissa.bochenski@exec.ny.gov](mailto:Melissa.bochenski@exec.ny.gov)
- Honorable United States Congressman Nicholas Langworthy: [repnicholaslangworthy@mail8.housecommunications.gov](mailto:repnicholaslangworthy@mail8.housecommunications.gov)
- Honorable Senate Majority Leader Andrea Stewart-Cousins: [scounsins@nyenate.gov](mailto:scounsins@nyenate.gov)
- Honorable Senate Minority Leader Rob Ortt: [ortt@nyenate.gov](mailto:ortt@nyenate.gov)
- Honorable Speaker of the Assembly Carl E. Heastie: [speaker@nyenate.gov](mailto:speaker@nyenate.gov)
- Honorable Majority Leader of the Assembly Crystal People-Stokes: [peoplesc@nyassembly.gov](mailto:peoplesc@nyassembly.gov)
- Honorable Minority Leader of the Assembly William A. Barclay: [barclayw@nyassembly.gov](mailto:barclayw@nyassembly.gov)
- Honorable New York State Senator Patrick Gallivan: [gallivan@nyenate.gov](mailto:gallivan@nyenate.gov)
- Honorable New York State Senator George Borrello: [borrello@nyenate.gov](mailto:borrello@nyenate.gov)
- Honorable New York State Assemblyman Andrew W. Goodell: [goodella@nyassembly.gov](mailto:goodella@nyassembly.gov)
- Honorable New York State Assemblyman David DiPietro: [dipietro@nyassembly.gov](mailto:dipietro@nyassembly.gov)
- Honorable New York State Assemblyman Jon Rivera: [riverajd@nyassembly.gov](mailto:riverajd@nyassembly.gov)

- Honorable Erie County Executive Mark Poloncarz: [county.executive@erie.gov](mailto:county.executive@erie.gov)
- Honorable Erie County Legislator John Mills: [john.mills@erie.gov](mailto:john.mills@erie.gov)
- Honorable Erie County Legislator John Gilmour: [john.gilmore@erie.gov](mailto:john.gilmore@erie.gov)
- Honorable Mayor of the City of Lackawanna Annette lafallo: [mayor@lackny.com](mailto:mayor@lackny.com)
- Honorable Mayor of the City of Buffalo Byron Brown: [bbrown@city-buffalo.com](mailto:bbrown@city-buffalo.com)

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 15, 2024  
Lackawanna, New York

Moved by Marrano seconded by et al to adopt resolution as written.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Resolution Permitting the City of Lackawanna and Erie County to Enter Into an Agreement With Respect to Preparation of Annual City Assessment Rolls by Erie County, Real Property Tax Services for the 2024-2025 Tax Year. The Cost For This Service is \$10,500 and Will be Paid From the Treasurer’s Budget.**

11. Grace Marrano, City Clerk  
714 Ridge Road  
Lackawanna, New York 14218

Re: County to Prepare Tax Bills Resolution

Dear Ms. Marrano:

Please put the attached resolution on the agenda for council approval.

Very truly yours,

**JOHN P. GAUGHAN, CITY ATTORNEY**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**RESOLUTION NO. 8, 2024**

**NOW, THEREFORE BE IT RESOLVED:**

**SECTION 1.** Pursuant to a resolution by the Lackawanna City Council, the Erie County Tax Act, Section 3-2.2 permits the City of Lackawanna and Erie County to enter into an agreement with each other with respect to the preparation of annual city assessment rolls by Erie County, Real Property Tax Services.

**SECTION 2.** The City of Lackawanna desires to enter into such an agreement with Erie County for the 2024-2025 tax year for Erie County Real Property Tax Services to assist the City of Lackawanna with respect to the preparation of its annual city assessment rolls as well as the assessment roll for the Lackawanna City School District (“LCSD”) for which the City of Lackawanna’s Treasurer’s Office is the tax collector for the Lackawanna City School District.



**SECTION 3.** Such Agreement shall provide for payment of such services from the City of Lackawanna to Erie County which for the 2024/2025 tax year, payment for such services is anticipated to be approximately \$10,500.00 or less for the City of Lackawanna which will include three phases: the printing of the first half of the City tax bill for each parcel by July 25, 2024; the printing of the second half City tax bill for each parcel by July 25, 2024; and the printing of the LCSD tax bill tax by July 25, 2024. For example, the 2023/2024 calculation for one printing of one phase of bills would have equated to: 6949 parcels in Lackawanna at \$0.469322 for printing each tax bill, equaling a \$3,261.32 expense to the City of Lackawanna.

**SECTION 4.** The Lackawanna City Council authorizes that such anticipated expense be paid from the Treasurer's Office (A-1325) budget, specifically line item printing tax roll (442) where \$8,000 was previously allocated for such expense.

**SECTION 5.** That the City's Treasurer's Office and City's Law Department work with Erie County Real Property Tax Services and Erie County's Law Department to prepare the necessary documents to effectuate said agreement for Erie County to assist the City of Lackawanna and the LCSD with respect to the preparation of both of its annual city assessment rolls for tax year 2024/2025.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 15, 2024  
Lackawanna, New York

Moved by Marrano seconded by Anderson to adopt resolution amending Section 4.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Ratification of the Ordinance Authorizing an Inter-Fund Advance Between the General Fund and the Capital Fund. This is to Ratify the Action Taken at the June 27, 2024 Special Meeting Authorizing the Ordinance.**

12. Lackawanna Council President  
Lackawanna City Council  
714 Ridge Road  
Lackawanna, NY 14218

Re: Ratification of Ordinance Authorizing an Inter-Fund Advance Between the General Fund and Capital Fund.

Council President:

As a result of the Ordinance Authorizing an Inter-fund Advance Between the General Fund and Capital Fund not being on the agenda for the June 27, 2024 Special Meeting but nonetheless being voted on during same, the Council must place the same item on the July 15, 2024 agenda to ratify the action at the June 27, 2024 Special Meeting authorizing the ordinance.

Please place this item with the ordinance on the July 15, 2024 City Council regular meeting to ratify same.

Please contact me with any questions. Thank you.

Respectfully submitted,  
**JOHN P. GAUGHAN, CITY ATTORNEY**

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 Capital Fund will repay the General Fund \$1,159,117 from the remaining amount not utilized for the South Park City Hall Project.

SECTION 2. That the Capital Fund repayment will go into the City's Fund Balance.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
Lackawanna, New York

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

Carried 5-0

#### **Requests the City Council Authorize the Mayor to Sign the Attached Proposed Agreement with Michael Milks for Training and Consulting Services With the City Assessor's Office.**

13. Lackawanna Council President  
Lackawanna City Council  
714 Ridge Road  
Lackawanna, NY 14218

Re: Assessor Training- proposed AGREEMENT with Michael Milks.

Council President and Honorable Council:

Respectfully, I write to request that you place the attached proposed agreement on the City Council's July 15, 2024 agenda for you to consider permitting the Mayor to sign the attached proposed agreement with Michael Milks, Assessor, for training and consulting services with the City's Assessor's Office. Please contact us with any questions. Thank you.

**A copy of the agreement may be obtained in the City Clerk's Office.**

Respectfully submitted,  
**JOHN P. GAUGHAN, CITY ATTORNEY**

Moved by Marrano seconded by Moretti to authorize the Mayor to sign agreement.  
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve the Ordinance Transferring \$15,000 From Development (Unspent Funds) to Recreation to Fund Payment of Splash Pad Staff.**

14. Frederic Marrano  
Lackawanna City Council President  
City Hall  
714 Ridge Road  
Lackawanna, N.Y 14218

RE: Funding Transfer – Splash Pad Staff

Dear Council President Marrano,

This correspondence is joint from myself and Brian Lakso, Director of Recreation.

We're requesting the following be placed on the 7/15 City Council meeting agenda for consideration:

- Approval of the attached ordinance transferring \$15,000 from Development (using unspent funds in the 'Demolition of Buildings' line) to Recreation (under the Part Time Recreation Attendants – Seasonal Line) to fund payment of splash pad staff at Franklin Playground.

Related budget account lines are noted in the ordinance.

Our apologies for the delay in putting this before you. This request was originally earmarked for the June 17<sup>th</sup> meeting agenda (prior to splash pad opening on July 8<sup>th</sup>) but it fell off our radar while addressing various deliverables related to the new fiscal year budget. We apologize for the oversight and an inconvenience.

In closing I reiterate that our request involves a transfer of unspent budgeted funds in the current fiscal year and not a use of the General Fund.

Sincerely,

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

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 Ordinances adopted June 5, 2023, is hereby amended to transfer budget appropriations for Recreation Playground Personal Services.

**SECTION 2.** That the 2023-2024 Budget Ordinances is hereby amended to decrease the budget line A.3620.0466 Development Demolition of Buildings by \$15,000.

**SECTION 3.** That the 2023-2024 Budget Ordinances adopted June 5, 2023, is hereby amended to increase the amount budgeted to expenditure code A.7140.0101 Playgrounds Personal Services by \$15,000.00.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
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 a Total of \$3,086.70 From Various Purchasing Budget Lines to the Budget Line for "Purchasing Overtime".**

15. Lackawanna City Council  
714 Ridge Road  
Lackawanna, New York

Honorable Council,

I am requesting the following budget transfers for the Department of Purchasing:

Transfer from A-1345-0250-0000 Computer Equipment	\$1,000
Transfer from A-1345-0402-0000 Photo & Reproduction Supplies	\$712.70
Transfer from A-1345-0468-0000 Software Maintenance	\$1,374.00

To A-1345-0102-0000 Overtime	Totaling:	\$3,086.70
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Respectfully,

**THOMAS NICOMETO, DEPARTMENT OF PURCHASING**

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 5, 2023, is hereby amended to transfer budget appropriations between various Purchasing Department budget lines.

**SECTION 2.** That the 2023-2024 Budget Ordinances is hereby amended to decrease the budget lines A.1345.250 Purchasing Computer Equipment by \$1,000.00, A.1345.0402 Purchasing Photo Reproduction and Supplies by \$712.70 and A.1345.468 Purchasing Software Maintenance by \$1,374.00. Budget line A.1345.102 Purchasing Overtime will be increased by \$3,086.70.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 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 Transferring Funds From Various Budget Codes Within the fire Department Budget to Cover the Costs Incurred at the End of the Budget Year.**

16. Lackawanna City Council  
Honorable Fred Marrano, President  
City Hall- Room 217  
714 Ridge Road  
Lackawanna, NY 14218

Dear Council Members,

I am requesting to transfer funds from several Fire Department budget lines to cover the costs incurred at the end of the budget year.

The transfers within the Fire Department budget are as follows:

\$494.36 from budget line 3410.0268 into budget line 3410.0443

\$482.80 from budget line 3410.0259 into budget line 3410.0467

\$1,151.85 from budget line 3410.0259 into budget line 3410.0467

I have reviewed these transfers with the Comptroller's Office.

If you have any questions please feel free to contact me.

Sincerely,

**JAMES J. FINO, FIRE CHIEF**

Moved 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 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 5, 2023, is hereby amended to transfer budget appropriations between various Fire Department budget lines.

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to decrease the budget lines A.3410.259 Fire Department SCBA and Aerial Recertification by \$482.80 and A.3410.268 Fire Department Office Equipment by \$494.36. Budget line A.3410.443 Fire Department Repairs to Buildings and Equipment will be increased by \$977.16.

**SECTION 3.** That the 2023-2024 Budget Ordinance adopted June 5, 2023, is hereby amended to decrease budget line A.3410.259 Fire Department SCBA and Aerial Recertification by \$1,151.85 and increase the amount budgeted to expenditure code A.3410.467 Fire Department Training Schools by \$1,151.85.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
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 Placing the Funds Received From the Sale of the Old SCBA Equipment be Transferred to "Fire Department: Emergency Equipment" Budget Line.**

17. Lackawanna City Council  
Honorable Fred Marrano, President  
City Hall- Room 217  
714 Ridge Road  
Lackawanna, NY 14218

Dear Council Members,

I am requesting the funds received from the sale of old SCBA equipment to be transferred into the Fire Department budget line 3410.0253. The \$1,850.00 was received on March 27, 2024 and the Council approved this transfer at the May 8, 2023 meeting.

The delay in the sale of the equipment is due to this equipment being used for new recruits at two academy classes.

If you have any questions please feel free to contact me.

Sincerely,

**JAMES J. FINO, FIRE CHIEF**

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 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 5, 2023, is hereby amended to increase the budgeted revenues and appropriations to recognize the receipt of revenue from the sale of Fire Department equipment.

**SECTION 2.** That the 2023-2024 Budget Ordinance is hereby amended to increase the amount budgeted to revenue code **A.2770**, ENTITLED **“Other Unclassified Revenue”**, by **\$1,850.00**.

**SECTION 3.** That the 2023-2024 Budget Ordinance adopted June 5, 2023, is hereby amended to increase the amount budgeted to expenditure code **A.3410.0253**, entitled **“Fire Department: Emergency Equipment”** by **\$1,850.00**.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
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 Authorizing an Inter-Fund Advance Between the General Fund and the Capital Fund in the Amount of \$3,151,555.33. The City Has Been Reimbursed by Various Agencies for Work Completed With the Grant/Funding Source Requirements.**

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

Dear Honorable Body:

Per review of the Capital Fund Projects, the City has been reimbursed by various agencies for work that has been completed in accordance with the grant/funding source requirements. As such, an Ordinance is attached for your review and consideration to move a total of \$3,151,555.33 back to the General Fund from the various Capital Projects listed below.

H.2080.0602 – Fire Training Facility - \$222,134.73  
H.2080.0603 – Fire Protective Equipment - \$160,000.00 (To Close Project)  
H.2080.0613 – Fire Rescue Equipment - \$119,944.60  
H.2080.0606 – Wilmuth Avenue Project - \$449,476.00  
H.2080.0601 – Cleveland Drive Project - \$200,000.00  
H.5110.0201 – Center Street Project - \$2,000,000.00  
Thank you for your kind attention in this respect.

Very truly yours,  
**PEGGY BIGAJ-SOBOL, ASSISTANT CITY COMPTROLLER**

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 Capital Fund will repay the General Fund \$3,151,555.33 from the following projects: H.2080.0602 – Fire Training Facility - \$222,134.73, H.2080.0603 – Fire Protective Equipment - \$160,000.00 (To Close Project), H.2080.0613 – Fire Rescue Equipment - \$119,944.60, H.2080.0606 – Wilmuth Avenue Project 0 \$449,476.00, H.2080.0601 – Cleveland Drive Project - \$200,000.00, and H.5110.0201 – Center Street Project - \$2,000,000.00.

SECTION 2. That the Capital Fund repayment will go into the City’s Fund Balance.

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.**

Dated: July 16, 2024  
Lackawanna, New York

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

Carried 5-0

**Communications from Citizens:**

**Requests the City Council Approve the Start of Their Labor Day Parade at the Dorrance Ave and McKinley Parkway Circle. The Parade Will Begin at 11:00 A.M. on September 2, 2024.**

19. Grace Marrano, City Clerk  
City of Lackawanna  
714 Ridge Road, Room 215  
Lackawanna, New York 14218

Dear Ms. Marrano,

I would like to thank you and the City of Lackawanna for your continued support and generosity in allowing the Buffalo Central Labor Council, AFL-CIO to start our parade in your community. We again are asking your permission to start our 2024 Labor Day parade at the Dorrance Ave & McKinley Parkway Circle at and around Holy Cross Cemetery. We will head on McKinley Parkway to Red Jacket Parkway into Cazenovia Park. We will begin line up at 10am and parade will start at 11am.

We continue to work with the City of Buffalo in organizing this event with great success, as long as mother nature cooperates, year after year. We have filed all petitions and permits that are required, including insurance and will again give neighborhood notice with flyering and through social media. We will have staff along the parade route to ensure safety and flow.

If any other information is needed, please let me know. We appreciate your consideration again this year and look forward to a great event.

Thank you,



**DENISE ABBOTT, PRESIDENT**

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Requests the City Council Approve Her Request to Place Posters in City Hall, Distribute Fliers at City Events and Also Place Information on the City's Social Media Page. Ms. Barrett's Son was Diagnosed with Leukemia in November of 2023 and is Hosting an Event to Raise Funds to Help Defray Expenses.**

20. Lackawanna City Council  
Honorable Frederic Marrano, Esq., City Council President  
714 Ridge Road  
Lackawanna, NY 14218

Judge Marrano,

My name is Karra Barrett and I am writing to you today on behalf of my 11-year-old son, Bradley Barret. Bradley and I have been Lackawanna residents since 2015. In fact, for about seven years, we lived on your street. We moved after our former landlords sold the house and moved. Bradley and I got to know your wife Casey Jones!

Tragically, Bradley was diagnosed with Leukemia in November 2023. A cancer diagnosis is difficult for any family, of course. I have raised Bradley by myself since he was born. In that less-than-ideal situation, I was able to complete my bachelor's degree and begin and complete a master's degree in social work. Bradley has excelled as well. In his first year of eligibility, fourth grade, he was inducted into the National Elementary Honor Society. He has attended Lackawanna City Schools since pre-k and has often earned meritorious awards in math and ELA. Despite only going to school for about two months in the 2023-2024 school year, and having two months-long hospitalizations, Bradley finished near the top of his entire fifth grade class in both math and ELA. Bradley also participates in many extra-curricular activities including band and sports. When he was diagnosed, he was on a hockey and basketball team. His coaches frequently look toward him to be a leader and role model. He is truly a gentleman and a scholar.

Bradley has faced his diagnosis with the grace and dignity this world so desperately needs. I am writing to you today to see if you would be able to help us in our efforts to raise funds to help offset the financial burdens of a cancer diagnosis. I have included a copy of our flier that contains a QR code link to our GoFundMe page. Additionally, a good friend of ours has organized a benefit (flier enclosed) to help us raise critical funds. Treatment for pediatric leukemia is at least two and a half years. Beyond the obvious costs of treatment itself, there are many unseen expenses such as fuel costs to/from multiple appointments, parking, extra wear and tear (e.g. oil changes) on a vehicle, unpaid time off work, food during long hospital admissions, etc. We are looking for help from the City in general and your office, specifically, to help promote this event on social media, with fliers at City events, hanging posters in City Hall etc.

Please feel free to reach me via the above-listed contact methods. Thank you in advance for any assistance you are able to provide.

Very Truly Yours,  
**KARRA BARRETT, RESIDENT**

Moved by Marrano seconded by et al to approve request, with best wishes and Godspeed with the recovery of Ms. Barrett's son.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

**Tabled Items:**

**Old Business:**

**Adjournment:**

Moved by Marrano seconded by Moretti to adjourn meeting.

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.

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