

Regular Council Meeting
Monday, September 23, 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(E), Development/Marketing(E), Public Safety, Assistant
Comptroller, Recreation (E), Public Works

Hearings from Citizens:

Approval of Minutes: of the regular meeting of September 3, 2024.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of September 3, 2024.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **Assistant Comptroller** – A/P Check Listing #3, dated 8/26/2024.
2. **Assistant Comptroller** – A/P Check Listing #4, dated 9/3/2024.
3. **City Clerk** – Monthly Report for August, 2024.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Division/Department Heads:

Requests the City Council Approve the Memorandum of Understanding Between the City and Erie County Sewer District and Authorize the Mayor to Sign Same. Memorandum is Attached.

4. Grace Marrano, City Clerk
714 Ridge Road
Lackawanna, NY 14218

Re: MOU between City and Erie County Sewer District

Dear Ms. Marrano:

Please put the attached Memorandum of Understanding on the agenda for council approval authorizing the Mayor to sign.

Very truly yours,

JOHN P. GAUGHAN, CITY ATTORNEY

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

Moved by Marrano seconded by Muflahi to approve the Memorandum of Understanding and for Mayor to sign same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Agreement Between the City and Frank Krakowski and Authorize the Mayor to Sign Same. The Agreement is for Training of the Staff in the Assessor's Office for 4 Hours Per Week at a Rate of \$41.61. The Term of the Agreement is September 4, 2024 Through June 30, 2025.

5. Grace Marrano, City Clerk
714 Ridge Road
Lackawanna, NY 14218

Re: Agreement between City and Frank Krakowski

Dear Ms. Marrano:

Please put the attached agreement on the agenda for council approval authorizing the Mayor to sign.

Very truly yours,

JOHN P. GAUGHAN, CITY ATTORNEY

AGREEMENT

- 1) Statement of Agreement: Frank E Krakowski ("Frank") agrees to provide THE CITY OF LACKAWANNA ("City") with Assessor Office training and consultation to City staff during the term of this Agreement.
- 2) Delivery of Services:
 - a. Frank will sit with city staff for at least four (4) hours a week for regular training.
 - b. Training shall follow the Assessment calendar to ensure all tasks are completed in order to file the assessment roll.
 - c. Additional hours will be completed on an as needed basis.
- 3) The City of Lackawanna will pay Frank an hourly rate of \$41.62
 - a. Frank will submit a record of activities in order to be paid.
- 4) The term of this Agreement shall be for the period of the term, commencing on September 4, 2024, and continuing to June 30, 2025.
- 5) Either party may terminate this agreement upon thirty (30) days prior written notice of such termination, at which time any payments paid or receive shall be pro-rated for the term during which agreement shall have been effective.
- 6) The parties hereto have executed this Agreement the day and year first written above.

Dated: 9/23/2024

Lackawanna, New York

Moved by Marrano seconded by Anderson to approve agreement and for Mayor to sign same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Bid Award to Dival Safety Equipment, Inc. in the Amount of \$35,460.85 for Firefighting Confined Space Equipment. This Was the Only Bid Received. Ninety-Five Percent of this Purchase Will be Reimbursed by the Assistance to Firefighter's Grant.

6. Lackawanna City Council
Honorable Fred Marrano, President
City Hall – Room 217
714 Ridge Road
Lackawanna, NY 14207

Re: Bids on AFG Grant Equipment

Dear Council Members,

I have reviewed the bid for the equipment specified in the 2023 AFG grant that was received by the fire department. I recommend the bid be awarded to the following company:

Dival Safety Equipment, Inc.
1721 Niagara Street
Buffalo, NY 14207

Attached is the City Clerk's record of the opening and the bids that were received. Dival Safety Equipment, Inc. provided the only bid for the exact items requested. Ninety-five percent of this purchase is being reimbursed through the 2023 Assistance to Firefighter's Grant award and the remaining five percent will be taken from the fire department budget.

*Lackawanna Fire Department
1630 Abbott Road
Lackawanna, NY 14218*

Attn: Chief James Fino

Chief, thank you for the opportunity to quote confined space items for the fire department. As you are aware, training and service is recommended for these products. As an additional incentive, I would like to include the training and services listed below at NO CHARGE.

- 1) Scott Mobile Air Cart and Scott SKA Pak operational training*
- 2) Operational training on the MultiRae Lite and GFG 450 instruments*
- 3) First year flow test on the four (4) Scott SKA Paks at no charge*
- 4) First year calibration on the six (6) GFG 450's and one (1) MultiRae Lite instruments*

This equates to over a \$1200.00 value to the fire department and City. It also ensures this life saving equipment is working properly and your firefighters are confident in the operation of this equipment. DiVal Safety Equipment is committed to making sure your firefighters get home safe to their families every day.

Regards,
MARK RABENT, SALE REPRESENTATIVE

Sincerely,
JAMES J FINO, FIRE CHIEF

Moved by Marrano seconded by Moretti to approve bid award to Dival Safety Equipment.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve an Ordinance amending the 2024-2025 Budget to Add a New Budget Code for the (AFG) Assistance to Firefighters Grant.

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

City Council

The Fire Department has been awarded a 2023 Assistance to Firefighters Grant in the amount of \$37,522.79. This grant is for the purchase of rescue equipment for the fire department. The department will be purchasing a mobile air cart with airline hose and 4 cylinders, air monitoring kit, and 6 four gas detectors. I am requesting the creation of a budget line for incoming funds for this grant. The City does not have to advance any funds for this project. Invoices are submitted and funds are released to the city to pay for the received items. Any questions please feel free to contact me.

Thanks,

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 2024-2025 BUDGET ORDINANCES ADOPTED JUNE 27TH, 2024.

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

SECTION 1. That the 2024-2025 Budget Ordinances adopted June 27, 2024, is hereby amended to establish a new budget code H.2080.0605.0002 for the AFG Assistance to Firefighters Grant.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 24, 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 \$750,000 from Unappropriated Fund Balance to the Snow Storm Budget Line.

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

Dear Honorable Body:

The Mayor has asked that \$7500,000.00 be transferred from Unappropriated Fund Balance to the A.5110.0444 Snow Storm Budget Line. This will allow invoices to be paid timely in the event of a major snow storm. The Ordinance is attached for your review and consideration.

Thank you for your kind attention in this respect.

Very truly yours,

PEGGY BIGAJ-SOBOL, ASSISTANT 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 AMENDING THE 2024-2025 BUDGET ORDINANCES ADOPTED JUNE 27TH, 2024.

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

FOR THE GENERAL FUND

SECTION 1. That the 2024-2025 Budget Ordinance adopted June 27th, 2024, is hereby amended to transfer **\$750,000.00** of unappropriated fund balance to Budget Code **A.5110.0444 ("Snow Storm")**.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 24, 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 List of Transfers to Balance All of the Accounts That Were in the Red at July 31, 2024.

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

Re: 2023-2024 Budget Transfers for Council Approval

Dear Honorable Body:

Attached please find a list of transfers for your approval. These transfers will balance all of the accounts that were in the red at July 31, 2024.

If you have any questions, feel free to give me a call.

Respectfully,

PEGGY BIGAJ-SOBOL, ASSISTANT COMPTROLLER

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

Moved by Marrano seconded by Surdyke to approve list of transfers.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Advises the City Council Pursuant to Chapter 12.12, Subdivision (C) 2 of the City Charter That a List of Transfers Was Made to Balance Many of the 2023-2024 Accounts. This Was Done After a Review of the Various Departments Within City Hall.

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

Re: 2023-2024 Budget Transfers

Dear Honorable Body:

Please be advised, pursuant to Chapter 12.12, Subdivision (C)2 of the City Charter, after a review of the Office of the Department of Personnel, Office of the Department of Law, Office of Public Information, Department of Development, Department of Public Works, Department of Public Safety, and Department of Recreation, the attached lists of transfers were made to balance many of the 2023-2024 accounts.

Respectfully,

PEGGY BIGAJ-SOBOL, ASSISTANT COMPTROLLER

A copy of the list of transfers may be obtained in the City Clerk's Office.

Moved by Marrano seconded by Muflahi to receive and file.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Ordinance to Transfer funds From the Sale of the Elgin Street Sweeper (Scrap Vehicle) in the Amount of \$8,175.

11. To: Comptroller's Office
From: Dan Geercken – Senior Foreman
Re: Transfer of Funds – Sale of Scrap Vehicle

I am requesting that the Comptroller Transfer funds from Sale of Scrap Revenue budget line A.2650 in the amount of \$8,175.00 to Maintenance of Streets Equipment budget line A.5110.0201 from the sale of Elgin street sweeper (Scrap Vehicle) previously approved by the Council.
Please see the attachment.

Respectfully,
DANIEL GEERCKEN, SENIOR FOREMAN OF PUBLIC WORKS

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 2024-2025 BUDGET ORDINANCES ADOPTED JUNE 27TH, 2024.
BE IT ENACTED** by the City Council of the City of Lackawanna, New York, as follows:

- SECTION 1.** That the 2024-2025 Budget Ordinance adopted June 27, 2024, is hereby amended to increase the budgeted revenues and appropriations to recognize the receipt of revenue from the sale of DPW vehicles, that was approved at the March 4, 2024 Council meeting.
- SECTION 2.** That the 2024-2025 Budget Ordinance is hereby amended to increase the amount budgeted to revenue code **A.2650**, entitled **“Sale of Scrap”**, by **\$8,175.00**.
- SECTION 3.** That the 2024-2025 Budget Ordinance adopted June 27, 2024, is hereby amended to increase the amount budgeted to expenditure code **A.5110.0201**, entitled **“Maintenance of Streets – Equipment”** by **\$8,175.00**.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 24, 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 Creating a Budget Line for the Law Enforcement Technology Grant Received Through the Department of Criminal Justice Services in the Amount of \$130,400.

12. Honorable Frederic J. Marrano
Honorable Members of the Lackawanna City Council
714 Ridge Road
Lackawanna, New York 14218

Dear Council Members;

The City of Lackawanna Police Department has been awarded a "Law Enforcement Technology Grant", through New York State Department of Criminal Justice Services (DCJS), in the amount of \$130,400.00. The city has received these funds.

I respectfully request that the Lackawanna City Council approve the creation of a Budget Line (A3120.0270) in the 2024-2025 Operating Budget, so these funds may be deposited therein, and drawn upon by the City of Lackawanna Police Department.

This grant is fully funded through the New York State Department of Criminal Justice Services, and will incur no cost for the City of Lackawanna.

Thank you for your consideration of this request.

Respectfully,
MARK D. PACKARD, CHIEF OF POLICE

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 2024-2025 BUDGET ORDINANCES ADOPTED JUNE 27TH, 2024
BE IT ENACTED** by the City Council of the City of Lackawanna, New York, as follows:

- SECTION 1.** That the 2024-2025 Budget Ordinance adopted June 27th, 2024, is hereby amended to increase revenues and appropriations for the **Law Enforcement Technology Grant (DCJS)**.
- SECTION 2.** That the 2024-2025 Budget Ordinance is hereby amended to increase revenues by \$130,400.00 to budget code A.3801 Law Enforcement Technology Grant.
- SECTION 3.** That the 2024-2025 Budget Ordinance is hereby amended to add \$130,400.00 to budget code A.3120.0270 Police Department, Law Enforcement Technology Grant.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 24, 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 to Waive the Rules:

Moved by Muflahi seconded by Marrano to waive the rules.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

Requests the Council Approve the Traffic and Vehicle Ordinances – No Parking on Shannon Drive.

To: Honorable Council President
Honorable Council Members
From: Mayor Iafallo and Councilman Surdyke
Re: Traffic Ordinance-Shannon Drive

Working together with Councilman Surdyke we request that your Honorable Body waive the rules at tonight's Council Meeting and approve the attached Traffic Ordinance prohibiting parking on Shannon Drive during the hours of 6:30 A.M. and 3:30 P.M.

It has been brought to our attention that the students are blocking fire hydrants and are emptying their garbage from their car onto the street. These students are exhibiting a total disrespect for residents of Shannon Drive, as they had done in the past on Josie Drive. Cars/Trucks should be ticketed or towed if appropriate.

Attached is an email from Mr. John Gaughan, a resident of Shannon Drive.

Thank you in advance for your anticipated cooperation.

Council President-

I have learned that the Council may be addressing (later this evening) a student parking issue on Shannon Drive. As you know, I do live on Shannon and Josie. Student parking has been a concern for years as the students throw garbage all over, not picking same up, and unsafely operating (speed; burn tires; drive in reverse; block lanes of traffic; park in front of fire hydrants and walkways) motor vehicles. This year is no different. When students are arriving to go to school or at dismissal, if there is no police presence, there are numerous traffic infractions being committed on Shannon/Josie. I have seen by direct observation.

Please contact me with any questions. Thank you.

JOHN P GAUGHAN, RESIDENT

Respectfully,

ANNETTE IAFALLO, MAYOR

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 CHAPTER 215, TRAFFIC AND VEHICLES, OF THE CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 60.43 shall add the following:

194. Shannon Drive

On both sides East, West, North and South side:

No parking at any time on both sides East, West, North or South side of Shannon Drive, Monday through Friday between 6:30 A.M. and 3:30 P.M.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: September 24, 2024
Lackawanna, New York

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

Carried 5-0

Communications from Citizens:

Requests the City Council Approve the Waiving of Any Fees Associated With the Annual Veteran's Day Parade at 11 A.M. on November 2, 2024.

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

Thank you so much for your help-getting with our 2023 Veterans Memorial Parade. We are pleased to announce we are going to do it again. We are asking the Lackawanna Common Council to please waive the fees for our parade which will pass thru Lackawanna at McKinley Parkway on route to the Botanical Gardens.

The date of the Parade is November 2, 2024

The parade will begin promptly at 11 am.

The Parade route is as follows:

Starting at the roundabout on Red Jacket and McKinley Parkway to the Botanical Gardens.

The route will follow McKinley Parkway.

The Lackawanna city lines begins at the roundabout at Dorrance and McKinley Parkway. We would like you and or your staff to join us at our meeting to go over the details of the parade. TBA

Our National Anthem will begin our ceremony.

Ceremony details to be determined.

There will be brief acknowledgements from our military officials.

Please call Phil Arnold at (716) 912-6952, Van Taylor at (716) 507-2884 for more information regarding this parade.

Sincerely thanks,

VAN TAYLOR, PUBLIC RELATIONS

Moved by Marrano seconded by Moretti to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Business Registration:

Mansoor Saleh, Baraka Eats and Treats (Restaurant), 119 Wilkesbarre St.

Moved by Marrano seconded by Muflahi to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

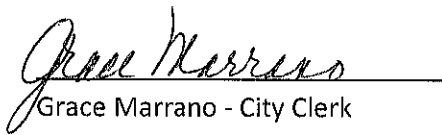
Carried 5-0

Adjournment:

Moved by Marrano seconded by et al in memory of Robert Balon and Julie Marrano.
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