

Regular Council Meeting
Monday, October 7, 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, Public Works

Hearings from Citizens:

Approval of Minutes: of the regular meeting of September 23, 2024.

Moved by Marrano seconded by Muflahi to adopt minutes of the regular meeting of September 23, 2024.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Departmental Reports:

1. **Assistant Comptroller** – A/P Check Listing #5, dated 9/16/2024.
2. **Assistant Comptroller** – A/P Check Listing #6, dated 9/26/2024.
3. **Treasurer** – Cash Receipt Totals, 8/1/2024-8/31/2024.
4. **Treasurer** – Cash Receipt Totals, 9/1/2024-9/30/2024.
5. **City Clerk** – Monthly Report, 9/1/2024-9/30/2024.

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 Adding Chapter 178 Transient or Short-Term Rentals Prohibited, to the City Code.

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

Re: Ordinance adding Chapter 178 Transient or Short-Term Rentals Prohibited to the City Code

Dear Ms. Marrano:

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

Very truly yours,

JOHN P. GAUGHAN, CITY ATTORNEY

Moved by Muflahi seconded by Anderson to TABLE item #6.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council Approve the Ordinance Amending Chapter 75, Building Code Administration, of the Lackawanna Municipal Code.

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

Re: Section 75-16 Fee Schedule Ordinance

Dear Ms. Marrano:

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

Very truly yours,

JOHN P. GAUGHAN, CITY ATTORNEY

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 CHAPTER 75, BUILDING CODE ADMINISTRATION, 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 75.16 shall be rescinded and replaced as follows:

A fee schedule shall be established by ordinance of the City Council of the City of Lackawanna. Such fee schedule may thereafter be amended from time to time by like ordinance. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the submission of applications, the issuance of building permits, amended building permits, renewed building permits, certificates of occupancy, temporary certificates, operating permits, fire safety and property maintenance inspections, and other actions of the Code Enforcement Officer described in or contemplated by this chapter.

Fee Schedule

§ 75-16

Penalty Fees	
Work Performed Without Permit	
Contractor	Greater of \$200 or 2x permit fee
Homeowner	Greater of \$150 or 2x permit fee
Non-Compliance with Construction Inspection	\$250/inspection

Missed Inspection (w/o 24-hour notice)	\$50
Stop Work Order	\$250

Contractor License – All Types	\$100
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Residential Construction:	Filing Fee:	Plan Review:	Other
Single Dwelling	\$15	\$45	+ \$0.40/sq. ft.
Multiple Dwellings (3+ dwelling units / building)			
Permanent occupancy	\$15	\$45	+ \$450 /dwelling unit
Transient occupancy	\$15	\$45	+ \$300 /sleeping unit
Residential Additions	\$15	\$45	+ \$0.40/sq. ft.
Residential Repairs/Alterations	\$15	\$30	+ 1% of construction cost
Commercial Construction:	Filing Fee	Plan Review	Other
New Commercial/Industrial	\$15	\$95	+ \$0.25/sq. ft.
Additions	\$15	\$95	+ \$0.25/sq. ft.
Repairs/Alterations	\$15	\$45	+ 1% of construction cost
Miscellaneous:			
Private Garage	\$15	\$30	+ \$0.20/sq. ft.
Covered Porch, roofs over decks, carports, sheds	\$15	\$30	+ \$0.15/sq. ft.
Exterior deck, stairs and ramps	\$15	\$30	+ \$0.15/sq. ft.
Roofing Residential (re-roof/replacement)	\$15		+ \$50
Siding Residential	\$15		+ \$35
Roofing Commercial (re-roof/replacement)	\$30		+ \$0.02/sq. ft.
Siding Commercial	\$15		+ \$185
Fence	\$35		+ 0.10/linear foot

Residential flat work (driveway, patios, sidewalks)			\$50
Temporary tent or membrane structure (400 sq ft or greater)	\$15		+ \$80
Pool (electrical permit required)			
Above ground	\$15	\$20	+ \$25
Inground	\$15	\$20	+ \$100
Spa / Hot Tub	\$15	\$20	+ \$25
Solid Fuel Burning (heating appliances, chimneys and flues)	\$15		+ \$30
Miscellaneous: (continued)	Filing Fee	Plan Review	Other
Signs			
Individual / Multiple – Permanent	\$10	\$30	+ \$3/sq. ft.
Individual / Multiple – Refacing	\$10	\$30	+ \$2/sq. ft.
Temporary (per month)	\$10		+ \$60 (30-day permit)
Certificate of Occupancy			\$50
Zoning Compliance Letter			\$75
Moving Buildings and oversized loads	\$15		+ \$500
Planning and Development Board Review	\$10		< 0.5 acre \$50 0.5-1.0 acre \$200 1.0-2.0 acre \$400 2.0-5.0 acre \$400 5+ acres \$400 plus \$100 / acre
Special Use Permit	\$500		

Zoning Board Appeal			
Land Use Variance	\$250		
Zoning Law Appeal	\$250		
Demolition:			
Residential (1 and 2 Dwelling Units)	\$50	P	+ \$75
Commercial	\$50		+ \$50/1,000 sq. ft. (\$200 minimum)

Electrical Permit Fees	Filing Fee	Plan Review	O Other
Residential 1 Family Dwelling	\$15		+ \$50
Residential 2 Family Dwelling	\$15		+ \$70
Residential Multi-Family Dwelling (3 or more units)	\$15		+ \$90
Generator Installation	\$15		+ \$50
Commercial/Industrial			
1,000 sq. ft. or less	\$15		+ \$100
1,001-20,000 sq. ft.	\$15		+ \$200
20,001 sq. ft. and above	\$15		+ \$300
Fire Protection Equipment			
5000 sq. ft. or less	\$15		+ \$150
Excess of 5000 sq. ft	\$15		+ \$200
Non-residential Fire Protection/Alarm Equipment	\$15		+ \$200

Electrical License Renewal	\$100		
PV system (Solar)			
Residential	\$15		+ \$60
Commercial	\$10	\$40	+ 1% of confirmed cost (excluding electrical permit)

Plumbing Permit Fees	Filing Fee	Plan Review	Other
1 and 2 Family Dwelling	\$30		+ \$5 /fixture
Commercial (includes multi-dwelling)			1% confirmed cost
Sewer / Water line Repair/Replacement	\$15		+ \$50
Sump Pump	\$15		+ \$25
Bubbler / Drain Tile	\$15		+ \$35
Hot Water Tank	\$15		+ \$15
Plumbing License Renewal	\$100		

Communication Towers:	Filing Fee	Plan Review	Other
Tower up to 150 feet	\$15	\$4,500	
Per foot cost exceeding 150 feet		\$100	
Co-location of arrays or antennas	\$15	\$1,500	

Micro-cell Towers			
New Pole (does not include electrical permit)	\$1,500	\$2,000	
Per additional small wireless facility (does not include electrical permit)	\$500		\$500 small wireless facility

Mechanical Permit Fees	Filing Fee	Plan Review	Other
Residential HVAC	\$15		+ \$75
Commercial HVAC	\$15		+ \$235

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Dated: October 8, 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 Proposed Fire Chief Contract for August 1, 2024 Thru July 31, 2028 and Authorize Mayor to Execute Same. Contract Attached.

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

Re: Proposed Fire Chief Contract

Council President and Honorable Council:

Please place the enclosed proposed Fire Chief Contract for August 1, 2024 thru July 31, 2028 on the agenda for the next council meeting for your consideration to authorize the Mayor to execute same.

Please contact me with any questions.

Respectfully submitted,

JOHN P. GAUGHAN, CITY ATTORNEY

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

Moved by Marrano seconded by Moretti to approve the Fire Chief contract and for Mayor to execute same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the City Council to Approve the Proposed Police Chief Contract and Authorize Mayor to Execute Same. Contract Attached.

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

Re: Proposed Police Chief Contract

Council President and Honorable Council:

Please place the enclosed proposed Police Chief Contract on the agenda for the next council meeting for your consideration to authorize the Mayor to execute same.

Please contact me with any questions.

Respectfully submitted,

JOHN P. GAUGHAN, CITY ATTORNEY

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

Moved by Marrano seconded by Surdyke to approve the Police Chief contract and for Mayor to execute same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

Requests the City Council Approve the Closure of Church Street in Front of 2nd Baptist Church on Saturday, October 12, 2024 From 11:00 A.M. Until 3:00 P.M. for the 1st Ward Fall Festival.

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

I'm requesting that Church Street be closed to traffic in front of 2nd Baptist church from 11 am to 3 pm on Saturday October 12, 2024.

Community Volunteers are organizing our 1st Ward Fall Festival and expect a large number of children in attendance.

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

Thank you for your assistance in keeping our children safe.

KIMBERLY SMITH, RESIDENT

Moved by Marrano seconded by Muflahi to approve request, refer to Public Safety and Public Works.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Requests the city Council Approve the Closing of Steelawanna Ave. Between Pearl St. and Washington St. for the Fall Festival on Saturday, October 26, 2024 From 5:00 P.M. Until 8:00 P.M.

11. Lackawanna City Council
714 Ridge Road
Lackawanna, New York 14218

To whom it may concern,

Hello my name is Yakenna L. Burse the creator and administrator for Lackawanna’s Fall Harvest Festival. The festival was postponed after COVID and this year we are anticipating carrying on this community event. With that, I am requesting that Steelawanna Ave. be blocked off between Pearl St. and Washington St, from 5pm to 8pm for activities and games. If you have any questions or concerns please reach out, my contact information is below.

Sincerely,
YAKENNA BURSE,ADMINISTRATOR

Moved by Muflahi seconded by Anderson to approve request, refer to Public Safety and Public Works.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

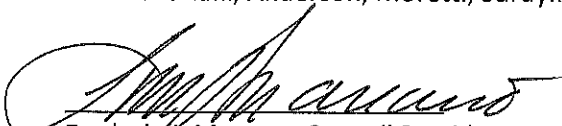
Business Registration:

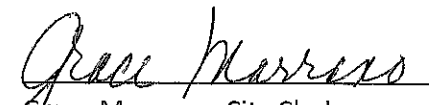
Ridna Nagi, Alnoor International, Retail Store (middle eastern foods, fruits, tobacco), 1346 Electric Avenue.

Moved by Muflahi seconded by Marrano to TABLE request.
Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

Adjournment:

Moved by Marrano seconded by Muflahi 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.