

ANNETTE IAFALLO, MAYOR

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 ADOPTING THE CURRENT EXPENSE BUDGET OF THE CITY OF LACKAWANNA FOR THE FISCAL YEAR 2025-2026

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

Section 1: The City Charter of the City of Lackawanna, New York requires that the City Council, at a meeting thereof, held not later than the 10th day of June, adopt a Current Expense Budget for the fiscal year, August 01st, 2025, through July 31st, 2026, showing all City expenditures and revenues and including the real property tax rate.

Section 2: That the sum of \$14,069,628, being the entire amount determined to be necessary to be raised by taxation to defray the expense of the City for the 2025-2026 fiscal year, in accordance with the detailed statement of revenues and expenses, as estimated and adopted by the City Council, be and the same is hereby levied upon all real and personal property subject to taxation upon the assessment roll of the City of Lackawanna for the 2025-2026 fiscal year.

Section 3: That the City Clerk be and hereby is directed to extend and apportion the said sum levied and to be raised by taxation, as aforesaid, in the last assessment roll of the City of Lackawanna delivered to her and to deliver a certified supplicate of the same, with a warrant annexed, under the seal of the City of Lackawanna, to the City Treasurer, commanding her to receive, levy and collect the several sums in said roll specified as assessed against the persons or property therein mentioned or described with such percentage in the manner provided by law for the collection and levying of City taxes by the City Treasurer.

Section 4: That the following schedule be and the same is hereby adopted as the Current Expense Budget of the City of Lackawanna for the fiscal year August 1, 2025 through July 31, 2026, along with the revenues and taxation estimated and levied herein, and that the same be and hereby is appropriated in the sums set forth in the third column of said schedule to the use of several boards, departments and offices for the purposes enumerated therein, wit:

Unified Tax Rate: \$18.13 of assessed valuation

Section 5: That the City Clerk be and is hereby directed to forward a copy of this Ordinance to the: City Treasurer; Director of Administration and Finance; City Comptroller and the City Attorney's Office.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: June 10,2025
Lackawanna, New York

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

Yeas: Anderson, Moretti, Marrano

Carried 3-2

No: Muflahi, Surdyke

Communication from the Council:

3. **First Ward Council Member Muflahi** – submits to the Council four (4) topics for discussion:

- A. Requests immediate opening for the Center St. / Franklin St. playground for the duration of the summer and the fall.
- B. Requests the repeal of the “Leave it on the Lawn” initiative and seeks supports to have the grass clippings picked up by DPW.
- C. Placing the speedbumps back near every playground. – withdrawn
- D. Update on the traffic light to be placed at the intersection of Steelawanna and Ridge Road.

June 2, 2025

Dear Respected City Council Members,

I would greatly appreciate the courtesy of discussing and voting on the following issues with you all at our June 9, 2025 City Council Meeting.

- I am requesting the immediate opening for the Center St. / Franklin St. Playground for the duration of the summer and the fall. The request is to include everyday regardless of the weather or if the Splash Pad is open or not.
- I am requesting the repeal of the “Leave it on the Lawn” initiative and seeking support to have grass clippings picked up by DPW. I am also asking to forgo the newly adopted policy of dropping off grass clippings at Steelawanna Ave. and having all clippings picked up as per usual before the change.
- Placing the speedbumps back near every playground as they were placed last year from Spring until Fall 2024. – withdrawn
- Lastly, I am seeking an update on the traffic light and cross walk due to be placed at the intersection Ridge Rd. and Steelawanna Ave.

Thank you for your time and consideration regarding these matters. I look forward to discussing these issues with you all.

AMIRA MUFLAHI, FIRST WARD CITY COUNCIL MEMBER

Moved by Marrano seconded by Muflahi to receive and file Items A, B and D.

Yeas: Muflahi, Anderson, Surdyke, Marrano

Carried 4-1

No: Moretti

Communications from Division/Department Heads:

4. **City Attorney** – Requests the City Council approve the resolution between the City of Lackawanna and Spectrum Northeast, LLC and to authorize Mayor to sign same.

May 30, 2025

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

RE: Agreement between City and Spectrum Northeast, LLC

Dear Ms. Marrano,

Please put the attached agreement on the agenda between the City of Lackawanna, and Spectrum Northeast, LLC for council approval authorizing the Mayor to sign.

ARIANNA KWIATKOWSKI, CITY ATTORNEY

Moved by Marrano seconded by Moretti to receive and file, act on resolution, authorize Mayor to execute same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 16, 2025

An application has been duly made to the Board of the **City of Lackawanna, County of Erie**, New York, by **Spectrum Northeast, LLC**, an indirect subsidiary of Charter Communications, Inc. (“Charter”), a limited liability company organized and existing in good standing under the laws of State of Delaware doing business at 2604 Seneca Avenue, Niagara Falls, NY 14305, for the approval of a renewal agreement for Charter’s cable television franchise for ten (10) years commencing with the date of approval by the Public Service Commission.

The franchise renewal agreement would bring the franchise into conformity with certain provisions of the Federal Cable Communications Policy Act 1984, as amended, and certain court rulings.

A public hearing was held in the City of Lackawanna, New York on April 30, 2025 at 4:30 P.M. and notice of the hearing was published in Buffalo Business First on April 18, 2025.

NOW, THEREFORE, the Lackawanna City Council finds that:

1. Spectrum Northeast, LLC has substantially complied with the material terms and conditions of its existing franchise and with applicable law; and
2. Spectrum Northeast, LLC has the financial, legal and technical ability to provide these services, facilities and equipment as set forth in its proposal attached; and
3. Spectrum Northeast, LLC can reasonably meet the future cable-related community needs and interests, taking into account the cost of meeting such needs and interests.

BE IT FURTHER RESOLVED that the **Lackawanna City Council** hereby grants the cable television franchise of Spectrum Northeast, LLC and the City of Lackawanna for ten (10) years commencing with the date approval by the Public Service Commission and expiring ten (10) years hence.

BE IT FURTHER RESOLVED that **the Lackawanna City Council** hereby confirms acceptance of this franchise renewal agreement.

THIS RESOLUTIONS SHALL TAKE EFFECT IMMEDIATELY.

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

5. **Director of Marketing and Development** – Requests the City Council approve 2 resolutions pertaining to the creation of an OLV/Central Business District-Historic Property Overlay Zoning District.

To: Frederic Marrano, City Council President

From: Charles Clark, Director

Date: June 2, 2025

Re: City Council Agenda Items – June 9th Meeting

I'm requesting the following resolutions pertaining to the creation of an OLV / Central Business District – Historic Property Overlay Zoning District be placed on the June 9, 2025 City Council meeting agenda for consideration:

1. Amend Chapter 230 of the City Code to adopt the Central Business District – Historic Property Overlay Zoning District.
2. Amend the zoning classification of four (4) noted OLV properties from Central Business District to Central Business District – Historic Property Overlay District,

Please note:

- With each resolution there is a corresponding State Environmental Quality Review (SEQR) analysis – both resolution actions are deemed Type I – No Environmental Impact.
- Included with the resolution creating the overlay district is corresponding code language created by the Department of Development in partnership with C&S Companies.
- The zoning re-classification resolution includes a footprint map of the overlay district where the designated OLV properties are located.

Adoption of these resolutions will a) bring this important project to completion and b) establish a framework for preserving the architectural integrity and historic significance of the OLV Basilica and related campus facilities created by Father Nelson Baker for decades to come.

Also included for reference is the City Council's Certification of Action from January 6, 2025 authorizing this project to proceed.

I, along with Thomas Voigt from C&S Companies, will be in attendance at the June 9th meeting to address any questions.

CHARLES D. CLARK, DIRECTOR OF DEVELOPMENT & MARKETING

Moved by Marrano seconded by Moretti to act on resolution.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 17, 2025

WHEREAS, the City of Lackawanna recognizes the designation of the Our Lady of Victory (OLV) Campus as a National Historic Landmark and seeks to cement its cultural and architectural importance to the community, and

WHEREAS, the Director of Development, supported by a recommendation from the city's Planning and Development Board, makes an application to the Honorable City Council to amend Chapter 230 of the City of Lackawanna City Code to adopt the Historic Property Overlay Zoning District and,

WHEREAS, pursuant to the New York State Environmental Quality Review Law 6NYCCR 617.4(b)(2) the proposed text amendment is a Type 1 Action. The City of Lackawanna has conducted a Coordinated Review in accordance with 617.6(b)(3) and has been established as the Lead Agency, and

WHEREAS, after the required review period. No significant negative impacts were identified, and

WHEREAS, a notice of a public hearing to amend Chapter 230 (Zoning) of City of Lackawanna City Code as described herein duly published in Buffalo Business First, the City of Lackawanna's official newspaper, in the January 17 & 24, 2025 editions, and duly posted on the city's social media and website from January 17 through 28, 2025, and

WHEREAS, a public hearing was duly held by the City of Lackawanna's Director of Development on January 28, 2025 at 5:00 p.m., the time and place fixed in the public notice, and all parties in attendance had an opportunity to be heard in relation thereto; and

WHEREAS, no party came forth and objected to amend Chapter 230 of City of Lackawanna City Code; and

WHEREAS, pursuant to NY General City Law §20 empowers the City of Lackawanna to regulate the development of land to promote the general health, safety, and welfare of its residents, therefore

BE IT ENACTED by the City Council of the City of Lackawanna, New York that a Negative Declaration be issued for the proposed amendment to the zoning chapter, and

BE IT ENACTED by the City Council of the City of Lackawanna, New York that Chapter 230 of the City Code (Zoning) be amended to incorporate the Historic Property Overlay District,

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: June 9, 2025
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

RESOLUTION NO. 18, 2025

WHEREAS, the City of Lackawanna recognizes the designation of the Our Lady of Victory (OLV) Campus as a National Historic Landmark and seeks to cement its cultural and architectural importance to the community, and

WHEREAS, the Director of Development, supported by a recommendation from the city's Planning and Development Board, makes and application to the Honorable City Council to amend the zoning classification of the following parcels as described herein:

- 777 Ridge Road (SBL 142.10-1-12.2) – Central Business District to Central Business District – Historic Property Overlay District
- 781 Ridge Road (portion) (SBL-142.10-1-12.111) – Central Business District to Central Business District – Historic Property Overlay District
- 0 South Park Avenue Rear (SBL-142.10-1-12.112) – Central Business District to Central Business District – Historic Property Overlay District
- 0 South Park Avenue Rear (SBL-142.10-1-12.113) – Central Business District to Central Business District – Historic Property Overlay District

WHEREAS, a notice of a public hearing to amend the zoning classification of the aforementioned properties as described herein were duly published in Buffalo Business First, the City of Lackawanna's official newspaper, in the January 17 & 24, 2025 editions, and duly posted on the city's social media and website from January 17 through 28, 2025, and

WHEREAS, a public hearing was duly held by the City of Lackawanna's Director of Development on January 28, 2025 at 5:00 p.m., the time and place fixed in public notice, and all parties in attendance had an opportunity to be heard in relation thereto; and

WHEREAS, no party came forth and objected to amend the zoning classification of aforementioned properties as described, and

WHEREAS, pursuant to the New York State Environmental Quality Review Law 6NYCCR 617.4(b)(2) the proposed text amendment is a Type 1 Action. The City of Lackawanna has conducted a Coordinated Review in accordance with 617.6 (b)(3) and has been established as the Lead Agency, and

WHEREAS, after the required review period, no significant negative impacts were identified, and

WHEREAS, a pursuant to NY General City Law §83 which provides the City Council may from time to time on its own motion or on petition, after public notice and learning, which hearing may be held by the council or by a committee of the council or by the planning board, amend the regulations and

districts established under any ordinance or local law (adopted pursuant to paragraphs twenty-four and twenty-five of section twenty of this chapter), therefore

BE IT ENACTED by the City Council of the City of Lackawanna, New York that a Negative Declaration be issued for the proposed amendment to the zoning map, and

BE IT FURTHER ENACTED by the City Council of the City of Lackawanna, New York that the zoning classification of the following parcels be changed as described:

- 777 Ridge Road (SBL 142.10-1-12.2) – Central Business District to Central Business District – Historic Property Overlay District
- 781 Ridge Road (portion) (SBL-142.10-1-12.111) – Central Business District to Central Business District – Historic Property Overlay District
- 0 South Park Avenue Rear (SBL-142.10-1-12.112) – Central Business District to Central Business District – Historic Property Overlay District
- 0 South Park Avenue Rear (SBL-142.10-1-12.113) – Central Business District to Central Business District – Historic Property Overlay District

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

Dated: June 9, 2025
Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

6. **City Clerk** – Requests the City Council approve the use of the Lackawanna Senior Center and the Bocce Court for the General Election on Tuesday, November 4, 2025. Agreement Attached.

June 2, 2025

Honorable Council President
Honorable Council Members
714 Ridge Road
Lackawanna, NY 14248

Honorable Council Members:

The Erie County Board of Elections is requesting approval for the use of the Lackawanna Senior Center and Bocce Court for the following voting date:

GENERAL ELECTION: TUESDAY, NOVEMBER 4, 2025

The lease agreement is attached.

Thank you for your time and consideration.

Sincerely,

GRACE MARRANO, CITY CLERK

Moved by Marrano seconded by Anderson to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

7. **City Attorney** – Requests the City Council approve the Memorandum of Understanding and Addendum between the City of Lackawanna and Global Concepts Charter School and authorize Mayor to execute same. The memorandum is for the Global Concepts Charter School shadowing program with the Law Department. Two students will shadow the City Attorney’s for court proceedings, the council meeting and zoning and planning board meetings during the month of July, 2025.

June 2, 2025

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

Re: Agreement between City and Global
Concepts Charter School

Please consider the attached proposed Memorandum of Understanding Agreement and Addendum to be executed between City of Lackawanna and Global Concepts Charter School pending your approval and authorization for the Mayor to execute the same.

In late April, I received an inquiry from the School’s Coordinator of Career & Technical Education and Work-Based Learning regarding a potential internship with the Law Department for high school students in the Career and Technical Center. After discussion with the School and the Mayor, the Law Department would like to offer two students the opportunity to shadow the City Attorney/Assistant City Attorney for the court proceedings in the month of July, the July 14 City Council Meeting and the July 29 Zoning and Planning Board Meetings.

The shadowing program would officially run from July 8 through July 29. A certificate of Insurance for the current policy period ending July 1 has been provided by the School, and the school will provide a certificate for the renewal period upon receipt.

Thank you for your consideration.

ARIANNA E. KWIATKOWSKI, CITY ATTORNEY

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

Moved by Marrano seconded by Muflahi to approve Memorandum of Understanding, authorize Mayor to execute same.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

8. **City Attorney** – Requests the City Council rescind chapter 5-50 of the Municipal Code – Mayor’s Salary.

June 3, 2025

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

Re: Rescind Chapter 5-50 Mayor’s Salary Ordinance

Dear Ms. Marrano:

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

Very truly yours,

ARIANNA KWIATKOWSKI, CITY ATTORNEY

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 5-50 OF THE CODE OF THE CITY OF LACKAWANNA ENTITLED
MAYOR’S SALARY**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 5-50 Mayor’s Salary shall be rescinded in its entirety.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

Dated: June 10, 2025

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

9. **City Comptroller** – Requests approval of the ordinance adding a revenue code for Cannabis Tax Distribution.

June 4, 2025

Honorable Council President
Honorable City Council

714 Ridge Road
Lackawanna, NY 14218

Dear Honorable Body:

The City has received funds in the amount of \$196.25 for Cannabis Tax Distribution from Erie County. At the time of remittance, The Office of the NYS Comptroller has recommended that these funds be accounted for in Revenue Code A..1116.

An Ordinance which establishes Revenue Code A..1116 Cannabis Tax Distribution is attached for your review and approval.

Respectfully,

JACQUELYN DOLE, COMPTROLLER

Moved by Marrano seconded by Moretti to receive and file, act on ordinance.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

ORDINANCE
AN ORDINANCE AMENDING THE 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 add a revenue code for Cannabis Tax Distribution.

SECTION 2. That the 2024-2025 Budget Ordinance is hereby amended to increase revenues by \$196.25 to budget code A..1116, Cannabis Tax Distribution.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY.

DATED: June 10, 2025

Lackawanna, New York

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

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano

Carried 5-0

Communications from Citizens:

10. **David Beres, Owner of Sonny Reds** – Requests the City Council approve his request for outdoor music (mechanical and at times live music). This would be weekends (Friday, Saturday and Sunday) for the months of June, July and August.

June 3, 2025

Lackawanna City Council
714 Ridge Road
Lackawanna, NY 14218

RE: Sonny Red's – Request for Outside Entertainment License

Dear Council Members:

Sonny Red's LLC would like to request an outdoor entertainment license for mechanical and sometimes live music at our outdoor bar and patio for the summer. Mechanical music would be regular business hours until 10:00 pm. Live music would be scheduled on weekends (Friday, Saturday or Sunday) ending at 9:00 pm, starting end of June through end of August. A decibel reader will be utilized to monitor the sound level to ensure noise level is in compliance with Chapter 63, Article III (attached).

Thank you for your attention to this matter.

Sincerely,

DAVID BERES
Sonny Red's

Moved by Marrano seconded by Surdyke to approve request.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

Business Registrations:

- A. Socotra, LLC, 671 Ridge Road, Ali Alduiri and Sami Jahmi (new owners) (Specialty Coffee House).

Moved by Marrano seconded by Moretti to approve Business Registration.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

Tabled Items: Public Auto Connect, Nicholas Korzkowski

Take off table at next Council meeting

Carried 5-0

Old Business:

Adjournment:

Moved by Marrano seconded by Moretti to adjourn meeting.

Yeas: Muflahi, Anderson, Moretti, Surdyke, Marrano Carried 5-0

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.