

**REGULAR MEETING
MONDAY, OCTOBER 19, 2015
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Henry Pirowski presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Pirowski.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Noman, Iafallo, Jerge, Lewis, Pirowski
Dept. Heads: Present: Law, Public Works, Development, Recreation,
Public Safety
Excused: Comptroller**

Approval of Minutes: of regular meeting of October 5, 2015

Moved by Pirowski seconded by Noman to adopt minutes of October 5, 2015 as written
Yeas: Noman, Iafallo, Jerge Lewis, Pirowski Carried 5-0

Departmental Reports:

1. City Clerk-Monthly report for September, 2015
2. City Treasurer-Receipts deposited in General Fund, September 2015

Moved by Pirowski seconded by Iafallo to receive and file departmental reports
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Communications from the Council:

Code Enforcement Citations

3. To: City Council

We requested that the Director of Development provide a detailed list of our code enforcement citations since the installation of the new system.

**HENRY PIROWSKI-COUNCIL PRESIDENT & ANNETTE IAFALLO-2ND WARD
COUNCIL MEMBER**

Moved by Iafallo seconded by Pirowski to receive and file
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

DPW-Pay Raise-Salaried Employees

4. To: City Council

Last year we had an “Act of God” snowstorm that essentially crippled our area for a week. I don’t need to be specific as to what kind of undertaking the cleanup efforts were.

In the spirit of being forthright, we had discussed allotting additional monies to Foreman Chris Druzvik and David Cruz. We were told it was not permissible to extend a bonus to any City Employee as it would be considered “a gift of public funds”.

I was, as were all of you, a firsthand witness of the time that was put in by Mr. Druzvik and Mr. Cruz as a result of the storm. For the record, both men spent countless hours at the barns and on the streets attempting to clear roadways and help in the removal of vehicles (amongst other things), sometime not returning to their own homes for greater than 24 hour periods.

Both men are salaried employees. Neither man is entitled to overtime. Both men understand that. I firmly believe that employees whom are salaried understand their job does not include overtime pay for working late. Both men work additional hours during “regular” weather events ad to my knowledge neither has ever complained about nor requested additional pay for their efforts. I am also a firm believer that being a salaried employee doesn’t mean you have to sleep at your job, away from your Family during weather events, but I want them to know we appreciate it by giving them more than just a pat on the back, a handshake, and some meatballs and pizza. I would like the record to reflect that I feel their efforts are deserving of something extra in return. The City benefits greatly from both men’s efforts day in and day out and we may need to count on them again should another “Act of God” storm take place. What I am requesting is a \$1,500 annual pay raise for both gentlemen, retroactive to the beginning of the budget year. Every member of the Council, the general public, and Mr. Druzvik and Mr. Cruz need to understand, we may elect to rescind the pay raise at the beginning of the next budget year.

Thank you for your consideration.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Pirowski to grant request

Yeas: Noman, Iafallo, Jerge, Pirowski

Nays: Lewis

Carried 4-1

Union Negotiations-Council Input

5. To: City Council

I submitted a letter to the City Attorney in protest of the lack of Council participation in the negotiation of union contracts. Which is to say, it does not make good sense to me, that it is not permissible for the City Council, which is responsible for the finances of the City, to have a seat at the negotiation table.

Based on the fact that it is the Mayor and the City Attorney who negotiate these contracts, it is unjust (in my opinion) to send a contract that has been negotiated by the Mayor and City Attorney to the Council for vote without the Council having had a seat at the bargaining table to listen to each side since it is ultimately the Council’s responsibility to ratify the contract. This is not to say I wish to negotiate or even participate in the negotiation of the contract at the table, but, I would like the right to listen based on the fact that I have to vote on it.

As has been the case in the past, often times we hear from the City Attorney what he purports to have taken place in negotiations, and then we hear conflicting reports from union members.

I would like to suggest, for the record, that members of the Council be permitted to attend any meetings, formal and informal, that pertain to the negotiations of union contracts.

Thank you for your consideration.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Pirowski to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Sale of Police Vehicle

6. To: City Council

I respectfully request that the City Council grant permission to sell a 2014 Ford Fusion bearing Vehicle Identification Number 3FA6POD91ER108705, which had been in use by the Lackawanna Police Department, and was previously purchased through Federal Asset Forfeiture Funds statues. A newer replacement vehicle will be purchased for Police Department use under the same Federal Asset Forfeiture Fund account.

It is further requested that all proceeds from the sale of the aforementioned vehicle be placed in the Police Department asset forfeiture account, A695, as required by the Federal Asset Forfeiture Statue.

JAMES T KUNA-DIRECTOR of PUBLIC SAFETY

Moved by Pirowski seconded by Jerge to grant request for sale of vehicle

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Firefighters Grant

7. To: City Council

The fire department earlier in the year received an Assistance to Firefighters Grant in the amount of \$11,905. This money is earmarked to purchase an electronic accountability system. I am now in the process of purchasing this system.

I respectfully request that \$12,500 be placed into account 3410.0281 Fire Equipment Grants to allow for the purchase of this system and the City's share of 5% (\$595) toward the grant.

If you have any questions feel free to call.

RALPH GALANTI-FIRE CHIEF

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Citizens:

Community Fall Festival

8. To: City Council

My name is Yakenna Burse, I live at 160 Ingham Ave in the 1st Ward. I am requesting that Steelawanna between Pearl St & Washington St be closed off on Sat October 31 from 6pm-9pm for a community fall festival.

YAKENNA BURSE

Moved by Pirowski seconded by Noman to approve request

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Closing of Keever Ave. for Christmas Party

9. To: City Council

I am requesting permission to use both sides of Keever Ave. between South Park and Electric Ave. for parking on Thursday, Dec. 24th-2015 between approx. from 2 PM until 10 PM for my annual Christmas Party (pending snowstorm).

Thank you.

MARNIE NOVAK

Moved by Pirowski seconded by Iafallo to approve request, pending snowstorm

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances:

Electronic Accountability System Grant

AN ORDINANCE AMENDING THE 2015-2016 BUDGET ADOPTED JULY 16, 2015

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

SECTION 1. That the 2015-2016 Budget Ordinance adopted July 16, 2015 is hereby amended to increase revenues and appropriations for Assistance to Firefighters Grant.

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to increase revenues to budget code A..3810, Fire Equipment Grants

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to add \$12,500.00 to budget code A.3410.281 Fire Department, Fire Equipment Grants

SECTION 4. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$595.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Jerge to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Waive Rules:

Moved by Pirowski seconded by Jerge to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business License

Yasmeen Alaheri-Infinity Hookah Inc- 1234 Abbott Rd- DBA Infinity Billiards-(Billiard Parlor)

Moved by Pirowski seconded by Noman to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Damon Barclay Outside Counsel-Mayor's Veto

Moved by Pirowski seconded by Lewis to override the Mayor's veto and approve payment for outside counsel (complete text on file in City Clerk's office) Carried 5-0

Executive Session:

Moved by Pirowski seconded by Noman to enter into executive session at 7:40 PM
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Meeting reconvened at 8:29 PM

Roll Call: Present: Noman, Iafallo, Jerge, Lewis, Pirowski

Adjournment:

Moved by Pirowski seconded by Jerge to adjourn
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk