

**REGULAR MEETING
MONDAY, NOVEMBER 9, 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, Comptroller,
Public Safety
Excused: Recreation**

Approval of Minutes: of regular meeting of October 19, 2015

Moved by Pirowski seconded by Jerge to adopt minutes of October 19, 2015 as written

Yeas: Noman, Iafallo, Jerge Lewis, Pirowski

Carried 5-0

Departmental Reports:

1. City Comptroller-A/P Check Listing #11, September 30, 2015
2. City Comptroller-A/P Check Listing #12, October 2, 2015
3. City Comptroller-A/P Check Listing-#13, October 9, 2015
4. City Comptroller-A/P Check Listing #14, October 22, 2015
5. City Treasurer-Receipts deposited into General Fund-October 2015
6. City Clerk-Monthly report for October 2015

Moved by Pirowski seconded by Iafallo to receive and file departmental reports one thru six

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from the Mayor:

CDBG Funding-Center Street Project

7. To: City Council

I am requesting your Honorable Body approve the attached resolution regarding the Community Block Grant Program for the paving of Center Street replacement project and Center Street selective curb and sidewalk replacement project.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Iafallo seconded by Noman to receive and file
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Budget Transfer-Hydrant Markers

8. To: City Council

I am requesting your Honorable Body pass the attached ordinance regarding the transfer of funds for purchasing fire hydrant markers.

Thank you in advance for your anticipated cooperation in this matter.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Jerge to receive and file, act on ordinance
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from the Council:

Multi-Jurisdictional Hazard Mitigation Plan Update

9. To: City Council

I request approval of the resolution adopting the Multi-Jurisdictional Hazard Mitigation Plan Update which has been prepared in accordance with the Disaster Mitigation Law of 2000.

JOSEPH L JERGE-THIRD WARD COUNCILMAN

Moved by Pirowski seconded by Jerge to receive and file, act on resolution
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Code Enforcement Violations-October 2015

10. To: City Council

In response to prior requests for information, attached please find a list of the violations issued by the Code enforcement Officers for the month of October 2015. (**Total violations 48**).

Please note that the reduced number of violations is a reflection of the Code E Enforcement Officers utilizing their earned time off while sick or on personal business. Allow me to add that code enforcement is not solely about the number of tickets and/or violations issued however, about creating safe, healthy and resilient neighborhoods through the City of Lackawanna.

While a difficult situation the Department of Development is continuing efforts to better manage the system that is currently in place and identify weaknesses in program implementation to achieve a greater success rate for these most important issues.

I trust that you find the attached satisfactory, however, as always I remain available to answer questions or concerns and encourage you to contact me.

(Complete list on file with City Clerk)

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Pirowski seconded by Jerge to receive and file
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Budget Transfer-Codification

11. To: City Council

I request approval of an ordinance amending the 2015-2016 budget transferring \$620.00 of the City's fund balance to budget code A1410.442, City Clerk, Codification.

This amount is the balance owing for the annual maintenance contract fee of \$1195.00 from General Code which codifies ordinances and local laws into our Municipal Code.

For the Council's information, there will be an additional charge in January 2016 for codifications on ordinances approved by the Council for the periods of July 1, 2015 through December 31, 2015.

JACQUELINE CAFERRO-CITY CLERK

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:

Lackawanna Yemen Soccer Club-City Funding

12. To: City Council

I am enclosing the list of all players Lackawanna City residents who registered and participated with the Lackawanna Yemen Soccer Club during this 2015 Soccer Season. Rosters show 218 players at \$6.00, which would be a subsidy of \$1,308.00. I am requesting for funding from the Lackawanna Recreation Department. Any questions please call me.

Thank you for your support. (Complete roster on file with City Clerk)

ALI SALEH-ASSISTANT DIRECTOR

Moved by Pirowski seconded by Noman to approve request

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business Licenses:

(1) Ronald Amos-"Steel City Productions & Events"-283 Ridge Road- Banquet Hall

Moved by Pirowski seconded by Noman to **TABLE** for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(2) Madjid Elbert-EW's Bar & Grill-283 Ridge Road- Restaurant/Bar

Moved by Pirowski seconded by Noman to **TABLE** for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(3) Michael Barnes/Eddie Thompson-K & E Beauty Supplies-283 Ridge Road- Store

Moved by Pirowski seconded by Noman to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Resolutions:

(1) Resolution #19, 2015- Multi-Jurisdictional Mitigation Plan Update

WHEREAS, the City of Lackawanna through the County of Erie, with the assistance from URS Corporation, has gathered information and prepared the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update (“the Plan”); and

WHEREAS, the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the County of Erie has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the City of Lackawanna Department of Public Safety has reviewed the Plan and affirms that the Plan will be updated no less than every five (5) years.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Lackawanna and the City of Lackawanna, New York, adopts the Erie County, New York Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction’s Natural Hazard Mitigation Plan and resolves to execute the actions of such Plan.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Moved by Jerge seconded by Pirowski to adopt resolution as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(2) Resolution #20, 2015- CDBG Funds-Pavement Replacement-Selective Curb & Sidewalk Replacement-Center Street

WHEREAS, the City of Lackawanna is in need of funds for eligible programs under the Community Development Block Grant Program; and

WHEREAS, the City of Lackawanna is desirous of obtaining financial assistance for these proposals; and

WHEREAS, it is in the public interest that the City of Lackawanna apply for such financial assistance from the Community Development Block Grant program through Erie County Department of Environmental and Planning

NOW, THEREFORE, BE IT

RESOLVED, that the Mayor be and hereby is authorized and directed to sign, submit and execute a contract with the Erie Community Development Block Grant Program in the following projects:

1. Center Street Pavement Replacement Project
2. Center Street Selective Curb and Sidewalk Replacement Project

NOW, THEREFORE, BE IT FURTHER

RESOLVED, that the various areas located in the City of Lackawanna meet HUD's Community Development Block Grant criteria designating it as a blighted area, eligible for Community Block Grant Funding

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

Moved by Iafallo seconded by Noman to adopt resolution as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances:

(1) Fire Department-Purchase of Hydrant Markers

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 appropriations for the purchase of Hydrant Markers

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$9,500.00 to budget code A.3410.253 Fire Department, Emergency Equipment

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$9,500.00 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

(2) General Code-Payment of Maintenance Contract

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 appropriations for the maintenance contract for the General Code

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$620.00 to budget code A.1410.442 City Clerk, Codification

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate

\$620.00 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 Jerge seconded by Noman to waive rules
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinance- Pay Raises in Department of Public Works

13. To: City Council

I am requesting your support for the attached ordinances, transferring funds to cover the \$1500 annual pay raise for the 2 DPW foremen.

Thank you for your advance for your anticipated support.

JOE JERGE-THIRD WARD COUNCIL MEMBER

Ordinance - Budget Amendment-Working Foreman Salary

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 appropriations for the pay raise for the Working Foreman

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$1,500.00 to budget code CL.8160.101 Special Revenue Fund-Garbage & Refuse, Personal Services

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$1500.00 of the Special Revenue Fund-Garbage & Refuse Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by Iafallo to adopt ordinance as written
Yeas: Noman, Iafallo, Jerge, Pirowski
Nays: Lewis

Carried 4-1

Ordinance - Budget Amendment- Working Foreman Salary

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 appropriations for the pay raise for the Working Foreman

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$1500.00 to budget code A.5110.101 Maintenance of Streets, Personal Services

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$1500.00 of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, Pirowski

Nays: Lewis

Carried 4-1

Executive Session:

Moved by Pirowski seconded by Jerge to move to executive session at 7:25 PM

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Meeting reconvened at 9:25 PM

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

Waive Rules:

Moved by Pirowski seconded by Jerge to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

NYS Community Solar-Solarize Campaign

14. To: City Council

Please be advised that I have recently participated in a seminar presented by the State of New York and NYSERDA announcing the Solarize New York Initiative. Attached please find a copy of the program information.

Municipalities are invited to adopt the statewide ordinance and participate in the initiative that provides support for a campaign bringing together potential groups and individuals through outreach and education offering competitive, transparent pricing for solar installation. There are special programs for low income, schools and a community installation program wherein individuals buy into a community based installation.

By participating the City of Lackawanna agrees to develop a team concept for the education and promotion of the important benefits of “Solarizing Lackawanna” and more importantly identifies incentive programs that are available to the ultimate user of the solar power.

The application must be submitted no later than 5 PM Monday, November 16, 2015. I am prepared to meet this tight deadline and would begin the process immediately upon approval of the application. The City would be eligible for a \$5,000.00 stipend paid by NYSERDA that I would appreciate permission to be utilized toward expenses associated with program marketing and education.

Accordingly, I hereby request that this Honorable Body approve the submission of an application for participation in the Solarize Campaign and that the associated stipend be allocated for the purposes of expense associated with education and promotion.

(Details on file with City Clerk)

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Pirowski seconded by Jerge to approve request to participate in the NYS Community Solarize Campaign and to utilize the \$5000 stipend toward expenses associated with the program
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Adjournment:

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

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk