

**REGULAR MEETING  
FEBRUARY 18, 2014  
COUNCIL CHAMBERS**  
[www.lackawannany.gov](http://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: Public Works, Law, Comptroller, Recreation**

**Excused: Public Safety**

**Approval of Minutes:** of meeting of February 3, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of February 3, 2014 as written

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

**Departmental Reports:**

1. City Treasurer-Receipts deposited into General Fund, January 2014
2. City Clerk-Monthly report for January 2014

Moved by Pirowski seconded by Jerge to receive and file departmental reports one through two

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

**Communications from the Council:**

**Ridge & Abbott Intersection**

3. To: City Council

I asked the David Joyce of the Traffic Safety Advisory Board for a status on my request from October of last year, regarding the problem with drivers not honoring the “right lane must turn right, traffic law on Abbott Road at the corner of Ridge Road heading west.

I am pleased that our Director of Public Works, Mr. DeSantis, installed a second sign near the corner reinforcing the lane as a right turn only lane. However, as discussed in caucus during the October Council meeting, when this was originally brought up, I would like to ensure that we add markings to the street that also indicate the right lane as a specific turning lane. With spring hopefully arriving within the next few months, I want to ensure these remain a priority.

The ignorance of drivers not adhering to the policy continues to pose a safety threat to other drivers, pedestrians, and people waiting for the bus at the northwest corner of Abbott and Ridge. Hopefully

these proactive measures, along with police reinforcement, will help alleviate any potential problems at this corner relating to this issue.

Your anticipated cooperation is truly appreciated.

**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 Seized Narcotic Vehicle-2003 BMW**

4. To: City Council

This letter services to request your Honorable Body approve and allow the purchasing agent Tom Nicometo, to sell the following seized narcotics vehicle:

**2003 BMW- VIN #WBABN33483PG61457**

Thank you for your anticipated cooperation in the above regard.

**DANA BRITTON-DIRECTOR OF PUBLIC SAFETY**

Moved by Pirowski seconded by Jerge, permission granted for Purchasing Agent to sell seized 2003 BMW

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

**Purchase Offer-2052 Abbott Rd.**

5. To: City Council

I have received a new purchase offer from NOCO Energy Corporation in the amount of \$2,500. NOCO would like to purchase a rear portion approximately 70 x 70; to be used for expansion of the current NOCO Property at 2078 Abbott Rd.

It is my recommendation that the City Council **sell the parcel** to NOCO Energy for the amount of \$4,000 contingent upon planning board approval.

**FRANK E KRAKOWSKI-CITY ASSESSOR**

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

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

**Recreation Department-Clerks Position**

6. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to provide funding for the clerk's position in the Recreation Department.

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

**PEGGY BIGAJ-SOBOL-CITY COMPTROLLER**

Moved by Lewis seconded by Pirowski to table communication for study

Yeas: Jerge, Lewis, Pirowski

Nays: Noman, Iafallo

Carried 3-2

**Insurance Recovery Proceeds**

7. To: City Council

Please find attached for your review and approval an ordinance amending the 2013-2014 Budget Ordinance adopted July 20, 2013, to recognize receipt of insurance recovery proceeds.

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

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

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

**Communications from Citizens:**

**Election-Use of Polling Places-School**

8. To: City Council

On behalf of the Lackawanna Board of Education, I am asking to use the Bocce Court and also a room in the Senior Citizen’s Center for our upcoming May 20, 2014 Budget Vote and Election.

The Election will be held between the hours of 12:00 noon and 9:00 P.M... Inspectors would need access to said buildings at 11:30 A.M. on that day.

Due to the election timeline, please confirm as soon as possible.

I thank you in advance for your cooperation.

**MARISA CHINI-BOARD CLERK**

Moved by Pirowski seconded by Jerge to grant permission for the use of the Bocce Court and the Senior Citizen Building for school elections on May 20, 2014

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

**Holbrook St. Renamed Cleveland Myles Way**

9. To: City Council

In honor of Black History month the Baker Homes Tenant Council and the family of the Late Cleveland Myles, the former owner of “Myles Deli” petitions the City Council to have Holbrook Street designated as “Cleveland Myles Way”.

Mr. Myles was a long time resident of the First Ward, a father of 11 children, 1 foster child and many other children throughout the community. He owned and operated a deli for more than 27 years until his death in 1994. His children continued on in his footsteps until 2003.

Mr. Myles was a strong pillar of the community and was there to help anyone and everyone without question or hesitation. He was honored by the First Ward Boosters Club in recognition of his dedication to the community. Mr. Myles was also a member of the Lackawanna Police Pistol Club.

This designation of Holbrook Street as “Cleveland Myles Way” will forever memorialize the contribution Mr. Myles has made in the lives of so many families that currently live in the First Ward and others who have moved on to other areas.

We the Baker Homes Tenant Council and the Myles family, thank you and the City Council for any and all assistance and support to make this request a reality.

**DAVID HARDY-BHTC PRESIDENT**

Moved by Noman seconded by Pirowski to approve request, designating Holbrook Street as Cleveland Myles Way

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

### **St. Patrick's Day Parade**

10. To: City Council

The Limestone Hill Friends of St Patrick are planning the annual St Patrick's Day Parade and Festivities for St Patrick's Day, Monday, March 17, 2014.

The festivities will include the following:

12:10 PM Special Mass-Our Lady of Victory Basilica

12:45 PM The Annual Shortest St Patrick's Day Parade

(Parade route: Our Lady of Victory Basilica to City Hall)

1:00 PM Raising of Irish Flag commemorating St Patrick's Day

Guest Speakers: City of Lackawanna Mayor and Parade Representatives

1:30 PM Corned Beef and Cabbage Dinners/Sandwiches and Refreshments Available at Father Baker Council Knights of Columbus and Col. Weber Post #898

On behalf of the many Irish American residents and members of the Limestone Hill Friends of St Patrick, we respectfully request permission for:

PARADE PERMIT

RAISE IRISH FLAG NEXT TO THE CITY'S AMERICAN FLAG FOR THE DAY

A PODIUM FOR SPEAKERS NEAR FLAG RISING

**MICHAEL CUSACK/THOMAS MCGOWAN-CO-CHAIRMAN PATRIOTS CLUB**

Moved by Pirowski seconded by Iafallo, permission granted for parade, use of podium and raising of the Irish flag

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

### **Miscellaneous**

#### **Business License**

Fulvio Stampone-Convenient Wine & Spirits-2540 Hamburg Turnpike

Moved by Pirowski seconded by Noman to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

#### **Entertainment Licenses:**

Mulberry Café-64 Jackson Avenue-Class 1-Live Music- \$50

Moved by Noman seconded by Pirowski to approve entertainment license

Yeas: Noman, Iafallo, Lewis, Pirowski

Excused: Jerge

Carried 4-0

Downtown LA Lounge-719 Ridge Road-Class 2-Mechanical Music-\$25

American Legion Post 63-144 Kirby Ave-Class 2-Mechanical Music-\$25

Knights of Columbus-2838 South Park-Class 2-Mechanical Music-\$25

Lackawanna Grove-2847 South Park-Class 1-Live Music-\$50

Cherrystone-715 Ridge Rd-Class 1-Live Music-\$50  
McMudz-1441 Electric Ave-Class 2-Mechanical Music-\$25  
Ernie Weber's-3167 South Park-Class 1-Live Music-\$50  
Murph's-1 Warsaw St-Class 2-Mechanical Music-\$25

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

## **Ordinances**

### **(1.) Insurance Recovery Funds**

An ordinance amending the 2013-2014 budget to recognize receipt of \$4,488.80, insurance recovery proceeds

### **AN ORDINANCE AMENDING THE 2013-2014 BUDGET ORDINANCE ADOPTED JULY 20, 2013**

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

**SECTION 1.** That the 2013-2014 Budget Ordinance adopted July 20, 2013 is hereby amended to increase revenues and appropriations for the receipt of an insurance recovery check.

**SECTION 2.** That the 2013-2014 Budget Ordinance is hereby amended to add \$4,488.80 to budget code A.0000.2680 Insurance Recoveries.

**SECTION 3.** That the 2013-2014 Budget Ordinance is hereby amended to increase appropriations by \$4,488.80 for budget code A.3120.0443

**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.) Sale of Property-NOCO Energy Corp**

An ordinance approving the sale of SBL 151.08-2-31.13, a vacant parcel to NOCO Energy

### **AN ORDINANCE AUTHORIZING THE SALE/TRANSFER OF PROPERTY PURSUANT TO MUNICIPAL CODE SECTION 107**

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

**SECTION 1.** That the City Council hereby approves of the transfer part of property known as SBL 151.08-2-31.13 a parcel 70 feet by 70 feet, Vacant Parcel to NOCO Energy Corporation

**SECTION 2.** That transfer is made for the sum of \$4,000 in cash to the City of Lackawanna

**SECTION 3.** That the purchase/transferee shall be responsible for expenses related to the transfer other than those specifically belonging to the City of Lackawanna

**SECTION 4.** That the Law Department shall prepare documents to be executed for the transfer of the property

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Jerge seconded by Noman to adopt ordinance as amended, changing purchase amount to \$2500 and adding a reverted clause pertaining to expansion period

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

**Waive Rules**

Moved by Jerge seconded by Lewis to waive rules

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

**Lobbyist**

Moved by Jerge seconded by Lewis to hire Masiello, Martucci, Calabrese & Associates as Lobbyist for a period of (1) year

Yeas: Iafallo, Jerge, Lewis, Pirowski  
Nays: Noman Carried 4-1

**Adjournment**

Moved by Pirowski, seconded by Noman, Iafallo, Jerge, Lewis, meeting adjourned in memory of Matthew DePasquale

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

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Henry R. Pirowski, Council President

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Jacqueline A Caferro, City Clerk