

**REGULAR MEETING
MARCH 18, 2014
COUNCIL CHAMBERS
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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, Lewis, Pirowski
Excused: Jerge
Dept Heads: Present: Public Works, Law, Recreation, Development
Excused: Public Safety, Comptroller**

Approval of Minutes: of regular meeting of March 3, 2014

Moved by Pirowski, seconded by Noman to adopt minutes of March 3, 2014 as written
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Departmental Reports:

1. City Compt.-A/P Check Listing #33, February 20, 2014
2. City Compt.-A/P Check Listing #34, February 28, 2014
3. City Clerk- Monthly Report for February 2014
4. City Treasurer- Receipts deposited into general fund, February 2014

Moved by Pirowski seconded by Iafallo to receive and file departmental reports one through four
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Communications from the Council:

Demolitions-Baiting of Buildings

5. To: City Council

Over the past year, I have fielded complaints from members of the community who reside and do business near structures that were recently demolished. These complaints center on the movement of rodents from the demolished buildings to homeowners and business alike, both during and at the completion of the demolition.

I would like to request that we prepare and adopt an ordinance mandating the baiting of buildings for rodents that are scheduled for demolition at least 7 days prior to the demolition. In the case of emergency City funded demolitions, I would suggest that we might waive the 7-day rule but still require a building to be baited for rodents prior to knocking it down whenever that is

feasible. A permit is currently required to demolish buildings in our City and that piece would simply be added to the composition of the permit process for no additional (permit) fee.

I am unaware of any policy we have concerning this matter at this point, but I am certainly of the opinion that it is a necessary step in controlling the movement of rodents.

We have taken great measures to curtail our rodent problem in the City (garbage totes, county baiting programs) and this would just be one more proactive step to alleviate unnecessary growth of the issue.

Your anticipated cooperation is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Pirowski seconded by Iafallo to grant request, buildings to be baited before demolition

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Demolition of Lincoln School Cost

6. To: City Council

I am requesting that the Director of Development find out the cost for the demolition of the former Lincoln High School on Dona Street.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to grant request, Director of Development to secure an estimate of the demolition costs of the Lincoln School

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Demolition of Buildings

7. To: City Council

I have been asking for the past four (4) years for the City Attorney to take Court Action against the owners of the properties that are abandoned. Again, I am requesting for the City Attorney to obtain a court order to force the banks and private owners of the following dilapidated, vacant, and abandoned houses in the First Ward to be demolished.

(1) 67 Ingham Ave. (2) 56 Ingham Ave. (bank owned) (3) 69 Dona St (4) 65 Dona St.

(5) 305 Ridge Rd. (bank owned) (6) 24 Glenwood St. (7) 35 Steelawanna St.

(8) 109 Holbrook St.

Thank you.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to grant request, City Attorney to proceed with court actions against owners of abandoned properties to be demolished

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Funding for a "Roving Secretary"

8. To: City Council

Several months back, the Council discussed a permanent position to serve as a "roving secretary" to assist all department heads during their time of need. This was explained as a cost cutting measure due to the lack of need for full time help in both purchasing and recreation. During our discussion on the subject of a "roving secretary", we did quantify the need for part time help in purchasing and seasonal help in recreation (as well as other areas).

Over the past several months, for a variety of reasons; the legal department, purchasing, recreation, as well as the treasurer have all either required or requested additional help. Due to the need, along with my original and continued support of the notion of having a “roving secretary”, I would like to ask both Council President Pirowski and Councilman Lewis to reconsider your vote, as I have, to add the position of the recreation secretary (to serve as “roving secretary”) back to the budget for the remainder of this budget year.

Your consideration is greatly appreciated.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Pirowski seconded by Noman to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Communications from Department/Division Heads:

Public Works-Sale of Vehicle

9. To: City Council

The Department of Public Works is asking permission to sell the 2010 Crown Victoria, VIN#:2FABP7BV2AX111325. We are asking the money made from the vehicle to be put back into account number A.5132.443, which will then be used to refurbish 2001 High Lift #9. If You have any questions or concerns please feel free to contact me at your earliest convenience.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded by Lewis to grant permission, 2010 Crown Victoria to be sold, proceeds to be put into acct A5132.443 to help defray the cost of refurbishing 2001 high lift #9

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinance Amending Chapter 190

10. To: City Council

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

Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinance Amending Chapter 168

11. To: City Council

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

Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinances Enacting Chapter 155 Municipal Code Violations Bureau

12. To: City Council

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

Thank you

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Communications from Citizens

YOUTHBUILD Application

13. To: City Council

The Baker Homes Tenant Council, under the new leadership of its President Latonda Brown, will be submitting a 2014 YOUTHBUILD APPLICATION in concert with a regional collaborator. The BHTC is requesting:

1. A letter of support from the City Council
2. Designation as Designated Developer on the following City owned parcels:
 - a. A&E Building
 - b. 90 Dona Street, Lincoln School Site
3. Identification of Learning Lab Sites in the Second, Third and Fourth Wards
4. Attendance at First Ward Stakeholders Meeting to discuss Oshiei Foundation Report and develop a working strategy to address identified problems

The YOUTHBUILD Grant which is due on April 22, 2014, provides training opportunities to City wide youth's that are at-risk to drop out or have dropped out of school. The locations requested will be learning lab sites where the youths will learn the construction and other related trades, while beautifying the city and addressing eyesores.

The training of the youth's in the learning lab sites will be complemented with GED preparation and enrollment in Construction Technology training component at wither Erie Community College or within the Lackawanna Public School District with the assistance of Erie 1 BOCES.

A timely, work session is warranted to adequately discuss this matter in greater detail to address any and all concerns you or other members of the Council may have. I thank you in advance on behalf of the youth's within the City of Lackawanna and its resident who will benefit from this grant.

Respectfully

GEORGE W. HALSEY III-ROSS PROGRAM MANAGER

Moved by Pirowski seconded by Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Entertainment Licenses:

Nite Capp-1769 Abbott Rd-Class 1-Live Music-\$50

Col. Weber Post-2909 South Park-Class 1-Live Music-\$50

Matthew Glab Post-1965 Abbott Rd-Class 1-Live Music-\$50

J's White Elephant-1404 Abbott Rd.-Class 1-Live Music-\$50

Lake Erie Club-3200 South Park-Class 1-Live Music-\$50
Steel City Pub-1449 Abbott Rd.-Class 1-Live Music-\$50

Moved by Pirowski seconded to approve entertainment licenses
Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Business Licenses:

Aaron Braun (Kelly's Parkside Chocolates) 1283 Abbott Road

Moved by Pirowski seconded by Lewis to table for study

Carried 4-0

Ordinances:

(1) An ordinance providing no more than two totes per building/structure, property owner responsible for replacement cost of lost or destroyed tote

AN ORDINANCE AMENDING CHAPTER 190 SOLID WASTE, CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code 190-3A, shall be rescinded and replaced with the following:

The City shall provide and assign to each single family residential unit one tote (but no more than two totes per building/structure). Residents may obtain additional totes from the City at a cost to be determined by the Commissioner of Public Works.

No single family residential unit shall have more than two totes. Totes shall be used for the collection, storage and disposal of all garbage and non-recyclable refuse and rubbish that may accumulate or be produced by them. All totes shall be owned by the City. Any tote assigned to a residential unit shall remain at that residential unit and shall not be removed from said unit. In the event that a tote assigned to residential unit is lost, damaged, destroyed or missing, the property owner shall be responsible for the replacement cost for said tote.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as amended
Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(2) An ordinance establishing a fee of \$50 per item for any bulk item collected outside the dates designated for bulk pickup

AN ORDINANCE AMENDING CHAPTER 190, SOLID WASTE, CITY OF LACKAWANNA MUNICIPAL CODE

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code Chapter 190-4A, shall be amended to add the following:

The Department of Public Works shall collect bulk items for a fee of \$50.00, per item, when collecting said bulk item on any date other than those dates designated by the department for bulk item pick-up. The property owner or resident must give 48 hour notice to the Commissioner of Public Works.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(3) An ordinance setting a \$50 per year peddler fee for persons selling food and beverages

AN ORDINANCE AMENDING CHAPTER 168, CITY OF LACKAWANNA MUNICIPAL CODE, PEDDLERS AND SOLICITORS

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

Section 168.13 (E) License Fees. Is hereby replaced with the following:

E. The license fee for each applicant for a license to sell food and beverages including coffee, tea and soft drinks for human consumption shall be \$50.00 per annum or any fraction thereof.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Lewis to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

(4) An ordinance establishing the Municipal Code Violations Bureau enabling the issuance of violation ticketing and establishing penalty fees for said offense

AN ORDINANCE ENACTING CHAPTER 155 OF THE CODE OF THE CITY OF LACKAWANNA ENTITLED MUNICIPAL CODE VIOLATIONS BUREAU

BE IT ENACTED.....

SECTIONS: 155.2 JURISDICTION

155.3 ISSUANCE OF TICKETS

155.4 SERVICE AND RETURN OF TICKETS

- 155.5 ANSWER TO TICKETS**
- 155.6 JUDICIAL REVIEW**
- 155.7 FAILURE TO COMPLY**
- 155.8 RECORDS**
- 155.9 ENFORCEMENT OF JUDGMENTS**
- 155.10 PENALTIES FOR OFFENSES**

(COMPLETE TEXT ON FILE WITH CITY CLERK)

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Pirowski seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Entered into executive session at 7:50 P.M.

Meeting reconvened at 8:15 P.M.

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

Adjournment

Moved by Pirowski seconded by Iafallo, meeting is adjourned in memory of Paula Sireika

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Henry R. Pirowski, Council President

Jacqueline A Caferro, City Clerk