

**REGULAR MEETING
MAY 19, 2014
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, Development, Public Works, Comptroller,
Recreation
Excused: Public Safety**

Approval of Minutes: of regular meeting of May 5, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of May 5, 2014 as written
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski Carried 5-0

Departmental Reports:

1. City Clerk – Monthly report for April, 2014.
2. Treasurer – Receipts deposited into General Fund – April 2014
3. City Compt. – AP Check Listing #43, April 24, 2014.
4. City Compt. – AP Check listing #44, April 29, 2014.
5. City Compt. – AP Check Listing #45, April 30, 2014.

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

Communications from the Mayor:

Proposed Operating Budget for 2014-2015

6. To: City Council

Pursuant to Chapter 12, Section 12.3 and 12.4 of the City Charter, I submit herewith my proposed budget for the City of Lackawanna for fiscal year August 1, 2014 through July 31, 2015.

The proposed General Fund Operating Budget figure of \$23,645,413 reflects an increase from last year's budget. The total tax levy of \$9,727,429 reflects an increase of \$477,348 from last year's budget.

I am presenting to you my budget for the 2014-2015 budget year. In this budget, I am presenting a commonly used form of revenue that will be shared by all entities within our city. It is an

“Enterprise Fund” in which the cost of garbage/sanitation of the Department of Public Works will be placed in this fund. A user fee will be charged and the resulting revenues will be used to cover the expenses. These revenues are solely from the user fee and separate from the tax levy as well as not subject to the tax cap. This will take a local law to be adopted prior to the Enterprise Fund being established and the budget voted on.

To inform the members of the City Council, almost all revenues are down. These valuable funds that are down are PILOT’s, Sales Tax, Coin, Cable Franchise, Treasurer’s Fees, Clerk’s Fees, Development, Police Fees, Vital Stats, Civil Service, Franchise Fees, Interest on Real Property, Bingo, Other Licenses, Sale of Real Property, Refunds, Other Revenues, Roadway Safety Grant and Lunch Program. The largest reduction comes from Sales Tax, down \$300,000.00.

Our staffing level is below what I would consider a safe level, particularly in the Police Department. Throughout this process, I have tirelessly tried to avoid any form of layoffs. Many have families and wish to grow in this city, while others are looking to start families. Through this dedicate process; I have been able to avert any layoffs from this budget. As a city, we still must be able to provide quality services for our residents, the most visible services are public safety and recreation.

Also, to simplify some of the major accounts in the General Operating Budget, health care is almost \$3,721,705, salaries are \$10,979,795, retirements are over \$2,594,688, and debt service is over \$1,300,000, street lighting is \$735,000 and fire hydrant rental is \$115,000. This is over \$18,600,000 and this doesn’t cover contractual items and other day to day operations.

As usual, I am looking to use fund balance to help offset the deficit. This will leave us with \$2,000,000 left for a healthy fund balance reserve which we must have to help offset any unforeseen situations, including weather disasters.

One doesn’t have to travel far to see the lack of growth in our community, specifically, business. As I was driving throughout our city recently, something glaring became obvious; at every entrance to our city there are empty buildings that once had a business. Without businesses, more and more of the burden of taxing are falling on homeowners. If this trend continues, there might come a time where there are no businesses in our city, and then ALL of the burden will fall on the residents.

Our city has a large population of seniors and there are fewer families with children moving or staying here. Our population is on a constant decline. As I have reviewed former budget messages from former mayors, this message has been made clear for years. We are now at the point of no-return regarding non-homestead tax levies and business retention and recruiting. As more businesses leave, the greater the shortfall of our bottom line. As I have had conversations with all the members of the City Council over the years, all of us have acknowledged this rapidly growing and obvious problem.

As I and my staff struggle to find solutions for this budget, I have reached out for advice and guidance from the City of Buffalo, particularly, Comptroller Mark Schroeder, as well as West Seneca Supervisor Shelia Meaghan and Cheektowaga Supervisor Mary Holtz. Their information was incredibly helpful and I truly appreciate their help, support, and assistance.

As this budget is presented to you, I am still exploring avenues to address the current shortfall and will continue to explore, throughout the year, all avenues for a more financially vibrant city.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Noman to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Department/Division Heads:

Unlicensed Vehicles

7. 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 Jerge to receive and file, act on ordinance

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Solid Waste

8. To: City Council

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

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Jerge, Pirowski

Nays: Lewis

Carried 4-1

City Employee Retirement

9. To: City Council

Please put the attached resolution on the agenda for council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Communications from Citizens:

Crosswalks

10. To: City Council

As citizens of Lackawanna, we request the placement of cross walks in areas of the city in which children have to cross the street.

We are aware that cross walks have been requested by citizens in recent past and have been denied due to liability matters; however, other local municipalities have found ways to put in crosswalks more safely for all and have not had liability issues.

We look forward to sharing our research with the Council in hopes that you will have congruent views as local municipalities and put in cross walks to make our community a safer place to live, work, and play for all.

AUTUMN FARR

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Deer Crossing Signs

11. To: City Council

As a citizen of Lackawanna and a resident of South Shore Blvd, I have identified the need to institute deer crossing signs on South Shore Blvd. and other streets in Lackawanna in which both have deer and street traffic.

On behalf of the entire City of Lackawanna, my fellow classmates and I are requesting that deer crossing signs be strategically positioned on our streets for the safety of the people, deer, and landfills.

We look forward to discussing this matter with the City Council and thank you in advance for your anticipated individual and collective support and assistance in making our streets safer for all living creatures: man and deer!

MAXWELL MATWIJKOW

Moved by Pirowski seconded by Jerge to receive and file

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Business Licenses:

(1) **Route 62** – 2723 South Park Avenue- owner Yaser Afif- Restaurant

Moved by Pirowski seconded by Jerge to table for study

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

(2) **West End Market**- 321 Ridge Road- owner Thabit Husson- Store

Moved by Pirowski seconded by Jerge to approve business license

Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Ordinances:

(1) **Unlicensed Vehicles**

**AN ORDINANCE AMENDING CHAPTER 230, CITY OF LACKAWANNA
MUNICIPAL CODE, ZONING**

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

Section 230-52 Junk Vehicles is hereby rescinded and replaced with the following:

Section 230-52 Unlicensed Vehicles

- A.** No unlicensed, unregistered or inoperable vehicle shall be stored outdoors for more than thirty (30) days.
- B.** The outdoor storage of more than one unlicensed, unregistered or inoperable vehicle, per parcel, is prohibited.
- C.** Unlicensed, unregistered or inoperable vehicles shall be stored at the rear of the parcel whenever possible.
- D.** Unlicensed, unregistered or inoperable vehicles shall be stored so that said vehicle is not visible from the public right-of-way, whenever possible.

E. This section shall not apply to storage of such vehicles at repair shops, automotive sales business or junkyards which are in compliance with applicable zoning and licensing requirements.

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) Regulations for Solid Waste-Items for 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 190-2, shall be amended by adding the following:

190-2 Separation and Preparation of Solid Waster for Collections

K. The City shall collect no more than three bundles of wood. Wood shall be tied with string or twine in bundles not to exceed 48 inches in length and 12 inches in diameter and weigh no more than 40 pounds.

L. The City shall not collect more than one cubic yard of debris.

190-2 Separation and Preparation of Solid Waste for Collections

G.

4. No more than five (5) bulk items shall be placed for collection and accepted by the City.

190-5 Prohibited Deposits or Accumulations

H. The City shall not collect televisions, computers, monitors or other electronic devices.

I. The City shall not collect any fencing, sheds or decks.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

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

Nays: Lewis

Carried 4-1

(3) Police Vehicle Sale 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 sale proceeds of 2010 Crown Victoria.

SECTION 2. That the 2013-2014 Budget Ordinance is hereby amended to add \$3,600.00 to

Budget code A.0000.2660 Sale of Real Property

SECTION 3. That the 2013-2014 Budget Ordinance is hereby amended to increase appropriations by \$3,600.00 for budget code A.5132.0443.

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

Resolutions:

Employee Retirement

WHEREAS, the Council desires to be informed of the employment status of the City's workforce

NOW, THEREFORE, BE IT

RESOLVED, that the City Comptroller's Office inform the Council, in writing, the retirement date of a city employee within five (5) days of the retirement of said employee.

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY

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

Carried 5-0

Adjournment

Moved by Pirowski seconded by Jerge meeting is adjourned.
Yeas: Noman, Iafallo, Jerge, Lewis, Pirowski

Carried 5-0

Henry R Pirowski-Council President

Jacqueline A Caferro –City Clerk