

**REGULAR MEETING
JUNE 2, 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, Lewis, Pirowski
Excused: Jerge
Dept. Heads: Present: Law, Development, Public Works, Comptroller,
Recreation
Excused: Public Safety**

Approval of Minutes: of regular meeting of May 19, 2014

Moved by Pirowski, seconded by Iafallo to adopt minutes of May 19, 2014 as written
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Departmental Reports:

1. City Comptroller- A/P Check Listing #46, May 8, 2014
2. City Comptroller- A/P Check Listing #47, May 14, 2014
3. City Comptroller- Statement of Condition of Appropriations, April 30, 2014

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

Communications from the Council:

Advertise for Bids

4. To: City Council

I am requesting the Council to direct the City Clerk to advertise for bids for demolition for the following City owned houses. These houses are in deplorable condition and are uninhabitable and need to be demolished.

(1) 27, 29, 33 Bethlehem St (2) 48 Steelawanna St (3) 297 Ridge Rd

I am also requesting the City Council Members approve the transfer of funds from the bonds account and also use funds from the Friendship House account.

ABDULSALAM NOMAN-FIRST WARD COUNCILMAN

Moved by Pirowski seconded by Noman to receive and grant request
Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Communications from Department/Division Heads:

Tabled Items Over 90 Days

5. To: City Council

The policy established by the City Council on May 20, 1991, directs that all tabled items not acted upon within ninety (90) days be deemed null and void and to be resubmitted to the City Council to be received and filed. I respectfully submit the following tabled agenda over 90 days for Council review:

<u>Meeting Date</u>	<u>From:</u>	<u>Regarding:</u>
9/3/13-#27	Chief Galanti	Permission to purchase new pumper
9/3/13-#28	Islamic Mosque	Request return of land at 31 South Street
9/3/13-Ord.	Comptroller	Request transfer of \$30,000 for lobbyist
9/3/13-Bus. Lic.	Sonja Mason	Steel City Lounge-283 Ridge Rd-Bus. License
10/7/13-#31	Chief Galanti	Permission to purchase generators House 2 & 3
10/21/13-#11	Assessor	Purchase Offer Cath. Charities-45 Wilkesbarre
11/18/13-#8	Member Lewis	Seeks results of Traffic Study
11/18/13-#9	Member Lewis	Requests additional smaller totes-65 gallon
12/2/13- #3	Member Noman	Designate Friendship House property for a Splash Pad
12/16/13-#9	Islamic Mosque	Return of purchased land at 31 South Street
12/16/13-Ord	City Attorney	Alternate parking on Pine Street
2/3/14-#7	City Clerk	Reappointment of Bingo Inspectors
2/18/14-Ord	Comptroller	Amend Budget-Transfer \$17,650-Recreation Clerk Position

JACQUELINE CAFERRO-CITY CLERK

Moved by Pirowski seconded by Iafallo to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Electronic & Hazardous Household Waste Drop-Off

6. To: City Council

The City of Lackawanna will no longer accept curbside pickup for electronics. The City Garage will be hosting an electronic drop off located at 67 Reddon Street. The drop off will be held June 9-13 from 8:00 am-6:00 pm. Erie County is also hosting a Household Hazardous Waste drop off, located at ECC South, June 14 from 9 am-2 pm. If you have any questions or concerns feel free to contact me at your earliest convenience.

ANTHONY DESANTIS-COMMISSIONER OF PUBLIC WORKS

Moved by Pirowski seconded Lewis to receive and file

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Parking on Sidewalks

10. 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

Sidewalk Cafes

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 Iafallo to receive and file, act on ordinance

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Miscellaneous:

Business License:

(1) **Gas Plus Express** – 3287 South Park Avenue- owner Mohamed Ahmed

Moved by Pirowski seconded by Lewis to approve business license for Gas Plus Express

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Resolution #8, 2014

A resolution approving Buffalo Erie Niagara Land Improvement Corporation acquisition of 1745 Abbott Road and 36 Center Street at the next In Rem auction.

(Complete text on file with City Clerk)

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Lewis to adopt resolution as written

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Ordinances:

(1) Placement of Mobile Homes, Recreational Vehicles, Boats and Trailers on City Streets or parked on front yards throughout the City

**AN ORDINANCE AMENDING CHAPTER 154, CITY OF LACKAWANNA
MUNICIPAL CODE, MOBILE HOME COURTS**

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

Chapter 154, Article I. General Provisions 154-6. Placement of mobile homes and housing is hereby rescinded and replaced as follows:

- A. No mobile homes or housing shall be placed anywhere in the City of Lackawanna except in a Mobile home court as defined herein.
- B. No recreational vehicles, coaches, house trailers (travel or vacation), boat or boat trailer combination, may be parked on City streets or stored or left standing in the front yard of any lot containing a one-family or multifamily residence in the City of Lackawanna.
- C. This section does not apply to the rear portion of any lot described herein, provided said boat, trailer or other vehicles described in Subsection B above are parked or stored more than ten (10) feet from any one-family or multifamily residence in the City of Lackawanna.

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

(2) An ordinance restricting parking on sidewalks or protruding on a sidewalk or public street right of way

**AN ORDINANCE AMENDING CHAPTER 194 OF THE CITY OF LACKWANNA
ENTITLED STREETS AND SIDEWALKS**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that the following sections of Chapter 194 shall be amended by adding the following:

194-5.5

No person shall park a vehicle on a sidewalk. No vehicle shall be parked in a driveway in such a manner that the vehicle protrudes on a sidewalk or a public street, highway or right-of-way.

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

(3) An ordinance establishing legislation and regulations pertaining to sidewalk cafes

**AN ORDINANCE AMENDING CHAPTER 194 OF THE CODE OF THE CITY OF
LACKAWANNA ENTITLED STREETS AND SIDEWALKS**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that the following sections of Chapter 194 shall be amended by adding the following:

ARTICLE VII. Sidewalk Uses.

194-33. Sidewalk Cafes

- A. An owner or operator of a restaurant abutting in whole or in part upon a public street, who desires to extend the services of such restaurant onto the sidewalk portion of the public street on which the restaurant abuts, may file an application therefore with the Director of Development. The application shall be accompanied by a currently dated plot plan drawn to scale of 1/4 inch equals one foot.

(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

Waive Rules

Moved by Pirowski seconded by Lewis to waive rules to introduce three items

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

South Park Ave and Ridge Road-Relinquish to State

To: City Council

I am, once again, asking that the City Council waive the rules for tonight's meeting in order to suspend in three home rule messages, as per Senator Timothy Kennedy's request. These home rule messages are requesting that the State of New York absorb responsibility of US 62/South Park Avenue and Ridge Road.

As many of you are aware, the proposal for absorbing South Park Ave. by the State of New York is not a new enterprise. It was brought up last year to the City Council and it has been on the Senate floor for 5 years, originally sponsored by then Senator, William Stachowski.

The new situation is adding Ridge Road to the equation.

If the Council so chooses to act on this, it must be reminded that the 2014 Albany session is about to come to end. Lawmakers will be voting on final legislation and once it is over, they will only meet, sporadically, a few more times before the end of the year.

Attached to this are the three home rule requests. Interesting to note, there is no Assembly sponsorship for South Park Avenue's Home Rule Request and both houses must sponsor similar bills.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Pirowski seconded by Lewis to grant request for the State of New York to absorb responsibility of South Park Ave and Ridge Rd

Yeas: Noman, Iafallo, Lewis, Pirowski

Carried 4-0

Volleyball License

Press Box- 1841 Abbott Rd

Moved by Pirowski seconded by Lewis to approve volleyball license for the Press Box Restaurant/Tavern, volleyball season is June 1st through September 1st, hours of operation are 12:00 noon till 10:00 P.M. only

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Business License

Route 62 Diner-2723 South Park Ave-Yaser Afif

Moved by Pirowski seconded by Lewis to approve business license for Route 62

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

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Adjournment

Moved by Pirowski seconded by Iafallo meeting is adjourned.

Yeas: Noman, Iafallo, Lewis, Pirowski Carried 4-0

Henry R Pirowski-Council President

Jacqueline A Caferro –City Clerk