

**COUNCIL MEETING
TUESDAY, JANUARY 19, 2016
COUNCIL CHAMBERS
www.lackawannany.gov**

Regular session of the Lackawanna City Council met in the Council Chambers, Council President Keith Lewis presiding. The meeting was preceded by the Pledge of Allegiance led by Council President Lewis.

**Meeting called to order
NB: Meeting being recorded**

**Roll Call: Council: Present: Lewis, Noman, Iafallo, Jerge, DePasquale
Dept. Heads: Present: Law, Comptroller, Development, Public Safety
Public Works, Recreation**

Approval of Minutes: of regular meeting of January 4, 2016

Moved by Lewis seconded by Jerge to adopt minutes of regular meeting of January 4, 2016
as written

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

Departmental Reports:

1. City Treasurer-Receipts deposited into General Fund, December, 2015
2. City Clerk-Monthly report for December 2015
3. City Comptroller-A/P Check Listing #23, December 31, 2015
4. City Comptroller-Statement of Condition of Appropriation as of November 30, 2015

Moved by Jerge seconded by Lewis to approve departmental reports one thru four

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

Communications from the Mayor:

Municipal Code-Agenda Items

5. To: City Council

On Monday, January 4, 2016, the City Attorney clocked in an item to be placed on the agenda for the regularly scheduled council meeting. It never made it to the agenda.

Just a friendly reminder of who is authorized to submit items to appear on the agenda without tampering or omitting.

Chapter 5. Administration of Government

Article II. Council

Section 5-17. Submission to Clerk of matters to come before Council

[Amended 6-16-2009]

All reports, communication, local laws, ordinances, resolutions, contract documents or other matters to be submitted to the Council at its meeting shall be delivered to the City Clerk by 12:00 noon on Wednesday preceding the meeting. If a holiday falls on the Monday preceding the meeting the cut-off day for agenda items shall be by 12:00 noon on Thursday preceding the meeting. Matters shall not be considered by the Council, except by the consent of a majority of the Council.

Section 5-18. Preparation of agenda by Clerk; submission to Council members and department heads

[Amended 6-16-2009]

The City Clerk shall list matters received pursuant to Section 5-17 in the order received according to the order of business provided for in Section 5-22 and furnish each member of the Council and any department head concerned with a copy of such list. Items placed on the agenda, shall be relevant to city/public business. A council member may have an item placed on the agenda, provided it is relevant to council business and approved by the Council President. A copy of the agenda shall be distributed for the public at the beginning of each council meeting.

Article III. Rules of Procedure

Section 5-24. Introduce for passage, approval of ordinances, etc.

Ordinances, resolutions and other matters or subjects requiring action by the Council must be introduced and sponsored by members of the Council, except that the Mayor or City Attorney may present ordinances, resolutions and other matter or subjects to the Council, and any Councilman may receive sponsorship thereof by moving that such matters or subjects be adopted; otherwise, they shall not be considered.

Any further attempt to censor submitted items will be considered a violation of your oath of office and further action will be sought.

MAYOR SZYMANSKI

Moved by Lewis seconded by Iafallo to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Communications from the Council:

Marriage Officer-DePasquale

6. To: City Council

I am requesting your support to appoint, Fourth Ward Councilmember, Jeffrey DePasquale, as a marriage officer for the City of Lackawanna, New York.

I appreciate your cooperation in this matter.

ANNETTE IAFALLO-SECOND WARD COUNCIL WOMAN

Moved by Iafallo seconded by Lewis to receive and file, act on resolution

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Council-Goals

7. To: City Council

I would like to propose today that the City Council come together and list a minimum of five “goals” for the calendar year 2016. Through my experience as a member of the Council over the past several years, it has become clear and noticeable through tabled actions, as well as other notable matters, that we, as an entire body, have never outlined any type of goals, any plans or implementation of such plans to achieve any goals, or any tracking methods to measure our progress versus our goals. I do not think this would require any special meetings, but perhaps we can all communicate with one another over the course of the next two weeks and at the very least identify five goals to begin the year with.

Such goals might include a determined effort to eliminate the burdensome “flood zone insurance”, the cleanup of the waterfront, and improvements to the center of our city (the central business district). I’m sure each councilmember, as well as the citizens who attend these meetings will have a number of suggestions and all of them can be taken into consideration and properly prioritized.

Establishing and achieving goals can only mean good things.

Thank you so very much for your anticipated cooperation.

JOE JERGE-COUNCILMAN, THIRD WARD

Moved by Jerge seconded by Lewis to receive and file

Yeas: Lewis, Norman, Iafallo, Jerge, DePasquale

Carried 5-0

Communications to be Included in Meeting Packet

8. To: City Council

Provided it is not a violation of any rules, regulations, or stipulations in our City Charter, I would like to request that any communication I submit for the agenda please be placed in the packet(s) that we leave out for the public during Council meetings.

I would like my entire communication to be available to the public for their review prior to the meeting. This may answer questions citizens and interested parties may have as to the reasoning behind the purpose of my agenda items.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by DePasquale to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Non Homestead Properties

9. To: City Council

I requested that the City Assessor, Frank Krakowski, provide a detailed list of all of the non-homestead properties in the City of Lackawanna, the lot sizes, their current assessed value, what year their last assessment changed, and his proposed changes for 2016 for each property. If there are properties that he is are not changing, please indicate so.

I requested his attendance at the next council meeting, Tuesday January 19th, at 6:30 PM, as I and possibly other members of the Council, will have a host of simple questions for him.

Thank you so very much for your anticipated cooperation.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Lewis to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Van for Weekend Transportation

10. To: City Council

It has come to my attention that there is no bus service along Ridge Road on the weekends. While I am unsure of the numbers, I do know there are residents that rely on either public transportation or expensive cab rides to get to where they need to go along Ridge Road on the weekends. This includes, but is not limited to, elderly people and retirees that do not have vehicles.

I would like to request that we explore the possibility, feasibility, cost and benefit of allowing one of our City owned vans to pick up interested parties at specified locations on Route 5, in neighborhoods, and along Ridge Road on Saturday mornings at 10 AM and make a stop at the Post Office and the Abbott Road Plaza. This would allow people who otherwise have to find transportation or pay through the nose for it, to take care of postal business and shopping needs on Saturdays. We could allow citizens one hour to take care of business and follow the same route home at the conclusion of that hour (if we determine that an hour is the right amount of time). I realize there may have to be a fee charged to interested citizens for a service such as this and I would presume that fee would be predicated on anticipated cost and usage.

Thank you so very much for your anticipated cooperation.

JOE JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Noman to receive and file, recreation to look into cost incurred
Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale Carried 5-0

Businesses-Full/Part Time Employees

11. To: City Council

I asked the Director of Development, Fred Heinle, if it would be possible/feasible to draft a survey to all Lackawanna taxpaying businesses requesting the number of PTE and FTE that reside in the City of Lackawanna.

I asked this for several reasons, the first being that the economy of our City can benefit from having citizens who work here and live here. The second would be to determine if consideration of some type of local benefits that might entice businesses that open here to hire citizens of Lackawanna. There are plenty of qualified bodies that are unemployed or might be willing to take a second job if it were close to home. We may be able to entice a business to hire our citizens with small, localized incentives. The folks that I employ that reside in Lackawanna (29) own homes, pay taxes, and patronize varieties of different businesses in Lackawanna. In other words, it is beneficial because it helps keep our local economy moving.

Thank you so very much for your anticipated cooperation.

Moved by Jerge seconded by Lewis to receive and file
Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale Carried 5-0

Communications from Department/Division Heads:

Mayor's Salary

12. To: City Council

Pursuant to Section 5-50 of the City Council, a copy of which is annexed, please be advised that the Mayor's salary should be increased to \$100.00 more than the City Comptroller's annual salary. Therefore, I submit the enclosed ordinance for your review and approval.

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Carried 5-0

Repair/Replacement of Garbage Trucks

13. To: City Council

I am requesting the transfer of \$25,000.00 from account A9000.951 to account CL.8160.443 for repairs and replacements for the garbage trucks. The money will be used for unexpected breakdowns and scheduled maintenance repairs for the garbage trucks. If you have any additional questions or concerns feel free to contact me at your earliest convenience.

ANTHONY DESANTIS-COMMISSIONER of PUBLIC WORKS

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

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Tabled Items-90 Day Limit

14. To: City Council

As per policy established on May 20, 1991 by the City Council, all tabled items not acted upon and are over the ninety (90) day period are to be considered void and are to be received and filed. Any questions or concerns, please contact me.

JACQUELINE CAFERRO-CITY CLERK

Moved by Lewis seconded by Jerge to receive and file, City Clerk to update Council on items reaching the 90 day limit

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Senior Center-Pay Raises

15. To: City Council

Attached for your review is an ordinance to increase budget line 7620.102 by \$700.00. The reason for this increase is during the most recent budget; all the employees at the senior center, with the exception of 2 were given a raise. The two individuals are craft instructors who work 12 hours a week.

Thank you for your attention in this matter.

MARCIA CULLENS-RECREATION DIRECTOR

Moved by Jerge seconded by Iafallo to receive and file, at on ordinance

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Fire Department-New Recruits-SAFER Grant

16. To: City Council

With the addition of four new recruits through the SAFER grant the 2015-16 budget for the fire department will need to be amended by adding the following below:

3410.0101	4 Firefighters, Step 1	\$129,388
3410.0258	Protective Clothing	\$ 11,200
3410.0418	Uniforms & Accessories	\$ 1,815
3410.0467	Training Schools	\$16,190

We will be reimbursed for the salary through the SAFER grant, but the reimbursement is after the money for the salaries is spent. The additional \$29,205 is for expenses which cannot be covered under the current budget but which will be needed.

RALPH GALANTI-FIRE CHIEF

Moved by Lewis seconded by Noman to grant request, City Attorney to prepare necessary ordinance

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Amending Chapter 5-Administration of Government

17. To: City Council

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

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Noman, Iafallo, Jerge, DePasquale

Nays: Lewis

Carried 4-1

Communications from Citizens:

John Ingram-Various Issues

18. To: City Council

1. On January 4 Council President Keith Lewis change how resident can speak at city hall I would like to know if the other council member approve this or did he just do it. I would also like to know does the rest of council approve this.

2. Due to the fact that resident that would like to address the council either have to come a week before council meeting and request to be put on the agenda when they have no clue what will be on the agenda how can the council president decide that the resident cannot speak on issue that maybe affecting them at the only place where it should be discuss.

3. I would like to know what time will Council President Keith Lewis will be in his office to address concern of the citizens of Lackawanna it is not enough to say you can call me or leave an e-mail.

4. All council meeting are open to the public and they can be recorded by resident or press my question is on this day and age where all phone have video device why would this council would try to stop citizen from doing what is their civil right.

JOHN INGRAM

Moved by Lewis seconded by Noman to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Resolutions:

(1) A resolution appointing Fourth Ward Councilman, Jeffrey DePasquale, as a Marriage Officer for the City of Lackawanna

Resolution #5, 2016

WHEREAS, New York State on April 15, 1988 amended the Domestic Relations Law A-1077, allowing the Governing body of a municipality the right to appoint Marriage Officers for a period not to exceed four years, effective January 1, 1988; and

WHEREAS, the Marriage Officers shall have the authority to solemnize marriages in the municipality which makes said appointments; and
WHEREAS, the Lackawanna City Council is desirous of appointing a Marriage Officer in conformance with the Domestic Relations Law

NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey DePasquale, be and is hereby appointed as a Marriage Officer for the City of Lackawanna, said term not to exceed four years, a limitation as imposed by the law of New York State; and

RESOLVED, that this resolution shall take effect immediately

Moved by Iafallo seconded by Noman to adopt resolution as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Ordinances:

(1) An ordinance establishing the Mayor's salary

AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE 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 Mayor's Salary

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$11,535.00 to budget code A.1210.101 Mayor, Personal Services

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$11,535.00 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, DePasquale

Nays: Lewis

Carried 4-1

(2) An ordinance -Special Revenue Fund-Garbage and Refuse, Repairs and Replacements

AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE ADOPTED JULY 16, 2015

BE IT ENACTED by the City Council for 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 and appropriations by \$25,000.00 for budget code A9000.9551
Transfer to Special Revenue Fund

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to appropriate
\$25,000.00 of General Fund Balance

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to increase budget
code CL0000.5031 Special Revenue Fund-Garbage and Refuse Interfund
Transfers by \$25,000.00

SECTION 4. That the 2015-2016 Budget Ordinance is hereby amended to increase budget
Code CL.8160.443 Special Revenue Fund-Garbage and Refuse, Repairs &
Replacement by \$25,000.00

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Iafallo to adopt ordinance as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

(3) An ordinance transferring funds for Adult Recreations, Part Time Attendants

**AN ORDINANCE AMENDING THE 2015-2016 BUDGET ORDINANCE ADOPTED
JULY 16, 2015**

BE IT ENACTED by the City Council for 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 a raise for Part Time Recreation Attendants

SECTION 2. That the 2015-2016 Budget Ordinance is hereby amended to add \$700.00 to
budget code A.7620.102 Adult Recreation, Part Time Recreation Attendants

SECTION 3. That the 2015-2016 Budget Ordinance is hereby amended to appropriate \$700.00
of the City's Fund Balance

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by DePasquale to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, DePasquale

Nays: Lewis

Carried 4-1

(4) An ordinance amending Chapter 5-Preparation of Agenda

**AN ORDINANCE AMENDING CHAPTER 5, ADMINISTRATION OF GOVERNMENT
OF THE CITY OF LACKAWANNA MUNICIPAL CODE**

BE IT ENACTED by the City Council of the City of Lackawanna, New York that City Code
Chapter 5-18, shall be rescinded and replaced with the following

5-18. Preparation of agenda by Clerk; submission to Council members, and department heads

The City Clerk shall list matters received pursuant to Section 5-17 in the order received according to the order of business provided for in Section 5-22 and furnish each member of the Council and any department head concerned with a copy of such list. Items placed on the agenda shall be relevant to city/public business. A council member may have an item placed on the agenda, provided it is relevant to council business. A copy of the agenda shall be distributed for the public at the beginning of each council meeting.

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Jerge seconded by Iafallo to adopt ordinance as written

Yeas: Noman, Iafallo, Jerge, DePasquale

Nays: Lewis

Carried 4-1

Executive Session:

Moved by Lewis seconded by Iafallo to move to executive session at 7:52 PM

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Meeting reconvened at 8:15 PM

Roll Call: Council: Present: Lewis, Noman, Iafallo, Jerge, DePasquale

Adjournment:

Moved by Lewis seconded by Jerge to adjourn

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Keith E. Lewis, Council President

Jacqueline A Caferro, City Clerk