

**COUNCIL MEETING
TUESDAY, SEPTEMBER 6, 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
Department Heads: Present: City Attorney, Development, Public Works,
Comptroller, Recreation
Excused: Public Safety**

Approval of Minutes:

Moved by Jerge seconded by Lewis to adopt minutes of regular meeting of August 15, 2016, as written

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

Departmental Reports:

1. City Comptroller-A/P Check Listing #2, August 12, 2016
2. City Comptroller-A/P Check Listing #3, August 18, 2016
3. City Comptroller-Statement of Condition of Appropriations-May 31, 2016
4. City Comptroller-Statement of Condition of Appropriations-June 30, 2016
5. City Comptroller-A/P Check Listing #4, August 25, 2016

Moved by Jerge seconded by Lewis to receive and file departmental reports one thru five

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

Communications from the Mayor:

Commissioner of Deeds Status

6. To: City Council

I am requesting your Honorable Body accept my request to become a Commissioner of Deeds. Thank you in advance for your anticipated cooperation on this matter.

GEOFFREY M SZYMANSKI-MAYOR

Moved by Jerge seconded by Noman to approve request

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

Library Construction Grant Application

7. To: City Council

I am requesting your Honorable Body pass the attached resolution regarding the Library Construction Grant Application for the Lackawanna Public Library.

Thank you in advance for your anticipated cooperation on this matter.

GEOFFREY M SZYMANSKI-MAYOR

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

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Communications from the Council:

Wilmuth Street-Zoning-Residential Light Industrial

8. To: City Council

I reached out to the Director of Development as to the zoning of the parcels immediately behind the homes on Wilmuth.

Because of the proximity of those lots to the existing homes on Wilmuth. I would like to request they be zoned for light industrial/residential. If passed by the Council, I requested that the Director forward this to the zoning board, if their approval is required to honor this request.

JOSEPH JERGE-THIRD WARD COUNCIL MEMBER

Moved by Jerge seconded by Lewis to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Police Officer-Education Qualifications

9. To: City Council

I am requesting that we change the qualifications for potential candidates seeking the position of police officer in the City of Lackawanna. I suggest we change the minimum educational qualifications to a high school diploma.

Any input or questions you may have, are welcome.

JOSEPH JERGE-THIRD WARD COUNCIL MEMBER

Moved by Lewis seconded by Jerge to TABLE for study

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Festival/Softball Revenue Report

10. To: City Council

I requested that the Director of Recreation submit a report from the last three years for monies generated from softball and the Lackawanna Festival.

I asked that the report be broken down stream by stream if possible.

JOSEPH JERGE-THIRD WARD COUNCIL MEMBER

Moved by Jerge seconded by Lewis to receive and file, recreation director to submit report

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Festival Security Report

11. To: City Council

I requested that the Director of Public Safety submit an expense report from the last three years for expenses incurred from the Lackawanna Festival as they pertain to security and safety (police and fire).

I asked for the report to be broken down separately for police and fire.

JOSEPH JERGE-THIRD WARD COUNCILMAN

Moved by Jerge seconded by Lewis to receive and file, public safety director to submit report

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

Library Crosswalk Status

12. To: City Council

I requested that the Commissioner of Public Works provide an update as to the status of the crosswalk to be erected in front of the library, specifically if the drawings have been prepared and if it is ready to go out to bid. I had previously requested this information in a communication of the meeting of July 18th and verbally at the August Council meeting.

ANNETTE IAFALLO-SECOND WARD COUNCIL MEMBER

Moved by Iafallo seconded by Lewis to receive and file

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

Engineering Firm Contract

13. To: City Council

I requested that the Commissioner of Public Works submit to the Council, any contract with the current engineering firm, and confirm the services we are provided and what the yearly cost is.

KEITH LEWIS-COUNCIL PRESIDENT

Moved by Lewis seconded by Jerge to receive and file

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

Bids-Engineering Firm

14. To: City Council

I requested that the Commissioner of Public Works provide the City Clerk with the specifications for advertising of bids for engineering services.

KEITH LEWIS-COUNCIL PRESIDENT

Moved by Lewis seconded by Jerge to receive and file

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

Communications from Department/Division Heads:

MS4 Report

15. To: City Council

Pursuant to the requirements of the New York State Department of Environment and Conservation (the “DEC”) attached please find a completed MS4 Annual Report (the “MS4 Report”). The MS4 report is required relative to storm water management within the City of Lackawanna.

The City is obligated to file the MS4 Report with the City Clerk for availability of review by interested parties. Please note that the MS4 reports has been filed with the DEC and the Erie County Department of Environment and Planning.

Accordingly, request is hereby submitted for this Honorable Body to receive and file the MS4 Report with the City Clerk. (51 page complete report on file in the City Clerk's Office)

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Lewis seconded by Jerge to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

2nd Annual Arts on Ridge

16. To: City Council

Attached for your perusal please find the Press Announcement and flyer associated with the 2nd Annual "Arts on Ridge" scheduled for Thursday, September 22nd.

Please note that the event is planned to be larger than last year with an increase of artists, musicians, other performer and activities throughout the Central Business District.

In the event there are any questions, comments or ideas I encourage you to contact me. I look forward to sharing this great event with all of you and the residents of our great City.

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Lewis seconded by Iafallo to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Commissioner of Deeds

17. To: City Council

Caitlin DePasquale, Wanda Turner and Joseph Geyer request to be approved as Commissioner of Deeds. 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 grant request

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

School District-Use of Veterans Stadium

18. To: City Council

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

(complete lease agreement on file in City Clerk's office)

ANTONIO SAVAGLIO-CITY ATTORNEY

Moved by Jerge seconded by Noman to approve agreement between School District and City for use of Veterans Stadium for football

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Entertainment Licenses:

Father Baker Knights of Columbus-class 2-mechanical music-\$25

Ice House Pub-tavern/restaurant-live music-\$50

Moved by Jerge seconded by Lewis to approve entertainment licenses

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Resolutions:

Resolution #22, 2016

A resolution authorizing Grant Consultant Connie Miner to submit the N.Y.S. Library Construction Grant Application for the Lackawanna Public Library and directs the Mayor to provide necessary signatures and documents for grant funding

Library Construction Grant Application for the Lackawanna Public Library

Whereas the New York State Department of Education, Division of Library Development, under the NYS Public Library Construction Grant Program (“State Grant”) is offering funds up to 75% of approved costs for renovation or rehabilitation of public libraries in New York State, and

Whereas the City of Lackawanna is the owner of the building that houses the Lackawanna Public Library, located at 560 Ridge Road, in the City of Lackawanna, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and

Whereas the Lackawanna Public library is in charge with of its library operations in cooperation with the Buffalo and Erie County Public Library System, and per the guidelines for the State Grant and County Grant, must be the applicant for such grants, and,

Whereas the Lackawanna Public Library is in dire need of replacement of its windows, estimated to cost of \$202,501 to increase efficiency and reduce utility costs;

Whereas the Lackawanna Public Library must also replace its failing air conditioning system at an estimated cost of \$17,789;

Whereas the City of Lackawanna, as owner of the Lackawanna Public Library building and grounds, recognizes its responsibility to maintain the building and, in accordance with its responsibility, hereby commits to paying the entire project less any grant funds awarded, as the local match towards the Sate Grant.

Now, Therefore Be It Resolved the City of Lackawanna will be providing matching funds through its capital budget, less any Public Library Construction grant proceeds, for the window and air conditioning replacement project, estimated to cost \$220,290, based on the attached project budget, contingent on the award of a Library Construction Grant;

And Be It Further Resolved that this City of Lackawanna Council hereby authorizes and directs Lackawanna grants Consultant Connie D. Miner to submit the NYS Public Library Construction Grant for the Lackawanna Public Library and directs the City of Lackawanna Mayor, Geoffrey M. Szymanski and Lackawanna Library Board of Directors to provide all necessary signatures and documents needed for the Grant Consultant related to the aforementioned project and application for grant funding.

And Be It Further Resolved that the City of Lackawanna Council agrees and covenants that the Library building at 560 Ridge Road in the City of Lackawanna shall be legally available for use

as a public library building for at least 10 (ten) years from the anticipated date of the completion of the aforementioned construction project.

This resolution shall take effect immediately

Moved by Iafallo and seconded by Lewis to adopt resolution as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Waive Rules;

Moved by Lewis seconded by Noman to waive rules

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Code RED-Additional Funding Request

To: City Council

This correspondence is being forwarded to your Honorable Body to apprise you of the current status of the City of Lackawanna Emergency Notification System, known as CODE RED.

In September, 2015, the City contracted with En Pointe Technologies for the Basic Plan Notification System at a cost of \$7,840.00 per year. This basic plan limited the amount of minutes used for emergency notification calls to 23,750 minutes per year. The minutes uses per notification of our call base of 5,843 registered Code RED users, based upon this year's emergency notifications, such as water main breaks, road repair notifications, Lackawanna Festival information, has significantly depleted the 23,750 allowable notification minutes in our minute bank balance. We have been required to add additional minutes to our minute bank balance on three separate occasions, wherein we were in excess of the available minute bank balance. The additional cost of adding these bank minutes resulted in an increased cost of \$2,850.00 for the period from September 23, 2015 ending September 23, 2016.

The City has been negotiating with representation of En Pointe Technologies to determine an alternative program available to avoid the current minute bank problems in the next two years of our three year contract.

En Pointe Technology representatives have proposed that the City back date our original Basic Plan contract to upgrade to the Unlimited Plan, which offers unlimited emergency call minutes at an additional cost of \$3,286.75 for the period from September 23, 2015 to September 23, 2016. They have agreed to waive the current \$2,850.00 fee which was incurred to add additional minutes used to our current Basic Plan.

Going forward, the cost of the unlimited plan would be \$11,125.00 per for the 2016/2017 and 2017/2018 contract years.

Currently, I would ask your Honorable Body to approve an additional amount of \$3,286.25 to be paid to En Pointe Technologies to upgrade our current contract for the 2015/2016 contract year. If we fail to upgrade to the Unlimited Plan for 2015/2016, we would be liable to pay the \$2,850.00 balance due, and we would only have 897 minutes available in our minute bank.

Currently, there is a line balance of \$7,850.00 in the Public Safety Code A3010, for Code RED enrollment for the 2016/2017 year. We would require an additional funding of \$3,286.75 to upgrade our contract for the year 2015/2016, and an additional \$3,286.75 to add to the current budgeted amount of \$7,850.00 for the 2016/2017 contract year. The full contract cost of \$11,125.00 will have to be addressed in the budget for 2017/2018.

We have found that Code RED has been a most useful tool for notifying citizens of emergency and general information throughout the year. We have had positive feedback from citizens since the program inception.

I respectfully request that your Honorable Body approve the upgrade in our program with En Pointe Technologies and fund the increase required for the Unlimited Emergency Plan.

JAMES T KUNA-DIRECTOR of PUBLIC SAFETY

Ordinance

AN ORDINANCE AMENDING THE 2016-17 BUDGET ORDINANCE ADOPTED JUNE 16, 2016

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

SECTION 1. That the 2016-2017 Budget Ordinance adopted June 16, 2016 is hereby amended to transfer appropriations for Code Red

SECTION 2. That the 2016-2017 Budget Ordinance is hereby amended to transfer \$6,573.50 to budget code A.3010.253 Public Safety Administration, Emergency Communications Network

SECTION 3. That the 2016-2017 Budget Ordinance is hereby amended to transfer \$6,573.50 from budget code A.1900.1990 Special Items, Contingent Account

THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY

Moved by Lewis seconded by Jerge to adopt ordinance as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Executive Session:

Moved by Lewis seconded by Iafallo to move to executive session at 7:33 PM

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Meeting reconvened at 7:47 PM

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

Adjournment:

Moved by Jerge seconded by Lewis, meeting is adjourned

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Keith E. Lewis, Council President

Jacqueline A. Caferro, City Clerk