

COUNCIL MEETING
MONDAY, OCTOBER 17, 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,
Recreation, Public Safety
Excused: Comptroller

Approval of Minutes:

Moved by Lewis seconded by Iafallo to adopt minutes of regular meeting of October 3, 2016 and special meeting of October 5, 2016, as written

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

Departmental Reports:

1. City Comptroller-A/P Check Listing #11, September 30, 2016
2. City Clerk-Monthly Report for September 2016
3. City Treasurer-Monthly Report for September 2016
4. City Comptroller-A/P Check Listing #12, October 6, 2016

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

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

Communications from Council:

Parking Markers-Ridge Road Central Business District

5. To: City Council

As we are aware, Ridge Road has become increasingly congested near the intersection of South Park at certain times of the day, extending sometimes all the way back to Electric.

Additionally, the need for on-street parking has increased on Ridge Road in the "Central Business District" and with the anticipated renovation of the building at Colton and Ridge this need will likely grow. Many of the businesses on Ridge Road in the CBD do not have a parking lot, which means they must rely on municipal lots and on-street parking. Additionally, parishioners and visitors of the Basilica often rely on street parking on Ridge Road as well as South Park.

At present, there are no markings on the street that designate parking spots, so cars park where they like, causing congestion and traffic delays, as well as being problematic to getting more cars on the street.

I would like to request that markings similar to those on South Park north of Ridge be placed along the entire CBD to facilitate order.

Further, with several restaurants and bars in the CBD, deliveries are becoming problematic to traffic as well. I would like to suggest a “no parking between signs” section in each block of Ridge (where it is necessitated) in the CBD be installed and enforced between the hours of 9 AM and Noon, meaning beer trucks and larger delivery vehicles would not impede traffic flow. This may require some cooperation from businesses to inform their vendors of specific delivery times as they pertain to deliveries on Ridge Road in the CBD, but, I would not foresee that as a problem because many businesses use a lot of the same vendors.

I am not asking for a vote on this tonight. At this point I am asking simply for feasibility and feedback.

JOSEPH JERGE- 3RD WARD COUNCILMAN

Moved by Jerge seconded by Lewis to TABLE for study

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

DWI/Drug Related Offenses-Tows

6. To: City Council

I asked the Director of Public Safety, if it would be possible to be provided with the number of tows requested by the Police Department last year, and thus far this year, for incidents related to DWI and Drug related offenses.

JOSEPH JERGE-3R WARD COUNCILMAN

Moved by Jerge seconded by Lewis to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Communications from Department/Division Heads:

Purchase Offer-207 Center Street

7. To: City Council

My office has received an offer from John Pirowski to purchase 207 Center St. for purpose of extending his yard along with keeping the lot clean and secure. The current lot size is 30 x 110 with an assessed value of \$3,500.

Therefore, it is my recommendation that the City Council approve the sale of 207 Center St. to John Pirowski for \$1,000 with the attached ordinance.

If approved by Council, buyer shall be liable for all fees.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Lewis seconded by Noman to TABLE for study

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Ordinances Amending Chapter 88 and Chapter 230

8. To: City Council

Please put the attached ordinances on the agenda for Council approval. Thank you.

ANTONIO SAVAGLIO-CITY ATTORNEY

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

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Purchase Offer-115 Holland Ave.

9. To: City Council

My office has received an offer from Mohamed Saleh in the amount of \$200 to purchase part of the parcel located at 115 Holland Ave. for purpose of extending his driveway. The current lot size is 30 x 100 and has an assessed value of \$3,400. Mohamed Saleh would like to purchase the property in order to extend his driveway an additional 8 ft. Unfortunately, the City cannot sell any part of this parcel because it is currently used by the general public as a pedestrian access between Holland and Wilkesbarre Ave. Furthermore, the City of Lackawanna would no longer be in compliance with the Americans with Disabilities Act for pedestrian access once the parcel is altered.

Therefore, it is my recommendation that the City Council NOT APPROVE the sale of 115 Holland Ave., to Mohamed Saleh.

For further information, please contact the Assessor's Office.

FRANK E KRAKOWSKI-CITY ASSESSOR

Moved by Lewis seconded by Noman to receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Revised Ordinance Chapter 88, Business Registration

10. To: City Council

Attached for the approval of this Honorable Body, please find the final version of the Revised Ordinance for the registration of all businesses open and intending to operate within the City of Lackawanna. This revised ordinance is intended to replace the existing ordinance known as "Chapter 88, Businesses, Registration of".

By approving and adopting this revised Ordinance it is anticipated that we are establishing an ordinance that will be more enforceable and understandable to potential businesses.

In addition to the Ordinance we have attached a revised Business Registration form and guidelines to be made available on the City of Lackawanna Web Page.

FRED K HEINLE-DIRECTOR of DEVELOPMENT

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

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Annual Conference of the National League of Cities

11. To: City Council

Please be advised that I will be attending the Annual Conference of the National League of Cities. The Conference is scheduled for Wednesday, November 16th through and including Saturday, November 19th in Pittsburg, PA.

All costs are covered through the Travel Line in the Department of Development Budget (A3620.464)

In the event there are any questions, I encourage the Council Members to contact me.

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Jerge seconded by Lewis to receive and file, travel request approved

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Grant-Zombie and Vacant Properties

12. To: City Council

Please be advised that the City of Lackawanna has been awarded a One Hundred Thousand Dollars (\$100,000.00) grant through the New York State Attorney General’s Office and LISC (the “Grant”).

The Department of Development will be the recipient of the funding and will direct the implementation of the Grant funds. The purpose of the Grant is to fund programs that address the growing zombie and vacant property issues that continue to be a blighting condition upon our neighborhoods.

It is our intention for the funds to be used, pending LISC approval, for the following objectives:

1. Outreach programs for households and families that may be facing mortgage default;
2. Bringing all available resources together to address potential causes that may lead to mortgage default;
3. Creation of a loan guarantee fund to be utilized during negotiations between mortgage holder and residents facing mortgage default;
4. Revolving fund to cover property maintenance during the negotiation process, to be charged back to the lender and/or assessed to the property; and
5. Create a fund to cover the cost of litigation if negotiations fail or in the event that the lender remains unwilling to address code issues affecting the property.

Accordingly request is hereby presented to this Honorable Body to authorize Geoffrey M. Szymanski, Mayor, to execute all necessary and prudent documentation to initiate the funding and further authorize the Department of Development to undertake the activities associated with the Grant.

In the event there are any questions I encourage the Council members to contact me.

(Agreement on file with City Clerk)

FRED K HEINLE-DIRECTOR of DEVELOPMENT

Moved by Lewis seconded by Iafallo to receive and file and authorize the Mayor to apply for grant

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Communications from Citizens:

NFTA Representation and Bus Shelter Repair

13. To: City Council

1. I would like this Council to write a letter to the NFTA to demand that the City of Lackawanna has representation concerning the scheduling of buses coming to Lackawanna.

2. I would like all council members to commit themselves to coming to a meeting in December with the NFTA.

3. We have 2 bus shelters, one on Odell and Route 5 they need to be repaired there is some problem concerning who should have to fix them NFTA say Lackawanna is responsible and Lackawanna say they have no record of this deal. We need to find out who is responsible so they can be fixed before the snow comes.

JOHN INGRAM

Moved by Lewis seconded by Noman, receive and file

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Ordinances:

(1) Business Registration/Renewal Application

AN ORDINANCE AMENDING CHAPTER 88 BUSINESSES, REGISTRATION OF, OF THE CITY OF LACKAWANNA MUNICIPAL CODE

(The complete ordinance is on file with the City Clerk)

Moved by Lewis seconded by Jerge to adopt ordinance as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

(2) Zoning Board Public Hearing Notification

AN ORDINANCE AMENDING CHAPTER 230, ZONING 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 230-72. Use and area variances, be amended by rescinding and replacing the following:

4. (a) After reviewing the preliminary application and recommendations from other involved municipal or county agencies, the Zoning Board of Appeals shall hold a public hearing. Notices of the public hearing shall be mailed at least five calendar days prior to the date of the hearing to the parties, property owners within 1,500 feet from the property line, to such other property owners as the Chairman of the Zoning Board of Appeals may direct, to the regional state park commission having jurisdiction over any state park or parkway within 500 feet of the property affected by such appeal and to the County Planning Board, as required by Sect. 239-m of the General Municipal Law. The public hearing shall be advertised at least once in the official City paper or in a newspaper of general circulation at least five calendar days before the hearing.

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

Tabled Items:

Moved by Lewis seconded by Jerge to remove from table business registration from October 3, 2016 meeting

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

X-treme Collision-Joseph Bowser-1212 Abbott Rd-Car Repair

Moved by Lewis seconded by Jerge to approve business registration for X-treme Collision

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

Waive Rules:

Moved by Lewis seconded by Jerge to waive rules regarding Fall Harvest Celebration on October 31, 2016

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

Moved by Lewis seconded by all to approve request to close Steelawanna Ave. between Washington and Pearl on October 31, 2016 from 4:30-8:30 P.M.

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

Adjournment:

Moved by Lewis seconded by Iafallo, meeting is adjourned

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

Keith E. Lewis, Council President

Gail Nicholson, Deputy City Clerk