

**COUNCIL MEETING  
MONDAY, DECEMBER 5, 2016  
COUNCIL CHAMBERS  
[www.lackawannany.gov](http://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, Public Safety  
Excused: Recreation**

**Executive Session:**

Moved by Lewis seconded by Noman to move to executive session at 7:12 PM  
Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale Carried 5-0

Meeting reconvened at 7:52 PM

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

**Approval of Minutes: of regular meeting of November 21, 2016**

Moved by Lewis seconded by Iafallo to adopt minutes of regular meeting of November 21, 2016,  
as written  
Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale Carried 5-0

**Departmental Reports:**

1. City Comptroller-A/P Check Listing #18, November 16, 2016
2. City Comptroller-A/P Check Listing #19, November 17, 2016

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

**Communications from Council:**

**Police Chief's Lawsuit**

3. To: City Council

I requested that the City Attorney update the Council at the December 5, 2016 Council Meeting,  
as to the status of the aforementioned lawsuit.

**KEITH LEWIS-COUNCIL PRESIDENT**

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

Carried 5-0

#### **Outside Legal Costs**

4. To: City Council

I submitted a request to the City Attorney on January 4, 2016 requesting information regarding Outside Counsel Legal Fees. As of November 29, 2016 I have received ZERO information regarding this request!

At the August 15<sup>th</sup> Council Meeting, I submitted another request regarding this information. During the Council Meeting, the City Attorney apologized to the Council for not having this information to us as of yet (8 months after my 1<sup>st</sup> request), but assured us that we would have it for the next meeting. At the 2<sup>nd</sup> Council Meeting in September (9/19/16), I asked the City Attorney why we did not receive the information that he assured the Council, that we would have for the September 6<sup>th</sup> Council Meeting. Again, he apologized and informed the Council that we would have it for the next Meeting, which was October 3, 2016.

With the upcoming December 5, 2016 Council Meeting less than one week away, we are now 11 months from my initial request. I find this situation to be unprofessional, unacceptable, and deliberate.

**KEITH LEWIS-COUNCIL PRESIDENT**

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

Carried 5-0

#### **Budget Amendment-Outside Counsel Funding**

5. To: City Council

I am requesting that the Council Members allocate money to hire outside counsel to represent the City Council.

The actual attorney/firm to be determined by the Council, if a majority agrees with this request.

Thank you in advance for our anticipated cooperation.

**KEITH LEWIS-COUNCIL PRESIDENT**

Moved by Lewis seconded by DePasquale to amend request and allocate \$25,000 to Account A1010.465

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

#### **Not-for Profit/Tax Exempt Properties**

6. To: City Council

I requested that the City Assessor provide the Council Members with the total assessed value of not-for profit/tax exempt properties, within the City of Lackawanna. In addition, I asked that he please include an estimated figure of uncollectible tax revenue on those properties.

**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

**Marriage Officer-Reappointment-Iafallo**

7. To: City Council

I am requesting to be reappointed as a marriage officer for the City of Lackawanna, New York. I appreciate your cooperation in this matter.

**ANNETTE IAFALLO-SECOND WARD COUNCIL MEMBER**

Moved by Jerge seconded by Noman to grant request, receive and file, act on resolution

Yeas: Lewis, Noman, Jerge, DePasquale (Iafallo excused herself) Carried 4-0

**Communications from Department/Division Heads:**

**Commissioner of Deeds-Law Department**

8. To: City Council

I hereby request appointment by your Honorable Body as Commissioner of Deeds.

**DENISE FITZGIBBONS-LAW SECRETARY**

Moved by Jerge seconded by Iafallo to approve request for Commissioner of Deeds status

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

**Commissioner of Deeds-Police Department**

9. To: City Council

This letter serves to request your Honorable Body renew the attached listing of personnel that serve as Commissioner of Deeds for the Police Department. The current licenses will expire December 31, 2016.

If you have any questions, please contact this writer.

**JAMES T KUNA-DIRECTOR of PUBLIC SAFETY**

Moved by Lewis seconded by Jerge to approve request for Commissioner of Deeds for Police Personnel

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

**Fire Department-AFG Grant**

10. To: City Council

Attached for your review and consideration is an ordinance to recognize the increase in revenue and appropriations for the AFG Grant for a washer/dryer system for the Fire Department.

**PEGGY BIGAJ-SOBOL-CITY COMPTROLLER**

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

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

**Resolutions:**

**RESOLUTION # 27, 2016**

**Marriage Officer, City of Lackawanna**

**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; and

**NOW, THEREFORE, BE IT**

**RESOLVED**, that Annette Iafallo, 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

**BE IT FINALLY RESOLVED**, that this resolution shall take effect immediately.

Moved by Lewis seconded by Noman to adopt resolution as written

Yeas: Lewis, Noman, Jerge, DePasquale (Iafallo excused herself)

Carried 4-0

**Ordinances:**

**(1) Fire Department-Emergency Equipment**

**AN ORDINANCE AMENDING THE 2016-2017 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 increase revenues and appropriations for the Assistance to Firefighters Grant

**SECTION 2.** That the 2016-2017 Budget Ordinance is hereby amended to increase revenues to budget code A.4391, Assistance to Firefighters Grant by \$14,418.00

**SECTION 3.** That the 2016-2017 Budget Ordinance is hereby amended to add \$14,418.00 to budget code A.3410.253 Fire Department, Emergency Equipment

**THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY**

Moved by Jerge seconded by Iafallo to adopt ordinance as written

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

**Waive Rules:**

Moved Lewis seconded by Jerge to waive rules

Yeas: Lewis, Noman, Iafallo, Jerge, DePasquale

Carried 5-0

**Commissioner of Deeds-LMHA**

To: City Council

I hereby request an appointment as a Commissioner of Deeds for 2017-2018. This appointment would be used solely for my duties at the Lackawanna Municipal Housing Authority.

**BRANDON FALBO-LMHA**

Moved by Lewis seconded by Iafallo to approve Commissioner of Deeds for Brandon Falbo

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

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Keith E. Lewis, Council President

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Jacqueline Caferro, City Clerk