



COMMON COUNCIL REGULAR MEETING

~ SUMMARY ~

Tuesday, 16 May 2017

2:00 PM

Council Chambers

CALL TO ORDER

Attendee Name	Present	Absent	Late	Arrived
Joel P. Feroletto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Richard A. Fontana	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1:47 PM
David A. Franczyk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:03 PM
Joseph Golombek Jr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:21 PM
Darius G. Pridgen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1:50 PM
David A. Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:03 PM
Christopher P. Scanlon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:02 PM
Ulysees O. Wingo Sr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1:53 PM
Rasheed N.C. Wyatt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1:57 PM

FELICITATIONS & IN MEMORIAM

By Councilmember Golombek
Mr. Bob Schectzer
Steve Lenczyk
Wayne Petko

By Councilmember Wyatt
Julia Lee Watson

By Councilmember Pridgen
Mr. Marshall W. Young
For all the Men and Women who have given or risked their lives for the Safety of Others

MINUTES APPROVAL

- Regular Meeting 02 May 2017 2:00 PM -

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	David A. Rivera, Majority Leader, Niagara Dist. Council Member
SECONDER:	Christopher P. Scanlon, President Pro Temp, South District Council Member
AYES:	Feroletto, Fontana, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt

MAYOR

- 17-805 - MAY - Appoint Member for Commission on Citizen Rights & Community Relations (Lopez)

RESULT: REFERRED TO CD **Next: 5/23/2017 1:00 PM**

MAYOR EXECUTIVE

2. 17-806 - CITSERV - Submission of Monthly Report-May 2017

RESULT: RECEIVED AND FILED

3. 17-807 - CITSERV - Appoint Knowledge Base Coordinator(Exempt)(Dahir)

RESULT: RECEIVED AND FILED

4. 17-808 - PB - Amend Fisher Associates Contract for Green Code Implementation

RESULT: APPROVED

5. 17-809 - PB - SEQR Negative Declaration - 490 Broadway

RESULT: RECEIVED AND FILED

6. 17-810 - PB - Findings for Planned Unit Development - 490 Broadway

RESULT: RECEIVED AND FILED

7. 17-811 - PB - Findings for Special Use Permit - 350 Pennsylvania

RESULT: RECEIVED AND FILED

8. 17-812 - PB - Findings for Special Use Permit - 429 Rhode Island

RESULT: RECEIVED AND FILED

9. 17-813 - PB - Findings for Special Use Permit - 822 Walden

RESULT: RECEIVED AND FILED

COMPROLLER

10. 17-814 - AC - Certificate of Necessity - Increased Appropriation - \$2.9 Million for Dillon Courthouse

RESULT: RECEIVED AND FILED

11. 17-815 - AC - Certificate of Necessity - Transfer of Funds - Landfill Management & Environmental Remediation

RESULT: RECEIVED AND FILED

12. 17-816 - AC - 2017-2018 Budget Response

RESULT: RECEIVED AND FILED

13. 17-817 - AC - Informational Report on the Emergency Rehab Loan Program

RESULT: REFERRED TO CD **Next: 5/23/2017 1:00 PM**

COUNCIL PRESIDENT

ASSESSMENT & TAXATION

14. 17-818 - AST - Appoint Associate Tax Clerk(Perm)(Wolniewicz)

RESULT: REFERRED TO CS **Next: 5/23/2017 9:45 AM**

MANAGEMENT INFORMATION SYSTEMS

PUBLIC WORKS

15. 17-819 - ENG - Notification Serial #12345

RESULT: WITHDRAWN

16. 17-820 - ENG - Contract Renewal - Nussbaumer & Clarke - Sidewalk Inspection

RESULT: APPROVED

17. 17-821 - ENG - Contract Time Extension - BVR Cons. Co. Inc. - 93001982

RESULT: RECEIVED AND FILED

18. 17-822 - DPW - North Buffalo Ice Rink

RESULT: APPROVED

19. 17-823 - ENG - Change Order - Niagara St. Phase I - Nova Site Co.

RESULT: APPROVED

20. 17-824 - DPW - Permission to Auction-Emergency Generator

RESULT: APPROVED

21. 17-825 - ENG - Permission to Enter into Agreement - Allen St. Extension Project

RESULT: APPROVED

22. 17-826 - DPW - Permission to Enter into Agreement-Buffalo Zoo-School Building-Roof Reconstruction-DEL

RESULT: APPROVED

23. 17-827 - DPW - Permission to Enter into Agreement - MXI - Household Waste Removal

RESULT: APPROVED

24. 17-828 - ENG - Permission to Enter into Agreements - Niagara St. Phase III/IV

RESULT: APPROVED

25. 17-829 - PARKS - Permission to Enter into Agreement - be Our Guest, LTD

RESULT: APPROVED

26. 17-883 - DPW - Permission to Hire Consultant-BPD Satellite Station-Broadway Market-Job#1714-FIL - *Late File*

RESULT: APPROVED

27. 17-830 - PARKS - Report of Bids - CDBG YR42 Improvements at Various Parks

RESULT: APPROVED

28. 17-831 - DPW - Report of Bids-Gloria J Parks CC-HVAC Replacement-GP-42-50203, IDIS No.9567-UNI

RESULT: APPROVED

29. 17-832 - DPW - Report of Bids-TJ Dulski Community Center-Restroom Rehabilitation-TJ-42-50203-IDIS No.9469-FIL

RESULT: APPROVED

POLICE

30. 17-833 - BPD - Drug Asset Forfeiture Wire Transfers

RESULT: RECEIVED AND FILED

31. 17-834 - BPD - Request Perm to Amend Contract-Btwn PAL and Police Dept

RESULT: REFERRED TO FIN **Next: 5/23/2017 10:00 AM**

32. 17-835 - BPD - Appoint Crime Scene Technician(Step 2)(Hernandez)

RESULT: REFERRED TO CS **Next: 5/23/2017 9:45 AM**

FIRE

33. 17-836 - BFD - Appoint Sr Elm Serv Fire Dispatcher(Perm)(Lombardo)

RESULT: REFERRED TO CS **Next: 5/23/2017 9:45 AM**

CORPORATION COUNSEL

34. 17-837 - LAW - Reimbursement for Inappropriately Incurred Towing Expenses- Felicia Stanley

Council President Pridgen Recused

RESULT: APPROVED [8 TO 0]
AYES: Feroleto, Fontana, Franczyk, Golombek Jr, Rivera, Scanlon, Wingo Sr, Wyatt
RECUSED: Pridgen

PERMITS & INSPECTIONS

35. 17-838 - EDPIS - Food Store License (New)-3209 Bailey(Univ)

RESULT: APPROVED

36. 17-839 - EDPIS - Food Store License(New)-241 Lexington(Nia)

RESULT: APPROVED

37. 17-840 - EDPIS - Lodging House-2473 Bailey(Lov)

RESULT: REFERRED TO LEG **Next: 5/23/2017 2:00 PM**

38. 17-841 - EDPIS - Mobile Food Truck-Bada Bing

RESULT: REFERRED TO LEG **Next: 5/23/2017 2:00 PM**

39. 17-842 - EDPIS - Mobile Food Truck-Buffalo Best Grill

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

40. 17-843 - EDPIS - Mobile Food Truck-Niagara Cafe, Inc

RESULT: APPROVED

41. 17-844 - EDPIS - Request Approval to Receive BSA Funding for Demolitions

RESULT: REFERRED TO FIN Next: 5/23/2017 10:00 AM

42. 17-845 - EDPIS - Restaurant Dance Class 3-45 West Chippewa

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

43. 17-846 - EDPIS - Second Hand Dealer-1942 Seneca(South)

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

44. 17-847 - EDPIS - Sidewalk Cafe-45 West Chippewa

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

45. 17-848 - EDPIS - Used Car Dealer-2420 Bailey

RESULT: APPROVED

46. 17-849 - EDPIS - Used Car Dealer-2300 Niagara(North)

RESULT: APPROVED

ADMINISTRATION, FINANCE, POLICY & URBAN AFFAIRS

47. 17-884 - AF - Third Quarter Gap 2016-2017 - *Late File*

RESULT: REFERRED TO FIN Next: 5/23/2017 10:00 AM

PARKING

48. 17-850 - PARK - BerNational Contract Amendment 5.10.17

RESULT: APPROVED

49. 17-851 - PARK - Pay by Cell Promotional Offer

RESULT: APPROVED

COMMUNITY SERVICES AND RECREATIONAL PROGRAMMING

HUMAN RESOURCES

50. 17-885 - HR - Contract Increase be Well Civil Service - *Late File*

RESULT: APPROVED

ZONING BOARD OF APPEALS

CITIZENS RIGHTS

BOARD OF EDUCATION

BUFFALO SEWER AUTHORITY

BUFFALO MUNICIPAL HOUSING AUTHORITY

BUFFALO URBAN RENEWAL AGENCY

CITY CLERK

51. 17-852 - CLERK - Item Returned to City Clerk Without Approval or Disapproval

RESULT: RECEIVED AND FILED

52. 17-853 - CLERK - Liquor License Applications

RESULT: RECEIVED AND FILED

53. 17-854 - CLERK - Leaves of Absence

RESULT: RECEIVED AND FILED

54. 17-855 - CLERK - Notices of Appointments - Temp/Prov/Perm

RESULT: REFERRED TO CS **Next: 5/23/2017 9:45 AM**

MISCELLANEOUS

55. 17-856 - GEN - Concerns Parks & Rec Adult League Fees, Supplemental Info

RESULT: REFERRED TO FIN **Next: 5/23/2017 10:00 AM**

56. 17-857 - GEN - DEC-Brownfield Cleanup Jefferson Ave

RESULT: RECEIVED AND FILED

57. 17-858 - GEN - DEC Brownfield Public Comment-625 Elk

RESULT: RECEIVED AND FILED

58. 17-859 - GEN - DEC-Brownfield Public Comment-Main & Hertel

RESULT: RECEIVED AND FILED

59. 17-860 - GEN - DEC--Brownfield Public Comment -Tonawanda St

RESULT: RECEIVED AND FILED

60. 17-886 - CC - M. Romanowski - Appealing Preservation Board Decision for 980 Ellicott
- Late File

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

61. 17-861 - CC - Partnership for the Public Good - Why Buffalo Needs Inclusionary Zoning

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

62. 17-862 - GEN - P. McQuillen-Sisters of Mercy Congressional Chapter Meeting Permits

RESULT: APPROVED

63. 17-863 - CC - J. Evans - Buffalo Police Benevolent Association Concerns

RESULT: REFERRED TO CS Next: 5/23/2017 9:45 AM

PETITIONS

64. 17-864 - GEN - M. Hossain, Owner, Use 497 Minnesota to Operate Cultural Facility(Hrg 5/23)(Uni)

Referred to the Committee on Legislation and the City Planning Board

RESULT: REFERRED TO LEG Next: 5/23/2017 2:00 PM

65. 17-865 - GEN - J. Fraser, Owner, Use 1488 Hertel for Outdoor Dining(Hrg 5/23)(Del)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 5/23/2017 2:00 PM
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66. 17-866 - GEN - Request Paving of Bristol & Clare St

Referred to the Committee on Community Development & the Dept of Public Works

RESULT:	REFERRED TO CD	Next: 5/23/2017 1:00 PM
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SUBMISSIONS LIST

Civil Service

1. 17-737 - AST - Appoint Account Clerk Typist(Prov)(Inter)(Jones)

RESULT:	APPROVED
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2. 17-773 - CLERK - Notices of Appointments-Temp/Prov/Perm

RESULT:	RECEIVED AND FILED
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Finance

3. 17-672 - BFD - Approval of EMS Medical Director for the Buffalo Fire Department

RESULT:	APPROVED [8 TO 1]
MOVER:	David A. Rivera, Majority Leader, Niagara Dist. Council Member
SECONDER:	Joseph Golombek Jr, North District Council Member
AYES:	Feroleto, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt
NAYS:	Fontana

Community Development

4. 17-794 - RE - 1140 Jefferson Approve to Transfer Title

RESULT:	APPROVED
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5. 17-723 - RE - Amend Sale of 494,496, 498 Seventh St.

RESULT:	APPROVED
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6. 17-724 - RE - Amend Sale of 280 Wohlers and 495 East Utica

RESULT: APPROVED

7. 17-725 - RE - Report of Sale 425 Broadway

RESULT: APPROVED

8. 17-727 - RE - Report of Sale 107 Edison

RESULT: APPROVED

9. 17-728 - RE - Report of Sale 122 Fox

RESULT: APPROVED

10. 17-788 - CCSTAFF - Wyatt-Cuts to the New York State Cancer and Health Services Program

RESULT: ADOPTED

11. 17-799 - CC - Rivera - Authorizing Use of Public Water for Grassroots Gardens WNY

RESULT: ADOPTED

Legislation

12. 17-767 - CLERK - Chicken License - 23 Sidway - Council Approval/Disapproval

RESULT: APPROVED

13. 17-768 - CLERK - List of Approved Chicken Licenses 05/2017

RESULT: RECEIVED AND FILED

14. 17-778 - GEN - J. Roberson, Owner, Use 822 Walden to Alter an Existing Garage for Auto Repair(Hrg 5/9)(Nia)

RESULT: DENIED [UNANIMOUS]
MOVER: David A. Franczyk, Fillmore District Council Member
SECONDER: Richard A. Fontana, Lovejoy District Council Member
AYES: Feroleto, Fontana, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt

15. 17-779 - GEN - S. Navarro, Owner, Use 350 Pennsylvania for Outdoor Dining(Hrg 5/9)(Nia)

RESULT: APPROVED WITH CONDITIONS

16. 17-780 - GEN - A. Trautman, Owner, Use 429 Rhode Island for a Tavern & Outdoor Dining(Hrg 5/9)(Nia)

RESULT: APPROVED WITH CONDITIONS

17. 17-782 - CC - M. Sutton, Agent, Planned Unit Development 490 Broadway(Hrg 5/9)(Ell)

RESULT: APPROVED

18. 17-642 - PRESBRD - Historic Landmark Application - High Street Historic District

RESULT: APPROVED

19. 17-643 - MAYEX - Historic Landmark Application - 68 & 72 Sycamore Street

RESULT: APPROVED

20. 17-603 - EDPIS - Used Car Dealer-637 Tift(South)

RESULT: RECEIVED AND FILED

21. 17-604 - EDPIS - Used Car Dealer-751 Walden(Lov)

RESULT: DENIED [UNANIMOUS]
MOVER: David A. Franczyk, Fillmore District Council Member
SECONDER: Richard A. Fontana, Lovejoy District Council Member
AYES: Feroletto, Fontana, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt

22. 17-430 - CC - Concerns-Demo of 68 Sycamore

RESULT: RECEIVED AND FILED

23. 16-1332 - EDPIS - Tire Handler/Repair Shop 1869 Seneca St (Sou)

RESULT: RECEIVED AND FILED

Budget

Claims

Education

24. 17-775 - GEN - C. Gaasch- Young Audiences Req to Speak at Upcoming Education Meeting

RESULT: RECEIVED AND FILED

25. 17-225 - GEN - Cash - Buffalo City School District Options: Find More Money or Make Cuts

RESULT: RECEIVED AND FILED

26. 17-221 - CC - Kiarre Harris - Home School Parent Lost Custody of Her Two Children Due to Administrative Error

RESULT: RECEIVED AND FILED

27. 17-183 - GEN - Community Schools

RESULT: RECEIVED AND FILED

28. 16-2035 - CCSTAFF - Buffalo Public Schools 2016-2019 Attendance Improvement Plan

RESULT: RECEIVED AND FILED

COMMITTEE OF THE WHOLE

29. 17-888 - MAY - Mayor's Recommended Budget - FY 18 - *Discharged*

As Amended

RESULT: APPROVED

MWBE

Police Oversight

Rules

TAXI

RESOLUTIONS

67. 17-867 - AF - Fontana- Increased Appropriation- Dillon Courthouse Renovations

RESULT: APPROVED

68. 17-869 - CC - Franczyk- 60Th Annual Allentown Arts Festival

RESULT: APPROVED

69. 17-868 - AF - Fontana-Transfer of Funds from Environmental Remediation Services

RESULT: APPROVED

70. 17-870 - CC - Pridgen-Appoint Ruth D. Bryant to the Buffalo Preservation Board

RESULT: ADOPTED

71. 17-880 - CC - Pridgen - Fee Waiver for East Zone Clean-A Thon - *Late File*

RESULT: APPROVED

72. 17-881 - CC - Pridgen - Fee Waiver for Liberian Community Cookout - *Late File*

RESULT: APPROVED

73. 17-882 - CC - Pridgen - Fee Waiver - Memorial Day Ceremony - *Late File*

RESULT: APPROVED

74. 17-887 - CC - Pridgen - Ord Amend Chap 337 - Preservation Standards - *Late File*

RESULT: APPROVED

75. 17-871 - CC - Pridgen-Public Engagement in COB Budget Process (ELL)

RESULT: REFERRED TO LEG **Next: 5/23/2017 2:00 PM**

76. 17-872 - CC - Pridgen - Smoke-Free Parks Except in Designated Area (Except Resolves)

Adopted resolves, sent remainder to Committee on Legislation

RESULT: ADOPTED

77. 17-878 - CC - Pridgen-Request for Inclusionary Zoning Ordinance (Except Resolves) (ELL)

Adopted resolves, sent remainder to Committee on Legislation

RESULT: ADOPTED

78. 17-889 - CC - Rivera - Discharge Item #17-888 from Committee of the Whole - *Late File*

RESULT: ADOPTED

79. 17-874 - CC - Scanlon- Fee Waiver Father Baker 5K

RESULT: APPROVED

80. 17-875 - CC - Wingo - City of Buffalo Parks to be Tobacco-Free (Except Resolves)

Adopted resolves, sent remainder to Committee on Legislation

RESULT: ADOPTED

81. 17-876 - CC - Wyatt-Comm of Deeds Public Duties

RESULT: ADOPTED

82. 17-877 - CC - Wyatt-Comm of Deeds

RESULT: ADOPTED

TABLED

ANNOUNCEMENTS

Announcement of Committee Meetings

17-879 - CLERK - Announcement of Committee Meetings

Misc. Announcements

City Clerk