



**COMMON COUNCIL
REGULAR MEETING
~ SUMMARY ~**

Tuesday, 25 Jul 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"/>	2:09 PM
Richard A. Fontana	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:10 PM
David A. Franczyk	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:09 PM
Joseph Golombek Jr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:08 PM
Darius G. Pridgen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:07 PM
David A. Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:09 PM
Christopher P. Scanlon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:09 PM
Ulysees O. Wingo Sr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:31 PM
Rasheed N.C. Wyatt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2:03 PM

FELICITATIONS & IN MEMORIAM

Councilmember Wingo, Sr.
Rian N'Kole Davis

Councilmember Golombek, Jr.
Donald Pawlik
Thomas Belstadt
Ann Obermeier

Councilmember Wyatt
Councilmember Wingo, Sr.
George Morey

Councilmember Pridgen
All the Men and Women fighting for freedom across the world for the safety of others

MINUTES APPROVAL

- Regular Meeting 11 Jul 2017 2:00 PM -

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Feroletto, Fontana, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt

MAYOR

- 17-1324 - MAY - Appoint Member of BMHA Board (Rodriguez)

RESULT: APPROVED

2. 17-1325 - MAY - Appoint Member to Board of BMHA (Sonubi)

RESULT: APPROVED

3. 17-1326 - MAY - Appoint Member to Board of BMHA (State)

RESULT: APPROVED

4. 17-1327 - MAY - Appoint Member of BMHA Board (Watson)

RESULT: APPROVED

MAYOR EXECUTIVE

5. 17-1231 - CITSERV - Submission of Monthly Reports - 311 Calls - May 2017

RESULT: RECEIVED AND FILED

6. 17-1232 - MAYEX - 229 Elk Street - Negative Declaration

RESULT: RECEIVED AND FILED

7. 17-1313 - MAYEX - 297 W. Utica - Negative Declaration

RESULT: RECEIVED AND FILED

8. 17-1233 - RE - Permission to Extend Designated Developer, Belle Center, 124 Maryland

RESULT: REFERRED TO CD **Next: 9/12/2017 1:00 PM**

COMPTROLLER

9. 17-1297 - AC - Certificate of Necessity - Transfer of Funds - \$83,020 to Design (Citywide Parks & Shelton Square)

RESULT: RECEIVED AND FILED

10. 17-1234 - AC - Interfund Loan - \$161,700 for LaSalle Seawall Construction

RESULT: APPROVED

11. 17-1298 - AC - Interfund Loan - Bridge Deck Joint Replacement of 3 Bridges

RESULT: APPROVED

12. 17-1299 - AC - Interfund Loan - Bridge Joint, Bearing and Concrete Repairs

RESULT: APPROVED

13. 17-1300 - AC - Interfund Loan - Bridge Rocker Bearing Repairs on S. Park Ave Bridge

RESULT: APPROVED

14. 17-1301 - AC - Interfund Loan - Bridge Washing and Deck Sealing

RESULT: APPROVED

15. 17-1235 - AC - Interfund Loan - Traffic Signal Controllers (Niagara Street)

RESULT: APPROVED

16. 17-1236 - AC - \$4 Million Owed to City by BMHA

RESULT: REFERRED TO FIN **Next: 9/12/2017 10:00 AM**

17. 17-1237 - AC - Appoint Senior Accountant (Perm) (Inter) (Filer)

RESULT: REFERRED TO CS **Next: 9/12/2017 9:45 AM**

18. 17-1238 - AC - Appoint Senior Auditor (Perm) (Inter) (Betyn)

RESULT: REFERRED TO CS **Next: 9/12/2017 9:45 AM**

COUNCIL PRESIDENT

ASSESSMENT & TAXATION

19. 17-1239 - AST - PAM - Senior Tax Clerk (Perm) (Step 12) (Woods)

RESULT: REFERRED TO CS **Next: 9/12/2017 9:45 AM**

MANAGEMENT INFORMATION SYSTEMS

20. 17-1240 - MIS - Open Data Portal Contract

RESULT: APPROVED

PUBLIC WORKS

21. 17-1241 - ENG - Notification Serial #11062-Install One-Way Street Direction on Fosdick Avenue/ELL

RESULT: RECEIVED AND FILED

- 17-1242 - ENG - Notification Serial #11065-Install No Standing School Days on Clare Street/FIL

RESULT: RECEIVED AND FILED

- 17-1243 - ENG - Notification Serial #11068-Install No Parking on Parkside Avenue/DEL

RESULT: RECEIVED AND FILED

- 17-1328 - ENG - Notification Serial #11067-Install Alternate Parking-Type III on Larkin Street/FIL - *Late File*

RESULT: RECEIVED AND FILED

- 17-1331 - ENG - Notification Serial #11070-Install No Standing on Seventh Street/FIL - *Late File*

RESULT: RECEIVED AND FILED

22. 17-1244 - DPW - CORRECTION-Change in Contract-City Hall Improvements Project-ELL

RESULT: APPROVED

23. 17-1245 - ENG - Change Order - Bergmann - Niagara St. Ph. 2 Inspection - 93001857

RESULT: APPROVED

24. 17-1246 - ENG - Change Order - Master's Edge - Group 903A - CDBG YR-42

RESULT: APPROVED

25. 17-1247 - ENG - Change Order - Watts Design of Niagara St.Ph 3-4

RESULT: APPROVED

26. 17-1248 - DPW - Contract Extension - Bison Elevator

RESULT: APPROVED

27. 17-1249 - DPW - Contract Extension - Command Security @ Broadway Market

RESULT: APPROVED

28. 17-1250 - WTR - Michigan Ave./City Ship Canal Watermain

RESULT: APPROVED

29. 17-1251 - ENG - 19 North Street Encroachment on Right of Way

RESULT: APPROVED

30. 17-1329 - DPW - CORRECTION-Permission to Accept Funds-From Buffalo & Erie County Public Library-E.Delavan Branch-LOV - *Late File*

RESULT: APPROVED

31. 17-1302 - ENG - Permission for Encroachment - 905 Elmwood - Enclosed Outdoor Patio

RESULT: APPROVED

32. 17-1252 - DPW - Permission to Accept Funds - Dillon Courthouse ELL

RESULT: APPROVED

33. 17-1253 - ENG - Permission to Enter into Agreements - Bicycle Master Plan Implementation PIN 5762.28

RESULT: APPROVED

34. 17-1254 - ENG - Permission to Enter into Agreement- Erie Street Waterfront Connection Project

RESULT: APPROVED

35. 17-1322 - ENG - Permission to Enter into Agreement with ECHDC for Wayfinding Signage - *Late File*

RESULT: APPROVED

36. 17-1255 - ENG - Permission to Enter into Agreements - Paving of Main Street, Goodell to Delavan PIN 5761.60

RESULT: APPROVED

37. 17-1256 - ENG - Permission to Enter into Agreements - Warren Spahn & Abbott - PIN 5761.67

RESULT: APPROVED

- 38. 17-1257 - DPW - Permission to Hire Consultant-Broadway Market-Facility Condition Survey-FIL

RESULT: APPROVED

- 39. 17-1258 - WTR - Permission to Hire Consultant Eng. for Water Circulation in City Bldgs.

RESULT: APPROVED

- 40. 17-1259 - PARKS - Report of Bids -2017-2018 CityWide Tree Removal

RESULT: APPROVED

- 41. 17-1260 - DPW - Report of Bids-East Delavan Library-Expansion & ADA Improvements-Hazardous Materials Abatement-LOV

RESULT: APPROVED

- 42. 17-1261 - DPW - Report of Bids-271 Grant Street-Accessibility Upgrades-271G-43-50203-NIA

RESULT: APPROVED

- 43. 17-1262 - ENG - Report of Bids - Larkin Area Sidewalk Improvements Group 861

RESULT: APPROVED

- 44. 17-1263 - ENG - Report of Bids - Mortimer Street Reconstruction Group 895

RESULT: APPROVED

- 45. 17-1264 - ENG - Report of Bids - Seneca St. Corridor Project

RESULT: APPROVED

POLICE

- 46. 17-1265 - BPD - Permission to Enter into Agreement with NYS Industries for the Disabled - Digital Scanning Svcs

RESULT: APPROVED

FIRE

47. 17-1266 - BFD - Permission Request - to Trade in Old AEDS (Defibrillators)

RESULT: APPROVED

CORPORATION COUNSEL

48. 17-1323 - LAW - Claim Settlement - Wendel Engineering - *Late File*

RESULT: APPROVED

49. 17-1267 - LAW - Appoint Assistant Corporation Counsel II/Fire (Prov) (Max) (Chiriboga)

RESULT: REFERRED TO CS **Next: 9/12/2017 9:45 AM**

50. 17-1268 - LAW - Appoint Director of Employee Relations (Exempt) (Scarpine)

RESULT: RECEIVED AND FILED

PERMITS & INSPECTIONS

51. 17-1315 - EDPIS - Mobile Food Truck - Lloyds Truck #3 - *Late File*

RESULT: APPROVED

52. 17-1316 - EDPIS - Mobile Food Truck - Lloyd's Truck #4 - *Late File*

RESULT: APPROVED

53. 17-1317 - EDPIS - Public Dance Hall License - Main Events - 1420 Main - *Late File*

Approved as a Temporary license until 09/30/2017

RESULT: APPROVED WITH CONDITIONS

54. 17-1269 - EDPIS - Restaurant Dance Class 3 - 63 Military Rd (Nor)

RESULT: APPROVED

55. 17-1319 - EDPIS - Sidewalk Cafe - Greystone - 445 Delaware - *Late File*

RESULT: APPROVED

56. 17-1320 - EDPIS - Sidewalk Cafe - Churn Soft Serve - 1501 Hertel - *Late File*

RESULT: APPROVED

ADMINISTRATION, FINANCE, POLICY & URBAN AFFAIRS

57. 17-1270 - PURCH - Auction/Scrap of Vehicles

RESULT: APPROVED

58. 17-1318 - AF - Response to Comptroller Fire Audit - *Late File*

RESULT: REFERRED TO FIN **Next: 9/12/2017 10:00 AM**

59. 17-1335 - AF - Permission to Purchase Equipment - *Late File*

RESULT: APPROVED

PARKING

60. 17-1271 - PARK - Contract Amendment, Passport Parking

RESULT: APPROVED

61. 17-1272 - PARK - Police Dept Obtaining Towed Vehicle

RESULT: APPROVED

COMMUNITY SERVICES AND RECREATIONAL PROGRAMMING

62. 17-1307 - COMSERV - Permission to Enter Agreement, Etc - Between Comm Svcs & Rec Programming and Dress for Success Buff

RESULT: APPROVED

HUMAN RESOURCES

63. 17-1273 - HR - Employee Physicals/Drug Testing Contract Extension

RESULT: APPROVED

ZONING BOARD OF APPEALS

CITIZENS RIGHTS

BOARD OF EDUCATION

BUFFALO SEWER AUTHORITY

BUFFALO MUNICIPAL HOUSING AUTHORITY**BUFFALO URBAN RENEWAL AGENCY****CITY CLERK**

64. 17-1321 - CLERK - Items Returned to City Clerk by Mayor Without Approval or Disapproval - *Late File*

RESULT: RECEIVED AND FILED

65. 17-1308 - CLERK - Liquor License Applications

RESULT: RECEIVED AND FILED

66. 17-1309 - CLERK - Leaves of Absence

RESULT: RECEIVED AND FILED

67. 17-1274 - CLERK - Appoint Chief of Staff to Common Council (Ertha)

RESULT: ADOPTED

68. 17-1275 - CLERK - Notice of Appointment - Council Intern VIII (Mathiebe)

RESULT: ADOPTED

69. 17-1310 - CLERK - Notice of Appointments Temp/Prov/Perm

RESULT: REFERRED TO CS **Next: 9/12/2017 9:45 AM**

MISCELLANEOUS

70. 17-1276 - GEN - M. Corso - NYS Public Svc Commission - Public Hearing Information- Nat'l Grid Rate Increase

RESULT: REFERRED TO FIN **Next: 9/12/2017 10:00 AM**

71. 17-1303 - CC - Ertha - Central Staff Task List 20 JUL 17

RESULT: RECEIVED AND FILED

72. 17-1330 - CC - D. Lombardo - Parking Meters on Tonawanda St. - *Late File*

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

RESULT:	REFERRED TO CD	Next: 9/12/2017 1:00 PM
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73. 17-1277 - CC - Moslow, Et Al - Cleveland Hill United Methodist Church

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

RESULT:	REFERRED TO CD	Next: 9/12/2017 1:00 PM
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74. 17-1311 - GEN - C. Perez-Bode - Charity Strong - Request for Increasing Awareness

RESULT:	RECEIVED AND FILED
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75. 17-1304 - GEN - S. Ricca, Certification of ZBA Approval of SEQR & Area Variances-Affinity Elmwood Gateway Properties

RESULT:	RECEIVED AND FILED
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76. 17-1278 - GEN - D. Walden - Concerns Cancellation of Police Oversight Committee Meeting

RESULT:	RECEIVED AND FILED
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77. 17-1279 - CC - R. Wyatt - Buffalo News Editorial - Buffalo Man Accused of Firing into Crowd

RESULT:	REFERRED TO CD	Next: 9/12/2017 1:00 PM
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78. 17-1312 - CC - R. Wyatt - Conditions for Property Manager License (Fucina)

RESULT:	RECEIVED AND FILED
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PETITIONS

79. 17-1280 - GEN - D. Klotzbach, Zoning Map Amendment 124 Greenwood from N2R to N2R/N2C Split (Nia)(Hrg 9/12)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 9/12/2017 2:00 PM
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80. 17-1281 - GEN - R. Harper, Agent, Use 820 Hertel for an Electronic Msg Ctr (Billboard) in N-1S Zone (Ell) (Hrg 9/12)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 9/12/2017 2:00 PM
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81. 17-1282 - GEN - D. Eastwood, Owner, Use 561 Delaware for Live Entertainment in N-2C Zone (Fill) (Hrg 9/12)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 9/12/2017 2:00 PM
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82. 17-1283 - GEN - L. Riniolo, Owner, Use 1127 Hertel for Tavern, Outdoor Dining, & Live Ent. in N-3C Zone (Del)(Hrg 9/12)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 9/12/2017 2:00 PM
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83. 17-1284 - GEN - J. Parshall, Owner, Use 1942 Seneca for Alcohol & Tobacco Sales in N-3C Zone (Sou) (Hrg 9/12)

Referred to the Committee on Legislation and the City Planning Board

RESULT:	REFERRED TO LEG	Next: 9/12/2017 2:00 PM
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SUBMISSIONS LIST

Civil Service

1. 17-1128 - AC - Appoint Associate Accountant (Perm) (Inter) (Rotert)

RESULT:	APPROVED
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2. 17-1129 - AC - Appoint Associate Auditor (Perm) (Inter) (Tsakos)

RESULT:	APPROVED
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3. 17-1130 - AC - Appoint Internal Audit Administrator (Perm) (Inter) (Bruno)

RESULT:	APPROVED
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4. 17-1146 - BFD - Appoint Administrative Secretary (Perm)(Inter)(Zawistowksi)

RESULT:	APPROVED
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5. 17-1153 - HR - Appoint Personnel Specialist II (Perm) (Max) (McLaughlin)

RESULT:	CLOSED [UNANIMOUS]
MOVER:	David A. Rivera, Majority Leader, Niagara Dist. Council Member
SECONDER:	Joseph Golombek Jr, North District Council Member
AYES:	Feroletto, Fontana, Franczyk, Golombek Jr, Pridgen, Rivera, Scanlon, Wingo Sr, Wyatt

13. 17-1197 - RE - Ferroletto-Abandonment Approval - Hertel Ave ROW

RESULT:	APPROVED
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- PUBLIC HEARING - APPROVAL AIR RIGHTS EASEMENT OVER GOODRICH -

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

14. 17-1175 - RE - Pridgen - Approval of Air Rights Easement Over Goodrich

RESULT:	APPROVED
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15. 17-1117 - OSP - HUD Annual Action Plan 2017-18

RESULT:	APPROVED
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16. 17-228 - CC - Scanlon, Etc - Establish Transportation Working Group

RESULT:	RECEIVED AND FILED
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Legislation

17. 17-1167 - GEN - J. Kennedy, Owner, Use 317 Hopkins for Tavern & Outdoor Dining in N-3E Zone (Sou)(Hrg 7/18)

RESULT:	APPROVED WITH CONDITIONS
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18. 17-1168 - GEN - J. Crouse, Owner, Use 202 Rhode Island for Industrial Artisan - Coffee Roastery in N2E (Nia)(Hrg 7/18)

RESULT:	APPROVED
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19. 17-1169 - GEN - K. Scritchfield, Owner, Use 51 Broadway for EMC Billboard in N1C Zone (Ell)(Hrg 7/18)

RESULT: APPROVED

20. 17-1170 - GEN - D. Blanchard, Agent, Use 754 Tonawanda for Self-Storage Facility in N3C Zone (Nor) (Hrg 7/18)

RESULT: APPROVED

21. 17-1171 - GEN - D. Maher, Owner, Use 150 Edward to Operate Cultural Facility in N2R Zone (Fil)(Hrg 7/18)

RESULT: APPROVED

22. 17-1208 - GEN - G. Mintzer, Owner, Use 445 Delaware for Tavern in N-2C Zone (Fil)(Hrg 7/18)

RESULT: APPROVED

23. 17-1137 - ENG - Proposed Rules for Small Cell Attachment - Chapter 440

RESULT: APPROVED

24. 17-1147 - EDPIS - Food Store License (New) - 3172B Bailey (Uni)

RESULT: APPROVED WITH CONDITIONS

25. 17-1148 - EDPIS - Public Dance Hall - 318 Pearl St (Ell)

RESULT: APPROVED

26. 17-1149 - EDPIS - Property Manager License - Richard Cositore Sr.

RESULT: APPROVED WITH CONDITIONS

27. 17-1150 - EDPIS - Property Manager License - Michael Jackson

RESULT: APPROVED

28. 17-1151 - EDPIS - Property Manager License - Robert Marvin

RESULT: RECEIVED AND FILED

29. 17-1055 - EDPIS - Property Manager License Lisa Fucina

RESULT: APPROVED WITH CONDITIONS

30. 17-1200 - CC - Pridgen - Ord Amend Chap 196 - Fortune Telling

RESULT: APPROVED

31. 17-1201 - CC - Pridgen - Ord Amend Chap 222 - Glue and Other Miscellaneous Items, Sale Of

RESULT: APPROVED

32. 17-1202 - CC - Pridgen - Ord Amend Chap 98 - Bootblacks

RESULT: APPROVED

33. 17-1203 - CC - Pridgen - Ord Amend Chap 425 - Sunday Activities

RESULT: APPROVED

34. 17-1204 - CC - Pridgen - Ord Amend Chap 399 Smoking

RESULT: RECEIVED AND FILED

35. 17-1178 - CC - Rivera - Ordinance Amendment - Chp. 175 Fees

RESULT: APPROVED

36. 17-1179 - CC - Rivera - Ordinance Amendment - Chp. 440 - Telecommunications

RESULT: APPROVED

37. 17-1015 - GEN - M. Romanowski, Agent, Planned Unit Development 229 Elk (Fill) (Hrg 6/20) - *Discharged*

RESULT: APPROVED

38. 17-1229 - CC - Crime Prevention in Rental Units (Exc Res) (Pridgen)

RESULT: RECEIVED AND FILED

Budget

Claims

39. 16-2172 - AC - Claims for Payment Unapproved by Auditor - *Discharged*

Recommended to the Committee on Claims.

RESULT:	REFERRED TO CLAIMS	Next: 9/14/2017 12:00 AM
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Education

MWBE

Police Oversight

Rules

TAXI

RESOLUTIONS

84. 17-1285 - CC - Fontana - Endorsement and Approval Preservation League

RESULT:	ADOPTED
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85. 17-1286 - CC - Fontana- Fee Waiver for Habitat for Humanity License and Curb Cut Fees

RESULT:	APPROVED
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86. 17-1314 - AF - Fontana-Transfer of Funds- from Planning Funds

RESULT:	APPROVED
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87. 17-1287 - CC - Franczyk - Discharge Item 17-1015 from LEG

RESULT:	ADOPTED
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88. 17-1288 - CCSTAFF - Franczyk - Waive Park Rental & Spec Event Fees for Linwood Preservation Dist Concert

RESULT:	APPROVED
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89. 17-1289 - CC - Golombek - Discharge Item 16-2172 from Claims Committee

RESULT:	ADOPTED
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90. 17-1305 - CC - Pridgen - Access to FBI Database for Summer Camps

RESULT:	ADOPTED
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91. 17-1332 - CC - Pridgen - BPD Check Point Policy - *Late File*

RESULT: ADOPTED

92. 17-1290 - CC - Pridgen - Fee Waiver for 6Th Annual Stop Violence Celebration

RESULT: APPROVED

93. 17-1291 - CC - Rivera - Fee Waiver for Karen Society of Buffalo

RESULT: APPROVED

94. 17-1306 - CC - Rivera - Support for Evergreen Health's Consolidated Funding Application

RESULT: ADOPTED

95. 17-1292 - CC - Wingo - 6Th Annual Stop the Violence

RESULT: APPROVED

96. 17-1294 - AF - Wyatt- Budget and Personnel Amendment

RESULT: APPROVED

97. 17-1295 - CC - Wyatt - Comm of Deeds Public Duties

RESULT: ADOPTED

98. 17-1296 - CC - Wyatt - Commissioner of Deeds

RESULT: ADOPTED

99. 17-1293 - AF - Wyatt- Budget and Personnel Amendment- Law/ Administrative

RESULT: APPROVED

100. 17-1333 - CC - Wingo - Appoint Marriage Officer - Brice - *Late File*

RESULT: ADOPTED

101. 17-1334 - CC - Pridgen - Ord Amend - Chap 399 Smoking - *Late File*

RESULT: APPROVED

COMMITTEE OF THE WHOLE

TABLED

ANNOUNCEMENTS

Announcement of Committee Meetings

Misc. Announcements

City Clerk