

**No. 10**

**PROCEEDINGS  
OF THE  
CITY OF BUFFALO**

**May 13, 2008**

**PENSION PROCEEDINGS  
MAY 15, 2008**

SUBMISSION LIST OF COMMITTEE ITEMS FOR THE COUNCIL MEETINGS

CIVIL SERVICE

76- 1. Com 30 Apr 29 Appt Supervisor of Maintenance I (Perm)(2<sup>nd</sup> Step)(Krauthaus (PW)) R&F  
 77- 2. Com 40 Apt 29 Appt Account Clk Typist (Prov)(4<sup>th</sup> Step)(Doyle)(EDPI) R&F  
 78- 3. Com 42 Apr 29 Appt Executive Director of Comm on Cit Rights (Exempt)  
 (Rodriguez)(Comm Cit Rts) R&F

FINANCE

79- 4. Com 29 Apr 29 JB Wiley Sports Complex Partnership Agmt (EII)(PW) APP  
 80- 5. No 56 Apr 29 B. Davis-Support Letter for Sale of Main PI Ramp to  
 Main PI Liberty Group R&F  
 81- 6. Res 119 Apr 29 Transfer of Funds-Parking Violations APP  
 82- 7. Res 121 Apr 29 City Depts to Provide 24 hr and Take Home City Monitor  
 Vehicle Use (Ex 1<sup>st</sup>,2<sup>nd</sup> and 3<sup>rd</sup> Res) BUDGET  
 83- 8. Com 24 Apr 15 Buffalo Water Bd Contract-American  
 Water Services(PW) APP/W ATT ADOPTED RECOMMENDATIONS  
 84- 9. Com 8 Apr 1 Report of Auction 9/22/07-771 Fillmore(Fill)(Strat Plan)  
 R&F  
 85- 10. Com 15 Mar 4 Results-Real Estate Auction 9/22/07 (Strat Plan)  
**APP 105 SCHUTRUM REM RECOMMIT**  
 86- 11. No 57 Feb 5 Results Real Estate Auction Sept 22, 2007(Strat Plan)(#14,1/22)  
**APP 31 KOONS REM RECOMMIT**  
 87- 12. No 60 Feb 5 Results Real Estate Auction September 22, 2007 exc 10 Girard, 120 Goembel  
 & 653 Goodyear **APP 325 KOONS, 288 HUDSON, 1002 FILLMORE,**  
**58 SCHRECK, 211 LOMBARD REM RECOMMIT**  
 88- 13. Res 152 Sept 4 Greater Transparency in Government R&F

COMMUNITY DEVELOPMENT

89-14. Com 14 Apr 29 Perm to Designate Redeveloper 275-279 Kehr/549 Winslow(Mas)  
 (Strat Plan) APP  
 90- 15. Com 16 Apr 29 Report of Auction-Strauss (Fill)(Strat Plan) APP  
 91- 16. Com 39 Apr 29 Resolution for Sonwil Distribution Ctr-Shift of Operations(EDPI) R&F  
 92- 17. No 61 Apr 29 NYSDEC-Brownfield Cleanup-229 Elk St (Fill) R&F  
 93- 18. No 62 Apr 29 NYSDEC-Brownfield Cleanup-85 Lee St (Fill) R&F  
 94- 19. No 63 Apr 29 NYSDEC-COB Draft Local W/Front Revitalization Plan  
 WFRONT  
 95. No 55 Apr 15 A. Jaros-Kaleida Health-Proposed Plan-Diagnostic and Treatment Center R&F

LEGISLATION

96- 21. No 66 Apr 29 P. Lalley, Owner, Use 2134 Seneca St, For A Outdoor Café(South)(hrg5/6)\_APP  
 97- 22. No 67 Apr 29 P. Gregory, Agent, Use 175 Division South for A Parking Lot(EII)(hrg5/6)\_DENY  
 98- 23. No 69 Apr 29 D. Moeller, Agent, Use 120 Broadway for a Pole Sign(EII)(hrg 5/6)\_APP  
 W/COND  
 99- 24. No 70 Apr 29 P. Johnson, Agent, Use 765 Elmwood to Expand an Existing  
 Rest(Del)(hrg 5/6)\_APP  
 100-25. Com 1 Apr 29 Appt Crystal Rodriguez As Executive Director of Comm  
 on Cit Right(Mayor) ADOPT  
 101-26. No 51 Apr 29 COB Living Wage Common Annual Report for 2007 R&F  
 102-27. No 52 Apr 29 Common Council-2008-2009 Annual Action Plan  
 ADOPT  
 103-28. Res 122 Apr 29 **Ord Amend-Ch 413 Streets and Sidewalks** **RECOMMIT**  
 104-29. No 83 Apr 29 B. Davis-Parking Lot 175 S. Division(#47,4/1) R&F  
 105-30. No 87 Apr 29 G. Smith, Owner, Use 19 Clyde St, Used Car Sales(Univ)  
 (No Pub Hrg)(#69,4/15) RECOMMIT  
 106-31. No 91 Apr 29 Basil Group Req. for Removal of Easement-1180 Abbott Rd  
 (#53,4/1)(#31,4/15)(CC) R&F  
 107-32. Com 40 Apr 15 Second Hand Dealer-333 Connecticut St(Nia)(EDPI) APP  
 108- Com 33 Apr 1 Food Store License-1421 Main(Masten)(EDPI)  
 RECOMMIT

**CORPORATION PROCEEDINGS  
 COMMON COUNCIL  
 CITY HALL - BUFFALO  
 TUESDAY, MAY 13, 2008  
 AT 2:00 P.M.**

Present - David A. Franczyk, President of the Council, and Councilmembers: Davis Fontana, Golombek, Keams, LoCurto, Rivera, Russell & Smith - 9  
 Absent - 0  
 On a motion by Mr. Fontana, Seconded by Mr. Golombek, the minutes of the stated meeting held on April 29, 2008 were approved.

By: Messrs. LoCurto, Rivera and Golombek

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Re: Ordinance Amendment

Chapter 413, Streets and Sidewalks

Article XIV, Complete Streets

The Common Council of the City of Buffalo does hereby ordain as follows:

That Chapter 413 of the Code of the City of Buffalo be amended to read as follows:

§413-68 Complete Streets Defined

A. Complete Streets are defined as facilities that are designed and operated to enable safe access for all users. Persons with disabilities, pedestrians, bicyclists, motorists and transit riders are able to safely move along and across a complete street.

§413-69 Implementation of Complete Streets and Exceptions

A. The Commissioner of Public Works, Parks and Streets shall include pedestrian and bicycle facilities in all new street construction, street reconstruction, street maintenance, public works and park projects undertaken by the City of Buffalo subject to the exceptions contained herein.

B. The City of Buffalo Bicycle and Pedestrian Advisory Board shall review all new street construction, street reconstruction and street maintenance projects undertaken by the City of Buffalo and shall provide consultation regarding its implementation as a complete street.

C. The inclusion of bicycle and pedestrian facilities shall be mandated in all new street construction, street reconstruction and street maintenance projects undertaken by the City of Buffalo unless one of the following conditions exists:

1. Bicyclists and pedestrians are prohibited by law from using the facility. In this case, alternative facilities and accommodations for pedestrians and bicyclists shall be provided within the same transportation corridor as determined by the Commissioner of Public Works, Parks and Streets.

2. The cost of establishing bikeways or walkways would be disproportionate to the need or probable use. Costs shall be considered disproportionate for purposes of this section if the cost of including bicycle and pedestrian facilities exceeds twenty percent of the cost of the larger project.

3. Where the existing right of way does not allow for sidewalks, bike lanes, paths or other improvements. In this case, the Commissioner shall explore alternatives such as the use of revised travel lane configurations, paved shoulders, signage, traffic calming, education or enforcement to accommodate pedestrians, cyclists and persons with disabilities. If the Commissioner makes said determination he shall reduce it to writing and file it with appropriate supporting documentation with the Common Council and Bicycle and Pedestrian Advisory Board for its information and review.

4. Where the Commissioner determines that the inclusion of bicycle and/or pedestrian facilities on a roadway would constitute a threat to the health, safety and/or

welfare to the motorists and/or pedestrians and bicyclists of the City of Buffalo. If the Commissioner makes said determination he shall confirm it in writing and file it with appropriate supporting documentation with the Common Council and Bicycle and Pedestrian Advisory Board for its information and review.

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§413-70 Planning, Design and Maintenance of Facilities

A. Bicycle and Pedestrian facilities will be planned, designed, developed and maintained in accordance with guidelines adopted by the United States Department of Transportation (USDOT), New York State Department of Transportation (NYSDOT) and the American Association of State Highway and Transportation Officials (AASHTO) or other guidelines approved by the City of Buffalo.

APPROVED AS TO FORM

  
Asst. Corporation Counsel

NOTE: Matter underlined is new.

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**REFERRED TO THE COMMITTEE  
ON LEGISLATION.**

**No. 11**

**PROCEEDINGS  
OF THE  
CITY OF BUFFALO**

**May 27, 2008**

**PENSION PROCEEDINGS  
MAY 15, 2008**

INVOCATION PLEDGE TO FLAG

DATE **FINAL**  
**May 27, 2008**

MAYOR

1. Response Travel Information Req by Council \_\_\_\_\_ FIN  
2. Appt Stephen J. Stepniak-Commissioner Public Works, Pks & Sts \_\_\_\_\_ LEG

MAYOR – EXECUTIVE

3. Plan Bd-SEQR-Neg Declaration-565 Abbott Rd(South) \_\_\_\_\_ R&F  
4. Plan Bd-SEQR-Neg Declaration-47 East Amherst St(North) \_\_\_\_\_ R&F  
5. Plan Bd-SEQR-Neg Declaration-103-125 Genesee St(Ell) \_\_\_\_\_ R&F  
6. Plan Bd-SEQR-Neg Declaration-257 Lafayette Ave(Nia) \_\_\_\_\_ R&F  
7. Plan Bd-SEQR-Neg Declaration-1373 Main St (Mas) \_\_\_\_\_ R&F  
8. Plan Bd-SEQR-Neg Declaration-1829 Main St Mas) \_\_\_\_\_ R&F  
9. Plan Bd-SEQR-Neg Declaration-72-76 Pearl St(Ell) \_\_\_\_\_ R&F  
10. Plan Bd-SEQR-Neg Declaration-Willert Pk Homeownership Zone \_\_\_\_\_ R&F  
11. Strat Plan-Access Req by Buffalo China To City-owned Properties \_\_\_\_\_ CD  
12. Strat Plan-Renew Lease Agmt Btwn COB and the South  
    Bflo Post No 721(South) \_\_\_\_\_ APP  
13. Strat Plan-Response Travel Information Req by Council \_\_\_\_\_ FIN  
14. Strat Plan-Results of Neg-390 Hudson(Ell) \_\_\_\_\_ APP  
15. Strat Plan-Results of Neg-175 Lombard(Fill) \_\_\_\_\_ APP  
16. Strat Plan-Results of Neg-453 Sweet(Fill) \_\_\_\_\_ APP  
17. Strat Plan-Appt Executive Director (Exempt)(Flat)(Eszak) \_\_\_\_\_ CS

COMPTROLLER

18. Audit of Mayor's Impact Team \_\_\_\_\_ FIN

MANAGEMENT INFORMATION SYSTEMS

- 19- 18A Contract Information on Line \_\_\_\_\_ FIN

PUBLIC WORKS

- 20- 19. Babcock St Bridge Reconst Project Partial Assignment of Easement Rts  
    from COB to National Grid \_\_\_\_\_ APP  
21- 20. Change in Contract-Franczyk Park(Fill) \_\_\_\_\_ APP  
22- 21. Change in Contract MLK Park(Mas) \_\_\_\_\_ APP  
23- 22. Perm to Engage Svs of Consulting Eng for Water Dist Various Location 1 \_\_\_\_\_ APP  
24- 23. Perm to Engage Svs of Consulting Eng for Water Dist Various Location 2 \_\_\_\_\_ APP  
25- 24. Report of Bids City-Wide Sidewalk Repl 2008 \_\_\_\_\_ APP  
26- 25. Report of Bids-Emergency Backup Power for High Service Pump Oper(Ell) \_\_\_\_\_ APP  
27- 26. Report of Bids-Erie Canal Harbor St(Fill) \_\_\_\_\_ APP  
28- 27. Report of Bids-Lasalle Park T-Ball Field(Ell) \_\_\_\_\_ APP  
29- 28. Report of Bids-Resurfacing of City Pavements 2008 \_\_\_\_\_ APP  
30- 29. Appt Comm Public Works, Pks & Sts(Exempt)(Flat)(Stepniak) \_\_\_\_\_ CS  
31- 30. Appt City Engineer (Exempt)(Flat)(Merlo) \_\_\_\_\_ CS

POLICE

- 32- 31. Response Travel Information Req by Council \_\_\_\_\_ FIN

FIRE

- 33- 32. Req Acceptance to Expand NYS Homeland Security Grant \_\_\_\_\_ FIN

CORPORATION COUNSEL

- 34- 33. Municipal Code Violations Report \_\_\_\_\_ R&F

PERMITS AND INSPECTIONS

- 35- 34. Award Business Process Redesign to Env Mngt Assoc Inc \_\_\_\_\_ APP  
36- 35. City Owned Vehicle Use \_\_\_\_\_ BUDGET  
37- 36. Food Store License-2183 Genesee(Lov) \_\_\_\_\_ LEG  
38- 37. Second Hand Dealer 156 Elmwood(Ell) \_\_\_\_\_ LEG  
39- 38. Appt Director of Mayors Task Force on Housing(Exempt)(Flat)(Fanara) \_\_\_\_\_ CS  
40- 39. Appt Sr Special Assistant to the Comm of EDPI(Exempt)(Flat)(Ford) \_\_\_\_\_ CS

CIVIL SERVICE

- 41- 40. Inquiries Inc Modification Agmt-Background Investigation for  
    Entry Police & Fire \_\_\_\_\_ CS

CITY CLERK

- 42- 41. Liquor License Applications \_\_\_\_\_ R&F  
43- 42. Leaves of Absence \_\_\_\_\_ R&F  
44- 43. Reports of Attendance \_\_\_\_\_ R&F  
45- 44. Notices of Appointments-Council Interns \_\_\_\_\_ ADOPT  
46- 45. Notices of Appointments-Mayors Program \_\_\_\_\_ R&F  
47- 46. Notices of Appointments- Temp/Prov/Perm \_\_\_\_\_ CS

MISCELLANEOUS

- 48- 47. B. Davis-Cold Springs Taxi Letter Regarding Potential Rate Increase \_\_\_\_\_ LEG  
49- 48. B. Davis-League of Women Voters Reply to Boans Letter \_\_\_\_\_ R&F

50-	48A B. Davis-Allentown Assoc Letter Re: Stillwater Patio Request	LEG
51-	48B B. Davis-BFNC Letter Requesting Capital Imp/ Masten Playground	FIN,ECPKS,PW,CC
52-	49. J. Golombek-B. Drake-Concerns Raising Taxi Fares	LEG
53-	50. J. Golombek-G. Hopkins-Concerns Raising Taxi Fares	LEG
54-	51. M. Kearns-Enhanced Communications With FEMA	WATERFRONT
55-	51A M. Kearns-Program to Identify Vacant and Vacant & Dangerous Properties	CD
56-	52. P. Lytle-Appl for Restricted Use Permit Within Bflo Coastal Review Dist Queen City Landing	LEG
57-	52A P. Lytle-Req to Rezone Queen City Landing-975 & 1005 Fuhrmann Blvd	LEG
58-	52B P. Lytle-Req to Rezone Queen City Landing- 975 & 1005 Fuhrmann Blvd Plans	LEG
59-	53. D. Lokey-Adams-Legal Aide Bureau Monthly Report April 2008	R&F
60-	54. A. Magierski-Cktg Town Bd-Approved LL to Amend Zoning Law	R&F
61-	55. NYSDEC-Brownfield Site Cleanup-Franczyk Park	R&F
62-	56. A. Randaccio-NFTA Req Encroachment Perm-City ROW on N Div- Btwn Oak & Ell	LEG
63-	57. N. Shank-Resume to Apply for Senior Leg Asst	R&F
64-	58. D. Smith-M. Gallivan-Housing Manager Marine Dr Apts	WATERFRONT
65-	59. P. Snyder-Support MPLG Purchase of Main Place Ramp	FIN
66-	60. R. Stanton-Pearl Street Gill & Brewery-Appeal Pres Bd Denial(Ell)	LEG
<b>PETITIONS</b>		
67-	61. J. Robinson, Owner, Use 1239 Hertel for an Outdoor Patio(hrg 6/3)(Del)	LEG,CPBD
68-	62. P.Lytle, Agent, Use 975 Fuhrmann Blvd to Enlarge a 6 Story Bldg to 8 Stories (hrg 6/3)(South)	LEG,CPBD
69-	62A P. Lytle, Agent, Rezone 975 & 1005 Fuhrmann Blvd(hrg 6/17)(South)	LEG,CPBD,PRES BD,ZONING BD
70-	63. R. Santoro, Agent, Use 2299 South Park for a Pole Sign(no pub hrg)(South)	LEG,CPBD
71-	64. R. Santoro, Agent, Use 1606 Kenmore for a Ground Sign ( no pub hrg)(North)	LEG,CPBD
72-	65. G. Sarach, Agent,Use 31 Abbott Rd-Used Car Lot(no pub hrg) (South)	LEG,CPBD
73-	66. V. DiFrancisco & O-Stop COB and D'Youville College From Closing off Fargo Ave to Motor Vehicles	LEG,CPBD
74-	67. J. Dutka & O-Support Patios 483 and 487 Delaware	LEG,CPBD
75-	68. G. Shroder & O-Against Patios 483 and 487 Delaware	LEG,CPBD
<b>RESOLUTIONS</b>		
101-	68A Davis HRM-Req NYS Leg to App Bill to Auth Expenditure of Proceeds From Bonds Issued by COB/Reconst Sts & Sidewalks	ADOPT
102-	69. Davis HRM-Req That The NYS Leg Pass Bills to Provide A Plan to Spend Monies Received From Gaming Facility in the COB	ADOPT
103-	69A Golombek NYSDEC-Urban Forestry Grant	ADOPT
104-	69B Kearns,etc Honor James D. Griffin-Downtown Baseball Stadium	ADOPT
105-	70. Kearns Support of EC Initiative to Improve Real Property Tax service and Assessment Admin Countywide	ADOPT
106-	70A LoCurto Permission to Hang Banners on Hertel Ave	ADOPT
107-	71. Rivera Appt Assistant Leg Aide	ADOPT
-----	71A Rivera Appt Senior Leg Asst (Bellfield)	OBJECT
108-	72. Russell Budget & Personnel Amend-Admin & Fin	APP
109-	72A Smith Urging The NYS Leg to Update NY Bottle Bill	LEG
110-	73. Smith Comm of Deeds Public Duties	ADOPT
111-	74. Smith Comm of Deeds	ADOPT

CIVIL SERVICE

76- 1. Com 14 May 13 Appt Principal Accountant(Prov)(Max)(Whitcomb)(Compt) APP  
 77- 2. Com 40 May 13 Documentation of Monitors Pay for Civil Serv Exams(CS) R&F

FINANCE

78- 3. Com 34 May 13 Award Business Process Redesign to Env Mngt Assoc(EDPI) R&F  
 79- 4. No 48 May 13 B. Davis-BFSA Response Req to Audit Books R&F  
 80- 5. No 54 May 13 M. Kearns-Bflo Water Bd-Info Mngt Agreement R&F  
 81- 6. No 55 May 13 M. Kearns-Req Clarification on Mngt Agmt Btwn Bflo  
 Water Bd and A~~V~~S R&F  
 82- 7. No 57 May 13 M. Kearns-J. Heffron-Opinion Roof Replacement Incentive R&F  
 83- 8. No 58 May 13 M. LoCurto-Partnership for the Public Good Statement-  
 2008-2009 Budget R&F  
 84- 9. No 59 May 13 A. Machamer-Concerns-User Fee, Water Bills and Tote Size R&F

COMMUNITY DEVELOPMENT

85- 10. No 70 Dec 11 J. Golombek-M. Brockmyre-Concerns With the BOPC-20 Yr Plan R&F  
 86- 11. Com 28 Mar 18 Year 33 Community Development Quarterly Reports  
 5/1/07-7/31/07(Comm Svs) R&F  
 87- 12. Com 29 Mar 18 Year 33 Community Development Quarterly Reports  
 11/1/07-1/31/08(Comm Svs) R&F

LEGISLATION

88- 13. No 70 May 13 J. McCarthy, Agent, Use 483 Delaware, Sidewalk Café & Patio in Rear  
 Yard (EII)(hrg 5/20) RECOMMIT  
 89- 14. No 72 May 13 O. Rauvenpoor, Agent, Use 494 Franklin AKA 69 Allen, Renovation of  
 Interior Restaurant (EII)(hrg 5/20) APP  
 90- 15. No 73 May 13 J. Kawczynski, Agent, Use 93 Maple St, Replacement  
 Ground Sign (EII)(no pub hrg) APP  
 91- 16. No 75 May 13 V. DiFrancisco & Others-Stop COB & D-Youville College From Closing  
 Off Fargo Ave to Motor Vehicle Traffic (Nia) R&F  
 92- 17. Com 30 May 13 Use Portion of ROW of N. Division St Btwn Oak & Ellicott (EII)(PW) APP  
 93- 18. No 46 May 13 B. Davis-M. Hwang-Info Housing Units CD  
 94- 19. No 62 May 13 C. Paladino-Req Resolution CCP#112, 4/29/08 be Rescinded R&F  
 95- 20. Res 111 May 13 Trailblazing Sign Req for Rose Procknal APP  
 96- 21 Res 115 May 13 Ord Amendment-Ch 413 Streets and Sidewalks APP  
 97- 22. No 103 May 13 Ord Amed-Ch 413 Streets and Sidewalks(#122,4/29) R&F  
 98- 23. No 108 May 13 Food Store License-1421 Main (Masten)(EDPI)(#33,04/01) APP  
 99- 24. Res 112 Apr 29 Req NYS Leg to Prohibit Indiv. Who Make Racially-Offensive or  
 Insensitive Remarks From Maint. or Obtaining  
 Public Leases(exc 1<sup>st</sup> & 2<sup>nd</sup> Res) R&F  
 100- 25. Com 27 Feb 5 Food Store & Meat, Fish & Poultry Lisenses(EDPI) R&F



**NO. 93**  
**B. DAVIS-M. HWANG-INFO HOUSING UNITS**  
**(#46,5/13)**

That the above item be the same and hereby is Referred to the Community Development.  
ADOPTED

**NO. 94**  
**C. PALADINO-REQ RESOLUTION CCP#1 12, 4/29/08 BE RESCINDED**  
**(#62,5113)**

That the above item be the same and hereby is Received and Filed.  
ADOPTED

**NO. 95**  
**TRAILBLAZING SIGN REQ. FOR ROSE PROCKNAL**  
**(ITEM NO. 111, C.C.P. MAY 13, 2008)**

That the Commissioner of Public Works, Parks & Streets be, and he hereby is authorized to install Trailblazing Signs beneath the existing street signs at the intersection of Katherine Street and O'Connell Avenue proclaiming that portion as "Rose Procknal Way."  
PASSED  
AYES - 9 NOES - 0

**NO. 96**  
**ORDINANCE AMENDMENT - CHAPTER 413- STREETS AND SIDEWALKS**  
**(ITEM NO. 115, C.C.P. MAY 13, 2008)**

That the Ordinance Amendment as contained in Item No. May 13, 2008, be and the same hereby is approved.  
PASSED  
AYES - 9 NOES - 0

**NO. 97**  
**ORD AMED-CH 413 STREETS AND SIDEWALKS (#122,4/29)(#103,5/13)**

That the above item be the same and hereby is Received and Filed.  
ADOPTED

**NO. 98**  
**FOOD STORE LICENSE- 1421 MAIN STREET**  
**(ITEM NO. 108, C.C.P. MAY 13, 2008)**  
**(ITEM NO. 33, C.C.P. APRIL 1, 2008)**

That pursuant to Chapter 194 of the City of Buffalo Ordinances, the Commissioner of Economic Development, Permits and Inspections Services is authorized to issue a Food Store License to Khaleel Saleh for 1421 Main Street (Around the Clock Express Mart).  
PASSED  
AYES - 9 NOES - 0

**NO. 99**  
**REQ NYS LEG TO PROHIBIT INDIV. WHO MAKE RACIALLY-OFFENSIVE OR INSENSITIVE REMARKS FROM MAINT. OR**  
**OBTAINING PUBLIC LEASES(EXC (EXC 1<sup>ST</sup> & 2ND RES) (#112,4/29)**

That the above item be the same and hereby is Received and Filed.  
ADOPTED

**NO. 100**  
**FOOD STORE & MEAT, FISH & POULTRY LICENSES (EDPI)**  
**(#27,2/5)**

That the above item be the same and hereby is Received and Filed.  
ADOPTED

**RESOLUTIONS**  
**NO. 101**

**SPONSOR: BRIAN C. DAVIS**

**HOME RULE MESSAGE REQUESTING THE NEW YORK STATE LEGISLATURE TO APPROVE ASSEMBLY BILL A.7817A AND SENATE BILL S.5525A AUTHORIZING THE EXPENDITURE OF PROCEEDS FROM BONDS ISSUED BY THE CITY OF BUFFALO FOR THE REHABILITATION AND RECONSTRUCTION OF STREETS/CURBS/SIDEWALKS IN THE HOMEOWNERSHIP ZONE**

**WHEREAS:** A Bond Resolution of the City of Buffalo, New York ("the City") was adopted on February 7, 2006 authorizing the issuance of \$830,000 General Improvement Bonds of the City, the proceeds of which were intended to finance the costs of rehabilitation and reconstruction of streets, curbs and sidewalks in the Homeownership Zone at an estimated cost of \$830,000; and

**WHEREAS:** On April 26, 2006, said bond was issued in the amount of \$823,196.97 for the intended purpose of financing the costs of rehabilitation and reconstruction of streets, curbs and sidewalks in the Homeownership Zone; and

**WHEREAS:** Due to an administrative error that occurred during the preparation of the Bond Resolution authorizing the issuance of said funds, language inconsistent with the actual purpose of issuing said funds was included. This language incorrectly identified the purpose of issuing said funds as "to finance the cost of removal of dead or diseased trees in the area bounded by Cherry Street, Adams Street, Seneca Street and Michigan Avenue in the City"; and