

BE IT FURTHER RESOLVED,

That the City Clerk forward a copy of this resolution to the Commissioners of the Departments of Permits & Inspections, Public Works, and Special Events

PASSED

AYES – 8 NOES – 0

**NO. 509**

**BY CHRISTOPHER P. SCANLON**

**WAIVE EVENT FEES FOR OUR LADY OF CHARITY FEAST OF THE ASSUMPTION MASS AND ICE CREAM SOCIAL AT HEACOCK PARK**

WHEREAS, Chapter 175 of the Code of the City of Buffalo establishes a schedule of fees that are to be charged with respect to licenses, permits, and activities required or regulated under the provisions of various chapters of the Code and

WHEREAS, The annual Our Lady of Charity Feast of the Assumption Mass and Ice Cream Social will take place on Friday, August 15, 2014 at 7pm at Heacock Park between Abbott Road, McKinley Parkway, and Southside Parkway; and

WHEREAS, The mass is an annual event open to all members of the community. The ice cream social following mass provides neighbors with the opportunity to socialize and strengthen relationships throughout the community; and

WHEREAS, The Annual Our Lady of Charity Feast of the Assumption Mass and Ice Cream Social at Heacock Park is not for profit and dependent upon the tireless work of volunteers

NOW, THEREFORE, BE IT RESOLVED,

That the Common Council of the City of Buffalo respectfully requests that the Department of Special Events, Department of Public Works, and the Department of Permits and Inspections waive all fees applicable for the Our Lady of Charity Feast of the Assumption Mass and Ice Cream Social at Heacock Park; and

BE IT FURTHER RESOLVED,

That the City Clerk forward a copy of this resolution to the Commissioners of the Departments of Permits & Inspections, Public Works, and Special Events.

PASSED

AYES – 8 NOES - 0

**NO. 510**

**BY: MR. SCANLON**

**RE: WAIVE SPECIAL EVENT PERMIT FEE FOR 2014 ST. PATRICK'S DAY PARADE**

Whereas The St. Patrick's Day Parade, founded in 1940 by the United Irish American Association, is held every year; and

Whereas The St. Patrick's Day Parade takes place on Delaware Avenue, beginning at Buffalo's City Hall and ending at North Street; and

Whereas This year, the St. Patrick's Day Parade will be held Sunday March 16th; and

Whereas The St. Patrick's Day Parade features a variety of marchers, including: civic organizations, politicians, community organizations, Irish step dancers, school bands, and many more; and

Whereas The St. Patrick's Day Parade draws thousands of people into downtown Buffalo; and

Whereas The large cost and production of the St. Patrick's Day Parade is undertaken by the United Irish American Association, volunteers, and community supporters.

Now, Therefore, Be It Resolved:

That the Common Council hereby requests that the Office of Special Events waive the Special Events Permit Fee for the 2014 St. Patrick's Day Parade; and

Be It Further Resolved:

That a copy of this resolution be forwarded to Ms. Kimberly Trent, Director of the Office of Special Events.

PASSED

AYES – 8 NOES – 0

**NO. 511**

**BY: MAJORITY LEADER DEMONE A. SMITH**

**RE: CONDEMNATION OF 1507 JEFFERSON AVENUE**

Whereas: The building at 1507 Jefferson Avenue in the City of Buffalo sits in neglect by an absentee landlord located nearly 900 hundred miles away, and;

Whereas: 1507 Jefferson has been the site of illegal dumping of trash and debris, and;

Whereas: The property is an eyesore that now brings down the value of a neighborhood, and;

Whereas: The City is constantly tasked with the expense of time and money to board up the windows and entrances of the property, as well as removing trash from the site:

Now therefore be it resolved,

That the City of Buffalo Common Council, pursuant to §27-14 of the City Charter,

votes to condemn the building located at 1507 Jefferson Avenue in the City of

Buffalo and directs The Corporation Council to begin the condemnation process.

ADDPED

**NO. 512**

**BY MAJORITY LEADER DEMONE A. SMITH, COUNCILMEMBER RICHARD FONTANA**

**ERIE COUNTY DEPARTMENT OF HEALTH LEAD INSPECTIONS**

**FEBRUARY 18, 2014**

WHEREAS: The 14215 zip code encompasses the Masten, University & Lovejoy Districts. 49% of Homes are owner occupied 51% are renter occupied. Majority of the population are median home value in \$58, 700 and median resident age is thirty years old. The majority of child lead poisoning takes place inside of homes and not outside; and

WHEREAS: All homes built before t970 have lead paint, 70.8% of the housing stock in the City of Buffalo were erected in 1969 or earlier; and

WHEREAS: Erie County inspectors have begun and continue to do blanket lead test on all homes in the 14215 zip code district whether the homes had children residing in them or not, nor did they do inside lead testing where most lead contamination takes; and

WHEREAS: These inspections by the Erie County Health Department sparked tremendous stress and outrage by residents due to inaccurate communication and an inaccurate client database used in notifying the residents. In addition to the lead-based training required for remodeling and renovations, the cost for the training is five hundred dollars which will create a hardship for residents and a six hour class; and

WHEREAS: On January 29, 2014 the Comstock Block Club had a meeting with the Erie County Health Department in which they acknowledged using a flawed notification process and continues to do outside inspections of every single home regardless of having children, in the middle of winter, a short response time and possibly clogging up Housing Court; and

WHEREAS: Seniors who are not in the immediate purview of lead poisoning are getting written up for lead exposure, given twelve page documents to read and forms to fill out and sit in a six hour class because of blanket inspections; and

WHEREAS: Realtors have expressed concern of this blanket inspection and notification of a whole zip code located primarily in the East Side will devalue an entire neighborhood. No initial warning or communication; was being done, sparking fears of a Gentrification for this East Side community; NOW: THEREFORE BE IT RESOLVED,

The Buffalo Common Council requests that lead inspections performed by the Erie County Department of Health be halted until a better process is put in place, further investigation is performed to identify financial resources for residents to assist with training and provide a better process in which to notify residents.

NOW: THEREFORE BE IT FINALLY RESOLVED,

That this resolution be forwarded to the Commissioner of Erie County Department of Health, Erie County ~Executive Mark Poloncarz, Erie County Legislator Chairperson Betty Jean Grant and the HUD Buffalo Field Office

ADOPTED

**NO. 513**

**BY: MAJORITY LEADER DEMONE A. SMITH**

**SUPPORT FOR RAISING THE AGE OF CRIMINAL RESPONSIBILITY IN NYS**

Whereas: Research into brain development underscores that adolescents are in fact children and that their brain has not fully developed until the age of 25, and;

Whereas: Authorities in New York can arrest and charge children as young as seven years old with acts of juvenile delinquency, and;

Whereas: Authorities in New York arrest nearly 50,000 sixteen and seventeen year olds, who will face the possibility of prosecution as adults in criminal court each year, and;

Whereas: Youth in adult prisons face the highest risk of sexual assault, and;

Whereas: Treating youths as adults in the criminal justice system is a dangerous practice that subjects children to unnecessary physical and emotional abuse, and;

Whereas: The abuse that children suffer when incarcerated in adult facilities increases their likelihood to recidivate and goes against the governor's goal of rehabilitating prisoners, and;

Whereas: New York is one of only two states in the country that prosecutes all children as adults when they turn sixteen years of age;

Now therefore be it resolved,

That the City of Buffalo Common Council encourages Governor Andrew Cuomo and the New York State Legislature to reform our state's juvenile justice system by raising the age of criminal responsibility.

And be it further resolved,

That a copy of this resolution be forwarded to Governor Andrew Cuomo and Assembly the New York State Legislature and the Western New York Delegation.

ADOPTED

**NO. 514**

**SPONSOR: DEMONE SMITH**

**RE: WAIVE PARK RENTAL AND EVENT FEES FOR MASTEN DISTRICT ANNUAL EASTER EGG HUNT AT MARTIN LUTHER KING JR. PARK**

WHEREAS, Chapter 175 of the Code of the City of Buffalo establishes a schedule of fees that are to be charged with respect to licenses, permits, and activities required or regulated under the provisions of various chapters of the Code; and

WHEREAS, The Masten District Annual Easter Egg Hunt will be held Saturday, April 19, 2014 at 1 lam at Martin Luther King Jr. Park; and

WHEREAS, The annual event is open to all children under twelve years of age and members of the community. The Easter Egg Hunt provides a free activity for the children and free services .for the adults in the community; and

NOW, THEREFORE, BE IT RESOLVED,

That the Common Council of the City of Buffalo respectfully requests that the Department of Special Events, Department of Public Works, and the Department of Permits and Inspections waive all fees applicable for the Masten District Annual Easter Egg Hunt at Martin Luther King Jr. Park; and BE IT FURTHER RESOLVED,

That the City Clerk forward a copy of this resolution to the Commissioners of Department of Public and Streets, Special Events and Permits & Inspections.

PASSED

AYES – 8 NOES - 0

**NO. 515**

**SPONSOR: DEMONE SMITH**

**DATE: MARCH 3, 2014**

**WAIVE PARK RENTAL AND SPECIAL EVENT FEES FOR THE 9<sup>TH</sup> ANNUAL SCHOOL #87 REUNION**

Whereas: Chapter 175 of the Code of the City of Buffalo establishes a schedule of fees that are be charged with respect to licenses and permits and activities required or regulated under the provisions of various chapters of the; and

Whereas: The reunion for School #87, a yearly event held at MLK Park, reuniting classes from the years of the school's existence; and

Whereas: This yearly event is open to all students of School #87 and their families; and

Now, therefore, be it resolved,

That the Common Council of the City of Buffalo respectfully requests that the Department of Special Events, Department of Permits and Inspections, and the Department of Public Works waive all fees applicable for the 9<sup>th</sup> Annual School #87 reunion at MLK Park; and

Be it further resolved,

That the City Clerk forward a copy of this resolution to the Commissioners of the Departments of Permits and Inspections. Public Works and Special Events

PASSED

AYES 8, NOES 0

**NO. 516**

**BY: MR. SMITH**

**COUNCIL MEMBER GOLOMBEK EXCUSED FROM COUNCIL MEETING**

RESOLVED:

That Council Member Joseph Golombek, be and hereby is excused from attendance at the Common Council Meeting of March 4, 2014.

ADOPTED

**NO. 517**

**SPONSORED BY: RASHEED N.C. WYATT**

**APPOINTMENT OF MONICA LEWIS LEGISLATIVE ASSISTANT**

Whereas: Monica has shown the capacity and willingness to serve the University District Residents making it a "Safe Place to Live, Learn, Do Business and Raise A Family".

Now, Therefore, Be It Resolved:

That the Common Council hereby appoints Monica Lewis to the position of Legislative Assistant in the University District Office

ADOPTED

**NO. 518**

**BY: UNIVERSITY DISTRICT COUNCIL MEMBER RASHEED N. C. WYATT**

**ESTABLISHMENT OF BUFFALO YOUTH PROMISE ACT ADAPTED FROM (H.R. 1318 & S.1307)**

**DATE: FEBRUARY 26, 2014**

Whereas: According to a 2011 National Conference of State Legislatures, youth adjudicated as adults are more likely to recidivate with more serious crimes, than those who are treated as juveniles; and

Whereas: NPR's Crime and Punishment Correspondent Laura Sullivan stated, "The average cost of incarceration can be as much as \$21,000 - \$72,000 per year for an adult inmate"; In a confidential report under Governor David Patterson "Task Force on Transforming the Juvenile Justice System" from December 2009 it states "At the most basic level New York State is spending \$210,000 per year to hold a youth in an institutional placement facility; and

Whereas: The Youth PROMISE Act (Prison Reduction Through Opportunities, Mentoring, Intervention, Support and Education) builds on local success by empowering communities to develop programs and initiatives to combat juvenile delinquency and street gang activity; and

Whereas: The Youth PROMISE Act as proposed in the House and Senate is Legislation that will fund, implement, and evaluate local youth and gang violence prevention and intervention practices; and

Whereas: The Act empowers communities to proactively engage in strategies such as mentoring, after-school programs, and crime prevention for youths, which have been proven to reduce crime more effectively and at a substantially lower cost than criminal enforcement and incarceration; and

Whereas: Investing dollars upfront to support local and statewide programs in an effort to reduce youth violence and gang activity, will ultimately save taxpayer money and provide much needed resources to combat the ever rising crime statistics of our youth; and.

Whereas: Although, organizations like Citizen Action have mobilized to raise the age for juveniles being tried as adults which is noble and appropriate, we must go further; The Governor's approach to help those who are incarcerated to obtain a college education while noble does not go far enough when the state spends billions in incarceration and millions on education; We must do more; and

Whereas: If we can spend a Billion for Buffalo in Business Creation then; We must be willing to spend equal or double that in pre-k and early childhood education and other youth activities on the front end to inspire, develop and engage our youth to aspire to greatness before they come across the crooked roads that can cost them their future and thus increase the tax burden on an already over taxed populous; The significant investment on the front end will yield a savings on the back end that is measurable in a reduction in the dropout rate, decrease incarceration rates and reduction in social services cost; Our communities will not move forward without a career and vocationally astute and trained youth workforce.

Now, Therefore Be It Resolved:

The City of Buffalo Common Council hereby supports the efforts of the House and Senate Youth Promise Act, and look to formulate a Buffalo Promise Act to address the significant issues of high school drop-outs, youth unemployment, crime, and incarceration rates to improve outcomes for our most vulnerable and valuable resources our youth; Our communities cannot move forward without a significant investment in training, focusing and stabilizing our youth and future leaders; and

Be It Further Resolved:

That this resolution be forwarded to President Obama, Mayor Brown, Erie County Executive, Western New York Federal and State Delegations, Buffalo Board Of Education, Commissioner of Youth Services, HEART Foundation, Citizens Actions Organization, Buffalo Urban League, Buffalo NAACP, Buffalo Promise Neighborhood, Mad Dads Organization, Peace Makers.

ADOPTED

**NO. 519**

**BY MR. WYATT**

**FELICITATIONS/IN MEMORIAM**

Attached hereto are Felicitations and In Memoriam Resolutions sponsored by Members of the Common Council as indicated:

Felicitations for Black American Veterans

By Councilmember Pridgen

ADOPTED

**NO. 520**

**APPOINTMENTS COMMISSIONERS OF DEEDS  
REQUIRED FOR THE PROPER PERFORMANCE OF PUBLIC DUTIES**

That the following person(s) are hereby appointed as Commissioner of Deeds for the term ending December 31, 2014, conditional upon the persons so appointed certifying under oath to their qualifications and filing same with the City of Buffalo.

Elizabeth A. Anderson

Frank P. D'Orazio

Suzann M. Cushman

Ronald Deschenes

Joel Feroleto

Edward Harris

Michael Joseph Little

Daniel Edward Meyer