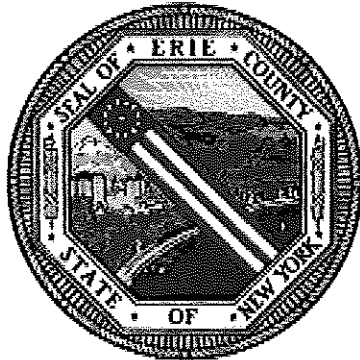

REPORT TO THE ERIE COUNTY LEGISLATURE
92 FRANKLIN STREET
BUFFALO, NEW YORK 14202

August 2009

REVIEW OF COUNTY PARKING PROCEDURES AND FACILITIES IN
DOWNTOWN BUFFALO



MARK C. POLONCARZ
ERIE COUNTY COMPTROLLER

August 26, 2009

Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Honorable Members:

The Erie County Comptroller's Office has completed a review of parking procedures and arrangements for the Rath Building Parking Garage ("Garage") and other County assigned, controlled or related parking spots located in downtown Buffalo for the period April 6, 2009 to July 31, 2009.

EVENTS LEADING TO REVIEW

The Comptroller's Office previously conducted an internal examination concerning the assignment of parking in downtown Buffalo in September 2007 but did not issue a public report.

In late March/early April 2009, the County Executive and the Comptroller engaged in a dispute regarding the County Executive's use of taxpayer funds for the purchase of a refrigerator for the County Executive Office's use. On April 6, 2009, the County's Deputy Comptroller and the Deputy Comptroller-Audit were abruptly informed via a memorandum from the Supervising Automotive Mechanic of the County's Division of Fleet Services that their parking privileges for the Garage were revoked effective the next day (a copy of the memorandum is attached as Appendix Three).¹

The County Administration later publicly stated that the parking was revoked in order to allocate the two parking spots for other allegedly pressing space needs, including creating an "employee of the month" parking space. Despite repeated attempts to determine who ordered the parking privileges revoked, we were unsuccessful. That said, we have determined that parking in the Garage and the awarding of parking privileges has been and continues to clearly be controlled by the County Executive.

Based on the April 2009 action by the County Administration, their alleged justification for that action, and a lack of transparency regarding control of parking, parking policies, and who is provided with the taxpayer-sponsored benefit, the Comptroller authorized the creation of a new report examining parking.

¹ Between January 1, 2006 and April 6, 2009, the Comptroller's Office was allotted three (3) parking spaces in the Garage for the Comptroller and his two principal deputies. Prior to 2006, when Comptroller Mark C. Poloncarz assumed office, the Comptroller's Office was allotted as many as five or more parking spaces.

BACKGROUND

Starting in 2002, the County Administration created a new position of Director of Fleet Services with responsibility for overseeing and managing the County's vehicle fleet (except for the Sheriff's vehicles) and parking. The Administration of County Executive Joel A. Giambra hired an individual from the private sector, Robert Bartholomew, to this new position. Subsequently, the County's 2003 Budget included three (3) additional positions in the new Bureau of Fleet Services ("Fleet Services"), a unit of the County's Division of Information and Support Services ("DISS"). Funding for Fleet Services continued through 2008, when the bureau had five (5) budgeted positions including a director, a supervising automotive mechanic and three automotive mechanic titles.

In the County's 2009 Budget, County Executive Christopher Collins deleted the occupied director title but left intact the other four positions and added a new laborer title.² The Collins Administration also reallocated the bureau and created a new Division of Fleet Services under the Department of Public Works and reporting to the Commissioner of Public Works. Since January 2009, the Commissioner of Public Works has exercised managerial control of Fleet Services.³

Article 11, section 1102(b) of the Erie County Charter states that the commissioner of Public Works shall "[h]ave charge and supervision of the design, construction, reconstruction, alteration, maintenance, repair and operation of county buildings, grounds, parking fields, drives and walks, but not including custodial care of the community college, library, holding center, penitentiary or laboratory."

As indicated in the annual county budget, an essential component of the Department of Public Work's mission is to "provide leadership and accountability in the design, construction, maintenance and management of county-owned facilities"⁴. The Division of Buildings and Grounds states that it is responsible for providing "custodial and facility maintenance associated with building, infrastructure and surrounding parking lots owned by the county."⁵

² The incumbent Director, a former County legislator, was separated from the County effective January 1, 2009 but was later rehired in May 2009 as a mechanic in the Department of Parks, Recreation and Forestry's Buffalo City Parks Division.

³ Subsequently in 2009, the County Administration sought and received Legislature approval to reduce the Division of Fleet Services to two positions (Supervising Automotive Mechanic and one Laborer) and the other positions were transferred to other divisions in the Department of Public Works.

⁴ 2009 Erie County Budget - Page 423

⁵ 2009 Erie County Budget - Page 448

Methodology Note: Commissioner of Public Works and Others Refuse to Cooperate with the Review

We began our review in April 2009. On April 15, 2009 we sent a written request via electronic mail to Commissioner of Public Works Gerard Sentz, requesting information and answers to the following questions:

What is the process and procedure to assign parking spaces? Both in and around the Rath Building and other sites such as the 45 Oak Street parking lot, the 25 Delaware loading ramp, etc?

Are there written guidelines for assigning parking spaces both permanently and on a floating basis?

Please provide a list as of April 7, 2009 of all persons who 1) have assigned parking spaces, 2) floating or access to County parking spaces in the Rath Garage, at the 45 Oak Street parking lot and all other locations

Aside from the Rath Building parking garage, what other lots and/or garages that house county vehicles and provide parking for county employees and visitors exist?

Prior to June of 2008, the Department of Information and Support Services (DISS) assessed a monthly fee of \$65.00 for each parking spot assigned to a department through the interdepartmental billing process. Those charges ceased with the month of June, 2008. There have been no charges in 2009. Please explain why these charges are no longer assessed.

In addition to assigning parking spaces there are vehicles assigned to County officials and employees for use on a 24 hour basis. The County of Erie web site provides a listing that has not been updated since August of 2008. Please provide an updated listing of all 24 hour vehicles along with the names of individuals to which they are assigned.

After receiving no reply to our April 15th request, we sent a follow-up request via electronic mail on April 21, 2009. Other follow-up requests were also sent. However, Commissioner Sentz failed to reply or acknowledge our repeated requests for information.

In addition, Commissioner of Central Police Services Peter Vito and Chief Brian Doyle of the Sheriff's Department, representing departments which also control and maintain parking at/around their facilities, also declined to cooperate with this review.

Accordingly, due to the Collins Administration and Sheriff Timothy Howard's repeated failures to respond to our auditors and provide any (current) data, our analysis includes some data from our prior September 2007 examination.

We assigned staff to determine who was parking in the Rath Building Garage and in other locations. We also requested a list of who was allowed to park in the Rath Building Garage and in other, County controlled locations. When it became apparent that this information would not be provided to us, we were forced to record the license plates and vehicle manufacturer and model for those vehicles parking in the areas in the Garage, near the Rath Building, near the Erie County Holding Center and Sheriff Office headquarters, and other locations. This information was collected over a period of more than a week and provided to the New York State Department of Motor Vehicles ("DMV") to determine the owners/operators of the vehicles under a Freedom of Information Act request. Our list covered three-hundred and fifty-one (351) individual vehicles and providing us with records required DMV forty (40) business days to process. Had the Collins Administration and Sheriff Howard cooperated with the review – like the Giambra Administration cooperated with our September 2007 examination – our review would have been completed much more quickly and at less expense to taxpayers.

We also further note that the Comptroller's Office has repeatedly requested updated lists of those County employees with 24-hour take-home vehicles. Since late 2008, the Collins Administration has refused to provide such lists and has even gone so far as to redact information on the County's web site pertaining to these vehicles (such as removing the names of individuals with vehicles, and outright deleting the existence of such vehicles assigned to some employees). Because the administration did not provide such lists, when our auditors observed County unmarked vehicles parked in various facilities, we could not determine who was assigned to that vehicle, or if the vehicle was a 24-hour vehicle or a pool vehicle.

Parking Spaces Covered by This Review

The spaces covered by this review are located within or near the Erie County Rath Building (95 Franklin Street), the Old Erie County Courthouse (92 Franklin Street), the County Annex (25 Delaware Avenue), the Erie County Holding Center (40 Delaware Avenue), Sheriff Department headquarters (10 Delaware Avenue), the Erie County Board of Elections and Sheriff's Offices (134 West Eagle) and the Erie County Central Police Services facility (45 Elm Street and 45 Oak Street). In total the County owns or controls 312 parking spots in the central governmental district in downtown Buffalo.

The area covered by our review is an active area of downtown. Parking in this area is also demanded by those who would use services provided by the Buffalo Police Department at their 74 Franklin Street headquarters, Buffalo City Court at 50 Delaware Avenue, State and County Courts at 92 Franklin Street and 25 Delaware Avenue and the Family Court on Niagara Street at West Eagle. Non-governmental offices are also located near these locations, and these private businesses also demand parking for their patrons and employees. Aside from those who work downtown, this area draws in those who use many County and City of Buffalo services, including, but not limited to the following County services:

<u>Service Provider</u>	<u>Purpose</u>	<u>Location</u>
Erie County Board of Elections	to apply for an absentee ballot	134 West Eagle
Erie County Comptroller	to obtain a certificate of residency	95 Franklin Street
Erie County Social Services	to apply for public assistance	95 Franklin Street
Erie County Courts	jury duty	92 Franklin Street
Erie County Legislature	attend a legislative session	92 Franklin Street
Erie County Holding Center	visit a prisoner	40 Delaware Avenue
Erie County Comptroller	pay a property tax bill	95 Franklin Street
Erie County Clerk	to get a drivers license	95 Franklin Street

FINDINGS

Parking spaces are available and provided for select County employees throughout the above described area. The spaces available, to whom they are allocated, and for which office/agency they work is delineated in the sections below.

Rath Building Parking Garage (95 Franklin Street)

There are two categories of parking in the Garage: (1) dedicated, reserved parking spaces; and (2) floating parking spaces. Certain individuals are allocated dedicated, reserved parking spaces for their vehicle only and others are allowed to park in the Garage, but their vehicle is parked in different spots and they may be required to leave the vehicle key with the vehicle to allow for it to be moved during the day if necessary.

In 2007, DISS charged \$65.00 per month per space to each department that maintained a dedicated or floating Garage parking space through interdepartmental billing. Due to the County Administration's refusal to cooperate, the 2009 assessed charge to departments is not known, nor whether or not the Department of Public Works intends to assume this responsibility for interfund or interdepartmental billing to departments that have parking space privileges.

According to the Fleet Services' internal tracking document from September 2007 (attached as Appendix One), there were ninety four (94) dedicated, reserved parking spaces and twenty (20) floating slots for a total of 114 spaces.

Our September 2007 examination identified 103 spaces: 87 numbered, reserved spaces; (there is no space 60), 4 spaces reserved as "ECE", 8 unnumbered / parallel spaces against the interior walls of the Garage, and the potential for 4 parking spaces in the car wash bay. This did not include the potential for any vehicles parked temporarily in certain areas that would block other vehicles and could be considered as "floating" slots. In the September 2007 examination we learned that Fleet Services allowed some County employees to park in the Garage in non-dedicated spaces in which the employee's personal vehicle "floats." Those floaters included employees who were once granted dedicated parking spaces in the Garage but had lost that access.

The September 2007 examination led to our development of a chart analyzing the Fleet Services' data (attached as Appendix Two) providing brief normative comments and observations.

Erie County Central Police Services Facility (45 Elm Street and 45 Oak Street)

Erie County's Public Safety Campus is located at 45 Elm Street. The facility maintains limited parking in a secure, enclosed open-air lot within the facility totaling twenty-eight (28) spaces. In addition, the facility maintains additional reserved parking spaces across the street in an enclosed fenced parking lot at 45 Oak Street next to Erie Community College. The 45 Oak Street lot contains sixty-five (65) spaces. Additional parking was identified on city streets next to the facility. Although signage prohibits parking on those streets, we observed many vehicles parked in those areas, none of which were ticketed by any law enforcement or City parking enforcement agencies.

We further observed that private, personal vehicles parked at 45 Elm Street, 45 Oak Street, and on city streets adjacent to the Campus carried numbered parking hang-tags from their rear view mirrors saying "Erie County Department of Central Police Services Staff Parking" apparently allowing them to park in those locations.

On April 21, 2009 we sent a written request to Commissioner of Central Police Services Peter Vito requesting that he provide information on parking assignments in and around the 45 Elm and 45 Oak Street facilities. Subsequently, we sent follow-up requests twice in July 2009 via electronic mail on July 28, 2009 and again on July 30, 2009. Similar to Commissioner Sentz, Commissioner Vito declined to answer our questions.

Spaces outside the Rath Building but within Downtown Buffalo

Personal and County vehicles routinely park in the Rath Building loading dock, which can accommodate six (6) vehicles, or on the sidewalk next to the loading dock. The discrepancy between the Fleet Services tracking document and the count of spaces in the Rath Garage may be partially explained by the temporary/floating parking, or by parking at the loading dock, but not entirely. Twenty-two (22) reserved spaces also exist around the 134 West Eagle Street complex; sixteen (16) of those spaces are on the street adjacent to the complex and are marked with signs restricting the parking to Sheriff vehicles. The Erie County Board of Elections is allocated six (6) parking spaces in the garage attached to 134 West Eagle.⁶

On-street and off-street parking is used by Sheriff employees in and around their headquarters complex and Holding Center at 10 and 40 Delaware Avenue. Some Sheriff employees park their personal and County-owned vehicles in an un-metered area on Delaware Avenue in front of the Sheriff headquarters at 10 Delaware Avenue marked "no parking except official Sheriff vehicles." That zone has space for thirteen (13) vehicles. In the area behind the Holding Center known as Upper Terrace, marked and unmarked Sheriff vehicles and employee personal vehicles

⁶ There are twenty-one (21) numbered spaces in the basement garage accessible through 134 West Eagle Street.

are also parked, including in an area marked "reserved administrative only." The Upper Terrace area can hold approximately thirty (30) vehicles (not including any that park on a grass median between the Upper and Lower Terraces, where vehicles do park).

On Pearl Street, adjacent to the Rath Building, no parking or standing is permitted, except for a zone next to the northeast corner of the building. That zone is marked by signs saying "no parking except Emergency Services vehicles," and there is space for five (5) vehicles. We observed 5 (five) vehicles parked in the zone, with four (4) personal vehicles having placards on their dashboards saying "Sheriff's Department Authorized Permit Parking," and "Official Business Erie County Sheriff's Office." The presence of personal vehicles of (possible) Sheriff deputies in the zone is questionable.

At the time of our September 2007 examination, the District Attorney's Office had five (5) spaces of reserved street parking on West Eagle Street adjacent to 92 Franklin Street in a zone marked "no parking except District Attorney vehicles" and one reserved parking spot in the Garage for the District Attorney himself. County owned take-home vehicles assigned to the office were normally parked there with confidential criminal investigators using the vehicles during the day for investigations.

On Franklin Street, in front of the County-owned Ticor Building, is a zone prohibiting parking or standing at all times. That street zone can accommodate approximately four (4) vehicles. However, despite the signs, personal and marked vehicles were and are regularly parked in that zone during the day. Occasionally, these are marked Sheriff or Emergency Services vehicles. This location also had vehicles with non-governmental placards, one example being a placard marked "Ticor Building Management."

On Church Street, between 25 Delaware Avenue and 92 Franklin Street is a loading dock serving both County properties. The loading dock has a sign saying "Loading Dock No Unauthorized Parking Delivery Hours 7 am – 2 pm. The loading dock has room for approximately fifteen (15) passenger vehicles, parked two-by-two. Six spots at the loading dock are reserved for employees of the County Clerk.

Street Parking Spaces

The signage for street parking spaces in Buffalo is established through an act of the Buffalo Common Council and parking regulations are enforced by the Buffalo Parking Enforcement Bureau, an agency controlled by the Buffalo Mayor. An organization may apply for a parking area to the Council, and should the Council agree, an area is then reserved. The Buffalo Common Council does not know what person is specifically allowed to park in any specific area. As parking changes, for example, as judges are elected or retire, there is no formal notification of who can park in certain areas. The Buffalo Parking Enforcement Bureau ("Parking Enforcement") is notified, usually when an aggrieved party gets a parking ticket that a new person is now parking in a reserved area. In some cases, Parking Enforcement is never notified, and if a person is never ticketed, Parking Enforcement will have no idea what specific person is authorized to park in a specific location. The Bureau of Parking Enforcement informed us that

there is no formal listing of who can park in these reserved areas, although there is a listing of who may park in spaces reserved for judges of the Eighth Judicial District. A map of these reserved areas from 2002 is provided as Appendix Four.⁷

Process for the Allocation of Parking Spaces in Rath Building Garage (95 Franklin Street)

In our September 2007 examination, Fleet Services informed us that a certain number of parking spaces are allocated to departments and those departments, through their department heads, are allowed to designate who will have a dedicated (or floating) parking space. At the time of that review, the Legislature maintained the highest number of dedicated/reserved/floating parking spaces (19), followed by the DISS (9), County Executive (8) and Personnel (6).

In 2007 we questioned then-Director of Fleet Services Bartholomew regarding what official or office designates Garage parking spaces made available to each department. Mr. Bartholomew initially stated that then-Deputy County Executive Bruce Fisher supervised the allocation of spaces for departmental use, as well as dictated the assignment of many individual parking spaces across executive departments. Subsequently, after notifying the County Executive's Office of our review, Mr. Bartholomew reversed himself and informed us that Mr. Fisher had no involvement in parking assignments.

This office believed then, and believes now that the County Executive's Office controls all parking spaces in the Garage (and other locations) and determines how many spaces will be allocated to a department and which specific individual County employees may be given the significant material benefit of a parking space. Evidence for this conclusion can be found in the September 2007 examination and the list of those who were given a dedicated Garage parking space and others allowed to park in floating spaces. The list featured almost exclusively well-known Giambra Administration managerial-confidential employees and others with familial or political connections to the then-County Executive.

Process for the Allocation of Spaces in Other County Locations

Our repeated requests to the Commissioner of Central Police Services, the Commissioner of Public Works and the Sheriff to determine the process by which parking spaces are provided to County employees yielded no responses. We conclude that there is no formal, written process for the allocation of parking at these locations. Further, we believe that an informal process exists by which certain County employees with influence and/or a connection to the County Administration or Sheriff receive free parking and those without do not.

⁷ From "On Street Parking Study – Staff Recommendations" prepared by Buffalo Place Inc. in cooperation with the City of Buffalo, November 2001 with revisions made in June of 2009.

REVIEW FINDINGS

The list of County employees who were parking in the various parking spaces and street parking referenced above during the period of our field work is attached through a series of appendices.

It is important to note first that there is no apparent written County policy for the distribution of parking spaces or parking provided for County employees at the various downtown Buffalo facilities. During our September 2007 examination, upon our request, Fleet Services informed us that there were no written policies governing parking space assignments in County-controlled facilities. In 2007 we found that in some departments, deputy commissioners had parking spaces, and in others, deputy commissioners did not. In some departments, very low-ranking employees including a cleaning supervisor, an asbestos coordinator, laborers and clerks had parking spaces. In some departments, secretaries or former secretaries of commissioners/office directors (a total of ten individuals) had parking spaces and other secretaries did not.

Because Commissioner Sentz did not respond to our repeated requests for information, we must infer that in 2009, there is no written policy concerning parking.

Rath Garage Parking List in 2009

Our 2009 review found that persons attending meetings with the County Executive (and other senior Erie County officials, including the Erie County Comptroller) were temporarily allowed to park in the Garage – a temporary measure with which we have no problem or concern.

As previously noted, Commissioner Sentz did not provide a list of who was allowed to park in the Garage. Consequently, our review compiled a list of license plates of those parking in the garage and their assigned space during field work in April 2009 and then used DMV data to identify the owner/registrant of that vehicle. That list is provided as Appendix Five.

This list is not all inclusive. On the days in which our auditors conducted field work and site visits, County employees who have dedicated parking spaces may not have been at work and others may have been allowed to park on those days. Erie County pool vehicles are always parked in the Garage using unoccupied spaces at the moment.

Based on the field work in April 2009, Garage parking assignments by department are as follows:

<u>Department</u>	<u>Number of Garage Parking Spaces</u>
Legislature	18
County Executive	11
Public Works/Fleet	8
Budget	5
Personnel	4
Social Services	4
County Attorney	3
Environment and Planning	3
Board of Elections	2
DISS	2
Purchase	2
Health	2
County Clerk	1
Comptroller	1
Veterans Services	1
Real Property Tax Services	1
EEO	1
Labor Relations	1
Mental Health	1
Commission on Status of Women	1
Senior Services	1
District Attorney	1
"Pool"	13
Non-County Employees	4
TOTAL	91 parking spaces

These ninety-one (91) designated parking spaces correspond to our September 2007 examination and do not include eight (8) unnumbered / parallel spaces against the interior walls of the Garage, and the potential for four (4) parking spaces in the car wash bay in the Garage (where vehicles have been observed parked). This list is not complete per se and does not include floating spaces. We observed County employees provided with 24-hour take-home vehicles parking their County vehicles in spaces designated as "pool." Those with such vehicles who park in the Garage in spaces reported as "pool" include the Commissioner of Public Works, Commissioner of Health, Commissioner of Parks, and other managerial-confidential employees of the County Administration. In addition, we observed certain employees parking daily along the interior wall including an employee of the County Executive's Office.

The most noteworthy finding is the increase in reserved spaces provided to the County Executive's staff (at least 11, up from 8 in late 2007). That does not include one space provided to the County Executive's former secretary who was transferred to the Board of Elections in

2008 and retained her space. In fact, no employees of the Board of Elections in recent years have ever had parking spaces in the Garage until the Collins Administration when two employees who served as managerial-confidential appointees of the Collins Administration were transferred to the Board of Elections but retained their Garage parking privileges.

We further note the significant decrease in parking spaces allotted to the Division of Information and Support Services; two spaces plus one space for a consultant, down from eight (8) in 2007. As in our September 2007 examination, we also found that some secretaries and clerical support staff for department heads were given parking spaces while other more senior level employees were not. For example, while some secretaries and clerks have spaces, some deputy commissioners and directors do not. The District Attorney has been allotted one space for himself, but his office's request for more spaces for his staff have been rejected by the Collins Administration. We also noticed that a number of employees who were given parking spaces while serving in one title in a specific department (County Executive's Office or Division of Budget and Management) retained those parking spaces after they moved to a different department and title/role.

Finally, the County Administration claimed in April 2009 that they were taking away the Comptroller Office's two parking spaces to create spaces for an "employee of the month" program or some other pressing parking need. However, our auditors observed that County pool vehicles were being parked in the Comptroller's Office former spaces and/or the spaces were vacant for large periods of time during our review and field work. Also, there is no evidence of the creation of any employee-of-the-month program with an associated parking space.

Other Parking Space Lists in 2009

During our field work we observed a number of individuals parking their vehicles in the Garage who do not have designated parking but who have access to the Garage and whose County identification cards open the Garage gate and door. For the most part, these are employees of the County Legislature who are allowed to park in legislator parking spaces when they are not occupied by legislators. Other departments whose employees were observed parking in the Garage during the review include: Social Services, Public Works, Health, Purchase, Environment and Planning, and an employee of the Labor Management Healthcare Fund. A list of those who have "floating" parking permission is attached as Appendix Nine.

45 Oak/Elm Streets: A list of those who were parked at 45 Oak Street, 45 Elm Street and adjacent street parking during the period of our review is provided as Appendix Six. The data shows that a number of County employees are parking in the lots at 45 Oak Street and the enclosed parking at 45 Elm Street, with the majority being employees of the Departments of Central Police Services and Emergency Services, whose offices are located at the Public Safety Campus. Due to Commissioner Vito's refusal to cooperate with our review, we cannot determine who is authorized to park in the lots or the process by which one can access the spaces (swipe cards, the rear-view mirror hang tags, etc.). Our field work determined that there are a number of other active County employees from other departments as well as former County employees and some individuals who are not County employees who are also parking at 45 Oak

Street. Employees of the Departments of Public Works, Social Services, Environment and Planning and Health, Sheriff and the Erie County Medical Center are parking at 45 Oak Street, 45 Elm Street and/or street parking. In the absence of cooperation from the County Administration, we can only presume some employees may be parking at 45 Oak Street in particular in order to attain free parking.

While some or most of these non-County employees may be representatives of other government agencies who work in the Public Safety Campus (i.e. New York State Police, Buffalo Police, etc.), we also have concerns regarding former County employees or non-authorized persons parking in the lot if they have no legitimate governmental purpose to do so.

25 Delaware Avenue Loading Dock: A list of those who were parked at the loading dock at 25 Delaware Avenue/92 Franklin Street is provided as Appendix Seven. During our field work we observed 15 vehicles parked in the loading dock. Five of the personal vehicles we observed are registered to managerial-confidential employees of the County Clerk, whose offices are in 92 Franklin Street. One vehicle is the County-issued vehicle for the County Clerk. Two vehicles are registered to Sheriff Deputies; one vehicle is registered to a Sewerage Management employee; and three vehicles are registered to employees of the Department of Public Works. One vehicle is registered to a former Sheriff Deputy who separated from the County in March 2007. Given the lack of cooperation by the County Administration, the control over this facility is unclear. Of the six (6) spaces in the loading dock designated or made available to the County Clerk, we were informed by the County Clerk's Office that these spaces have been made available to the Clerk more than 20 years ago pursuant to an arrangement between then-County Clerk Genevieve Starosciak and then-County Executive Edward Rutkowski. We have no written details of this arrangement.

District Attorney Parking: The District Attorney is allotted one designated parking space for his County-issued vehicle in the Garage. The District Attorney's Office has eleven (11) other unmarked County vehicles assigned for use by staff during the day and which are taken home at night by deputy district attorneys. According to the District Attorney's Office, they requested that the Department of Public Works provide additional spaces in the Garage for those vehicles but their request was denied by the County Executive's Office. Accordingly, one (1) vehicle assigned to the First Deputy District Attorney is parked on Delaware Avenue in the 10/40 Delaware Avenue area during the day and five (5) vehicles are parked in curb parking reserved for the District Attorney on West Eagle Street adjacent to 92 Franklin Street. The remaining five (5) vehicles park on streets in downtown Buffalo where they occasionally receive parking tickets despite having placards placed on the dashboards designating them as official County vehicles.

If the Collins Administration were to provide additional parking spaces in the Garage or at other locations for these County vehicles, tickets could be avoided.

Board of Elections Parking: As previously noted, the Board of Elections maintains six (6) parking spaces in the garage at 134 West Eagle Street. The persons assigned to those six spaces are the Republican and Democratic Elections Commissioners, the Republican and

Democratic Deputy Commissioners, the Democratic Assistant Elections Office Manager, and the Republican Printing Supervisor-Elections. A list of those who park in these six spaces is provided as Appendix Ten.

Sheriff Department Parking: A list of those who were parked on the street at 10 and 40 Delaware Avenue as well as the Upper Terrace area behind the Holding Center is provided as Appendix Eight.⁸ The data shows about sixty (60) vehicles parked in these facilities during the period of our field work. Approximately 20% are unmarked County vehicles assigned to the Sheriff. Approximately 50% are the personal vehicles of Sheriff employees. The remaining observed vehicles are non-County vehicles of judges and persons unknown to us. Similar to the Garage and 45 Oak Street and 25 Delaware/92 Franklin Loading Dock, select employees are allowed to park.

Based upon our prior examination by our office, there are a large number of Sheriff employees who have been assigned 24-hour take-home vehicles by the Sheriff (approximately 60 sworn personnel). For those employees assigned to 10 Delaware, 130 or 134 West Eagle or the Holding Center who have unmarked vehicles, they park their County vehicles on the streets around the facilities or on the Upper Terrace. Because the Collins Administration and Sheriff declined to cooperate with this review and provide data, we could not identify specific vehicles and their occupants. As such, as a part of our field work, we have noted those vehicles in the Appendix as "Erie County Vehicle."

Official Business "Placards"

Free curb street parking in downtown Buffalo is a premium commodity. Certain persons or businesses have been traditionally allowed curb parking through the use of "placards" placed on a vehicle dashboard. A "placard" is sign proclaiming that the driver is parked there while on official governmental business. In the process of our review we witnessed placards for private businesses as well. There is no one authority distributing such placards, or authorizing these placards. One department informed us that they have placards for their official County vehicles which are generated by the Division of Information and Support Services' print shop. We also strongly suspect that many individuals simply create placards on their own and place them in their vehicles to effectuate street parking and avoid ticketing.

A conversation with Leonard Sciolino, Director of the City of Buffalo's Division of Parking Enforcement confirmed that there is no single authority for these placards. There is no master list of approved placards. Simply put – anyone may create their own placard and park downtown. Getting a parking ticket while displaying a placard is a function of how generous Parking Enforcement employees feel at that particular moment.

⁸ It is also important to note that many deputies and other Sheriff personnel work during the second and third shifts at the Holding Center. Our field work occurred during the daytime and no observations were made during the late afternoon or evening or weekends. Accordingly, our review does not include any data on those employees parking in/around Sheriff facilities during these periods.

During our review, we observed many vehicles parked around County facilities on downtown streets with placards representing their occupants as County employees on official business. None were ticketed and many were parked in no-parking or no-standing zones. Whether the individuals associated with these vehicles were on official business or simply using placards to park all-day and avoid paying to do so is not clear but we believe the later is likely the case.

Law Enforcement Parking

Our review of curb street parking near the Rath Building, Old County Hall, the County Annex, Sheriff headquarters, the Erie County Holding Center and the Public Safety Campus discovered a number of areas labeled “No Standing” or “No Parking” with vehicles in those locations. Those vehicles were not ticketed. As part of our review, we collected license plate information on these vehicles and discovered that an overwhelming percent were registered to Erie County Sheriff deputies and other Sheriff employees.

In 2000, consultants developing a parking report on downtown Buffalo analyzed this issue and discussed law enforcement parking with the then-Erie County Sheriff.⁹ Then-Sheriff Patrick Gallivan provided two reasons justifying this practice: (1) the presence of Sheriff’s employee vehicles is a security measure that prevents anyone parking a vehicle in those locations from using a vehicle for a nefarious purpose (to abet an escape from the Holding Center) and (2) to maintain equity and morale within the Sheriff’s Department. His explanation was that forcing those deputies who work downtown to have to pay to park while deputies assigned to other stations do not have to pay to park would create a dispute within the Sheriff’s Department.

We made a series of inquiries to the Sheriff’s Department to confirm if these reasons were still valid, or if new reasons had presented themselves. We also asked other questions regarding Sheriff parking on the street and in the Upper Terrace area. After initially indicating he would answer our questions, Chief Brian Doyle never responded to our inquiries.

We find no logical justification for the excuses offered by then-Sheriff Gallivan and which the current Sheriff presumably continues to support. There are thousands of Erie County employees, not to mention other governmental and non-governmental employees who work downtown and who do not receive taxpayer or employer-funded parking.

⁹ The report is “Destination Downtown Buffalo 2002 – A Roadmap for an Accessible Community” prepared for the Downtown Buffalo Parking Infrastructure Task Force. The report was prepared by Desman Associates in association with Economics Research Associates.

REVIEW COMMENTS AND RECOMMENDATIONS

The ability of County employees to park in designated parking spaces or at street curbs without paying is a significant benefit with corresponding financial reward to those persons. The average downtown commuter pays approximately \$50-\$70 per month for a parking space in a lot or parking ramp. County employees or officials that enjoying this perk at the expense of the taxpayers need to be aware of this fact and abuse or misuse cannot and must not be tolerated.

The fact is, only a few select employees out of a County workforce totaling approximately 4,200 enjoy parking privileges. The vast majority of County employees pay for their own parking. This makes it all the more important for transparency and accountability for such a benefit.

Based on the data obtained in our September 2007 examination, and this 2009 review, we have developed a list of recommendations concerning County parking in the downtown Buffalo core.

- The Division of Fleet Services and Commissioner of Public Works should develop a formal written policy governing parking in the facilities controlled by the County Administration, including 45 Oak Street, 45 Elm Street and the loading docks at 25 Delaware Avenue/92 Franklin Street and the Rath Building.
- The Sheriff should develop a formal written policy governing parking in the facilities controlled by him on Upper Terrace and around 10/40 Delaware Avenue and 134 West Eagle Street.
- The County Administration needs to identify, clarify and adjust as necessary all interfund or interdepartmental billings to departments for parking, particularly in the Garage. The monthly expense for each department for each parking space made available should be clearly reported to each department head.
- Through the Department of Personnel and the Department of Public Works' building security office, the County Administration needs to create, maintain and regularly update a master list of all County employees whose County-issued identification swipe cards will open the gate and door to the Garage. This will help identify those employees who do not have a dedicated parking space but who could have floating privileges.
- For transparency and accountability, the County Administration should publish on the County's web site a list of all County employees who have taxpayer-paid parking spaces in downtown Buffalo.
- Action should be taken by the County Executive and his commissioners and the Sheriff and any other necessary independent department heads to create, maintain and regularly update a master list of those County employees who possess official or unofficial parking placards. Abuse and possible fraud is clearly occurring through placard misuse.
- Unless they otherwise have an appointment in a County building and Fleet Services has been notified in advance, no former County employees or officials should be allowed to park in the Garage.
- County officials should meet with officials from the City of Buffalo to develop a strategy for street curb parking in and around County buildings in downtown Buffalo, to determine the need for designated or no-parking zones, particularly around the 10/40 Delaware Avenue Sheriff complex and the court facilities.

- No County employees or officials, regardless of their status or possession of any placard, should be allowed to park their personal or official County vehicles in any no-parking zone in downtown Buffalo.

ERIE COUNTY COMPTROLLER'S OFFICE

cc: Hon. Christopher Collins, County Executive
Gregory Gach, Director of Budget and Management
Erie County Fiscal Stability Authority
Gerard Sentz, Commissioner of Public Works
Timothy Howard, Erie County Sheriff
Peter Vito, Commissioner of Central Police Services

Appendix One

Legislature

Daniel Kozub	Legislator
Timothy Kennedy	Legislator
Barbara Miller-Williams	Legislator
Michael Ranzénhofer	Legislator
Kathy Konst	Legislator
Maria Whyte	Legislator
Betty Jean Grant	Legislator
Thomas Mazur	Legislator
Cynthia Locklear	Legislator
Michele Iannello	Legislator
Lynn Marinelli	Legislator
Robert Reynolds	Legislator
John Mills	Legislator
Thomas Loughran	Legislator
Barry Weinstein	Legislator
Sean Ryan	Chief of Staff
Robert Graber	Clerk of Legislature
Kevin Kelly	NO LONGER A COUNTY EMPLOYEE
Brian Bray	Senior Admin Clerk

County Executive

Joel Giambra	County Executive
Bruce Fisher	Deputy County Executive
Lisa Ceglia	Administrative Assistant to Chief Staff
Kathy Gregoire	Secretary, County Executive
Lisa Gregoire	NOT COUNTY EMPLOYEE MAY BE JESSICA GREGOIRE
Camille Williams	Secretarial Assistant
Bob Koshinski	Senior Executive Assistant
Warren Galloway	Senior Executive Assistant

Comptroller

Mark Poloncarz	County Comptroller
Gregory Gach	Deputy Comptroller
Michael Szukala	Deputy Comptroller-Audit

County Clerk

Kathy Hochul	County Clerk
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District Attorney

Frank Clark	District Attorney
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Information and Support Services

Joseph Gervase	Director of Information and Support Services
Kenneth Beam	Director of Central Data Processing
Rick Stevenson	ERP Systems Administrator
Julia MacMurray	Communications Manager
Joe Daniels	Verizon/GTE
Daniel Malibie	Systems Software Specialist
Chris Castiglia	Laborer
Eileen Palmeri	Secretary, Director of DISS
Helen Gonzalez	Senior Admin Clerk

Personnel

John Greenan	Commissioner of Personnel
Michael Eberle	Chief of Classification PT
Joseph Murphy	Principal Executive Assistant
Mindy Czechowski	Junior Personnel Specialist
Tamil Burns-DiGloccio	Intern Personnel Specialist
Archle Amos	State Civil Service Commission

DPW - Buildings and Grounds

William Thornton	Special Assistant to Commissioner RPT
David Zilliox	Principal Security Officer
Steve Rzasa	Asbestos Air Quality Coordinator
Lynn Bartkowiak	NO LONGER A COUNTY EMPLOYEE
Joseph Lettieri	Assistant Supervisor of Cleaning

Health

Anthony Billitter	Commissioner of Health
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Environment & Planning	Patrick Ruffino Tracy DeRosa Wilman Frank Sacco Gerald Mineo	Deputy Commissioner-Youth Services Secretary, Commissioner of Health Executive Assistant Contracts Specialist
Parks	Andrew Eszak William Murray Michael Raab Thomas Whelham Linda Bagley	Commissioner Deputy Commissioner-Planning and Economic Development Deputy Commissioner-Environmental Compliance Deputy Commissioner-Sewerage Management NO LONGER A COUNTY EMPLOYEE
Law	Angelo Sedila Nicholas Page Judith Sedila Brian Grassla	Commissioner of Parks NO LONGER A COUNTY EMPLOYEE Secretary, Commissioner of Parks County Forester
Budget, Management and Finance	Laurence Rubin Susannah Bochenek George Loncar Joseph Passalunghi	County Attorney Second Assistant County Attorney RPT Second Assistant County Attorney-Labor Relations NO LONGER A COUNTY EMPLOYEE
Social Services	James Hartman Joseph Cercone Joseph Maciejewski William Murphy	Director of Budget, Management and Finance Senior Budget Consultant Director of Real Property Tax Services Senior Management Consultant
Purchase	Michael Weiner Deborah Merrifield Thomas DeMartino	Commissioner of Social Services First Deputy Commissioner Director of Legal Affairs
Senior Services	Vallie Ferraraccio Michael Bowers Lorraine Kolb	Director of Purchase Deputy Director of Purchase Buyer
State Office of Courts Administration	Pamela Krawczyk Jocelyn Jakubus	Commissioner of Senior Services Assistant Project Administrator
Veterans Affairs	Sharon Townsend Penny Wolfgang	Justice of Supreme Court Justice of Supreme Court
Fleet Services	Louis Palma Barbara Perry	Veterans Service Officer Assistant Service Officer
DPW - Highways	Robert Bartholomew Kevin Higgins	Director of Fleet Services Supervising Automotive Mechanic
Mental Health	Gerard Sentz Charles Sickler	Deputy Commissioner-Highways Principal Civil Engineer
DPW - Administration	Phillip Endress	Commissioner of Mental Health
Equal Employment Opportunity	John Loffredo	Commissioner of Public Works
Commission on Status of Women	Jacqueline Stover-Stills Latricia Chisholm	Director of EEO Executive Director of Commission on Status of Women

Appendix Two

Department	Dedicated/Float ing Spaces for Employees	Spaces for County General Use Vehicles Assigned to Department	Notes
			15 spaces for legislators, 4 for staff. Staff park in legislator spaces when legislators not present and float at other times. We note that 1 of the 4 staff spaces is occupied by a former County employee who no longer works for the County (he works for the State Office of Courts Administration) but the Legislature is billed the expense in Interfund billing.
Legislature	19	0	
County Executive	8	0	
Comptroller	3	0	
County Clerk	1	1	
District Attorney	1	0	
Sheriff	0	0	Sheriff personnel park at 10 Delaware complex.
Information and Support Services	9	11	The 11 vehicles are pool vehicles available to any department.
Personnel	6	0	1 employee was assigned a space while working for the Division of Budget and retained the space after transferring.
DPW - Buildings & Grounds	5	1	
Health	5	1	1 of the 5 employees has his parking space Interfund billed in error to Social Services.
Environment & Planning	5	2	1 employee (who has since separated from the County) was assigned a space while on the County Executive's staff and retained the space after transferring.
Parks	4	0	
Law	4	0	1 space is for a consultant who is a former County employee. We note that the space is billed to the County Executive's office in Interfund billing.
Budget, Management and Finance	4	0	
Social Services	3	2	1 employee was assigned a space while on the County Executive's staff and retained the space after transferring.
Purchase	3	0	
Unassigned Floater	3	0	
Senior Services	2	2	1 employee was assigned a space while on the County Executive's staff and retained the space after transferring.
State Office of Courts Administration	2	0	2 spaces are occupied by State Supreme Court Judges and the State is billed.
Veterans Affairs	2	0	
Fleet Services	2	0	
DPW - Highways	2	0	
Mental Health	1	0	
DPW - Administration	1	0	
Equal Employment Opportunity	1	0	

Commission on Status of Women	1	0	
Probation	0	0	Had 1 space until resignation of former Commissioner Alexander.
Board of Elections	0	0	Parking provided at West Eagle Street garage and complex.
Central Police Services	0	0	Parking provided at Public Safety Campus complex.

Appendix Three

Erie County

MEMORANDUM

To: Mark Poloncarz
From: Kevin Higgins, Fleet Division
Date: April 6, 2009
Subject: Parking Garage



Effective April 7, 2009 Lorne Steinhart and Mike Szubala will no longer have parking privileges.

Thank you for your cooperation.

COMPTROLLER'S
RECEIVED

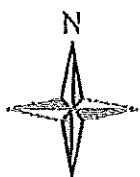
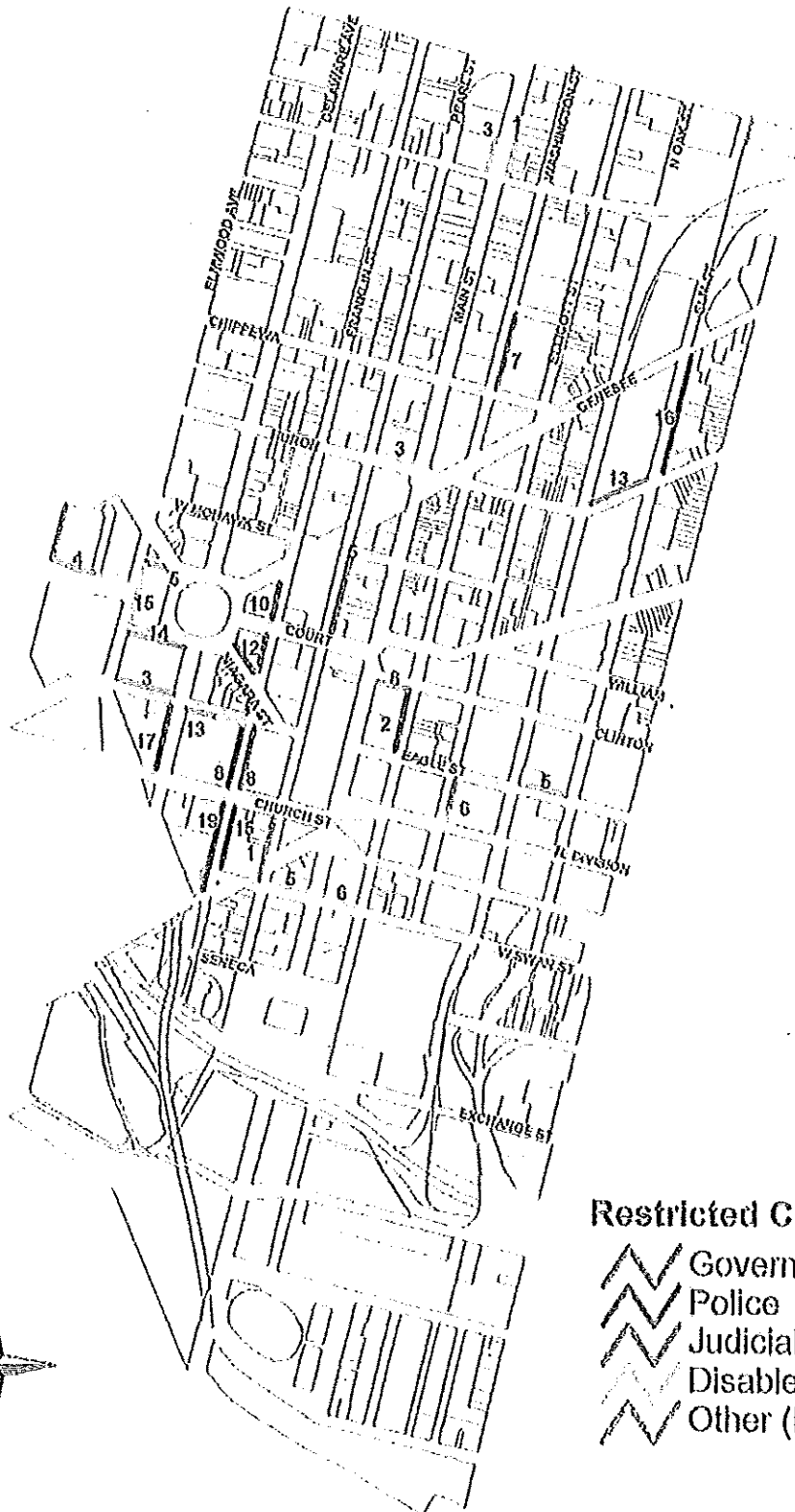
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Restricted Parking Areas in Downtown Buffalo

Appendix Four



July 2000



Restricted Classifications

- Government
- Police
- Judicial
- Disabled
- Other (NFTA, Clergy, Etc.)

Appendix Five

Rath Building Parking (at April 2009)

Slot/Spot Number	Names	Department	Title	Notes
1	Daniel Kozub	Legislature	Legislator	
2	Timothy Kennedy	Legislature	Legislator	
3	Barbara Miller Williams	Legislature	Legislator	
4	Ray Walters	Legislature	Legislator	
5	Kallianthe Konst	Legislature	Legislator	
6	Maria Whyte	Legislature	Legislator	
7	Betty J Grant	Legislature	Legislator	
8	Thomas J Mazur	Legislature	Legislator	
9	Tim Wroblewski	Legislature	Legislator	
10	Michele M Iannello	Legislature	Legislator	The legislator allowed Jackie Blachowski, Deputy County Clerk-Auto to park in her space when she was not using it. During the review we observed Ms. Blachowski's vehicle in the space. She has subsequently retired from the County.
11	Lynn M Marinelli	Legislature	Legislator	
12	Bob Reynolds	Legislature	Legislator	
13	John Mills	Legislature	Legislator	
14	Thomas A Loughran	Legislature	Legislator	
15	Ed Rath	Legislature	Legislator	
16	Scott W Kroll	Legislature	Republican Staff - Leg	
17	Tami L Burns-DiLoccolo	Personnel	Interne Personnel Specialist	
18	John C Davis	Legislature	Democratic Staff - Leg	
19	Ellen Notarius	County Executive	Junior Administrative Consultant	
20	Robert M Graber	Legislature	Clerk of the Legislature	
21	Tracy Witman	Health	Secretary to Commissioner	
22	Erle County Pool			
23	Joseph J Faraci	Fleet Services	Laborer	
24	Erle County Pool			
25	Gregory G Gach	Budget	Director	
26	Mark C Poloncarz	Comptroller	County Comptroller	
27	William Murray	Environment & Planning	Deputy Commissioner	
28	Elizabeth Bochechio	Board of Elections	Assistant Elections Office Manager - Republican	Formerly Secretary to Parks Commissioner
29	Erle County Pool			
30	Daniel D Barry	Environment & Planning	Deputy Commissioner	
31	Erle County Pool			
32	Kristin K Wheaton	County Attorney	First Assistant County Attorney	
33	John J Crangle Jr	County Clerk	First Deputy County Clerk	County Clerk Kathy Hochul is assigned this space for her County-issued vehicle but she parks the vehicle at the 25 Delaware Loading Dock and allows her principal deputy to park in her assigned space
34	Joseph A Cercone	Budget	Management Consultant	
35	Michael Weiner	Social Services	Commissioner	

Appendix Five

<u>Slot/Spot Number</u>	<u>Names</u>	<u>Department</u>	<u>Title</u>	<u>Notes</u>
36	Patrick W Welch	Veterans Services	Director	
37	Erle County Pool			
38	Carol M Dankert	Social Services	Deputy Commissioner	Subsequently became Acting Commissioner
39	Erle County Pool			
40	Penny Wolfgang		Supreme Court Justice	
41	Joseph Maciejewski	Real Property	Director	
42	Andrea L Shear	Budget	Management Projects Analyst	Formerly on County Executive's staff
43	Gregory J Turner		DISS Consultant - Globalquest	
44	John Greenan	Personnel	Commissioner	
45	Bridget A Corcoran	Budget	Management Consultant	Subsequently became Director of Purchase
46	Branda Ward	Senior Services	Commissioner	
47	William Lobbins	BEO	Director	
48	Cheryl Green	County Attorney	County Attorney	
49	Erle County Pool			
50	Christopher M Putrino	Labor Relations	Commissioner	
51	Charles J Krathaus	DPW	Building Guard - Shift Supervisor	
52	Juliet Szymanski	Board of Elections	Principal Election Clerk-Audit Republican	Formerly Secretary to the County Executive
53	Jocelyn D Jakubus	County Executive	Secretary to County Executive	
54	Martin A Polowy	County Attorney	Second Assistant County Attorney	
55	Erle County Pool			
56	Michelle A Mazzone	County Executive	Senior Executive Assistant	
57	Holly A Sinnott	Environment & Planning	Commissioner	
58	Daniel J Pfohl	County Executive	Junior Administrative Consultant RPT	Subsequently moved to Budget Office
59	Erle County Pool			
61	Erle County Pool			
62	Cheryl Mekarski	DISS	Director of Central Data Processing	
63	William Thornton	DPW	Special Assistant to Commissioner	
64	William J Kuzka	DPW	Stationary Engineer	
65	Patrick J Ruffino	Health	Deputy Commissioner	
66	Patricia A Benson	County Executive	Secretary to Deputy County Executive	
67	Erle County Pool			
68	Frank Sedla	District Attorney	District Attorney	
69	Grant Loomis	County Executive	Senior Executive Assistant	
70	Christopher M Grant	County Executive	Senior Executive Assistant	
71	Peter W Nichols	Social Services	Counsel	
72	Peggy LaGree	Budget	Senior Budget Consultant	
73	Jeffrey J Quinn	DPW	Deputy Commissioner	
74	Vallie M Ferraraccio	Purchase	Director	Subsequently separated from the County
75	Erle County Pool			
76	Francis W Quinn	Social Services	Senior Child Support Investigator	
77	Vincent Delgado Jr	DPW	Principal Security Officer RPT	

Appendix Five

Slot/Spot Number	Names	Department	Title	Notes
78	Eileen J Palmeri	Purchase	Senior Account Clerk	Formerly Secretary to Director of DISS
79	Eighth Judicial District			
80	Helen Gonzalez	DISS	Senior Admin Clerk	
81	Phil Endress	Mental Health	Commissioner	
82	Joseph V Murphy	Personnel	Senior Executive Assistant	
83	Erie County Pool			
84	Chris Castiglia	DPW	Laborer - Fleet Services	Later moved to the DPW Commissioner's Office
85	Susan V Sizemore	Comm. on Status of Women	Director	Formerly on County Executive's staff
86	Mindy M Czechowski	Personnel	Junior Personnel Specialist	Received parking while in Budget office and retained
87	Peter A Sayadoff		Uniland Development employee	
88	Steven P Rzasa	DPW	Asbestos Air Quality Coordinator	
ECE	P William Carey	County Executive	Senior Executive Assistant	
ECE	Christopher Collins	County Executive	County Executive	
ECE	Alfred Hammonds Jr	County Executive	Deputy County Executive	
ECE	Caitlin K Campbell	County Executive	Administrative Assistant to Chief of Staff	

Note: Legislature staff are allowed to park in legislator spaces when legislators are not using the spaces.

Note: A number of employees with County 24-hour take home vehicles are not listed; they park in spaces noted as "pool." They include: Gerard Sentz (DPW), Anthony Blittler (Health), Michael Quinn (Sewers) and James Horning (Parks).

Note: There are other County employees who were observed parking every day in the Garage along the interior wall and not in a designated space. They include Bryan Flume (County Executive), Kevin Higgins (Fleet Services) and Paul Krull (Social Services).

Appendix Six

Public Safety Campus Parking - 45 Oak Street, 45 Elm Street and Street Parking

	Employee Name	Lot	Department	Title
1	Lori E Rosman	45 Oak	Emergency Services	Account Clerk PT
2	Marlaine Hoffman	45 Elm	Central Police Services	Deputy Director of Information Services
3	Nancy A Diglore	45 Oak	Emergency Services	Public Safety Incident Response Monitor
4	Paul R Divlak	45 Oak	Emergency Services	Accountant
5	Melissa J Calhoun	45 Oak	Emergency Services	Secretary to Commissioner of Emergency Services
6	MaryJane McDonald	45 Oak		Retired County employee serving as a consultant for CPS
7	Erie County Pool	45 Elm		
8	Patricia Ann Harris	45 Oak		
9	John F Sullivan	45 Elm	Central Police Services	Director, Stop DWI
10	Stuart Weissman	45 Oak		Former CPS employee who separated from the County in October 2004
11	Dawn R Tutuska	45 Oak	Central Police Services	Junior Programmer Analyst
12	Linda Tarnawsky	45 Elm	Central Police Services	SAFIS Manager
13	David J Stemer	45 Elm	Central Police Services	Senior Communications Systems Specialist
14	Susanne K Spencer	45 Oak	Central Police Services	Training Specialist
15	John R Magnano	45 Oak	Central Police Services	Deputy Director of Criminal Justice User
16	Daniel P Tarlowski	45 Oak	Central Police Services	Junior Programmer Analyst
17	C D Lukaszewski	45 Elm		
18	John P Sinich	45 Elm	Central Police Services	Assistant Director Law Enforcement Forensic Lab
19	Jeffrey A Banas	45 Oak	Central Police Services	Forensic Chemist
20	Erie County Pool	45 Elm		
21	Susan L Lubick	45 Oak		
22	Erie County Pool	45 Elm		
23	Acme Leasing	45 Oak		
24	M J Orange, Stalker	45 Oak		
25	Dale F Jandzinski	45 Oak	Central Police Services	Public Safety Dispatcher
26	Sandra M Kauffman	45 Oak	Central Police Services	Public Safety Dispatcher
27	Michelle R Kerr	45 Oak	Central Police Services	Senior Police Complaint Writer
28	Michael Soto	45 Oak	Central Police Services	Police Complaint Writer
29	Judy Maldonado-Torres	45 Oak	Central Police Services	Police Complaint Writer
30	Rosanne Mathews	45 Oak	Central Police Services	Senior Police Complaint Writer
31	Kristen Homick	45 Oak	Central Police Services	Forensic Serologist
32	Dennis J Zywlozyski	45 Oak	Public Works	Laborer - Custodial Services
33	Kathleen J Ciesla	45 Oak	Public Works	Laborer - Custodial Services
34	Mary L Spahn	45 Oak	Central Police Services	Administrative Clerk
35	Florence Hollenbeck	45 Oak	Central Police Services	Principal Clerk
36	Mary Ellen A Gabor	45 Oak		
37	Phyllis M Yarbrough	45 Oak		
38	R L Santonocito	45 Oak		
39	Cheri L Lozina	45 Oak		
40	Robert C Mongold & Daniel L Lehman	45 Oak		
41	Guy M Boglioli	45 Oak	Social Services	Senior Employment Counselor
42	Kathleen Pietka	45 Oak	Central Police Services	Accountant - Stop DWI
43	L Clarke-Frazier	Official Business Street Parking		
44	Milissa M Graczyk	Street No Parking Zone	ECMCC	Senior Clerk Typist
45	Donald A Crowe	45 Oak	Central Police Services	Senior Evidence Clerk
46	Stuart C Easter	45 Oak	Central Police Services	Senior Firearms Examiner
47	Thomas Grill	45 Oak	Central Police Services	Forensic Serologist
48	Paul A Hojnacki	45 Oak	Central Police Services	Forensic Serologist

Appendix Six

49	Robert D Linkowski	45 Oak	Central Police Services	Evidence Clerk
50	Jodi Luedemann	45 Oak	Central Police Services	Forensic Serologist
51	Michelli A Schmitz	45 Oak	Central Police Services	Senior Forensic Chemist
52	Barbara J Weiss	45 Oak	Central Police Services	Senior Evidence Clerk
53	Margaret Terrill	45 Oak	Central Police Services	Forensic Serologist PT
54	Deborah A Bucierka	Street No Parking Zone	Public Works	Building Guard
55	Paul J Griffin	45 Oak	Public Works	Building Guard
56	Charles P Mongiovi	45 Elm	Public Works	Stationary Engineer
57	Verizon Credit, Inc	45 Elm		
58	Kenneth A Bevilacqua	45 Oak	Health	MERS Coordinator
59	Jean M Whalen	Street No Parking Zone		
60	Bert N Pandolfino	45 Oak	Central Police Services	Firearms Technical Leader
61	Richard R Rutkowski	45 Oak	Environment and Planning	Environmental Compliance Specialist
62	Agnes Yeasley	Official Business Street Parking	Health	MERS Coordinator
63	Erie County Pool	45 Elm		
64	Yolanda Singletary	Official Business Street Parking		
65	George A Zaninlt	Official Business Street Parking	Health	MERS Coordinator
66	Salvatore S Scallisi	45 Elm		
67	Michelle N Stratton	45 Oak	Central Police Services	Forensic Serologist
68	Ann M Gilbert	Official Business Street Parking	Public Works	Head Laborer
69	Laura K Heldwin	45 Elm		
70	Amanda L Finbar	45 Oak	Central Police Services	Forensic Serologist
71	Paul J Gajewski	45 Elm	Central Police Services	Deputy Director of Law Enforcement Communications
72	Thomas P Franczyk	Official Business Street Parking		
73	Daniel Herberger	Official Business Street Parking	Central Police Services	Training Coordinator - Stop DWI
74	City of Buffalo	45 Elm		
75	City of Buffalo	45 Elm		
76	City of Buffalo	45 Elm		
77	C R Edmonds	Official Business Street Parking		
78	Charles J Mondo	45 Oak		
79	Robert A Trask	Official Business Street Parking	Sheriff	Dispatcher (Sheriff)
80	Kenneth C Bailey	45 Oak		
81	Madison Leasing LLC	45 Elm		
82	Tamara Lee Cramer	45 Oak		
83	Eggersville Fire District	45 Oak		
84	Erie County Pool	45 Elm		
85	Erie County Pool	Official Business Street Parking		
86	Erie County Pool	45 Elm		
87	Timothy Cannan	45 Oak	Sheriff	Deputy Sheriff
88	Christopher J. Decker	45 Oak	Sheriff	Deputy Sheriff
89	Niagara County Sheriff	45 Oak		

Note: The Erie County Pool vehicles include 24-hour take home vehicles assigned to County employees in the Departments of Central Police Services and Emergency Services that we could not identify due to the County Administration's refusal to cooperate.

Appendix Seven

25 Delaware/92 Franklin Street Loading Dock

	<u>Name</u>	<u>Department</u>	<u>Title</u>
1	Lawrence Hornberger	Sheriff	Deputy Sheriff Officer
2	Jason J Smaczniak	Sheriff	Deputy Sheriff Officer
3	Howard W Zarcone		Former Deputy Sheriff Officer - resigned in March 2007
4	Michael T Flanagan		
5	Mark Adamchick	County Clerk	Deputy County Clerk-Finance
6	Robert J Sitek	Public Works	Stationary Engineer
7	Carl E Szarek	County Clerk	Assistant Deputy County Clerk
8	Patricia Fulwiler	County Clerk	Deputy County Clerk-Legal
9	James Ortman	Public Works	Head Janitor
10	Joseph Leggett	Sewerage Management	Laboratory Technician
11	Camille Brandon	County Clerk	Special Assistant to the County Clerk
12	Thomas E Garlick	County Clerk	Administrative Secretarial Assistant
13	Unknown		
14	Gregory J Gareau	Public Works	Stationary Engineer
15	Kathy Hochul	County Clerk	County Clerk

Appendix Eight

Holding Center Parking

	<u>Name</u>	<u>Department</u>	<u>Title</u>
1	Mary B Jacobs	Sheriff	Executive Assistant Public Relations
2	Phillip Mercedes Jr		
3	Erie County Vehicle		
4	Erie County Vehicle		
5	Erie County Vehicle		
6	Paul A Evans	Sheriff	Sergeant-Officer
7	Erie County Vehicle		
8	Erie County Vehicle		
9	Erie County Vehicle		
10	Erie County Vehicle		
11	Erie County Vehicle		
12	Erie County Vehicle		
13	Erie County Vehicle		
14	Unknown		
15	Erie County Vehicle		
16	William A Dundon		
17	Raymond D G McKenzie		
18	James E Murray		
19	Eighth Judicial District		
20	Erie County Vehicle		
21	Sean G Higgins		Former Sheriff Sergeant-Officer who resigned in March 2007
22	Elaine R Medina	Sheriff	Payroll Clerk
23	Bridget A Ricci	Sheriff	Workers Compensation Clerk
24	Erie County Vehicle		
25	Erie County Vehicle		
26	Erie County Vehicle		
27	Barbara B Leary	Sheriff	First Deputy Superintendent
28	Erie County Vehicle		
29	Denise E O'Donnell		State Commissioner of Criminal Justice Services
30	Paula L Feroletto		State Supreme Court Judge
31	Janice Rosa		State Supreme Court Judge
32	Eugene E Schuta	Sheriff	Sergeant-Officer
33	Howard W Webster	Sheriff	Lieutenant-Officer
34	Mark D Mahony		
35	Anthony J Lodestro	Sheriff	Sergeant-Officer
36	Robert L Cathcart	Sheriff	Sergeant-Officer
37	Lisa R Jenkins	Sheriff	Sergeant-Officer

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38	Lauren A Nowakowski	Sheriff	Receptionist
39	John Rodriguez	Sheriff	Sergeant-Officer
40	Joseph Vitale		
41	Robert P Esford		
42	Edward W Seeberger		
43	J A Kretzmon	Sheriff	Lieutenant-Officer
44	Debora A Nadrowski	Sheriff	Payroll Clerk
45	Denise M Manfredo	Sheriff	Administrative Assistant
46	Kathleen Fasanella	Sheriff	Administrative Assistant
47	Irene M Jerge	Sheriff	Sergeant-Officer
48	Kathleen M Onell	Sheriff	Data Entry Operator
49	Carol A Pietras	Sheriff	Receptionist
50	Thomas P Franczyk		Erie County Judge
51	Unknown		
52	Unknown		
53	Unknown		
54	Unknown		
55	Diane Y Devlin		State Supreme Court Judge
56	James P Dunham		
57	Anthony Bartolotta	Social Services	Senior Social Welfare Examiner
58	Damon Evans		
59	Unknown		
60	Unknown		

These parking spaces include the area in front of 10 and 40 Delaware Avenue as well as the Upper Terrace behind the Holding Center

Note: Erie County Vehicle refers to an unmarked take-home vehicle driven by a Sheriff employee whose identity is unknown to our office.

Appendix Nine

Parking - Floaters in the Rath Garage

	Name	Department	Title
1	Paul W Krull	Social Services	Principal Work for Relief Supervisor
2	Jeffery P Zack	Public Works	Senior Construction Project Manager Buildings
3	Marybeth Pascall	Health	Administrative Assistant
4	Jonrika M Malone	Health	Associate Chief Medical Examiner
5	Victoria B Martino	Labor Management Healthcare Fund	
6	Michael R Schrenk		
7	Andrew T Goldstein	Environment and Planning	Assistant Coordinator Solid Waste Recycling
8	Beverly S Saxer		
9	Gary J Mosier	Sheriff	Deputy Sheriff
10	U&S Services, Inc		
11	Marc J Bristow	Sheriff	Deputy Sheriff
12	Michael A Michalski	Public Works	Stationary Engineer
13	Thomas J Miller		
14	John D Hillery	Sheriff	Sergeant
15	Erle County Medical Center		
16	Michael E Lafferty		
17	Mike Bower	Purchase	Surplus and Equipment Worker
18	Joel Giambra		Former County Executive
19	Dorothy U Furtney	Legislature	Senior Policy Analyst
20	Andrew A Kulyk	Legislature	Senior Admin Clerk RPT
21	Jeremy C Rosen	Legislature	Senior Admin Clerk
22	Shawn M Gawron		
23	Donald E Pryzbyl	Legislature	Executive Assistant PT
24	Michele Novack	Legislature	Senior Admin Clerk
25	Leasco Leasing, Inc		
26	James J Reddington	Public Works	Stationary Engineer
27	Patrick J Sanders	Legislature	Executive Assistant PT
28	Candice L Vlarlo	Social Services	Caseworker
29	Tracy L Hirsch		
30	C Lorraine Marra		
31	Edward G Delaney	Public Works	Senior Contracts Administrator
32	NYS Dept of Transportation		
33	Virginia M Hrubes		
34	Niagara County Sheriff Dept		
35	Kevin Higgins	Fleet Services	Supervising Automotive Mechanic
36	Kevin J Hosey	Legislature	Senior Administrative Assistant
37	Paul Tarapacki	Legislature	Senior Admin Clerk
38	Timothy P Burke	Social Services	Child Support Investigator
39	Bryan Fiume	County Executive	Senior Executive Assistant
40	Michelle D'Hilly	Real Property	Secretary to Director

"Floaters" are those who have parking privileges for the Rath Building Ramp but do not have an assigned space. This listing does not purport to be a definitive listing of who has Rath parking privileges, rather it represents those who were parking in the ramp but did not have an assigned space during the days we used to determine who had parking privileges.

Appendix Ten

Board of Elections Garage Parking

	<u>Name</u>	<u>Title</u>
1	Dennis Ward	Democratic Commissioner
2	Ralph Mohr	Republican Commissioner
3	Arthur Eve	Democratic Deputy Commissioner
4	Dennis Ryan	Republican Deputy Commissioner
5	Maureen McGurn	Democratic Assistant Elections Office Manager
6	Karen McCarthy	Republican Printing Supervisor-Elections