

# ERIE COUNTY LEGISLATURE

**BARBARA MILLER-WILLIAMS**

*Legislator - 1st District*

*MEMBER:*

Government Affairs Committee

Finance & Management Committee

Health & Human Services Committee



ECLEG NOV16'15 AM10:52

□ 427 William Street  
Buffalo, New York 14204  
716/842-0490  
FAX: 716/854-5722

**Nijae J. Davis**  
*Legislative Assistant*

□ 92 Franklin Street, 4th Floor  
Buffalo, New York 14202  
716/858-8825  
FAX: 716/858-8818

November 16, 2015

Erie County Legislature  
Karen McCarthy, Clerk  
92 Franklin Street, 4<sup>th</sup> Floor  
Buffalo, NY 14202

Dear Ms. McCarthy:

Attached for Clock-In to the public record of the Erie County Legislature, please find Correspondence from Residents, Businesses and Community Associations regarding Earlier Bar Closing Time in Erie County.

Thank you for assistance with this matter.

Sincerely,

A handwritten signature in black ink that reads "Barbara Miller-Williams". The signature is written in a cursive, flowing style.

Barbara Miller-Williams  
Erie County Legislator  
District 1

***“We are here to serve the Community”***

# Regarding the proposal to roll back restaurant/bar closing times from 4am to 2am

Jim the Barfly [jim@buffalobarfly.com]

Sent: Wednesday, October 14, 2015 3:39 PM

To: Miller-Williams, Barbara

I am a resident, homeowner and business owner on Elmwood in Allentown. I live at 162 Elmwood with my wife & 2 young children and we oppose the proposal to change the closing time for restaurant/bars from 4am to 2am.

None of the arguments made for making this change to the longstanding law have been proven. In fact there is a great deal of evidence contradicting nearly every assumption put forward by proponents of the change.

Many of the people who work and own businesses in our community will be negatively affected.

It also annoys me that a non-issue has been brought front and center, when we are battling so many other problems that really have nothing to do with what time the bars close.

This website, which just launched, seems to be gathering a lot of signatures against the earlier closing times: [www.eriecountyrightrights.com](http://www.eriecountyrightrights.com)

Many of the people that we know in this district also oppose the change.

Sincerely,

Jim & Nicole Puskas  
162 Elmwood Ave  
Buffalo, NY 14201

(716) 870-4808

# OPPOSED TO BARS CLOSING AT 2AM

JAMES PUSKAS

ALLENTOWN RESIDENT, OWNS 162 ELMWOOD FOR OVER 10 YEARS

870-4808

HAS SPOKEN WITH FRIENDS WHO WORK IN THE ENTERTAINMENT INDUSTRY  
AND CLOSING AT 2AM WILL CAUSE HIS FRIENDS TO LOSE MONEY TO TAKE CARE  
OF THEIR FAMILIES

## Closing times in Erie County

Daniel Brady [dbrady84@gmail.com]

Sent: Friday, October 30, 2015 10:48 AM

To: Miller-Williams, Barbara

Dear Ms. Miller-Williams,

As your constituent and a proud Buffalo resident, I urge you to reject the proposal for earlier closing times in Erie County. Below is an article I wrote in opposition to this proposal, which was published in *The Public*. As I explain in my piece, there is no data to suggest an earlier closing time will be any safer. Perhaps more compelling is that major cities around the country are exploring *later* closing times; we are moving in the wrong direction with this proposal.

Please reject this short sighted attempt at safety, which will cost jobs and debilitate Buffalo's distinguishing nightlife at a time when we are attracting more and more visitors. Thank you for your representation.

<http://www.dailypublic.com/articles/10232015/letter-earlier-bar-closing-times-step-wrong-direction>

Sincerely,

Dan Brady  
 44 Vermont Street  
 Buffalo, NY 14213  
 207-2875

# On-premise alcohol sales proposed time change in Erie County

Darryl Carr [darrylcarr@hotmail.com]

Sent: Monday, November 02, 2015 12:57 PM

To: Miller-Williams, Barbara

Dear Ms Miller Williams:

As restaurant/bars are about to be burdened with a 50% mandatory increase in tipped wages on January 1, 2016, it cannot be justified that this is a good time to approve a change in the hours liquor can be served. I have been operating downtown for 16 years as Cobblestone Bar and Grill and have seen the evolution of a vibrant entertainment area. Closing times before 4am should be left up to the establishments. The reality is that most patrons leave well before 4am. If a 2 or 3am closing time is imposed you will create a situation of many more patrons exiting establishments at the same time and after hour parties throughout the city. If you have any questions for me feel free to contact me at the mobile number below. Thank you for your time.

Sincerely,

Darryl Carr – President  
Cobblestone  
130 South Park Avenue  
Buffalo, NY 14203  
716-628-2450 mobile

**Do not change the bar closing time**

Tom Mahoney [trmahoney@yahoo.com]

Sent: Wednesday, October 07, 2015 5:10 PM

To: Miller-Williams, Barbara

Mrs. Miller-Williams

I am adamantly against changing the closing time as it will be detrimental to out entertainment community. As for safety... what actually happens, for example in Rochester, is the creation of afterhour parties at individual homes. This creates excessive drinking & access to other substances only worsening the problem before they attempt to drive home.

Thank you for your time.

**Don't change last call!**

Dan Snyder [snydermedic@gmail.com]

Sent: Wednesday, October 07, 2015 2:08 PM

To: Miller-Williams, Barbara

If you are really committed to preventing drunk driving in WNY please consider measures that will actually make a difference. Bringing Uber services to the area as well as expanding public transportation schedules will be much more effective. Plus they will support local businesses and allow more people to come into the city and enjoy a night out safely.

Thanks

Dan Snyder  
a lifelong Buffalonian.

## Pending Vote on Bar Closing Time

Jessica Wyse [wysejl13@gmail.com]

Sent: Wednesday, October 07, 2015 9:46 PM

To: Miller-Williams, Barbara

Dear Mrs. Miller-Williams,

I am writing to you as a constituent to voice my opinion on the resolution currently facing the county legislature concerning the change in closing time for bars in the county. As a long time bar and restaurant employee with many friends in the same industry, I ask you to consider the detrimental effect this change will certainly have on the income of countless restaurateurs, wait-staff, bartenders, kitchen staff, etc in the area. The rise in housing costs in this area has already put a strain on our finances, and to cut our hours will only add to the difficulties. Before long the cultural kaleidoscope that is Allentown and the lower west side will be abandoned to the newcomers from the medical corridor, and what is wonderful and different and exiting about this slice of the city will be lost forever.

Thank you for your consideration in this matter.

Best regards,  
Jessica Wyse  
Fargo Avenue

--

*Nobody in life gets exactly what they thought they were going to get. But if you work really hard, and are kind, amazing things will happen. ~ Conan O'Brien*



## 2am close? (NO)

alphonso.sciortino@gmail.com

Sent: Friday, October 09, 2015 3:07 AM

To: Miller-Williams, Barbara

Good Morning,

I'm writing in lieu of the 2 am last call. I live on Allen St and as a resident I choose to live in an area where people are. There is no noise issue, and if there was I'd choose a different area.

I'm deeply opposed to this legislation, as a 35yo male who works full time.

My full time salaried job requires me to work until 1 am.

I think if this passed I would consider moving out of the area. Someone like me who works and might want to relax after work with a drink, in a social setting, is probably not going to be very happy with his surroundings.

Besides myself, there are a lot of area businesses that profit. In my last 4 years here I haven't more safe.

Please reconsider this as it will affect people like me.

Thank you for your support,

Alphonso Sciortino

131 Allen St

Sent from my iPhone



ALLENTOWN ASSOCIATION

*Fifty+ Years of Community Service*  
**1963-2015**

September 21, 2015

Mr. John J. Mills  
Chairman, Erie County Legislature  
92 Franklin Street, Fourth Floor  
Buffalo, N.Y. 14202

RE: Investigation of 2:00 AM tavern closing time

Dear Mr. Mills:

The Board of the Allentown Association, Inc. wishes to go on record in support of the call by Erie County Clerk Christopher L. Jacobs for an investigation to determine if a 2:00 AM tavern closing time will have beneficial ramifications for Erie County.

Historically, the number one quality of life complaint that is voiced by residents of Allentown is related to negative behavior by intoxicated patrons leaving taverns between the hours of 2:00 and 4:00 am. This loud and disruptive behavior disturbs the peace of residents with direct consequences including property damage to cars, homes, trees and other plantings along with litter brought from taverns and discarded on porches and lawns.

Intoxicated individuals lingering in driveways and entering the rear yards of homes is commonplace in the early morning hours. Noise, damage to cars and property, theft of items from porches and yards, vandalism, public urination, vomiting, street fights and other unsocial acts become far more pronounced in the hours after 2:00 AM.

Further, the disruptive and destructive behavior has increased markedly over the past months. Incidents related to taverns on the Western end of Allen Street are now the number one source of trouble and calls to 911 in Buffalo's B District, which also includes Chippewa Street, parts of Elmwood and the Downtown entertainment district. Buffalo Police have been forced recently to add a special detail to Allen Street that provides officers to patrol Allen until 4:00 AM to combat these identified late night/early morning issues. While this is a welcome element to try to reduce the bad actions of intoxicated bar patrons, this removes officers from the ability to patrol other parts of the district – including other areas of Allentown – and affects the safety of all residents throughout all of B District.

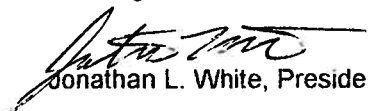
This negative effect of late night tavern patrons is not restricted to Allen Street nor to the City of Buffalo but is a problem that affects neighborhoods throughout the county ranging from village centers to residential streets close to taverns along Sheridan Drive, Niagara Falls Boulevard, Main Street and other locations county-wide.

Because this long standing problem continues to worsen rather than improve, the Allentown Association supports the call for the Legislature to make a serious examination of both the benefits and drawbacks of an earlier closing time and to then make an informed decision by vote of the legislature based on the merits of the investigation.

We ask further that the legislature weigh the opinions of affected residents, not just those of tavern owners and also to consider such benefits as a possible reduction in driving while intoxicated. We ask too that the Legislature look closely at neighboring counties including Niagara and Chautauqua and that of Monroe County (including the City of Rochester) that enforce a 2:00am tavern closing in order to fully understand if there is any true economic impact of an earlier closing given that the vast majority of cities and towns in Western NY enforce the earlier time.

We look forward to a thorough and constructive investigation that results in an informed decision.

Best regards,



Jonathan L. White, President

cc: Christopher L. Jacobs, Legislator Barbara Miller-Williams, Mayor Byron W. Brown, Councilmember David Franczyk

# SUPPORT FOR BARS CLOSING

BOB BATESON

OWNER OF BODY BLOCKS FITNESS ON PEARL STREET, (EDWARDS ST-OFFICE)

RESIDENT OF AVANT BUILDING

STRONGLY SUPPORT 2AM CLOSING TIME

818-0345



October 5, 2015

Erie County Clerk, Christopher Jacobs  
92 Franklin Street  
Buffalo, New York 14202

Dear Mr. Jacobs;

On behalf of the Days Park Block Club [DPBC], I am writing to support your proposal of a 2.00 a.m. bar closing for Erie County. The Days Park Block Club **STRONGLY** endorses the 2 a.m. closing. We hope the Erie County Legislators change the law to mandate the 2 a.m. closing time for taverns rather than the current 4 a.m. closing.

The DPBC, formed in 1987, represents about 60 households surrounding Historic Days Park in Allentown.


I am a lifelong resident of Days Park. When I was younger, there were fewer bars on Allen Street [only 2] between Wadsworth and College Streets. In the last few years, there has been as many as 4-5 on this same one block street. Back in the 50's - early 70's the two bars were family owned neighborhood bars where the patrons would go after work to have a beer or two before going home. They seldom stayed open until 4:00 in the morning. Things were relatively quiet.

Now, the Days Park residents experience -- **on a regular basis**, drunken younger patrons breaking beer bottles in the street, urinating on our front lawns or porches, blocking driveways with illegally parked cars, people smoking pot in the park, using profanity and exhibiting sexual behavior in the park, loud obnoxious behavior and damage to our property. Thus "frat house like atmosphere" is totally unacceptable to the Days Park's tax paying residents. The Elmwood Village Charter School, frequently experiences problems in their playground, often during the hours between 2-4 o'clock in the morning.

As noted recently in the Buffalo News, all counties adjacent or close to Erie County, have a countywide 2 a.m. closing time. They also support a significant number of taverns, so it is proven that an earlier closing does not have a killing economic disincentive as some opponents have argued. In fact, some of the research by our community points out that more than 85% of local closing times in the **entire country** are between 1 and 2 a.m. (<http://i.imgur.com/cfU15PI.gif>)

Please let us know what we can do to support your efforts for a more responsible closing time.

Sincerely,

  
Dofores Murphy,  
President DPBC

CC: Mark Poloncarz, Erie County Executive  
Erie County Legislators  
Barbara Miller-Williams John J. Mills, District 11  
Betty Jean Grant Joseph Lorigo, District 10

## Erie county bar closing times

Chuck T [chuck1dave@yahoo.com]

Sent: Friday, October 09, 2015 3:06 PM

To: Miller-Williams, Barbara

Dear Ms Miller-Williams,

I am writing in support of changing the bar closing time to 2 am. As I see bar owners rallying in opposition of this and getting their die hard drinking patrons to sign petitions I feel the need to write. I also know that it will come down to who has the political clout to sway the politicians. I know that is harsh but it is fact I've dealt with it.

I live within 230 feet of Allen Street and over the past years new bars have been allowed to open and expand without any regard to neighborhoods. The people who live in the neighborhoods around the Allen Street bars have lost a great deal of their quality of life. Friday and Saturday nights are mayhem on our street. I've been woken up one or both nights for months. I can hear the music from the bars and I live over 200 feet away (it does come from the bars because it ends at 4am.) We have yelling and screaming all hours of the night. We have property damage from bar patrons. We have public urination and defecation. It is so common now that there is no need to save proof from security cameras as we just have to record the next weekend.

At a bare minimum if the closing times change we would get another 2 hours of night time quiet. Giving the bar owners a choice to close earlier as I've seen written in a few comments by bar owners makes no sense. They have this choice now. And bar owners are the first to push the limits. We have a bar that has an illegal (no permit) dance floor. We have another that has exterior speakers and a TV on a patio. They do as they please and if no one files a complaint then all is well. And even when you do file a complaint it takes years to correct.

Sorry for the minor rant but this reflects the reality of the situation. Many neighbors feel the same. We actually formed a block club specifically to address the bar problems. Thanks to Chief Patterson's efforts and the BPD we have made some progress in dealing with the situation but we have a long way to go. Changing the closing time of the bars to 2 am would be a great help.

Sincerely,

Chuck Troast  
College St.

I will also say that I would have no problem if the bars stayed open until 5am if the bar patrons respected the neighborhoods they park in and travel though when they are going home. Having a "bro pack" walk up the street barking like dogs trying to get dogs in homes to respond just isn't fun for the neighbors.

## **closing time**

Charles W. Moore [cmoore@trautmanassoc.com]

**Sent:** Thursday, October 08, 2015 12:39 PM

**To:** Miller-Williams, Barbara

I am a city resident that lives in Allentown on St Johns Pl.. My neighborhood provides overflow parking for the bars in Allentown. Cars start arriving about 10pm and the noise increases. At 4 AM the real party begins. People drunk and hollering, peeing on my lawn with other unsavory things occurring. Changing the closing time to 2Am may help to alleviate this problem. I suggest that you vote to change the time to 2AM



Charles W. Moore, RA, LEED AP

Trautman Associates

470 Franklin Street

Buffalo, New York 14202

P 716-883-4400

Please visit our new website - [TrautmanAssociates.com](http://TrautmanAssociates.com)

11/10/15

Erie County  
Rights Coalition



# Don't roll back the closing time for bars & restaurants

2,218 Signatures

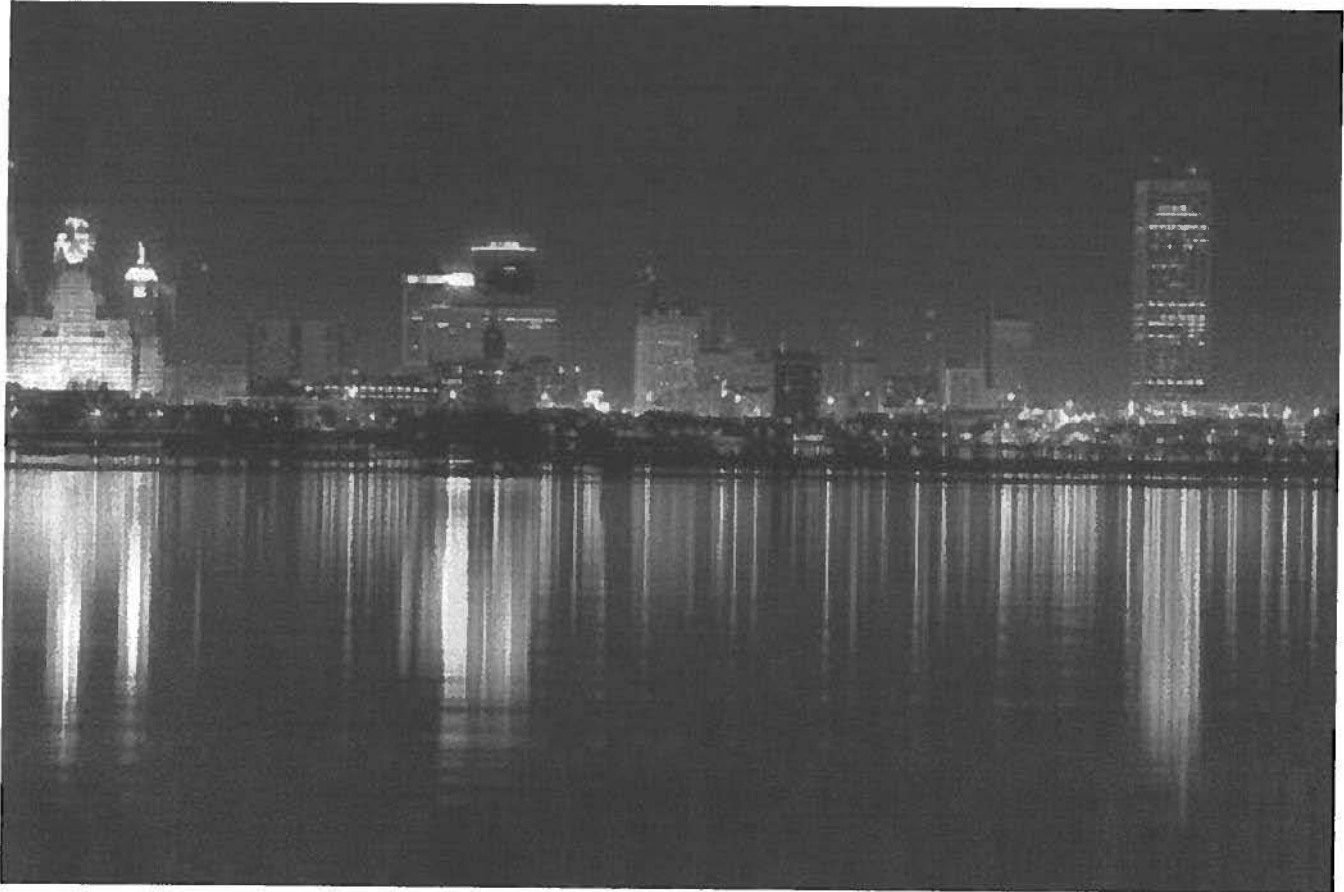
Goal: 1,000

15 Shares

2,218 Signatures



Goal: 1,000



We the undersigned request that you do NOT change the time bars are required to close from 4am to 2am. The current closing time allowed for bars and restaurants that serve alcoholic beverages is 4am in Erie County. There is currently a proposal to force all bars in Erie County to close at 2am. We the undersigned oppose this change.

SIGN PETITION

October 10

Petition has reached 500 signatures!

## October 21, 2015 Facebook Responses

SUPPORTERS OF CHANGE FROM 4 A.M. TO 2 A.M.

OPPOSERS OF CHANGING FROM 4 A.M. TO 2

A.M.

MIXED FEELINGS/ NOT CLEAR OPINION

### **Messages:**

Garrett Green, Founder at Green & Co. Holdings and Founder / CEO at ONE ROQ Vodka sent you:

Hi Barbara, I come from the industry side of "liquor" and have an opinion on this matter that may be of interest to you.

Hi Barbara, this may come as a surprise being that I sell a brand of alcohol for a living and that under certain logic longer bar hours would create more sales for the brand. However, I tend to believe that if bars closed earlier it would force more people to go out earlier, get to bed earlier and wake up earlier which would then create a healthier, more productive cycle for the community- which is ultimately just better for the culture that we are aiming to foster for the 'New' Buffalo. In addition, I would also argue that this environment may lead to healthier relationships and less violence, as now people are meeting - initially - less drunk, less late and may actually have a chance to have a real conversation with someone; whether that person is a girlfriend, a romantic interest or even a new contact that could open doors in their career. My feeling is that better things may happen in an environment where people are forced to act more mature. This doesn't mean people lose their ability to party until 6am. It just means that those parties are going to happen in a home vs. a bar. This scenario may also help to reduce accidents and deaths from drunk driving, assuming guests are smart enough to spend the night. What is most encouraging is that an earlier curfew would ultimately force a new social culture to emerge in the city. One that is arguably healthier, safer, and possibly more progressive. The economics for industry people to undergo this change could be positive. It is possible that reducing the curfew to 2AM will force the same number of people - and dollars spent - to be allocated earlier in the days. The theory is that all of our bars and restaurants would be bustling with people from 6pm to 2am - vs. the typical 'hit or miss' schedule we have because there is such a big window to 'go out' but not a big enough population to consistently support it. As a bar or restaurateur the idea of narrowing the window with an earlier curfew is intriguing because now you know more



people are coming through the door in a more exact time frame, which could make the business more efficient.

**Survey Question:**

Greetings everyone! Recently, Legislation was officially introduced in the Erie County Legislature proposing to change bar closing times from 4 a.m. to 2 a.m. throughout the County. As your 1st District Legislator, I would like to know your opinions on this matter. What are your thoughts on the following questions? Please comment further with your concerns.

01. Do you believe changing the bar closing time from 4:00 a.m. to 2:00 a.m. will increase the safety and quality of life of Erie County residents and visitors?

YES or NO?

02. Do you believe the changing of the bar closing time from 4:00 a.m. to 2:00 a.m. will have any impact on the Erie County economy, including business owners, worker schedules, and sales tax revenue?

YES or NO?

03. At what time do you think alcohol serving bars and restaurants should close throughout the County of Erie?

04. Comments?

**Survey Comments:**

**Carol A. Johnson:** stay at 4:00 a.m.

**Lindsey Taylor:** Tim Walton Drew Graziadei Adam March Chris Nelson Drew Lavallo

**AnnaLisa Condon:** Change to 2 AM or 3

**Barbara Harris Lewis:** split the difference! 3am

Valerie Johnson: Yes, Yes, 2am, Increase police presence.

**Ding Jaws:** I really have my doubts that this will prevent anyone from becoming intoxicated, why not allow people to use services like Uber in order to diversify options for getting home sober?

**Erica Smith:** I think it should change to 2am some bars are already closing at that time. Oan I think these children need a curfew and it should be enforced asap and if they are not following the curfew they

**C Joy Snell Miner:** I don't think a 2:00 closing will be beneficial. They will just drink more before 2:00. For bartenders and bar maids this will cut into their source of income. I feel that the closing time should remain at 4AM, bar owners should make sure that people too intoxicated are "cut off" and utilize taxis or Uber.

**Frank Thomas:** Hello, Counsel women Williams

Your proposal sounds good and I understand what you are trying to do. There are a lot of good points there,

But I'm sure you have considered the possibility of the long term effects. such as after hours spots. They would turn up within the residential housing blocks. They would be unlicensed and another way for gangs and criminal elements to support their activities.

The moral condition that our young people are exposed to would suffer another blow by allowing another spot for that type of activity to fester .

It seems to me this tactics have been attempted before. One of the results was that the city of Buffalo was labeled a dead town.

The entertainment industry in the area needs that time.

If crime is an issue then other things can be implemented such as tougher restrictions on places serving alcohol, creation of community police, mandatory combination starters on autos.

**Shammara Davis:** I agree w/C Joy Snell Miner... It should remain @ 4am bcuz it won't change ppl's habits. It will just negatively effect the bar owners/workers. Maybe there should be more of a police presence after 2am. Tougher restrictions on bars regarding I'd & drinking cut off limits and actually/actively enforce them. Start holding ppl accountable 4 their part of the problem.

**Wales Dems:** I been around the USA where bars close earlier . The people adjust to that time by going out earlier . Unless you have clear evidence from sound studies that show there is a significant impact on closing earlier then I would say keep it as is. People are going to drink and drive no matter what

**Michael Johnson:** No, Yes, 4 am

**Robert Harper:** Stay @ 4, unless you're opening "social after hour clubs ", at least what we have now is regulated

**Joseph William Allen:** Only bad things happen between 2am and 4am. I am not just saying that because of my age. Young people being mugged, shot and driving drunk happen more often late at night.

**Robert Harper:** If you look @ other cities, the only thing you're changing is the time stuff happens

**Irving Lamont Fletcher Sr.:** I have worked in both the 2am and 4am closing hours west coast and east coast, people will come out earlier, those that want to get intoxicated will, only earlier. There is not a singular solution, education, training, police and security, media advertisement will help but our youth are only working with what we left them.

**Edwin Martinez:** I oppose changing the time! First, most folks to go out until 11 or 12. Second, I think this will result in lost revenue to the county, city and state. Third, it will result in lost revenue to workers and owners of businesses. Fourth, I don't think it will reduce crime. For those whom have moved into new housing in the area! They and the developers were awareness it was a business area, including Mr. Jacobs!

**Ada Townsel:** 1.no 2.yes 3.leave it at the same they have a choice hotel room or jail and we have plenty hotel room now

**Provi Carrion:** 1 Yes, 2 I think it would be lost in revenue but could be safe, Other City close at 12:00 or 1:00AM.

**Lee Carmelita:** It is evident that these bars need to close earlier than 4 am. My personal opinion is that after 2 am, most late night entertainment establishments believe it cuts down their revenue. However the patrons that stay upto and leave at the 'One last call for alcohol' , then drive home under the influence or driving while intoxicated. Either way the drinking is going to be done. I suggest strongly that 3 am ve the compromising time. 1. People are getting off or going to the 3 am shift. 2. Gives the extra one hour before 4 am to be home or someplace safe. 3. If it isn't decided and made a law , in which people will and will not adhere to; we will at least curbed the later time to get that last drink on. The 11 pm - 3 am a four hour drinking time should be sufficient which is one half of a eight hour work day. Don't forget there is a Happy Hour drinking time of which I presume is about 5 pm to 8 pm. That's usually a three hour time slot from a eight hour work day. So I don't want to be long winded. But again Legislator Barbara Miller-Williams, people are going to do what they really want to do. I hope my opinion is not slashed to bitter responses. Keep forging on.

**Eddie Stokes:** 2 downtown is fine. That's where all the binge drinking is, and it's Amon young people who basically don't live in the city. They get drunk have accidents get pulled over by buffalo police or there town police trying to get back to the towns. Put an end to the at 2 am buy a double and get a single free. It's in part on some of the bar owners greed. Don't penalize the rest of the bar owners. Thank you

**Tangie Stewart:** #1 NO #2 YES #3 3;30 am

**Mia Wilkes:** #1 No, #2 Yes, #3 Leave 4:00am, most of them stop serving at 3:30 anyways. At least they used to, I'm not out past midnight to often!!!

Facebook Response Polls- October 21, 2015

