

JUNE 28, 2007

PUBLIC SAFETY COMMITTEE  
REPORT NO. 8

ALL MEMBERS PRESENT.

1. RESOLVED, the following item is hereby received and filed:

a. COMM. 12E-2 (2007)  
**DISTRICT ATTORNEY**: Information Regarding the DA's Office  
(4-0)

2. INTRO 10-2 (2007)  
**KOZUB, MARINELLI, MILLER-WILLIAMS & GRANT**  
WHEREAS, according to available data copper thefts are at their highest level nationally in ten years; and

WHEREAS, between March, 2005 and April, 2006, national copper prices have increased 160 percent; and

WHEREAS, in the last year the price of copper has nearly tripled as demand for a variety of metal has soared throughout the world; and

WHEREAS, the rapidly accelerating copper prices have led to an increasing number of thefts across the United States of everything from electrical wires to plumbing pipes as thieves steal and resell the expensive metal to junkyard dealers and salvage yard operators; and

WHEREAS, the municipalities in Erie County have recently experienced a large number of thefts involving the removal of copper and other metals from homes (occupied and vacant) as well as businesses throughout the region; and

WHEREAS, in Erie County during the storm of October, 2006, thieves stole electrical wires from downed power lines thereby delaying the restoration of electrical service to large pockets of our community; and

WHEREAS, the theft of copper pipes from homes and businesses have led to increased costs to the owners of the property and caused in many instances severe damage to many properties where the theft has gone undetected for a period of time: and

WHEREAS, the New York State Legislature is currently considering A. 06250 by Peoples and S. 04029 by Volker and Thompson, which would provide stricter regulations and compliance measures for

operators of junk and salvage yards and penalties for those dealers who engage in illegal operations in the trade of scrap material; and

WHEREAS, the proposed legislation would impose stricter penalties on repeat offenders, require that sellers provide written verification of their authorization to sell certain items before they can be purchased and scrap yards to obtain a copy of a state issued identification card from the seller, maintain certain records and tag and hold the property for 72 hours.

NOW, THEREFORE BE IT

RESOLVED, that the Erie County Legislature believes that it is important to protect the general public from the negative impacts caused by the theft of copper and other metals from their homes, schools and businesses, and be it further

RESOLVED, that the Erie County Legislature does urge the New York State Legislature to approve A. 06250 and S. 04029, which amend the general business law of New York State in relation to the lawful sale of scrap copper and other metal by junk dealers and create a Task Force on lawful junk dealing and recycling; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the members of the Western New York Legislative Delegation, Governor Eliot Spitzer, to the President of the New York State Senate and the Speaker of the New York State Assembly.  
(4-0)

3. COMM. 12E-12 (2007)  
**COUNTY EXECUTIVE**

RESOLVED, the Erie County Legislature does hereby confirm the appointment of Anne Martin, of 301 Lakefront Blvd., Buffalo, New York as the Erie County Director of the Department of Probation for a term which expires on December 31, 2007.  
(4-0)

4. COMM. 12E-58 (2007)  
**SHERIFF**

WHEREAS, procedures have been established by Communication #6E-28 adopted on April 5, 2007, and

WHEREAS, there are adequate funds available in the reserve fund for distribution to the Sheriff's Office from the sale of surplus helicopter parts, and

WHEREAS, the use of these funds will reduce the amount of county tax dollars required for the support and maintenance the Sheriff's Office Aviation Division.

NOW, THEREFORE, BE IT

RESOLVED, that \$392,000 in available balances in the Aviation Reserve Fund is hereby transferred to the Erie County Sheriff's Office, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

**ERIE COUNTY SHERIFF'S OFFICE**

<u>REVENUE</u>		<u>Increase</u>
480020	Sale of Scrap & Excess Materials	<u>392,000</u>
	Total Revenue	<u>392,000</u>

<u>APPROPRIATION</u>		<u>Increase</u>
505200	Clothing Supplies	1,870
505600	Auto, Truck & Heavy Equipment Supplies	1,530
506200	Maintenance & Repair	87,000
510100	Out-of-Area Travel	25,000
516030	Maintenance Contracts	1,600
561410	Lab & Technical Equipment	215,000
561440	Motor Vehicle Equipment	<u>60,000</u>
	Total Appropriations	<u>392,000</u>

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

(4-0)

5. COMM. 12E-59 (2007)

**SHERIFF**

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994, and

WHEREAS, there are adequate funds available for distribution to the Sheriff's Office in the Asset Forfeiture Trust Account, and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$40,000 in available balances in the Asset Forfeiture Trust Fund is hereby transferred to the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS, and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

**ERIE COUNTY SHERIFF'S OFFICE ASSET FORFEITURE FUNDED PROGRAM SAFS**

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>40,000</u>
	Total Revenue	<u>40,000</u>

<u>APPROPRIATION</u>		<u>Increase</u>
505200	Clothing Supplies	36,000
561410	Lab & Technical Equipment	<u>4,000</u>
	Total Appropriations	<u>40,000</u>

and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget, Management and Finance, the Erie County Comptroller and the Office of the Sheriff for implementation.

(4-0)

**DANIEL M. KOZUB  
CHAIRMAN**