

# Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

- County
- City of Niagara
- Town \_\_\_\_\_
- Village \_\_\_\_\_

Local Law No. 5 of the year 20 09

A local law for the Right Sizing of Niagara County Government In Accordance with the Provisions of  
*(Insert Title)*  
 Section 23(2)(E) of the New York State Municipal Home Rule Law.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Be it enacted by the Legislature of the  
*(Name of Legislative Body)*

- County
- City of Niagara as follows:
- Town \_\_\_\_\_
- Village \_\_\_\_\_

1. Commencing with the 2012-2013 term of the Niagara County Legislature there shall be fifteen (15) Legislative Districts within Niagara County, and
2. Such fifteen (15) Legislative Districts shall provide substantially equal weight for all voters of Niagara County based upon reapportionment utilizing 2010 census data, and
3. This Local Law shall be subject to a mandatory referendum.

(If additional space is needed, attach pages the same size as this sheet, and number each.)

**(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)**

**1. (Final adoption by local legislative body only.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.  
*(Name of Legislative Body)*

**2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer\*.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ and was deemed duly adopted *(Elective Chief Executive Officer\*)* on \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

**3. (Final adoption by referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. 5 of 20 09 of the (County)(City)(Town)(Village) of Niagara was duly passed by the Niagara County Legislature on Sept. 22, 20 09, and was (approved)(~~not approved~~) *(Name of Legislative Body)* (repassed after disapproval) by the William L. Ross, Chairman on Sept. 22, 20 09 *(Elective Chief Executive Officer\*)*

Such local law was submitted to the people by reason of a (mandatory)(~~permissive~~) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general)(~~special~~)(~~annual~~) election held on November 3, 20 09, in accordance with the applicable provisions of law.

**4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the (County)(City)(Town)(Village) of \_\_\_\_\_ was duly passed by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_, and was (approved)(not approved) *(Name of Legislative Body)* (repassed after disapproval) by the \_\_\_\_\_ on \_\_\_\_\_ 20 \_\_\_\_\_. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of \_\_\_\_\_ 20 \_\_\_\_\_, in accordance with the applicable provisions of law.

\* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

**5. (City local law concerning Charter revision proposed by petition.)**

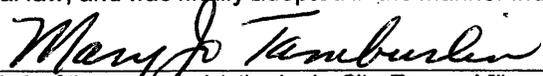
I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the City of \_\_\_\_\_ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on \_\_\_\_\_ 20 \_\_\_\_\_, became operative.

**6. (County local law concerning adoption of Charter.)**

I hereby certify that the local law annexed hereto, designated as local law No. \_\_\_\_\_ of 20 \_\_\_\_\_ of the County of \_\_\_\_\_ State of New York, having been submitted to the electors at the General Election of November \_\_\_\_\_ 20 \_\_\_\_\_, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

**(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)**

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 3 \_\_\_\_\_, above.

  
Clerk of the county legislative body, City, Town or Village Clerk or officer designated by local legislative body

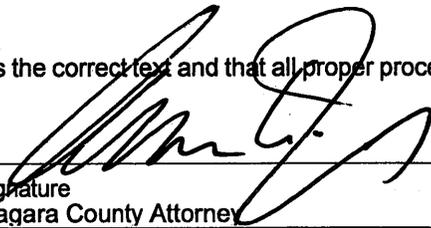
Date: 12/11/09

(Seal)

**(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)**

STATE OF NEW YORK  
COUNTY OF Niagara

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

  
\_\_\_\_\_  
Signature  
Niagara County Attorney  
\_\_\_\_\_  
Title

County \_\_\_\_\_  
City of Niagara  
Town \_\_\_\_\_  
Village \_\_\_\_\_

Date: 12/07/2009

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**Niagara County Board of Elections**  
***Office of the Board of Elections***  
111 Main Street Suite 100  
Lockport, NY 14094-3791  
716-438-4040

Commissioners  
Nancy L. Smith  
Scott P. Kiedrowski  
Deputy Commissioners  
Lora Allen  
Mary Ann Casamento

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**General Election 11/03/2009**

**State Wide**

185 of 185 (100%) machines reporting (181 total districts)

**PROPOSAL NUMBER ONE**

Yes - Proposal Number One  
No - Proposal Number One

Vote for 1  
16,430  
7,889

**PROPOSAL NUMBER TWO**

Yes - Proposal Number Two  
No - Proposal Number Two

Vote for 1  
17,847  
7,420

**JUSTICE OF THE SUPREME COURT 8TH JUDICIAL DISTRICT**

Christopher J Burns  
Shirley Troutman  
John F O'Donnell  
Jeffrey F Voelkl  
Scatter

Vote for 3  
26,162  
24,499  
17,975  
11,696  
31

**County Wide**

185 of 185 (100%) machines reporting (181 total districts)

**PROPOSAL NUMBER THREE**

Yes - Proposal Number Three  
No - Proposal Number Three

Vote for 1  
21,465  
4,363

**County Legislative Districts 001**

9 of 9 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 1ST DISTRICT**

Richard A Marasco  
Jason J Murgia  
Scatter

Vote for 1  
928  
506  
2

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**County Legislative Districts 002**

6 of 6 (100%) machines reporting (6 total districts)

**COUNTY LEGISLATOR 2ND DISTRICT**

Rena Kimble

Vote for 1  
506

**County Legislative Districts 003**

7 of 7 (100%) machines reporting (7 total districts)

**COUNTY LEGISLATOR 3RD DISTRICT**

Jason J Cafarella

Vote for 1  
478

**County Legislative Districts 004**

9 of 9 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 4TH DISTRICT**

Dennis F Virtuoso  
Mark A Onesi

Vote for 1  
845  
441

**County Legislative Districts 005**

9 of 9 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 5TH DISTRICT**

Vincent M Sandonato  
Nicholas A Melson

Vote for 1  
1,072  
830

**County Legislative Districts 006**

12 of 12 (100%) machines reporting (11 total districts)

**COUNTY LEGISLATOR 6TH DISTRICT**

Danny W Sklarski  
Scatter

Vote for 1  
1,313  
2

**County Legislative Districts 007**

10 of 10 (100%) machines reporting (10 total districts)

**COUNTY LEGISLATOR 7TH DISTRICT**

Gerald K Farnham  
Roger L Chenez

Vote for 1  
1,326  
728

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**County Legislative Districts 008**

8 of 8 (100%) machines reporting (7 total districts)

**COUNTY LEGISLATOR 8TH DISTRICT**

William L Ross  
Robert J Collins  
Scatter

Vote for 1  
1,612  
727  
2

**County Legislative Districts 009**

11 of 11 (100%) machines reporting (11 total districts)

**COUNTY LEGISLATOR 9TH DISTRICT**

Phillip R Russ Rizzo  
Christopher M Perna

Vote for 1  
1,270  
1,044

**County Legislative Districts 010**

11 of 11 (100%) machines reporting (11 total districts)

**COUNTY LEGISLATOR 10TH DISTRICT**

Peter E Smolinski  
Katie J Rich

Vote for 1  
1,073  
904

**County Legislative Districts 011**

12 of 12 (100%) machines reporting (12 total districts)

**COUNTY LEGISLATOR 11TH DISTRICT**

Paul B Wojtaszek  
Scatter

Vote for 1  
1,745  
3

**County Legislative Districts 012**

10 of 10 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 12TH DISTRICT**

John D Ceretto  
Daniel P Antonucci

Vote for 1  
1,638  
1,027

**County Legislative Districts 013**

10 of 10 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 13TH DISTRICT**

Clyde L Burmaster

Vote for 1  
1,513

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**NTS Election Night Reporting System - Accumulated Race results**  
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**General Election 11/03/2009**

**County Legislative Districts 014**

10 of 10 (100%) machines reporting (10 total districts)

**COUNTY LEGISLATOR 14TH DISTRICT**

Kyle R Andrews

Vote for 1  
1,411

**County Legislative Districts 015**

12 of 12 (100%) machines reporting (12 total districts)

**COUNTY LEGISLATOR 15TH DISTRICT**

Tony Nemi  
Scott R Stopa

Vote for 1  
910  
593

**County Legislative Districts 016**

12 of 12 (100%) machines reporting (12 total districts)

**COUNTY LEGISLATOR 16TH DISTRICT**

Wm. Keith Mc Nall

Vote for 1  
1,266

**County Legislative Districts 017**

8 of 8 (100%) machines reporting (8 total districts)

**COUNTY LEGISLATOR 17TH DISTRICT**

Richard E Updegrave

Vote for 1  
1,189

**County Legislative Districts 018**

10 of 10 (100%) machines reporting (10 total districts)

**COUNTY LEGISLATOR 18TH DISTRICT**

John Syracuse  
Scatter

Vote for 1  
1,077  
5

**County Legislative Districts 019**

9 of 9 (100%) machines reporting (9 total districts)

**COUNTY LEGISLATOR 19TH DISTRICT**

Michael A Hill  
Scatter

Vote for 1  
1,528  
1

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Coroner 002**

53 of 53 (100%) machines reporting (51 total districts)

**CORONER DISTRICT 2**

Joseph V Mantonie  
Scatter

Vote for 1  
7,240  
3

**Coroner 003**

47 of 47 (100%) machines reporting (47 total districts)

**CORONER DISTRICT 3**

Kenneth V Lederhouse  
Sandra L Ben

Vote for 1  
5,371  
2,347

**City of Lockport**

22 of 22 (100%) machines reporting (22 total districts)

**CITY OF LOCKPORT ALDERMAN AT LARGE**

Joseph C Kibler  
Anita Mullane

Vote for 1  
1,996  
1,345

**City of Lockport Ward 001**

4 of 4 (100%) machines reporting (4 total districts)

**CITY OF LOCKPORT ALDERMAN WARD 1**

Richelle J Pasceri  
William A Richardson

Vote for 1  
331  
191

**City of Lockport Ward 002**

3 of 3 (100%) machines reporting (3 total districts)

**CITY OF LOCKPORT ALDERMAN WARD 2**

Jack L Smith Jr  
Amanda L Alexander

Vote for 1  
228  
199

**City of Lockport Ward 003**

5 of 5 (100%) machines reporting (5 total districts)

**CITY OF LOCKPORT ALDERMAN WARD 3**

Flora M Mc Kenzie  
Steven R Calhoun

Vote for 1  
293  
235

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**OFFICIAL**

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**General Election 11/03/2009**

**City of Lockport Ward 004**

5 of 5 (100%) machines reporting (5 total districts)

**CITY OF LOCKPORT ALDERMAN WARD 4**

Andrew D Chapman  
Patrick W Schrader

Vote for 1  
531  
437

**City of Lockport Ward 005**

5 of 5 (100%) machines reporting (5 total districts)

**CITY OF LOCKPORT ALDERMAN WARD 5**

Kenneth M Genewick  
Scott H Hughes

Vote for 1  
556  
227

**N Tonawanda**

34 of 34 (100%) machines reporting (34 total districts)

**N TONAWANDA MAYOR 4 YEAR**

Robert G Ort  
Lawrence V Soos  
Scatter

Vote for 1  
4,930  
2,554  
1

**N TONAWANDA CITY ATTORNEY**

Shawn P Nickerson  
Scatter

Vote for 1  
4,583  
2

**N TONAWANDA ALDERMAN AT LARGE 4 YEAR**

Nancy A Donovan  
Dennis J Barberio

Vote for 1  
3,810  
2,732

**N Tonawanda Ward 001**

11 of 11 (100%) machines reporting (11 total districts)

**N TONAWANDA ALDERMAN WARD 1**

Dennis M Pasiak  
Robert W Fritz

Vote for 1  
1,356  
1,064

**N Tonawanda Ward 002**

11 of 11 (100%) machines reporting (11 total districts)

**N TONAWANDA ALDERMAN WARD 2**

Richard L Andres Jr  
Jerome M Di Virgilio

Vote for 1  
1,274  
682

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**NTS Election Night Reporting System - Accumulated Race results**  
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**General Election 11/03/2009**

**N Tonawanda Ward 003**

12 of 12 (100%) machines reporting (12 total districts)

**N TONAWANDA ALDERMAN WARD 3**

Vote for 1

Eric M Zadzilka

1,508

Janet B Zehr

1,090

**Niagara Falls**

39 of 39 (100%) machines reporting (39 total districts)

**NIAGARA FALLS COUNCILMAN 4 YEAR**

Vote for 3

Samuel F Fruscione

3,826

Kristen M Grandinetti

3,709

Charles A Walker

3,090

Kenneth A Pawlukovich

2,711

Candra C Thomason

2,313

Scatter

1

**Cambria**

4 of 4 (100%) machines reporting (4 total districts)

**CAMBRIA TOWN CLERK**

Vote for 1

Lou Ann Murawski

709

**CAMBRIA COUNCILMAN 4 YEAR**

Vote for 2

Robert E Blackman

746

Randy M Roberts

503

Debra L Kroening

458

**CAMBRIA TAX COLLECTOR**

Vote for 1

Debra A Littere

642

**Hartland**

3 of 3 (100%) machines reporting (3 total districts)

**HARTLAND TOWN JUSTICE**

Vote for 1

Brian L Fitts

320

Scatter

1

**HARTLAND COUNCILMAN**

Vote for 2

W Ross Annable

319

Joseph A Reed

306

Scatter

2

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Lewiston**

15 of 15 (100%) machines reporting (13 total districts)

<b>LEWISTON SUPERVISOR 2 YEAR</b>	Vote for 1
Steven L Reiter	2,161
Fred Newlin	1,534
Kathryn S Lake Mazierski	255
<b>LEWISTON COUNCILMAN 4 YEAR</b>	Vote for 2
Alfonso M Bax	3,067
Michael J Marra	2,382
David V Sanchez	1,412
Scatter	1
<b>LEWISTON RECEIVER OF TAXES</b>	Vote for 1
Joan B Stephens	3,235

**Town of Lockport**

14 of 14 (100%) machines reporting (14 total districts)

<b>TOWN OF LOCKPORT SUPERVISOR 2 YEAR</b>	Vote for 1
Marc R Smith	1,941
David J Mongiolo	959
<b>TOWN OF LOCKPORT TOWN CLERK</b>	Vote for 1
Nancy A Brooks	1,999
<b>TOWN OF LOCKPORT TOWN JUSTICE</b>	Vote for 1
Raymond E Schilling Sr	1,927
<b>TOWN OF LOCKPORT COUNCILMAN 4 YEAR</b>	Vote for 2
Paul H Pettit	1,878
Mark C Crocker	1,772
David T Devereaux	1,002
Donna J Pieszala	956
<b>TOWN OF LOCKPORT SUPERINTENDENT OF HIGHWAYS</b>	Vote for 1
Lewis J Hagen Jr	1,919

**Newfane**

9 of 9 (100%) machines reporting (9 total districts)

<b>NEWFANE SUPERVISOR</b>	Vote for 1
Timothy R Horanburg	831
Scatter	3
<b>NEWFANE TOWN JUSTICE</b>	Vote for 1
Scott R Boudeman	833

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Newfane**

9 of 9 (100%) machines reporting (9 total districts)

<b>NEWFANE TOWN JUSTICE</b>	Vote for 1
Scatter	4
<b>NEWFANE COUNCILMAN</b>	Vote for 2
Gordon H Fletcher III	786
Robert A Pettit	753
Scatter	4

**Town of Niagara**

7 of 7 (100%) machines reporting (7 total districts)

<b>NIAGARA TOWN JUSTICE</b>	Vote for 1
John P Teixeira	491
<b>NIAGARA COUNCILMAN</b>	Vote for 2
Marc M Carpenter	442
Charles F Teixeira	428
Scatter	2

**Pendleton**

6 of 6 (100%) machines reporting (6 total districts)

<b>PENDLETON SUPERVISOR 2 YEAR</b>	Vote for 1
James A Riestler	1,102
David A Leible	579
<b>PENDLETON TOWN CLERK</b>	Vote for 1
Terry J Pienta	914
<b>PENDLETON COUNCILMAN 4 YEAR</b>	Vote for 2
Edward P Harman	962
Joseph M Frawley	917
Kevin R Smigiel	625
Martin J Korkuc	621
Scatter	1
<b>PENDLETON SUPERINTENDENT OF HIGHWAYS</b>	Vote for 1
Jeffrey R Stowell	1,058
Scatter	1

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Porter**

6 of 6 (100%) machines reporting (6 total districts)

<b>PORTER SUPERVISOR</b>	Vote for 1
Merton K Wiefert	860
Scatter	1
<b>PORTER TOWN JUSTICE</b>	Vote for 1
David J Truesdale	1,162
<b>PORTER COUNCILMAN 4 YEAR</b>	Vote for 2
Joseph G Fleckenstein	732
Thomas A Baia	711
John Anthony Collard	592
Beverly A Van Deusen	588
<b>PORTER TAX COLLECTOR</b>	Vote for 1
Sally A Hogan	877

**Royalton**

6 of 6 (100%) machines reporting (6 total districts)

<b>ROYALTON SUPERVISOR</b>	Vote for 1
Richard J Lang	1,285
Scatter	1
<b>ROYALTON TOWN CLERK</b>	Vote for 1
Marie L Little	1,295
Scatter	1
<b>ROYALTON TOWN JUSTICE</b>	Vote for 2
Gregory A Bass	1,340
Margaret M Raduns	1,282
<b>ROYALTON COUNCILMAN</b>	Vote for 2
Daniel R Bragg	1,214
James G Budde	984
Lee Criswell	40
Scatter	6
<b>ROYALTON SUPT. OF HIGHWAY 2 YEAR</b>	Vote for 1
Terry W Nieman	930
Carson J Kelley	725
<b>ROYALTON TAX COLLECTOR</b>	Vote for 1
Jo Anne K Swick	1,315

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Somerset**

2 of 2 (100%) machines reporting (2 total districts)

<b>SOMERSET SUPERVISOR</b>	Vote for 1
Richard J Meyers	251
John E Sweeney Jr	84
Scatter	1
<b>SOMERSET TOWN CLERK</b>	Vote for 1
Rebecca A Connolly	345
Scatter	2
<b>SOMERSET COUNCILMAN</b>	Vote for 2
Gary R Alt	353
Robin R Jansen	292
Scatter	3
<b>SOMERSET SUPERINTENDENT OF HIGHWAYS</b>	Vote for 1
Kenneth J Bigelow	354
<b>SOMERSET TAX COLLECTOR</b>	Vote for 1
Ruth H Wendler	355

**Wheatfield**

13 of 13 (100%) machines reporting (11 total districts)

<b>WHEATFIELD SUPERVISOR 2 YEAR</b>	Vote for 1
Robert B Cliffe	1,986
Samuel Conti Jr	1,343
TIMOTHY DEMLER	829
Scatter	2
<b>WHEATFIELD TOWN JUSTICE</b>	Vote for 1
Erin P De Labio	2,495
Scatter	13
<b>WHEATFIELD COUNCILMAN 4 YEAR</b>	Vote for 2
Kenneth A Retzlaff	2,511
Arthur W Gerbec	2,464
Scatter	68

**Wilson**

5 of 5 (100%) machines reporting (5 total districts)

<b>WILSON SUPERVISOR</b>	Vote for 1
Joseph A Jastrzemski	509

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**NTS Election Night Reporting System - Accumulated Race results**  
**OFFICIAL**

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**General Election 11/03/2009**

**Wilson**

5 of 5 (100%) machines reporting (5 total districts)

**WILSON TOWN JUSTICE**

George R Berger

Vote for 1

479

**WILSON COUNCILMAN**

Brad L Clark Sr

Jon L Munnikhuysen

Scatter

Vote for 2

498

468

1

**WILSON TAX COLLECTOR**

Julia E Godfrey

Vote for 1

505

**FORM OF PROPOSITION TO BE VOTED UPON**

**Proposition for the adoption of a Local Law in accordance with the provisions of Section 23(2)(3) of the New York State Municipal Home Rule Law.**

**“Shall a Local Law providing for the reduction of the Niagara County Legislature from 19 to 15 Legislative districts, commencing with the 2012-2013 term of the Niagara County Legislature BE APPROVED?”**