

Local Codes
GPS # 003891

POLICE AGENCY COPY 1

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USE COVER SHEET
G

Accident Date 05/04/90 Mo./Day/Year	Day of Week FRI	Time 2138 AM	No. of Vehicles 3	No. Injured 1	No. Killed 0	Non-Highway <input type="checkbox"/>	Not Investigated at Scene <input type="checkbox"/>	Left Scene <input type="checkbox"/>	Police Photos Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
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VEHICLE 1
Name - exactly as printed on license
MUHLBAUER, HENRY, R. #1

Number and Street
21 LEHIGH AVE.

City State Zip Code
LACKAWANNA, NY, 14218

VEHICLE 2
Name - exactly as printed on license
CRETACCI, DOMINIC, G. #2

Number and Street
184 14th. St.

City State Zip Code
BUFFALO, NY, 14213

Date of Birth Sex Un-Licensed No. of Occup. Public Property Damaged State of License
10/04/43 M E 1 1 NY

Date of Birth Sex Un-Licensed No. of Occup. Public Property Damaged State of License
09/20/68 M E 3 3 NY

Name - exactly as printed on registration
MUHLBAUER, HENRY, R.

Name - exactly as printed on registration
ZANDA, SHARON, M.

Number and Street
21 LEHIGH STREET

Number and Street
107 SUNSET AVE.

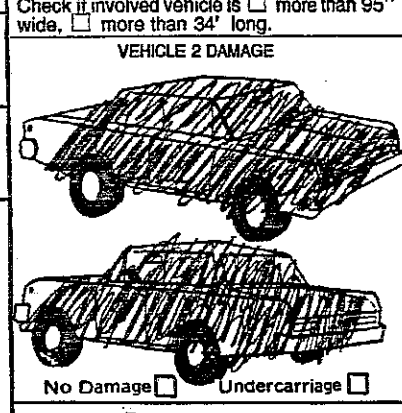
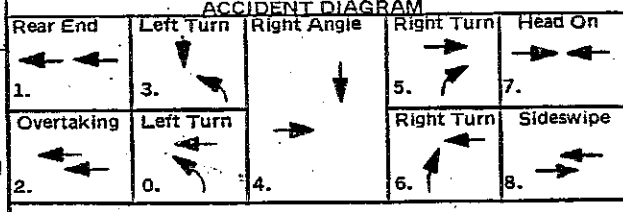
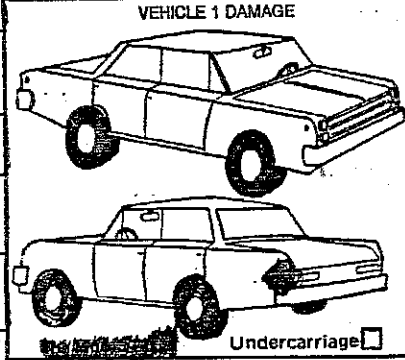
City State Zip Code
LACKAWANNA, NY, 14218

City State Zip Code
BUFFALO, NY, 14207

Plate Number State of Reg. Yr. & Vehicle Make Vehicle Type Ins. Code
6EA-896 NY 63 MERC 4DSD 231

Plate Number State of Reg. Yr. & Vehicle Make Vehicle Type Ins. Code
HMV-664 NY 83 BUICK 4DSD 327

Check if involved vehicle is more than 95" wide, more than 34' long.



Vehicle Towed By **Miller's Coll. Miller's Coll.**

Reference Marker DMV USE ONLY County **ERIE** City **LACKAWANNA**

Route No. and Street Name
on **ROUTE # 5**

Ticket/Arrest Other Ticket/Arrest Number(s) **N.M. POLE #2255**

Violation Section(s)

Accident Description/Officer's Notes **The following events were determined by the statements of witnesses and observations of officers made at the accident scene. Vehicle # 1 and vehicle # 2 were travelling northbound on Route 5 at a high rate of speed. Vehicle #1 was in the center lane of three northbound traffic lanes. Vehicle # 2 was in the left lane of three northbound lanes next to the double yellow pavement markings. Vehicle # 1 then hit vehicle # 2 knocking it across the double yellow pavement markings and into the southbound lanes of traffic where vehicle # 2 then collided with Vehicle # 3. At the time of the accident, vehicle # 3 was travelling southbound**

A	1	1	X	1	46	M	-	-	-	-	-	-	-	-	-	-	-	-	-
B																			
C	2	1	1	2	21	M	12	X	1	2981	11:08	Dominic G. Vretacchi	05-04-90						
D	2	2	1	1	8	M	12	X	1	2981	11:08	Nick Starr	05-04-90						
E	2	3	1	1	15	M	12	X	1	3005	11:08	John Cretacchi	05-04-90						
F																			
G																			

Officer's Rank and Name
Ptlm. James Michel *J. Michel*
Ptlm. Mark Cellini *M. Cellini*

Badge No. **118**
117

Department **01402**

Station/Beat/Sector

Reviewing Officer *Jm*

Date/Time Reviewed **5-8-90**

POLICE ACCIDENT REPORT

POLICE AGENCY COPY 1

Page 2 of 2 Pages
Local Codes
CPS # 003891

19
19

Accident Date: 05/04/90 Day of Week: FRI Time: 2138 No. of Vehicles: 3 No. Injured: 1 No. Killed: 4 Non-Highway: Not Investigated at Scene: Left Scene: Police Photos: Yes No

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Name - exactly as printed on license: **CRETACCI, DOMINIC, G.**
Number and Street: **184 14th. St.**
City: **BUFFALO, NY** State: **NY** Zip Code: **14213**

Name - exactly as printed on license: **IZZO, RICHARD, J.** #3
Number and Street: **8-5900 OLD LAKESHOR**
City: **LAKEVIEW, NY** State: **NY** Zip Code: **14085**

21
19

Date of Birth: **09/20/68** Sex: **M** Un-Licensed: No. of Occup.: **3** Public Property Damaged: State of License: **NY**

Date of Birth: **01/24/31** Sex: **M** Un-Licensed: No. of Occup.: **2** Public Property Damaged: State of License: **NY**

22
40

Name - exactly as printed on registration #2: **ZANDA, SHARON, M.** Date of Birth: **06/09/36**

Name - exactly as printed on registration #3: **SUPERIOR AUTO SALES INC.** Date of Birth: **-/-/-**

23
1

Number and Street: **107 SUNSET AVE.** City: **BUFFALO, NY** State: **NY** Zip Code: **14207**

Number and Street: **5201 CAMP ROAD** City: **HAMBURG, NY** State: **NY** Zip Code: **14075**

24
5

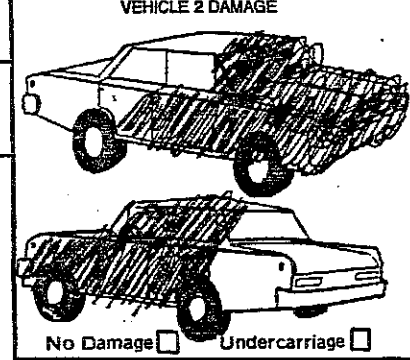
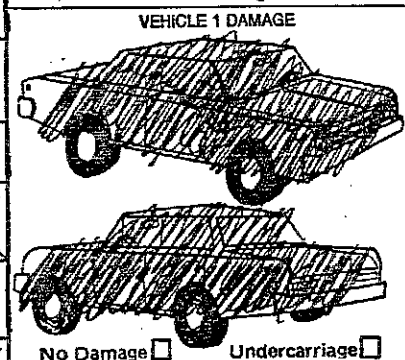
Plate Number: **HMV-664** State of Reg.: **NY** Yr. & Vehicle Make: **83 BUICK** Vehicle Type: **LDSD** Ins. Code: **327**

Plate Number: **9902855** State of Reg.: **NY** Yr. & Vehicle Make: **87 BUICK** Vehicle Type: **SW** Ins. Code: **198**

Check if involved vehicle is more than 95" wide, more than 34' long.



Check if involved vehicle is more than 95" wide, more than 34' long.



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Vehicle Towed By: **Miller's Coll.** To: **Miller's Coll.**

Reference Marker: **DMV USE ONLY** County: **ERIE** City: **LACKAWANNA** Route No. and Street Name: **on ROUTE # 5**

28
1

Ticket/Arrest: **Other** Ticket/Arrest Number(s): **N.M. POLE #2255**
Opr 1 Pedestrian Violation Section(s): **Nearest Intersecting Route/Street**

29
-

Accident Description/Officer's Notes: **on route 5.**
Charges will be pending against the driver of Vehicle # 1.

30
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Also see the attached diagrams, measurements, photographs and witness statements.

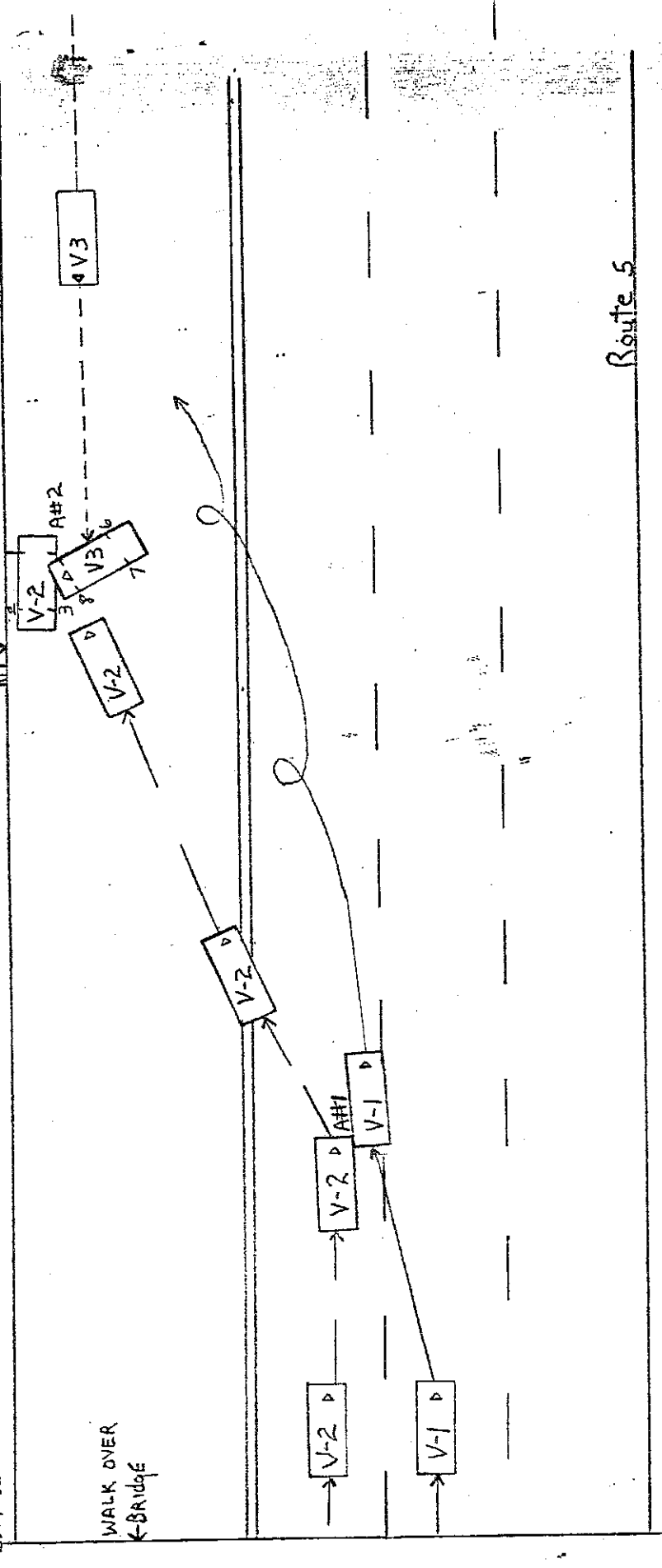
USE COVER SHEET
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Names - If Deceased, Give Date of Death

	8	9	10	11	12	13	14	15	16	17	18	Names - If Deceased, Give Date of Death
A	3	1	4	1	59	M	12	12	5	2986	1405	Richard J. Izzo
B	3	3	X	1	55	F	12	X	1	3005	1408	Barbara I. Izzo 05-04-90
C												
D												
E												
F												
G												

OFFICER'S SIGN: **Ptlm. James Michel** Badge No. **118** Department: **LACKAWANNA** Precinct/Post Troop/Zone: **118** Station/Beat/Sector: **118** Reviewing Officer: **N.M. POLE** Date/Time Reviewed: **05-04-90**

Gate #3 B. Steel
 KHGE 1 OF 6
 2265
 2245
 2274



Route 5

RP	N-S	E-W
1	N 14' 4 1/2"	E 6' 5"
2	N 5' 4 7/8"	E 2' 2"
3	N 4' 1 1/2"	E 7' 4"
6	N 14' 8 3/4"	E 16' 2 1/2"
7	N 9' 1/4"	E 19' 3 1/2"
8	N 5' 4 3/4"	E 10' 10 1/2"

Full Subliminal

→ PATH OF V-1 6EA896
 → PATH OF V-2 HMV654
 → PATH OF V-3 1902855
 ——— LANE DIVIDER
 ——— DOUBLE YELLOW

A#1 REPRESENTS APPROXIMATE LOCATION OF FIRST ACCIDENT WITH V-1 + V-2.
 A#2 REPRESENTS LOCATION OF WHERE V-2 AND V3 CAME TO A REST AFTER THEIR COLLISION.

1-2-3 REPRESENT TIRES ON V-2
 6-7-8 REPRESENT TIRES ON V-3

⊗ NIAGARA MOHAWK POLES WITH LIGHTS
 ○ NIAGARA MOHAWK POLES

NOT DRAWN TO SCALE

FATALITY: VICTIMS - BARBARA I IZZO
DOMINIC G CRETACCI JR
John CRETACCI
NICK STARR

ACCIDENT DATE: MAY 4, 1990
TIME: 2:38 HRS

LOCATION: 2255 ROUTE 5, LACKAWANNA, N.Y.
INVESTIGATED BY: LT. O'HARA, PTLMN BUDIMIROVICH,
MICHEL, CELLINI

MEASUREMENTS BY: BUDIMIROVICH AND MICHEL

ROADWAY: WET

WEATHER: LIGHT RAIN

PHOTOS TAKEN BY LT. STRYCHARZ

RP, IS A SEMITANGIBLE POINT LOCATED ON
THE WEST EDGE OF THE CURB, 4' FROM THE
EAST OF NIAGARA MOHAWK POLE NUMBER
2255, ON RTE 5.

THE RESTING POSITION OF V-1 IS UNKNOWN
BECAUSE IT WAS MOVED AFTER A#2,
BUT WAS NOT INVOLVED IN A#2.

A#2 IS AN APPROXIMATE LOCATION

THE PATHS OF V-2, V-1, AND V-3 ARE BASED
ON WITNESS DESCRIPTIONS OF THE
ACCIDENTS.

for Budimirovich

SUPPLEMENTARY: REPORT

Offense Fatal Accident

Case # 003891

Complaint _____

File # _____

Address _____

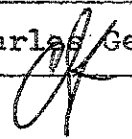
FOLLOW-UP INVESTIGATION

Additional details of offense, progress of investigation, etc.

On May 10, 1990 We took Jim Hartman, of 3625 South Creek Rd. Hamburg N.Y. To Millers Collision 2000 Abbott Rd. Jim was working at the Gas & Go service station 2424 Hamburg TPK. on 5/4/90 the night of the Fatal accident.

We showed Jim Hartman A 1963 Mercury dark blue in color bearing NY. reg. # 6EA-896 that was parked in Millers repair shop. " We asked Jim Hartman what he knows about this car?" Jim told us that on the night of the accident about 9:30 PM he was pumping gas in front of the gas station and he saw this blue car traveling at A high rate of speed and this car was following A white car also traveling at A high rate of speed. Both of the cars were traveling North. Jim stated the the Dark Blue car passed the white car on the inner lane and pulled directly in front of the white car as they were passing the Gas station.

Detectives Frank Rozwood & Charles Gelyon



This Offense is Declared:

- Unfounded
- Cleared by Arrest
- Exceptionally Cleared
- Inactive (not cleared)

Signed _____
Investigating Officer(s)

Date _____

Signed _____
Chief or Commanding Officer

Date _____

This form is used by Officer assigned to a case to report progress after three and seven days and weekly thereafter, also to report significant developments.

SUPPLEMENTARY POLICE REPORT

1. MRD/LOCATION

D 20

2. COMPLAINT NO.

003891

3. VICTIM OR COMPLAINANT

Erie County District Attorneys Office

4. OFFENSE/OCCURRENCE

See Below

5. DATE & TIME OF REPORT

05-21-90

6. INVESTIGATING OFFICERS ASSIGNED

Lt. John Eszak

7. TELETYPE NUMBER, DATE & TIME

8. NARRATIVE

Arrested on Erie County Grand Jury Warrants was:

Henry R. Muhlbauer

21 Lehigh Avenue, Lackawanna, New York

W/M DOB-10-04-43

Subject was charged with four counts of 125.10 and 125.15-1 of the NY State Penal Law, Criminally Negligent Homicide and Manslaughter in the 2nd Degree, V&T Sections: 1180-A, B, D, E, 1163(a), 1128(a) and 1212.....

Subject was arraigned in Erie County Court.....

9. REPORTING OFFICER

Lt. John S. Eszak

10. I. D. NUMBER

047

11. SUPERVISOR

J. Deren

12. PAGE NO.

1

DEPARTMENT CENTRAL POLICE SERVICES



COMPLAINANT _____ (full name) _____ PHONE NO. _____
PAGE 2

ADDRESS _____ DATE _____

NATURE OF COMPLAINT _____ TIME _____ A.M.
P.M.

OFFICER(S) _____ respectfully report that
PERSONAL PROPERTY OF TH VICTIMS, THAT WAS LEFT IN THE CAR AT THE SCENE. THIS
PROPERTY WAS INVENTORIED, WITH APPROPRIATE FORMS COMPLETED AND THE PROPERTY
AND THE FORMS TURNED INTO THE I,D, BUREAU. THIS WAS THE PERSONAL PROPERTY OF
MR. AND MRS. IZZO. THERE WAS NO PERSONAL PROPERTY RECOVERED FROM THE CAR
WITH THE WITH THE THREE FATALITIES INSIDE. OFFICER JAMES MICHEL WAS ASSIGNED
TO ASSIST OFFICER BUDIMIROVICH AND TO PREPARE THE ACCIDENT REPORT. OFFICER
ANTECKI WAS ASSIGNED TO SHUT OFF SOUTH BOUND TRAFFIC ON RT #5 AT RIDGE RD.
WHEN ALL VEHICLES WERE TOWED AWAY, AND THE PROPER DIAGRAMS AND SKETCHES, WITH
MEASUREMENTS WERE COMPLETED, RT #5 WAS REOPENED AT APPROX. 23:25 HRS. OFFICER
CARDI ASSITED AT RIDGE RD AND RT #5. MEMBERS OF THE IMMEDIATE FAMILIES OF THE
FOUR VICTIMS WERE NOTIFIED; THEY CAME TO THE STATION, WERE INFORMED OF THE
SITUATION, AND TAKEN TO OLV HOSPITAL BY OFFICER MICHEL TO IDENTIFY THE DEAD
BODIES. THE THREE CARS INVOLVED IN THE ACCIDENT WERE ALL TOWED BY MILLER'S.
THEY WERE INSTRUCTED TO PERFORM NYS INSPECTIONS TESTS ON ALL THREE, AND TO
IMPOUND ALL THREE UNTIL THEY ARE RELEASED BY LT ESZAK. THE LONE SURVIVOR OF
THE ACCIDENT MR. IZZO WAS TAKEN TO ECMC. THEY WERE INSTRUCTED TO TAKE A BLOOD
SAMPLE FOR ALCOHOL CONTENT. THE MEDICAL EXAMINER'S OFFICE WAS TOLD TO TAKE A
BLOOD SAMPLE FROM THE DECEASED DRIVER. ASSISTANT ERIE CO D.A. MICHAEL STEBICK
WAS CALLED TO THE STATION AND ASSITED IN THE INVESTIGATION. CHARGES ARE PENDING
FOLLOWING INVESTIGATION. ALL NECESSARY REPORTS AND FORMS WERE COMPLETED.

SIGNED _____

DATE & TIME 5-5-90 04:20 am

SIGNED _____

DATE & TIME _____

D/Chief or Commanding Officer



COMPLAINANT AUTO ACCIDENT-4 FATALITIES PHONE NO. _____
(full name)

ADDRESS L.P.D. 714 RIDGE RD DATE 05-04-90

NATURE OF COMPLAINT CPS # 003891 TIME 21:38 ~~XXX~~ P.M.

OFFICER(S) Lt Dennis O'Hara respectfully report that
ON THE ABOVE DATE AND TIME, A CALL WAS RECEIVED OF A SERIOUS AUTOMOBILE
ACCIDENT ON RT #5 SOUTH OF RIDGE RD. ALL UNITS RESPONDED. UPON MY ARRIVAL,
I WAS INFORMED BY RESCUE SQUAD PERSONNEL THAT IT WAS APPARENT THAT THIS WAS
A MULTIPLE FATAL ACCIDENT, WITH AS MANY AS FOUR FATALITIES. EXTRA AMBULANCES
AND THE POLICE PHOTOGRAPHER WERE CALLED FOR. MEMBERS OF THE L.F.D. RESCUE
SQUAD, AND THE PARAMEDICS TENDED TO THE VICTIMS OF THE ACCIDENT AND ATTEMPTED
TO FREE THEIR BODIES FROM THE TANGLED ~~CARS~~ CARS. SEVERAL WITNESSES WERE LOCATED
AT THE SCENE. THREE WERE TAKEN TO THE POLICE STATION FOR STATEMENTS, ~~XXX~~ THREE
OTHERS WERE ALLOWED TO DRIVE HOME, BUT WERE INSTRUCTED THAT THEY WOULD BE
CONTACTED FOR STATEMENTS. DET LT JOHN ESZAK, AND DETS. CHARLES CONNOR AND
FRANK ROZWOOD WERE CALLED OUT TO TAKE STATEMENTS. SIX STATEMENTS WERE TAKEN IN
ALL. THE CHIEF OF POLICE AND DIRECTOR OF PUBLIC SAFETY WERE NOTIFIED, AND BOTH
CAME TO THE SCENE. LT JAMES KUNA AND OFFICERS DLUGOSZ, GAWLEY, AND CARDI OF
THE MIDNIGHT CREW WERE CALLED OUT 2 HOURS EARLY, TO PROVIDE THE PATROL DUTIES,
FOR THE SHIFT, AS ALL "C" PLATOON PERSONNEL WERE INVOLVED IN THE ACCIDENT
INVESTIGATION. THE CHIEF OF POLICE WAS NOTIFIED OF THIS SITUATION. OFFICER
JOEL BUDIMIROVICH WAS ASSIGNED TO MAKE ALL OF THE NECESSARY SKETCHES OF THE
SCENE AND TAKE THE APPROPRIATE MEASUREMENTS. OFFICER MARK CELLINI WAS SENT TO
O.L.V. HOSPITAL, WHERE ALL FOUR OF THE DEAD BODIES WERE TAKEN TO DETERMINE
THEIR IDENTITIES. HE ALSO OBTAINED DRIVERS LICENSES, AND AUTO REGISTRATIONS
FOR THE VEHICLES INVOLVED, FOR THE ACCIDENT REPORTS. HE ALSO CONFISCATED ALL

SIGNED *Dennis O'Hara*

DATE & TIME 5-5-90 04:20am

SIGNED _____

DATE & TIME _____

D/Chief or Commanding Officer



COMPLAINANT _____ (full name) PHONE NO. _____

ADDRESS _____ DATE MAY 10, 1990

NATURE OF COMPLAINT STATEMENTS MADE BY HENRY MUHLBAUER TIME _____ A.M.
P.M.

OFFICER(S) JOEL BUDIMIROVICH respectfully report that

ON MAY 4 1990, AT APPROXIMATELY 2138 HRS I WAS INVOLVED IN THE
INVESTIGATION OF AN AUTOMOBILE ACCIDENT IN WHICH FOUR PERSONS DIED. MR
HENRY MUHLBAUER WHO WAS AT THE SCENE OF THE ACCIDENT AND CAME FORWARD WHEN
I ASKED FOR WITNESSES STATED THAT HE WAS NORTHBOUND IN THE CURB LANE ON RTE 5
WHEN EITHER A BLACK MUSTANG OR TRANS AM ⁴⁴ HIT HIS CAR ON THE DRIVERS ~~REAR~~ ⁷⁰
REAR SIDE AND SPEED OFF TOWARD BUFFALO. HE FURTHER STATED THAT HIS CAR DID
DONUTS INTO THE SOUTHBOUND LANE AS A RESULT OF THAT ACCIDENT BUT DID TOUCH
THE DAMAGED VEHICLES ALREADY AT REST IN THE SOUTHBOUND LANE NEAR NIAGARA
MOHAWK POLE #2255. HE SAID HIS VEHICLE CAME TO REST ON THE CURB NEAR GATE 2
FACING SOUTH. HE AGREED TO COME TO THE LACKAWANNA POLICE STATION AND GIVE
A STATEMENT (WRITTEN) ABOUT THE ACCIDENT.

RESPECTFULLY

Joel Budimirovich

SIGNED _____ DATE & TIME _____

SIGNED _____ DATE & TIME _____

D/Chief or Commanding Officer



