

SUSPEND TO E&E Committee

ERIE COUNTY LEGISLATURE

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LEGISLATOR - 11th DISTRICT



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February 3, 2011

MEMO: To Legislative Colleagues
FROM: Legislator Marinelli *LM*
RE: Reforms of Erie County Water Authority

Attached is a resolution adopted on February 1, 2011 by the City of Tonawanda Council regarding appointments of the Erie County Water Authority Commissioners.

It requests our Honorable Body adopt changes to require appointees reside in the service delivery district. I support this request, especially on the premise of taxation with representation.

Furthermore, my early research shows that nearly two dozen water authorities in New York State have differing number of appointees, terms of office, appointing entities, compensation and responsibilities of services.

I request the Energy & Environment Committee review these reforms at its next meeting. I will gladly work with my colleagues to achieve this reform.

Thank you.

Attachment

19. By Councilmember Slisz seconded by Councilmember Poole
Whereas, the City of Tonawanda held a Referendum on January 7th, 2003 regarding the following Proposition:

"Shall the transfer of the water system and related operation, maintenance and repair costs by the City of Tonawanda to the Erie County Water Authority, in accordance with Article X, Section 5 of the New York State Constitution, be approved?" and

Whereas, said referendum was approved on the above date and

Whereas, said transfer of the City of Tonawanda water system was finalized on August 1, 2004 and

Whereas, the City of Tonawanda has been serviced by the Erie County Water Authority since that date and

Whereas, all decisions related to the costs, charges, budgets, maintenance, etc are made by the Commissioners of the Erie County Water Authority with voters of the City of Tonawanda having no options for official input and

Whereas, the appointments to the position of Commissioner of the Erie County Water Authority is made by the Erie County Legislature as provided for by the Laws of New York PBA - Public Authorities - Title 3 - ERIE COUNTY WATER AUTHORITY and

Whereas, an upcoming appointment to fill an expiring term on the Erie County Water Authority is due in the near future and

Whereas, the Commissioners of the Authority, in order to reflect the input and properly represent the billing and service areas and the affected rate payers within it's jurisdiction, now, therefore be it

Resolved, that the City of Tonawanda requests that the Erie County Legislature adopt the necessary legislation requesting the New York State Legislature to adopt the necessary changes to allow the Erie County Legislature to require that any and all Commissioners appointed to the Erie County Water Authority have residency status in the current SERVICE AREA of said authority and be it further

Resolved, that persons residing in the NON SERVICED AREAS OF the Erie County Water Authority be hereby precluded from consideration of appointment as Commissioners of the Erie County Water Authority and be it further

Resolved, that the Erie County Legislature be requested to conduct a study of like Authorities in New York State for both representative makeup of the Authorities and the remuneration of said bodies with an eye toward better representation of rate payers as well as cost saving from pay reduction or elimination of salaried positions.

Upon adoption of the above resolution the City Clerk is hereby directed to forward said resolution to the Clerk of the Erie County Legislature with cover letter and be it further

Resolved, that the resolution be submitted to the following towns within the jurisdiction of the Erie County Water Authority requesting their support for said resolution:

City of Lackawanna
Town of Amherst
Town of Alden
Town of Aurora
Town of Boston
Town of Brant
Town of Cheektowaga
Town of Clarence
Town of Eden
Town of Evans
Town of Hamburg
Town of Marilla
Town of Newstead
Town of Lancaster
Town of Orchard Park
Town of West Seneca

Ayes: Gilbert, Boyle, Slisz, Poole

Nays: None

Resolution declared adopted

02/01/2011 Mtg.

