

# CITY OF TONAWANDA, NEW YORK



Office of the City Clerk

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**JANICE R. BODIE**

*City Clerk*

**KATHLEEN R. GREENAWALT**

*Deputy City Clerk*

February 4, 2011

Robert M. Graber, Clerk  
Erie County Legislature  
92 Franklin Street  
Buffalo, NY 14202

Dear Mr. Graber:

Enclosed please find a copy of a resolution that was passed February 1, 2011, by the City of Tonawanda Common Council requesting the Erie County Legislature to adopt the necessary changes to allow the 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.

If you have any questions regarding this resolution please contact Councilmember Richard Slisz at 909-4449.

Yours truly,

A handwritten signature in cursive script that reads "Janice R. Bodie".

Janice R. Bodie  
City Clerk



18. By Councilmember Slisz seconded by Councilmember Poole  
Whereas, the City of Tonawanda held a Referendum on January 7<sup>th</sup>, 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