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TOWN OF NEWSTEAD

P.O. Box 227 5 Clarence Center Rd. Akron, NY 14001

Supervisor: (716) 542-1231 • Town Court: (716) 542-4575 • Town Clerk: (716) 542-4573

Assessor/Code Enforcement: (716) 542-4574 • Fax: (716) 542-3702

Calls for Hearing Impaired: 1-800-662-1220

March 1, 2011

Erie County Legislature
92 Franklin St- 4th Floor
Buffalo, NY 14202

Re: Certified Resolution – ECWA Commissioners Appointments

Dear Honorable Representatives,

Enclosed please find a certified copy of the resolution passed by the Newstead Town Board at their regular meeting on February 28, 2011 regarding the Erie County Water Authority and the methods of appointment of their Commissioners.

If your office has any comments on the resolution, please forward them to the Newstead Town Clerk's office. I thank you in advance for your attention to this matter.

Sincerely,

Dawn D. Izydorczak, RMC
Town Clerk

Enclosure

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN MAYROSE, WHO MOVED ITS ADOPTION,
SECONDED BY COUNCILMAN BARAN

WHEREAS, the Town of Newstead entered into a Lease Management Agreement with the Erie County Water Authority effective July 20, 1999; and

WHEREAS, said Agreement included the lease management of all water districts within the Town of Newstead and was amended as additional districts were formed to include the new districts; and

WHEREAS, the Town of Newstead 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 Town of Newstead having no options for official input; and

WHEREAS, the appointments to the position of Commissioner of the Erie County Water Authority are made by the Erie County Legislature; and

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

WHEREAS, in order to reflect the input and properly represent the billing and service areas and the affected rate payers within its jurisdiction, the Commissioners of the Authority should be required to reside in the areas serviced; and

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Newstead demands that the Erie County Legislature adopt the necessary legislation requiring that any and all Commissioners appointed to the Erie County Water Authority have residency status in the 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; and

RESOLVED, that the Town Clerk is hereby directed to forward a copy of said resolution to the Clerk of the Erie County Legislature and to the following towns within the jurisdiction of

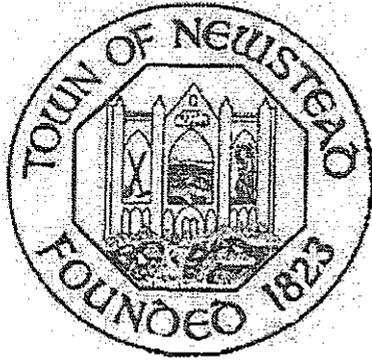
the Erie County Water Authority requesting their support for said resolution.

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

The above resolution was duly put to a roll call vote at a regular meeting of the Town Board held on February 28, 2011, the results of which were as follows:

| | |
|------------------------|-----|
| Councilman Rooney- | AYE |
| Councilman Mayrose- | AYE |
| Councilman Baran- | AYE |
| Councilwoman Esposito- | AYE |
| Supervisor Cummings- | AYE |

CARRIED UNANIMOUSLY



STATE OF NEW YORK)
COUNTY OF ERIE) SS.
TOWN OF NEWSTEAD)

I, Dawn D. Izydorczak, Town Clerk of the Town of Newstead, County of Erie, State of New York, do hereby certify that at an adjourned regular meeting of the Newstead Town Board, on the 28th day of February, 2011 at the Newstead Town Hall, 5 Clarence Center Rd, Akron, New York, the above resolution was adopted, with each member present voting therefore, as follows:

| | |
|-----------------------------------|-----|
| David L. Cummings, Supervisor- | AYE |
| Justin M. Rooney, Councilman- | AYE |
| Cheryl M. Esposito, Councilwoman- | AYE |
| James Mayrose, Councilman- | AYE |
| Richard C. Baran, Councilman- | AYE |

I do further certify that the resolution duly adopted by the Town Board and the official meeting minutes are on file in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said Town of Newstead, County of Erie, State of New York, this 1st day of March, 2011.


Dawn D. Izydorczak, RMC, Town Clerk
Town of Newstead, New York

SEAL