



TOWN OF AMHERST

BARRY A. WEINSTEIN, M.D.
SUPERVISOR

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March 24, 2011

Mr. Robert W. Graber
Clerk of the Legislature of Erie County
92 Franklin Street – 4th Floor
Buffalo, NY 14202

Dear Mr. Graber:

Enclosed is a resolution approved by the Amherst Town Board on February 28, 2011, regarding appointments of Commissioners of the Erie County Water Authority.

Sincerely,

Barry A. Weinstein, M.D.
Supervisor

BAW/sv

8M-3



Town of Amherst
5583 Main Street
Williamsville, NY 14221
www.amherst.ny.us

Deborah Bruch Bucki
Town Clerk

Meeting: 02/28/11 07:00 PM
Department: Supervisor
DOC ID: 7017

COMMUNICATION 2011-16

ADOPTED

City of Tonawanda Resolution

Certified Resolution from City of Tonawanda regarding appointments of Commissioners of Erie County Water Authority.

A motion was made by Councilmember Anderson to receive and file, seconded by Supervisor Weinstein. The vote was 3-3 with Supervisor Weinstein, Councilmember Anderson and Councilmember Nuchereno in the affirmative.

A motion was then made by Deputy Supervisor Marlette to call the question, seconded by Councilmember Manna. The vote to approve the communication appears in the box below.

RESULT:	APPROVED [4 TO 2]
MOVER:	Guy R. Marlette, Deputy Supervisor
SECONDER:	Mark A. Manna, Councilmember
AYES:	Guy R. Marlette, Mark A. Manna, Barbara S. Nuchereno, Steven D. Sanders
NAYS:	Barry A. Weinstein, Richard "Jay" Anderson



CITY OF TONAWANDA, NEW YORK

13.1.a

200 Niagara Street
Tonawanda, New York 14150
Telephone: (716) 695-8318
Fax: (716) 695-8315

RECEIVED
FEB 7 - 2011
TOWN OF AMHERST
SUPERVISOR'S OFFICE

Common Council

Council President
Carleton R. Zeisz

1st Ward
Charles M. Gilbert

2nd Ward
Blake R. Boyle

3rd Ward
Richard A. Slisz

4th Ward
William R. Poc

February 2, 2011

Supervisor Barry A. Weinstein
Town of Amherst
5583 Main Street
Williamsville, NY 14221

Dear Supervisor Weinstein:

Enclosed please find a certified copy of a resolution that was recently passed 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. It only makes sense that Commissioners of the Authority, in order to properly represent the billing and service areas, live within the service areas.

We are looking for more support by other service areas. Please submit this resolution to your Council for approval and then contact your County Legislator to express your feelings regarding this issue.

If you have any questions regarding this resolution please feel free to call me at 909-4449.

Yours truly,

Richard Slisz
3rd Ward Councilmember
City of Tonawanda

Attachment: CITY OF TONAWANDA (COM-2011-16 : City of Tonawanda Resolution)

STATE OF NEW YORK
County of Erie, City of Tonawanda, N.Y.

{ SS

I, Janice R. Bodie, Clerk of the City of Tonawanda, do hereby certify that I have compared the annexed copy of.....RESOLUTION..... duly offered and adopted by theCOMMON COUNCIL..... of said City at aREGULAR.....meeting thereof held on the.....1stday of.....FEBRUARY 2011.....with the original record on file in my office and the annexed.....RESOLUTION..... is a true correct copy thereof and the whole thereof.

In Testimony Thereof, I have hereunto set my hand and affixed the seal of said City this4thday of.....FEBRUARY, 2011.....

Janice R. Bodie clerk

Attachment: CITY OF TONAWANDA (COM-2011-16 : City of Tonawanda Resolution)

18. 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.

Attachment: CITY OF TONAWANDA (COM-2011-16 : City of Tonawanda Resolution)

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

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