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Petition drive seeks downsizing of West Seneca Town Board

Membership would be reduced to three from five

By Samantha Maziarz Christmann NEWS STAFF REPORTER

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Erie County Board of Elections officials said Friday that a petition will be enough to get a proposed reduction of the West Seneca Town Board on the ballot in November, despite objections about the legality of the procedure.

About 14 volunteers hit the streets last week, collecting more than 400 of the 1,400 signatures needed to let West Seneca residents vote whether to reduce their five-person Town Board by two members.

The idea to shrink the board was proposed by Town Supervisor Wallace Piotrowski at last Monday night's meeting at civic activist Kevin Gaughan's suggestion. Board members voted against the resolution.

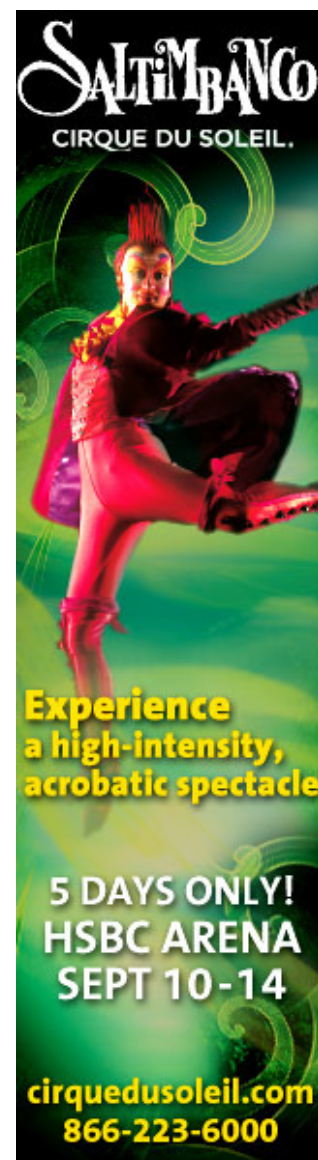
Addressing Gaughan's intention to collect signatures and move ahead without the board's support, Councilman Vincent Graber said petitioning for referendum without a passed board resolution would be illegal.

Councilwoman Christina Bove supported Graber's assertion, saying two attorneys with the Association of Towns of the State of New York had confirmed that a referendum via petition drive would be impossible without the board's initial approval.

"This [is coming from] two attorneys who, five days a week, do nothing but answer questions for municipalities all across the State of New York," Bove said. "I would tend to believe these two attorneys know exactly what they are talking about."

But according to Dennis Ward, Erie County Board of Elections commissioner, the petition would be enough on its own.

The legality of the petition process is outlined in Section 81 of New York State Town Law and refers specifically



to changing the size of a town board.

“It’s a very strange little section in the town law, that’s why it’s not commonly known,” Ward said. “Most people [confuse it with] ballot initiative, which we do not recognize in New York State.”

Ballot initiative is the act of putting proposed legislation directly on the ballot without involving government officials. Section 81 makes exceptions for certain circumstances, including changing the size of a town board.

Several independent attorneys confirmed Ward’s statements.

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