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West Seneca resident seeks to block vote on downsizing

By Stephen T. Watson NEWS STAFF REPORTER

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A proposal backed by regionalism advocate Kevin Gaughan that would cut the size of the West Seneca Town Board is facing a legal challenge that seeks to keep the referendum off the November ballot.

A West Seneca resident opposes the petition that would let West Seneca voters decide the issue, arguing that the document is improperly phrased and invalid.

Daniel Warren has filed an objection with the town clerk, leaving the fate of the referendum unclear even as proponents vow to beat back this attempt to block the vote.

"People should have a right to decide to reduce the size and cost of government," Gaughan said.

Gaughan has stopped in every town, village and city in Erie County to make his case that taxpayers would be better served by cheaper, smaller governmental boards.

In West Seneca, Supervisor Wallace C. Piotrowski gave his support to Gaughan's proposal to reduce the Town Board — from five members to three members, possibly saving up to \$60,000 per year — but other board members objected.

The idea did not pass the Town Board in June.

In response, Gaughan and a group of residents began collecting signatures on a petition that would force the question onto the ballot, using a little-known state law.

They collected 4,327 signatures — more than five times the number required — and filed the petition last week with the town clerk's office.

On Friday, however, Warren submitted a formal objection to the petition.

The petition states that the reduction of the Town Board would begin Jan. 1, 2012. However, Warren argues that the downsizing actually would begin next year, when the two board members whose terms are up would not be

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allowed to run for re-election.

“I feel the petition was deceptive and misleading,” said Warren, who also raised technical objections to the document.

He said he likes some of Gaughan’s ideas but thinks having only three board members would make it difficult to conduct town affairs.

Warren, who also filed a suit challenging former County Executive Joel A. Giambra’s 2005 budget, said he is not acting on behalf of any West Seneca politicians.

Gaughan, however, said he is convinced officials in the town put Warren up to this.

“If West Seneca politicians have nothing to do with this effort, then Richard Nixon had nothing to do with Watergate,” Gaughan said in an e-mail.

Gaughan said he is confident the petition will withstand this legal challenge. But its fate isn’t certain at this point, and it’s not known who will ultimately decide if the referendum gets on the ballot.

Town Clerk Patricia C. De- Pasquale said she had sent the petition to the Erie County Board of Elections, where the signatures will be verified.

DePasquale sent Warren’s challenge to the town attorney to seek his advice. “We have never been in this situation before, so this is kind of a learning process for us,” she said.

swatson@buffnews.com

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