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In Evans, plentiful lawn signs reflect the degree to which the issue of downsizing the Town Board to three members has mobilized residents.

Harry Scull Jr. / Buffalo News

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Updated: 06/01/09 08:39 AM

FOCUS: DOWNSIZING

Two towns set for historic vote on downsizing

government

By Mary B. Pasciak
NEWS STAFF REPORTER

Voters in West Seneca and Evans will make history Wednesday when they decide whether to cut two positions from their town boards.

The vote will be a historic one because for the first time residents will choose how many people they want representing them on their town board.

It will also serve as a litmus test for several other area communities preparing to make similar choices later this year.

Supporters of downsizing say the measure will save taxpayers money and start bringing the government back to the people.

Opponents say the savings will be minimal and reducing the town board to three members — as is proposed in West Seneca and Evans — will jeopardize residents' representation in local government by putting too much power in the hands of too few people.

Whether downsizing brings reform or disaster, one thing is clear: This week's votes are likely to be the first of many such ballots in Erie County.

Kevin P. Gaughan, the civic activist who orchestrated the referendums, says similar measures will appear on the ballot in November in Orchard Park, Hamburg and Alden. And more will follow. He predicts volunteers will collect enough signatures to force a downsizing vote in every town and village in the county within the next two years.

"This is not just about West Seneca or Evans. My proposal is to reduce the boards in 25 towns and 16 villages," he said.

"We're going to give every single resident of every town and village the privilege of deciding for themselves whether they want to change something."

But there's a price to be paid when a town board goes to three members, cautions Kathryn A. Foster, director of the University at Buffalo's Regional Institute.

"There's a trade-off for democracy here. Why have fewer people representing you?" she said.

"We find three men in a room objectionable in Albany. We should think very carefully before we do that locally."

And Robert J. Freeman, executive director of the state's Committee on Open Government, said a three-member board would be handcuffed.

"I think it's a foolish move," he said. "I don't see how a three-member board could comply with the Open Meetings Law. That would mean two members couldn't talk things over on the phone. That would mean that two members could not e-mail each other with respect to town business. Compliance with the law would handcuff the board."

'Like snow in January'

Regardless of the outcome of Wednesday's vote, or of any that might follow, the very notion of downsizing

already has created significant results. Angry taxpayers have mobilized, circulating petitions and knocking on doors.

In response, government officials and party leaders are setting aside their political differences to defeat them.

“Democrats and Republicans together have been putting inserts in the Penny Saver. They’re going to make phone calls. They’re sending some letters,” said Karen Erickson, a Town Board member in Evans who would lose her seat if the measure is approved.

“The Democrats and Republicans together have been working on it, and that’s been real healthy.”

There is no doubt the downsizing campaign has touched a nerve. Lawn signs on both sides of the issue have cropped up in Evans and West Seneca like dandelions after a heavy rain.

“The campaign is highly symbolic of this fervor that’s anti-government and anti-tax,” Foster said.

If every town and village board in Erie County dropped two members, taxpayers would save a total of \$10.2 million a year in salaries and benefits, Gaughan says, and that doesn’t include savings in lifetime health insurance and pension payments for retired board members.

“Politicians in Western New York are like snow in January. We’re up to our waist. But unlike snow, they don’t melt away. And the rest of the year, we have to pay for them,” he said.

“We can have the same quality of service and quality of life with fewer politicians.”

Months ago, Gaughan discovered a state law that enables residents to force a downsizing referendum by collecting enough signatures. All he had to do was decide where to start.

In West Seneca, Gaughan found an ally in a politician. In Evans, he was welcomed by scores of angry taxpayers.

West Seneca Supervisor Wallace C. Piotrowski took office in January 2008 and set about looking for ways to reduce taxes, he said. When he heard Gaughan’s pitch, things clicked.

“The residents are screaming to save money, and this is one way to save money,” Piotrowski said.

Cutting two board members in West Seneca would save as much as \$88,000 a year, including a \$22,400 annual salary and health insurance, although not all board members take the health insurance. Those who don’t, including the two whose seats would be cut in a downsizing, receive a \$2,500 stipend instead.

The potential savings would mean less than \$8 for the owner of a home assessed at \$100,000 in West Seneca. In Evans, it would be about \$13.

Power would shift

No matter how much the savings, Piotrowski’s critics say his motives are more about politics in West Seneca, a town with a population of about 46,000.

Soon after taking office, Piotrowski lost the majority support on the five-member Town Board. With only one ally left on the board, he has been rendered largely unable to advance his agenda.

If voters approve the downsizing in West Seneca, Piotrowski’s two most vocal opponents, Vincent J. Graber Jr. and Christina Wleklinski Bove, would lose their seats, likely giving the supervisor a 2-1 majority.

Piotrowski dismisses accusations that the vote is politically motivated.

Political alliances often shift, he said.

“There’s no guarantee I’ll have the majority on this board,” he said.

“This is something for the future of the community. I’m giving voters a chance to decide what they want.”

In Evans, with a population of about 20,000, a revaluation last year left many homeowners with bigger tax bills. Their discontent gave rise to a new taxpayer group.

John Colleri and his wife, Cheryl St. George, both teachers in the Buffalo Public Schools, saw the assessed value of their home increase from \$197,000 to \$300,000 in a single year, nearly doubling their tax bill.

What followed was a crash course in local government that left the two disillusioned with their elected officials.

“We see a local government that is unresponsive to its citizens,” he said. “You have to pass through a weapons detector to get to a [Town Board] meeting. The four council members and the supervisor sit on a dais five to seven feet above the audience. Those that have a dissident opinion are given about three minutes to have their say, after which an egg timer goes off and they are told to sit down.”

Frustrated, they and other residents wanted to cut board members’ benefits but didn’t have the power to. They wanted to impose term limits but couldn’t.

So they invited Gaughan to help them petition to cut the board.

Below critical mass

“There’s not much that the people by themselves can do except downsize by referendum,” Colleri said. “This is just the first step of things that need to be done. It’s a first step, but it’s a major first step because the people did it.”

“This town government is afraid of the power of the people and afraid the democratic grass-roots movement is waking up,” he said.

Trimming a board of five members down to three takes the board down below a critical mass, some say.

If a board were down to just the supervisor and two council members, then all that would be needed for a majority vote is two people.

“If you limit it to just any two people making the decisions, you’re setting yourself up for decisions to be made without the requisite checks and balances,” said Dan Warren, a computer programmer in West Seneca who is active in a citizens group trying to defeat the downsizing. “I think it’ll create more backroom deals.”

Other concerns arise. For instance, if just one board member is ill or out of town, both remaining board members would need to agree on everything to take action, since tie votes would lose.

“If you have one person on vacation and one out sick, your government will be absolutely at a standstill. It would be a nightmare,” said Evans’ Erickson.

And some people, including Freeman, the state’s top expert on open government, question how a three-member board would be able to adhere to the state’s Open Meetings Law, which says that any time a majority of the board meets for town business, they must do so in a public meeting.

Two people would equal a majority of a three-member board, meaning they could legally discuss town business only in a public meeting — not in a casual phone call or by e-mail.

Cherry Valley, a town of 1,200 near Cooperstown, had three members on its Town Board since Ronald Reagan became president. But after the community found itself divided over wind turbines coming to the area, the Town

Board voted in November to add two positions.

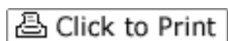
Leaving the decision to just three people didn't seem wise, Town Supervisor Tom Garretson said last summer.

"I think we're doing the right thing," he said. "I don't care what size the town is. And I would think for the larger town, you would want those five."

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