

**ITEM 22 - MOTION TO RESCIND ANY AND ALL PRIOR RESOLUTIONS
PURPORTING TO DELEGATE CERTAIN FINAL EMPLOYMENT
DECISIONS TO VARIOUS MANAGEMENT STAFF**

Motion by seconded by

WHEREAS, Heretofore the Board of Commissioners have, from time to time, adopted and amended resolutions purporting to delegate authority to certain management level staff to make decisions on the hiring, termination, promotion and demotion of certain classes of Authority employees; and

WHEREAS, a copy of the most recently adopted resolution is attached hereto and made a part hereof; and]

WHEREAS, within said resolutions said employment actions were to be "...subject to the general direction, approval and control of the Commissioners of the Authority..." and

WHEREAS, it has been the application of said resolutions and past practice of the variously identified management staff to make final decisions on said employment actions without the general direction, approval and control of the Board of Commissioners; and

WHEREAS, under the New York State Open Meetings Law the Board of Commissioners may only exercise its powers and duties within a public meeting; and

WHEREAS, the Board of Commissioners intend to comply with the New York Open Meetings Law and insure transparency as to all its actions, including the said employment decisions of the Erie County Water Authority;

NOW, THEREFORE, BE IT RESOLVED:

1. The Authority hereby rescinds the attached resolution together with all its predecessors, amendments and all other related resolutions and amendments dealing with said purported delegation of authority relating to said employment decisions;
- and
2. The Authority directs that all final decisions on the hiring, appointment, termination, promotion and demotion of all Authority employees shall be made by the Board of Commissioners at a duly called public meeting; and
 3. This resolution shall take effect immediately.

Ayes:

Noes:

12/20/18-ETJ:pjf

ITEM 22 ATTACHMENT

ITEM 7 - AUTHORIZATION TO AMEND ITEM NO. 8 OF THE MARCH 9, 2017 MEETING OF THE ERIE COUNTY WATER AUTHORITY RELATIVE TO THE DELEGATION OF RESPONSIBILITIES TO THE EXECUTIVE DIRECTOR AND DEPUTY DIRECTOR OF THE ERIE COUNTY WATER AUTHORITY

Motion by seconded by

WHEREAS, Heretofore and on the 9th day of March, 2017 the Board of Commissioners amended the February 23, 2017 resolution to state that the Board of Commissioners authorize the Deputy Administrative Director and the Deputy Director, and in their respective absences the Comptroller and the Secretary to the Authority, subject to the general direction, approval, and control of the Commissioners of the Authority the authority to concurrently, hire, fire, promote and/or demote Authority personnel except those personnel directly employed by the Commissioners and that this resolution shall remain in full force and effect until further action by the Board of Commissioners; and

WHEREAS, It is in the best interest of the Authority to amend Item No. 8 of the Minutes of the Meeting of the Authority held on March 9, 2017 and have said resolution state that the Board of Commissioners authorize the Secretary to the Authority and the Deputy Director, and in their respective absences the Comptroller and the Executive Director, subject to the general direction, approval, and control of the Commissioners of the Authority the authority to concurrently, hire, fire, promote and/or demote Authority personnel except those personnel directly employed by the Commissioners and that this resolution shall remain in full force and effect until further action by the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority amend Item No. 8 of the Minutes of the Meeting of the Authority held on March 9, 2017 to read as follows “That the Board of Commissioners authorize the Secretary to the Authority and the Deputy Director, and in their respective absences the Comptroller and the Executive Director, subject to the general direction, approval, and control of the Commissioners of the Authority the authority to concurrently, hire, fire, promote and/or demote Authority personnel except those personnel directly employed by the Commissioners and that this resolution shall remain in full force and effect until further action by the Board of Commissioners.”

Ayes:

Noes:

05/03/18-pjf