

Buffalo Fiscal Stability Authority

Resolution No. 04-04

WAIVER OF HIRING FREEZE ORDERED ON CITY OF BUFFALO, AUTHORIZING ONE HUNDRED FOUR POSITIONS FOR CITY GOVERNMENT

WHEREAS, Chapter 122 of the laws of 2003 authorizes the Buffalo Fiscal Stability Authority (“BFSA”) to review and approve or disapprove contracts or other obligations binding or purporting to bind the City or any covered organization;

WHEREAS, Section 3858(2)(C) authorizes the BFSA during a control period to impose a hiring freeze upon a finding by the BFSA that a hiring freeze is essential to the maintenance of a financial plan and

WHEREAS, Section 3858(2)(O) further provides that the BFSA may, to the extent it deems it necessary or desirable in order to accomplish the purposes of the Act including but not limited to the timely and satisfactory implementation of an approved financial plan, issue an order to the appropriate City official. Such order shall be binding upon the official to whom it is issued and

WHEREAS, on December 15, 2003 the BFSA found that, the immediate imposition of a hiring freeze upon the City of Buffalo was essential to the maintenance of the City of Buffalo Revised Financial Plan and was necessary to accomplish the purposes of the Act and to insure the timely and satisfactory implementation of the Revised Financial Plan.

WHEREAS, on December 15, 2003 the BFSA approved, Resolution 03-70, ordering a hiring freeze on the City of Buffalo with certain exemptions, and

WHEREAS, on December 18, 2003 the Mayor submitted a letter to the BFSA requesting one hundred four waivers from the BFSA’s hiring freeze, in accordance with the exemption criteria imposed and established by Resolution 03-70, and

NOW, THEREFORE BE IT RESOLVED, that the BFSA recognizes that without the approval of these waiver requests the City would otherwise incur larger than anticipated overtime costs and/or a loss of revenues to the City,

NOW, THEREFORE BE IT FURTHER RESOLVED, that the BFSA finds that the Mayor’s requests to waive the hiring freeze with regard to the specified one hundred and four positions complies with the exemption criteria contained in Resolution 03-70, are determine to be in the best interest of the City and are hereby authorized

This resolution shall take effect immediately.

Approved January 21, 2004

/S/ Richard Tobe
Secretary