

**BUFFALO FISCAL STABILITY AUTHORITY**

**RESOLUTION NO. 04 - 112**

REEVALUATE HIRING FREEZE ORDERED ON CITY OF BUFFALO

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 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; and

WHEREAS, Section 3858(2)(C) of the Public Authorities Law authorizes the BFSA to impose a hiring freeze during a control period 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) of the Public Authorities Law further provides that the BFSA may, to the extent it deems necessary or desirable in order to accomplish the purposes of the BFSA Act, including but not limited to the timely and satisfactory implementation of an approved financial plan, issue a binding order to the appropriate City official; 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 BFSA Act and to ensure the timely and satisfactory implementation of the Revised Financial Plan; and

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, as of November 17, 2004, the BFSA has granted five hundred and nineteen (519) hiring freeze waiver requests in accordance with the exemption criteria imposed and established by Resolution 03-70; and

WHEREAS, the City’s workforce has actually decreased from 2,698 employees in the City’s 2003-04 Second Quarter Report to 2,520 employees in the 2004-05 First Quarter Report; and

WHEREAS, the BFSA finds that the freeze has limited the creation of new positions and has ensured the filling of only necessary vacant positions,

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority finds that the continued imposition of a hiring freeze upon the City of Buffalo is essential to the maintenance of the City of Buffalo’s Four Year Financial Plan and is necessary to accomplish the purposes of the Buffalo Fiscal Stability Authority Act and to ensure the timely and satisfactory implementation of the City’s Financial Plan.

BE IT ORDERED that the Mayor of the City of Buffalo shall continue to impose a hiring freeze on all positions in the City of Buffalo under the terms and conditions expressed in Resolution 03-70, subject to the waiver process outlined in Resolution No. 04-89.

This Resolution shall take effect immediately.

Approved November 17, 2004

/S Richard Tobe  
Secretary