

**BUFFALO FISCAL STABILITY AUTHORITY**

**RESOLUTION NO. 04 - 53**

WAIVER OF HIRING FREEZE ORDERED ON CITY OF BUFFALO, AUTHORIZING ELEVEN 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; 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 insure 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, for consideration at the May 19, 2004 BFSA meeting, the Mayor and the City Clerk submitted requests to waive the BFSA hiring freeze for eleven (11) positions, in accordance with the exemption criteria imposed and established by Resolution 03-70; and

WHEREAS, the request is to fill the following positions:

1. Community Services	Drug Abuse Nurse (RN)	\$28,930
2. Police	Chief	\$84,771
3. Police	Lieutenant (2)	\$66,315
4. Council	Sr. Legislative Assistant	\$39,003
5. Council	Legislative Aide	\$30,258
6. Council	Legislative Aide (2)	\$60,516
7. City Clerk	Council and Committee Reporter	\$41,465
8. City Clerk	Data Control Clerk	\$31,153
9. City Clerk	Laborer II	\$27,939

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority 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; and

BE IT FURTHER RESOLVED, that the Buffalo Fiscal Stability Authority hereby finds that the Mayor's requests to waive the hiring freeze with regard to eleven (11) positions complies with the exemption criteria contained in Resolution 03-70, determines that they are in the best interests of the City, and does hereby authorize the eleven (11) waiver requests.

This Resolution shall take effect immediately.

Approved May 19, 2004

/S/ Richard Tobe  
Secretary