

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 05 - 39

APPROVING MINUTES AND RESOLUTIONS FROM APRIL 5, 2005

BE IT RESOLVED that the Buffalo Fiscal Stability Authority approves the minutes of its meeting of April 5, 2005 and ratifies and affirms twelve resolutions numbered 05-27 through 05-38 that were approved on April 5, 2005.

This Resolution shall take effect immediately.

Approved May 17, 2005

/S/ Richard Tobe
Richard Tobe
Secretary

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 05 - 40

AFFIRM AUTHORIZATION OF THE CITY OF BUFFALO TO ENTER INTO FOUR CONTRACTS

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits 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, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits the BFSA to review and approve or disapprove the terms of any proposed settlement of claims against the City or any covered organization in excess of \$50,000.00; and

WHEREAS, in order to carry out the mission of the BFSA, the BFSA will review contracts or other obligations in excess of \$50,000, though the BFSA Act provides no limitation for contracts or obligations; and

WHEREAS, the BFSA will review contracts or other obligations in excess of \$50,000, but will require approval by the BFSA Board when the contract or other obligation is valued at \$200,000 or more; and

WHEREAS, on occasion, there may be times when the approval of a contract may be necessary prior to the next scheduled meeting of the BFSA; and

WHEREAS, Resolution No. 04-89 provides a process for the emergency approval of contracts by BFSA Staff, such contracts must be submitted to the BFSA for affirmation by the Board; and

WHEREAS, City officials have submitted items for emergency approval prior to the May 17, 2005 BFSA meeting, and have signed the BFSA Remittance Approval Request Form (“RARF”) in which they indicate that there are sufficient funds available for the items;

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority does hereby affirm the emergency approval authorizing the City of Buffalo to enter into four (4) contracts as listed below:

- | | |
|--|-----------------|
| 1. R. D. Murray Fire Apparatus – Purchase 5 fire engines & pumpers | \$1,422,276.00 |
| 2. R. D. Murray Fire Apparatus – Purchase 2 aerial fire platform fire trucks | \$1,325,788.00 |
| 3. NOCO Energy – Transport of natural gas | \$1,129,837.00 |
| 4. Erie County – District Heating | No cost to City |

This Resolution shall take effect immediately.

Approved May 17, 2005

/S/ Richard Tobe
Richard Tobe
Secretary

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 05 - 41

AUTHORIZE CITY OF BUFFALO TO ENTER INTO FIVE CONTRACTS

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits 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, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits the BFSA to review and approve or disapprove the terms of any proposed settlement of claims against the City or any covered organization in excess of \$50,000.00; and

WHEREAS, in order to carry out the mission of the BFSA, the BFSA will review contracts or other obligations in excess of \$50,000, though the BFSA Act provides no limitation for contracts or obligations; and

WHEREAS, the BFSA will review contracts or other obligations in excess of \$50,000, but will require approval by the full BFSA Board when the contract or other obligation is valued at \$200,000 or more; and

WHEREAS, the Mayor and other City officials have submitted the contract and other obligations for approval at the May 17, 2005 BFSA meeting, and have signed the BFSA Remittance Approval Request Form (“RARF”) in which they indicate that there are sufficient funds available for such items; and

WHEREAS, BFSA Staff have reviewed such items and the RARF and recommend approval of such contracts; and

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority approve and authorize the City of Buffalo to enter into three contracts and obligations as listed below:

- | | |
|---|-----------|
| 1. Destro & Brothers Concrete Co. – Genesee Street Reconstruction Project | \$42,500 |
| 2. C. Destro Development Co. – Plugging water and sewer lines at demo sites | \$253,440 |
| 3. Thomann Asphalt Paving – Repair to City pavements | \$411,592 |

This Resolution shall take effect immediately.

Approved May 17, 2005

/S/ Richard Tobe
Richard Tobe
Secretary

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 05 – 42

AUTHORIZE THE BUFFALO SCHOOL DISTRICT TO ENTER INTO FOUR CONTRACTS

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits 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, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits the BFSA to review and approve or disapprove the terms of any proposed settlement of claims against the City or any covered organization including the School District in excess of \$50,000.00; and

WHEREAS, in order to carry out the mission of the BFSA, the BFSA will review contracts or other obligations in excess of \$50,000, though the BFSA Act provides no limitation for such items; and

WHEREAS, the BFSA will review contracts or other obligations in excess of \$50,000, but will require approval by the full BFSA Board when the contract or obligation is valued at \$200,000 or more; and

WHEREAS, School District officials submitted correspondence to BFSA in which they seek the approval of contracts, together with signed BFSA Remittance Approval Request Forms (“RARF”) in which they indicate that there are sufficient funds available for such contracts; and

WHEREAS, BFSA Staff have reviewed such contracts and the RARF and recommend approval of four contracts; and

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority approve and authorize the Buffalo School District to enter into four contracts as listed below:

- | | |
|--|-------------|
| 1. Erie I BOCES – Federal E-Rate Program, Year 8 | \$1,050,000 |
| 2. All State Development Inc – Refinish floors at City Honors | \$239,700 |
| 3. LP Ciminelli Inc – Update JSCB strategic plan for Phase III | \$750,000 |
| 4. CIR Electric – Install public address and clock system | \$642,000 |

This Resolution shall take effect immediately.

Approved May 17, 2005

/S/ Richard Tobe
Richard Tobe
Secretary

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 05 - 43

AUTHORIZE BUFFALO MUNICIPAL HOUSING AUTHORITY TO ENTER INTO TWO CONTRACTS AND/OR OBLIGATIONS

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits the Buffalo Fiscal Stability Authority (“BFSA”) to review or approve or disapprove contracts or other obligations binding or purporting to bind the City of Buffalo or any covered organization; and

WHEREAS, Chapter 122 of the Laws of 2003 as amended by Chapter 86 of the Laws of 2004 permits the BFSA to review and approve or disapprove the terms of any proposed settlement of claims against the City or any covered organization including the Buffalo Municipal Housing Authority in excess of \$50,000.00; and

WHEREAS, in order to carry out the mission of the BFSA, the BFSA will review contracts or other obligations in excess of \$50,000.00; and

WHEREAS, Gillian Brown, Interim Executive Director of the Buffalo Municipal Housing Authority seeks the approval of two contracts; and

WHEREAS, BFSA staff have reviewed the terms and recommend approval of the contracts,

NOW THEREFORE BE IT RESOLVED, that the BFSA authorize the Buffalo Municipal Housing Authority to enter two contracts listed below:

- | | |
|--|--------------|
| 1. Siemens Building Technologies, Inc. – energy performance contract | \$16,668,005 |
| 2. M & T Bank – tax exempt municipal lease | \$10,199,741 |

This resolution shall take effect immediately.

Approved May 17, 2005

/S/ Richard Tobe
Richard Tobe
Secretary