

**BUFFALO FISCAL STABILITY AUTHORITY**

**RESOLUTION 07- 04**

**APPROVAL OF COLLECTIVE BARGAINING AGREEMENT**

WHEREAS, as a result of the fiscal crisis facing Buffalo, and pursuant to the powers granted under the BFSA Act, a wage freeze was enacted on April 21, 2004 and continues in effect; and

WHEREAS, during the pendency of a wage freeze , the Authority may certify a collective bargaining agreement as an exception to the freeze if such agreement provides “an acceptable and appropriate contribution toward alleviating the fiscal crisis of the City”; and

WHEREAS, the City of Buffalo (City) and the Buffalo Professional Firefighters Association (Union) have reached a settlement for a collective bargaining agreement and have submitted such agreement for review and for certification under Section 3858.2(C)(ii) of the Act; and

WHEREAS, the collective bargaining agreement provides for the terms and conditions of employment for the period from July 1, 2002 through June 30, 2012 and supersedes any other terms and conditions for that period, including any changes due to contract, Interest Arbitration, judgment or otherwise, now in effect or hereinafter existing; and

WHEREAS, the settlement has been reviewed and analyzed under the Authority's guidelines and recommended framework for collective bargaining agreements.

NOW THEREFORE BE IT RESOLVED, that the BFSA hereby finds that the collective bargaining agreement between the City of Buffalo and the Buffalo Professional Firefighters Association provides an acceptable and appropriate contribution towards alleviating the fiscal crisis of the City because such agreement provides for permanent savings, reduces the cost of health care benefits, limits paid time-off provisions and provides for increased management flexibility; and

BE IT FURTHER RESOLVED, that the aforesaid collective bargaining agreement, which is to be effective through June 30, 2012, is hereby approved and certified as an exception to the BFSA Wage Freeze Resolution (04-35), subject to the following conditions and limitations; and

BE IT FURTHER RESOLVED, that the foregoing certification is subject to the full and final approval of the collective bargaining agreement by means of ratification by the Union membership and by means of legislative approval by the Buffalo Common Council; and

BE IT FURTHER RESOLVED, that as long as the terms and conditions of employment for unit members covered by the collective bargaining agreement are not modified by any other contract, award or judgment not approved by the BFSA, then this certification of an

exception to the wage freeze shall apply to allow the collective bargaining agreement to be fully effective and enforceable according to its terms through June 30, 2012, and that the current Wage Freeze Resolution (04-35) or any further wage freeze shall be of no force and effect with respect to the terms and conditions of employment under the labor agreement until after June 30, 2012; and

BE IT FURTHER RESOLVED, that any changes, amendments, modifications or successor agreements between the City and Buffalo Professional Firefighters Association shall be subject to the further approval of the BFSA; and

BE IT FURTHER RESOLVED, that in all other respects, the Wage Freeze Resolution of April 21, 2004 shall remain in full force and effect, subject to the right of the City and other non-exempt Covered Organizations to submit for approval agreements meeting the requirements of Section 3858.2(C)(ii) of the Act.

This resolution shall take effect immediately.

Approved January 31, 2007

/S/ Reverend Richard A. Stenhouse, Secretary