

MINUTES
BUFFALO FISCAL STABILITY AUTHORITY
FRIDAY, APRIL 11, 2008

A Special Meeting of the Buffalo Fiscal Stability Authority was called to order by Chair Kolkmeier on Friday, April 11, 2008, in the 1st Floor Conference Room of the Market Arcade Building. The meeting was convened by a Notice of Meeting sent to the Directors and announced to the public and press.

Members Present: Arthur, Brown [Janet Penksa], Giardino, Johnstone, Kolkmeier, Mertz, Norwood and Townsend [via video]

Staff Present: Link & Miller

Opening Remarks

Chair Kolkmeier called the meeting to order at 9:07 AM. He explained that Mayor Brown had designated the City's Commissioner of Administration, Finance, Policy and Urban Affairs, Ms. Janet Penksa, as his proxy [pursuant to §3852 of the Buffalo Fiscal Stability Act]. He also explained that Vice-Chair Townsend was attending via webcast in compliance with Article III, Section Six of the BFSFA Bylaws. He requested that Secretary Arthur call roll. Finding a quorum present, the meeting commenced.

Chair Kolkmeier announced that the meeting had been called to interview the two finalists for the currently vacant Executive Director position. He asked for a motion to enter into Executive Session. Motion by Giardino, second by Johnstone. Vote 6-0 to enter into Executive Session.

At 11:52 AM the Board reconvened from Executive Session. Director Norwood entered the public portion of the meeting.

Appointment of Executive Director

Chair Kolkmeier stated that the Board had interviewed two candidates. He noted that, while the Board has visual/ audio of Vice-Chair Townsend, she only has audio of the proceedings. It was determined that she should also have video of the proceedings in order to vote. He asked the Board for a one-time waiver to this requirement. Motion by Brown (Penksa), second by Norwood. Vote 5-1 (Norwood dissented) to allow Director Townsend the right to vote via webcast without video of the proceedings.

Director Norwood expressed his philosophical dislike of voting via video conference. He stated that his dissenting vote was cast without malice toward Director Townsend, and that always votes in the negative when it comes to the use of voting by video conference.

Chair Kolkmeier introduced a resolution to appoint Acting Executive Director Bertha H. Mitchell to the post. Motion to approve by Mertz, second by Norwood. Vote 8-0 to take effect immediately.

RESOLUTION 08-21
RESOLUTION APPOINTING EXECUTIVE DIRECTOR

WHEREAS, Joseph V. Stefko, Ph.D. resigned as Acting Executive Director from the Buffalo Fiscal Stability Authority (“BFSA”) effective March 7, 2008, and

WHEREAS, Bertha H. Mitchell, MBA, has been serving in the role of Acting Executive Director of BFSA since March 10, 2008

NOW THEREFORE BE IT RESOLVED, that Bertha H. Mitchell is hereby appointed as Executive Director of BFSA effective April 11, 2008.

BE IT FINALLY RESOLVED, that the salary rate for this position shall be \$102,000,.

This resolution shall take effect immediately.

Approved April 11, 2008

Adjournment

Chair Kolkmeier asked for a motion to adjourn. Motion by Arthur, second by Johnstone. The meeting adjourned at 11:55AM.