

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 08-40

APPROVE SETTLEMENT OF LEGAL ACTION BETWEEN CIVIL SERVICE EMPLOYEES ASSOCIATION, LOCAL 1000, AFSCME, AFLCIO VERSUS BUFFALO URBAN RENEWAL AGENCY, BUFFALO FISCAL STABILITY AUTHORITY, ET. AL.

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 any collective bargaining agreement binding or purporting to bind the City or any covered organization; and

WHEREAS, negotiated settlements between the City or any covered organization and a collective bargaining unit that settle an outstanding claim may be reviewed pursuant to Section 3858 (2)(L) of the BFSA Act; and

WHEREAS, The Buffalo Urban Renewal Agency (“BURA”) has submitted a negotiated settlement for consideration to the Buffalo Fiscal Stability Authority on August 12, 2008, for consideration and approval at the August 20, 2008 BFSA meeting; and

WHEREAS, according to the settlement with the Civil Service Employees Association, Local 1000, AFSCME, AFLCIO allclaims against BURA and BFSA in the complaint will be discontinued and dismissed with prejudice; and

WHEREAS, the settlement agreement will limit any further liability and associated costs; and

WHEREAS, BURA has demonstrated that there are sufficient funds to pay the costs associated with the settlement agreement and is in accordance with the approved financial plan; and

WHEREAS, BURA will use \$78,197.37 in Year 32 Community Development Block Grant funds to pay the full costs associated with this settlement; and

WHEREAS, BFSA Staff have reviewed the terms of the agreement and recommends approval of the negotiated settlement; and

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority approve and authorize BURA to enter into a negotiated settlement at a cost of \$78,197.37

This Resolution shall take effect immediately.

Approved August 20, 2008

/S/ George K. Arthur

George K. Arthur
Secretary