

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 09-44

AUTHORIZING THE RE-INSTATEMENT OF PARKS AND RECREATION
POSITIONS

WHEREAS, in June 2008, the Erie County Executive informed the City of Buffalo of the County's intention to terminate the 2004 City-County Inter-municipal Parks Agreement;

WHEREAS, prior to the termination date in June 2009, the City and County agreed to extend the 2005 Inter-municipal Agreement until December 30, 2009;

WHEREAS, as part of this extension, the City increased its contribution to the city park system by \$4.2 million, from \$1.8 to \$6 million;

WHEREAS, this enabled an increase in park and playground maintenance, including a higher frequency of grass cutting this past season;

WHEREAS, the transfer of management and operations of City Parks from the County requires that the City comply with specific laws and legal agreements;

WHEREAS, under New York Civil Service Law Section 70, the City of Buffalo is required to offer transfer of employment to County employees substantially engaged in the operation of the City Parks as long as the City of Buffalo created the same position as part of its operations;

WHEREAS, a resolution is before the Buffalo Common Council to approve the salary ordinances so that 49 workers transferring from the County, many of which are former City employees, can be assured all rights and privileges in their new association as City employees on December 31, 2009;

WHEREAS, a separate resolution is also before the Buffalo Common Council to transfer \$904,077 to cover additional expenses for the parks system through the remainder of the current fiscal year;

WHEREAS, an additional separate resolution is also before the Buffalo Common Council to create the position of Deputy Commissioner of Parks and Recreation to be funded by the elimination of an existing funded position;

WHEREAS, a modification to the City Budget or Four-Year Financial Plan is not required under the terms of either of these resolutions;

NOW THEREFORE BE RESOLVED, the BFAA authorizes the re-instatement of City parks positions transferred from the County and the creation of the position of Deputy Commissioner of Parks and Recreation contingent upon the approval of the Buffalo Common Council.

This resolution shall take effect immediately.

Approved December 9, 2009

/S/ George K. Arthur

George K. Arthur,
Secretary