

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 10-23

**APPROVAL OF THE CITY OF BUFFALO'S BUDGET MODIFICATION TO REIMBURSE
PBA EMPLOYEES FOR HEALTHCARE CONTRIBUTIONS**

WHEREAS, on May 6, 2010, the City of Buffalo (the "City") submitted a series of budget modifications for the 2009-2010 fiscal year to the Buffalo Fiscal Stability Authority (the "BFSA") requesting BFSA approval; and

WHEREAS, the proposed modifications would amend the budget originally approved by the BFSA on June 10, 2009, and subsequently modified and approved on March 22, 2010 and on May 12, 2010; and

WHEREAS, the Buffalo Fiscal Stability Authority approved Resolution No. 10-12 which encompassed five separate budget modifications on May 12, 2010; and

WHEREAS, the Buffalo Fiscal Stability Authority deemed it proper to rescind Resolution No. 10-12 and reconsider each of the budget modifications separately; and

WHEREAS, an Arbitrator ruled that the City must repay members of the Police Benevolent Association (PBA) for healthcare contributions withheld by the City retroactive to July 1, 2004; and

WHEREAS, the City has sufficient resources to cover the \$1,374,820 PBA grievance in the City's Unreserved, Designated Fund Balance fund for various claims and litigation; and

WHEREAS, the City's Common Council previously approved the budget modification on March 16, 2010; and

WHEREAS, the City has ensured the BFSA that the budget modification is fully funded and leaves sufficient reserves in fund balance to fund any unforeseen contingencies; and

WHEREAS, BFSA staff has reviewed the budget modification and determined that it complies with the requirements of the BFSA Act.

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority hereby determines that the proposed budget modification is complete and hereby approved.

This Resolution shall take effect immediately.

Approved June 22, 2010

/S/ George K. Arthur

George K. Arthur
Secretary