

**BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION 11-01
APPROVAL OF BUFFALO URBAN RENEWAL AGENCY COLLECTIVE
BARGAINING AGREEMENT AND APPROVAL OF CHANGES TO TERMS
FOR EXEMPT BUFFALO URBAN RENEWAL AGENCY EMPLOYEES**

WHEREAS, Chapter 122 of the Laws of 2003, Section 3858(2)(e), requires that during a control period the Buffalo Fiscal Stability Authority (“BFSA”) shall review and approve or disapprove any collective bargaining agreements (CBAs) binding or purporting to bind the City of Buffalo (“City”) or any of the Covered Organizations; and

WHEREAS, Chapter 122 of the Laws of 2003, Section 3858(2)(h) requires that during a control period the BFSA may review approve or disapprove any contracts or other obligations binding or purporting to bind the City of Buffalo (“City”) and the Covered Organizations; and

WHEREAS, the BFSA is required to promptly review a CBA that is submitted to it and shall disapprove any collective bargaining agreement that is not in compliance with the approved financial plan; and

WHEREAS, Buffalo Urban Renewal Agency (BURA) and the Civil Service Employees Association, Inc., Local 815 (CSEA) commenced negotiations and fully and completely bargained with respect to the terms and conditions of employment of union members; and

WHEREAS, on December 29, 2010, the members of CSEA approved the CBA as entered into between CSEA and BURA on December 22, 2010; and

WHEREAS, the Directors of the Board of BURA approved the CBA on January 13, 2011; and

WHEREAS, BURA’s past practice is to extend identical terms of negotiated labor contracts with CSEA to its exempt (i.e., non-represented) employees; and

WHEREAS, BURA intends to extend identical terms of this particular CBA to its exempt employees at BURA’s discretion; and

WHEREAS, the extension of such terms to BURA’s exempt employees represents contracts or other obligations binding or purporting to BURA as defined by Chapter 122 of the Laws of 2003, Section 3858(2)(h); and

WHEREAS, BURA submitted such agreement with supporting materials to the BFSA for approval under Section 3858(2)(e) of the Act, and has complied with all information requests of the BFSA; and

WHEREAS, the agreement provides for salary increases that are in accordance with the approved 2011 – 2014 financial plan; and

WHEREAS, the agreement provides for certain savings and increases to productivity through such modifications including various changes to health insurance, transitioning to a lower cost health insurance plan, and health insurance contributions in retirement for both active and new employees; and

WHEREAS, the agreement provides for the terms and conditions of employment for the period from July 1, 2004, through June 30, 2013, 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, BURA will pay for the increased costs of this CBA through the use of existing resources in the current budget and four-year financial plan.

NOW THEREFORE BE IT RESOLVED, that the BFSFA does hereby approve the aforementioned agreement between BURA and CSEA, which is effective for the period from July 1, 2004, through June 30, 2013; and

BE IT FURTHER RESOLVED, that the BFSFA does hereby approve the extension of the provisions to the exempt employees of BURA as provided under the CBA as presented.

This resolution shall take effect immediately.

Approved February 17, 2011

/S/ George K. Arthur
George K. Arthur,
Secretary