

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 11-18

ADOPTION OF 2011-2012 BFSA BUDGET & 2012-2015 FOUR YEAR FINANCIAL PLAN

WHEREAS, the Buffalo Fiscal Stability Authority (“BFSA”) was created by Chapter 122 of the Laws of 2003 of the State of New York, as amended from time to time (the “BFSA Act”); and

WHEREAS, the BFSA is a corporate governmental agency and instrumentality of the State of New York constituting a public benefit corporation with a broad range of financial control and oversight powers over the City; and

WHEREAS, such financial control and oversight powers include: (1) overseeing the City of Buffalo’s budget, financial plans and capital plans, (2) issuing bonds, notes or other obligations to achieve budgetary savings through debt restructuring, (3) financing short-term cash flow or capital needs and (4) if necessary, to develop financial plans on behalf of the City of Buffalo if it is unwilling or unable to take the required steps toward fiscal stability; and

WHEREAS, the BFSA is currently operating under a control period; and

WHEREAS, during a control period, the BFSA is empowered, among other things, (i) to approve or disapprove contracts, including collective bargaining agreements to be entered into by the City or any Covered Organization, binding or purporting to bind the City or any Covered Organization; (ii) to approve or disapprove the terms of borrowings by the City and Covered Organizations; (iii) to approve, disapprove or modify the City’s financial plans and take any action necessary in order to implement the financial plan should the City or any Covered Organization fail to comply with any material action necessary to fulfill the plan, including issuing binding orders to the appropriate local officials; (iv) to set a maximum level of spending for any proposed budget of any Covered Organization; (v) to impose a wage or hiring freeze, or both, with respect to employees of the City or any Covered Organization; (vi) to review the operation, management, efficiency and productivity of the City and any Covered Organization; and (vii) upon a determination that no condition exists which would permit imposition of a control period to terminate the control period; and

WHEREAS, the BFSA intercepts certain revenues according to the direction to the State Comptroller as prescribed within the BFSA Act; and

WHEREAS, the BFSA incurs expenses for its operations and the execution of the functions prescribed within the BFSA Act; and

WHEREAS, the Office of the State Comptroller’s Regulation 203 requires the BFSA to annually prepare a Financial Plan covering the budget year and the three subsequent fiscal years in a form similar to that of the budget; and

WHEREAS, the BFSA has carefully reviewed and projected the revenues expected to be received and expenses expected to be incurred over the four-year period of the Financial Plan for fiscal years 2011-12 through 2014-15.

NOW THEREFORE, BE IT RESOLVED, that the Directors of the Buffalo Fiscal Stability Authority do hereby approve the 2011-2012 BFSA Budget and 2012-2015 Financial Plan.

This resolution shall take effect immediately.

Approved June 15, 2011

/S/George K. Arthur

George K. Arthur

Secretary