

**BUFFALO FISCAL STABILITY AUTHORITY**  
**RESOLUTION NO. 12-10**  
**APPROVAL OF MEMORANDUM OF AGREEMENT BETWEEN THE BUFFALO**  
**SCHOOL DISTRICT AND THE BUFFALO TEACHERS FEDERATION**

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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 approve or disapprove any collective bargaining agreement (“CBA”) binding or purporting to bind the Buffalo Public School District (“District”); and

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

WHEREAS, on March 28, 2012, the Buffalo Board of Education passed a resolution authorizing the Superintendent to enter into a Memorandum of Agreement (“MOA”) with the Buffalo Teachers Federation (the “BTF”) to offer a retirement incentive to qualified individuals; and

WHEREAS, the MOA is effectively a modification to the pre-existing CBA and as such, the above criteria requiring BFSA approval are applicable; and

WHEREAS, the MOA provides a one-time payment of \$10,000 to incentivize eligible members of the BTF to retire from the District; and

WHEREAS, the agreement requires eligible individuals to notify the District by May 23, 2012 of their intent to retire which must be effective no later than June 30, 2012; and

WHEREAS, an estimated 182 members of the BTF are eligible for this retirement incentive; and

WHEREAS, the District submitted the proposed MOA with supporting materials to the BFSA for approval under Section 3858(2)(e) and Section 3858(2)(h) of the Act, and has complied with all information requests of the BFSA; and

WHEREAS, the District anticipates the retirement incentive will reduce the number of full-time equivalent positions held by the District; and

WHEREAS, the District is encouraging the retirement of individuals to avoid forced layoffs; and

WHEREAS the District anticipates that the retirement incentive will allow those vacated positions that need to be filled to be replaced with a teacher on a lower salary step; and

WHEREAS, the overall retirement incentive is projected to provide a net savings overall to the District.

NOW THEREFORE BE IT RESOLVED that the BFSA does hereby approve the aforementioned Memorandum of Agreement between the Buffalo School District and the Buffalo Teachers Federation.

This Resolution shall take effect immediately.

Approved May 14, 2012

/s/ George K. Arthur  
George K. Arthur, Secretary