

BUFFALO FISCAL STABILITY AUTHORITY

RESOLUTION NO. 04 - 29

**APPOINTMENT OF RECORDS ACCESS OFFICER AND FREEDOM OF INFORMATION
LAW APPEALS OFFICER**

WHEREAS, Chapter 122 of the Laws of 2003 that created the Buffalo Fiscal Stability Authority (“BFSA”) provides that the directors shall appoint officers and agents as it may require; and

WHEREAS, under the Freedom of Information Law (“FOIL”), every state agency must designate someone from whom records can be obtained and someone to hear appeals of records access requests in the event the request is denied; and

WHEREAS, Pursuant to Resolution 03-06, the BFSA appointed Director Richard M. Tobe to be Secretary and Records Access Officer; and

WHEREAS, With the appointment of Darryl McPherson as Chief Counsel, it would more efficient for the day to day management of FOIL requests to go through him; and

WHEREAS, it would then be logical for the Secretary to serve as FOIL Appeals Officer; and

WHEREAS, to effectuate these designations, Resolution 03-06 must be repealed in part,

NOW THEREFORE BE IT RESOLVED, that the Buffalo Fiscal Stability Authority repeals the designation of Richard M. Tobe as Records Access Officer for Freedom of Information Law purposes as set out in Buffalo Fiscal Stability Authority Resolution No. 03-06; and

BE IT FURTHER RESOLVED, that the Buffalo Fiscal Stability Authority does hereby appoint the Chief Counsel of the Buffalo Fiscal Stability Authority as Records Access Officer for purposes of Freedom of Information Law; and

BE IT FURTHER RESOLVED, that the Buffalo Fiscal Stability Authority does hereby appoint Richard M. Tobe as Freedom of Information Law Appeals Officer to serve until the earlier of the expiration of his term as a director, his resignation, removal or death; and

BE IT FINALLY RESOLVED, that the appointment of Richard M. Tobe as Secretary is hereby reaffirmed and continues as designated in Resolution No. 03-06.

This Resolution shall take effect immediately.

Approved March 10, 2004

/S/ Richard Tobe
Secretary