

**BUFFALO FISCAL STABILITY  
AUTHORITY RESOLUTION NO. 22-17  
APPROVAL OF WHISTLEBLOWER POLICY**

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WHEREAS, Chapter 122 of the Laws of 2003, as amended, created the Buffalo Fiscal Stability Authority (the “BFSA”) to provide financial oversight and budgetary control over the City of Buffalo and other Covered Organizations; and

WHEREAS, as a public authority, BFSA is subject to regulation by the State of New York (the “State”), whether in the form of State law, the Governor’s Executive Orders or rules and regulations promulgated by the State Comptroller; and

WHEREAS, the New York State Public Authorities Accountability Act established a wide range of duties and responsibilities for State and local public authorities to promote the highest standards of ethical practices by authority staff and members, and thereby to engender public confidence in their activities; and

WHEREAS, the New York State Public Authorities Act §2986 established a whistleblower access and assistance program administered by the New York State Authorities Budget Office; and

WHEREAS, New York State Labor Law §740 established a prohibition on retaliatory personnel action by employers of individuals including public authorities and/or instrumentalities thereof; and

WHEREAS, New York State Labor Law §740 was amended effective January 26, 2022 to expand protections for Covered Whistleblowers; and

WHEREAS, the BFSA originally adopted a Whistleblower Policy on January 28, 2008, by Resolution No. 08-03; and

WHEREAS, BFSA last reaffirmed the Whistleblower Policy on August 12, 2021, by Resolution No. 21-17; and

WHEREAS, upon review of the current Whistleblower Policy, BFSA staff has determined that modifications were necessary in order for the policy to be consistent with the amended New York State Labor Law §740; and

WHEREAS, the BFSA Governance Committee has reviewed the Whistleblower Policy in its current form and recommended its approval by the full Board of Directors.

NOW THEREFORE BE IT RESOLVED, that the BFSA hereby approves the Whistleblower Policy dated August 3, 2022. This resolution shall take effect immediately.

Approved September 21, 2022

/s/ Frederick G. Floss  
Frederick G. Floss,  
Secretary