

**Erie County Fiscal Stability Authority  
Minutes of the August 12<sup>th</sup> 2008 Directors' Meeting**

*(Note: the following is a draft copy of minutes of a meeting of the Erie County Fiscal Stability Authority ("ECFSA"), which was held August 12<sup>th</sup> 2008 in the Auditorium of the Buffalo and Erie County Library. These minutes will not become final until approved at a subsequent meeting of ECFSA Directors, and may be amended before approval)*

Present: Robert M. Glaser, Vice Chairman, Director John Johnson, Director Kenneth Kruly, Director Joseph Goodell, Director Louis Thomas, Executive Director Kenneth Vetter

Vice Chair Glaser: "If I could have your attention, we would like to start the August 12<sup>t</sup> 2008 control board meeting. I would like to welcome everybody here today. We have a full agenda here so we will move right into it. Before we go through some of the formal parts I'd like to do a couple of things. First of all for some of you here, you may not know Mr. Louis Thomas who has just joined us as one of our board members. Some of you might know, Mr. Thomas was the head of the Steelworkers Union for a long time and would represent labor interests and we are glad to have Mr. Thomas with us and we believe you will round out a lot of our expertise. Mr. Thomas worked very closely with Mr. Goodell with his expertise so we welcome you aboard and look for good things from you."

(Applause from the audience and board)

Director Goodell: "Most of my expertise comes from working with Mr. Thomas. I worked with Louis for ten years at American Brass. He dragged me into a little messy problem down in Dunkirk and I can tell you that Mr. Thomas will give the union perspective and all kinds of perspectives. He will be a very valuable member of this board."

Director Thomas: "I am looking forward to serving the people of Erie County and looking forward to working with all the distinguished members of the board."

Vice Chair Glaser: "Welcome! On the flip side of welcoming our new board member, I really would like to say as everyone is well aware that Mr. Anthony Baynes left us last week and we are sorry to see him go but we do have a resolution that we are going to forward today that I would like to read relatively quickly and I would like to read it into the record. I will skip some of the "whereases" and start here:

WHEREAS, Anthony J. Baynes joined the board of the Stability Authority three years ago and accepted the position as chairman

two years ago. Mr. Baynes has worked tirelessly over that time with County and State elected officials and community leadership to improve Erie County for the people who are served by and who support Erie County government; and

WHEREAS, Under the tenure of Anthony J. Baynes, Erie County finances have begun to turn around, due to his leadership and guidance, while still maintaining necessary services for its almost one million residents, without overburdening its taxpayers;

WHEREAS, Anthony J. Baynes, though he has had to leave this body to address health concerns, has left a lasting positive impact on this board, Erie County government and the community he has was born and raised in.

THEREFORE, BE IT RESOLVED that the ECFSA board expresses its deep appreciation for the tremendous work of Anthony J. Baynes, whose leadership, compassion and deep sense of commitment to the community, his family and friends is unmatched.

Director Johnson moved to approve, Director Kruly seconded and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-75**

**HONORING FORMER CHAIRMAN ANTHONY J. BAYNES**

WHEREAS, The Erie County Fiscal Stability Authority (“ECFSA”) was created by Chapter 182 of the Laws of 2005, as amended, to be a corporate governmental agency and instrumentality of the State of New York constituting a public benefit corporation to “oversee the County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability”; and

WHEREAS, Anthony J. Baynes joined the board of the Stability Authority three years ago and accepted the position as chairman two years ago. Mr. Baynes has worked tirelessly over that time with County and State elected officials and community leadership to improve Erie County for the people who are served by and who support Erie County government; and

WHEREAS, Under the tenure of Anthony J. Baynes, Erie County finances have begun to turn around, due to his leadership and guidance, while still maintaining necessary services for its almost one million residents, without overburdening its taxpayers;

WHEREAS, Anthony J. Baynes, though he has had to leave this body to address health concerns, has left a lasting positive impact on this board, Erie County government and the community he has was born and raised in.

THEREFORE, BE IT RESOLVED that the ECFSA board expresses its deep appreciation for the tremendous work of Anthony J. Baynes, whose leadership, compassion and deep sense of commitment to the community, his family and friends is unmatched

This resolution shall take effect immediately.

Vice Chair Glaser: “We thank Mr. Baynes for his service and we hope everyone out there ought to thank him as well. Just one more thing off the agenda that I do want to point out. Last night we received from the Legislature a request to approve the payments to close out the 2005 contract year for AFSME and those payments totaled approximately \$800,000. Since we just got that last night we want to acknowledge that we received that request last night and we want to acknowledge that we did receive that request but we will be tabling that until our next meeting primarily so that we have time to assess it, analyze it and talk to the appropriate people that we need to talk to about that.”

“With that we will move into the approval of minutes from our last meeting.”

Executive Director Vetter: “Yes Mr. Vice Chairman the minutes were put together by staff, approved by Secretary Keysa and are set for board approval and would suggest a motion to approve the minutes as presented to you.”

Director Goodell moved to approve, Director Johnson seconded and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-74**

**APPROVING MINUTES AND RESOLUTIONS FROM  
THE JULY 15, 2008 MEETING**

BE IT RESOLVED that the Erie County Fiscal Stability Authority approves the minutes of its July 15, 2008 meeting and ratifies and affirms eight resolutions numbered 08-68, 08-69, 08-70, 08-71, 08-72 and 08-73 that were approved on July, 15 2008.

This resolution shall take effect immediately

Vice Chair Glaser: “With that, we do have a guest. Mrs. Peggy Lagree is here. Mrs. Lagree is going to update us in an overview fashion on the impact the NYS Budget or the potential NYS budget.”

“Mrs. Lagree, welcome!”

Peggy Lagree: “Good afternoon. First, Budget Director Greg Gach is sorry he could not be here. We had a prior engagement already scheduled. We are in the mid-year-end projections from all the Departments and already had those scheduled.”

“Late yesterday afternoon, Mr. Gach received a call from the Governor’s office and a member of the State Budget office was on that call as well where they informed him that the Governor was introducing a proposal for a \$2.6 billion savings plan. It was a laundry list of different items that the Governor is proposing the Legislature take a look at when they are in session next week as possible areas where they can save. The biggest part that we see is the 6% reimbursement in State aid that would be cutting funds for programs that we are required by State statute to deliver. We had anticipated a roughly 2% cut and now I think it is looking like they are proposing a 6% cut. Immediately Mr. Gach sent that to Department heads for the big areas like Social Services, Health Department, etc. where those cuts would impact and asked them to gauge that impact based on proposals but we don’t have any numbers back from everybody because it was still kind of early and we don’t know what the state is going to do. We probably won’t have a better idea of that until they go into session next week. Mr. Gach is participating in a conference call this afternoon at 3:00PM with NYSAC where the different representatives of the County Executive will be addressing these concerns on a statewide basis and next week he is scheduled to be in Batavia on the 20<sup>th</sup> for a meeting with NYSAC representative again to talk about how these impacts will effect counties across the New York State. At the County level, at the County Executive’s direction even prior to this, we had imposed a budget freeze. if you will. on several of the expense lines. We have a hiring freeze on positions that are reimbursed from the State. We have travel freeze, we have our overtime accounts on hold except for emergency natures. We have tried to be proactive by issuing our BMR’s on a timely basis. The July one will have our year-end projections based on what we are hearing from Departments today. Obviously we will have to look at that once the State cuts come to. If we have any more information by the time we release that so we can see how that will

impact operations in 2008. I don't have numbers because we don't know what the impacts will be; it depends on what they do in session next week."

Vice Chair Glaser: "Short of waiting for what might come up, are you close to having your revised numbers or projections for the end of the year yet, or are you waiting for the dust to settle?"

Peggy Lagree: "We anticipate having them out with the July BMR; the year-end projections. That is our schedule and we are planning to stay on that schedule so the July BMR should be out August 31<sup>st</sup>. Hopefully we will have a better handle at that time with what the State is going to do but it will depend on what they do in session next week."

Vice Chair Glaser: "Would you be able to comment on how the construction season is going; the projects, have they been on hold? Does the County have enough cash to move forward on it? We haven't gone through all the borrowings yet but I am just curious as to how operations were going."

Peggy Lagree: "I haven't talked to Public Works but I know that we have requested from the Comptroller's office that they advance cash for the projects that we needed for July and August and they had done that. We have not requested anything past that. I don't know what projects they are or how far along they are but the Comptroller has advanced cash to the ones we requested for July and August."

Vice Chair Glaser: "As best as you know, there are no problems right now?"

Peggy Lagree: "No problems right now. I think, on a continued basis to advance cash for everything, I am not quite sure how the Comptroller would look on that."

Vice Chair Glaser: "Okay great. Do any of you gentlemen have any questions for Mrs. Lagree?"

Executive Director Vetter: "Mr. Vice Chairman, one question was raised previously in internal discussions with regard to the State budget and grants, because there are a number of items on today's agenda for exemption that the County has received reasonable assurance that it would receive the money. Has there been any word from the State whether already appropriated approved grants that don't have contracts in place right now would be impacted in any way by that State budget situation?"

Peggy Lagree: “We haven’t received any direct notification on any State grants. The ones that are out there that you have already approved, as soon as the department would hear that they were not getting an award that they thought they were getting and it had already been approved they would let us know and we would have to terminate obviously if we had to incur any costs up to that point. As you know it is always a problem because, rather than lay people off, the State is always late in letting us know when the awards come and to lay people off on programs that historically go on from year to year.”

Executive Director Vetter: “Has NYSAC scheduled anything yet? Generally when things happen like this at the State level, NYSAC schedules something statewide to give everyone a ballpark of how they will be impacted. Have they scheduled anything?”

Peggy Lagree: “There is conference call today at three which I mentioned earlier and then the meeting in Batavia next week for all the representatives. Are you referring to Albany?”

Executive Director Vetter: “Either or all of the above.”

Peggy Lagree: “On the conference call today at 3PM I am sure they will address that.”

Director Thomas: “If I may, you mentioned a hiring freeze; is that just for State-sponsored positions or is it in general?”

Peggy Lagree: “No, County share; positions that are funded by County share. The hiring freeze that we have implemented before was for County funded, not State funded. We will obviously have to take a look at that again especially if we are anticipating not going to be getting State funding for some of those positions.”

Vice Chair Glaser: “Okay great, thank you for taking the time to come over and talk to us.”

Peggy Lagree: “The other thing; Mr. Gach received an email shortly before I came over here. I thought I would leave copies with you that they are considering, that the Governor is considering, and will be on the agenda with the Legislature. I have made copies of this for you and we will be taking a look to see if these programs and the dollar amounts, how they impact us. I will leave copies with Ms. Martin.”

Vice Chair Glaser: “Thank you very much. With that, our next item is contracts.”

Executive Director Vetter: “Mr. Vice Chairman, what I would like to do is to go through two different slates of contract approvals and then there are also contract exemptions for the grants at the State level.

In the packet in front of you there is one that has contracts and other obligations, those are number 1-1 through 7-3. Staff recommends at this point after reviewing the contracts with a lot of contacts going back and forth between relevant County officials that Items 1-1 through 7-2 be approved as a slate. Actually item 1-2 had some questions with regard to the amount but those were answered by County Emergency Services officials. These appear to be regular County business and there appear to be no significant questions from the staff level or from when contracts were forwarded to the board. Staff would recommend at this point approval, as a slate of 1-1 through 7-2 and recommend a motion to approve those items.”

Director Kruly moved to approve, Director Goodell seconded and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-76**

**APPROVING CERTAIN CONTRACTS, SETTLEMENTS, AND  
OTHER OBLIGATIONS BINDING THE COUNTY OF ERIE**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts, settlements, and other obligations listed on the attached document.

Department	Description	Amount
Erie County Libraries – Purchase Contract – Synergy Global solutions	Replace 29 obsolete computer servers in city and suburban library locations	\$59,317.47 – no local share
EC Emergency Services- Purchase Contract - Motorola	Equipment for wideband analog conventional simulcast system with four repeater/transmit sites and three receiver only sites	\$772,846.74 – no local share
EC Environment & Planning - Receipt of Grant Funds – US Environmental Protection Agency	For education and outreach to local dairy farmers and produce growers on the advantages of pesticide reduction through the application of integrated pest management principles and practices	\$98,340 – in-kind match
EC Environment & Planning – Construction change order – Occhino Corp.	Purchase of Elam topsoil in lieu of the originally planned topsoil for the Buffalo Bills practice field.	\$18,720-all local share
EC Environment & Planning – Capital Project Contract – Buffalo Zoological Society, New York State ESD, and related agencies	Funds to the Zoological Society to construct a new Heritage Farm Children’s area.	\$1,000,000 – all local share
EC Environment & Planning – Federal Sub-recipient Agreement – Village of Lancaster	CDBG monies for the milling and repaving of Beach, West Drullard and Sheldon Avenues.	\$94,472 – no local share
EC Environment & Planning – Sub-recipient agreement – WNY AmeriCorps & Town of W. Seneca	Rehab and manage a two-family house to provide housing for low-income households & AmeriCorps members	\$95,000 – no local share
EC Environment & Planning, Sewerage District – Service Contract – CRA Infrastructure & Engineering	Complete an evaluation of sanitary sewer services in the Towns of Amherst and Clarence and the Village of Williamsville to address the implications of a potential sewer service merger	\$56,500 – All local share
EC Environment & Planning, Sewerage District - Service Contract – CRA Infrastructure & Engineering	Preparation of an engineers report to evaluate the possibility of elimination of the Lackawanna Wastewater Treatment Plant	\$320,000 – \$55,000 local share
EC Environment & Planning – Federal Sub-recipient Agreement – Village of Depew	CDBG monies for replacement of approx. 4,540 linear feet of sidewalk on Laverack, Muskingum & Calumet streets.	\$95,530 – no local share
EC Information & Support Services - Service Contract– IBM	Annual hardware and software service maintenance for 10 IBM “P” series servers. Includes 24/7 onsite repair and support for software problems	\$65,110.89 – all local share
EC Law Department – Receipt of Grant Funds – NYSDCJS, Legal Aid Bureau of Buffalo	Contract extension for the Byrne Narcotics Control Grant.	\$89,699 – no local share
EC Law Department – Service Contract – Erie County Bar Assn. Aid to Indigent Program	Amend 2007 contract to cover mandated expenses	\$398,239 – all local share
EC Law Department – Service Contract – Erie County Bar Assn. Aid to Indigent Program, Legal Aid Bureau	2008 contract to cover mandated expenses	\$200,000 – all local share
EC Public Works – Construction Contract – Occhino Corporation	Performance of sitework construction including asphalt paving of lot #1 and miscellaneous paving & drainage at Ralph Wilson Stadium	\$627,354 – all local share
EC Public Works – Construction Contract – Weydman Electric	Performing the electrical construction work necessary to receive and construct a pre-fabricated Live Burn Facility at the Fire Training Academy.	\$90,800 – all local share
EC Public Works – Construction Contract – L&O Plumbing & Heating, dba – L&O Mechanical Contractors	Installation of a new boiler fuel oil tank on the campus of the Erie County Home	\$219,800 – all local share

EC Public Works – Construction Contract – CIR Electrical Construction	Performance of electrical construction work in connection with fire alarm equipment repair and replacement at the Erie County Home	\$92,400 – all local share
EC Public Works – Service Contract – EI Team, Inc.	Supplemental agreement to include basic architectural/engineering services necessary for the design and construction of a replacement roof at the Erie County Correctional Facility	\$150,000 – all local share
EC Public Works – Cooperative Agreement with US Agency – Dept. of Army, US Army Corps of Engineers	Cooperative agreement with the Corps of Engineers to address emergency streambank protection for Ransom Creek along Hopkins Road in the Town of Amherst.	\$225,000 – all local share
EC Social Services – Employee Education & Training Program – Millard Fillmore College, Empire State College, SUNYAB School of Social Work, SUNYAB Institute for Addictions Studies & Training, Buffalo State College	Employee education & training program that allows staff to obtain degrees from various local public colleges and universities and provides for critical in-service professional training.	\$2,150,336 – no local share

Executive Director Vetter: “The second slate is a single contract, and I believe Mr. Reuter is here from ECC, is an item for parking for ECC Downtown Campus and I believe we have had related items in front of this board on a couple of occasions before and the conversations that have come back from a couple of board members was that they really wanted to get some additional information and how they related to the previous contracts that were out there and given the legal situations that were there in the past if there were any anticipated legal issues with this particular item?”

William Reuter: “Thank you good afternoon. As Mr. Vetter indicated, we have had a number of parking contracts in front of this body before. Last year in August, this board approved a one-year contract of a three-year proposal from Ellicott Square Development for 100 spaces at 100 Seneca Street. The only issue that came up last year was an issue involving Ellicott Development and the State DOT on who had access to that parking. The bid proposal from Ellicott Development included a potential 150 spaces on South Division when that lot was fully developed. I am pleased to report that lot is presently being constructed and will be operational on September 1<sup>st</sup>. So the bid response is still a good bid response. We are looking for this board to approve the final two years of the proposal from September 1<sup>st</sup> to May 31<sup>st</sup> year one and the August 15<sup>th</sup> through May 31<sup>st</sup> in year two and it is for 150 spaces on 175 South Division. I walked over there today and construction is progressing very nicely. It will be a secured lot. There will be an automatic alarm, lights and security cameras. It will be able to be viewed by our security staff at the College, as well as by Ellicott Development. We are asking for your approval. There have been a number of lawsuits involving the parking contracts that have

been awarded or attempted to be awarded. We are aware of no further litigation. From all indications, all appeals have been dropped against the Sheehan lot which was a three-year project that was approved by this board. The appeals have been dropped, so we don't appear to have any on-going litigation. The only problem with 175 South Division was involving zoning issues with the City of Buffalo. That has all been clarified, thus construction has begun. So we are asking this board to approve it. All told, we will have 368 spaces available for City Campus students and our population of students, as of today, totals 3,142 students plus or minus a couple. Our enrolment has increased 43.5% over the past eight years. I think we are doing a good job and increasing enrollment. One of our missions is access. So parking is a barrier for our students. We are engaged in a contract with the NFTA to provide all of our City Campus matriculated, full and part time students Metro Bus and Rail and that helps access also, but parking; secure, safe and close to our campus, is a need for our students. I think it is a good mix to have the NFTA/Metro all ride pass in addition to our parking and also starting a shuttle service to get students back in forth between North, South and City. Again it's all about access...."

Vice Chair Glaser: "Does anyone have any questions?"

"Okay, thank you."

William Reuter: "Thank you. Our potential State budget cut is \$1.87 million. That is a 6% cut on our State aid. I am on a conference call at 3:15 today with SUNY. President Quinn is in Albany right now trying to get some clarification. There are still some mixed signals still."

Vice Chair Glaser: "Will you have sufficient time to react to some of those things. Something has obviously got to be done at the State. Will you have enough time to react to most of those things?"

William Reuter: "Fortunately for us, our fiscal year starts September 1<sup>st</sup>. When I talked to President Quinn this morning, if a cut happens, I would rather it happen now so that we have sufficient time to react. We are loading our budget right now. Our budget, as you are quite aware, has had 4 approvals already and still requires SUNY to approve it. I contacted SUNY this morning, asking them how we should complete the budget form if there is in fact a reduction in our State aid. They are still trying to figure that out right now, but if it does happen it is better now because we can, as Mrs. Lagree pointed out, we will hold positions. Obviously we are interested in providing academic instruction and support to each student, but

any other positions that we can keep vacant, we will keep vacant. 84-86% of our budget is salary and fringe benefits so that is really our only vehicle to maintain a budget surplus or a balanced budget as we move forward.”

Vice Chair Glaser: “Any further discussion on 7-3?”

Director Johnson moved to approve, Director Kruly seconded and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-77**

**APPROVING CERTAIN CONTRACTS, SETTLEMENTS, AND  
OTHER OBLIGATIONS BINDING THE COUNTY OF ERIE**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

WHEREAS, in adopting Resolution 07-04 on January 11, 2007, the ECFSA renewed and continued the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA approves the contracts, settlements, and other obligations listed on the attached document.

Department	Description	Amount
Erie Community College – Lease of Parking Spaces – Ellicott Group	Provide 150 spaces at \$75 each for ECC City Campus students for the period 9/1/08 – 5/31/09 and 8/15/09 – 5/31/10	\$208,125 – 50% reimbursed by SUNY Rental Aid Program

Executive Director Vetter: “Mr. Vice Chairman, if I could, there are five exemption request items. They are 1-1 thru 1-5. The County has provided documentation indicating that they will be receiving these funds but they have not yet received a contract. So there is no contract at this point but staff recommends that the board votes to exempt these items from the approval process until a subsequent point when the contracts are received. At that time the County will provide that documentation. Based on the State issues that are out there, if there is a change in the grant the County will have to resubmit that.

Vice Chair Glaser: Are there any further questions? May I have a motion to approve that?

Director Kruly moved to approve, Vice Chair seconded and the Directors voted unanimously to approve the following resolution:

**Resolution No. 08-79**

**APPROVING THE ECFSA EXEMPTION OF CERTAIN GRANTS BINDING THE COUNTY OF ERIE**

WHEREAS, Chapter 182 of the New York Laws of 2005 created the Erie County Fiscal Stability Authority (“ECFSA”) to serve as a corporate governmental agency and instrumentality of the State of New York, and as a public benefit corporation to “oversee [Erie] County’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and, if necessary, to develop financial plans on behalf of the County if the County is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA first imposed a control period upon the County of Erie (the “County”) by adopting Resolution 06-49 on November 3, 2006; and

WHEREAS, incident to and in furtherance of the imposition of the control period, the ECFSA adopted Resolution 06-51, which authorized a process for approving contracts, settlements, or other obligations binding or purporting to bind the County (“contract approval process”), on November 3, 2006; and

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WHEREAS, the ECFSA has adopted Resolution 07-10, which replaces and supersedes the contract approval process authorized by Resolution 06-51; and

WHEREAS, the ECFSA must review and approve any contract, settlement, or other obligation, valued at greater than \$50,000, that binds or purports to bind the County or a covered organization, before it takes effect; and

WHEREAS, the County Executive or a “Responsible Official,” as defined in Resolution 07-10, has duly submitted a request for review of the contracts, settlements, and other obligations listed on the attached document; and

WHEREAS, the ECFSA Executive Director, after consultation with the ECFSA Staff, has recommended approval of each contract, settlement, or other obligation via written correspondence to each ECFSA Director;

NOW, THEREFORE, BE IT RESOLVED that the ECFSA exempts itself from certain grants listed on the attached document.

Department	Description	Amount
EC District Attorney – Grant Exemption - NYSDCJS	Community Prosecution Program - 9/1/08 – 8/31/09 – Prosecute quality of life crimes to make safer environments in communities	\$109,129 – 18,929 local share
EC Central Police Services – Grant Exemption – NYSDCJS	DNA Capacity Enhancement Grant - Period 8/1/08 - 7/30/09. Provides funding for 6 full-time end one part-time employee to reduce violent crime and help DNA backlog of cases	\$482,013 – no local share
EC Central Police Services – Grant Exemption – NYSDCJS	Aid to Crime Lab Grant - Period 7/1/08-6/30/09. Funds 9 full-time lab personnel who analyze drug, DNA, trace evidence and firearms cases, as well as lab accreditation expenses.	\$733,884 – no local share
EC Central Police Services – Grant Exemption – NYSDCJS	Firearm Lab Capacity enhancement Initiative Grant - Period 6/1/08 – 6/30/09 . Provides funding for 1 full-time end 1 part-time employee to reduce violent crime and help in firearms backlog of cases .	\$102,648 – no local share
EC Senior Services – Grant Exemption – NYSDOH	Weatherization Referral & Packaging Program SOFA - Period 10/1/08 – 9/30/09. Provides weatherization and referral services to low-income elderly households	\$306,421 – no local share

**Further Discussion:**

Director Johnson: “One question, Mr. Vice Chairman; I noticed 1-1 through 1-5. Four of them are from NYS Division of Criminal Justice Services. Usually there is a maintenance-of-effort requirement on DCJS grants. We would just like for the staff to find out what year those grants are in and what the overall maintenance of effort requirements are.”

Executive Director Vetter: “We will do so Director Johnson.”

Vice Chair Glaser: “With that I think we set a record for our meeting. The only thing I would like to do is welcome Mr. Thomas again and ultimately encourage the County to be as diligent as they can with this process in NYS regarding the changes that may have to take place and hopefully we can respond to that and work with them towards that. Other than that comment I would entertain a motion for adjournment.”

Director Thomas moved to adjourn, Director Goodell seconded and the Directors voted unanimously to adjourn.

Respectfully submitted,

Stanley J. Keysa  
Secretary