

Erie County Fiscal Stability Authority

Resolution No. 05-23

APPROVING ENGAGEMENT OF HODGSON RUSS, LLP AS LABOR COUNSEL

WHEREAS, the Erie County Fiscal Stability Authority (“ECFSA”) was formed by Chapter 182 of the Laws of 2005, as amended, 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, the ECFSA will require professional assistance in performing its mission; and

WHEREAS, the ECFSA is required by Chapter 182 of the Laws of 2005, as amended, to commence operations immediately and to receive a four year financial plan for the County of Erie not later than October 1, 2005 and act upon such plan not later than 15 days after its submission by the County, and to receive and act upon a four-year financial plan submitted with the County Executive’s 2006 fiscal year budget proposal and any revisions thereto; and

WHEREAS, it is necessary that the ECFSA immediately obtain labor counsel services regarding its activities, the immediacy of such need constituting extraordinary circumstances which make competition impracticable or inappropriate within the meaning of the procurement guidelines adopted by this Authority;

NOW THEREFORE BE IT RESOLVED, that the ECFSA engage the firm Hodgson Russ LLP to provide such labor counsel services as requested by the Chairman until such time as the Authority shall have a reasonable opportunity to procure such legal services in accordance with a competitive selection process undertaken in accordance with its procurement guidelines. Such services shall be undertaken for such amounts and on such terms as shall be determined by the Chairman or Vice Chairman of the Authority, not to exceed \$10,000 without further authorization of the Board.

This resolution shall take effect immediately.

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Stanley J. Keysa  
Secretary

Date: August 30, 2005

