

Erie County Fiscal Stability Authority

Resolution No. 05-25

REQUESTING STATE LEGISLATIVE CLARIFICATION OF ECMC

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, a question has arisen whether the Erie County Medical Center (“ECMC”) is a “covered organization” whose financial records are subject to audit by the Erie County Comptroller and review by ECFSA,

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 no later than October 1, 2005 and act upon such plan no 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 revision thereto; and

WHEREAS, the subsidies paid by Erie County to or on behalf of ECMC are estimated to be a significant portion of the county’s annual deficit,

NOW THEREFORE BE IT RESOLVED, that the ECFSA request the New York State Assembly and Senate to enact legislation clarifying whether it was the intent of the state legislature that ECMC be a “covered organization” or, in the alternative, authorizing ECFSA to determine whether ECMC should or should not be a “covered organization.”

This resolution shall take effect immediately.

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Stanley J. Keysa  
Secretary

Date: August 30, 2005