

Erie County Fiscal Stability Authority

Resolution No. 07-117

APPROVING CERTAIN CONTRACTS, SETTLEMENTS, AND OTHER OBLIGATIONS BINDING THE COUNTY OF ERIE AS SUBMITTED BY THE ERIE COUNTY DEPARTMENT OF LAW

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 as submitted by the Erie County Department of Law and listed on the attached document.

Department	Description	Amount
EC Department of Law	Settlement of Legal Claim – Kazmierczak v Erie County – Court ordered settlement	\$55,000 – all local share
EC Department of Law	Settlement of Legal Claim – Kathleen Connors – Workers’ compensation settlement agreement	\$70,000 – all local share
EC Department of Law	Service Contract – First Niagara – Third party administrator for the county’s workers compensation and no-fault program	\$811,576 – all local share
EC Department of Law	Service Contract – Hamberger & Weiss – Outside counsel to represent Erie County in front of the Workers’ Compensation Board	\$270,000 – all local share

*EC- Erie County

This resolution shall take effect immediately.

Stanley J. Keysa
Secretary

Date: December 17, 2007