

Erie County Fiscal Stability Authority

Resolution No. 10 - 16

**AUTHORIZING THE ISSUANCE OF BONDS TO REFUND ALL OR A PORTION OF
VARIOUS OUTSTANDING BONDS OF THE COUNTY**

WHEREAS, Chapter 182 of the New York Laws of 2005 (the “ECFSA Act”), as amended, 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 and 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, New York Public Authorities Law (“Public Authorities Law”) section 3961 provides circumstances under which the ECFSA may finance the County of Erie, New York’s (the “County”) costs, including the costs of capital projects; and

WHEREAS, pursuant to Public Authorities Law section 3961(1), the ECFSA may commence such financing only upon a request “made by and through the county executive after approval by the [county] legislature;” and

WHEREAS, the ECFSA has the capability of refinancing certain County bonds to reduce the cost of those bonds to the taxpayers of the County; and

WHEREAS, an analysis has been done by the ECFSA, showing that refinancing up to \$110 million in outstanding county bonds for a period of 13 years would save County Taxpayers approximately \$4.6 million over that period of time.

NOW, THEREFORE, BE IT RESOLVED that the ECFSA is hereby authorized, as requested by the County, to sell and issue up to \$110,000,000 in bonds to fund the refinancing of designated, outstanding County bonds.

BE IT FURTHER RESOLVED, that the power to set the financial terms of its bonds or notes is hereby delegated to the Executive Director or the Chairman of the ECFSA, acting individually or jointly;

BE IT FURTHER RESOLVED, that the Executive Director or the Chairman of the ECFSA, acting individually or jointly, are hereby authorized and directed to execute and deliver any agreements, certificates, documents, papers or other written instruments, to make any changes, modifications or amendments as may be necessary, to do all other things and to take all other actions necessary and appropriate to consummate the transactions contemplated by its bond resolutions passed from time to time.

This Resolution shall take effect immediately.

Stanley J. Keysa, Secretary

Dated: May 14, 2010