

**A RESOLUTION TO BE SUBMITTED BY
ALDERMAN-AT-LARGE AUSTIN TYLEC**

RE: Creation of a Fiscal Stability Committee

WHEREAS, the Office of the NYS Comptroller conducted a several-month audit with the objective of determining whether the City adopted realistic budgets that were structurally balanced, routinely monitored financial operations, and took appropriate actions to maintain the City's fiscal stability; and

WHEREAS, the audit determined that the City did not adopt structurally balanced budgets, properly monitor the City's financial operations or take appropriate actions to maintain the City's fiscal stability; and

WHEREAS, the audit raised concerns over the movement of millions of dollars between various accounts; and

WHEREAS, the audit states: "Although we told the Mayor, Treasurer and several Council members that the financial records were incomplete and inaccurate, they did not take meaningful action to address the lack of financial information available to them and continued to make key financial decisions without adequate information"; and

WHEREAS, the Comptroller offered key recommendations, including taking appropriate action to remedy the existing financial problems affecting the City, adopt structurally balanced budgets in the future that include realistic estimates, and closely monitoring finances to prevent further decline in financial conditions; and

WHEREAS, the Comptroller recommends adopting a written fund balance policy that addresses the appropriate level of fund balance it desires to maintain from year-to-year and provides guidance during the budget process; and

WHEREAS, the audit determined that the Treasurer and Accountant should keep the Mayor and Council fully advised of the City's financial condition and its future financial needs via regular financial reports, such as that mandated by the City Charter, Sec. 3.027, §C; and

WHEREAS, it was not the intent of the City of North Tonawanda in its actions, or inaction, to prevent honest discussions with the public; and

WHEREAS, the creation of a Fiscal Stability Committee can serve as a transparent means of accountability that ensures the City of North Tonawanda upholds its obligation of taking corrective action to ameliorate the fiscal issues at hand and prevent future crises; and

WHEREAS, the Fiscal Stability Committee may serve as an opportunity for fiscal managers of the City, with ample time dedicated solely to the purpose of addressing the fiscal crisis and to carry out the recommendations set forth in the Comptroller's Audit; and

WHEREAS, the Fiscal Stability Committee may serve to provide the Council with assistance in the creation and submission of the written corrective action plan that is to be submitted to the Office of the NYS Comptroller on, or before, November 5, 2020 per General Municipal Law §35, and to ensure the plan is implemented and carried out in a timely fashion.

NOW, THEREFORE, BE IT

RESOLVED, that the City of North Tonawanda shall establish a committee entitled, "Fiscal Stability Committee"; and be it further

RESOLVED, that the committee shall be comprised of, but not limited to, the City Accountant, the Clerk-Treasurer, the Mayor, and a representative of the City Attorney's Office who shall serve as counsel to the committee; and be it further

RESOLVED, that the members of the North Tonawanda Common Council shall serve on the committee as ex-officio members; and be it further

RESOLVED, that all meetings of the Fiscal Stability Committee shall be open and available to the public under the same measures taken to ensure transparency as codified in the NYS "Open Meetings Law" under Article 7 of the NYS Public Officers Law; and be it further

RESOLVED, that the Fiscal Stability Committee shall serve the purpose of facilitating the recovery of the City's fiscal status via the implementation of the recommendations from the Comptroller's Office; and be it further

RESOLVED, that, in its creation, it is the intent of the Fiscal Stability Committee to analyze and evaluate the monthly financial reports whose filing is mandated by the City Charter under Sec. 3.027, §C; and be it further

RESOLVED, that the Fiscal Stability Committee shall provide to the Common Council in writing any findings, recommendations, and/or other information deemed pertinent to the fiscal recovery of the City at the next regularly scheduled meeting of the Council, whether it be a Regular Session or a "Workshop" meeting.