



COUNTY OF ERIE

MARK C. POLONCARZ
COUNTY EXECUTIVE

GA

March 8, 2012

Honorable Byron Brown
Mayor, City of Buffalo
City Hall, 2nd Floor
65 Niagara Square
Buffalo, NY 14202

Re: Land Bank Proposal

Dear Mayor Brown:

I am writing to confirm our conversation of earlier today in which you notified the undersigned that the City of Buffalo ("City") will not be participating with the County of Erie ("County") and other local cities in the creation of a regional not-for-profit land bank corporation (the "Land Bank"). As stated in our conversation, I am very disappointed in your decision to not participate in a regional Land Bank.

As you are aware, the City's Office of Strategic Planning and the County's Department of Environment and Planning have been discussing this issue for weeks. National land bank expert, Dan Kildee, then came to Erie County and made a presentation to the Erie County Legislature expressing the need for a land bank in WNY and made a powerful argument for a regional approach. Subsequently, a working group of high level representatives from the City, the County and other local municipalities met multiple times to discuss the details, including the composition of the board of directors for the Land Bank. Additionally, as you know, we have met twice to discuss these same issues. Until this point, I would characterize our negotiations as very positive.

As you recall, our thoughts about board composition were far apart at the outset. However, through our dialogue, I obtained a better understanding of the City's tremendous work on vacant properties and the lengths to which the City has gone to acquire, hold, manage, and dispose of vacant and abandoned property in an efficient manner that is consistent with its land-use plans. You indicated that as a result of our meeting, you obtained a better understanding of the vacant property problem that exists outside the City, not only in first ring suburbs like Amherst and Cheektowaga, but also in village centers like Angola and Springville.

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Because of our successful dialogue and the tremendous wealth of experience the City brings to the table, my thinking on board composition evolved. Instead of my initial recommendation that the City have three appointments to the board, I called you on Monday, March 5 and proposed it have five. Meanwhile, I continued to recommend that Erie County only have three seats on the board. I also proposed that the Cities of Lackawanna and Tonawanda each have an appointment to the Board (as is required by statute) and that the Regional Economic Development Council be given the final seat on the board. This is an extremely fair proposal. It acknowledges the vast experience of the City, the importance of the other Foreclosing Governmental Units (i.e. the Cities of Lackawanna and Tonawanda) and the legal requirement that each have a seat, the role of the County in representing the towns and villages, and engages the impressive leadership of the Regional Economic Development Council.

Unfortunately, in noting the City's non-participation in the Land Bank, you noted that the City must control the appointment of a majority of the board's membership. Despite your stated greater appreciation for the regional nature of the vacant property crisis, your position on requiring that at least a majority of the board seats be appointed by the City (six (6) out of the total number of eleven (11) board seats) has not evolved from our earlier discussions.

As we discussed today, your proposed composition of the board is problematic for several reasons. Although the City is the location of approximately 64% of the delinquent liens in the County (46,883 out of 73,360), the City only has 11% of the assessed value of all liens (approximately \$6 million out of \$54 million). It is also problematic because it continues to perpetuate a city/suburb divide that has held our region back for far too long and limits the ability of the towns (through the County) and other cities to be equal partners in this endeavor.

As a City of Buffalo resident, I urge you to reconsider your decision. The unity of purpose that brought us to the table should prevail. The same unity that allowed the Western New York Regional Economic Development Council to successfully compete for tens of millions of dollars should be our guide. Residents throughout Erie County are counting on our continued cooperation. If I do not hear from you by no later than 5:00 pm Friday, March 9, 2012 advising the undersigned that you have reconsidered your position, I will assume your position is final and the County will move ahead without the City's participation. I look forward to your response.

Very truly yours,



Mark C. Poloncarz
Erie County Executive

MCP/mt

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cc: Hon. Geoffrey Szymanski
Hon. Ronald Pilozzi
Erie County Legislature
City of Buffalo Common Council
WNY Regional Economic Development Council