

CITY OF BUFFALO

BYRON W. BROWN

MAYOR



March 9, 2012

ECLEG NO 2012 12 10 2 41

County Executive Mark Poloncarz
Erie County Executive's Office
Edward A. Rath County Office Building
95 Franklin Street, 16th Floor
Buffalo, New York 14202

RE: Regional Land Bank

Dear Mr. County Executive:

Please accept this correspondence as the City's response to your letter of yesterday's date. I must start by expressing my disappointment in your decision to break off our verbal dialogue. My last statement to you during our phone conversation is that we should consult our staff on the latest proposals and this issue discuss again. I did not consider our last conversation the end of negotiations, rather a continuation of our productive dialogue. Of greater concern, your statement that I notified you that the City of Buffalo will not be participating with the County of Erie and other local municipalities in the creation of a regional land bank completely misrepresents our conversation.

All municipalities are at the stage of applying for a land bank. The question currently before us is only whether there will be a joint application. The question is not whether there will be a regional land bank. Let me be clear, I would prefer a joint application. This explains why I have dedicated my time and the time of my senior staff to engaging the County and other municipalities on this issue. However, in the instance that the City and County cannot reach agreement on a joint application, the City of Buffalo has drafted an application of its own *that calls for a regional land bank, not a City land bank.*

I recognize the issue of vacancy and abandonment Countywide and that a land bank can be a tool for addressing this issue outside of the City of Buffalo. I have no desire to stand in the way of providing the unique powers granted by New York's land bank legislation to municipalities throughout Erie County.

As you recognized in your letter, my stance on a board structure for the land bank is based upon protecting the interests of the citizens of Buffalo and creating a Countywide model that builds upon the extensive experience of the City of Buffalo. I am seeking an action oriented board for the land bank that is ready to hit the ground running and prepared for the City's tax foreclosure in October of this year.

Buffalo is beyond theory on what a land bank can do within its borders. Buffalo is ready to act. Without a majority vote on the board, the City of Buffalo could be stymied in meeting its objectives with vacant and abandoned property, while the board debates items such as revenue sharing, property

5M-14

maintenance, and insurance and indemnification – all important and legitimate concerns for every municipality in Erie County.

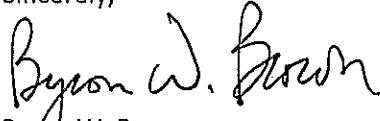
The inability of the City and County to submit a joint application should not be viewed as “perpetuating a city/suburb divide.” Rather we should both recognize that the timeline is short for negotiating a land bank. There are many details to be agreed upon. The administration prior to yours showed no interest in submitting a land bank application and the City was preparing for its own application. Only since your administration took office in January has a County application become a possibility and negotiations only began in earnest several weeks ago.

As you know, one of the criteria that the State will use to determine successful land bank recipients is the ability of local governments to work together and cooperate in a land bank's implementation. With that said, I ask that you come back to the table one last time to see if we can submit a joint application. Left as is, I am concerned that your letter might cost our city and our region an important tool to fight the dire and well-documented vacant property problem.

If we cannot reach agreement after an additional meeting, then the City of Buffalo will submit an application for a land bank, which if granted, will immediately allow you to seat County representatives on the board as well as representatives from the City of Tonawanda and City of Lackawanna, if they so choose. Furthermore, we will not cite a City/County divide as the basis for submitting a separate application, but rather the short time period during which municipalities in Erie County had to negotiate some very complex matters.

I look forward to your call and to your cooperation in this endeavor, as it is quite clear that the City and the region need us to join together on this initiative.

Sincerely,



Byron W. Brown
Mayor

Cc: Hon. Geoffrey Szymanski
Hon. Ronald Pilozi
Buffalo Common Council
Erie County Legislature
WNY Regional Economic Development Council