



COUNTY OF ERIE

MICHAEL P. KEARNS
COUNTY CLERK

September 25, 2025

Hon. Mark C. Poloncarz
Erie County Executive
95 Franklin Street- 16th Floor
Buffalo, New York 14202

RE: The Buffalo News Room- Old County Hall

Dear Mr. Poloncarz:

Recently, I was made aware of your plans to provide what essentially appears to be a gift of public funds—namely, the gifting of office space that is vital to the daily operation of the Erie County Clerk's Office.

On September 18, 2025, I received a letter from your Commissioner of Public Works demanding that office space currently allocated to and actively utilized by the Erie County Clerk's Office be reassigned to The Buffalo News. When I spoke with Mr. Geary regarding this matter, he was unable to provide any explanation for this decision. This raises significant concerns both in terms of transparency and compliance with Erie County law. The space in question is not unused; it is essential to fulfil the daily duties and responsibilities entrusted to the Clerk's Office by the residents of Erie County.

I must also draw your attention to Erie County Local Law No. 5-1987, relating to the licensing of surplus space in the County Clerk's allocated office area. The law clearly states: *"The County Clerk shall determine the business entities to whom licenses shall be granted."*

Considering this, I am formally requesting that any plans to reassign or otherwise encumber the space currently designated for the Clerk's Office be halted immediately.

In addition, I respectfully request clear responses to the following questions:

1. Where was *The Buffalo News* previously provided with office space within an Erie County government building prior to this decision?
2. If the prior location was not owned or controlled by Erie County, who was the landlord?
3. How much rent was *The Buffalo News* paying for such space?
4. Was there a lease/licensing agreement between *The Buffalo News* and Erie County—or with a former landlord if it was not Erie County—and what were the terms?
5. Were there any discussions with the Erie County Clerk's Office about the proposed use of this space prior to a decision being made? If so, by whom and in what manner?
6. Which, if any, for-profit businesses or media outlets have been offered the opportunity to occupy the County Clerk's File/Supply Room?
7. Which, if any, for-profit businesses currently utilize space within Erie County government buildings?
8. Which, if any, for-profit businesses have been offered office space in Erie County government buildings?
9. What rent or financial consideration will *The Buffalo News* be required to pay for the use of space currently occupied by the Erie County Clerk's Office?
10. What alternative locations, if any, were considered for *The Buffalo News*? If alternatives were identified, why was the Clerk's File and Supply Room chosen instead?

These questions are both fair and necessary, and I urge you, as Erie County Executive, to provide direct answers to both me and the Erie County Legislature.

Given the significant operational impact of this proposal, I must emphasize the urgency of resolving this matter and look forward to meeting with you in person at the earliest opportunity.

Sincerely,



MICHAEL P. KEARNS

Erie County Clerk

Cc: William E. Geary, Jr., Commissioner of Public Works
Tracy Chiocki, Deputy Commissioner of Public Works
Hon. Kevin Hardwick, Erie County Comptroller
Erie County Legislature
Jeremy C. Toth, Erie County Attorney