

Arthur J. Giacalone
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May 27, 2018

Darren J. Brown
Buffalo Public Schools
801 City Hall
Buffalo, NY 14202

Re: Letter of Notification for Park District Seat

Dear Mr. Brown:

Please accept this correspondence and accompanying resume as my letter of notification and application for the vacant Park District seat on the Buffalo City School District's Board of Education.

*I would like the Board of Education members to be aware of the following matter prior to their investment of any significant time or energy considering my application: While I am a citizen of the United States, have never been convicted of a felony, am a qualified voter of the Buffalo City School District, was a resident of the City of Buffalo for approximately nineteen years prior to June 1996, and have been a resident of the Park District for more than one year, my current residency in the City of Buffalo will not reach three successive years until **June 17, 2018** (the three-year anniversary of the date that I entered into an early-occupancy agreement for my Park District residence at 17 Oschawa Avenue). I do not know whether the effective date for the person selected to fill the vacant BOE seat will take effect prior to, on, or subsequent to June 17, 2018, or whether my situation disqualifies me for appointment.*

Assuming that I do meet the eligibility requirements, I respectfully ask the BOE members to consider the following factors when reviewing my application:

1. My commitment to City of Buffalo students. For the past two school years, I have volunteered twice a week at the Waterfront Elementary School as a reading tutor and mentor through the Read To Succeed Buffalo program. My experience with a diverse group of second-graders inspired me to work this current school year as a substitute teacher in the Buffalo public schools. As of this week, I have worked in thirteen elementary schools throughout the city, with a majority of my time assisting and observing students and teachers in Park District schools.
2. My four-decade career as a public interest lawyer. A desire to assist our society's most vulnerable members, and a belief that government officials and agencies are obliged to comply with the letter and spirit of the law, have been the motivating themes of my 42-year career as a

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practicing attorney. I moved to Buffalo a year after my 1975 graduation from Harvard Law School to join Prisoners' Legal Services of New York and represent Attica inmates in state and federal courts. I gained supervisory and management experience running PLSNY's Buffalo office, eventually serving as the program's Director of Litigation/Associate Director. In the mid-1980s, as Executive Director of the Niagara County Legal Aid Society - with the help of a small but determined staff - I turned around a failing program that had been threatened with defunding by the federal Legal Services Corporation. In recent decades, working as a sole practitioner, I have zealously and ethically represented informal groups of working- and middle-class residents throughout Buffalo and WNY in their fight to preserve the quality of life and character of their neighborhoods and communities.

3. My persistence in facing challenges. Although I initially cringed at the "gadfly" moniker, I humbly embrace the characterization of my advocacy efforts as expressed in *Buffalo Spree* when that publication named me WNY's "Best Gadfly" in 2017:

Read his blog [With All Due Respect](#) to get a sense of the dedication and persistence with which this longtime attorney (now retired) and activist has battled what he feels are environmental, land use, and development injustices. Whether you're in agreement or not, clearly, there are easier ways to get along as an attorney than to take up the series of daunting challenges that have defined Giacalone's practice for decades.

If appointed to the vacant Park District board seat, I would bring the same level of zeal and commitment to the BOE's efforts to provide every student in every school the opportunity to achieve and succeed.

I would greatly appreciate the opportunity to be interviewed by the Board of Education.

Thank you.

Respectfully submitted,

Arthur J. Giacalone

Enc. Attached resume.

Resume of Arthur J. Giacalone

17 Oschawa Ave. Buffalo, NY 14210
716-436-2646 AJGiacalone@twc.com

Personal & Professional Goal

After 42 years practicing law, two years volunteering as a reading tutor/mentor at Waterfront Elementary School, and a year substitute teaching in Buffalo public schools, I would like the opportunity to serve Buffalo's students and parents as the BOE's Park District board member.

Educational Background

Harvard Law School, J.D. 1975. Activities: Clinical courses in poverty and housing law. Optional written work: self-help manual for low-income tenants facing rent increases.

U. of Rochester, B.A. with Highest Distinction 1971 (Urban Studies); recipient of 1971 McGill Memorial Award for greatest interest/highest achievement in government.

Legal Experience

Solo Practice: I have engaged in the solo practice of law for most of the past 28 years, with an emphasis on zoning, development, and environmental matters, assisting groups of residents and, on occasion, municipalities, protecting their quality of life and our environment. I also have challenged tax breaks and other forms of "corporate welfare" doled out to developers.

Legal Services/Public Interest/Law Office Management Experience: Many of my "formative years" as an attorney were spent with public interest organizations, including five years in managerial and supervisory positions:

Prisoners' Legal Services of New York

Director of Litigation/Associate Director, NYC, 1980-1981
Managing Attorney, Buffalo, NY, 1979-1980, 1999-2000
Staff Attorney, Buffalo, NY, 1976-1978.

Niagara County Legal Aid Society, Niagara Falls, NY, Executive Director, 1986-1987.
Note: Successfully revived program threatened by LSC with defunding.

New York State Dept. of Law, Buffalo, NY; Asst. Attorney General, 1981-1982.
Note: Functioned as the first "Public Advocate" in an upstate NY office.

Neighborhood Legal Services, Buffalo, NY; Managing Attorney, Feb. – Sept. 1978.

Greater Upstate Law Project, Rochester, NY; program's first law clerk, summer 1974.

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Community & Advocacy Activities

- * Commentary on land use and development issues and the legal system at my own website: <https://WithAllDueRespectBlog.com> [2014 to present]
- * Drafting of a citizen's handbook on land use and zoning laws for distribution by Partnership For The Public Good [Dec. 2017 – Jan. 2018]
- * Member of City of Buffalo Environmental Management Commission [1994 – 1996]
- * Member of Board of Directors of Citizen Action of Western New York [1994 – 1996]

Speaking & Training Activities

- Organized and presented a Continuing Legal Education program in Buffalo, NY, entitled, *NY Zoning & Development Law Workshop – Is The Process Being Abused – 2 Views of a Real Case*” (6/12).

- Speaker in Buffalo, NY at Erie Institute of Law Continuing Legal Education program, *You Want to Build What? Where? - Public Input in Private Development*, addressing "Zoning Challenges: Overcoming Obstacles" (6/07).

- Speaker at NYSBA's "The Nuts and Bolts of the Administration and Enforcement of Land Use Laws and Regulations" CLE program in Buffalo, NY, addressing "Conflicts of Interests of Municipal Officers and Employees" (6/05).

- Speaker at Lorman's "Zoning and Land Use In New York" CLE Seminar in Buffalo, NY, providing a "petitioner's perspective" of litigating a land use action (1/03).

- Speaker and panelist at the City of Buffalo's SEQRA Workshop for City Officials & Personnel, providing a "Citizen's Viewpoint" (10/99).

- Panelist and trainer at Erie County Dept. of Environment & Planning's Workshop on "Advanced Aspects of SEQRA" (9/98).

- Speaker/panelist at the Tompkins County Planning Federation's conference on 1996 amendments to SEQRA regulations, and City of Ithaca's SEQR Workshop (3/96).

- Speaker and panelist at NYSBA's "SEQRA Regulations" CLE program in Buffalo, NY, providing a SEQRA case law update (12/95).

Bar Admissions: State of New York; U.S. District Courts, WDNY, SDNY;
U.S. Court of Appeals, 2d Circuit; U.S. Supreme Court.

Recent Recognitions: *Buffalo Spree's* WNY 2017's "Best Gadfly;" *Buffalo Business First/*Buffalo Law Journal's WHO'S WHO In LAW 2012 – "Land Use" practice area.