



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

THOMAS J. KIRWAN
Assemblyman 100th District

July 31, 2008

RANKING MINORITY MEMBER
Committee on Cities

COMMITTEES
Alcoholism & Drug Abuse
Codes
Education

Assistant Comptroller Steven J. Hancox
Office of the State Comptroller
110 State Street
Albany, NY 12236

Dear Mr. Hancox:

I was recently approached by City of Newburgh Councilwoman Christine Bello regarding a proposed new Bond for the City of Newburgh Court House. She has brought up what appears to me to be legitimate concerns about the Bond itself as well as matters involving the purchase of this building.

First, a brief history about this proposed new Court House. The City of Newburgh has for some time been under order from the Office of Court Administration to come up with a larger court. In complying with this directive, the city purchased a building that was previously a school. A Bond was passed for \$12,240,000 to purchase the building and make the necessary repairs. A new Bond is being proposed for an additional \$6,325,000 to cover additional costs – over \$2,000,000 of which is for removal of newly discovered asbestos. Two of the principals from whom the city bought the building are the owners of the engineering firm which handles all of the city's engineering problems.

One of the questions that Ms. Bello has is why didn't the engineers know about the existing asbestos, and if they did know, why was this sprung on the City after the sale? The State of New York has an interest in this because we have agreed to pay one-third of all interest payments. As the cost goes up, so does the cost to the state. Another question from Ms. Bello is why isn't the city suing the engineers who, in addition to making money on the sale of the building, now stand to make even more money as the result of either their ineptitude or deliberate misrepresentation on the presence of the asbestos.

Thank you for your attention to this matter. If you should have further questions, please feel free to contact me at my District Office, 845-562-0888.

Sincerely,

Tom Kirwan
Member of Assembly