

**City of Newburgh**  
**INDUSTRIAL DEVELOPMENT AGENCY**

CITY HALL – 83 Broadway  
Newburgh, NY 12550

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**Certified Mail – Return Receipt Requested**

**March 31, 2009**

Lourdes Zapata  
Director, Department of Planning and Development  
Administrative Director, Industrial Development Agency  
City of Newburgh  
City Hall  
83 Broadway  
Newburgh, New York 12550

Charles Emberger  
City Comptroller  
City of Newburgh  
City Hall  
83 Broadway  
Newburgh, New York 12550

Dwight Douglas  
Acting City Manager  
City of Newburgh  
City Hall  
83 Broadway  
Newburgh, New York 12550

**Re: Demand for Restoration of Funds**

**Dear Ms. Zapata, Mr. Emberger and Mr. Douglas:**

It has come to the attention of the Board of the City of Newburgh Industrial Development Agency that a certain check, Check No. 1967 in the amount of \$388,825.97, was drawn on the account of the City of Newburgh IDA on or about December 18, 2008, and that said funds were

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thereby transferred into a non-IDA account now under the control of Ms. Zapata, presumably as Director of the Department of Planning and Development.

This transfer of IDA funds was accomplished without the knowledge, consent or approval of the IDA Board.

On behalf of the IDA Board I thus demand that Ms. Zapata promptly, and no later than Friday, April 10, 2009, restore to the IDA account the full amount of \$388,825.97 that had been withdrawn without the Board's knowledge, consent or approval.

On behalf of the IDA Board, I demand that Mr. Emberger and Mr. Douglas, in their capacities as City Controller, Director of Finance and Acting City Manager, take no actions to prevent or delay Ms. Zapata from promptly restoring the full amount of \$388,825.97 to the IDA account.

Sincerely,

Joshua L. Smith  
Vice-Chairman  
City of Newburgh IDA

cc: City Council  
Corporation Counsel  
Mr. Thomas Whyatt, Esq.