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March 4, 2010

Transmitted Via E-mail

Bruce Feldman, Esq.
Chief Counsel
NYS Department of Transportation
Albany, NY 12210

***Re: Proposed State Assistance regarding 921-25 North State Street,
Syracuse, NY***

Dear Bruce:

This letter is in response to your proposal earlier today to offer NYS DOT assistance to remedy the dangerous situation created by the building collapse at 921-25 N. State Street. Unfortunately your offer of assistance, if accepted as proposed, would place the City in a worse position than before the building collapse as it would require City taxpayers to assume responsibility for increased environmental site remediation and disposal cost.¹ As we previously discussed, the City received a clear commitment from Governor Paterson that NYS would step in and take care of this situation due to the imminent threat that it poses to Interstate 81. The City has relied upon that promise in guiding its actions since we assumed the State would follow through on the Governor's representation.

Unfortunately your offer today does not meet the basic expectations of the City as it creates a State assistance scenario different from the Governor's original commitment. Such a scenario, forces the City and its taxpayers to become responsible and liable for site control, clearing and debris disposal, including expensive environmental remediation. The City is anxious to assist the State in gaining access to the property, as evidenced by

¹ The February 3, 2010 City's administrative demolition order places the cost of demolition on the property owner. At that time, the condition of the building was such that environmentally suspect material could have been removed in a cost effective manner.