

THE SENATE
STATE OF NEW YORK



TIMOTHY M. KENNEDY
SENATOR, 58TH DISTRICT

RANKING MINORITY MEMBER
COMMERCE, ECONOMIC DEVELOPMENT
AND SMALL BUSINESS

AGRICULTURE

COMMITTEES

CRIME VICTIMS, CRIME AND CORRECTION

CULTURAL AFFAIRS, TOURISM, PARKS
AND RECREATION

ENERGY AND TELECOMMUNICATIONS

HIGHER EDUCATION

INSURANCE

TRANSPORTATION

□ **ALBANY OFFICE:**
ROOM 506
LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
(518) 455-2426 OFFICE
(518) 426-6851 FAX

□ **DISTRICT OFFICE:**
2239 SOUTH PARK AVENUE
BUFFALO, NEW YORK 14220
(716) 826-2683 OFFICE
(716) 826-2793 FAX

E-MAIL ADDRESS:
KENNEDY@NYSENATE.GOV

March 5, 2012

Joan McDonald
Commissioner
NYS Department of Transportation
50 Wolf Road
Albany, New York 12232

Dear Commissioner McDonald:

Thank you for your continued dedication to improving and advancing the New York State Department of Transportation. I appreciate the dialogue we have shared on how to address the Region 5 funding shortfall, and I am writing today to request action in relation to a recent review conducted by the New York State Office of the Comptroller.

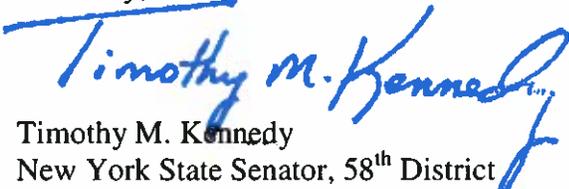
As you know, Comptroller Thomas DiNapoli recently released a report detailing his office's audit of the Department of Transportation's property holdings. Titled *Review of Real Property Holdings for Disposal*, the audit uncovered several discrepancies in the Department's review of its real property holdings.

After reviewing a sample of 110 excess properties owned by the Department of Transportation, Comptroller DiNapoli's report found that 18 of those properties were unused and carry the potential to be sold to generate much-needed revenue for the state. Those 18 properties alone have an estimated value of \$7.1 million. The 110 properties reviewed represent about 10 percent of the Department's 1,096 potentially surplus, or excess, properties. If this review of just 10 percent of potentially surplus properties revealed a revenue source with an estimated value of \$7.1 million, a full review of all excess properties may find a considerable volume of unneeded, marketable property that could generate millions more.

As you are aware, the Department of Transportation committed a mathematical error when calculating funding allocations for fiscal year 2008-2009, and it has cost Western New York approximately \$167 million in transportation investment. The Comptroller's findings present an opportunity for the Department of Transportation to generate revenue and correct the mistake, which has resulted in crumbling roads and bridges throughout Western New York.

In light of the Comptroller's report, I am requesting that the New York State Department of Transportation sell these unused properties, where possible, and use that revenue to make a significant commitment to rectify the Region 5 funding shortfall.

Sincerely,



Timothy M. Kennedy
New York State Senator, 58th District