

2520040152154

THE BANK OF NEW YORK

NEW YORK'S FIRST BANK - FOUNDED 1784 BY ALEXANDER HAMILTON

ONE WALL STREET, NEW YORK, N. Y. 10286

August 31, 1990

Top Hat Plan Exemption
Pension & Welfare Benefits Administration
United States Department of Labor
200 Constitution Avenue, N.W., Room N-5644
Washington, D.C. 20210

RE: Unfunded Pension Plan
for Certain Selected Employees

Gentlemen:

This statement is filed pursuant to DOL Reg. 2520.104-23, in order to satisfy the reporting requirements thereof, with respect to Part II of The Bank of New York Company, Inc. Excess Benefit Plan (the "Part II Excess Benefit"), Part II of The Bank of New York Company, Inc. Excess Contribution Plan (the "Part II Excess Contribution") and Part II of the Excess Benefit Plan of Irving Bank Corporation and Affiliated Companies (the "Irving Part II Excess Benefit"). The Bank of New York Company, Inc., 48 Wall Street, New York, New York 10286, EIN 13-5160382 maintains the Part II Excess Benefit, the Part II Excess Contribution and the Irving Part II Excess Benefit primarily for the purpose of providing deferred compensation to a select group of management and highly compensated employees.

14 employees are covered by the Part II Excess Benefit,
18 employees are covered by the Part II Excess contribution,
4 employees are covered by the Irving Part II Excess
Benefit.

Very truly yours,


Neil Goldman

Assistant Vice President