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## Authorities Budget Office Policy Guidance



**No.** 10-03

**Date Issued:** April 12, 2010

**Supersedes:** 07-04

**Subject:** Posting and Maintaining Reports on Public Authority Web Sites

**Statutory Citation:** Chapter 506 of the Laws of 2009

**Provisions:** Public Authorities Law, as amended in 2005 by the Public Authorities Accountability Act, requires state and local authorities to file specific financial and budgetary information with the ABO, as well as to report property transactions, debt issuances, and other information on their operations. Public authorities have been submitting these reports through the Public Authorities Reporting Information System (PARIS) and, to the extent practicable, posting the information on their official web sites. Information to be accessible on the authority's web site was to include its mission and current activities, its most recent annual financial reports, current year budget, its most recent independent audit report, and its investment and procurement guidelines.

The Public Authorities Reform Act of 2009 (Chapter 506) amended current law to require additional information be reported to the ABO and that all public authorities have an official web site or post this information on a shared web site.

**Authorities Budget Office (ABO) Policy Guidance:** The Authorities Budget Office (ABO) is committed to the principles of public disclosure and the transparent reporting of public authority financial and management information. Public authorities will continue to report using the Public Authorities Reporting Information System (PARIS), but now must also make specific information available to the public through the Internet.

To assist public authorities meet their disclosure and reporting obligations, the ABO has developed the attached checklist of policies, reports and authority information that public authorities must post and maintain on their web site.

This information is to be made available in a manner that enables the public to easily find and navigate through it. The failure to post this information on the web site and maintain its accuracy will be considered an act of non-compliance with state law and subject the authority to the sanctions and enforcement powers provided to the ABO by statute. If an authority does not have the resources to create and maintain its own web site, it should work with its sponsoring municipality to create a web page on the municipality's web site. ***The ABO expects public authorities to begin posting this information immediately.***

**Procedures for Retaining and Maintaining Information on Web Sites:** The ABO will be routinely checking web sites to monitor compliance. Therefore the ABO recommends referring to the attached checklist for guidance. As a general rule, information that is likely to remain static should be permanently posted to the web site but updated as necessary. At least two years of budget, financial and operating information should also be available on the web site.

Public authorities should also consider the following when posting and maintaining documents to their web sites:

- Public authorities are responsible for the information posted on their web sites.
- The information provided must be reliable and complete.
- Web sites should be monitored and updated regularly and all links should function properly.
- Individuals should be able to navigate through the web site with ease and have little difficulty finding the desired information and documents.
- All documents should be prepared using common terminology that facilitates a better understanding of the content.

**Policies for the Retention of Records:** New York State has adopted rules and regulations that govern the retention and disposition of records. These rules require that, even after removing a record from its web site, a public authority must retain copies of all records, whether electronic or hard copy, for the stipulated time periods outlined in the schedules prepared by the State Archives. (Please refer to: [www.archives.nysed.gov/a/records/index.shtml](http://www.archives.nysed.gov/a/records/index.shtml)).

To ensure compliance with the policies of the New York State Archives, the ABO recommends that public authorities establish a records management program to promote efficient administration and management of the Authority's records. This involves maintenance, retention, and storage of official records based on their legal and administrative value to the authority. A record retention program would require public authorities to:

- Develop a records retention and disposition policy and ensure compliance by all staff.
- Ensure that authority records are maintained and disposed in compliance with regulations.
- Identify, protect, and preserve archival records.
- Establish a process to prepare and annually review and update the records management plan.

## Information To Be Posted on Public Authority's Web Site

### §2800 Annual Report

- Report on Operations and Accomplishments
  - Include description of the authority's operations, completed and active projects, as well as any material changes in authority operations and programs
  - Updated annually within 90 days of end of fiscal year
  - Maintain each report on web site for two years
  
- Authority Mission Statement
  - See [ABO Policy Guidance 10-02](#)
  - Review annually
  - Update and approve as necessary
  - Maintain on web site permanently
  
- Performance Measures Report
  - See [ABO Policy Guidance 10-02](#)
  - Measures updated as necessary prior to start of fiscal year
  - Revised measures posted at start of fiscal year
  - Maintain report on web site until next measurement report is posted
  
- Schedule of Debt
  - Update annually to include new debt issuances
  - Post within 90 days of end of fiscal year
  - Maintain each annual schedule on web site for two years
  
- List of Authority Board Members and Executive Management Team
  - Include appointing entity, appointment dates and terms
  - Include professional experience and qualifications of each member, and the professional background and experience of officers
  - Update at time of changes in the board or staff
  - Maintain on web site permanently
  
- Personal and Real Property Transactions
  - Update annually and post within 90 days of end of fiscal year
  - Maintain each report on web site for two years
  
- Management's Assessment of the Authority's Internal Control Structure and Procedures
  - See ABO [Model Assessment of Internal Controls](#) best practices
  - Include a description of operating and financial risks
  - Update annually and post within 90 days of end of fiscal year
  - Maintain each assessment report on web site for two years
  
- Enabling Statute

- Post current enabling statute or active link to site
  - Maintain statute on web site permanently
  - Update as necessary to reflect statutory amendments
  - Local Development Corporations should post their articles of incorporation in lieu of an enabling statute
- List of Committees, Committee Members, and Committee Meetings
    - Post notices and proposed agendas of all committee meetings at least one week in advance of meetings
    - Names of all committees and their members should be posted permanently, and updated as necessary
    - Post minutes within 14 days of committee meeting
    - Maintain meeting minutes for at least two years following the date on which the meeting was held
- Board Meetings
    - Post schedule of all board meetings at beginning of the fiscal year
    - Post meeting notices and agendas at least one week in advance of a board meeting
    - Post all board meeting minutes within 14 days of meeting
    - Meeting minutes should be maintained on web site for at least two years following the date on which the meeting was held
- Subsidiaries, Affiliates, and Major Authority Units
    - Post subsidiary report submitted to the Legislature pursuant to statute
    - Report should include: contact information; an organization chart; names of Board members, directors and officers; by-laws; and a report on the purpose, operations, mission and projects of the subsidiary, including justification as to why it is necessary for the subsidiary to continue its operations for the benefit of the State
    - Maintain permanently on web site permanently
    - Update as necessary
- Authority Organization Chart
    - Post, at a minimum, the authority's executive structure and major organizational units.
    - Maintain permanently on web site
    - Update as necessary
- Authority By-laws
    - Maintain permanently on web site
    - Update as necessary
- Authority Code of Ethics
    - Maintain permanently on web site
    - Update as necessary

- Annual Budget Report
  - Details of 4-year financial plan
  - Maintain each budget report on web site for two years

### **§2802 Independent Audits and Audit Reports**

- Certified Financial Audit
  - Post management letter and report on internal controls
  - Post the documents submitted as part of the Certified Financial Audit report in PARIS
  - Maintain on web site for two years following release of the report

### **Other Documents to be Posted on Web Site**

- Procurement Policies and Annual Procurement Report
  - Post the reports generated from the PARIS Procurement Report, and include name of the Authority's Procurement Officer
  - Maintain policies permanently on the web site
  - Update policies as necessary
  - Maintain Procurement Reports on web site for two years
- Property Acquisition and Disposition Policies
  - Post a list of Real Property owned by the Authority
  - Maintain on web site permanently
  - Update as necessary to reflect property transactions
- Investment Policies and Annual Investment Report
  - Post the annual Investment Report, including the investment audit results and management letter, record of investment income of the authority and a list of fees paid for investment services
  - Post explanation for any amendments made to the Investment Policy
  - Maintain policy permanently on the web site
  - Update as necessary
  - Maintain investment reports on the web site for two years
- Uniform Tax Exemption Policy for IDAs
  - Maintain permanently on web site and update as necessary
- Fee Schedules (if applicable)
  - Post a list of service fees charged by the Authority
  - Maintain permanently on web site and update as necessary
- Current Year Official Statements (for those authorities issuing debt)
  - Post a copy of each official statement for all debt issuances
  - Maintain on web site for two years from date of bond issuance
  - Update web site as necessary with new statements