

STATE OF NEW YORK
Authorities Budget Office

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February 10, 2022

Michael Nisbet
Chief Executive Officer
Hornell Industrial Development Agency
40 Main Street
Hornell, New York 14843

Dear Michael Nisbet:

The Authorities Budget Office (ABO) is authorized to assist public authorities improve management practices and the procedures by which their activities and financial practices are disclosed to the public. Pursuant to Section 2800 of Public Authorities Law, state and local authorities are to make documents pertaining to their mission, current activities, annual financial reports, budgets and independent audit reports accessible to the public on the authority's official or shared website. To assist state and local authorities meet their disclosure and reporting obligations, the ABO has issued Policy Guidance No. 21-01: "Posting and Maintaining Reports on Public Authority Websites". This guidance provides a checklist of policies, reports, and other information that the Authority should maintain online in accordance with the Public Authorities Reform Act of 2009 and other provisions of law.

Between January 31, 2022 and February 2, 2022, we reviewed the Hornell Industrial Development Agency's (Authority) website. Our review was limited to verifying that the required information is posted on the Authority's website and did not address the substance of these documents. Our review focused on data for the fiscal year ending December 31, 2020. We found that the Authority needs to make additional required information available on its website. In addition, we found the Authority shares its website with the Hornell Industrial Development Corporation (HIDC) and that some of the required reports posted for the Authority are instead the reports for HIDC. Please review the attached findings and take appropriate action so that all Authority information required under Section 2800 of Public Authorities Law is available online and easily accessible to the public.

Please provide us with a written confirmation that you have fully addressed these concerns by March 10, 2022. You may view Policy Guidance No. 21-01 at www.abo.ny.gov. Please contact us if you have any additional questions.

Sincerely,

A handwritten signature in black ink that reads "Ann Maloney". The signature is fluid and cursive, with a long, sweeping tail on the letter "y".

Ann Maloney
Acting Director

Enclosure

cc: David Parmley, Chair
Hornell Industrial Development Agency

Review of the Hornell Industrial Development Agency's Website

Information To Be Posted on Public Authority's Website	Posted on Website (Yes/No)
Mission Statement	Yes
Enabling Statute	Yes
By-laws	Yes
Code of Ethics	Yes
Conflict of Interest Policy	No
Whistleblower Policy	Yes
Organization Chart – including, at a minimum, the IDA's executive structure and major organizational units	Yes
Report on Operations and Accomplishments – including a description of the Authority's operations, completed and active projects, as well as any material changes in Authority operations and programs	Yes
List of IDA Board Members, including appointing entity, appointment dates, and term	Yes, but no appointing entity or terms are included for members, and no appointment date is included for the Chair
Each IDA board member's current employment and professional background	Yes, but current employment and background for the Chair is not included
List of Committees and Committee Members	Yes
Executive Management Team - including professional background and qualifications	Yes, but background for the Executive Director is not included
Authority Performance Measures	Yes
Annual Performance Evaluation indicating status of Performance Measures	No
Authority Schedule of Debt (including conduit debt)	Yes
Management's Assessment of the Authority's Internal Control Structure and Procedures - including a description of operating and financial risks and any policies to mitigate risk	No
Board meeting schedule	No, most recent schedule is for 2021
Board meeting notice	No, most recent notice is for 5/21/21 meeting
Board agendas	No
Board packets	No
Board meeting minutes	Yes
Board meeting webcasting and video recordings	Yes
Board Resolutions	Yes, but only for projects
Committee meeting schedule	No
Committee meeting notice	No
Committee meeting agendas	No
Committee meeting packets	No
Committee meeting minutes	No
Committee meeting webcasting and video recordings	No

Annual Budget Report and details of 4-year financial plan	No, Hornell IDC Budget Report is posted not the IDA's
Annual Independent Certified Financial Audit	Yes
Independent Auditor's Report on Internal Controls over Financial Reporting	Yes, the report is included in the 2019 audit, but the report is not included in the 2020 audit
Independent audit management letter	No
List of grants provided - including grant recipient's name and address, the purpose of the grant, date awarded, and amount awarded	No
List of loans provided - including borrower's name and address, loan purpose, date awarded, amount issued, term of the loan, repayment status, principal repaid and amount outstanding as of the end of the fiscal year	No
List of bonds issued - including bond recipient's name, amount of bonds issued, purpose of bonds, and current amount outstanding as of the end of the fiscal year	No, Hornell IDC Annual Report is posted not the IDA's
List of active IDA projects, including the current year's financial assistance (tax exemptions received and PILOT payments made) and existing jobs	No, Hornell IDC Annual Report is posted not the IDA's
Assessment of the progress of each active project	No
Standard Application form	Yes
Applications for all active projects	Yes, but not posted for all projects
Resolutions for all active projects	Yes, but not posted for all projects
Project Agreements - including PILOT agreements (if applicable) for all active projects	No
Uniform Evaluation Criteria and Selection Policy	No
Uniform Tax Exemption Policy	Yes
Policies for the Suspension, Discontinuance or Modification of Financial Assistance	No
Recapture Policy - including policies for return of all or part of financial assistance provided (PILOT and tax exemptions) when a material violation occurs	Yes, in the UTEP
Annual Compliance Report Regarding State Sales Tax Recaptures (ST-62)	No
Property Acquisition Policies	Yes
Property Disposition Policies	Yes
List of Real Property owned by the Authority	Yes
Personal Property Transactions	No
Real Property Transactions	Yes, financial audit posted states there are none
Policies for the procurement of all goods and services	Yes
Annual Procurement Report	No, Hornell IDC Procurement Report posted not the IDA's
Authority's Procurement Officer	No
Investment Policies	Yes
Annual Investment Report - including the investment audit results and management letter, record of investment income, list of fees paid for investment services, and explanation of any amendments to the Investment Policy-	Yes
Fee Schedules (if applicable) of any service or administrative fees charged	Yes
Current Year Official Statements or similar bond documents	N/A

*Review conducted by the Authorities Budget Office from January 31, 2022 through February 2, 2022