

STATE OF NEW YORK  
**Authorities Budget Office**

P O Box 2076  
Albany, NY 12220-0076  
WWW.ABO.NY.GOV



e-mail address:  
info@abo.ny.gov

Local: 518-474-1932  
Toll Free: 1-800-560-1770

April 26, 2022

David S. Mingoia  
Chief Executive Officer  
Amherst Industrial Development Agency  
4287 Main Street  
Amherst, New York 14226

Dear David S. Mingoia:

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 March 14, 2022 and March 25, 2022, we reviewed the Amherst 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 have concluded that the Authority is posting most of the required information on its website. Please review the attached findings and take the appropriate action so that all 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 May 26, 2022. You may view Policy Guidance No. 21-01 at [www.abo.ny.gov](http://www.abo.ny.gov). Please contact us if you have any additional questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ann Maloney', written over a white background.

Ann Maloney  
Acting Director

Enclosure

cc: Carlton N. Brock, Jr., Chair  
Amherst Industrial Development Agency

## Review of Amherst 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	Yes
Whistleblower Policy	Yes
Organization Chart – including, at a minimum, the IDA's executive structure and major organizational units	Yes, but in a list format
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
Each IDA board member's current employment and professional background	Yes, but background is only available for one member
List of Committees and Committee Members	Yes
Executive Management Team - including professional background and qualifications	Yes
Authority Performance Measures	Yes
Annual Performance Evaluation indicating status of Performance Measures	Yes
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	Yes
Board meeting schedule	Yes, but meeting schedule is only through September 2022
Board meeting notice	Yes
Board agendas	Yes
Board packets	Yes
Board meeting minutes	Yes
Board meeting webcasting and video recordings	Yes
Board resolutions	No
Committee meeting schedule	No, there is no meeting schedule posted after March 2022
Committee meeting notice	Yes
Committee meeting agendas	Yes
Committee meeting packets	Yes
Committee meeting minutes	Yes
Committee meeting webcasting and video recordings	Yes
Annual Budget Report and details of 4-year financial plan	Yes, but the 2021 budget report is not posted
Annual Independent Certified Financial Audit	Yes
Independent Auditor's Report on Internal Controls over Financial Reporting	Yes
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	N/A

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	Yes, there is one loan indicated in the audit, but the award date and loan term are not included
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	Yes
List of active IDA projects, including the current year's financial assistance (tax exemptions received and PILOT payments made) and existing jobs	Yes
Assessment of the progress of each active project	No
Standard Application form	Yes
Applications for all active projects	Yes
Resolutions for all active projects	Yes
Project Agreements - including PILOT agreements (if applicable) for all active projects	Yes
Uniform Evaluation Criteria and Selection Policy	No
Uniform Tax Exemption Policy	Yes
Policies for the Suspension, Discontinuance or Modification of Financial Assistance	Yes
Recapture Policy - including policies for return of all or part of financial assistance provided (PILOT and tax exemptions) when a material violation occurs	Yes
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, if none it should be stated
Real Property Transactions	Yes
Policies for the procurement of all goods and services	Yes
Annual Procurement Report	No
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	No
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 between March 14, 2022 and March 25, 2022