

STATE OF NEW YORK
Authorities Budget Office

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April 14, 2022

Lisa Mulligan
Chief Executive Officer
Brookhaven Industrial Development Agency
One Independence Hill
Farmingville, New York 11738

Dear Lisa Mulligan:

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 16, 2022 and March 25, 2022, we reviewed the Brookhaven 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 13, 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, appearing to read 'Ann Maloney', with a long, sweeping flourish extending to the right.

Ann Maloney
Acting Director

Enclosure

cc: Frederick C. Braun III, Chair
Brookhaven Industrial Development Agency

Review of Brookhaven Industrial Development Agency's Website

Information To Be Posted on Public Authority's Website	Posted on Website (Yes/No)
Mission Statement	Yes
Enabling Statute	No
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
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	No, the reports posted only include a list of projects and do not include the project status or a description of the IDA's operations
List of IDA Board Members - including appointing entity, appointment dates, and term	Yes
Each IDA board member's current employment and professional background	Yes
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	No, the reports posted do not indicate the degree of measures obtained
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
Board meeting notice	Yes
Board agendas	Yes
Board packets	No
Board meeting minutes	Yes, transcripts of meetings are posted
Board meeting webcasting and video recordings	Yes
Board resolutions	No, only some resolutions are posted
Committee meeting schedule	Yes, but only one meeting scheduled for 2022
Committee meeting notice	Yes
Committee meeting agendas	Yes
Committee meeting packets	No
Committee meeting minutes	No, only two meeting transcripts are posted of seven committee meetings held in 2020 and 2021
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	Yes, but not for 2019
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	N/A
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, included in audit
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	Yes
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)	Yes
Property Acquisition Policies	No
Property Disposition Policies	Yes
List of Real Property owned by the Authority	No, if no property this should be stated
Personal Property Transactions	Yes
Real Property Transactions	Yes
Policies for the procurement of all goods and services	Yes
Annual Procurement Report	Yes, but not for 2019
Authority's Procurement Officer	Yes
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, the document posted does not meet the requirements of Section 2925 (6) of Public Authorities Law
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 16 and March 25, 2022