

**MINUTES** of the **GOVERNANCE COMMITTEE MEETING** of the **ERIE COUNTY WATER AUTHORITY** held in the office, 295 Main Street, Room 350, Buffalo, New York, on the 21<sup>st</sup> day of July, 2011.

**PRESENT:** Francis G. Warthling, Vice Chairman  
 John F. O'Donnell, Treasurer  
 Earl L. Jann, Jr., Member  
 Robert A. Mendez, Executive Director  
 Matthew J. Baudo, Secretary to the Authority/Personnel Director  
 Wesley C. Dust, Executive Engineer  
 Mark J. Fuzak, Attorney  
 Paul H. Riester, Director of Administration  
 Daniel J. NeMoyer, Director of Human Resources  
 Karen A. Prendergast, Comptroller  
 Steven V. D'Amico, Budget and Financial Analyst  
 Susan L. Rinaldo, Cash Manager

**ATTENDEES:** Danielle Elliott

**CALL TO ORDER**

**PLEDGE TO THE FLAG**

**I. - ROLL CALL**

**II. - READING OF MINUTES**

Motion by Mr. O'Donnell seconded by Mr. Jann and carried to waive the reading of the Minutes of the Governance Committee Meeting held on March 31, 2011.

**III. - APPROVAL OF MINUTES**

Motion by Mr. O'Donnell seconded by Mr. Jann and carried to approve the Minutes of the Governance Committee Meeting held on March 31, 2011.

**IV. – REPORTS**

A. Review of ECWA's Web Site for Compliance with ABO and PARIS

Matt Baudo reported that Bob Mendez had been made aware that the ABO was randomly "visiting" authority websites for compliance. Therefore, Matt Baudo and Bob Lichtenthal

07/21/11

initiated a review of the Erie County Water Authority's website based on the ABO and PARIS requirements. The Authority is in compliance with all the requirements. Matt Baudo distributed a chart showing his findings.

B. Annual Report – Authorities Budget Office

Bob Mendez distributed the 2011 Annual Report on Public Authorities in New York State issued by the New York State Authorities Budget Office for the Commissioners review. Mr. Mendez feels that the Authority is in full compliance with everything in the annual report.


**V. - COMMUNICATIONS AND BILLS**

**VI. - UNFINISHED BUSINESS**

**VII. - NEW BUSINESS**

**VIII. – ADJOURNMENT**

Motion by Mr. O'Donnell, seconded by Mr. Jann and carried that the meeting adjourn.

  
Matthew J. Baudo  
Secretary to the Authority/Personnel  
Director

PF

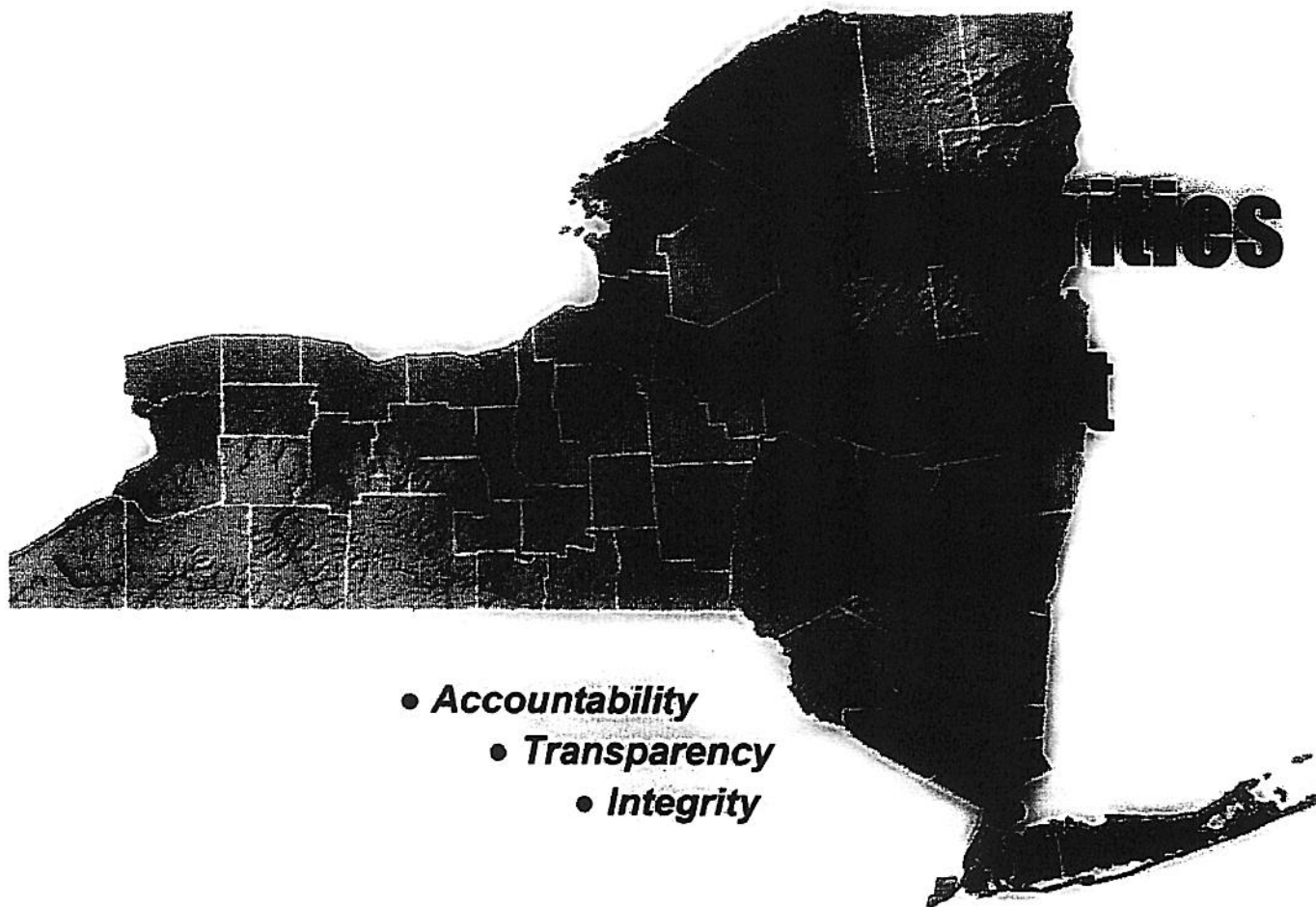
Review of the Erie County Water Authority's Web Site for Compliance with ABO and PARIS

Information To Be Posted on Public Authority's Web Site	Posted on Web site (Yes/No)	Location on Web Site
Authority Mission Statement	Yes	Home Page
Authority Enabling Statute	Yes	Publications / Reports : Policies / Procedures
Authority By-laws	Yes	Publications / Reports : Policies / Procedures
Authority Code of Ethics	Yes	Publications / Reports : Policies / Procedures
Authority Organization Chart -- posting, at a minimum, the Authority's executive structure and major organizational units.	Yes	About ECWA
Report on Operations and Accomplishments - Description of the Authority's operations, completed and active projects, as well as any material changes in Authority operations and programs	Yes	Publications / Reports : Annual Reports
Subsidiaries, Affiliates, and Major Authority Units and required subsidiary reports per statute	NA	
List of Authority Board Members, including appointing entity, appointment dates, term and professional experience, background and qualifications of each member and officer	Yes	About ECWA : Management Biographies
Executive Management Team (making more than \$100,000 in annual salary) - including professional background, experience and qualifications	Yes All employee salaries listed in annual report	About ECWA : Management Biographies
Authority Performance Measures	Yes	Publications / Reports
Authority Performance Measures Report	Yes	Publications / Reports
Authority Schedule of Debt	Yes	Publications / Reports : Comprehensive Annual Financial Report (statistical section)
Management's Assessment of the Authority's Internal Control Structure and Procedures - including a description of operating and financial risks	Yes	Publications / Reports : Comprehensive Annual Financial Report (financial section)
Board meeting agendas and meeting minutes	Yes Minutes / No agenda not required	Publications / Reports
Board meeting webcasts	No (not required)	
Schedule and notices of all board meetings	Yes	Board Meeting Schedule
List of Committees and Committee Members	Yes	About ECWA : Committees
Committee meeting notices and agendas	Yes notices / No agenda not required	Board Meeting Schedule
Committee meeting minutes and webcasts	Yes Minutes / No webcast not required	Publications / Reports
Annual Budget Report and details of 4-year financial plan	Yes	Publications / Reports : Annual Budget Report
Annual Independent Certified Financial Audit	Yes	Publications / Reports : Comprehensive Annual Financial Report (financial section)
Independent audit report on internal controls	Yes	Publications / Reports : Comprehensive Annual Financial Report (financial section)
Independent audit management letter	Yes	Publications / Reports

List of Real Property owned by the Authority	Yes	Doing Business with ECWA : Procurement Policies and Guidelines and Reports : Real Property Schedule
Property Acquisition and Disposition Policies	Yes	Doing Business with ECWA : Procurement Policies and Guidelines and Reports : Purchasing Guidelines
Personal and Real Property Transactions	Yes	Doing Business with ECWA : Procurement Policies and Guidelines and Reports : Personal and Real Property Report
Policies for the procurement of all goods and services	Yes	Doing Business with ECWA : Procurement Policies and Guidelines and Reports : Purchasing Guidelines
Annual Procurement Report - post the reports generated from the PARIS Procurement Report, and include name of the Authority's Procurement Officer	Yes	Doing Business with ECWA : Procurement Policies and Guidelines and Reports : Annual Procurement Report
Investment Policies	Yes	Publications / Reports : Annual Investment Report : Investment Guidelines
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	Yes	Publications / Reports : Annual Investment Report
Fee Schedules (if applicable) - list of any service or administrative fees charged	Yes	Customer Services : Tariff and Rates
Current Year Official Statements (for those authorities issuing debt)	No debt issued	

\*Review conducted by Baudo & Lichtenhal April 29, 2011 - May 4, 2011





- *Accountability*
- *Transparency*
- *Integrity*

# **Annual Report on Public Authorities in New York State**

**July 1, 2011**



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## ***Introduction***

The Authorities Budget Office (ABO) was created as an independent office with enactment of the 2009 Public Authorities Reform Act (PARA), which took effect on March 1, 2010. The ABO was originally established as the Authority Budget Office pursuant to the Public Authorities Accountability Act of 2005 (PAAA). At that time, the ABO was located in and supported by the Division of the Budget. Since March 1, 2010 the ABO has received administrative support from the Department of State, while functioning as an independent agency. From its inception, the ABO's mission has been to make public authorities more accountable and transparent and act in ways consistent with their governing statutes, purpose and the public interest. The ABO carries out its mission by: collecting, analyzing and disseminating to the public information on the finances and operations of state and local public authorities; conducting reviews to assess the operating and governance practices of public authorities and compliance with state laws; promoting good governance principles through training, policy guidance, the issuance of best practice recommendations, and assistance to staff and board members; and investigating complaints made against public authorities for noncompliance or inappropriate conduct.

### ***2009 Public Authorities Reform Act***

The Public Authorities Accountability Act was generally recognized as the initial step in a comprehensive public authority reform agenda. While the legislation provided a broad framework within which the Authority Budget Office could improve reporting and provide general analysis on the transactions and performance of public authorities, the law lacked basic enforcement language that could ensure compliance, improve board member performance and accountability, and strengthen the oversight role of the new Authorities Budget Office (ABO).

The Public Authorities Reform Act contains a number of provisions specifically related to the role and responsibilities of board members:

- The directors of state and local authorities, and their official designees, are now required to sign an Acknowledgment of Fiduciary Duty. The purpose of this requirement is to focus board members on their legal obligations, including understanding that these duties are the means by which the board carries out the mission of the authority (See Policy Guidance 10-01 available on the ABO's website: [www.abo.state.ny.us](http://www.abo.state.ny.us)).
- All boards of directors, in cooperation with the management of the authority, must review and consider the intended purpose for which the authority was created and file with the Authorities Budget Office a mission statement and the measures the authority plans to use to evaluate




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annually its performance (see Policy Guidance 10-02 on the ABO web site for additional information).

- Each board is now required to perform an annual self-evaluation of its performance, measured against the authority's mission statement, the authority's goals and values, and the expectations of those served by the authority and the state as a whole.
- The boards of state and local authorities that issue debt are now required to establish a finance committee to review the authority's proposals for issuing debt; to make recommendations to the full board concerning the nature and appropriate level of the authority's debt; and to make recommendations to the board concerning the appointment and compensation of bond counsels, investment advisors and underwriting firms.

#### **Additional Responsibilities of the Authorities Budget Office**

The Authorities Budget Office's statutory authority to collect and analyze financial and operating information, exercise financial and management oversight of public entities, and to enforce statutory requirements through its ability to sanction boards of directors is unique. No other office in the country has a similar mission involving such a diverse system of more than 490 state and local public authorities. The Public Authorities Reform Act provides the ABO with some added enforcement powers to more effectively carry out its duties and responsibilities. Key additional powers include the authority to:

- Promulgate regulations necessary to effectuate the purposes of the Act.
- Make recommendations to the Governor and the Legislature concerning changes in the terms of office of board members.
- Initiate investigations and act upon complaints received concerning the lack of compliance by state or local authorities with statutory requirements.
- Issue subpoenas in conjunction with such investigations.
- Conduct examinations of the books, records, acts and practices of public authorities.
- Publicly warn and censure authorities for non-compliance with the law and establish guidelines governing such actions.
- Recommend the suspension or dismissal of officers or directors who fail to act in accordance with the law, their oath, or their fiduciary duty.



### ***State and Local Authorities in New York***

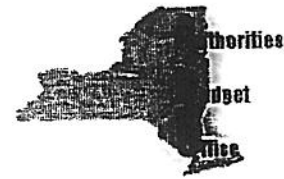
New York State has a complex, overlapping and expanding system of public benefit and not-for-profit local development corporations that is used to finance, build, manage or improve a variety of public functions and projects. Most of the state's infrastructure and economic development initiatives are funded or operated by public authorities.

Today, the enforcement and oversight powers of the Authorities Budget Office extend to more than 490 state and local authorities. The inventory of covered authorities includes:

- 46 state authorities
- 445 local authorities
  - 114 IDAs
  - 209 not-for-profit local development corporations (LDCs)
  - 50 urban renewal or community development agencies
  - 20 water authorities
  - 19 solid waste, resource recovery and water and sewer authorities
  - 33 miscellaneous authorities

Together, state and local authorities spends more than \$53.0 billion annually. State authorities ended 2010 with more than \$142.3 billion in outstanding debt, of which \$51.0 billion was issued at the direction of the State or backed by its moral obligation or direct appropriations. The outstanding debt of local authorities totals more than \$78.0 billion, more than 34 percent of which is issued on behalf of third parties that use their revenue sources to make debt service payments.

These authorities are governed by more than 3,000 board members, most of whom are appointed by the Governor, or local chief executive officers or governing bodies, and supported by more than 100,000 staff. In contrast, the ABO has a budget of \$1.8 million for 2011-12. The organizational structure of the ABO provides for a 30 person staff, but its authorized fill level for 2011-12 is 11 positions, of which only 8 have been approved to be filled. The fact that the ABO is functioning at only 72 percent of its current authorized staffing levels and less than 27 percent of the staffing level recognized as necessary to perform its statutory duties has prevented the ABO from conducting multiple simultaneous onsite reviews and limited its ability to conduct investigations and enforce authority compliance with state law and the principles of good governance.



## ***Governor's Task Force on the Implementation of the 2009 Public Authorities Reform Act***

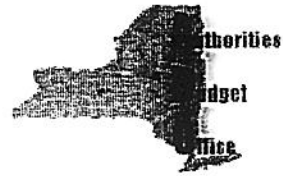
When Governor Paterson signed the public authorities reform legislation into law in December 2009, he also established a task force of individuals knowledgeable in corporate governance to assist the ABO interpret and implement the purposes of the Act (Executive Order 32). The task force is chaired by Ira Millstein, Senior Partner at Weil, Gotshal & Manges LLP and an international leader in corporate governance. The charge of the task force was to provide policy guidance and to make recommendations concerning implementation of the Act, particularly concerning the parameters and scope of the fiduciary duty of public authority boards of directors and to address the resource requirements necessary for the ABO. The task force has been instrumental in providing professional insights and advice to the ABO.

The task force issued a report in August, 2010. The key recommendations advanced in the report included:

- Establishing the principle that those responsible for appointing public authority board members also have a fiduciary duty to ensure the independence of those directors.
- Legislative action to dissolve duplicative, unnecessary and inactive public authorities.
- Requiring boards of directors to implement a strategy to minimize and manage risks.
- Increased staffing and funding for the ABO so that it can fulfill its statutory duties while meeting public expectations for the reform of public authorities. The task force expressed particular concern that the ABO be given the legal and enforcement staff necessary to ensure compliance with the law.
- Assuring compliance by state authorities with Minority and Women-Owned Business Enterprise requirements.
- Closer scrutiny and better reporting of all forms of State supported debt.

In its report the task force also expressed its vision for the ABO. The task force envisions an ABO that makes comprehensive, transparent and accurate financial and performance information readily available to the public; that conducts high quality analysis to inform its recommendations concerning the role, structure and reformation of state and local authorities; and is sufficiently resourced and supported so that it can make sure boards of directors act appropriately in accordance with state law, the authority's mission, and the public interest.

Upon taking office in January 2011, Governor Cuomo continued Executive Order 32 in anticipation that the task force will remain in effect to advise and consult with the ABO on matters relating to public authority reform.



## ***Public Authorities Reporting Information System***

The 2009 Public Authorities Reform Act imposed amended reporting requirements on public authorities. As a result, the ABO, in partnership with the Office of the State Comptroller and its consulting team from CGI Technologies and Solutions, made revisions to the Public Authorities Reporting Information System (PARIS) to facilitate the reporting of this new information. PARIS version 3.0 was introduced in November 2010. In addition, the ABO revised its PARIS Handbook to provide users with an up-to-date reference source for entering information accurately and correctly into PARIS.

In an effort to reduce development costs and minimize the impact of these changes on public authorities, the ABO determined that certain information now required to be filed with the ABO can be reported and made available outside of PARIS, and still be in compliance with state law. This includes historical or traditionally static information that is unlikely to change year to year. To be in compliance with the Act, however, this information must be posted and maintained on an authority's web site in lieu of it being reported in PARIS. For a more complete understanding of what information is to be made available on an authority's web site, please consult Policy Guidance 10-03: "Posting and Maintaining Information on Public Authority Web Sites".

### ***Policy Guidance and Best Practices***

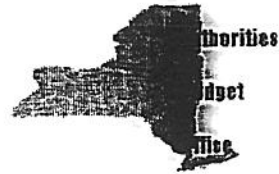
The ABO issued the following policy guidance in 2010-11 to all state and local authorities, directors and officers:

#### **Policy Guidance**

**Policy Guidance 10-05: Annual Board of Directors Evaluation** addresses the requirement that the board of every state and local authority conduct an annual evaluation of its performance. Board member comments are protected from disclosure under Article 6 of Public Officers Law, but the aggregated results of the assessment are to be provided to the ABO. The evaluation provides an opportunity for board members to measure their individual and collective effectiveness, determine if they are following their own policies and procedures, identify areas for board improvement, and to assess how their evaluation of the board's performance compares to that of other board members.

**Policy Guidance 11-01: Compliance Review Requirements** updates previous policy guidance on this subject. Compliance reviews provide directors and officers with useful information to assist them manage the financial, operating and business risks associated with public authorities. The reviews also provide information to the public and other government officials on the governance practices, operations and performance of public authorities. The ABO conducts its reviews based on generally





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accepted professional standards, in accordance with internal protocols developed specifically for these reviews. These standards address issues such as the independence, competence, professional judgment, and training of ABO staff; quality control over the review process, the planning, supervision, and documenting of information for the compliance review; and the specific elements that must be included in the compliance review report.

**Policy Guidance 11-02: Enforcement Powers of the Authorities Budget Office** outlines the Authorities Budget Office's intent regarding the use of its powers of enforcement. The Authorities Budget Office has the power to publicly warn and censure state and local authorities for noncompliance with the provisions of state law. The ABO may also recommend the suspension or dismissal of officers and/or boards of directors of public authorities under certain circumstances. Any public warning or censure of a state or local authority will be directed to the board of directors and the chief executive officer, who have the responsibility to establish, oversee and execute the policies and operating practices of the authority and are responsible for the actions of the authority and its employees. The ABO may also directly warn or censure an individual board member, officer or staff member of the authority.

#### **Recommended Practices**

**Assessment of the Effectiveness of Internal Controls:** An internal control assessment is an annual evaluation performed by management to determine the effectiveness of its internal control system. This assessment should be sufficiently thorough so as to identify significant weaknesses in controls, recognize emerging or inherent risks, and to enable early detection of existing or potential problems. If an internal control system is working effectively, management will have a reasonable indication of the reliability of its operating practices and the accuracy of the information it is using to measure its activities and performance. Any deficiencies identified as a result of the assessment could be quickly addressed. This recommended practice outlines the major components that comprise an effective approach for assessing an authority's internal control structure.



### ***Compliance Reviews and Enforcement***

The ABO completed five compliance and operational reviews in 2010-11 that identified a number of deficiencies in the performance of boards of directors, ineffective financial controls, and inappropriate compensation practices.

**Montgomery – Otsego – Schoharie Solid Waste Management Authority:** This review found that the Authority has not achieved the purposes for which it was created. It did not implement and execute a comprehensive solid waste management plan that is cost effective and efficient. The Board has continuously fallen short of its fiduciary duty to exercise the proper diligence, care and skill that is expected of a public authority board. The Authority's implementation of its business model, its rate structure and its disregard for the service agreement it has with the Counties has led to operating costs and rates that are unsustainable given the volume of solid waste being generated in the Counties and delivered to the Authority's facilities. Since the Authority no longer has outstanding debt, its service agreement with the Counties expires in 2014, and it has an agreement with the Counties to place the long-term maintenance and monitoring obligations of the landfills under the control of the Counties, the report concludes that dissolution of the Authority may be a viable option. In June, the Legislature passed a bill (S4555-A, Senator Seward/A7212, Assemblyman Magee) authorizing Otsego County to terminate its membership in MOSA, contingent upon a vote of the county board of representatives and adoption of a plan for the county to assume its proportional and equitable share of MOSA's assets and liabilities. The bill has not yet been sent to the Governor for action.

**Fulton County Industrial Development Agency and Related County Economic Development:** The economic development activities of the County carried out by the IDA and the Fulton County Economic Development Corporation (FCEDC) focus on building, developing and marketing industrial and business parks. This report concludes that the County's economic development approach appears to serve the financial self-interest of the FCEDC, at the expense of the County as a whole, and that the IDA has little influence over the FCEDC or any significant decision regarding economic development in Fulton County. The County and the IDA have acquiesced in this relationship and appear reluctant to hold the FCEDC accountable, even though the decisions made by the FCEDC involve public funds, tax exemptions and other forms of taxpayer assistance. We found that this relationship has resulted in lost revenue, overpayments and loss of businesses subsequent to the expiration of financial assistance. For example, we identified over \$160,000 in lost revenue to the IDA and the City of Johnstown, and overpayments to the FCEDC totaling \$68,000.



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**Review of the Expenditure Practices of the Monroe County Airport Authority:** This report concludes that the board of directors of the Monroe County Airport Authority (Authority) has consistently fallen short of its fiduciary duty and failed to act as an independent body. The Authority does not follow its own policies. The board does not effectively carry out its oversight role, defers management and policy decisions to Monroe County, and allows payments to be approved without adequate supporting documentation or proper review. Moreover, the County Executive, as the appointing authority for the board, and the County Legislature, which approves those appointments, have not held directors to the standards of accountability expected of public board members. This has perpetuated the ineffectiveness of the board. As a result, we recommended that the County Executive replace the current board members. However, Monroe County officials rejected this recommendation. They contend that the board had demonstrated its commitment to responsible leadership by adopting revised policies to better control expenditures, and requiring annual ethics training by its members.

**Greene County IDA Compensation Practices:** The GCIDA reported the criteria used to determine its executive director's bonus are consistent with the guidance provided in New York State Comptroller Opinion No. 2000-9. Based on the information provided to us during our inquiry, the Authorities Budget Office concluded that of the \$282,500 in bonus payments awarded to the Executive Director, \$130,000 cannot be justified in the context of the performance evaluation program; salary increases for the Executive Director in 2009 and 2010 appear to have been awarded without executing new employment agreements authorizing these salary levels; and the GCIDA performance bonus program failed to make clear the distinction between the basic job responsibilities of the Executive Director and the extraordinary duties that must be performed successfully to warrant additional compensation.

**Genesee County IDA Compensation Practices:** Our report concluded that the bonus payment practices of the GCIDA were inappropriate. Based on the information provided to us and our conversations with GCIDA staff and board members, prior to 2010 the GCIDA had not established any formal policy or basis for making bonus payments. Although the board awarded bonus payments to staff prior to 2010, these payments were made despite the absence of official policies authorizing such payments. GCIDA has not established individual performance standards and measurements, and bonus payments are not made based on meeting those individual standards. Instead, GCIDA's approach is similar to profit sharing plans offered by private industry, where organizational profits are distributed among all employees. We could not identify any provisions of law that allow the GCIDA to implement this type of bonus payment practice.

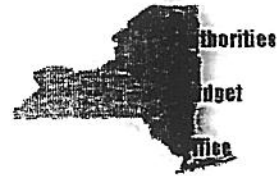


### ***Other Recent ABO Actions and Accomplishments***

**Legislation to Dissolve Certain Public Authorities:** The Authorities Budget Office is charged with exploring opportunities to reform, restructure or consolidate public authorities and to make recommendations concerning their dissolution. Through its work with the Governor's Office and the Legislature, the ABO has identified more than 160 public authorities that exist in statute, but are no longer necessary or currently active, or no longer serve the public purpose for which they were originally authorized. Legislation to officially dissolve many of these entities passed the Senate (S.5227 introduced by Senator Martins and S.5198-A introduced by Senator Ranzenhofer). Action is still pending in the Assembly (A.7583-A and A.7580-A sponsored by Assemblyman Hoyt). These bills are the first step in the ABO's ongoing effort to streamline and make more rational the state's network of public authorities. The ABO will continue to work with the Governor and the Legislature to identify and dissolve other authorities.

**Board Member Training:** During 10-11, the ABO continued to partner with the City University of New York and its other approved trainers to provide corporate governance and financial management training to public authority board members and staff, consistent with the requirements of Section 2824 of Public Authorities Law. During the past year, several hundred individuals participated in ABO sponsored training, bringing the total number of individuals trained under this program to more than 3,300 since the training requirement took effect in 2006. In addition, beginning in July 2011 the ABO will offer board member training through live, interactive online webinars. This will make it easier and more convenient for directors and managers to participate in training and refresher courses, while still providing onsite classroom style sessions.

**Response to Requests for Assistance and Data:** Over the past year, the ABO handled more than 1500 phone calls and emails, primarily from public authorities, requesting technical assistance and support, including explanations on various provisions of law, help enrolling in PARIS, entering data and filing reports. In addition, the ABO responded to a significant number of inquiries regarding guidance on policies, practices and governance. Heightened interest in the finances and activities of public authorities was also evidenced by the fact that the ABO has responded to nearly 250 data requests from the Executive, Legislature, the media, state agencies and the public since April 2010.



### ***Status of Compliance with Statutory Requirements***

State and local authorities have been reporting through PARIS since November 2007. As a result, the ABO is beginning to compile a history of annual compliance by public authorities and a more extensive data base of public authorities' financial, program, and budget information that can be shared with the public. The ABO is also positioned to make more informed observations about the attitudes and culture of public authorities toward compliance, the quality of the information being provided, and the role of boards of directors in reviewing and approving the financial and operating information filed with the ABO.

#### **General Observations on Public Authority Compliance**

By all measures, the Authorities Budget Office has been successful in achieving consistent annual reporting by state authorities. For the 2010 reporting period, the rate of compliance by state authorities exceeded 93 percent. Only 3 of 46 covered state authorities failed to file 2010 annual reports with the ABO, while 2 of 46 failed to file 2011 budget reports. The North Country Power Authority is not listed as delinquent since they were just created this year. The percentage of compliance by local industrial development agencies is similar to that of state authorities. As important, there appears to be a genuine effort being made by the management and staff of these authorities to meet statutory reporting deadlines and to treat those deadlines seriously so as to avoid appearing on a public list of noncompliant authorities.

At the same time, the ABO continues to see an unacceptable rate of compliance by certain categories of local public authorities – primarily urban renewal and community development agencies. Only 21 of 50 urban renewal and community development agencies filed annual reports during 2010. As a result, the overall rate of compliance for all local public authorities (exclusive of industrial development agencies and local development corporations) was 56 percent for 2010 annual reports and 76 percent for 2011 budget reports. Excluding urban renewal and community development agencies, the rate of compliance by local authorities was 66 percent and 86 percent, respectively.

Urban renewal agencies and community development agencies are public benefit corporations established pursuant to Article 15-A of General Municipal Law. As such, they are covered by the provisions of Public Authorities Law, as amended by the Public Authorities Accountability Act and the 2009 Public Authorities Reform Act. In practice, however, these entities are often viewed at the local level as a department or function of municipal government and not as an independent public authority. The boards are often comprised of the governing officers of the municipality and staffed by municipal employees. The activities of the agency are intertwined with those of the municipal government (primarily an economic development or planning office) and issues that should be addressed by the





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agency are more likely to be discussed in regular meetings of the council/board of supervisors than in a public meeting of the agency's board of directors. The ABO continues to communicate with these entities in an effort to improve compliance. The continued failure to comply with the law is likely to result in the ABO invoking its power to censure these boards or to look at opportunities to dissolve these agencies officially and transfer any assets and liabilities to the municipal government. During 2010, three urban renewal agencies and community development agencies were removed from the ABO's list of covered local authorities because they were officially dissolved through State legislation. Six additional authorities will be removed once the legislation previously discussed is passed and signed into law.

The 2010 fiscal year was the second year that local development corporations (LDCs) identified by the ABO as covered entities had to submit both an annual report and a budget report. In general, the ABO saw an increase in LDC reporting compliance in 2010. Budget report submissions increased from 105 reports received at this time last year to 143 budgets currently submitted as of June 30, 2011. Annual report submissions increased from 98 to 124 annual reports submitted as of June 30, 2011.

#### **General Observations on Public Authority Data**

The ABO does not have the resources to independently evaluate the veracity of all the information it receives. The burden for assuring that the data is properly compiled and reported rests with the management and staff of the authority. The board of directors has a duty to review and approve those submissions. The requirement that the Chief Executive or Chief Fiscal Officer certify as to the accuracy and completeness of the data, coupled with the board's approval, should provide the ABO with some assurance that the information is reliable for analytical and public disclosure purposes.

There is a continued concern that some authorities are not taking the time to ensure their information is accurate and complete. As of June 14, 2011, the annual reports of 41 authorities contained data errors significant enough to warrant de-certifying the report, and sending it to "re-submit" status for data corrections. Most of the data errors discovered in these reports are easily detectable and should have been identified by authority staff or independent auditors, or questioned by the board if examined more closely before the reports were filed with the ABO. Examples of identifiable data errors returned to public authorities for correction include:

- Incorrect entries for the amount of debt retired during the year;
- The schedule of debt tables did not include all new debt issued in the reporting year;
- Inaccurate reporting of staffing levels through either the duplicate entry of staff, or the failure to report all authority staff. Inaccurate salary and compensation information was also reported; and
- Inaccurate reporting of tax exemptions and PILOT payments associated with IDA projects.



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This rate of errors indicates either a lack of communication or coordination between management and staff, including the public authority's external auditor, or a lax attitude on the part of the board to assure that reports are accurate and complete. As a result, the ABO has focused increased attention in its training curriculum on the problem of inaccurate data submissions and the need for board members to become more involved in reviewing and assuring the accuracy of those reports. Proper oversight is at the heart of the fiduciary duty.

We are encouraged, however, by the fact that the 41 annual reports sent to re-submit represents an improvement of approximately 33 percent from the previous year, when 63 reports contained data errors significant enough to warrant being de-certified and returned to the authority for corrections.

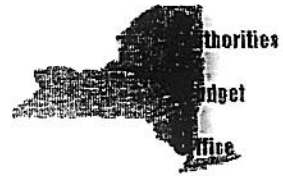
#### **Local Public Authority Procurement Reports**

Another area of concern in local public authority reporting is the quality of information submitted in the annual procurement report. As part of the procurement report, local authorities are to report all procurement transactions during the reporting period with an actual or estimated value of \$5,000 or more. This includes all active contracts and/or purchases made from a single vendor totaling \$5,000 or more. This can include purchases for personnel, legal, accounting, auditing, and/or other professional services.

In reviewing procurement reports, the ABO has noticed that many local authorities are reporting no transactions. In 2010, for example, 158 local authorities reported no procurement transactions during the reporting period. However, 87 of the 158 reported having a professional services contract expense in the summary financial information section of their annual report. These 87 authorities reported spending an average of \$41,498 on professional services contracts – contracts that we would expect to be included in the procurement report. This leads us to believe that local authorities are under reporting the number and value of existing contracts on their procurement activities.

Of particular concern are procurement reports submitted by industrial development agencies. It was reported by 62 of 108 IDAs that they had no procurement transactions in 2010. Yet, of these 62 IDAs, 46 reported spending an average of \$58,393 on professional services contracts. In addition, 25 of the 62 reported no staff. Considering the scope of activities performed by IDAs, one would expect that these agencies would have some contracts for services such as bond counsel or other professional services relating to active projects, especially for those IDAs that indicate they have no staff.





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### **Mission Statements**

All state and local authorities are required to provide the ABO with their adopted mission statements and annual performance measures. The intent of this new reporting requirement is to have directors focus attention on and discuss the actual statutory mission of the authority, and how the policies, operations and activities of the authority support that mission. Directors are expected to take the time to think through and reach agreement on the authority's public purpose and to draft a mission statement that reflects the consensus thinking of the board and the authority's statute. The mission statement should be specific enough so as to be able to assess the authority's performance and to measure its success in achieving its intended purpose.

Through June 2011, the ABO has received mission statements from 44 of 46 state authorities, and 207 mission statements from local authorities, including 83 LDCs, 74 IDAs, and 50 other local authorities. The mission statement is the foundation for all work performed by an authority. Without a clear mission statement, board members cannot properly execute their fiduciary duty and citizens cannot have a full understanding of the authority's purpose.

The ABO evaluates each mission statement to see if it satisfies the criteria described in ABO Policy Guidance 10-02: "Public Authority Mission Statements and Measurement Reports". This guidance can be found at: (<http://www.abo.state.ny.us/policyguidance/10-02MissionStatement.pdf>). The ABO will contact authorities whose proposed mission statements fall short of the standard spelled out in the guidelines and suggest that the language be redrafted to better capture the elements of an effective mission statement as described in the policy guidance. Many of the 44 state authority mission statements submitted to the ABO met most of the criteria listed in the policy guidance and demonstrated some effort on the part of the authority board to define and understand the purpose of the authority and the public interests it serves. The ABO will focus on the mission statements of local authorities in 2011. The most significant deficiencies so far identified by the ABO include the failure to identify the stakeholders served by the authority and not effectively explaining how the authority will achieve the purpose for which it was created. In addition, the governing statute for the authority is not its mission statement and those authorities that submitted their statutes will be expected to craft a clear and concise mission statement instead.

### **Posting Information on Authority Web Sites**

The ABO issued Policy Guidance 10-03: "Posting and Maintaining Reports on Public Authority Web Sites" in April 2010. The purpose of this guidance was to promote public disclosure and transparent reporting of the finances and operations of these corporations. Included in the Policy Guidance was a checklist of the policies, reports and information that state and local authorities are to post and maintain online.



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During 2011, the ABO began a review of the web sites of state authorities to assess whether those web sites met the requirements of Policy Guidance 10-03. As of this report, the ABO had reviewed nine state authority web sites. To date, our review found that the majority of the information required to be posted online is available. However, the web sites of certain state authorities did not have all the necessary financial and operating information available online, or the information was incomplete or not easily found. This included the web sites for the Agriculture and New York State Horse Breeding Development Fund, Long Island Power Authority, Battery Park City Authority, and Environmental Facilities Corporation. The Long Island Power Authority and the Environmental Facilities Corporation responded to our review by taking the necessary actions to make the information available online or to move the information to a more accessible location on their web sites.

### *Issues of Potential Concern*

#### **Local Development Corporations as Public Authorities**

Public Authorities Law defines a not-for-profit corporation affiliated with, sponsored by, or created by a county, city, town or village government as a "local authority". Not-for-profit corporations that meet this definition can be local development corporations (LDCs) formed pursuant to Section 1411 of the Not-for-Profit Corporation Law.

Industrial development agencies are no longer permitted to finance civic facility projects. As a result, municipalities are creating local development corporations to act "on behalf" of the municipality. An LDC has the power to borrow money and issue debt; sell, lease, mortgage or dispose of property; acquire property from a local government at less than fair market value and without public bidding; and provide certain forms of financial assistance in support of public purposes, primarily economic development projects. The LDC may be able to offer mortgage recording, and sales and use tax exemptions for such projects when structured properly. Only an LDC created by a governmental entity to act on its behalf may be eligible to issue tax exempt debt, provided the LDC meets certain criteria established by the Internal Revenue Service (IRS).

Bond counsels have sought and received IRS rulings allowing the local development corporation to issue tax-exempt debt. The IRS rulings appear to indicate that if the municipality is a member of the corporation and the LDC is controlled by the municipality (board members appointed by municipality; issuances are approved by municipality; LDC policies mimic IDA policies and bylaws) then the LDC can issue tax-exempt debt "on behalf" of the municipality.

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It is nearly impossible to determine with accuracy how many LDCs exist in New York State. Almost anyone can create an LDC by simply filing the proper paperwork with the Department of State (DOS). DOS is only responsible for maintaining a list of corporations. There is no provision in law that the ABO be notified by the local government or Department of State upon the formation of an LDC.

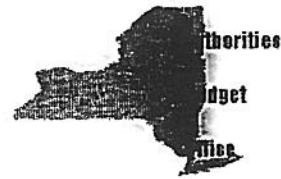
While the ABO has identified more than 200 LDCs that meet the definition of a local authority, this can be a time consuming and labor intensive effort. As a result, it is not likely that the ABO includes all appropriate LDCs on its list of public authorities, and that some recently formed LDCs are currently missing as well. The ABO has been able to verify that, since January 2010, at least 23 new LDCs have been incorporated by municipal governments to issue tax exempt debt for civic facility-related projects.

Our concern is the apparent proliferation of these entities to address perceived deficiencies in current law. We are also concerned that multiple LDCs are being created by a municipality or by municipalities with overlapping jurisdictions for similar purposes. This redundancy can be inefficient, promote unnecessary competition for projects and financing, and shift responsibility or control for public projects from government to not-for-profit corporations without proper public oversight.

A related issue is the creation of additional entities by existing public authorities. These entities could be subsidiaries, component units or simply related entities to the public authority. For example, the most recent audits submitted by the 114 IDAs indicate that 46 of the IDAs have created 74 related entities with which they transact business. While the majority of these related entities are LDCs, IDAs have also created for-profit entities, limited liability corporations and limited partnerships to undertake public projects.

**Public Officials and Officers as Board Members**

Although State and local authorities perform a public or quasi-governmental purpose, they are intended to function as independent public corporations, governed by boards of directors and free of direct governmental control and political influence. Board members have a fiduciary duty to act in good faith in accordance with the mission and interests of the authority and the general public, to avoid conflicts of interest or the appearance of such conflicts, and to exercise independent judgment. When that independence is in doubt, the public is likely to question the motives and decisions of directors. Currently, the boards of at least 325 state and local authorities have directors who also hold elected or appointed public positions. In most cases, the governing statute of the authority dictates that its board is to be comprised of these public officers or ex officio directors. While public authorities often work in concert with state or municipal government to advance common public purposes, differences of opinion and interests do occur. This can place public official board members in a difficult and potentially irreconcilable position of having to choose between their fiduciary duty to the authority and their public oath as a government official. Accordingly, the ABO recommends that the issue of public officers and



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officials serving as authority boards be re-examined to assure that the integrity and independence of the authority is not compromised.

#### **Public Authority Staffing**

It was reported that more than 40 local authorities report having three or fewer paid employees. In fact, more than 100 reported having no staff and rely on employees of the local government, or another covered public authority, for staff. Many IDAs and LDCs rely on staff from other LDCs and other non-profit organizations to perform significant tasks. While these entities have claimed that they have “administrative contracts” with the staffing entities, we have often found that the staffs are acting as the CEO, CFO and Project Manager. Similar to our concerns expressed above, such an arrangement could present staff with potential conflicts of interest. We believe that it can be difficult to maintain independence and objectivity if you “work” for one entity but are “employed” by another – especially if the mission of the authority diverges from the interests of the local government.

The limited staffing being reported by many local authorities also brings in to question how effective these corporations can be fulfilling their mission and purpose – which often involve large and costly economic development initiatives – with so few dedicated resources. This situation presents an opportunity to consider the value of consolidation, dissolution of authorities, or shared service arrangements.

#### **Transparency and the Use of Executive Session**

When the ABO conducts a compliance review, it is not uncommon to learn that the authority has used executive sessions for reasons not appropriate under Public Officers Law. News articles frequently identify instances of public authority boards using executive sessions to discuss issues not permitted by Public Officers Law. State law is clear. The meetings and activities of public bodies are to be open and accessible to the public. Executive session may only be used to discuss (1) confidential matters of public safety; (2) matters that could disclose the identity of certain law enforcement personnel; (3) information concerning criminal investigations, that if exposed, could imperil such investigations; (4) current or pending litigation; (5) collective bargaining negotiations; (6) the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension or removal of a particular person or corporation; (7) the preparation, grading, or administration of an examination; or (8) the proposed acquisition, sale or lease of real property, or the sale, acquisition or exchange of securities held by a public body, but only when such publicity would substantially affect the value of the property or security.

Despite these restrictions, many authority boards enter into executive session for reasons other than those stipulated in law. It is common practice for board members to argue that potential project



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developers, or companies interested in expanding or relocating to that community, will not do business with the authority if those discussions are public, or that potential deals would be compromised if the interest of the developer or the financial terms under discussion were disclosed before the project was official. In effect, boards of directors often argue that economic development success and full disclosure and transparency are incompatible. Certain boards contend that they must enter into confidentiality agreements as a pre-condition of any negotiation. We disagree. In fact, IDAs reported having more than 4,300 active projects in 2010, the majority of which were evaluated and approved in public meetings.

#### **Understanding of the Role and Responsibilities of Boards of Directors**

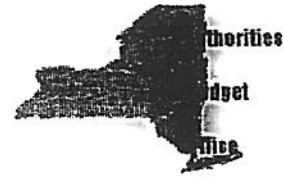
Historically, many public authority board members understood their role to be purely advisory. Board members were expected to attend periodic meetings, offer their perspective, and generally accept the recommendations and actions proposed by management, while relying on management to ensure that the authority met its purpose and operated efficiently. However, that role changed with the implementation of the Public Authorities Accountability Act in 2005, and was reinforced with the Public Authorities Reform Act of 2009. These reforms made clear that individual board members have a fiduciary duty to ensure that the authority operates economically and efficiently, consistent with its mission and public purpose. The board is to be a governing and policy making body that oversees operations and provides advice and direction to the authority's management. Ultimate responsibility for the performance of the authority resides with the board. Board members are expected to understand, review and monitor financial controls and operating decisions, establish an appropriate corporate culture for the organization, and be committed and engaged. The fact that board members are generally uncompensated volunteers is not an excuse for a lack of knowledge or involvement in the financial or operating practices of the authority.

Yet, not all public authority board members have fully grasped and embraced this change in role and expectations. Many boards continue to see their roles as advisory, arguing that directors do not have the time to provide the level of oversight that is now expected of them. Given this new emphasis on the fiduciary duty that each board member has, not only is it important that this principle be restated and periodically reinforced, but that those responsible for making appointments to authority boards select only individuals willing to make the commitment that is now required of board members.

#### **Mission Creep**

On October 9, 2007, the New York State Attorney General issued Opinion 2007-F4 regarding contributions made by authorities to not-for-profit entities. In that Opinion, the Attorney General stated that public authorities are not authorized to make financial contributions unless the donation was directly related to one of its "powers, duties, or purposes." The Attorney General further recognized





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that although these organizations may provide worthwhile services, the provision of financial assistance to such a cause is not why the State created specific public authorities.

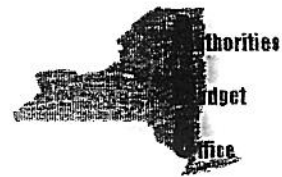
A public authority's mission, powers, duties and purposes are outlined in either statute or its articles of incorporation. The ABO has found that, in a number of cases, authorities are becoming financially involved in activities that are not core to their mission. Public authorities have awarded grants, sponsorships and scholarships to organizations that *do not* directly relate to the authorities' missions. We will be reviewing this data more closely in 2012 and expect to issue a report addressing our findings and conclusions.

### ***Current Litigation***

The Authorities Budget Office is currently defending two lawsuits brought by local development corporations. The suits argue that the ABO was incorrect when it determined that these entities were local authorities, subject to its oversight and the public reporting requirements of Public Authorities Law.

In May 2009, the Griffiss Local Development Corporation (GLDC) filed a petition in State Supreme Court in an attempt to annul a determination made by the ABO that GLDC was an entity covered by the reporting and governance requirements of the Public Authorities Accountability Act. On December 1, 2009, the Supreme Court dismissed the petition and declared that GLDC was subject to the Act. GLDC appealed and requested a stay of the order pending the outcome of that appeal. On May 12, 2010 the State Supreme Court denied that motion. The GLDC's appeal was argued on April 26, 2011. On June 21, 2011, the Appellate Division of State Supreme Court affirmed the lower court's "well reasoned determination" that the Griffiss Local Development Corporation is a local authority subject to the requirements of Public Authorities Law.

In January, 2011, the Fulton County Economic Development Corporation filed an action for Declaratory Judgment and Injunctive Relief, arguing that the ABO lacks the statutory authority and jurisdiction to impose the requirements of Public Authorities Law on the corporation. This case is still pending.



### ***Potential Statutory Amendments***

The Public Authorities Accountability Act and the 2009 Public Authorities Reform Act have fundamentally changed the role and perception of boards of directors, as well as how state and local authorities conduct business and disclose financial and operating practices to the public. The ABO has played a significant role in ensuring that public authorities are held accountable and comply with the basic requirements of law. More importantly, the information now being reported to the ABO is leading to a more complete understanding of how the system of public authorities functions in this state and where opportunities may exist to consolidate, further reform, control costs and maximize efficiencies, and improve the compliance of public authorities. At the same time, as the ABO implements the current law and continues to perform compliance and operational reviews, it is clear that additional improvements to Public Authorities Law and the ABO's enforcement powers should be considered.

- The definition of a local authority should be amended to make clear that the Legislature intended to cover any not-for-profit corporation that is directly or indirectly under the control of a local government, receives public funds for the purpose of performing or providing a governmental service, administers public funds on behalf of the local government or acts on behalf of government in the performance of a public purpose. This would include LDCs and other not-for-profit entities that manage revolving loan funds or influence the allocation of public grant moneys, act as staff for a public entity or authority, receive most of its operating funds from public sources, or have been delegated independent authority to manage public projects or to act as the agent of a municipal government for economic development and job creation or retention purposes.
- There is no provision in law that the ABO be notified upon the formation of a not-for-profit corporation incorporated pursuant to Section 1411 of the Not-for-Profit Corporations Law, or for the purpose of performing a public or quasi-governmental function. The ABO should be notified when such an entity is incorporated. This could be done at the time the municipality adopts a resolution creating the corporation or when papers are filed with the Department of State. In either case, a copy of the incorporation papers should be provided to the ABO at that time.
- We suggest that the Legislature consider requiring any authority that is the subject of an ABO compliance review, to formally respond in writing to the recommendations advanced in the final report. The public has a right to expect that the authority would address the issues raised by that review and either develop a corrective action plan or go on record explaining why the ABO's recommendations will not be accepted.
- The ABO has insufficient resources to enforce compliance or compel reporting by public authorities or to take action against those authorities that provide inaccurate, incomplete or misleading information, intentionally or unintentionally fail to comply with any statutory requirement, fail to take corrective action when notified of such failure, or when a failure of the board to exercise its proper fiduciary or oversight responsibilities has been identified. The ABO requests that

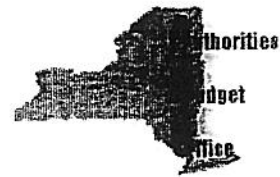




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consideration be given to addressing this resource issue so that the public expectations for the ABO can be realized.



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Data Tables

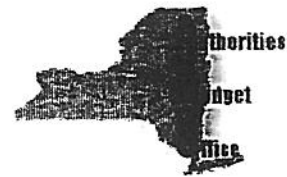
The following statistical information reflects data as reported in PARIS by public authorities.

Public Authority Debt Information

State Authority Debt in 2010 (n=28)						
Type of Debt	Opening Balance	Percent of Total	New Debt Issued	Percent of Total	Total Debt Outstanding	Percent of Total
State	\$48,828,030,512	36.54%	\$6,912,320,000	37.79%	\$51,033,531,806	35.84%
Authority	\$53,251,470,225	39.84%	\$7,359,448,000	40.23%	\$57,668,887,098	40.50%
Conduit	\$31,567,636,000	23.62%	\$4,021,706,189	21.98%	\$33,672,918,189	23.65%
<b>Total</b>	<b>\$133,647,136,737</b>	<b>100.00%</b>	<b>\$18,293,474,189</b>	<b>100.00%</b>	<b>\$142,375,337,093</b>	<b>100.00%</b>

Note: The following State authorities issued state debt in 2010: Dormitory Authority of the State of New York (\$4.07 billion), New York Local Government Assistance Corporation (\$325.9 million), New York State Thruway Authority (\$1.04 billion), and New York State Urban Development Corporation (\$1.47 billion).

State Authorities Reporting No Debt During 2010	
Agriculture and New York State Horse Breeding Development Fund	New York Convention Center Operating Corporation
Capital District Transportation Authority	New York State Affordable Housing Corporation
Homeless Housing Assistance Corporation	New York State Foundation for Science Technology and Innovation
Housing Trust Fund Corporation	New York State Olympic Regional Development Authority
Hudson River Park Trust	New York State Thoroughbred Breeding Development Fund
Hudson River-Black River Regulating District	Rochester-Genesee Regional Transportation Authority
Natural Heritage Trust	Roosevelt Island Operating Corporation
Nelson A. Rockefeller Empire State Plaza Performing Arts Center Operating Corporation	



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Debt Reported by State Authorities in 2010 (n=28)		
Authority	Total Debt Outstanding	Percent of Total
Dormitory Authority of the State of New York	\$41,833,611,240	29.38%
Metropolitan Transportation Authority	\$32,147,325,000	22.58%
New York State Thruway Authority	\$14,050,675,000	9.87%
New York State Housing Finance Agency	\$9,722,370,000	6.83%
Environmental Facilities Corporation	\$8,638,920,000	6.07%
New York State Urban Development Corporation	\$8,475,604,000	5.95%
Long Island Power Authority	\$6,823,154,556	4.79%
New York Local Government Assistance Corporation	\$3,638,939,930	2.56%
New York State Energy Research and Development Authority	\$3,626,740,000	2.55%
State of New York Mortgage Agency	\$3,515,166,000	2.47%
Tobacco Settlement Financing Corporation	\$3,011,900,000	2.12%
Power Authority of the State of New York	\$1,924,657,000	1.35%
Nassau County Interim Finance Authority	\$1,648,185,000	1.16%
Battery Park City Authority	\$1,092,210,000	0.77%
State of New York Municipal Bond Bank Agency	\$736,281,949	0.52%
Westchester County Health Care Corporation	\$396,630,000	0.28%
Roswell Park Cancer Institute Corporation	\$253,583,876	0.18%
Erie County Fiscal Stability Authority	\$246,535,000	0.17%
Niagara Frontier Transportation Authority	\$203,098,000	0.14%
Buffalo Fiscal Stability Authority	\$121,120,000	0.09%
United Nations Development Corporation	\$106,822,500	0.08%
Municipal Assistance Corporation for the City of Troy	\$52,158,226	0.04%
New York State Bridge Authority	\$47,615,000	0.03%
New York Job Development Authority	\$27,745,000	0.02%
Development Authority of the North Country	\$26,276,746	0.02%
Ogdensburg Bridge and Port Authority	\$7,249,155	0.01%
Port of Oswego Authority	\$517,234	0.00%
Central New York Regional Transportation Authority	\$246,681	0.00%
<b>Total</b>	<b>\$142,375,337,093</b>	<b>99.99%</b>

Note: Erie County Medical Center and Nassau Medical Center Corporation did not submit required debt information to the ABO.



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Local Authority and IDA Debt in 2010 (n=134)							
Type of Authority	Type of Debt	Opening Balance	Percent of Total	New Debt Issued	Percent of Total	Total Debt Outstanding	Percent of Total
Local Authorities (n=43)	State ^	\$4,251,577,709	8.28%	\$0	0.00%	\$4,221,472,709	7.30%
	Authority	\$40,816,150,364	79.49%	\$11,102,845,811	95.71%	\$47,090,421,464	81.43%
	Conduit	\$6,281,869,100	12.23%	\$497,090,000	4.29%	\$6,515,451,761	11.27%
	<b>Total Debt</b>	<b>\$51,349,597,173</b>	<b>100.00%</b>	<b>\$11,599,935,811</b>	<b>100.00%</b>	<b>\$57,827,345,934</b>	<b>100.00%</b>
County IDAs (n=52)	State	\$0	0.00%	\$0	0.00%	\$0	0.00%
	Authority	\$34,630,234	0.42%	\$250,000	0.21%	\$32,403,501	0.42%
	Conduit	\$8,162,963,286	99.58%	\$120,555,830	99.79%	\$7,636,897,024	99.58%
	<b>Total Debt</b>	<b>\$8,197,593,520</b>	<b>100.00%</b>	<b>\$120,805,830</b>	<b>100.00%</b>	<b>\$7,669,300,525</b>	<b>100.00%</b>
Local IDAs (n=39)	State	\$0	0.00%	\$0	0.00%	\$0	0.00%
	Authority	\$23,010,271	0.17%	\$0	0.00%	\$14,289,227	0.11%
	Conduit	\$13,249,619,519	99.83%	\$177,094,853	100.00%	\$12,493,076,926	99.89%
	<b>Total Debt</b>	<b>\$13,272,629,790</b>	<b>100.00%</b>	<b>\$177,094,853</b>	<b>100.00%</b>	<b>\$12,507,366,153</b>	<b>100.00%</b>

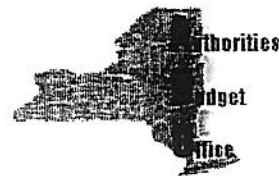
^ Pursuant to section 2799-tt of Public Authorities Law, New York City Transitional Finance Authority is authorized to issue up to \$9.4 billion in state debt.

Local Development Corporation Debt in 2010 (n=65)			
Type of LDC	Opening Balance	New Debt Issued	Total Debt Outstanding
Tobacco Asset Securitization Corporations	\$3,207,569,600	\$0	\$3,195,897,813
Hudson Yards Infrastructure Corporation	\$2,000,000,000	\$0	\$2,000,000,000
Sales Tax Asset Receivable Corporation	\$2,252,820,000	\$0	\$2,177,900,000
Other LDCs	\$701,070,389	\$766,824,902	\$1,447,668,888
<b>Total Debt</b>	<b>\$8,161,459,989</b>	<b>\$766,824,902</b>	<b>\$8,821,466,701</b>



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Local Authorities Reporting No Debt During 2010		
IDA (n=8)	Fairport Industrial Development Agency	Town of Lockport Industrial Development Agency
	Lewis County Industrial Development Agency	Town of Malone Industrial Development Agency
	Mechanicville-Stillwater Industrial Development Agency	Village of Groton Industrial Development Agency
	Schoharie County Industrial Development Agency	Wallkill Industrial Development Agency
Local (n=23)	Albany Convention Center Authority	Ossining Urban Renewal Agency
	Amsterdam Urban Renewal Agency	Rochester Urban Renewal Agency
	Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority	Schenectady Urban Renewal Agency
	City of Hudson Community Development and Planning Agency	Suffern Parking Authority
	Genesee Valley Regional Market Authority	Syracuse Urban Renewal Agency
	Glen Cove Community Development Agency	Town of Riverhead Community Development Agency
	Glens Falls Urban Renewal Agency	Victor Urban Renewal Agency
	Greater Rochester Sports Authority	Village of Elmira Heights Urban Renewal Agency
	Montgomery, Otsego, Schoharie Solid Waste Management Authority	Village of Fairport Urban Renewal Agency
	New York City School Construction Authority	Village of Patchogue Community Development Agency
	New York City Water Board	Village of Rockville Centre Community Development Agency
	Olean Urban Renewal Agency	
	LDC (n=56)	Apple Industrial Development Corporation
Bethel Local Development Corporation		Niagara County Brownfields Development Corporation
Binghamton Local Development Corporation		Niagara Power Coalition
Buffalo and Erie County Regional Development Corporation		Ontario County Four Seasons Development Corporation
Carthage Industrial Development Corporation		Orleans County Local Development Corporation
City of Peekskill Local Development Corporation		Orleans Land Restoration Corporation
City of Watertown Local Development Corporation		Peekskill Facilities Development Corporation
Civic Center Monroe County Local Development Corporation		Putnam County Economic Development Corporation
Cohoes Local Development Corporation		Route 110 Redevelopment Corporation
Community Fund for Manhattan		Sackett Harbor Local Development Corporation
Coney Island Development Corporation		Salamanca Area Development Corporation
Cortland County Business Development Corporation		Schenectady Local Development Corporation
Development Chenango Corporation		Seneca County Economic Development Corporation
Essex County Capital Resource Corporation		Development Corporation
Franklin County Civic Development Corporation		St. Lawrence County Local Development Corporation
Franklin County Local Development Corporation		Steuben Area Economic Development Corporation
Greater Wawarsing Local Development Corporation		The Hamilton County Local Development Corporation
Hornell Area Industrial Development Corporation		The Town of Huntington Economic Development Corporation
Hudson Development Corporation		The Village of Waterford Local Development Corporation
Hudson Yards Development Corporation		Theater Subdistrict Council Local Development Corporation
Jefferson County Agricultural Development Corporation		Town of Brookhaven Local Development Corporation
Jefferson County Job Development Corporation		Town of Moreau Local Development Corporation
Jefferson County Local Development Corporation		Victor Local Development Corporation
Lakefront Development Corporation		Village of Chittenango Local Development Corporation
Local Development Corporation of the Town of Union		Washington County Local Development Corporation
MUNIPRO, Inc.		Watertown Industrial Center Local Development Corporation
Monroe County Sports Development Corporation		Wayne Industrial Sustainability Development Corporation
New Main Street Development Corporation		West Brighton Community Local Development Corporation



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Public Authority Staffing Information

Reported State Authority Full-Time Staffing Levels for 2010 (n=37)							
State Authorities	Total Staff	Average Salary	Average Total Compensation	Max Salary at Authority	Max Total Compensation at Authority	Staff Earning \$100,000+	Percent of Total Staff
Agriculture and New York State Horse Breeding Development Fund	2	\$74,750	\$74,750	\$87,500	\$87,500	0	0.00%
Battery Park City Authority	146	\$67,810	\$66,848	\$223,298	\$251,577	26	17.81%
Buffalo Fiscal Stability Authority	5	\$71,398	\$71,398	\$102,000	\$102,000	1	20.00%
Capital District Transportation Authority	743	\$40,063	\$43,044	\$152,000	\$126,973	7	0.94%
Central New York Regional Transportation Authority	530	\$30,841	\$46,481	\$154,128	\$164,128	7	1.32%
Development Authority of the North Country	58	\$55,787	\$54,102	\$140,000	\$141,443	7	12.07%
Dormitory Authority of the State of New York	637	\$80,593	\$81,035	\$206,876	\$214,010	199	31.24%
Environmental Facilities Corporation	112	\$77,484	\$75,802	\$155,000	\$155,000	21	18.75%
Erie County Fiscal Stability Authority	4	\$62,650	\$55,064	\$115,000	\$113,850	1	25.00%
Housing Trust Fund Corporation	26	\$61,057	\$56,888	\$113,939	\$113,956	1	3.85%
Hudson River Park Trust	54	\$64,630	\$64,630	\$163,594	\$153,594	8	14.81%
Hudson River-Black River Regulating District	26	\$57,915	\$57,915	\$100,285	\$100,285	1	3.85%
Long Island Power Authority	110	\$108,234	\$92,656	\$295,000	\$275,000	53	48.18%
Metropolitan Transportation Authority	72,369	\$65,048	\$72,209	\$380,000	\$406,040	3,150	4.35%
Nassau County Interim Finance Authority	5	\$134,463	\$143,131	\$179,920	\$199,290	3	60.00%
Natural Heritage Trust	56	\$55,134	\$50,586	\$125,000	\$124,657	2	3.57%
Nelson A. Rockefeller Empire State Plaza Performing Arts Center Operating Corporation	7	\$50,857	\$50,857	\$95,000	\$95,000	0	0.00%
New York Convention Center Operating Corporation	306	\$58,883	\$58,883	\$188,977	\$188,977	35	11.44%
New York State Affordable Housing Corporation	62	\$82,861	\$78,872	\$144,000	\$141,777	14	26.92%
New York State Bridge Authority	155	\$58,953	\$64,174	\$178,500	\$162,275	12	7.74%
New York State Energy Research and Development Authority	299	\$74,948	\$75,252	\$167,955	\$169,670	65	21.74%
New York State Foundation for Science Technology and Innovation	26	\$83,276	\$84,985	\$144,282	\$149,420	7	26.92%
New York State Housing Finance Agency	39	\$100,533	\$100,213	\$159,718	\$165,861	18	46.15%
New York State Olympic Regional Development Authority	202	\$36,620	\$37,421	\$176,000	\$180,491	2	0.99%
New York State Thoroughbred Breeding Development Fund	5	\$75,241	\$47,656	\$118,000	\$76,305	1	20.00%
New York State Thruway Authority	3,817	\$52,348	\$50,815	\$165,709	\$170,690	127	3.61%
New York State Urban Development Corporation	350	\$81,992	\$82,101	\$215,000	\$215,000	98	28.00%
Niagara Frontier Transportation Authority	1,697	\$43,181	\$47,470	\$240,946	\$240,946	13	0.77%
Ogdensburg Bridge and Port Authority	29	\$47,281	\$49,460	\$101,044	\$103,819	1	3.45%
Port of Oswego Authority	10	\$44,816	\$44,816	\$108,000	\$108,000	1	10.00%
Power Authority of the State of New York	1,588	\$87,552	\$89,623	\$240,000	\$245,182	387	24.37%
Rochester-Genesee Regional Transportation Authority	728	\$46,918	\$51,325	\$155,000	\$219,744	7	0.96%
Roosevelt Island Operating Corporation	113	\$83,815	\$54,210	\$150,355	\$150,933	9	7.96%
Roswell Park Cancer Institute Corporation	2,106	\$74,339	\$71,130	\$580,000	\$803,679	303	14.38%
State of New York Mortgage Agency	110	\$77,843	\$75,485	\$228,000	\$191,598	24	21.82%
United Nations Development Corporation	10	\$106,839	\$107,319	\$193,383	\$198,183	4	40.00%
Westchester County Health Care Corporation	4,007	\$78,802	\$72,584	\$1,009,000	\$1,316,269	859	21.44%
<b>Total State Authorities</b>	<b>90,237</b>	<b>\$65,016</b>	<b>\$70,600</b>	<b>\$1,009,000</b>	<b>\$1,316,269</b>	<b>5,474</b>	<b>6.07%</b>

For 2009-10, the average annual salary for all full-time New York State employees was \$59,651. Excluding SUNY/CUNY, the Legislature, and the Judiciary, the average annual full-time State employee salary was \$56,506. The average total compensation for all full-time New York State employees was \$65,617. Excluding SUNY/CUNY, the Legislature, and the Judiciary, the average total compensation for all full-time State employee was \$64,243.

Source: 2009-10 Payroll data from NYS Office of the State Comptroller Master File (pp. 1-26)

Note: This table only includes full-time staff reported by authorities that receive a salary paid by the public authority. In addition to full-time staff, State authorities reported having 6,526 part-time staff earning an average total compensation of \$17,017.

Note: New York Local Government Assistance Corporation reported 18 staff members but is not in the table above because staff are not paid by the Authority. In addition, Homeless Housing Assistance Corporation, Municipal Assistance Corporation for the City of Troy, New York Job Development Authority, State of New York Municipal Bond Bank Agency, and Tobacco Settlement Financing Corporation\* reported no staff.

\* Functions of authority are performed by New York State Office of Temporary and Disability Assistance.

\* Functions of authority are performed by New York State Financial Control Board.

\* Functions of the authority are performed by the New York State Urban Development Corporation.

\* Functions of the authority are performed by the New York State Affordable Housing Corporation, New York State Housing Finance Agency, and State of

Note: Erie County Medical Center and Nassau Medical Center Corporation did not submit required staffing information to the ABO.





2011 Annual Report on Public Authorities in New York State

Reported Local Authority, IDA, and LDC Full-Time Staffing Levels for 2010 (n=101)								
Authority Type	Total Staff	Average Salary	Average Total Compensation	Max Salary	Max Total Compensation	Staff Earning \$100,000+	Percent of Total Staff	
Local Authorities (n=42)	Water Authorities (8)	1,461	\$58,376	\$58,150	\$177,644	\$183,955	55	3.76%
	Parking Authorities (2)	63	\$53,637	\$52,988	\$120,400	\$120,400	3	4.76%
	Resource Recovery Agencies and Solid Waste Authorities (8)	302	\$44,166	\$47,408	\$135,663	\$148,367	10	3.31%
	Public Works Authorities (5)	274	\$46,905	\$48,166	\$114,914	\$114,914	2	0.73%
	Urban Renewal Agencies and Community Development Agencies (8)	85	\$45,917	\$56,391	\$129,623	\$148,164	2	2.35%
	Miscellaneous Authorities* (10)	969	\$84,484	\$93,642	\$203,000	\$209,800	287	29.62%
	<b>Total Local Authorities*</b>	<b>3,154</b>	<b>\$63,609</b>	<b>\$68,425</b>	<b>\$203,000</b>	<b>\$209,800</b>	<b>359</b>	<b>11.38%</b>
IDAs (n=41)	Local Industrial Development Agency (11)	49	\$61,461	\$57,627	\$168,573	\$179,332	5	10.20%
	County Industrial Development Agency (30)	137	\$88,883	\$54,340	\$157,590	\$176,325	14	10.22%
	<b>Total IDAs</b>	<b>186</b>	<b>\$60,299</b>	<b>\$55,206</b>	<b>\$168,573</b>	<b>\$179,332</b>	<b>19</b>	<b>10.22%</b>
LDCs (n=18)	All Local Development Corporations**	461	\$75,587	\$75,357	\$189,721	\$189,721	104	22.56%

Note: This table only includes full-time staff reported by authorities that receive a salary paid by the public authority. In addition to the information above, Local authorities reported an additional 545 part-time staff earning an average total compensation of \$10,140, with 4 local authorities reporting only having part-time staff; IDA's reported an additional 73 part-time staff earning an average total compensation of \$16,724; and LDC's reported an additional 145 part-time staff earning an average total compensation of \$12,343, with 7 LDC's reporting only having part-time staff.

Note: Seven local authorities reported 143 staff members that are not paid by the authorities; 22 IDAs reported 67 staff members not paid by the IDAs; and 36 LDCs reported 154 staff member not paid by the LDCs.

\* Excludes New York City Health and Hospitals who reported 43,001 full-time staff having an average salary of \$58,755 and max salary of \$681,441. In addition, NYCHHC reported 3,837 part-time staff earning an average total compensation of \$37,316.

\*\* New York City Economic Development Corporation accounts for 80 percent of staff reported.

Local Authorities Reporting No Staff (n=109)		
IDA (n=36)	Albany City Industrial Development Agency	Middletown Industrial Development Agency
	Allegany Industrial Development Agency	Mount Pleasant Industrial Development Agency
	Chenango Industrial Development Agency	Mount Vernon Industrial Development Agency
	City of Rensselaer Industrial Development Agency	New York City Industrial Development Agency
	City of Schenectady Industrial Development Agency	Niagara Town Industrial Development Agency
	Clarence Industrial Development Agency	Oneida County Industrial Development Agency
	Clifton Park Industrial Development Agency	Onondaga County Industrial Development Agency
	Cohoes Industrial Development Agency	Oswego County Industrial Development Agency
	Colonie Industrial Development Agency	Poughkeepsie Industrial Development Agency
	Columbia Industrial Development Agency	Riverhead Industrial Development Agency
	Concord Industrial Development Agency	Schenectady County Industrial Development Agency
	Cortland Industrial Development Agency	Southeast Industrial Development Agency
	Delaware County Industrial Development Agency	Tompkins County Industrial Development Agency
	Dutchess County Industrial Development Agency	Town of Malone Industrial Development Agency
	Geneva Industrial Development Agency	Troy Industrial Development Authority
	Glen Falls Industrial Development Agency	Ulster County Industrial Development Agency
	Lancaster Industrial Development Agency	Village of Groton Industrial Development Agency
	Mechanicville-Stilwater Industrial Development Agency	Walldell Industrial Development Agency





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Local Authorities Reporting No Staff Continued...		
Local (n=12)	American Museum of Natural History Planetarium Authority	Syracuse Urban Renewal Agency
	Chautauqua, Cattaraugus, Allegany and Steuben Southern Tier Extension Railroad Authority	Town of Riverhead Community Development Agency
	Elmira Urban Renewal Agency	Trust for Cultural Resources of the City of New York
	Ossining Urban Renewal Agency	Trust for Cultural Resources of the County of Onondaga
	Rochester Urban Renewal Agency	White Plains Urban Renewal Agency
	Schenectady Urban Renewal Agency	Yonkers Community Development Agency
	LDC (n=61)	Bethel Local Development Corporation
Broome Tobacco Asset Securitization Corporation		Niagara County Brownfields Development Corporation
Carthage Industrial Development Corporation		Niagara Tobacco Asset Securitization Corporation
Chemung Tobacco Asset Securitization Corporation		Oneida County Local Development Corporation
Civic Center Monroe County Local Development Corporation		Oneida Tobacco Asset Securitization Corporation
Clayton Local Development Corporation		Onondaga Tobacco Asset Securitization Corporation
Columbia County Capital Resource Corporation		Orleans County Local Development Corporation
Community Fund for Manhattan		Orleans Land Restoration Corporation
Coney Island Development Corporation		Oswego Tobacco Asset Securitization Corporation
Cortland Tobacco Asset Securitization Corporation		Putnam Tobacco Asset Securitization Corporation
Delaware County Local Development Corporation		Rensselaer Tobacco Asset Securitization Corporation
Development Chenango Corporation		Route 110 Redevelopment Corporation
Dutchess County Local Development Corporation		Schuyler County Human Services Development Corporation
Dutchess Tobacco Asset Securitization Corporation		Schuyler Tobacco Asset Securitization Corporation
Essex County Capital Resource Corporation		Seneca County Economic Development Corporation
Finger Lakes Regional Telecommunications Development Corporation		Steuben Area Economic Development Corporation
Franklin County Civic Development Corporation		Steuben Tobacco Asset Securitization Corporation
Franklin County Local Development Corporation		The Town of Huntington Economic Development Corporation
Greater Glens Falls Local Development Corporation		Theater Subdistrict Council Local Development Corporation
Greater Wawarsing Local Development Corporation		Tompkins Tobacco Asset Securitization Corporation
Greece Economic Development Projects, Inc.		Town of Amherst Development Corporation
Herkimer Tobacco Asset Securitization Corporation		Town of Moreau Local Development Corporation
Jefferson County Job Development Corporation		Ulster County Capital Resource Corporation
Jefferson County Local Development Corporation		Ulster Tobacco Asset Securitization Corporation
Livingston Tobacco Asset Securitization Corporation		Upstate Telecommunications Corporation
Local Development Corporation of the Town of Union		Village of Chittenango Local Development Corporation
MUNIPRO, Inc.		Washington County Local Development Corporation
Monroe Newpower Corporation		Wayne Industrial Sustainability Development Corporation
Monroe Security & Safety System Local Development Corporation		Westchester Tobacco Asset Securitization Corporation
Monroe Tobacco Asset Securitization Corporation		Yates Tobacco Asset Securitization Corporation
New Rochelle Local Development Corporation		



2011 Annual Report on Public Authorities in New York State

Public Authority Procurement Information

Contracts Reported by State Authorities in 2010 (n=41)				
Authority Name	Number of Procurements	Number of Procurements as Percent of Totals	Amount Paid	Amount Paid as Percent of Totals
Agriculture and New York State Horse Breeding Development Fund	8	0.03%	\$191,861	0.00%
Battery Park City Authority	442	1.75%	\$72,650,918	1.18%
Buffalo Fiscal Stability Authority	6	0.02%	\$178,860	0.00%
Capital District Transportation Authority	288	1.14%	\$43,431,975	0.70%
Central New York Regional Transportation Authority	178	0.71%	\$22,046,554	0.36%
Development Authority of the North Country	31	0.12%	\$1,118,295	0.02%
Dormitory Authority of the State of New York	3,554	14.10%	\$1,029,873,670	16.67%
Environmental Facilities Corporation	53	0.21%	\$2,261,431	0.04%
Erle County Fiscal Stability Authority	11	0.04%	\$1,763,437	0.03%
Homeless Housing Assistance Corporation	3	0.01%	\$1,093,978	0.02%
Housing Trust Fund Corporation	24	0.10%	\$13,980,885	0.23%
Hudson River Park Trust	80	0.36%	\$59,780,786	0.97%
Hudson River-Black River Regulating District	20	0.08%	\$578,507	0.01%
Long Island Power Authority	278	1.10%	\$1,002,316,746	16.22%
Metropolitan Transportation Authority	10,239	40.63%	\$2,484,534,331	40.20%
Municipal Assistance Corporation for the City of Troy	4	0.02%	\$38,779	0.00%
Nassau County Interim Finance Authority	28	0.11%	\$23,580,309	0.38%
Nassau Health Care Corporation	823	3.27%	\$102,363,409	1.66%
Natural Heritage Trust	245	0.97%	\$5,541,911	0.08%
New York Convention Center Operating Corporation	155	0.62%	\$5,168,487	0.08%
New York Local Government Assistance Corporation	40	0.16%	\$91,485,481	1.48%
New York State Affordable Housing Corporation	6	0.02%	\$43,316	0.00%
New York State Bridge Authority	217	0.86%	\$18,158,379	0.29%
New York State Energy Research and Development Authority	3,336	13.24%	\$115,585,203	1.87%
New York State Foundation for Science Technology and Innovation	27	0.11%	\$1,145,571	0.02%
New York State Housing Finance Agency	135	0.54%	\$3,401,709	0.06%
New York State Olympic Regional Development Authority	260	1.03%	\$15,015,394	0.24%
New York State Thoroughbred Breeding Development Fund	4	0.02%	\$312,000	0.01%
New York State Thruway Authority	462	1.83%	\$103,918,449	1.68%
Niagara Frontier Transportation Authority	729	2.89%	\$33,464,383	0.54%
Ogdensburg Bridge and Port Authority	36	0.14%	\$2,673,049	0.04%
Port of Oswego Authority	29	0.12%	\$1,397,840	0.02%
Power Authority of the State of New York	2,172	8.62%	\$846,458,409	8.84%
Rochester-Genese Regional Transportation Authority	118	0.47%	\$24,106,042	0.39%
Roosevelt Island Operating Corporation	211	0.84%	\$19,305,088	0.31%
Roswell Park Cancer Institute Corporation	180	0.75%	\$127,658,277	2.07%
State of New York Mortgage Agency	108	0.43%	\$6,003,746	0.10%
State of New York Municipal Bond Bank Agency	11	0.04%	\$489,295	0.01%
Tobacco Settlement Financing Corporation	5	0.02%	\$54,642	0.00%
United Nations Development Corporation	124	0.49%	\$34,824,111	0.58%
Westchester County Health Care Corporation	504	2.00%	\$161,728,178	2.62%
<b>Totals</b>	<b>25,202</b>	<b>100.00%</b>	<b>\$6,179,731,097</b>	<b>100.00%</b>

NOTE: Erie County Medical Center Corporation, Nelson A. Rockefeller Empire State Plaza Performing Arts Center Operating Corporation, New York Job Development Authority, and New York State Urban Development Corporation did not submit required procurement data to the ABO in 2010.

NOTE: Authorities are required to report procurement transactions for the fiscal year with an actual or estimated value of \$5,000 or more, unless their enabling statute cites a higher reporting threshold.

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State Authority Contracts in 2010 (n=41)				
Type of Procurement	Number of Procurements	Number of Procurements as Percent of Totals	Amount Paid	Amount Paid as Percent of Totals
Competitive	17,462	69.29%	\$5,031,366,444	81.42%
Non-Competitive	4,493	17.83%	\$796,232,009	12.88%
Non Contract Procurement/Purchase Order	1,218	4.83%	\$239,410,592	3.87%
Purchased Under State Contract	2,029	8.05%	\$112,722,051	1.82%
<b>Total</b>	<b>25,202</b>	<b>100.00%</b>	<b>\$6,179,731,097</b>	<b>100.00%</b>

NOTE: Erie County Medical Center Corporation, Nelson A. Rockefeller Empire State Plaza Performing Arts Center Operating Corporation, New York Job Development Authority, and New York State Urban Development Corporation did not submit required procurement data to the ABO in 2010.

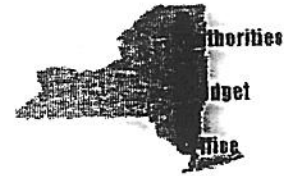
NOTE: Authorities are required to report procurement transactions for the fiscal year with an actual or estimated value of \$5,000 or more, unless their enabling statute cites a higher reporting threshold.

Local Authority, IDA and LDC Contracts in 2010 (n=166)					
Type of Authority	Type of Procurement	Number of Procurements	Number of Procurements as a Percent of Total	Amount Paid	Amount Paid as a Percent of Total
Local (n=49)	Competitive	1,493	54.53%	\$584,656,656	82.99%
	Non-Competitive	336	12.27%	\$66,164,357	9.39%
	Non Contract Procurement/Purchase Order	657	24.00%	\$29,716,248	4.22%
	Purchased Under State Contract	252	8.20%	\$23,991,966	3.41%
	<b>Total</b>	<b>2,738</b>	<b>100.00%</b>	<b>\$704,529,227</b>	<b>100.00%</b>
County IDA (n=29)	Competitive	97	43.11%	\$11,771,254	74.20%
	Non-Competitive	87	38.67%	\$3,228,533	20.35%
	Non Contract Procurement/Purchase Order	38	16.89%	\$840,740	5.30%
	Purchased Under State Contract	3	1.33%	\$24,470	0.15%
	<b>Total</b>	<b>225</b>	<b>100.00%</b>	<b>\$15,864,997</b>	<b>100.00%</b>
Local IDA * (n=17)	Competitive	80	55.17%	\$6,878,520	56.67%
	Non-Competitive	61	42.07%	\$5,208,816	42.91%
	Non Contract Procurement/Purchase Order	2	1.38%	\$16,250	0.13%
	Purchased Under State Contract	2	1.38%	\$34,514	0.28%
	<b>Total</b>	<b>145</b>	<b>100.00%</b>	<b>\$12,138,100</b>	<b>100.00%</b>
LDC ** (n=71)	Competitive	510	44.39%	\$343,373,773	57.52%
	Non-Competitive	276	24.02%	\$235,397,275	39.43%
	Non Contract Procurement/Purchase Order	352	30.64%	\$16,660,962	2.79%
	Purchased Under State Contract	11	0.96%	\$1,502,603	0.25%
	<b>Total</b>	<b>1,149</b>	<b>100.00%</b>	<b>\$596,934,613</b>	<b>100.00%</b>

NOTE: Authorities are required to report procurement transactions for the fiscal year with an actual or estimated value of \$5,000 or more, unless their enabling statute cites a higher reporting threshold.

\*New York City IDA accounts for 42% of procurement transactions reported and 67% of amount paid.

\*\*New York City Economic Development Corporation accounts for 54% of procurement transactions reported and 89% of amount paid.

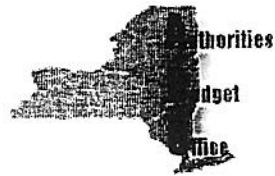


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Local Authorities That Reported No Contracts in 2010 (n=158)		
Local (n=30)	Buffalo Urban Renewal Agency	Rochester Urban Renewal Agency
	Chautauqua, Cattaraugus, Allegany and Steuben Southern	Schenectady Urban Renewal Agency
	City of Fulton Community Development Agency	Suffern Parking Authority
	City of Hudson Community Development and Planning Agency	Syracuse Urban Renewal Agency
	Clifton-Fine Health Care Corporation	Tonawanda (City) Community Development Agency
	Eastern Rensselaer County Solid Waste Management Authority	Town of Erwin Urban Renewal Agency
	Elmira Urban Renewal Agency	Town of Riverhead Community Development Agency
	Glen Cove Community Development Agency	Trust for Cultural Resources of the County of Onondaga
	Glens Falls Urban Renewal Agency	Utica Urban Renewal Agency
	Haverstraw Urban Renewal Agency	Victor Urban Renewal Agency
	Little Falls Urban Renewal Agency	Village of Elmira Heights Urban Renewal Agency
	Mount Vernon Urban Renewal Agency	Village of St. Johnsville Urban Renewal Agency
	Olean Urban Renewal Agency	Western Finger Lakes Solid Waste Management Authority
	Ossining Urban Renewal Agency	White Plains Urban Renewal Agency
	Port Jervis Community Development Agency	Yonkers Community Development Agency
IDA (n=62)	Albany City Industrial Development Agency	Livingston County Industrial Development Agency
	Albany County Industrial Development Agency	Madison County Industrial Development Agency
	Amherst Industrial Development Agency	Mechanicville-Stillwater Industrial Development Agency
	Amsterdam Industrial Development Agency	Mount Pleasant Industrial Development Agency
	Babylon Industrial Development Agency	Mount Vernon Industrial Development Agency
	Bethlehem Industrial Development Agency	New Rochelle Industrial Development Agency
	Cattaraugus Industrial Development Agency	Niagara County Industrial Development Agency
	Champlain Industrial Development Agency	Niagara Town Industrial Development Agency
	Chautauqua Industrial Development Agency	Oswego County Industrial Development Agency
	City of Rensselaer Industrial Development Agency	Otsego County Industrial Development Agency
	City of Schenectady Industrial Development Agency	Peekskill Industrial Development Agency
	Clarence Industrial Development Agency	Port Chester Industrial Development Agency
	Clifton Park Industrial Development Agency	Port Jervis Industrial Development Agency
	Clinton County Industrial Development Agency	Poughkeepsie Industrial Development Agency
	Cohoes Industrial Development Agency	Pulnam County Industrial Development Agency
	Columbia Industrial Development Agency	Rockland County Industrial Development Agency
	Concord Industrial Development Agency	Saratoga County Industrial Development Agency
	Cornth Industrial Development Agency	Schenectady County Industrial Development Agency
	Delaware County Industrial Development Agency	Schoharie County Industrial Development Agency
	Dunkirk Industrial Development Agency	Schuyler County Industrial Development Agency
	Dutchess County Industrial Development Agency	Southeast Industrial Development Agency
	Essex County Industrial Development Agency	Steuben County Industrial Development Agency
	Geneva Industrial Development Agency	Sullivan County Industrial Development Agency
	Glen Cove Industrial Development Agency	Tompkins County Industrial Development Agency
	Glens Falls Industrial Development Agency	Town of Lockport Industrial Development Agency
	Greene County Industrial Development Agency	Town of Malone Industrial Development Agency
	Hamburg Industrial Development Agency	Town of Montgomery Industrial Development Agency
	Hamilton County Industrial Development Agency	Troy Industrial Development Authority
	Hudson Industrial Development Agency	Village of Groton Industrial Development Agency
	Lancaster Industrial Development Agency	Wallkill Industrial Development Agency
	Lewis County Industrial Development Agency	Wyoming County Industrial Development Agency

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Local Authorities That Reported No Contracts in 2010 continued...		
LDC (n=66)	Auburn Local Development Corporation	Peekskill Facilities Development Corporation
	Bethel Local Development Corporation	Putnam County Economic Development Corporation
	Broome Tobacco Asset Securitization Corporation	Putnam Tobacco Asset Securitization Corporation
	Chadwick Bay Regional Development Corporation	Rensselaer Municipal Leasing Corporation
	Chemung Tobacco Asset Securitization Corporation	Rockland Tobacco Asset Securitization Corporation
	City of Kingston Local Development Corporation	Route 110 Redevelopment Corporation
	City of Peekskill Local Development Corporation	Sackets Harbor Local Development Corporation
	City of Watervliet Local Development Corporation	Schuyler County Human Services Development Corporation
	Clayton Local Development Corporation	Schuyler Tobacco Asset Securitization Corporation
	Cohoes Local Development Corporation	Seneca Falls Development Corporation
	Columbia County Capital Resource Corporation	Sherburne Area Local Development Corporation
	Community Fund for Manhattan	St. Lawrence County Industrial Development Agency Civic Development Corporation
	Cortland Tobacco Asset Securitization Corporation	St. Lawrence County Local Development Corporation
	Delaware County Local Development Corporation	Steuben Area Economic Development Corporation
	Dutchess County Local Development Corporation	The Hamilton County Local Development Corporation
	Essex County Capital Resource Corporation	The Village of Waterford Local Development Corporation
	Franklin County Local Development Corporation	Tioga County Local Development Corporation
	Greater Wawarsing Local Development Corporation	Tioga Tobacco Asset Securitization Corporation
	Greece Economic Development Projects, Inc.	Tompkins Tobacco Asset Securitization Corporation
	Hornell Area Industrial Development Corporation	Town of Amherst Development Corporation
	Hudson Development Corporation	Town of Brookhaven Local Development Corporation
	Lake City Local Development Corporation	Town of Dewitt Local Development Corporation
	Livingston County Capital Resource Corporation	Town of Moreau Local Development Corporation
	Livingston Tobacco Asset Securitization Corporation	Town of Plattsburgh Local Development Corporation
	MUNIPRO, Inc.	Troy Local Development Corporation
	New Main Street Development Corporation	Victor Local Development Corporation
	New Rochelle Local Development Corporation	Village of Chittenango Local Development Corporation
	Niagara Power Coalition	Warren County Local Development Corporation
	Niagara Tobacco Asset Securitization Corporation	Warren Tobacco Asset Securitization Corporation
	Oneida County Local Development Corporation	Washington County Local Development Corporation
	Onondaga Tobacco Asset Securitization Corporation	Wayne Industrial Sustainability Development Corporation
	Ontario County Local Development Corporation	West Brighton Community Local Development Corporation
	Ontario Tobacco Asset Securitization Corporation	Wyoming Tobacco Asset Securitization Corporation

NOTE: Authorities are required to report procurement transactions for the fiscal year with an actual or estimated value of \$5,000 or more, unless their enabling statute cites a higher reporting threshold.







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**Delinquent Authorities**

Public Authorities That Have Not Submitted a 2010 Annual Report in PARIS as of June 30, 2011		
<b>State</b> (n=2)	Erie County Medical Center Corporation	Nassau Health Care Corporation
<b>Local</b> (n=53)	Albany Community Development Agency	Niagara Falls Water Board
	Albany Municipal Water Finance Authority	Nyack Parking Authority
	Albany Water Board	Oneida County Sports Facility Authority
	Binghamton Urban Renewal Agency	Orange County Water Authority
	Buffalo Municipal Water Finance Authority	Port Jervis Community Development Agency
	Buffalo Water Board	Poughkeepsie Urban Renewal Agency
	Cayuga County Water and Sewer Authority	Saranac Lake Community Development Agency
	City of Fulton Community Development Agency	Saratoga County Water Authority
	Dolgeville Community Development Agency	Saratoga Springs City Center Authority
	Eastern Rensselaer County Solid Waste Management Authority	Sleepy Hollow Parking Authority
	Freeport Community Development Agency	Suffolk County Judicial Facilities Agency
	Glens Falls Civic Center Authority	Syracuse Parking Authority
	Gloversville Community Development Agency	Tonawanda (City) Community Development Agency
	Harrison Parking Authority	Town of Erwin Urban Renewal Agency
	Haverstraw Urban Renewal Agency	Town of North Hempstead Community Development Agency
	Huntington Community Development Agency	Town of Southampton Community Development Agency
	Ithaca Urban Renewal Agency	Troy Parking Authority
	Jamestown Urban Renewal Agency	Upper Mohawk Valley Memorial Auditorium Authority
	Johnson City Parking Authority	Upper Mohawk Valley Regional Water Finance Authority
	Little Falls Urban Renewal Agency	Utica Urban Renewal Agency
	Mechanicville Community Development Agency	Village of Haverstraw Urban Renewal Agency
	Middletown Community Development Agency	Village of Riverside Urban Renewal Agency
	Mount Vernon Urban Renewal Agency	Village of Spring Valley Urban Renewal Agency
	Nassau County Sewer and Storm Water Finance Authority	Village of St. Johnsville Urban Renewal Agency
	Newburgh Community Development Agency	Westbury Community Development Agency
	Niagara Falls Public Water Authority	Western Finger Lakes Solid Waste Management Authority
	Niagara Falls Urban Renewal Agency	
<b>IDA</b> (n=12)	Cayuga Industrial Development Agency	North Greenbush Industrial Development Agency
	City of Oneida Industrial Development Agency	Port Jervis Industrial Development Agency
	Corinth Industrial Development Agency	Rotterdam Industrial Development Agency
	Dunkirk Industrial Development Agency	Town of Erwin Industrial Development Agency
	Hudson Industrial Development Agency	Town of Montgomery Industrial Development Agency
	Newburgh Industrial Development Agency	Town of Waterford Industrial Development Agency



2011 Annual Report on Public Authorities in New York State

Public Authorities That Have Not Submitted a 2011 Budget Report in PARIS as of June 30, 2011		
<b>State</b> (n=1)	New York Job Development Authority	
<b>Local</b> (n=29)	Binghamton Urban Renewal Agency	Nyack Parking Authority
	Cayuga County Water and Sewer Authority	Ossining Urban Renewal Agency
	City of Fulton Community Development Agency	Poughkeepsie Urban Renewal Agency
	Dolgeville Community Development Agency	Saranac Lake Community Development Agency
	Freeport Community Development Agency	Sleepy Hollow Parking Authority
	Glens Falls Civic Center Authority	Syracuse Parking Authority
	Ithaca Urban Renewal Agency	Town of Southampton Community Development Agency
	Johnson City Parking Authority	Troy Parking Authority
	Little Falls Urban Renewal Agency	Upper Mohawk Valley Regional Water Finance Authority
	Mechanicville Community Development Agency	Village of Haverstraw Urban Renewal Agency
	Middletown Community Development Agency	Village of Riverside Urban Renewal Agency
	Newburgh Community Development Agency	Village of Spring Valley Urban Renewal Agency
	Niagara Falls Public Water Authority	Village of St. Johnsville Urban Renewal Agency
	Niagara Falls Urban Renewal Agency	Westbury Community Development Agency
Niagara Falls Water Board		
<b>IDA</b> (n=4)	City of Oneida Industrial Development Agency	Newburgh Industrial Development Agency
	Cornith Industrial Development Agency	Town of Erwin Industrial Development Agency
<b>LDC</b> (n=45)	Albany Local Development Corporation	Mohawk Valley Heritage Corridor Commission
	Bolton Local Development Corporation	New York City Sports Development Corporation
	Bronx Overall Economic Development Corporation	Niagara Region Certified Development Corporation
	Buffalo Economic Renaissance Corporation	Operation Oswego County
	Canton Local Development Corporation	Putnam County Economic Development Corporation
	Catskill Watershed Corporation	Rockland Economic Development Corporation
	Cayuga County Development Corporation	Schenectady County Capital Resource Corporation *
	Chadwick Bay Regional Development Corporation	Seneca Falls Development Corporation
	Cheektowaga Economic Development Corporation	Seneca Knit Development Corporation
	City of Albany Capital Resource Corporation *	Sullivan County Economic Development Corporation *
	City of Watervliet Local Development Corporation	The Castleton-Schodack Local Development Corporation
	Columbia Economic Development Corporation	The Catskill Local Development Corporation
	Columbia Tobacco Asset Securitization Corporation	The City of Newburgh Local Development Corporation
	Crossroads Incubator Corporation	The Development Corporation - Clinton County
	Economic Development Corporation - Warren County	The Hamilton County Local Development Corporation
	Erie Tobacco Asset Securitization Corporation	The Philmont Local Development Corporation
	Finger Lakes Horizon Economic Development Corporation *	Tompkins County Area Development
	Fulton County Economic Development Corporation	Town of Islip Local Development Corporation
	Greater Brockport Development Corporation	Village of Lancaster Community Development Corporation
	Hudson River Local Development Corporation	Village of Penn Yan Local Development Corporation
	Johnstown Economic Development Corporation	Washington Tobacco Asset Securitization Corporation
	Local Development Corporation of Laurelton, Rosedale, and Springfield Gardens	Yates County Capital Resource Corporation *
	Local Development Corporation of Mount Vernon	

\* LDC was added to covered list in 2010

The following list of LDC's were added to covered list in 2011. The first budget report they are expected to file is for fiscal year end 2011-12:

- Allegany County Capital Resource Corporation
- Business Development Corporation for a Greater Massena
- Cattaraugus County Capital Resource Corporation
- City of Troy Capital Resource Corporation
- Chautauqua County Capital Resource Corporation
- Essex County Capital Resource Corporation
- Geneva Local Development Corporation
- Jefferson County Civic Facility Development Corporation
- Livingston County Capital Resource Corporation
- Livingston County Development Corporation

- Madison County Capital Resource Corporation
- Municipal Electric and Gas Alliance, Inc.
- Nassau County Local Economic Assistance Corporation
- Suffolk Tobacco Asset Securitization Corporation
- Ulster County Capital Resource Corporation
- Village of Churchville Local Development Corporation
- Village of Valatie Local Development Corporation
- Wayne County Civic Facility Development Corporation
- Wayne Economic Development Corporation



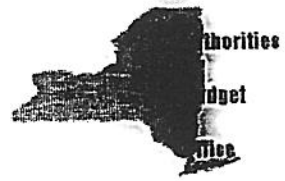
2011 Annual Report on Public Authorities in New York State

Public Authorities That Have Not Submitted a 2010 Annual Report in PARIS as of June 30, 2011 Continued...		
LDC (n=67)	Albany Local Development Corporation	Onondaga Civic Development Corporation
	Bolton Local Development Corporation	Operation Oswego County
	Bronx Overall Economic Development Corporation	Potsdam Community Development Corporation
	Buffalo Economic Renaissance Corporation	Ramapo Local Development Corporation *
	Canton Local Development Corporation	Rockland Economic Development Corporation
	Catskill Watershed Corporation	Rockland Second Tobacco Asset Securitization Corporation
	Cayuga County Development Corporation	Rockland Tobacco Asset Securitization Corporation
	Chadwick Bay Regional Development Corporation	Schenectady County Capital Resource Corporation *
	Chautauqua Tobacco Asset Securitization Corporation	Seneca Falls Development Corporation
	Cheektowaga Economic Development Corporation	Seneca Knit Development Corporation
	City of Albany Capital Resource Corporation *	Sullivan County Agricultural Local Development Corporation
	City of Watervliet Local Development Corporation	Sullivan County Economic Development Corporation *
	Columbia Economic Development Corporation	Syracuse Economic Development Corporation
	Columbia Tobacco Asset Securitization Corporation	The Castleton-Schodack Local Development Corporation
	Crossroads Incubator Corporation	The Catskill Local Development Corporation
	Dunkirk Local Development Corporation	The City of Newburgh Local Development Corporation
	Dutchess County Economic Development Corporation	The Development Corporation - Clinton County
	Economic Development Corporation - Warren County	The Philmont Local Development Corporation
	Erie Tobacco Asset Securitization Corporation	Tioga County Local Development Corporation
	Finger Lakes Horizon Economic Development Corporation *	Tioga Tobacco Asset Securitization Corporation
	Fulton County Economic Development Corporation	Tompkins County Area Development
	Greater Brockport Development Corporation	Town of Dewitt Local Development Corporation
	Hilton Local Development Corporation *	Town of Islip Local Development Corporation
	Hudson River Local Development Corporation	Town of Plattsburgh Local Development Corporation
	Jamestown Local Development Corporation	Troy Local Development Corporation
	Johnstown Economic Development Corporation	Village of Lancaster Community Development Corporation
	Lake City Local Development Corporation	Village of Fern Yan Local Development Corporation
	Local Development Corporation of Laurelton, Rosedale, and Springfield Gardens	Village of South Glens Falls Local Development Corporation
	Local Development Corporation of Mount Vernon	Warren County Local Development Corporation
	Lumber City Development Corporation	Washington Tobacco Asset Securitization Corporation
	Mohawk Valley Heritage Corridor Commission	Wyoming County Business Center
Nassau County Tobacco Settlement Corporation	Yates County Capital Resource Corporation *	
New York City Sports Development Corporation	Yonkers Downtown Waterfront Development Corporation	
Niagara Region Certified Development Corporation		

\* LDC was added to covered list in 2010

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- Essex County Capital Resource Corporation
- Geneva Local Development Corporation
- Jefferson County Civic Facility Development Corporation
- Livingston County Capital Resource Corporation
- Livingston County Development Corporation
- Madison County Capital Resource Corporation
- Municipal Electric and Gas Alliance, Inc.
- Nassau County Local Economic Assistance Corporation
- Suffolk Tobacco Asset Securitization Corporation
- Ulster County Capital Resource Corporation
- Village of Churchville Local Development Corporation
- Village of Valatie Local Development Corporation
- Wayne County Civic Facility Development Corporation
- Wayne Economic Development Corporation



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