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**Authority Budget Office  
Review Report  
Dolgeville Community Development  
Agency  
September 23, 2009**

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The Authority Budget Office (ABO) is authorized by Section 27 of Chapter 766 of the Laws of 2005 (The Public Authorities Accountability Act) to review and analyze the operations, practices and reports of public authorities, and to assess compliance with various provisions of Public Authorities Law and other relevant State statutes. This includes rendering conclusions and opinions regarding the performance of public authorities and to assist these authorities improve management practices and the procedures by which their activities and financial practices are disclosed to the public.

The Authority Budget Office (ABO) is conducting a series of compliance reviews of public authorities that have not filed required reports with the State for 2007 and 2008. The Dolgeville Community Development Agency (CDA) was chosen for this review because it has not filed its Budget, Annual, Audit, Procurement, or Investment Reports.

The purpose of this review was to determine why the CDA is delinquent with its reports. We also reviewed its structure and operations to determine whether the CDA acts in other ways to promote accountability and transparency in the absence of filing its reports.

### **Background of Agency**

The CDA was authorized in 1980 pursuant to Title 64a, Article 15-B of General Municipal Law. The CDA Board is comprised of five members appointed by the mayor and approved by the Village Board of Trustees, of which one member could be the mayor and another could be a member of the Board of Trustees. However, Village officials stated that the CDA is not active and has not been active for over ten years. The CDA Board does not meet and the CDA does not have any debt, property, employees or bank accounts. Currently the Village administers grant programs or uses independent consultants. In addition, the Village administers two revolving loan funds for housing rehabilitation and economic development, respectively. Loans for these funds are recommended to the Village Board of Trustees by citizens advisory committees for approval. We found no reference or documentation indicating the existence of an active CDA within the Village.

## **Failure to Submit Reports**

We met with the Village Attorney, the Village Clerk and the Mayor of the Village. The Mayor and Village Clerk indicated that the CDA did not submit reports to the ABO because they did not consider the CDA to be in existence. Further, these officials stated that no members have been appointed by the current mayor or the prior mayor to the CDA Board. However, the Village did not notify the ABO of the CDA's inactive status despite correspondence from the ABO that the CDA was subject to the Act. If current Village officials consider the CDA to be inactive, we recommend that the Village Board of Trustees take action to officially dissolve the CDA through special State legislation.

Section 553(1)(b)(2) of General Municipal Law states that a community development agency is perpetual in duration, except if after ten years the agency does not have any outstanding debt or other obligations of its own or on its behalf, then the corporate existence of such agency shall terminate and it shall be deemed to be dissolved. While this provision may apply to the Dolgeville CDA, no documentation was provided that could confirm the CDA had no debts or obligations in 1990. Accordingly, we recommend that the Village draft a home rule message requesting that the State Legislature officially dissolve the CDA.