



Village of Castleton-on-Hudson Internal Controls Over Information Technology and Online Banking

Report of Examination

Period Covered:

June 1, 2011 — September 30, 2012

2013M-59



Thomas P. DiNapoli

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State of New York Office of the State Comptroller

Division of Local Government and School Accountability

May 2013

Dear Village Officials:

A top priority of the Office of the State Comptroller is to help local government officials manage government resources efficiently and effectively and, by so doing, provide accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of local governments statewide, as well as compliance with relevant statutes and observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations and Board of Trustees governance. Audits also can identify strategies to reduce costs and to strengthen controls intended to safeguard local government assets.

Following is a report of our audit of Village of Castleton-on-Hudson, entitled Internal Controls Over Information Technology and Online Banking. This audit was conducted pursuant to Article V, Section 1 of the State Constitution and the State Comptroller's authority as set forth in Article 3 of the General Municipal Law.

This audit's results and recommendations are resources for local government officials to use in effectively managing operations and in meeting the expectations of their constituents. If you have questions about this report, please feel free to contact the local regional office for your county, as listed at the end of this report.

Respectfully submitted,

*Office of the State Comptroller
Division of Local Government
and School Accountability*



State of New York Office of the State Comptroller

EXECUTIVE SUMMARY

The Village of Castleton-on-Hudson is located in the Town of Schodack in Rensselaer County and has a population of approximately 1,470 residents. The Village is governed by a Board of Trustees (Board) which comprises four elected Trustees and an elected Mayor. The Board is responsible for the general oversight of the Village's operations.

The Mayor, who is a member of the Board, is the chief executive officer. The Treasurer is the chief fiscal officer and, in addition to maintaining the accounting records, is responsible for receiving, disbursing, and maintaining custody of Village moneys. The Village's budgeted appropriations for the 2012-13 fiscal year were approximately \$2 million.

Scope and Objective

The objective of our audit was to review the Village's internal controls over information technology (IT) and online banking for the period of June 1, 2011, to September 30, 2012. Our audit addressed the following related questions:

- Are internal controls over IT appropriately designed?
- Are internal controls over online banking appropriately designed and operating effectively to adequately safeguard Village assets?

Audit Results

Village officials have not developed any formal IT policies, and the Board has not developed a formal disaster recovery plan, instituted breach notification procedures, or adopted procedures for data backup. In addition, the Village's bookkeeper, although not a Village employee, has administrative rights to the Village's financial software. Therefore, he has the ability to add users, modify access rights and data files, and correct errors. Finally, although audit logs are available through the software, they are not generated and reviewed by Village officials. As a result of these weaknesses, the Village's IT system and its data are subject to an increased risk of corruption, loss, or misuse.

The Village uses online banking services with one bank and currently only makes intra-bank transfers between its accounts at this bank. The Board has not instituted appropriate internal controls for online banking. The Board was unfamiliar with and unaware of the importance of these types of controls. As a result, there is an increased risk of unauthorized transfers and the potential misuse of funds.

Comments of Local Officials

The results of our audit and recommendations have been discussed with Village officials and their comments, which appear in Appendix A, have been considered in preparing this report. Village officials generally agreed with our recommendations and indicated they planned to initiate corrective action.

Introduction

Background

The Village of Castleton-on-Hudson (Village) is located in the Town of Schodack in Rensselaer County and has a population of approximately 1,470 residents. The Village is governed by a Board of Trustees (Board) which comprises four elected Trustees and an elected Mayor. The Board is responsible for the general oversight of the Village's operations.

The Mayor, who is a member of the Board, is the chief executive officer. The Treasurer is the chief fiscal officer and, in addition to maintaining the accounting records, is responsible for receiving, disbursing, and maintaining custody of Village moneys. The Village contracts with a bookkeeper to maintain its accounting records and perform other financial duties. These duties include serving as the administrator for the Village's financial software and online banking.

The Village provides the following basic services: fire protection, street maintenance, snow removal, street lighting, refuse collection, and water and sewer service. The Village's budgeted appropriations for the 2012-13 fiscal year were approximately \$2 million. These appropriations are funded primarily with real property taxes, sales tax, refuse and garbage charges, water rents, sewer rents, and State aid.

Objective

The objective of our audit was to review the Village's internal controls over information technology (IT) and online banking. Our audit addressed the following related questions:

- Are internal controls over IT appropriately designed?
- Are internal controls over online banking appropriately designed and operating effectively to adequately safeguard Village assets?

Scope and Methodology

We examined the Village's oversight of IT and online banking for the period of June 1, 2011, to September 30, 2012. Our audit disclosed areas where additional IT security controls should be instituted. Because of the sensitive nature of this information, certain specific vulnerabilities are not discussed in this report but have been separately communicated to Village officials so they could take corrective action.

We conducted our audit in accordance with generally accepted government auditing standards (GAGAS). More information on such standards and the methodology used in performing this audit are included in Appendix B of this report.

**Comments of
Local Officials and
Corrective Action**

The results of our audit and recommendations have been discussed with Village officials and their comments, which appear in Appendix A, have been considered in preparing this report. Village officials generally agreed with our recommendations and indicated they planned to initiate corrective action.

The Board has the responsibility to initiate corrective action. A written corrective action plan (CAP) that addresses the findings and recommendations in this report should be prepared and forwarded to our office within 90 days, pursuant to Section 35 of the General Municipal Law. For more information on preparing and filing your CAP, please refer to our brochure, *Responding to an OSC Audit Report*, which you received with the draft audit report. We encourage the Board to make this plan available for public review in the Village Clerk's office.

Information Technology

The Village relies on its IT system for access to the Internet, email communication, data storage, and financial records. Therefore, the Village's IT system and the data it holds are valuable resources. If the IT system fails, the results could range from an inconvenient to severe situation. Even small disruptions in IT systems can require extensive effort to evaluate and repair. Village officials are responsible for developing written policies and procedures to effectively safeguard IT resources. Such policies and procedures should address using and monitoring the Village's IT system and data backups and the development of a formal disaster recovery plan to reduce the risk of data loss and to provide guidance to staff on its recovery in the event of a disaster. Finally, a breach notification procedure is important if Village officials have to notify affected parties in the event of unauthorized access to their confidential information.

Village officials have not developed any formal IT policies, and the Board has not developed a formal disaster recovery plan, instituted breach notification procedures, or adopted procedures for data backup. In addition, the Village's bookkeeper, although not a Village employee, has administrative rights to the Village's financial software. Therefore, he has the ability to add users, modify access rights and data files, and correct errors. Finally, although audit logs are available through the software, they are not generated and reviewed by Village officials. As a result of these weaknesses, the Village's IT system and its data are subject to an increased risk of corruption, loss, or misuse.

Policies

Board members are responsible for creating an appropriate internal control environment over IT security by establishing policies that take into account people, processes, and technology and communicate these policies to Village officials and employees. IT policies define appropriate user behavior and describe the tools and procedures needed to protect data and information systems. The policies should address issues such as acceptable computer, email, and Internet use; protection of personal, private, and sensitive information; password security; remote access; and virus protection.

In addition, New York State Technology Law Section 208 requires villages to establish an information breach notification policy. Such a policy helps to ensure that affected residents or employees are notified when their private information was, or is reasonably believed to have been, acquired by a person without a valid authorization. It is important for the disclosure to be made in the most expedient time possible and without unreasonable delay, consistent with the

legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

The Board has not adopted policies that address IT, including a breach notification policy, and was unaware of the need for such policies. While IT policies do not guarantee the safety of the Village's IT system or the electronic information it has been entrusted with by taxpayers, customers, employees, and others, the lack of policies increases the risk that data and hardware and software systems may be lost or damaged by inappropriate access and use.

Audit Logs

An audit log is an automated mechanism for establishing individual accountability, reconstructing events, and monitoring problems. An audit log maintains a record of activity by computer system or application that identifies each person who accesses the system, records the time and date of the access, identifies the activity that occurred, and records the time and date of log-off. Village officials are responsible for reviewing audit logs to monitor the activity of persons who access the accounting records and to identify problems that may have occurred.

Village officials told us that their financial software system has the ability to generate audit logs. However, this feature of the system is not being used. Because the Board has not implemented procedures to periodically produce and review these logs, its ability to detect and address unauthorized activities is compromised.

Data Backup

Village computers contain a considerable amount of private and valuable data related to employees, vendors, and taxpayers. Accordingly, the Village should routinely back up (make a duplicate copy of) data stored on computers to enable the data to be restored in the event of a loss. Further, back-up data should be encrypted and kept at an off-site location in the event of a disaster at the computer location site. It is also important that the Village routinely test the backups to ensure data integrity. Finally, the Board should formally establish written policies and procedures addressing data backup, including the frequency of creating and testing back-up data and guidance for encrypting data, storing backups to protect them from fire and water damage, and protecting backups from theft and/or data corruption.

The Board has not adopted a formal data backup policy and Village officials have not established written back-up procedures. The Village Treasurer backs up financial records and data daily to an external hard drive and weekly to a flash drive. However, the backups are not stored at an off-site location. Instead, the external hard drive is

located in the Village business office and the flash drives are kept in the Village vault. In addition, although the external hard drive is encrypted, the flash drive is not. This situation exists because Village officials were not familiar with what constitutes adequate back-up procedures.

Because the Board has not adopted policies and procedures to address data backup, the Village could experience a significant loss of data in the event of an unexpected occurrence. The lack of encryption also exposes sensitive information on the backups to theft or compromise.

Disaster Recovery Plan

A disaster recovery plan provides a framework for reconstructing vital operations to ensure the resumption of time-sensitive operations and services in the event of an emergency. A strong system of internal controls includes a disaster recovery plan that describes how the Village plans to deal with potential disasters. Such disasters may include any sudden, catastrophic event (e.g., fire, computer virus, power outage, or a deliberate or inadvertent employee action) that compromises the availability or integrity of the IT system and data. The plan should describe the precautions to be taken to minimize the effects of a disaster and enable the Village to either maintain or quickly resume critical functions. The plan should include a significant focus on disaster prevention and should be distributed to all responsible parties, periodically tested, and updated as needed.

The Board has not developed a formal disaster recovery plan to address potential disasters. The Board was unaware of the need for such a plan. Consequently, in the event of a disaster, Village personnel have no guidelines or plan to follow to help minimize or prevent the loss of equipment and data or guidance on how to implement data recovery procedures. Further, without a disaster recovery plan, the Village is at risk for the loss of important data and the disruption of time-sensitive operations.

Recommendations

1. The Board should adopt formal IT policies, including a breach notification policy, and implement procedures to effectively safeguard the Village's IT resources.
2. Village officials should routinely generate and review the financial system audit logs to monitor user activity, including the potential threat of unauthorized access by third parties.
3. Backups should be encrypted, stored at an environmentally secure off-site location, and routinely tested. In addition, Board-written policies and procedures should provide guidance on how the Village's electronic data is backed up.

4. The Board should establish a formal disaster recovery plan that addresses the range of potential threats to the Village's IT systems and data and provides the guidance necessary to maintain Village operations or restore them as quickly as possible in the event of a disaster. This plan should be distributed to all responsible parties, periodically tested, and updated as needed.

Online Banking

Online banking allows the convenience of moving money between bank accounts and to external accounts, reviewing transaction histories, reconciling accounts at any time, and closely monitoring cash balances. General Municipal Law (GML)¹ allows local governments to disburse or transfer funds in their custody by means of electronic transfer, which includes intra-bank transfers (between accounts within the same bank) and inter-bank, or wire, transfers (between banks). Because electronic transfers typically involve significant amounts of money, it is important for the Village to have formal policies and procedures in place to limit the number and activities of the individuals authorized to make electronic transfers and require all transfers to be approved prior to execution and independently confirmed after the transfer.

In addition, GML requires the Village to enter into an agreement with its financial institutions that provide online banking services that describe the authorizations required and the accounts involved. The duties of maintaining and/or modifying accounting records, reconciling bank accounts, serving as the online banking administrator, and performing electronic transfers should not be assigned to the same person. Lastly, an individual who performs these transfers should always use a unique password to ensure accountability.

The Village uses online banking services with one bank and currently only makes intra-bank transfers between its accounts at this bank. The Board has not instituted appropriate internal controls for online banking. The Board was unfamiliar with and unaware of the importance of these types of controls. As a result, there is an increased risk of unauthorized transfers and the potential misuse of funds.

Written Policy

The Board should adopt a system of internal controls for the documentation and reporting of all transfers and disbursement of funds accomplished by electronic transfer. An essential component of such a system includes the adoption of a comprehensive written policy for online banking. This policy should include, but is not limited to, a description of the online banking functions (e.g., read-only and transfer ability) that will be used by each employee with access to online banking, the employee or employees who are permitted to authorize transactions/transfers, the employee or employees who will record transactions/transfers, the employee or employees who will review and reconcile transactions/transfers, and the procedure that will be followed when responding to potential fraudulent activity.

¹ General Municipal Law, Section 5-a

The Board has not established a formal online banking policy. As a result, there is an increased risk that unauthorized transfers could occur and potentially allow for the misuse of funds.

Bank Agreements

The Village should have an online banking agreement that addresses electronic or wire transfers with each bank that provides those services to the Village. According to GML, this agreement should prescribe the manner in which electronic or wire transfers of funds will be accomplished, identify the names and numbers of the bank accounts from which electronic or wire transfers may be made, identify which individuals are authorized to request an electronic or wire transfer of funds, and implement a security procedure as defined in the New York State Uniform Commercial Code (UCC).²

The security procedure may be addressed through written procedures in the agreement whose purpose is to verify that a payment order is that of the entity and to detect errors in the transmission or content of the payment order. This is often accomplished through a callback provision in the written agreement which requires the bank to call someone other than the person initiating the transaction to confirm the appropriateness of the transfer. Further, the financial institution should provide a written confirmation of the transaction no later than the business day following the day on which the funds were transmitted.

The Village's online capabilities are prescribed by the bank's business online banking agreement and an online banking enrollment form. The online bank agreement is a standard language agreement provided by the bank to business entities that participate in its online banking program. The business online banking agreement generally described the manner in which electronic or online wire transfers of funds were to be accomplished and the security procedure that the bank was to follow to verify the legitimacy of these transfers. The online enrollment agreement designates the administrator and the Village's online capabilities.

The Village's online transfer agreement does not comply with GML because it does not identify the names and numbers of the bank accounts from which electronic or wire transfers may be made and does not identify which individuals are authorized to request an electronic or wire transfer of funds with the exception of the administrator. Although the agreement does implement a security procedure as defined in the UCC, the implementation is rather minimal; for example, a callback mechanism was not established. Consequently, the Village officials cannot be assured that Village funds are adequately safeguarded by the Village's bank.

² Section 4-A-201

In addition, although the Village's current agreement limits its transfer capabilities to intra-bank transfers between its accounts at this bank, the agreement indicates that the bank offers its customers the opportunity to upgrade their capabilities to include wire transfers to accounts at other banks. If the Village upgrades its transfer capabilities, it should consider establishing additional controls in its agreement, such as a provision that would not permit the execution of electronic transfers to foreign countries.

Electronic Transfer Rights

The concentration of key financial duties with the same individual weakens controls over Village moneys. An individual with the ability to execute transfers should not be assigned administrative responsibility with regard to online transfers because these responsibilities often include setting up or modifying accounts to be accessed for disbursement, recipient accounts, dollar limits, new users, and an individual to act in a second-party confirmation capacity. In addition, individuals with access to online transfers should each have their own password so that responsibility for transactions can be determined. To ensure that Village funds are secure, it is important that the Village grants access to the online banking system to users based on their official job duties and responsibilities and limits this access to Village employees and officials. This person should not have the ability to modify the accounting records or reconcile the bank statements, because these combined capabilities place Village funds at risk of misappropriation without detection. This risk is increased when these incompatible duties are assigned to an outside vendor.

Currently, only the Treasurer and the bookkeeper have the capability to execute electronic transfers. The transfers are primarily made for vendor payments and payroll.

The Village has not appropriately limited access to, or established an adequate segregation of duties for, the Village's online banking functions. The bookkeeper, a contractor, performs specific accounting duties for the Village that include preparing and posting journal entries, reconciling bank accounts, updating the budget, preparing year-end adjustments, closing the books, and executing online transfers. He also serves as the system administrator for the Village's financial software and the online banking administrator. During our audit, we also found that the Treasurer and the bookkeeper use the same user ID and password. Each of these individuals can initiate transfers without second-party confirmation and without any limitation as to the amount. In addition, there is no system in place to notify the Village when funds are electronically transferred.

This situation could potentially result in an improper transfer of Village funds. For this reason, we tested 132 electronic transfers,³ totaling in excess of \$1.2 million, and found that they were properly made between Village accounts at the Village's depository, were adequately supported, and were for a valid business purpose. However, the control weaknesses identified place Village funds at risk of improper transfer without timely detection and correction.

Recommendations

5. The Board should establish a comprehensive written policy for online banking that addresses the services to be used, who has access to the accounts, who will authorize transactions, who will record them, who will reconcile electronic transactions/transfers and how often, and the procedures to be followed when responding to potential fraudulent activity.
6. The Board should also execute an online banking agreement with the Village's bank that adequately addresses electronic transfers. The agreement should include provisions to address transfer limits, callback procedures, and other security measures.
7. The bookkeeper, who is not a Village official or employee, should not execute electronic fund transfers. At least two Village officials or employees should be involved in each electronic fund transfer. The functions of authorizing and transmitting should be segregated and the recording function should be delegated to someone who does not have either authorizing or transmitting duties.
8. The Board should establish written policies and procedures that provide well-designed internal controls over electronic transfers, including adequate segregation of duties. When duties cannot be adequately segregated, procedures should be developed to provide for the independent review and prior approval of transactions.

³ See Appendix B Audit Methodology and Standards for more information on this sample selection.

APPENDIX A

RESPONSE FROM LOCAL OFFICIALS

The local officials' response to this audit can be found on the following page.



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Mr. Jeffrey P. Leonard
Chief Examiner
Division of Local Gov't and School Accountability
Office of the State Comptroller- Glens Falls Regional Office
One Broad Street
Glens Falls, New York 12801-4396

Re: Village of Castleton - draft audit response

Dear Mr. Leonard:

The Village of Castleton-on-Hudson is in receipt of the draft findings report presented to us after a recent audit of our records. I have read through the findings and have taken immediate steps to correct our information technology security controls as outlined in the report.

The Village intends to implement, to the best of our ability, all of the audit recommendations outlined in the final version of the audit report.

Sincerely,

Joseph Keegan
Mayor of Castleton on Hudson

Margaret Lill
Village Clerk

Pamela Smith
Treasurer

Craig M. Crist
Attorney for the Village

Paul W. Peter
Village Justice

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APPENDIX B

AUDIT METHODOLOGY AND STANDARDS

Our overall goal was to assess the adequacy of the internal controls put in place by officials to safeguard Village assets. To accomplish this, we performed an initial assessment of the internal controls so that we could design our audit to focus on those areas most at risk. Our initial assessment included evaluations of the following areas: financial oversight, cash receipts and disbursements, purchasing, information technology (IT), payroll and personal services, and the internal operations of the individual Village departments.

During the initial assessment, we interviewed appropriate Village officials, performed limited tests of transactions and reviewed pertinent documents, such as Board minutes, and financial records and reports. Further, we reviewed the Village's internal controls and procedures over the computerized financial databases to help ensure that the information produced by such systems was reliable.

After reviewing the information gathered during our initial assessment, we determined where weaknesses existed and evaluated those weaknesses for the risk of potential fraud, theft and/or professional misconduct. We then decided on the reported objective and scope by selecting for audit those areas most at risk. We selected information technology and online banking for further audit testing.

To accomplish our audit objective and to obtain valid audit evidence, our audit procedures for information technology included the following:

- We interviewed the Treasurer and the bookkeeper regarding the Village's information technology system and its financial software. This included inquiries regarding default accounts, user access, audit logs, back-up procedures, remote access, breach notification, and disaster recovery procedures.
- We obtained a list of all the users of the financial software and their levels of access (access rights) to determine if these users were assigned access to the financial software that was consistent with their job responsibilities. We also reviewed the list to determine if default accounts had been removed and only active employees had access to the software.
- We observed back-up procedures and the storage of the Village's back-up files.

To accomplish our audit objective and to obtain valid audit evidence, our audit procedures for online banking included the following:

- We interviewed appropriate Village officials who were responsible for online banking.
- We obtained and reviewed applicable documentation pertaining to online banking, including the Village's online banking agreement and its online banking enrollment agreement.
- We observed how Village officials performed certain online banking activities and functions.

- We reviewed Village records, confirmation advices, and bank statements for the audit period of June 1, 2011, to September 30, 2012, to determine if the electronic transfers that were selected as part of our testing were proper and deposited in Village bank accounts in a timely fashion. To do this, we selected a judgmental sample consisting of 132 online transfers totaling \$1.2 million. We selected our sample by choosing the first month of our audit period and every third month after that for a total of six months. We then tested every online transfer occurring during those six months that was made from the following bank accounts: sewer fund money market, water fund money market, Castleton Kids money market, general fund money market, the library money market, and the general fund checking.

We conducted this performance audit in accordance with generally accepted government auditing standards (GAGAS). Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

APPENDIX C

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