



## Agriculture and Markets

**ANDREW M. CUOMO**  
Governor

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Commissioner

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Office of the State Comptroller  
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### **90-day Response to Office of the State Comptroller Audit 2016-S-98**

As required by Section 170 of the Executive Law, the NYS Department of Agriculture and Markets (Department) is submitting its progress and implementation plan of the Department's Bureau of Weights and Measures (Bureau) for the recommendations made in the Office of the State Comptroller's (OSC) audit 2016-S-98. The Department is constantly exploring opportunities to improve the efficiencies of its programs and is pleased to report the following:

#### OSC Recommendation 1

Implement procedures to incorporate periodic data analysis to:

- Identify municipal functions that need improvement;
- Identify patterns, outliers, and/or areas of concern for petroleum quality testing; and
- Provide information to municipalities to assist them in managing allocation of their staff resources as effectively as possible.

#### Department Response 1

The State Bureau is currently receiving annual reports from municipalities for 2017 and has begun its initial analysis of the reports. Any problems (e.g. missing information, erroneous information, etc.) with the annual reports that were submitted will be reported to the municipal director and documented internally by the State Bureau Director. Jurisdictions that were not able to test all their mandated devices will have letters sent to the municipal director asking for an explanation. Additionally, the State Bureau Director will work with the municipal director to develop a work improvement plan for future years.

The Bureau runs queries to identify patterns, outliers and other areas of concerns for the petroleum quality program. These queries are designed to look for failure patterns at both the retail and wholesale level, data input errors, duplicates and other maintenance issues. Because of OSC's audit, the Bureau now documents the results of each query. Additionally, an official manual for the petroleum quality database has been developed and includes a description of these queries and how they work.

The Bureau will continue to work with municipalities to identify best business practices for managing staff and resources.

#### OSC Recommendation 2

Provide additional training on administrative tasks, reporting, and workload prioritization to municipal inspectors and/or directors.

#### Department Response 2

A training program for weights and measures record-keeping was developed and has been distributed to each individual municipal director or his/her designee. This training includes best practices for administrative tasks and identifies regulations on record keeping.

#### OSC Recommendation 3

Develop and implement procedures for input, quality assurance, and utilization of the information in each of the Bureau's systems.

#### Department Response 3

Written procedures for use and maintenance of the petroleum quality, training, complaints and invoicing databases have been developed and implemented. These documented procedures include instructions on how to input and maintain data which helps ensure its quality. Procedures for maintaining records have also been established.

Meetings with pertinent staff are routinely held to discuss any issues impacting quality assurance, preventive actions and overall efficiency. Records of these meeting are maintained.

#### OSC Recommendation 4

In conjunction with Office of Information Technology Services, develop controls within each system to prevent duplicative, erroneous, or incomplete information from being entered.

#### Department Response 4

Following conversations with Office of Information Technology (OITS), the Bureau has developed and implemented controls to help prevent duplicate and incomplete information from being entered into its databases. The Bureau will continue to explore additional controls with OITS to help ensure data integrity.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Richard A. Ball".

Richard A. Ball  
Commissioner  
New York State Department of Agriculture and Markets