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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

January 6, 2015

Ms. Rose Harvey
Commissioner
Office of Parks, Recreation, and Historic Preservation
625 Broadway
Albany, NY 12238

Re: Safety of Infrastructure
Report 2014-F-16

Dear Commissioner Harvey:

According to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article II, Section 8 of the State Finance Law, we have followed up on the actions taken by officials of the New York State Office of Parks, Recreation, and Historic Preservation to implement the recommendations contained in our audit report, *Safety of Infrastructure* (Report 2012-S-29) issued September 6, 2012.

Background, Scope and Objective

The Office of Parks, Recreation, and Historic Preservation (Parks) operates 179 parks and 35 historic sites, encompassing nearly 335,000 acres, which host a variety of recreational, cultural, historical and educational programs. Parks is headquartered in Albany, but operates largely through a network of 11 regional offices. During 2013, attendance at New York State parks and historic sites totaled about 60 million visitors. The Long Island region recorded the highest attendance with more than 16 million visitors. Parks' operating budget for the 2013-14 fiscal year was \$182 million, which matches funding from the previous year.

Our initial audit report examined whether Parks was maintaining its infrastructure to preserve park safety by properly inspecting and repairing any hazardous conditions identified. We found staff were actively involved in inspecting facilities and repairing hazardous conditions. However, site visits confirmed that many infrastructure issues existed throughout the park system. As of October 2010, there was a backlog of over \$1.1 billion in improvements that needed to be made. In some cases, staff had been able to make repairs, but in others had either opted to cordon off certain areas to prevent public access or, in the most extreme cases, to close individual amenities or even sections of the parks to ensure public safety. We found Parks needed to establish principles to guide selection of alternative solutions in cases where potentially dangerous infrastructure problems are likely to remain unaddressed for an extended period of time.

The objective of our follow-up was to assess the extent of implementation, as of August 12, 2014, of the two recommendations included in our initial report.

Summary Conclusions and Status of Audit Recommendations

We found Parks continues to prioritize the parks' infrastructure needs: for fiscal years 2012-13 and 2013-14 Parks started or completed 204 projects with total costs over \$221 million using New York Works funds. However, additional work is needed to safeguard the public in areas where potentially dangerous infrastructure problems remain unaddressed. Of the two prior audit recommendations, one was implemented and one was not implemented.

Follow-Up Observations

Recommendation 1

Continue efforts to prioritize the parks' infrastructure needs, and to make necessary repairs or replacements to facilities based on available funding.

Status - Implemented

Agency Action - Parks has continued efforts to prioritize infrastructure needs and make the necessary facility repairs or replacements based on the available funding. Specifically, in October 2010, Parks developed a comprehensive list of capital projects (totaling \$1.1 billion) that needed to be completed. Since then, Parks has created annual capital plans, comprised of projects from the original 2010 list and newer projects identified after the 2010 list was created.

Under current procedures, Parks' Albany office sends a memo to the regional offices each Fall to guide the process for selecting priority projects and creating the new capital plan. During this process, a list of priority projects for the next fiscal year is formulated and shared with executive staff. Project priority is determined using several factors, including: the number of visitors served; revenue generating potential; health, safety, and disability concerns; and overall improvement of visitor experience. For fiscal years 2012-13 and 2013-14, Parks officials provided us with lists of the progress and status of projects undertaken over that period. During these two years, Parks started or completed a total of 204 projects (costing over \$221 million) that were funded through New York Works appropriations.

In addition to the aforementioned procedures, there is an opportunity to strengthen the process to prioritize facility repair and replacement efforts. Although the annual capital plan includes the projects slated to be worked on during the current fiscal year, it does not track progress against (nor correlate to) the \$1.1 billion project backlog list from October 2010. Further, there was no list of projects' progress and status for the 2011-12 fiscal year. Consequently, Parks had limited assurance that items from the 2010 list were accounted

for (and not overlooked). By correlating annual facility repair and replacement plans with the 2010 project listing, Parks would have a more effective project management tool.

Recommendation 2

Establish principles to guide the selection of alternative solutions in cases where potentially dangerous infrastructure problems are likely to remain unaddressed for an extended period of time.

Status - Not Implemented

Agency Action - Parks has not established guidance for selecting alternative solutions for areas where infrastructure problems will likely remain unaddressed. No written guidance, policy or other process has been established to implement this recommendation.

We visited three parks and historical sites as part of our follow-up: John Boyd Thatcher State Park, Lake Taghkanic State Park, and Clermont State Historic Site. All three of these locations were selected because they had identifiable capital projects from Parks' \$1.1 billion list that had not yet been completed. We included John Boyd Thatcher State Park because it was one of the locations where, during our prior audit, we found potentially hazardous areas that needed to be addressed. Lake Taghkanic State Park and the Clermont State Historic Site were both selected because Parks had identified the condition of several items as being either "poor," "aging," "deteriorated" or "failing."

At each location, auditors looked to see if repairs had been made and, if not, whether "alternative solutions" had been put in place to protect the public from potential hazard, including employing means to restrict access to dangerous areas. In general, we found these efforts lacking. For example:

John Boyd Thatcher State Park

In our initial audit, we found gaps had begun to appear in the chain link fencing surrounding an abandoned swimming pool structure, making it a potential hazard. *(The picture at the right shows this structure as it appeared in 2010 at the time of our initial audit.)*



The pool had been closed in 2007 and sits in relatively close proximity to the park's Horseshoe Playground, which is often used by children.

As the pictures at the right demonstrate, when we revisited this park in 2014, we found that no improvements had been made to address the hazardous condition. The old chain link fencing remained around the abandoned pool, and its condition has deteriorated further.

Both the size and number of gaps in the fencing have increased, making it easier for children to climb through the fence and possibly get injured. Furthermore, the area is now significantly over-grown with vegetation, making it difficult (if not impossible) to see the interior.

In summary, we did not see any evidence that Parks officials had taken any steps, or made any changes to the alternative solutions employed at this location, to further deter access and ensure public safety. In fact, the conditions we observed seemed more hazardous than before.



Lake Taghkanic State Park

During our visit, we found the park's East Beach was closed. The lake was closed to swimming and the retaining wall at the beach was failing in multiple locations. We also noted that the East Beach bathhouse, which is located near a playground, was also in need of significant repair. However, the only indication that



the beach was closed was one small sign that read “No Swimming” and a rope strung between two poles. This sign was close to the lake and there was no other significant barrier or signage to prevent access or otherwise inform visitors that the beach itself is closed. There was also no indication that the beach was closed on other signs throughout the park that show the location of the beach or at the park's main entrance. While families with children would likely go elsewhere if they knew the beach was closed, the proximity of the beach to the playground could make it inviting for some children to play on the failing retaining wall, in the water, or at other unsafe locations.

Clermont State Historic Site

In general, we found fewer areas of concern at this location. However, we did take note of an old barn with broken windows that may have benefitted from some signage or barrier that would inform the public of potential safety issues and possibly deter unauthorized entry.

Major contributors to this report were Walter Irving, Heather Pratt, Vicki Wilkins and Marisa Wolosz.

We would appreciate your response to this report within 30 days, indicating any actions planned to address the unresolved issues discussed in this report.

Please convey our thanks to the management and staff for the courtesies and cooperation extended to our auditors during this review.

Sincerely,

John F. Buyce, CPA, CIA, CFE
Audit Director

cc: Tracy Robbins, Director of Internal Audit