

**TOWN OF CLARENCE**  
**INDUSTRIAL DEVELOPMENT AGENCY**

*Basic Financial Statements, Required Supplementary  
Information and Supplemental Information for the  
Years Ended December 31, 2012 and 2011 and  
Independent Auditors' Reports*



**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
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**Years Ended December 31, 2012 and 2011**

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*Certified Public Accountants*

## **INDEPENDENT AUDITORS' REPORT**

To the Members of Town of Clarence  
Industrial Development Agency:

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the Town of Clarence Industrial Development Agency (the "Agency") as of December 31, 2012 and 2011 and for the years then ended, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the table of contents.

### ***Management's Responsibility for the Financial Statements***

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

### ***Opinions***

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Agency, as of December 31, 2012 and 2011, and the respective changes in financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

## ***Other Matters***

### ***Required Supplementary Information***

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 3 through 5 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

### ***Other Information***

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Agency's basic financial statements. The Schedule of Agency Investments and Real Property Listing as required under New York State Public Authority Law are presented for purposes of additional analysis and are not a required part of the basic financial statements. The Schedule of Agency Investments and Real Property Listing are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedule of Agency Investments and Real Property Listing are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

### ***Other Reporting Required by Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated February 22, 2013 on our consideration of the Agency's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control over financial reporting and compliance.

A handwritten signature in cursive script that reads "Drescher & Malecki LLP". The signature is written in dark ink and is positioned above the typed name and date.

Cheektowaga, New York  
February 22, 2013

**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Management's Discussion and Analysis**  
**December 31, 2012 and 2011**

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As management of the Town of Clarence Industrial Development Agency (the "Agency") we offer readers of the Agency's financial statements this narrative overview and analysis of the financial activities of the Agency for the years ended December 31, 2012 and 2011. This narrative should be read in conjunction with the Agency's financial statements which follow this section.

**Financial Highlights:**

- ◆ The assets of the Agency exceed its liabilities at December 31, 2012 and 2011 by \$872,863 and \$888,444, respectively. These amounts are termed *unrestricted net position* and may be used to fund the Agency's ongoing operations.
- ◆ The Agency's net position decreased by \$15,581 and \$11,333 during the fiscal years ended December 31, 2012 and 2011, respectively.

**Overview of the Financial Statements**

This discussion and analysis is intended to serve as an introduction to the Agency's basic financial statements. This report includes the independent auditors' report, management's discussion and analysis, financial statements and notes to financial statements.

**Required Financial Statements** – The financial statements are prepared using the accrual basis of accounting. The financial statements include:

- ◆ *Statements of Net Position* – shows all assets, liabilities and net position of the Agency at December 31, 2012 and 2011.
- ◆ *Statements of Activities* – shows the financial activity for the years ended December 31, 2012 and 2011 and displays how this financial activity changes the Agency's net position.
- ◆ *Statements of Cash Flows* – shows the cash provided and used during 2012 and 2011 and how it affects the cash balance at December 31, 2012 and 2011.
- ◆ *Notes to the Financial Statements* – provide information regarding the Agency and explain in more detail information included in the financial statements.

**Financial Analysis** – The Agency provides administrative assistance to companies within the Town of Clarence and has limited operations. The Agency does not have any capital assets, long-term debt or full time employees. When analyzing the financial condition and the impact of current year operating activities, Agency management believes the most important issue is whether the Agency is better off than it was in the prior year. The *statement of net position* and the *statement of activities* can assist in determining whether the Agency is better off. The *statement of cash flows* provides information about the cash receipts, cash payments, and net change in cash resulting from the operating, investing and capital financing activities of the Agency during the year. This statement helps users assess the Agency's ability to generate net cash flows, its ability to meet obligations as they come due, and its need for external financing. Condensed financial highlights of these statements are included on the following page.

**TABLE 1 – CONDENSED STATEMENT OF NET POSITION**

	<u>2012</u>	<u>2011</u>	<u>2010</u>
Assets:			
Current assets	\$ 872,863	\$ 888,444	\$ 905,301
Liabilities:			
Current liabilities	-	-	5,524
Net Position:			
Unrestricted	<u>\$ 872,863</u>	<u>\$ 888,444</u>	<u>\$ 899,777</u>

The Agency's current assets are comprised entirely of cash and cash equivalents. These assets have decreased in 2012 and 2011 over the previous years as a result of operating activities.

The Agency's net position at December 31, 2012 and 2011 was entirely derived as a result of operating activities and there are no restrictions as to its use.

**Agency activities** – Agency activities decreased net assets by \$ 15,581 and \$11,333 during the years ended December 31, 2012 and 2011, respectively. Key elements of this change are presented in Table 2:

**TABLE 2 – REVENUES, EXPENSES, AND CHANGES IN NET POSITION**

	<u>2012</u>	<u>2011</u>	<u>2010</u>
Operating revenues	\$ 28,332	\$ 49,600	\$ 124,542
Operating expenses	<u>45,762</u>	<u>63,934</u>	<u>82,157</u>
Net operating (loss) income	(17,430)	(14,334)	42,385
Nonoperating revenues	<u>1,849</u>	<u>3,001</u>	<u>4,019</u>
Change in net assets	(15,581)	(11,333)	46,404
Net assets - beginning	<u>888,444</u>	<u>899,777</u>	<u>853,373</u>
Net assets - ending	<u>\$ 872,863</u>	<u>\$ 888,444</u>	<u>\$ 899,777</u>

Operating revenues represent administrative fees and charges resulting from the closing of transactions that assist Town of Clarence businesses. This assistance can take the form of lease transactions, assistance with bond issuances or sales tax exemptions, which generally allow such businesses to expand. In comparison to 2011, the Agency assisted in fewer transactions and as a result, they received fewer fees during 2012. Operating revenues decreased by approximately \$21,000 from 2011.

The Agency's expenses consist of advertising, consulting and other administrative costs related to general operations. The decrease in operating costs from 2011 to 2012 reflects a decrease in community relations expenses.

**Cash flows** – Agency cash and cash equivalents decreased by \$15,581 and \$16,857 for the years ended 2012 and 2011, respectively, and increased by \$51,928 for the year ended December 31, 2010. Key elements of these changes are shown in Table 3, below:

**TABLE 3 – CASH FLOWS**

	<u>2012</u>	<u>2011</u>	<u>2010</u>
Cash flows from:			
Operating activities	\$ (17,430)	\$ (19,858)	\$ 47,909
Investing activities	<u>1,849</u>	<u>3,001</u>	<u>4,019</u>
Net increase	(15,581)	(16,857)	51,928
Cash and cash equivalents - beginning	<u>888,444</u>	<u>905,301</u>	<u>853,373</u>
Cash and cash equivalents - ending	<u>\$ 872,863</u>	<u>\$ 888,444</u>	<u>\$ 905,301</u>

The decrease and increases in cash and cash equivalents reflect the operating activities.

**Capital Assets and Debt** – The Agency does not own any capital assets, nor has it issued any debt instruments.

**Economic Factors** – Although the Agency’s financial status decreased in 2012 and 2011, there are several projects in the planning and development stages.

**Contacting the Agency** – Questions regarding this report or requests for additional information should be directed to the Town of Clarence Industrial Development Agency, One Town Place, Clarence, New York 14031.

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**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Net Position**  
**December 31, 2012 and 2011**

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	<u>2012</u>	<u>2011</u>
<b>ASSETS</b>		
Current assets:		
Cash and cash equivalents	\$ 872,863	\$ 888,444
Total assets	<u>872,863</u>	<u>888,444</u>
<b>LIABILITIES</b>		
Total liabilities	<u>-</u>	<u>-</u>
<b>NET POSITION</b>		
Unrestricted	<u>\$ 872,863</u>	<u>\$ 888,444</u>

The notes to the financial statements are an integral part of these statements.

**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Activities**  
**For the Years Ended December 31, 2012 and 2011**

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	<b>2012</b>	<b>2011</b>
Operating revenues:		
Administrative fees	\$ 28,332	\$ 44,076
Other revenues - refund	-	5,524
	28,332	\$ 49,600
Operating expenses:		
Accounting services	4,100	4,100
Administrative costs	7,958	9,128
Advertising	13,286	12,470
Consultants	16,150	17,700
Insurance	4,012	4,301
Office supplies	256	235
Community relations	-	16,000
Total operating expenses	45,762	63,934
Operating loss	(17,430)	(14,334)
Nonoperating revenue:		
Interest earnings	1,849	3,001
Change in net assets	(15,581)	(11,333)
Net assets - beginning	888,444	899,777
Net assets - ending	\$ 872,863	\$ 888,444

The notes to the financial statements are an integral part of these statements.

**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Statements of Cash Flows**  
**For the Years Ended December 31, 2012 and 2011**

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	<u>2012</u>	<u>2011</u>
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>		
Cash received for services provided	\$ 28,332	\$ 44,076
Payments made for operating costs	<u>(45,762)</u>	<u>(63,934)</u>
Net cash used in operating activities	<u>(17,430)</u>	<u>(19,858)</u>
 <b>CASH FLOW FROM INVESTING ACTIVITIES</b>		
Interest earned	<u>1,849</u>	<u>3,001</u>
Net cash provided by investing activities	<u>1,849</u>	<u>3,001</u>
 Net change in cash and cash equivalents	(15,581)	(16,857)
 Cash and cash equivalents - beginning	<u>888,444</u>	<u>905,301</u>
 Cash and cash equivalents - ending	<u>\$ 872,863</u>	<u>\$ 888,444</u>
 <b>Reconciliation of operating (loss) income to net cash used in operating activities:</b>		
Operating loss	<u>\$ (17,430)</u>	<u>\$ (14,334)</u>
Adjustments to reconcile operating income to net cash used in operating activities:		
Decrease in accrued liabilities	<u>-</u>	<u>(5,524)</u>
 Net cash used in operating activities	<u>\$ (17,430)</u>	<u>\$ (19,858)</u>

The notes to the financial statements are an integral part of these statements.

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**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Notes to the Financial Statements**  
**For the Years Ended December 31, 2012 and 2011**

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**1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

***Nature of Operations***—The Town of Clarence Industrial Development Agency (the “Agency”) is a public benefit corporation and was created in 1973 under Title I Article 18-A of New York State General Municipal Law for the purpose of encouraging financially sound companies to locate and expand in the Town of Clarence, New York (the “Town”).

The financial statements of the Agency have been prepared in conformity with accounting principles generally accepted in the United States of America. Significant accounting policies are listed below.

***Basis of Accounting***—The accounts of the Agency are maintained on the accrual basis of accounting.

***Reporting Entity***—The Agency is not considered a component unit of the Town. The Town has no authority to approve the Agency’s budget nor does it have any responsibility for the debt, financing deficits or fiscal management of the Agency.

***Tax Status*** — The Agency is exempt from Federal income taxes and New York State franchise taxes.

***Industrial Development Revenue Bond and Note Transactions***—Industrial development revenue bonds and notes issued by the Agency are secured by the properties which are leased to companies and are retired by lease payments. The bonds and notes are not obligations of the Agency, the Town or the State of New York. The Agency does not record the assets or liabilities resulting from completed bond and note issues in its accounts, since its primary function is to arrange the financing between the borrowing companies and the bond and note holders. The funds arising there from are controlled by trustees or banks acting as fiscal agents. The Agency receives bond administrative fees from the borrowing companies for providing the service. Such administrative fee income is recognized immediately upon issuance of the bonds and notes.

***Lease Transactions***—The Agency has established a lease program to provide state and local tax benefits to companies developing industrial properties. Under this program, the Agency receives title to properties under development and leases the property to the previous titleholder (lessee). The Agency generally contracts for payment-in-lieu-of-tax agreements between lessees and participating municipalities. All risks associated with property ownership and business activities on such property remain with the lessee. Title to those properties is transferred back to the lessee at the end of the maximum tax benefit period or at any time during the lease period at the option of the lessee. The Agency does not record assets acquired under the lease program since the Agency’s primary function is to provide state and local tax benefits to the lessee. The Agency receives lease administrative fees from the lessee for providing this service. Such administrative fee income is recognized at lease inception or ratably over the term of the lease depending on the agreement terms between the lessee and the Agency.

**Statements of Cash Flows** — For purposes of the statement of cash flows, the Agency considers cash and cash equivalents to be all cash accounts and short-term investments purchased with a maturity of three months or less.

**Use of Estimates**—The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of revenues and expenses during the reporting period and the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Actual results could differ from those estimates.

**Future Impacts of Accounting Pronouncements**— The Agency has not completed the process of evaluating the impact that will result from adopting GASB Statements No. 61, *The Financial Reporting Entity: Omnibus—an amendment of GASB Statements No. 14 and No. 34*; No. 65, *Items Previously Reported as Assets and Liabilities*; and No. 66, *Technical Corrections—2012—an amendment of GASB Statements No. 10 and No. 62*, effective for the year ending December 31, 2013; No. 67, *Financial Reporting for Pension Plans—an amendment of GASB Statement No. 25*; and No. 69, *Government Combinations and Disposals of Government Operations*, effective for the year ending December 31, 2014; and No. 68, *Accounting and Financial Reporting for Pensions—an amendment of GASB Statement No. 27*, effective for the year ending December 31, 2015. The Agency is therefore unable to disclose the impact that adopting GASB Statements No. 61, 65, 66, 67, 68, and 69 will have its financial position and results of operations when such statements are adopted.

During the year ended December 31, 2012, the Agency adopted the provisions of GASB Statement No. 57, *OPEB Measurements by Agent Employers and Agent Multiple-Employer Plans*, No. 60, *Accounting and Financial Reporting for Service Concession Arrangements*, No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*, and No. 64, *Derivative Instruments: Application of Hedge Accounting Termination Provisions— an amendment of GASB Statement No. 53*. The adoption of Statements No. 57, 60, 62, and No. 64 did not have a material impact on the Agency's financial position or results of operations.

The Agency also adopted GASB Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*. This statement amends the net asset reporting requirements in GASB Statement No. 34, *Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments*, and other pronouncements by incorporating deferred outflows of resources and deferred inflows of resources into the definitions of required components of the residual measure and by renaming the measure as net position, rather than net assets. GASB Statement No. 63 did not have a material impact on the Agency's financial position or results of operations.

During the year ended December 31, 2011, the Agency adopted the provisions of GASB Statements No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions* and No. 59, *Financial Instruments Omnibus*. The adoption of GASB Statements No. 54 and 59 did not have a material impact on the Agency's financial position or results of operations.

## 2. CASH, CASH EQUIVALENTS AND INVESTMENTS

The Agency's investment policies are governed by New York State statutes. There were no investments at December 31, 2012 or 2011. All deposits are carried at fair value. Collateral is required for demand deposits and certificates of deposits for all deposits not covered by federal deposit insurance. Obligations that may be pledged as collateral are obligations of the United States and its agencies and obligations of the State and its municipalities and school districts.

Cash and cash equivalents:

	December 31, 2012		December 31, 2011	
	Bank Balance	Carrying Amount	Bank Balance	Carrying Amount
Insured (FDIC)	\$ 254,244	\$ 253,549	\$ 270,971	\$ 270,971
Uninsured:				
Collateralized	<u>619,314</u>	<u>619,314</u>	<u>617,473</u>	<u>617,473</u>
Total deposits	<u>\$ 873,558</u>	<u>\$ 872,863</u>	<u>\$ 888,444</u>	<u>\$ 888,444</u>

***Custodial Credit Risk—Deposits***—Custodial credit risk is the risk that in the event of a bank failure, the Agency's deposits may not be returned to it. As noted above, by State statute all deposits in excess of FDIC insurance coverage must be collateralized. As of December 31, 2012 and 2011, all Agency deposits were either FDIC insured or collateralized.

## 3. SUBSEQUENT EVENTS

Management has evaluated subsequent events through February 22, 2013, which is the date the financial statements are available for issuance, and have determined there are no subsequent events that require disclosure under generally accepted accounting principles.

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## **Supplemental Information**

Presented as supplemental information is certain information as required to be reported under New York State Public Authority Law.

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**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Schedule of Agency Investments**  
**Year Ended December 31, 2012**

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**Annual Investment Report** - §2925(6) of Public Authorities Law of the State of New York requires that each public authority must annually prepare an investment report which shall include (a) investment guidelines, (b) amendments to such guidelines since the last investment report, (c) an explanation of the investment guidelines and amendments, (d) results of the annual independent audit, (e) the investment income record of the Agency, and (f) a list of the total fees, commissions or other charges paid to each investment banker, broker, dealer and adviser rendering investment associated services to the Agency since the last investment report.

- a. Investment guidelines – the Agency’s investment policy was adopted by the Board of Directors.
- b. Amendments to guidelines – none
- c. Explanation of guidelines and investments – the Agency has not made any amendments to its investment policy, which restricts investments to money market accounts and certificates of deposit.
- d. Results of the annual independent audit – the independent auditors have issued an unqualified opinion on the Agency’s financial statements for the year ended December 31, 2012.
- e. Investment income record – investment income for the year ended December 31, 2012 consisted of:

	Interest Earned
Bank of Akron - checking account	\$ 8
HSBC - muni market account	1,298
First Niagara Bank	543
	<u>\$ 1,849</u>

- f. List of the total fees, commissions or other charges paid to each investment banker, broker, dealer and adviser rendering investment associated services to the Agency since the last investment report – no such fees or commissions were paid during the year ended December 31, 2012.

**TOWN OF CLARENCE INDUSTRIAL DEVELOPMENT AGENCY**  
**Real Property Listing**  
**Year Ended December 31, 2012**

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1. **Real Property List** - §2896(3) of Public Authorities Law of the State of New York requires that each public authority must publish, at least annually, a report listing all real property of the authority. At December 31, 2012, the Agency reported no real property.

<u>Date</u> <u>Acquired</u>	<u>Section/Block/Lot</u> <u>Identification</u>	<u>Property Location and Description</u>	<u>Recorded</u> <u>Value</u>
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**The agency owned no real property at December 31, 2012.**

2. **Real Property Acquisitions/Dispositions** – during the year ended December 31, 2012, the Agency neither acquired nor disposed of any real property.

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Certified Public Accountants

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL  
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND  
OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS  
PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

The Members of the Town of Clarence  
Industrial Development Agency:

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of Town of Clarence Industrial Development Agency ("Agency") as of and for the year ended December 31, 2012, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements, and have issued our report thereon dated February 22, 2013.

**Internal Control over Financial Reporting**

In planning and performing our audit of the financial statements, we considered the Agency's internal control over financial reporting ("internal control") to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

*A deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Agency's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

## **Purpose of this Report**

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Agency's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Agency's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Drescher & Malecki LLP". The signature is written in a cursive style with a large initial 'D' and a stylized ampersand.

Cheektowaga, New York  
February 22, 2013