

**TOWN OF ORANGETOWN  
REGULAR TOWN BOARD MEETING MINUTES  
September 27, 2022**

This meeting was opened at 7:00 PM. Supervisor Teresa M. Kenny presided and Rosanna Sfraga, Town Clerk, called the roll.

Present were:

Councilperson Thomas Diviny  
Councilperson Paul Valentine  
Councilperson Jerry Bottari  
Councilperson Brian Donohue

Absent:

Supervisor Teresa M. Kenny

Also Present:

Allison Kardon, Supervisor's Confidential Assistant  
Carmel Reilly, Director of Economic Development & Tourism  
Rosanna Sfraga, Town Clerk  
Joseph Thomassen, Deputy Clerk  
Robert Magrino, Town Attorney  
Jeff Bencik, Finance Director  
James Dean, Superintendent of Highways  
Jane Slavin, Director of OBZPAE  
Eamon Reilly, Commissioner of DEME  
Aric Gorton, Superintendent of Parks, Recreation & Building Maint.  
Bob Urban, Human Resource Coordinator  
Brendon Carton, IT Department  
Donald Butterworth, Police Chief

**Pledge of Allegiance to the Flag**

**ANNOUNCEMENTS:**

**October 15, 2022 (Saturday) from 8 am - 11:30 am / Free Paper Shredding Event at the Orangetown Town Hall held by the Town Clerk's Office / Please bring a non-perishable food item for donation to local food pantries.**

**PRESENTATIONS:**

**PKF O'CONNOR DAVIES AUDIT**

Nicholas DeSantis and Robert Daniele presented and reviewed their audit for the year ending December 31, 2021 (Exhibit 09-E-22).

**DISCUSSION:**

Workshop of Agenda Items

**RESOLUTION NO. 436**

**OPEN PUBLIC HEARING / RTBM OF SEPTEMBER 27, 2022 AT 7:05 P.M.  
PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES &  
TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-11(D)  
HEAVY TRUCKING IN THE HAMLET OF SPARKILL**

**RESOLVED**, that the Public Hearing on a proposed Local Law Amending Chapter 39, Vehicles and Traffic, Article I, Vehicle and Traffic Regulations, Section 39-11(D)(5) Heavy Trucking in the Hamlet of Sparkill, with respect to the reinstatement of a five-ton weight

**RESOLUTION NO. 436 - Continued**

restriction and the removal of truck route designation on William Street between Washington Street and Valentine Avenue and Washington Street and Main Street between William Street and the Piermont Village line, is hereby opened.

Rosanna Sfraga, Town Clerk presented the Affidavits of Publication and Postings; which are labeled Exhibit 09-F-22 and made a part of these minutes.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**Summary of Public Comments:**

Eileen Larkin, Palisades; James Cleary, Jr., Kathy Goode, and Renee Bonsanti, Sparkill are in favor. The streets are too narrow to handle these large trucks and the trucks cause loud noises, rattling and shaking of the houses.

**RESOLUTION NO. 437**

**CLOSE PUBLIC HEARING / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-11(D) HEAVY TRUCKING IN THE HAMLET OF SPARKILL**

**RESOLVED**, that the Public Hearing on a proposed Local Law Amending Chapter 39, Vehicles and Traffic, Article I, Vehicle and Traffic Regulations, Section 39-11(D)(5) Heavy Trucking in the Hamlet of Sparkill, with respect to the reinstatement of a five-ton weight restriction and the removal of truck route designation on William Street between Washington Street and Valentine Avenue and Washington Street and Main Street between William Street and the Piermont Village line, is hereby closed.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 438**

**LEAD AGENCY AND DETERMINATION OF SEQRA / PROPOSED LOCAL LAW AMENDING / TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-11(D) HEAVY TRUCKING IN THE HAMLET OF SPARKILL**

**RESOLVED**, that the Town Board declares itself Lead Agency in this matter, and further determines that such action is a Type II action pursuant to SEQRA, that the action will not have a significant adverse environmental impact, and, therefore, no further action is necessary with respect thereto under the State Environmental Quality Review Act.

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 439****ADOPT LOCAL LAW 5, 2022 / AMENDING TOWN CODE CHAPTER 39, VEHICLES & TRAFFIC, ARTICLE I, VEHICLE AND TRAFFIC REGULATIONS, SECTION 39-11(D) HEAVY TRUCKING IN THE HAMLET OF SPARKILL**

**RESOLVED**, that the Town Board hereby adopts Local Law 5, 2022 to amend the Town Code, Chapter 39, Vehicles & Traffic, Article I, Vehicle and Traffic Regulations, Section 39-11(D) Heavy Trucking in the Hamlet of Sparkill.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**THE TOWN OF ORANGETOWN****LOCAL LAW NO. 5 2022****AMENDING CHAPTER 39 (VEHICLES AND TRAFFIC), ARTICLE I (VEHICLE AND TRAFFIC REGULATIONS) OF THE CODE OF THE TOWN OF ORANGETOWN**

Language to be deleted from the existing Code provisions are indicated by a ~~strikethrough~~; and new language to be added is typed in **bold and underscored**. All-other language shown is to remain unchanged and is provided for context.

Be it enacted by the Town Board of the Town of Orangetown as follows:

Section 1 – Legislative Findings, Objectives and Purpose of this Local Law No. 5 of 2022: The Town of Orangetown Traffic Advisory Board, having investigated issues related to traffic safety, congestion, speeding, and volume of large and heavy-weight trucks in vicinity of William Street the hamlet of Sparkill, recommends the Town Board adopt this local law amending the Town Code, to remove the truck route designation on William Street between Washington Street and Valentine Avenue and Washington Street and Main Street between William Street and the Piermont Village line and reinstate a five-ton weight restriction on William Street. Having reviewed the recommendations of the Traffic Advisory Board and held a public hearing on the matter, the Town Board finds the removal of the truck route designation on these specified streets and the addition of a five-ton weight restriction for trucks on William Street is necessary for traffic safety.

Section 2 – Chapter 39 (Vehicles and Traffic), Article I (Vehicle and Traffic Regulations), §39-11, (Heavy Trucking) of the Code of the Town of Orangetown, shall be amended so as to amend subsection “5” of paragraph “D” of Section 39-11, and, as amended, shall read as follows:

39-11.- Heavy trucking.

It shall be unlawful for trucks having a gross weight of vehicle plus load in excess of five tons to travel over the following highways except when engaged in the delivery of merchandise or other property along such highways:

D. In the Hamlet of Sparkill.

- 1) ~~Kings Highway~~ from Hickey Street to Orangeburg line.
- 2) Kings Highway between Route 340, Sparkill, and Route 303, Tappan. [Added 5-28-1974 by L.L. No. 3-1974]
- 3) Union Avenue between Main Street and Valentine Avenue. [Added 5-28-1974 by L.L. No. 3-1974]
- 4) Valentine Avenue between Union Avenue and William Street. [Added 5-28-1974 by L.L. No. 3-1974]

**Local Law 5, 2022 - Continued**

~~The five-ton weight restriction on Main Street in Sparkill is rescinded and the following truck routes are established: William Street between Washington Street and Valentine Avenue; and Washington Street and Main Street between William Street and the Piermont Village line.~~  
**William Street.**

Section 3 – This Local Law shall become effective immediately upon filing with the New York State Secretary of State.

**RESOLUTION NO. 440  
OPEN PUBLIC COMMENT PORTION**

**RESOLVED**, that the public portion is hereby opened.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**Summary of Public Comments:**

Eileen Larkin, Palisades, spoke about several articles regarding the STAR program, increasing the income level for Seniors. She urged the Town Board to move forward with this legislation. Gerry Goggins, Orangeburg, complained about RCWS loud music, traffic and parking blocking driveways.

Cindy Benenuto, Joanne Trojan & Carol Giordano, are residents of Clarkstown and belong to the Pearl River Senior B Club. They asked why the rates doubled and why can't they be grandfathered in.

Barbara Delo, Blauvelt, it is difficult for senior citizens to live here. She requested more to be done for the seniors.

**RESOLUTION NO. 441  
CLOSE PUBLIC COMMENT PORTION**

**RESOLVED**, that the public portion is hereby closed.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 442  
SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 11, 2022 AT 7:00 P.M.  
INTENT TO BE LEAD AGENCY / SEQRA 2023 / ONE -YEAR CONTRACT  
BLAUVELT FIRE PROTECTION DISTRICT CONTRACT**

**RESOLVED**, that pursuant to Town Law §184, the Town Board will hold a Public Hearing at 7:00 p.m. at the Town Board meeting of October 11, 2022 to consider a contract with the Blauvelt Volunteer Fire Company, Inc., for Fire Protection Services in and throughout the Blauvelt Fire Protection District, within the Town, for year 2023 and authorizes the Town Clerk to publish the meeting notice.

**BE IT FURTHER RESOLVED**, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review

**RESOLUTION NO. 442 - Continued**

under SEQRA and makes the preliminary determination that the action is an "unlisted" action under SEQRA.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 443**

**SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 11, 2022, AT 7:10 P.M.  
INTENT TO BE LEAD AGENCY / SEQRA / 2023 - ONE YEAR CONTRACT /  
ORANGETOWN LIBRARY DISTRICT (BLAUVELT, ORANGEBURG, TAPPAN AND  
PALISADES LIBRARIES)**

**RESOLVED**, that the Town Board hereby sets October 11, 2022 at 7:10 p.m. for a public hearing on the proposed Contracts between the Town of Orangetown and the Blauvelt Free Library, the Orangeburg Library, the Palisades Free Library and the Tappan Free Library, for library services in and throughout the boundaries of their district as contained in the Orangetown Library District (and including the residents of Sparkill as delineated in subdivision (e) of Section 1 of Chapter 494 of the Laws of 2012 within the Town) for calendar year 2023; and authorizes the Town Clerk to publish the meeting notice.

**BE IT FURTHER RESOLVED**, that in connection therewith, that the Town Board hereby declares its intention to serve as Lead Agency for the purpose of environmental review under SEQRA and makes the preliminary determination that the action is an "unlisted" action under SEQRA.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 444**

**SET DATE / PUBLIC HEARING / RTBM OF OCTOBER 11, 2022 AT 7:15 P.M. / 2023  
PRELIMINARY BUDGET**

**RESOLVED**, that the Town Board hereby sets October 11, 2022 at 7:15 p.m. for a public hearing on the 2023 Preliminary Budget, and authorizes the Town Clerk to publish the meeting notice, and authorizes the Finance Department to publish it on the Town website ([www.orangetown.com](http://www.orangetown.com)) and file in the Town Clerk's office for public viewing.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 445  
2023 TOWN SUPERVISOR'S TENTATIVE BUDGET DISTRIBUTED / RECEIVED  
FILED**

**RESOLVED**, that the 2023 Supervisor's Tentative Budget is hereby distributed to the Town Board for review; filed with the Town Clerk and the Finance Department is authorized to make it available on the Town's website (www.orangetown.com).

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 446  
APPROVE / AUTHORIZE TOWN ATTORNEY TO SIGN SETTLEMENT  
DOCUMENTS / TAX CERTIORARI PROCEEDING RE. 98 MAIN STREET LLC V.  
TOWN OF ORANGETOWN, AND NYACK UNION FREE SCHOOL DISTRICT (66.38-  
1-22)**

**RESOLVED**, upon the recommendation of the Tax Assessor, approve and authorize Dennis D. Michaels, Deputy Town Attorney, to sign settlement documents regarding the tax certiorari proceeding re. 98 Main Street LLC v. The Assessor, The Board of Assessors and The Board of Assessment Review of the Town of Orangetown, and Nyack Union Free School District, for property commonly known as 98 Main Street, in the Village of Nyack (Tax Map Designation 66.38-1-22), for the tax assessment years 2020 and 2021, for a total refund by the Town of \$2,415.00, a total refund by the School District of \$9,005.00, and a total refund by the County of \$953.00. Interest on the Town's liability, as a result of a property tax assessment decrease or refund, is waived if payment is made within sixty (60) days after a copy of the Court Order, based upon the settlement, is served on the Rockland County Finance Department.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 447  
ACCEPT COVENANT, HOLD HARMLESS AND INDEMNIFICATION / 29  
CORPORATE DRIVE, ORANGEBURG**

**RESOLVED**, upon the recommendation of the Town of Orangetown Highway Department and the Department of Environmental Management and Engineering with regard to a drainage easement on the property located at 29 Corporate Drive, Orangeburg, New York, and upon review and approval of the Town Attorney, accept a Hold Harmless and Indemnification Agreement from 29 Corporate Drive, LLC, having an address of 10 Sharp Plaza, Mahwah, New Jersey 07436, and authorize the Town Attorney to execute same on behalf of the Town.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

**RESOLUTION NO. 448****ACCEPT PERFORMANCE BOND / SMK SUBDIVISION / 104 WEST ERIE STREET, BLAUVELT**

**WHEREAS**, SMK Homebuilders, Inc., as owner of property located at 104 West Erie Street, Blauvelt, New York (Tax Lot 70.13 Block 1 Lot 20), applied for and received subdivision plan approval from the Town of Orangetown Planning Board for said property, and

**WHEREAS**, pursuant to the aforesaid approval, the Planning Board, at the recommendation of the Department of Environmental Management and Engineering, in its decision identified as PB #22-38 required that the applicant post a Performance Bond in the amount of \$585,600.00 (Five Hundred and Eighty-Five Thousand and Six Hundred Dollars) to ensure the construction and completion of certain public improvements pursuant to the aforesaid approvals, and that the term of said bond shall be two years from July 27, 2022, and

**WHEREAS**, the applicant has submitted a fully executed Performance Bond dated September 13, 2022, Bond No. GM 219158, issued by the Skyward Surety, as Surety, on behalf of SMK Homebuilders, Inc., as principal, in the amount of \$585,600.00 (Five Hundred and Eighty-Five Thousand and Six Hundred Dollars), naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the SMK Erie Subdivision, which Performance Bond has been approved as to form and substance by the Town Attorney's Office.

**NOW THEREFORE BE IT RESOLVED THAT**, the Town hereby formally accepts, receives and files with the Office of the Town Clerk a Performance Bond dated September 13, 2022, Bond No. GM 219158, issued by the Skyward Surety, as Surety, on behalf of SMK Homebuilders, Inc., as principal, in the amount of \$585,600.00 (Five Hundred and Eighty-Five Thousand and Six Hundred Dollars), naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the "SMK Erie Subdivision," and said bond shall be returned only upon satisfactory completion of said public improvements according to the terms of said Bond, Planning Board decision PB #22-38, any Town departments having jurisdiction thereof, and formal resolution of the Town Board.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 449****34 CLAUSLAND MOUNTAIN ROAD, BLAUVELT / RELEASE SAMBROTTO PERFORMANCE BOND AND ACCEPT BLANKFORT PERFORMANCE BOND**

**WHEREAS**, pursuant to Town Board Resolution 2020-415, the Town Board accepted a Performance Bond from Raymond N. and Beverly W. Sambrotto, issued by Western Surety Company, Bond No. 71817434, in the amount of \$65,232.00, related to the Sambrotto Subdivision for property located at 34 Clausland Mountain Road, Blauvelt, Town of Orangetown, New York (Section 70.14, Block 2, Lots 11.1 and 11.2); and

**WHEREAS**, the Planning Board at its meeting of July 27, 2022 authorized the replacement of said bond with a bond from Adam Blankfort, the new and current owner of the aforesaid property; and

**WHEREAS**, Adam Blankfort has submitted Bond No. 72433853, dated February 4, 2022, issued by Western Surety Company, in the amount of \$65,232.00 and naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the Sambrotto Subdivision, which Bond has been approved as to form and substance by the Town Attorney's Office.

**RESOLUTION NO. 449 - Continued**

**NOW THEREFORE IT IS HEREBY RESOLVED THAT**, the Town formally accepts, receives and files the Performance Bond from Adam Blankfort, issued by Western Surety Company, Bond No. 72433853, dated February 4, 2022, in the amount of \$65,232.00 and naming the Town of Orangetown as beneficiary, to insure the completion of public improvements associated with the Sambrotto Subdivision for property located at 34 Clausland Mountain Road, Blauvelt, Town of Orangetown, New York (Section 70.14, Block 2, Lots 11.1 and 11.2), which Bond is subject to all previous Planning Board decisions and conditions and which Bond shall remain in full force and effect until release by appropriate Town Board resolution, and

**BE IT FURTHER RESOLVED THAT**, the previously posted bond by Raymond N. and Beverly W. Sambrotto, issued by Western Surety Company, Bond No. 71817434, formerly accepted by Town Board Resolution 2020-415, shall be released and discharged upon adoption of this resolution accepting and substituting the Performance Bond submitted by Adam Blankfort, issued by Western Surety Company and having Bond No. 72433853.

Councilperson Jerry Bottari offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 450**  
**DECLARE SURPLUS VEHICLES / POLICE**

**RESOLVED**, that upon the recommendation of the Chief of Police, the Town Board hereby declares the following vehicles are to be declared as surplus:

- Old 33D1 2FAHP71WX6X102286 2006 Ford Crown Vic Blue 85,000 miles body rust /end of service life
- Old 33D6 2FAHP71W46X134567 2006 Ford Crown Vic Black DPG6549 118,000 miles body rust / transmission / end of service
- Old 33D2 2FAFP71WX3X112611 2003 Ford Crown Vic Black no plate 122,000 miles body rust / transmission / end of service life / previously loaned to and utilized by Building Dept.
- Old 33D4 1FAFP53UX5A262083 2005 Ford Taurus Blue no plate 62,000 miles body rust / transmission / end of service life (previously loaned to and utilized by Assessor's Office)
- Old 33D10 JTLKT324740156211 2004 Toyota Scion Blue no plate 11,000 miles underbody rust / mechanical concerns
- Old 33D9 1FAHP3EN3AW206857 2010 Ford Focus Gray AEH3571 37,000 miles significant damage to unibody by fallen tree / totaled (auction for parts only / inoperable)
- No identifier SALME1D42CA369410 2012 Range Rover Blue no plate mileage unknown significant parts cost to make operational (obtained in court settlement/waiver – OPD Inc #17-16827)

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Paul Valentine and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny



**RESOLUTION NO. 451  
APPOINT MELISSA DEBONIS / CUSTODIAL WORKER / PARKS & RECREATION  
DEPARTMENT / PROBATIONARY / EFFECTIVE OCTOBER 3, 2022**

**RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation, appoint Melissa DeBonis to the position of Custodial Worker, Probationary, Grade 9, Step 1 at a salary of \$53,164, effective October 3, 2022.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 452  
APPROVE / CHANGE ORDER #1 / PICKLEBALL COURT PROJECT / ADDITIONAL  
DRAINAGE**

**RESOLVED**, that upon the recommendation of the Superintendent of Parks and Recreation approve change order number one, for additional drainage at the Veterans Park Pickleball Court. Change order in the amount of \$19,200.00 increasing total contract cost to \$379,200.00

Councilperson Thomas Diviny offered the above resolution, which was seconded by Councilperson Brian Donohue and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 453  
COMBINE / APPROVE AGENDA ITEMS #19 TO 21**

**RESOLVED**, the Town Board hereby combines and approves agenda items #19 to 21.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 454  
APPROVE / LEND ASSISTANCE / 2022 NOBLE NINTH INC. / TRAUBENFEST  
SUNDAY, OCTOBER 2ND**

**RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile by Noble Ninth Inc for their Traubenfest, Sunday, October 2, 2022, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

**RESOLUTION NO. 454 - Continued**

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 455**

**APPROVE / LEND ASSISTANCE / 2022 PIERMONT OCTOBERFEST / SATURDAY, OCTOBER 15TH**

**RESOLVED**, upon the completion of all necessary paperwork, the Superintendent of Parks & Recreation has forwarded for approval by the Town Board use of the Showmobile at a rental cost of \$500.00 by the Piermont Chamber of Commerce for their Octoberfest, Saturday, October 15, 2022, with the organization providing a certificate of insurance listing the Town of Orangetown as additionally insured.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 456**

**APPROVE/ LEND ASSISTANCE/ NYACK FIRE DEPARTMENT INSPECTION PARADE**

**RESOLVED**, upon the completion of all the necessary paperwork, the Superintendent of Highways has hereby forwarded for approval by the Town Board the use of barricades, and one plow truck for an enhanced security perimeter and traffic control for the Nyack Fire Department Inspection Parade on Saturday, October 8, 2022 from 2pm to 4pm.

Councilperson Brian Donohue offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 457**

**PAY VOUCHERS**

**RESOLVED**, upon the recommendation of the Director of Finance, Jeffrey Bencik, the Finance Office is hereby authorized to pay vouchers for a total amount of one (1) warrant (attached) for a total of **\$1,807,179.56**.

Councilperson Paul Valentine offered the above resolution, which was seconded by Councilperson Jerry Bottari and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry Bottari, Councilperson Brian Donohue

Noes: None

Absent: Supervisor Teresa M. Kenny

**RESOLUTION NO. 458**  
**ADJOURNED / MEMORY**

**RESOLVED**, at 8:02 pm, the Town Board adjourned in memory of: **Dorothy Magrino**,  
*Mother of Town Attorney, Robert Magrino.*

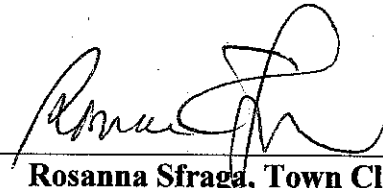
Councilperson Brian Donohue offered the above resolution, which was seconded by  
Councilperson Thomas Diviny and was Adopted:

Motion: 4 - 0

Ayes: Councilperson Thomas Diviny, Councilperson Paul Valentine, Councilperson Jerry  
Bottari, Councilperson Brian Donohue

Noes: None

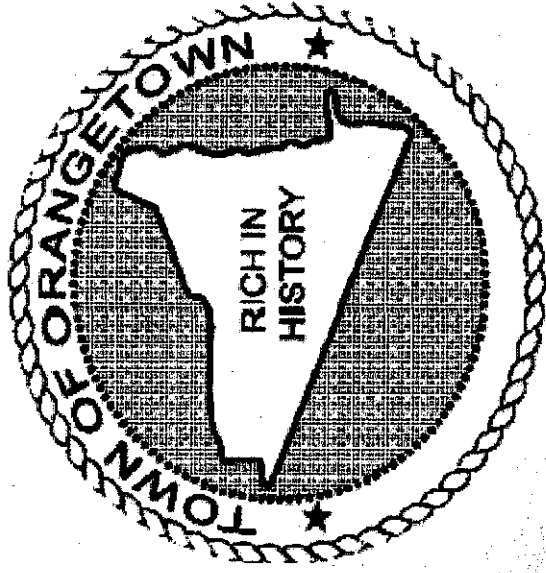
Absent: Supervisor Teresa M. Kenny



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**Rosanna Sfraga, Town Clerk**





# Town of Orangetown, New York Report to the Town Board December 31, 2021



Nicholas DeSantis, Partner  
Robert A. Daniele, Partner

September 27, 2022

EXHIBIT

E-22, 9/27/22



**O'CONNOR  
DAVIES**

ACCOUNTANTS AND ADVISORS

Summary Overview/Deliverables

Financial Statement Walkthrough

- General Fund
  - 2021 Budget to Actual Summary
  - 2021 Budget to Actual – Revenues
  - 2021 Budget to Actual – Expenditures
  - Fund Balance Analysis – 5 Year Comparison
  - Unassigned Fund Balance as a % of Total expenditures

Town Outside Villages Fund

- 2021 Combined Balance Sheet
- 2021 Budget to Actual Summary – Police
- 2021 Budget to Actual Summary – Other
- Fund Balance Analysis – 5 Year Comparison
- Assigned Fund Balance as a % of Total Expenditures

Other Funds (Sewer, Highway, Debt Service, Capital Projects)

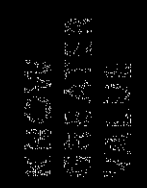
Blue Hill Golf Course Fund

Broadacres Golf Course Fund

Internal Service Funds – Workers' Compensation and Risk Retention

Other Considerations – Outstanding Debt - Bonds

Summary – Closing Points

- 
- Fieldwork completed in April, follow-up in May and completion in June
  - Deliverables
    - Independent Auditors' Report on the basic financial statements
    - Required communications to those charged with governance
    - Management letter
    - Town Justice Court audit report
  - We did not identify control deficiencies that we consider to be material weaknesses or significant deficiencies concerning internal control over financial reporting
  - No uncorrected differences
  - Audit results – Independent Auditors' Report - PKFOD issued an **unmodified opinion** on the basic financial statements
  - We also audited the Orangetown Housing Authority – a component unit of the Town.

## Annual Comprehensive Financial Report ("ACFR")

- The Town has received the Certificate of Achievement for Excellence in Financial Reporting for 15 consecutive years.

### Components:

- Introductory Section (pages i-x)
- Financial Section:
  - Independent Auditors' Report (pages 1-3)
  - Management's Discussion & Analysis
  - Financial Statements
  - Notes to Financial Statements
  - Required Supplementary Information
  - Statistical Section



Pages 75-81 - Basic Financial Statements

	Original Budget	Final Budget	Actual	Variance with Final Budget
Total Revenues	\$ 13,791,395	\$ 15,575,336	\$ 17,413,037	\$ 1,837,701
Total Expenditures	14,605,457	15,580,954	14,019,704	1,561,250
Deficiency of Revenues Over Expenditures	(814,062)	(5,618)	3,393,333	3,398,951
Total Other Financing Sources (Uses):	-	(808,444)	(808,444)	-
Transfers out				
Net Change in Fund Balance	(814,062)	(814,062)	2,584,889	3,398,951
Fund Balance - Beginning of Year	814,062	814,062	10,940,479	10,126,417
Fund Balance - End of Year	\$ -	\$ -	\$ 13,525,368	\$ 13,525,368

Pages 75-78 Basic Financial Statements

**REVENUES and OTHER Financing Sources**

	Budget		Actual	Variance with Final Budget
	Original	Final		
Real Property Taxes	\$ 3,310,437	\$ 3,310,437	\$ 3,320,176	\$ 9,739
Other Tax Items	123,865	123,865	151,521	27,656
Non-property taxes	2,350,000	2,350,000	2,918,838	568,838 1
Departmental Income	831,000	831,000	630,022	(200,978) 2
Use of Money and Property	194,360	194,360	238,214	43,854
Licenses and permits	264,000	264,000	340,725	76,725
Fines and Forfeitures	225,000	225,000	489,930	264,930 3
Interfund revenues	4,328,233	4,328,233	4,328,233	-
State aid	1,942,500	3,197,887	4,391,860	1,193,973 4
Federal aid	-	386,054	391,045	4,991
Miscellaneous	222,000	364,500	212,473	(152,027)
<b>Total Revenues</b>	<b>\$ 13,791,395</b>	<b>\$ 15,575,336</b>	<b>\$ 17,413,037</b>	<b>\$ 1,837,701</b>

1. Non-Property taxes – Sales tax exceeded the final budget of \$1.6 million by \$561,000 in the current year resulting in a favorable variance
2. Departmental income – specifically the parks and recreation charges fell short of the budget by \$244,000 due to the continued impact of the covid-19 pandemic..
3. Fines and forfeited bail was on the upswing after being shut down due to the pandemic. Such fees exceeded the budget by approximately \$265,000.
4. State Aid – Mortgage tax revenues increased significantly due to the lower interest rates and increased activity in 2021. Such revenues exceeded the final budget by \$1.17 million

Overall – The Town's General Fund actual revenues were \$1.84 million more than Town's final budget.

Pages 75, 79-81 Basic Financial Statements

	Budget		Actual	Variance with Final Budget
	Original	Final		
<b>EXPENDITURES</b>				
Current:				
General Government Support	\$ 6,759,771	\$ 7,179,333	\$ 6,767,845	\$ 411,488 1
Public safety	214,288	174,255	149,883	24,372
Health	-	40,033	40,033	-
Transportation	601,924	617,348	581,348	36,000
Economic opportunity and development	204,500	204,500	179,834	24,666
Culture and Recreation	2,558,599	3,079,396	2,058,367	1,021,029 2
Home and community services	167,429	187,145	184,697	2,448
Employee Benefits	4,098,946	4,098,944	4,057,697	41,247
Sub-Total Expenditures	14,605,457	15,580,954	14,019,704	1,561,250
<b>OTHER FINANCING USES</b>				
Transfers out	-	808,444	808,444	-
Total Expenditures	\$ 14,605,457	\$ 16,389,398	\$ 14,828,148	\$ 1,561,250

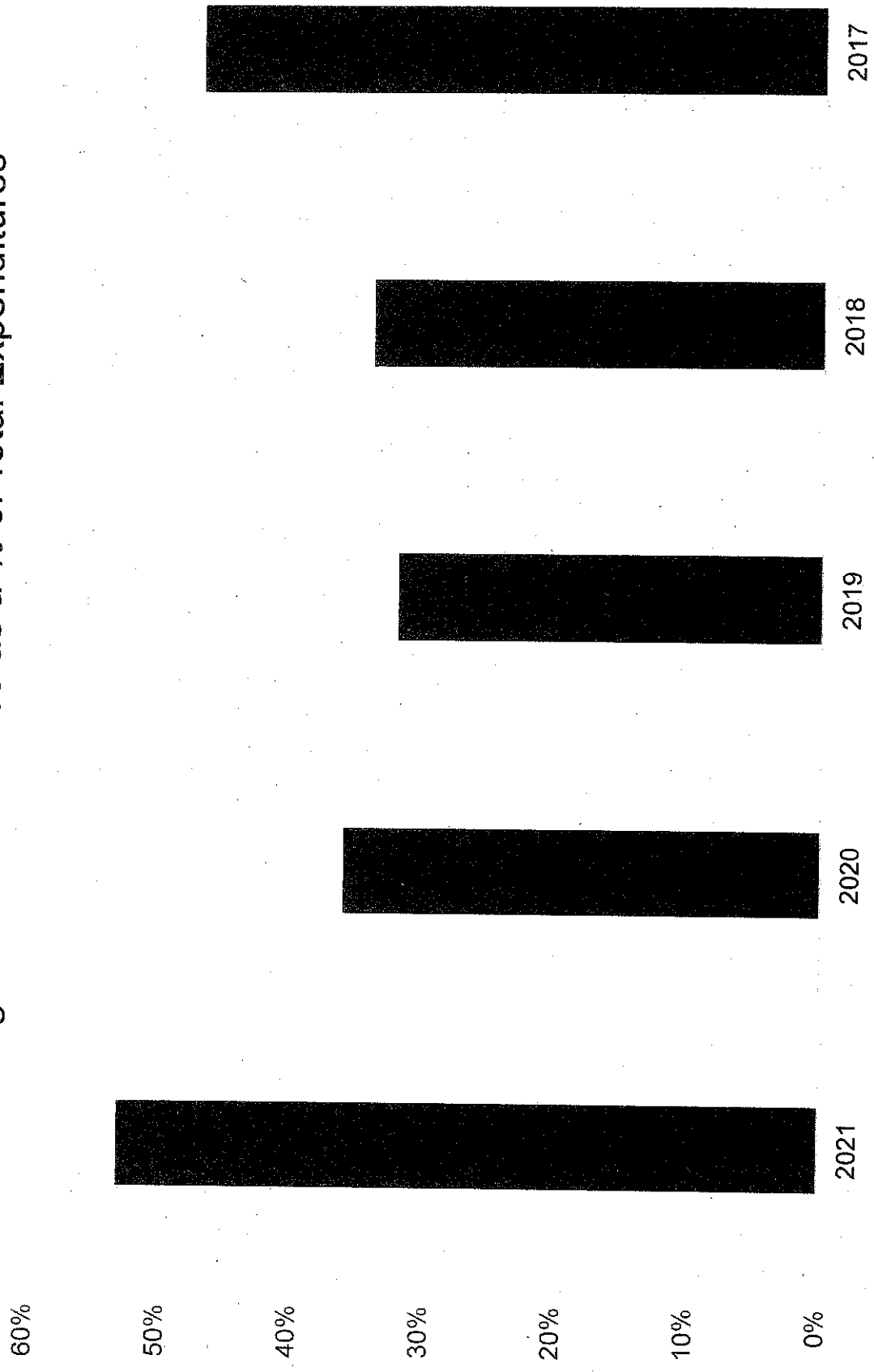
1. General Government Support - savings in all categories including Town Attorney building department and central data processing, budgeted vacancies.
2. Directly attributable to the decline in revenue due to closures/stoppage of youth programs and park activities due to COVID-19 pandemic.

**Fund Balance Comparison**  
**General Fund**  
Page 67 Basic Financial Statements



	2021	2020	2019	2018	2017
<i>Nonspendable-</i>					
Prepaid expenditures	\$ 270,662	\$ 266,677	\$ 203,473	\$ 267,044	\$ 308,717
Advances	4,552,007	4,952,007	5,202,007	5,402,007	-
	<u>4,822,669</u>	<u>5,218,684</u>	<u>5,405,480</u>	<u>5,669,051</u>	<u>308,717</u>
<i>Restricted:</i>					
Law enforcement	-	236	236	236	45,229
Debt Service	-	-	-	-	3,584,097
	<u>-</u>	<u>236</u>	<u>236</u>	<u>236</u>	<u>3,629,326</u>
<i>Assigned-</i>					
<i>Purchases on order:</i>					
General government support	91,832	46,517	45,358	72,591	37,443
Public safety	-	2,138	1,790	-	-
Transportation	-	40,760	54,232	7,107	-
Culture and recreation	522,499	24,647	21,606	26,890	49,274
Subsequent year's expenditures	<u>600,000</u>	<u>700,000</u>	<u>1,200,000</u>	<u>1,000,000</u>	<u>700,000</u>
<b>Total Assigned Fund Balances</b>	<u>1,214,331</u>	<u>814,062</u>	<u>1,322,986</u>	<u>1,106,588</u>	<u>786,717</u>
<i>Unassigned</i>					
Total Fund Balances	<u>7,488,368</u>	<u>4,907,497</u>	<u>4,655,453</u>	<u>6,217,846</u>	<u>7,256,929</u>
	<u>\$ 13,525,368</u>	<u>\$ 10,940,479</u>	<u>\$ 11,384,155</u>	<u>\$ 12,993,721</u>	<u>\$ 11,981,689</u>
<i>Unassigned</i>	7,488,368	=	49.6%		
2022 adopted Budget	15,099,113				

### Unassigned Fund Balance as a % of Total Expenditures



Page 82 Basic Financial Statements

	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>		
Cash and equivalents	\$ 4,716,533	\$ 3,207,643
Receivables		
Accounts	331,897	89,402
State and Federal aid	58,915	308,179
Due from other governments	94,277	57,924
Due from other funds	19,146	-
	<u>504,235</u>	<u>455,505</u>
Prepaid expenditures	<u>1,056,508</u>	<u>914,569</u>
Total Assets	<u>\$ 6,277,276</u>	<u>\$ 4,577,717</u>
<b>LIABILITIES AND FUND BALANCE</b>		
Liabilities		
Accounts payable	\$ 661,924	\$ 231,603
Accrued liabilities	160,952	211,238
Due to other governments	279,605	84,321
Deposits	598,340	603,775
Unearned revenues	128,400	149,800
Total Liabilities	<u>1,829,221</u>	<u>1,280,737</u>
Fund balance		
Nonspendable	1,056,508	914,569
Restricted	75,086	70,050
Assigned	<u>3,316,461</u>	<u>2,312,361</u>
Total Fund Balance	<u>4,448,055</u>	<u>3,296,980</u>
Total Liabilities and Fund Balance	<u>\$ 6,277,276</u>	<u>\$ 4,577,717</u>

Pages 84-85 Basic Financial Statements

2021

	Original Budget	Final Budget	Actual	Variance with Final Budget
<b>REVENUES</b>				
Real property taxes	\$ 26,908,125	\$ 26,908,125	\$ 26,908,127	\$ 2
Other tax items	770,215	770,215	784,655	14,440
Departmental income	200,000	200,000	491,703	291,703 1
Intergovernmental charges	73,000	73,000	173,945	100,945 2
Use of money and property	-	-	3,879	3,879
Sale of Property & Comp for loss	-	-	-	-
Interfund revenues	-	-	-	-
State aid	20,000	20,000	91,287	71,287 3
Federal aid	-	199,918	222,343	22,425
Miscellaneous	29,000	29,000	10,526	(18,474)
<b>Total Revenues</b>	<b>28,000,340</b>	<b>28,200,258</b>	<b>28,686,465</b>	<b>486,207</b>
<b>EXPENDITURES</b>				
Current				
General government support	1,276,976	1,276,976	1,273,235	3,741
Public safety	15,994,280	16,194,198	15,842,317	351,881 4
Employee benefits	10,859,446	10,859,446	10,585,203	274,243 5
<b>Total Expenditures</b>	<b>28,130,702</b>	<b>28,330,620</b>	<b>27,700,755</b>	<b>629,865</b>
Deficiency of Revenues Over Expenditures	(130,362)	(130,362)	985,710	1,116,072
<b>FUND BALANCE</b>				
Beginning of Year	130,362	130,362	2,063,285	1,932,923
End of Year	\$ -	\$ -	\$ 3,048,995	\$ 3,048,995

1. Police fees more than doubled as compared to the PY.
2. School resource officer budgeted at \$60k and actual exp was \$155K.
3. Dormitory Authority of the State of New York Grant as well as counterterrorism grant of \$32k not budgeted.
4. Several factors contributed to this positive variance: budgeted vacancies, offset by retirements that were not anticipated, while incurring additional OT. Also impact of COVID-19 pandemic.
5. Budget was developed with a 2% increase to the 2020 budget whereas actual 2021 expenditures were much lower.

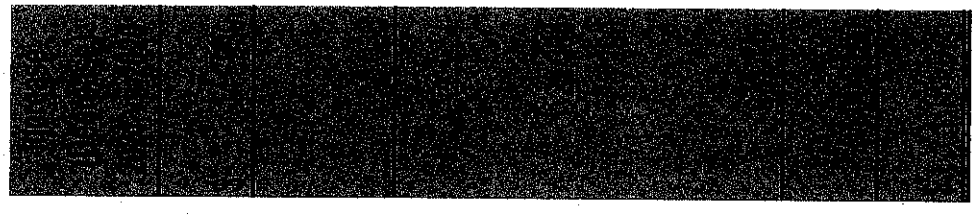
Pages 89-90 Basic Financial Statements 2021

	Original Budget	Final Budget	Actual	Variance with Final Budget
<b>REVENUES</b>				
Real property taxes	\$ 2,131,195	\$ 2,131,195	\$ 2,132,844	\$ 1,649
Other tax items	79,275	79,275	83,478	4,203
Departmental income - permit, safety inspection fees	2,130,000	2,130,000	2,354,996	224,996 <sup>1</sup>
Intergovernmental charges	106,000	106,000	109,180	3,180
Use of money and property	-	-	626	626
State aid	56,783	-	21,442	21,442
Federal aid	-	48,522	48,522	-
Miscellaneous	-	56,783	78,448	21,665
<b>Total Revenues</b>	<b>4,503,253</b>	<b>4,551,775</b>	<b>4,829,536</b>	<b>277,761</b>
<b>EXPENDITURES</b>				
<b>Current</b>				
General government support	820,027	820,180	820,180	-
Public safety	1,484,120	1,532,489	1,525,123	7,366
Transportation	271,400	271,400	218,086	53,314 <sup>2</sup>
Home and community services	1,436,585	1,419,198	1,390,079	29,119
Employee benefits	707,673	725,060	710,703	14,357
<b>Total Expenditures</b>	<b>4,719,805</b>	<b>4,768,327</b>	<b>4,664,171</b>	<b>104,156</b>
<b>Excess (Deficiency) of Revenues Over Expenditures</b>	<b>(216,552)</b>	<b>(216,552)</b>	<b>165,365</b>	<b>381,917</b>
<b>FUND BALANCE</b>				
Beginning of Year	216,552	216,552	1,233,695	1,017,143
End of Year	\$ -	\$ -	\$ 1,399,060	\$ 1,399,060

1. Building permit fees – anticipated increase in building permits budgeted, however COVID-19 pandemic impacted the ability to process permits in 2020
2. Street-lighting expenditures were less than budgeted by \$53k



**Fund Balance Comparison**  
**Town Outside Villages Fund - Police and Other**  
 Page 67 Basic Financial Statements

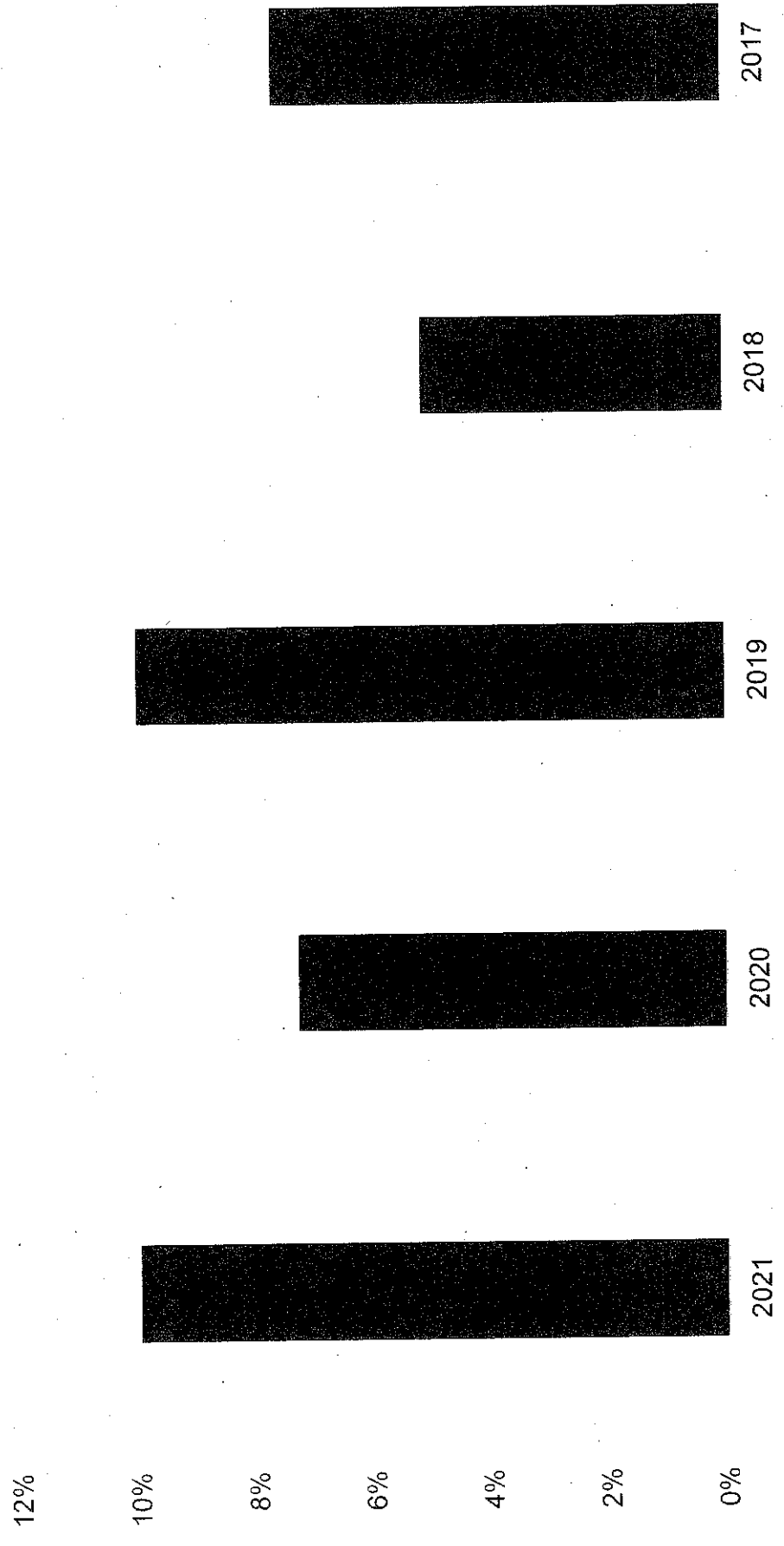


	2021	2020	2019	2018	2017
<b>Nonspendable-</b>					
Prepaid expenditures	\$ 1,056,508	\$ 914,569	\$ 914,882	\$ 860,088	\$ 842,094
<b>Restricted-</b>					
Law Enforcement	75,086	70,050	43,231	105,168	115,193
<b>Assigned-</b>					
Purchases on order:					
Public safety	69,278	46,914	170,285	88,180	179,395
Home and Community services	8,290	-	-	-	-
<b>Subsequent Year's Expenditures - TOV Other</b>					
Assigned major funds	300,000	300,000	800,000	500,000	500,000
	2,938,893	1,965,447	984,796	2,996,749	1,494,092
<b>Total Assigned</b>	<b>3,316,461</b>	<b>2,312,361</b>	<b>1,955,081</b>	<b>3,584,929</b>	<b>2,173,487</b>
<b>Total Fund Balances</b>	<b>\$ 4,448,055</b>	<b>\$ 3,296,980</b>	<b>\$ 2,913,194</b>	<b>\$ 4,550,185</b>	<b>\$ 3,130,774</b>

Assigned  
 2022 adopted Budget

2,938,893  
 35,525,588 = 8.3%

### Assigned Fund Balance as of % of Total Expenditures



- Sewer Fund (pages 94-96) - Ended the year with revenues that exceeded expenditures by \$972,495 resulting in ending fund balance of \$2,278,217 of which \$2,116,625 is considered assigned for sewer purposes. Sewer Fund appears to be financially stable.
- Highway Fund (Part-Town & Town-wide) (pages 97-102) – Ended the year with expenditures that exceeded revenues by \$262,272 resulting in ending fund balance of \$2,366,684. (Town is utilizing \$400,000 to balance the 2022 budget). Although expenditures exceeded revenues in current year, Highway Fund appears financially stable.
- Debt Service Fund (pages 103-105) – Expenditures exceeded revenues by \$679,197 and ending fund balance is \$1,955,583, restricted for debt.
- Capital Projects Fund (pages 106-109) - Approximately 30 active projects. Fund balance of \$7,100,964, restricted for capital projects – no bonds issued in 2021.

	Sewer Fund	Highway Fund	Debt Service Fund	Capital Projects Fund	Special Districts Funds
Nonspendable -					
Prepaid expenditures	\$ 161,592	\$ 187,544	\$ -	\$ -	\$ -
Restricted:					
Capital projects	-	-	-	7,100,964	-
Debt service	-	-	1,155,583	-	-
Parklands	-	-	-	-	381,488
<b>Total Restricted</b>	-	-	1,155,583	7,100,964	381,488
Committed -					
Capital improvements	-	-	-	66,889	-
Assigned - purchases on order	242,234	15,707	-	-	-
Subsequent year's expenditures	-	400,000	800,000	-	-
Major Funds	1,874,391	1,763,433	-	-	-
Special Districts	-	-	-	-	-
Pearl River Parking	-	-	-	-	-
<b>Total Assigned</b>	2,116,625	2,179,140	800,000	-	464,813
<b>Total Fund Balances</b>	\$ 2,278,217	\$ 2,366,684	\$ 1,955,583	\$ 7,167,853	\$ 848,301

Page 122 Basic Financial Statement

	2021	2020
<b>ASSETS</b>		
Current assets		
Cash and equivalents	\$ 728,761	\$ 479,299
Receivables	1,999	60,832
Accounts	293,724	620,505
Due from other funds	295,723	681,337
Total Current Assets	<u>1,024,484</u>	<u>1,160,636</u>
Total Noncurrent Assets - Capital Assets (net)	4,544,589	4,573,444
Total Assets	<u>5,569,073</u>	<u>5,734,080</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>	92,637	105,708
Deferred amounts on OPEB obligations and bonds		
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable	29,027	228,738
Accrued interest payable	8,323	10,189
Due to other governments	923	748
Due to other funds	207,735	-
Advances from other funds	1,984,934	2,384,934
Unearned revenues	36,038	27,779
Current maturities of bonds payable	107,718	96,255
Total Current Liabilities	<u>2,374,698</u>	<u>2,748,643</u>
Noncurrent liabilities		
Bonds payable, less current maturities	935,136	1,055,664
Other post employment benefit obligations payable	598,971	609,751
Total Noncurrent Liabilities	<u>1,534,107</u>	<u>1,665,415</u>
Total Liabilities	<u>3,908,805</u>	<u>4,414,058</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>	73,545	109,918
Deferred amounts on OPEB obligations		
<b>NET POSITION</b>		
Net investment in capital assets	3,613,784	3,890,188
Unrestricted	(1,934,424)	(2,574,376)
Total Net Position	<u>\$ 1,679,360</u>	<u>\$ 1,315,812</u>

Page 123 Basic Financial Statements

	2021	2020
<b>OPERATING REVENUES</b>		
Greens fees	\$ 2,214,535	\$ 1,921,745
Cart rental	519,709	461,585
Facility rental	24,000	22,000
Permit cards	162,561	129,255
Other income	-	428
<b>Total Operating Revenues</b>	<u>2,920,805</u>	<u>2,535,013</u>
<b>OPERATING EXPENSES</b>		
Rental of equipment	95,450	95,450
Landscaping materials	2,735	-
Utilities	8,297	4,522
Contractual and other	2,164,929	1,892,366
Employee benefits	52,869	85,109
Employee benefits - OPEB	(35,286)	(30,695)
Depreciation	231,716	213,631
<b>Total Operating Expenses</b>	<u>2,520,710</u>	<u>2,260,383</u>
<b>Income from Operations</b>	<u>400,095</u>	<u>274,630</u>
<b>NON-OPERATING REVENUES (EXPENSES)</b>		
Interest income	388	2,432
Interest expense	(36,935)	(18,865)
<b>Total Non-Operating Expenses</b>	<u>(36,547)</u>	<u>(16,433)</u>
<b>Change in Net Position</b>	363,548	258,197
<b>NET POSITION</b>		
Beginning of Year	<u>1,315,812</u>	<u>1,057,615</u>
End of Year	<u>\$ 1,679,360</u>	<u>\$ 1,315,812</u>

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	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>		
Current assets		
Cash and equivalents	\$ 419,502	\$ 189,341
Total Noncurrent Assets - Capital Assets (net)	<u>2,683,288</u>	<u>2,711,503</u>
Total Assets	<u>3,102,790</u>	<u>2,900,844</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred amounts on OPEB obligations	<u>42,112</u>	<u>49,089</u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable	23,004	2,566
Due to other governments	79,818	74,583
Due to other funds	206,363	195,505
Advances from other funds	<u>2,567,073</u>	<u>2,567,073</u>
Total Current Liabilities	<u>2,876,258</u>	<u>2,839,727</u>
Noncurrent liabilities		
Other post employment benefit obligations payable	<u>293,123</u>	<u>305,679</u>
Total Noncurrent Liabilities	<u>293,123</u>	<u>305,679</u>
Total Liabilities	<u>3,169,381</u>	<u>3,145,406</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Deferred amounts on OPEB obligations	<u>35,992</u>	<u>55,103</u>
<b>NET POSITION</b>		
Net investment in capital assets	2,683,288	2,711,503
Unrestricted	<u>(2,743,759)</u>	<u>(2,962,079)</u>
Total Net Position	<u>\$ (60,471)</u>	<u>\$ (250,576)</u>



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	2021	2020
<b>OPERATING REVENUES</b>		
Greens fees	\$ 829,791	\$ 806,283
Cart rental	131,206	112,723
Other income	17,128	16,308
Total Operating Revenues	<u>978,125</u>	<u>935,314</u>
<b>OPERATING EXPENSES</b>		
Rental of equipment	33,053	26,860
Utilities	13,431	13,756
Contractual and other	713,652	672,867
Employee benefits	24,485	26,336
Employee benefits - OPEB	(24,690)	(38,643)
Depreciation	28,215	28,215
Total Operating Expenses	<u>788,146</u>	<u>729,391</u>
Income from Operations	<u>189,979</u>	<u>205,923</u>
<b>NON-OPERATING EXPENSES</b>		
Interest income	126	1,235
Interest expense	-	-
Total Non-Operating Expenses	<u>126</u>	<u>1,235</u>
Change in Net Position	190,105	207,158
<b>NET POSITION</b>		
Beginning of Year, as restated	<u>(250,576)</u>	<u>(457,734)</u>
End of Year	<u>\$ (60,471)</u>	<u>\$ (250,576)</u>

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	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>		
Cash and equivalents	\$ 1,202,276	\$ 1,122,105
Accounts receivable	99,035	-
Due from other funds	10,863	-
Prepaid expenses	<u>170,087</u>	<u>143,483</u>
Total Assets	<u>1,482,261</u>	<u>1,265,588</u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable	21,300	19,728
Current portion of claims payable	<u>305,000</u>	<u>303,000</u>
Total Current Liabilities	326,300	322,728
Noncurrent liabilities		
Claims payable, less current portion	<u>2,741,678</u>	<u>2,725,413</u>
Total Liabilities	<u>3,067,978</u>	<u>3,048,141</u>
<b>NET POSITION</b>		
Unrestricted	<u>\$ (1,585,717)</u>	<u>\$ (1,782,553)</u>



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	<u>2021</u>	<u>2020</u>
<b>OPERATING REVENUES</b>		
Charges for services	\$ 2,382,697	\$ 2,006,201
Insurance recoveries	413,068	305,076
Total Operating Revenues	<u>2,795,765</u>	<u>2,311,277</u>
<b>OPERATING EXPENSES</b>		
Insurance	878,190	822,923
Employee benefits	1,720,839	1,181,099
Total Operating Expenses	<u>2,599,029</u>	<u>2,004,022</u>
Income from Operations	196,736	307,255
<b>NON-OPERATING REVENUES</b>		
Interest income	<u>100</u>	<u>642</u>
Change in Net Position	196,836	307,897
<b>NET POSITION</b>		
Beginning of Year	<u>(1,782,553)</u>	<u>(2,090,450)</u>
End of Year	<u>\$ (1,585,717)</u>	<u>\$ (1,782,553)</u>

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	<u>2021</u>	<u>2020</u>
<b>ASSETS</b>		
Cash and equivalents	\$ 135,876	\$ 100,746
Accounts receivable	-	17,475
Prepaid expenses	<u>228,845</u>	<u>202,821</u>
Total Assets	<u>364,721</u>	<u>321,042</u>
<b>LIABILITIES</b>		
Current liabilities		
Accounts payable	10,809	16,094
Due to other funds	10,948	-
Current portion of claims payable	<u>34,000</u>	<u>25,000</u>
Total Current Liabilities	55,757	41,094
Noncurrent liabilities		
Claims payable, less current portion	<u>304,337</u>	<u>226,731</u>
Total Liabilities	<u>360,094</u>	<u>267,825</u>
<b>NET POSITION</b>		
Unrestricted	<u>\$ 4,627</u>	<u>\$ 53,217</u>



Page 136 Basic Financial Statements

	<u>2021</u>	<u>2020</u>
<b>OPERATING REVENUES</b>		
Charges for services	\$ 1,135,597	\$ 1,061,664
Insurance recoveries & Misc	47,631	<u>59,265</u>
Total Operating Revenues	<u>1,183,228</u>	<u>1,120,929</u>
<b>OPERATING EXPENSES</b>		
Insurance	779,180	502,773
Contractual	38,649	52,778
Judgments and claims	413,989	<u>202,583</u>
Total Operating Expenses	<u>1,231,818</u>	<u>758,134</u>
Income (Loss) from Operations	(48,590)	362,795
<b>NET POSITION</b>		
Beginning of Year	<u>53,217</u>	<u>(309,578)</u>
End of Year	<u>\$ 4,627</u>	<u>\$ 53,217</u>

- Debt Service requirements (Page 52-53 Basic Financial Statements) – Bonds Only Debt service requirements are approximately \$7.1 million for next year. The Town has a Aa2 bond rating reaffirmed by Moody's.

Pages 52-53 Notes to Financial statements - General Obligation Bonds and Direct Borrowings

Purpose	Year of Issue	Original Issue Amount	Final Maturity	Interest Rates	Amount Outstanding at December 31, 2021
Sewer Reconstruction	2002	\$ 5,775,000	May, 2024	5.9313 - 6.1813	\$ 1,065,000
Public Improvements	2008	45,480,718	April, 2038	4.2700	29,225,000
Public Improvements	2011	3,369,194	November, 2040	2.4240 - 4.7460	2,405,000
Public Improvements	2012	1,605,800	May, 2042	1.6590 - 4.0980	1,200,000
Public Improvements	2013	3,830,000	July, 2023	2.0000	750,000
Blue Hill Golf Course	2014	62,000	February, 2024	2.0000 - 2.2500	19,993
Public Improvements	2014	5,179,000	February, 2024	2.0000 - 2.2500	1,670,007
Various Purposes	2015	2,700,000	January, 2030	2.0000 - 4.0000	1,850,000
Various Purposes	2016	3,107,500	January, 2029	2.0000 - 4.0000	2,015,000
Public Improvements	2018	8,207,564	March, 2033	3.0000 - 3.2500	6,820,400
Blue Hill Golf Course	2018	150,000	March, 2033	3.0000 - 3.2500	124,600
Sewer Improvements	2019	1,454,000	August, 2048	0.0000	1,308,590
Sewer Improvements	2019	421,207	August, 2049	1.3070 - 3.7990	385,000
Public Improvements	2020	9,525,000	May, 2038	2.125 - 5.000	9,320,000
Sewer Improvements	2020	3,805,000	September, 2026	5.000	3,240,000

\$ 61,398,590

Bonds and Direct Borrowings Environmental Facilities Corporation (excludes Energy Performance Contract Debt)

Year Ended December 31,	Governmental Activities		Business-type Activities		Totals	
	Principal	Interest	Principal	Interest	Principal	Interest
2022	\$ 4,685,652	\$ 2,219,500	\$ 107,718	\$ 38,729	\$ 4,793,370	\$ 2,258,229
2023	4,825,535	2,040,432	112,935	33,149	4,938,470	2,073,581
2024	4,579,825	1,855,159	118,645	28,391	4,698,470	1,883,550
2025	3,756,589	1,690,800	116,881	22,883	3,873,470	1,713,683
2026	3,856,549	1,540,171	121,921	17,206	3,978,470	1,557,377
2027-2031	16,775,893	5,607,400	166,457	42,642	16,942,350	5,650,042
2032-2036	14,902,178	2,574,516	155,172	14,529	15,057,350	2,589,045
2037-2041	6,536,331	326,436	56,019	1,265	6,592,350	327,701
2042-2046	387,350	9,446	-	-	387,350	9,446
2047-2048	136,940	1,140	-	-	136,940	1,140
	\$ 60,442,842	\$ 17,865,000	\$ 955,748	\$ 198,794	\$ 61,398,590	\$ 18,063,794



**The continuation of the Towns overall good financial health can be credited to:**

- *Continued leadership of the Town Board and Administration*
- Having remained within the 2% tax cap "Tax levy Limitation Law" since it was enacted in June 2011.
- The Town has received the Certificate of Achievement for Excellence in Financial Reporting (ACFR Program ) for 15 consecutive years.
- Cost effective purchasing procedures. Covid-related awareness both on revenue and expenditure side of the budget.

**Financial Health is important because:**

- *Assists in the computation of the Town's Tax levy*
- *Improves cash flow and can impact credit rating*
- *Town currently maintains Aa2 Bond rating from Moody's*
- *Funds unexpected and unbudgeted contingent expenditures and/or revenue shortfalls while preserving Town programs*
- *Reduces borrowings and interest costs*
- *Enables the Town to meet future challenges*

**Issued Our Communication to Those Charged With Governance**

*"Management letter", No material weaknesses or significant deficiencies noted.*

**New GASB Pronouncements for 2022**

*GASB Statement No. 87 – Leases*

**Village of South Nyack Dissolution**

*Town assumes the debts, liabilities and obligations of former Village in 2022*

**[www.pkfod.com](http://www.pkfod.com)**

*Nicholas DeSantis, Partner*  
[ndesantis@pkfod.com](mailto:ndesantis@pkfod.com)

*Robert Daniele, Partner*  
[rdaniele@pkfod.com](mailto:rdaniele@pkfod.com)

2 Bethesda Metro Center  
Suite 420

Bethesda, MD 20814  
T: 301.652.3464

155 Federal Street  
Suite 200

Boston, MA 02110  
T: 781.937.5300

20 Commerce Drive  
Suite 301

Cranford, NJ 07016  
T: 908.272.6200

**500 Mamaroneck Avenue  
Harrison, NY 10528  
T: 914.381.8900**

25 Suffolk Court  
Hauppauge, NY 11788  
T: 631.434.9500

293 Eisenhower Pkwy  
Suite 170  
Livingston, NJ 07039  
T: 973.535.2880

11 Balmville Road  
Newburgh, NY 12550

T: 845.565.5400

32 Fostertown Rd  
Newburgh, NY 12550

T: 845.565.5400

245 Park Avenue  
New York, NY 10167

T: 212.267.8000

3801 PGA Blvd  
Suite 600

Palm Beach Gardens, FL  
33410

T: 561-337-5324

40 Westminster Street  
Suite 600

Providence, RI 02903  
T: 401.621.6200

Four Corporate Drive  
Suite 488

Shelton, CT 06484  
T: 203.929.3535

3001 Summer Street  
5<sup>th</sup> Floor East  
Stamford, CT 06905  
T: 203.323.2400

100 Great Meadow  
Road

Wethersfield, CT 06109  
T: 860.257.1870

150 Presidential Way  
Suite 510

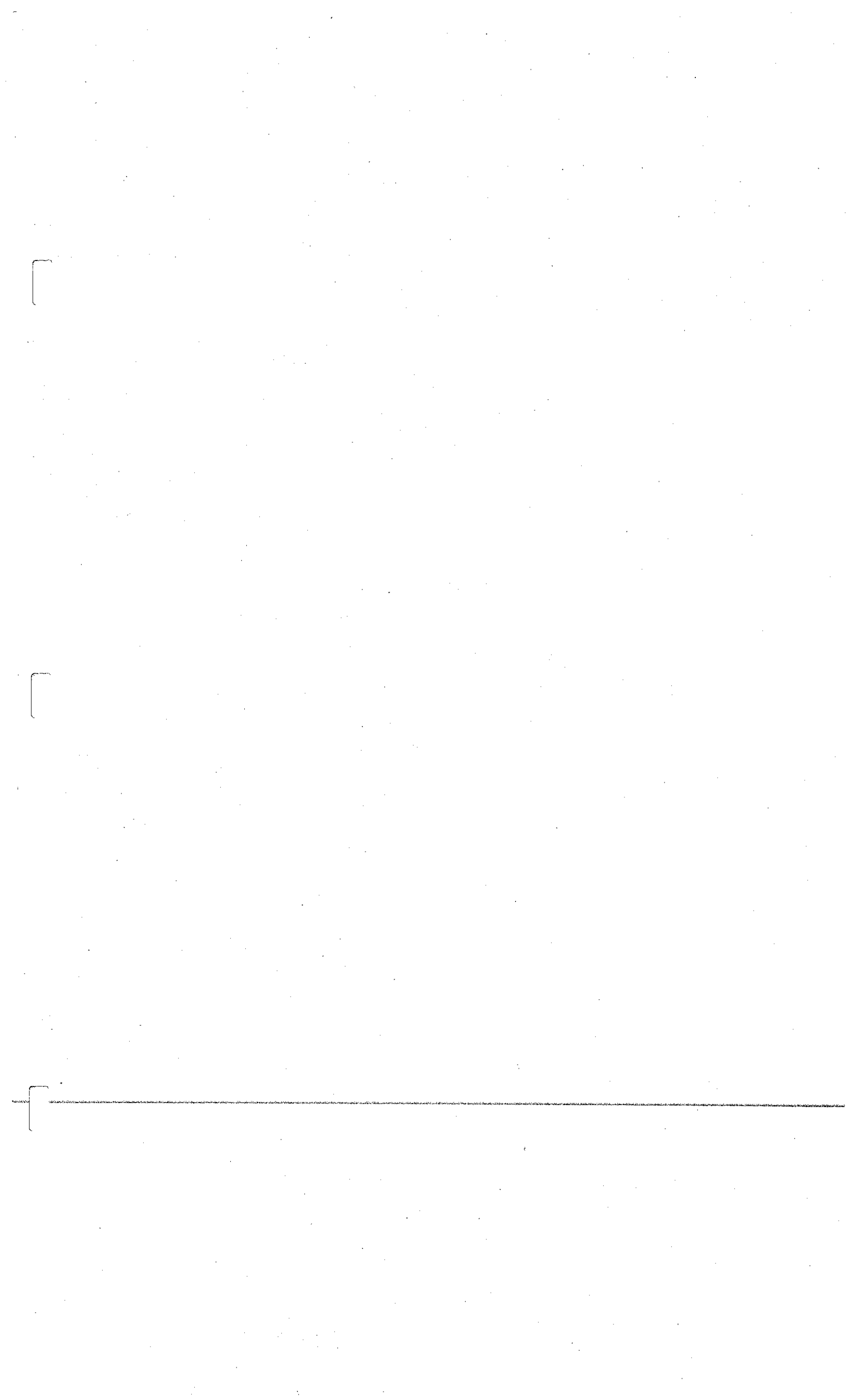
Woburn, MA 01801  
T: 781.937.5300

300 Tice Boulevard  
Suite 315

Woodcliff Lake, NJ  
07677  
T: 201.712.9800



**PKF**  
**O'CONNOR**  
**DAVIES**  
ACCOUNTANTS AND ADVISORS







Town of Orangetown, New York  
Report to Those Charged with Governance  
December 31, 2021

June 29, 2022

Prepared by

Robert Daniele, CPA

Partner

[rdaniele@pkfod.com](mailto:rdaniele@pkfod.com)



**KNOW  
GREATER  
VALUE**



June 29, 2022

**The Honorable Supervisor and  
Members of the Town Board  
Town of Orangetown, New York  
26 Orangeburg Road  
Orangeburg, New York 10962**

We have audited the financial statements of the Town of Orangetown, New York ("Town") as of and for the year ended December 31, 2021 and have issued our report thereon dated June 29, 2022.

Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards, *Government Auditing Standards* and the Uniform Guidance, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our engagement letter to you dated November 12, 2021. Professional standards also require that we communicate to you the following information related to our audit.

We are pleased to be of service to you and the Town and appreciate the opportunity to present our audit findings to you. We are also pleased to discuss other matters which may be of interest to you and to answer any questions you may have.

This information is intended solely for the information and use of Those Charged with Governance and management of the Town and is not intended to be and should not be used by anyone other than these specified parties.

Very truly yours,

*PKF O'Connor Davies, LLP*  
PKF O'Connor Davies, LLP

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## Appendices

- 1 – Corrected Misstatements
- 2 – Management Representation Letter
- 3 – About PKF O'Connor Davies, LLP

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## **Status of the Audit**

### **Audit of Financial Statements**

- Audit fieldwork is complete.
- The financial statements have been drafted and reviewed by management.
- We have issued an unmodified report on the financial statements.

## Required Communications and Other Matters

Required Item	Comments
<p><b>Auditor's responsibility under professional standards and planned scope and timing of the audit</b></p>	<p>We have communicated such information in our engagement letter to you dated November 12, 2021. Generally, these responsibilities include:</p> <ul style="list-style-type: none"> <li>• Forming and expressing an opinion on the financial statements.</li> <li>• Obtaining <i>reasonable assurance</i> that the financial statements are <i>free of material misstatements</i>, whether caused by error or fraud.</li> <li>• Accumulating and communicating uncorrected misstatements to Those Charged with Governance ("TCWG").</li> <li>• Maintaining professional skepticism.</li> <li>• Communicating audit related matters that are, in our professional judgment, significant to TCWG.</li> </ul>
<p><b>Supplementary information accompanying the financial statements</b></p>	<p>Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town's basic financial statements. The supplementary information is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The 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.</p>



Required Item	Comments
<p><b>Other supplementary information accompanying the financial statements</b></p>	<p>Our responsibility for the other supplementary information accompanying the financial statements is to read the other supplementary information and consider whether a material inconsistency exists between the other supplementary information and the financial statements, or the other supplementary information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other supplementary information exists, we are required to describe it in our report.</p>
<p><b>Required supplementary information accompanying the financial statements</b></p>	<p>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.</p>
<p><b>Other information in documents containing audited financial statements</b></p>	<p>Our responsibility as auditors for other information in documents containing the audited financial statements does not extend beyond the financial information identified in the auditors' report, and we are not required to perform any procedures to determine that such other information is properly stated. However, in accordance with professional standards, we have read the information and considered whether such information, or the manner of its presentation, was materially inconsistent with its presentation in the financial statements.</p> <p>Nothing came to our attention that caused us to believe that any such material inconsistencies exist or that the information contains a material misstatement of fact.</p>
<p><b>Our responsibilities under the Yellow Book</b></p>	<p>In connection with our audit we performed tests of the Entity's compliance with certain provisions of laws, regulations, contracts, and grants. However, the objective of our tests was not to provide an opinion on compliance with such provisions.</p>

Required Item	Comments
<p><b>Our responsibilities under Uniform Guidance (Federal Single Audit)</b></p>	<p>In accordance with Uniform Guidance, we examined, on a test basis, evidence about the Entity's compliance with the types of compliance requirements described in the "U.S. Office of Management and Budget (OMB) Uniform Guidance Compliance Supplement" applicable to each of its major federal programs for the purpose of expressing an opinion on the Entity's compliance with those requirements. While our audit provided a reasonable basis for our opinion, it does not provide a legal determination on the Entity's compliance with those requirements.</p>
<p><b>Responsibilities of management and TCWG</b></p>	<p>Management's responsibilities include:</p> <ul style="list-style-type: none"> <li>• The fair presentation of the financial statements, including the selection of appropriate accounting policies.</li> <li>• Establishing and maintaining effective internal control.</li> <li>• Complying with laws, regulations, grants and contracts.</li> <li>• Providing the auditors with all financial records and related information and a signed representation letter.</li> <li>• Evaluate if there are any conditions or events, considered in the aggregate that raise substantial doubt about the Entity's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.</li> <li>• Setting the proper tone at the top.</li> <li>• Designing and implementing policies and controls to prevent and detect fraud.</li> </ul> <p>TCWG are responsible for communicating with the auditors and overseeing the financial reporting process.</p>
<p><b>Qualitative aspects of accounting practices - Accounting Policies</b></p>	<p>Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year.</p> <p>We noted no transactions entered into by the Entity during the year for which there is a lack of authoritative guidance or consensus.</p> <p>All significant transactions have been recognized in the financial statements in the proper period.</p>

Required Item	Comments
<b>Qualitative aspects of accounting practices – Significant Unusual Transactions</b>	<p>No matters have come to our attention that would require us to inform you about the methods used to account for significant unusual transactions.</p>
<b>Qualitative aspects of accounting practices - Accounting Estimates and Management's Judgment</b>	<p>Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events.</p> <p>Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Town's financial statements were:</p> <ul style="list-style-type: none"> <li>• Actuarial assumptions related to the Other Postemployment Benefit Liability ("OPEB")</li> <li>• Actuarial assumptions and proportionate share calculations related to pension liabilities</li> <li>• Asset lives for depreciable capital assets</li> <li>• Estimates of certain receivable balances and allowances for uncollectible amounts</li> <li>• Estimates for certain operating and long-term liabilities</li> </ul>
<b>Qualitative aspects of accounting practices - Financial Statement Disclosures</b>	<p>Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosure affecting the financial statements are:</p> <ul style="list-style-type: none"> <li>• Other postemployment benefit liabilities payable</li> <li>• Pension plan information</li> <li>• Outstanding bonded indebtedness</li> <li>• Fund balances</li> <li>• Advances to other funds</li> </ul> <p>The financial statement disclosures are neutral, consistent and clear.</p>

Required Item	Comments
<b>Going concern</b>	<p>The auditor is required to communicate with TCWG events or conditions that, when considered in the aggregate; indicate a substantial doubt about the Entity's ability to continue as a going concern for a reasonable period of time.</p> <p>Management has completed their assessment of going concern and has concluded that a going concern uncertainty does not exist.</p>
<b>Significant risks</b>	<p>We have identified the following significant risks in connection with our audit:</p> <p>Improper revenue recognition.</p> <p>Management override of internal controls.</p> <p>The audit procedures applied as a result of the aforementioned significant risk were designed to and have used the risk of material misstatement to low.</p>
<b>Difficulties encountered in performing the audit</b>	<p>We encountered no significant difficulties in dealing with management in performing and completing our audit.</p>
<b>Corrected and uncorrected misstatements</b>	<p>Professional standards require us to accumulate all known and likely misstatements identified during the audit (including passed adjustments and omitted financial statement disclosures), other than those that are clearly trivial, and communicate them to the appropriate level of management.</p> <p>We are required to communicate to you misstatements that remain uncorrected, including any related to prior periods, and the effect, if any, that they may have on the opinions in our report, and request their correction. There are no such financial statement misstatements that remain uncorrected.</p> <p>In addition, corrected misstatements that were brought to the attention of management as a result of our audit procedures are also included in Appendix 1.</p>

Required Item	Comments
<b>Disagreements with management</b>	For purposes of this communication, a disagreement with management is a matter, whether or not resolved to our satisfaction, concerning financial accounting, reporting, or auditing, which could be significant to the financial statements or the auditors' report. We are pleased to report that no such disagreements arose during the course of the audit.
<b>Management representations</b>	We have requested certain representations from management that are included in the management representation letter (see Appendix 2).
<b>Management's consultations with other accountants</b>	In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Entity's financial statements or a determination of the type of auditors' opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.
<b>Auditor independence</b>	We affirm that PKF O'Connor Davies, LLP is independent with respect to the Town in accordance with relevant professional standards.
<b>Significant issues discussed with management prior to retention</b>	We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Entity's auditor. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

## Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Town of Orangetown, New York's (the "Entity") internal control over financial reporting ("internal control") as a basis for designing 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 Entity's internal control. Accordingly, we express no such opinion.

Professional standards require that we communicate to you, in writing, all significant deficiencies and/or material weaknesses in internal control that we identify in performing our audit. For this purpose, deficiencies in internal control are categorized as follows:

- 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 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 and was not designed to identify all deficiencies in internal control that might be deficiencies, significant deficiencies, or material weaknesses and, therefore, there can be no assurance that all such deficiencies have been identified.

We did not identify any deficiencies in internal control that we consider to be material weaknesses, as defined above.

However, we share for your consideration on the following pages other observations about the internal control and operations.

This communication is intended solely for the information and use of management and others charged with governance and is not intended to be and should not be used by anyone other than these specified parties. We will be pleased to discuss these communications and comments in further detail at your convenience, or to assist you in implementing the recommendations.

*PKF O'Connor Davies, LLP*  
**PKF O'Connor Davies, LLP**  
Harrison, New York  
June 29, 2022

**Town of Orangetown, New York**

**Control Deficiencies**

• **Fund Deficits**

Deficits place a financial burden on a municipal entity. They are created either by revenue shortfalls or expenditures in excess of budgetary provisions. The effects of an increasing deficit are varied, but their greatest impact will generally be felt on cash flow. The larger the amounts involved, the greater the problems. Financial controls must be instituted to cure the deficits. A variety of alternatives may be used to eliminate a deficit; the simplest of which is an additional tax levy or increased user charges. The ability to generate additional revenue sources as well as the effect of more stringent expenditure controls should be examined. In addition, management must determine the origin of the deficit. If the deficit was the result of unique circumstances that will not repeat, a tax levy or user charge approach may suffice. However, if the deficit is an indication of continuing problems, then a plan must be developed which may require the use of all the available solutions. The financial statements of the Town reflect the following funds' unrestricted/unassigned deficits at December 31, 2021:

- Blue Hill Golf Course Fund - \$1,934,424
- Broadacres Golf Course Fund - \$2,743,759
- Workers' Compensation Benefits - \$1,585,717

***Recommendation***

We suggest that financial oversight by both the Town Board and management continue until the deficits for Blue Hill and Broadacres Golf Course funds are eliminated, and that a multiyear plan balancing revenues to expenditures be implemented. Various estimates of the economic recovery seem to indicate a slow process taking place over years. The Town will be faced with the prospect of slow growth in revenues, a potential declining property tax base and growing expenditures.

In regards to the Internal Service Fund (Workers' Compensation Benefits), the Town has fully funded the current portion of the claims payable. The long-term claims payable stems from an actuarially determined liability which created the deficit in the aforementioned Internal Service Fund. Although the Internal Service Funds operate on a cost-reimbursement basis, if the full amount of the claims payable becomes due and payable, this could potentially place a financial burden on the Town's governmental funds.

• **Internal Service Funds - Charges for Services**

It was suggested in the prior year that charge-backs to the operating funds be increased to offset increased expenses in the internal service funds in order to reduce deficits. We noted in the current year that although the Worker's Compensation Benefits Fund remains in a deficit, the deficit was reduced by almost \$200,000 as compared to the prior year due to increased oversight by management. The Worker's Compensation Benefits Fund ended the fiscal year with a deficit balance of \$1,585,717.

Town of Orangetown, New York

Control Deficiencies

- **Internal Service Funds - Charges for Services** (*Continued*)

**Recommendation**

We suggest that an analysis be performed on the monies owed to the Internal Service Funds. The total charge by the Internal Service Funds to the other funds is based on an actuarial method and should be adjusted over a reasonable period of time so that Internal Service Fund's revenues and expenses are approximately equal. We have been advised that the Town periodically reviews its methodology for developing inter-fund charges and modifies them accordingly.

- **Capital Projects Fund**

*Lack of Financial Activity*

The lack of financial activity in a capital project over an extended period of time may be an indication of the project's completion. Our audit of the Capital Projects Fund indicated that there are seven projects which had no financial activity in the past fiscal year. Upon determination that a capital project has been completed, the governing board should pass a resolution indicating this status and directing the disposition of the unexpended proceeds. If the unexpended balance of the project consists of money provided from obligations, its use will be restricted to the payment of outstanding indebtedness. If the remaining balance consists of a return of a contribution from an operating fund, it should be returned to that fund to be used for any lawful purpose.

**Recommendation**

We suggest that a review of all capital projects be undertaken on an annual basis to determine the status of completion and the proper disposition of unexpended funds.

*Committed Fund Balance*

A balance of \$66,889 was committed by the Town Board prior to 2005 and the purpose of the commitment should be reviewed to determine if this amount should remain committed.

**Recommendation**

We suggest the commitment should be reviewed and if there is no longer a reason for this balance to be committed, it should be released into restricted fund balance within the Capital Projects Fund.



Town of Orangetown, New York

Control Deficiencies

- **Segregating Funds**

*Special Purpose Fund and Deposit Payable Accounts*

The Special Purpose Fund is used to account for assets held by the Town for use in accordance with the terms of a trust agreement. The revenue and expenditure activity for each trust agreement should be reflected in the general ledger for proper tracking. Furthermore, as one of the requirements promulgated under the provisions of Governmental Accounting Standards Board Statement No. 34, these transactions are required to be reported separately from those activities that are fiduciary in nature like deposit payable accounts. However, the Town accounts for both types of activities within the same fund structure. Furthermore, the revenues and expenditures related to the activity of each trust are not recorded in separate revenue and expenditure account codes thus requiring additional analysis to determine the transactions that took place.

*Special Revenue and Internal Service Funds*

Additionally, the Town reports several special revenue funds that are shown separately on the financial statements since they have different tax bases: Town Outside Villages - Police, Town Outside Villages - Other, Highway - Town-Wide and Highway - Part-Town. While there are separate schedules of revenues and expenditures maintained for each individual fund, there is only one balance sheet which makes it difficult to allocate the activity between funds.

**Recommendation**

For the Special Purpose Fund and deposits payable accounts, we suggest that a separate fund be created to track the trust activities in accordance with the above requirements and that this include detailed revenue and expenditure codes for each trust. For the remaining special revenue funds, we suggest that separate trial balances be maintained for each fund in order to track activities more efficiently. Such general ledger account coding structure will provide sufficient information to properly review, reconcile, monitor and report activity.

- **Deposit Payable Account (Now Reported in the Governmental Funds in Accordance with GASB Statement No. 84)**

*Guarantee and Bid Deposits*

During our audit, we noted that within the following escrow accounts, there were balances over five years old:

Guarantee and Bid Deposits	\$	298,202
Drainage Review Escrow		<u>72,132</u>
	\$	<u>370,334</u>

Town of Orangetown, New York

Control Deficiencies

- **Deposit Payable Account (Now Reported in the Governmental Funds in Accordance with GASB Statement No. 84) (Continued)**

**Recommendation**

We suggest that the Town review all deposits recorded in order to obtain their current status. If deemed appropriate, the Town Board should authorize that these funds be released, transferred to the appropriate operating fund or sent to the State as part of unclaimed funds.

- **General Fund**

*Accounts Receivable*

Our audit of the accounts receivable revealed the Town is owed approximately \$30,000 from the South Orangetown Little League for fees related to the use of Town facilities. This amount covers unpaid fees from 2014 to the present. Receivables are to reflect amounts the Town anticipates receiving within 90 days following fiscal year end.

**Recommendation**

While we understand the Town is investigating its options for collecting the unpaid amounts and expects to reach a settlement within the coming year, we suggest the Town consider recording the amount as deferred inflow of resources in keeping with revenue recognition standards.

- **Highway Fund**

During our audit, we noted that although the budget of the Highway Fund is balanced as a whole, the budgets of the individual sub-funds of the Highway Fund, both Part-Town and Town-Wide, did not balance by \$81,858.

**Recommendation**

Management should review the individual balances of the sub-funds in each fund to ensure the budgets are in balance.

**Town of Orangetown, New York**

**Control Deficiencies**

- **Enterprise Funds - Blue Hill and Broadacres Golf Course Funds**

The operations of the Blue Hill and Broadacres Golf Course funds are recorded as major enterprise funds. Enterprise funds are used to account for activities that are intended to operate as a business would. The financial accounting for enterprise funds is similar to accounting methods used in the private sector. Golf permits, greens fees, cart rental and facility rentals are the primary revenue sources for operating expenses. Shortfalls have required cash funding from the General Fund.

Operating income, net of operating expenses is a key indicator as to the profitability or cost recovery of the operations of the golf courses while non-operating revenues and expenses are generally excluded, as they often reflect policy decisions and/or temporary conditions which are immaterial when considering long-term operations. The Blue Hill Golf Course Fund reflects income from operations of \$400,095 and the Broadacres Golf Course Fund reflects income from operations of \$189,979 for the fiscal year ended December 31, 2021 and each have accumulated unrestricted deficits of \$1,934,424 and \$2,743,759, respectively, which cannot be repaid from current operations and have been reclassified to advances from other funds.

***Recommendations***

Municipal golf courses represent a significant commitment of resources for municipalities that own and operate them. The Town has faced challenges with its golf course enterprise operations which have produced deficits in recent years. While the Town Board has privatized both golf courses and the Blue Hill Golf Course Fund has shown an improved change in net position, the two golf courses are not solely funded by their primary revenue sources (golf permits, greens fees and rental income) but must rely on real property taxes and cash funding from the General Fund to support their operations while still reflecting unrestricted deficits in their net position. The current financial statements reflect such cash advances as advances from other funds. We suggest that the Town Board continue to address the challenges and structural deficits in the enterprise golf course funds to ensure that the golf courses are fully self-sustaining. The Town Board, per resolution, has committed to repayment of the advances at a minimum of \$200,000 annually.

- **Cash**

*Cash Account Not Recorded on Books*

During the audit of Cash, we noted that the Town has a KeyBank account (#93235208) that is not recorded on the books. The account is an Aflac Flex Holding Account with a December 31, 2021 ending balance of \$6,474.

Town of Orangetown, New York

Control Deficiencies

- **Cash** (*Continued*)

**Recommendation**

We recommend that all bank accounts using the Town's tax identification number be included in the Town's books.

- **Tests of Transactions**

As part of our audit of the Town's financial statements, we review, evaluate and test controls with respect to the payroll, purchasing, real property taxes and cash receipt cycles. Our tests of transactions for the current year indicated the following areas were in need of improvement.

*Payroll and Salary Modification Access*

The individual responsible for reviewing payroll as well the individual responsible for processing payroll also have access to add, delete and modify employee information and salary information. Although employee payroll change forms submitted by the personnel department are reviewed for accuracy prior to being entered into the system, a review is not conducted once the changes have been entered and the payroll has been processed. We noted that management has access to a payroll change report that identifies any changes within the system relating to employee information and salary. Management should run and document review of this report each pay period.

**Recommendation**

There are limitations on obtaining an adequate segregation of duties due to minimal size of the staff, the most efficient/effective method to ensure proper controls would be to have the payroll change report reviewed by a member of management not directly involved in the payroll process. The report should be maintained and the review should be documented within the report.

*Claims Procedures*

Upon review of the user access report, we noted that multiple individuals have access to add, delete and modify vendor information.

**Recommendation**

We recommend that the Town make changes to their employee's abilities within the system in order to ensure appropriate segregation of duties and to safeguard the Town from any errors, mitigating the potential for any fraud.

Town of Orangetown, New York

Control Deficiencies

- **Old Receivable Balances**

During the audit, we noted that the Sewer Fund had a total of \$19,000 of receivables that are over one year old.

**Recommendation**

Management should continue its efforts to collect the outstanding receivable balances. If determined that collectability is not likely, a Board resolution should be obtained to write off these amounts and therefore, the General Fund would need to transfer funds to the Sewer Fund to fund these receivables.

- **Justice Court**

*Bail Account – Outstanding Amounts Greater Than One Year*

During our audit, we noted that the value of the outstanding bail balances greater than six years is \$1,985.

**Recommendation**

We recommend that the Court research these amounts to determine if the cases are still open and consider remitting any bail outstanding for more than six years to the Town.

*Bail Account – Outstanding Checks Greater Than One Year Old*

During our audit, we noted an outstanding check in the bail account for \$1,919 that has been outstanding for greater than one year.

**Recommendation**

We recommend investigating this item appropriately re-issue payment or return the amount to outstanding bail.

## On the Horizon

### GASB Statement No. 87 – Leases

Potentially pervasive changes are coming to lease accounting. Under the provisions of GASB Statement No. 87, nearly every lease will be considered a capital lease. While local governments and school districts would most likely be lessees in these kinds of transactions, some might also be involved in transactions where they are the lessor of these assets.

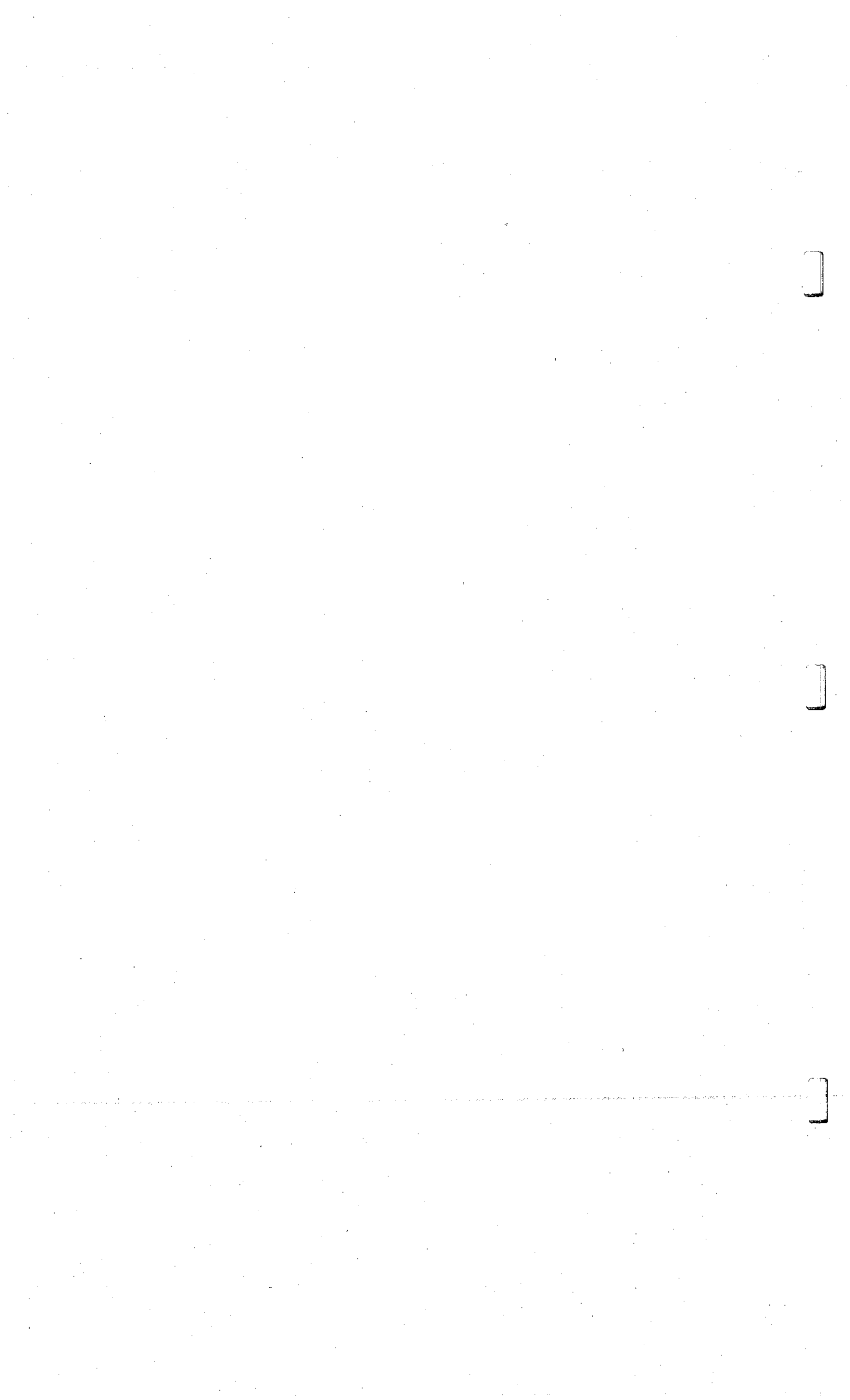
Under this standard, lessees will now be required to recognize in their entity-wide Statement of Net Position a lease liability and an intangible right-to-use lease asset when the lease begins. The intangible asset will be similar to other capital assets by requiring amortization over the life of the lease term, similar to depreciation of tangible capital assets. Also similar to other capital assets, leases will need to be assessed for impairment.

Lessors will do the opposite. Lessors will recognize a lease receivable and a deferred inflow of resources at the start of a lease. The receivable will be reduced and revenue recognized as lease payments are received each year. The lessor will continue to report the capital asset on its own Statement of Net Position.

Governments should review this standard early to anticipate what changes might need to be made to policies, accounting procedures, laws and regulations. GASB Statement No. 95 postponed by eighteen months the effective date of this statement. Accordingly, the provisions of this Statement are **effective for fiscal years beginning after June 15, 2021 (i.e., the Town's financial statements for the year ended December 31, 2022).**

## Appendix 1

### Corrected Misstatements





**Town of Orangetown, New York  
Corrected Misstatements  
December 31, 2021**

Account	Description	Debit	Credit
<b>CAPITAL PROJECTS FUND</b>			
<b>Adjusting Journal Entries JE # 3</b>			
To release ARPA funds to unearned revenue			
H.4089	FEDERAL GRANTS	\$ 1,071,380	
H.0691	DEFERRED REVENUES		\$ 1,071,380
<b>Total</b>		<b>1,071,380</b>	<b>1,071,380</b>
<b>Adjusting Journal Entries JE # 7</b>			
To eliminate interfund transfer between the Capital Projects Fund and the Blue Hill Golf Fund			
H.0630	DUE TO OTHER FUNDS	337,639	
H.9950.900	INTERFUND TRANSFERS TRANSFERS		337,639
<b>Total</b>		<b>337,639</b>	<b>337,639</b>
<b>HIGHWAY FUND</b>			
<b>Adjusting Journal Entries JE # 13</b>			
To adjust Federal revenues for expenditures not spent at December 31, 2021			
D.4089.000.04	FEDERAL GRANTS PART TOWN	978,194	
D.0410	DUE FROM STATE/FEDERAL		978,194
<b>Total</b>		<b>978,194</b>	<b>978,194</b>
<b>SEWER FUND</b>			
<b>Adjusting Journal Entries JE # 16</b>			
To adjust Federal revenues for expenditures not spent at December 31, 2021			
G.4089	FEDERAL AID	183,833	
G.0410	DUE FROM FEDERAL STATE SOURCES		183,833
<b>Total</b>		<b>183,833</b>	<b>183,833</b>
<b>BLUE HILL GOLF COURSE FUND</b>			
<b>Adjusting Journal Entries JE # 9</b>			
To eliminate interfund transfer between the Capital Projects and Blue Hill Golf funds			
E.5031	INTERFUND TRANSFERS	337,639	
E.0391	DUE FROM OTHER FUNDS		337,639
<b>Total</b>		<b>337,639</b>	<b>337,639</b>
<b>DEBT SERVICE FUND</b>			
<b>Adjusting Journal Entries JE # 9</b>			
To reflect the state aid for Environmental Facilities Corporation (EFCO) within the appropriate fund			
V.3089	STATE AID OTHER	154,826	
V.0630	DUE TO OTHER FUNDS		154,826
<b>Total</b>		<b>\$ 154,826</b>	<b>\$ 154,826</b>

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## **Appendix 2**

### **Management Representation Letter**



# Town of Orangetown

Town Hall 26 West Orangeburg Road • Orangeburg, NY 10962  
Telephone: (845) 359-5100 ext. 2261 • Fax: (845) 359-2623  
e-mail: supervisor@orangetown.com  
website: www.orangetown.com



Teresa M. Kenny  
Supervisor

June 29, 2022

PKF O'Connor Davies, LLP  
500 Mamaroneck Avenue, Suite 301  
Harrison, New York 10528

This representation letter is provided in connection with your audit of the basic financial statements of the Town of Orangetown, New York ("Town"), which comprise the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information as of December 31, 2021, and the respective changes in financial position and, where applicable, cash flows for the year then ended, and the disclosures (collectively, the "financial statements"), for the purpose of expressing opinions as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement. An omission or misstatement that is monetarily small in amount could be considered material as a result of qualitative factors.

We confirm, to the best of our knowledge and belief, (having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves) as of the date of this letter, the following representations made to you during your audit.

## Our Responsibilities

- 1) We acknowledge that we have fulfilled our responsibilities for as set forth in the terms of the engagement letter dated November 12, 2021 for:
  - a) The preparation and fair presentation of the financial statements in accordance with US GAAP and include all properly classified funds and other financial information of the primary government and the component unit required by generally accepted accounting principles to be included in the financial reporting entity. The combining and individual fund financial statements have been prepared and presented in conformity with the accounting principles used to prepare the basic financial statements.
  - b) 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; and
  - c) The design, implementation, and maintenance of internal control to prevent and detect fraud.

- 2) We understand that the term "fraud" refers to intentional acts by one or more individuals among management, those charged with governance, employees, or third parties, involving the use of deception that results in a misstatement in financial statements. Two types of intentional misstatements are relevant to your audit – misstatements resulting from fraudulent financial reporting and misstatements resulting from misappropriation of assets. Fraudulent financial reporting involves intentional misstatements, including omissions of amounts or disclosures in financial statements to deceive financial statement users. Misappropriation of assets involves the theft of an entity's assets.
- 3) In regard to the financial statement preparation non-attest services performed by you, we have:
  - a) Assumed all management responsibilities.
  - b) Designated individuals within senior management, who have suitable skill, knowledge, or experience to oversee the services.
  - c) Evaluated the adequacy and results of the services performed.
  - d) Accepted responsibility for the result of the services.
- 4) We are further responsible for reviewing, accepting and processing the standard, adjusting, or correcting journal entries that you proposed during the course of your engagement. We confirm that we designated a suitably qualified individual who understands the nature and impact of the proposed entries to the financial statements, and we accept responsibility for the proposed entries that we authorized and processed.
- 5) We acknowledge our responsibility for presenting the combining and individual fund financial statements and schedules and the schedule of expenditures of federal awards in accordance with US GAAP, and we believe the combining and individual fund financial statements and schedules and the schedule of expenditures of federal awards, including its form and content, is fairly presented in accordance with US GAAP. The methods of measurement and presentation of the combining and individual fund financial statements and schedules and the schedule of expenditures of federal awards have not changed from those used in the prior period, and we have disclosed to you any significant assumptions or interpretations underlying the measurement and presentation of the supplementary information.

#### **Financial Statements**

- 6) The financial statements referred to above are fairly presented in conformity with US GAAP and include all disclosures necessary for such fair presentation. In that connection, we specifically confirm that:
  - a) The Town's accounting policies, and the practices and methods followed in applying them, are appropriate and are as disclosed in the financial statements.
  - b) There have been no changes during the period audited in the Town's accounting policies and practices.
  - c) All material transactions have been recorded in the accounting records and are reflected in the financial statements.
- 7) Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- 8) The following, where they exist, have been appropriately disclosed to you and accounted for and/or disclosed in the financial statements in accordance with the requirements of US GAAP:
  - a) The identity of all related parties and related party relationships and transactions including revenues, expenditures/expenses, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
  - b) Guarantees, whether written or oral, under which the Town is contingently liable, if any.

- c) The effects of all known actual, possible, pending or threatened litigation, claims, and assessments.
- 9) We have evaluated events subsequent to the date of the financial statements through the date of this letter, and except as discussed in Note 7 to the financial statements, no such events have occurred which would require adjustment or disclosure in the financial statements. No events, including instances of noncompliance, have occurred subsequent to the balance sheet date and through the date of this letter that would require adjustment to or disclosure in the aforementioned financial statements or in the schedule of findings and questioned costs.
- 10) We are in agreement with the adjusting journal entries you have proposed, and they have been posted to the Town's accounts.

#### **Information Provided**

- 11) We have provided you with:
- a) Access to all information, of which we are aware, that is relevant to the preparation and fair presentation of the financial statements, such as records (including information obtained from outside of the general and subsidiary ledgers), documentation, and other matters.
  - b) Communications from regulatory agencies concerning noncompliance with, or deficiencies in, financial reporting practices, if applicable.
  - c) Additional information that you have requested from us for the purpose of the audit.
  - d) Unrestricted access to persons within the Town from whom you determined it necessary to obtain audit evidence.
  - e) Completeness and availability of all minutes of the meetings of the Town Board or summaries of actions of recent meetings for which minutes have not yet been prepared.
  - f) All significant contracts and agreements.
  - g) All documents and records provided electronically are accurate and complete reproductions of the original documents and records.
- 12) We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud. Based on our assessment, we did not identify any fraud risk that we believe would result in a material misstatement of the financial statements.
- 13) There are no deficiencies in the design or operation of internal control over financial reporting that are reasonably likely to adversely affect the Town's ability to initiate, authorize, record, process, and report financial data reliably in accordance with US GAAP.
- 14) We have no knowledge of any fraud or suspected fraud that affects the Town and involves:
- a) Management,
  - b) Employees who have significant roles in internal control, or
  - c) Others where the fraud could have a material effect on the financial statements.
- 15) We have no knowledge of any allegations of fraud or suspected fraud affecting the Town's financial statements communicated by employees, former employees, regulators, or others.
- 16) We have no knowledge of instances of noncompliance or suspected noncompliance with provisions of laws, regulations, contracts, or grant agreements, or waste or abuse, whose effects should be considered when preparing financial statements.

## Hosting Services

- 17) We acknowledge that electronic portals used during the audit are only a method of transferring data and the data may be deleted by you at any time.
- 18) We are responsible for maintaining out financial and non-financial information, licensing and hosting of any applications, and downloading and retaining anything you uploaded to such portal in a timely manner.

## Government—specific

- 19) We have a process to track the status of audit findings and recommendations.
- 20) We have identified to you any previous audits, attestation engagements, and other studies related to the audit objectives of the audit and whether related recommendations have been implemented.
- 21) We have identified to you any investigations or legal proceedings that have been initiated with respect to the period under audit.
- 22) We have provided our views on reported findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
- 23) The Town has no plans or intentions that may materially affect the carrying value or classification of assets, deferred outflows of resources, liabilities, deferred inflows of resources and fund balance or net position.
- 24) We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us, including tax or debt limits and debt contracts, and legal and contractual provisions for reporting specific activities in separate funds.
- 25) We have identified and disclosed to you all instances of identified and suspected fraud and noncompliance with provisions of laws, regulations, contracts and grant agreements that we believe have a material effect on the financial statements.
- 26) There are no violations or possible violations of budget ordinances/resolutions laws and regulations (including those pertaining to adopting, approving, and amending budgets), provisions of contracts and grant agreements, tax or debt limits, and any related debt covenants whose effects should be considered for disclosure in the financial statements, or as a basis for recording a loss contingency, or for reporting on noncompliance.
- 27) As part of your audit, you assisted with preparation of the financial statements and disclosures and schedule of expenditures of federal awards. We acknowledge our responsibility as it relates to those nonaudit services, including that we assume all management responsibilities; oversee the services by designating an individual, preferably with senior management, who possesses suitable skill, knowledge, or experience; evaluate the adequacy and results of the services performed; and accept responsibility for the results of the services We have reviewed, approved, and accepted responsibility for those financial statements and disclosures and schedule of expenditures of federal awards. We also understand that as part of your audit, you prepared various adjusting journal entries, both on the fund and entity-wide level, and acknowledge that we have reviewed and approved those entries and accepted responsibility for them.
- 28) The Town has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset been pledged as collateral.



- 29) The Town has complied with all aspects of contractual agreements that would have a material effect on the financial statements in the event of noncompliance.
- 30) We have followed all applicable laws and regulations in adopting, approving, and amending budgets.
- 31) The financial statements include all component units, appropriately present majority equity interests in legally separate organizations and joint ventures with an equity interest, and properly disclose all other joint ventures and other related organizations.
- 32) The financial statements include all fiduciary activities required by GASB Statement No. 84.
- 33) The financial statements properly classify all funds and activities in accordance with GASB Statement No. 34, as amended.
- 34) All funds that meet the quantitative criteria in GASB Statement Nos. 34 and 37 for presentation as major are identified and presented as such and all other funds that are presented as major are particularly important to financial statement users.
- 35) Components of net position (net investment in capital assets; restricted; and unrestricted) and classifications of fund balance (nonspendable, restricted, committed, assigned, and unassigned) are properly classified and, if applicable, approved.
- 36) Investments and land are properly valued.
- 37) Receivables recorded in the financial statements represent valid claims against debtors for transactions arising on or before the balance sheet date and have been reduced to their estimated net realizable value.
- 38) Provisions for uncollectible receivables have been properly identified and recorded.
- 39) Expenses have been appropriately classified in or allocated to functions and programs in the statement of activities, and allocations have been made on a reasonable basis.
- 40) We agree with the findings of specialists in evaluating the other postemployment benefit obligation and any other specialists utilized and have adequately considered the qualifications of the specialists in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to the specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.
- 41) We believe that the actuarial assumptions and methods used to measure pension and OPEB liabilities and costs for financial accounting purposes are appropriate in the circumstances.
- 42) Revenues are appropriately classified in the statement of activities within program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
- 43) Interfund, internal, and intra-entity activity and balances have been appropriately classified and reported.

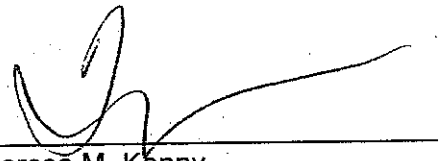
- 44) Deposits and investment securities are properly classified as to risk and are properly disclosed.
- 45) Capital assets, including infrastructure and intangible assets, are properly capitalized, reported, and, if applicable, depreciated or amortized.
- 46) Capital assets, including intangible assets, have been evaluated for impairment as a result of significant and unexpected decline in service utility. Impairment loss and insurance recoveries have been properly recorded.
- 47) We have appropriately disclosed the Town's policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available and have determined that net position is properly recognized under the policy.
- 48) We are following GASB Statement No. 54, paragraph 18, to determine the fund balance classifications for financial reporting purposes.
- 49) We acknowledge our responsibility for the required supplementary information (RSI). The RSI is measured and presented within prescribed guidelines and the methods of measurement and presentation have not changed from those used in the prior period. We have disclosed to you any significant assumptions and interpretations underlying the measurement and presentation of the RSI.
- 50) The Town has real property tax abatement agreements exempt under Real Property Tax Law and General Municipal Law. However, the total value of the tax abatement agreements for the year ended December 31, 2021 aggregated to less than \$60,000 and, therefore, detail information has been excluded from these financial statements.
- 51) We have not completed the process of evaluating the impact that will result from adopting the provisions of Governmental Accounting Standards Board ("GASB") Statement No. 87, "Leases", as discussed in Note 6. The Town is therefore unable to disclose the impact that adopting GASB Statement No. 87 will have on its financial position and the results of its operations when the Statement is adopted.
- 52) With respect to federal award programs:
- a) We are responsible for understanding and complying with and have complied with the requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards* ("Uniform Guidance"), including requirements relating to preparation of the schedule of expenditures of federal awards.
  - b) We acknowledge our responsibility for preparing and presenting the schedule of expenditures of federal awards (SEFA) and related disclosures in accordance with the requirements of the Uniform Guidance, and we believe the SEFA, including its form and content, is fairly presented in accordance with the Uniform Guidance. The methods of measurement or presentation of the SEFA have not changed from those used in the prior period and we have disclosed to you any significant assumptions and interpretations underlying the measurement or presentation of the SEFA.
  - c) We have identified and disclosed to you all of our government programs and related activities subject to the Uniform Guidance compliance audit, and have included in the SEFA, expenditures made during the audit period for all awards provided by federal agencies in the form of federal awards, federal cost-reimbursement contracts, loans, loan guarantees, property (including donated surplus property), cooperative agreements, interest subsidies, insurance, food commodities, direct appropriations, and other direct assistance.

- d) We are responsible for understanding and complying with, and have complied with, the requirements of federal statutes, regulations, and the terms and conditions of federal awards related to each of our federal programs and have identified and disclosed to you the requirements of federal statutes, regulations, and the terms and conditions of federal awards that are considered to have a direct and material effect on each major program.
- e) We are responsible for establishing, designing, implementing and maintaining, and have established, designed, implemented and maintained, effective internal control over compliance for federal programs that provides reasonable assurance that we are managing our federal awards in compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a material effect on our federal programs. We believe the internal control system is adequate and is functioning as intended.
- f) We have made available to you all federal awards (including amendments, if any) and any other correspondence with federal agencies or pass-through entities relevant to federal programs and related activities.
- g) We have received no requests from a federal agency to audit one or more specific programs as a major program.
- h) We have complied with the direct and material compliance requirements (except for noncompliance disclosed to you), including when applicable, those set forth in the *OMB Compliance Supplement* (including its Addendum), relating to federal awards and confirm that there were no amounts questioned and no known noncompliance with the direct and material compliance requirements of federal awards.
- i) We have disclosed any communications from federal awarding agencies and pass-through entities concerning possible noncompliance with the direct and material compliance requirements, including communications received from the end of the period covered by the compliance audit to the date of the auditors' report.
- j) We have disclosed to you the findings received and related corrective actions taken for previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit, including findings received and corrective actions taken from the end of the period covered by the compliance audit to the date of the auditors' report.
- k) Amounts claimed or used for matching were determined in accordance with relevant guidelines in OMB's Uniform Guidance (2 CFR Part 200, Subpart E).
- l) We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.
- m) We have made available to you all documentation related to compliance with the direct and material compliance requirements, including information related to federal program financial reports and claims for advances and reimbursements.
- n) We have disclosed to you the nature of any subsequent events that provide additional evidence about conditions that existed at the end of the reporting period affecting noncompliance during the reporting period.
- o) There are no such known instances of noncompliance with direct and material compliance requirements that occurred subsequent to the period covered by the auditors' report.
- p) No changes have been made in internal control over compliance or other factors that might significantly affect internal control, including any corrective action we have taken regarding significant deficiencies or material weaknesses in internal control over compliance, subsequent to the period covered by the auditors' report.
- q) Federal program financial reports and claims for advances and reimbursements are supported by the books and records from which the financial statements have been prepared.
- r) The copies of federal program financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective federal agency or pass-through entity, as applicable.
- s) We have charged costs to federal awards in accordance with applicable cost principles.
- t) We are responsible for and have accurately prepared the summary schedule of prior audit findings to include all findings required to be included by the Uniform Guidance and we have

provided you with all information on the status of the follow-up on prior audit findings by federal awarding agencies and pass-through entities, including all management decisions.

- u) We are responsible for and have ensured the reporting package does not contain protected personally identifiable information.
- v) We are responsible for and have accurately prepared the auditee section of the Data Collection Form as required by the Uniform Guidance.

Signature:   
Jeffrey Bencik

Signature:   
Teresa M. Kenny

Title: Director of Finance

Title: Town Supervisor

## Appendix 3

### About PKF O'Connor Davies, LLP



## FIRM OVERVIEW

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Founded in 1891, PKF O'Connor Davies has evolved from an accounting firm to a corps of high-caliber professionals that delivers to a global and growing client base a complete range of audit, tax and advisory services as well as insights and expertise at the highest level. As our business has grown, our commitment to active value creation has allowed us to connect our clients to sound business advice, key players and resources across diverse industries.

### **An Acknowledged Global Leader**

Not only are we one of the nation's most rapidly growing accounting and advisory firms, we are also the lead North American firm in the growing PKF global network of independent accounting and advisory firms. This enables us to provide clients with preferred access to top-tier experts and firms in over 400 locations, in 150 countries around the world. It also establishes us as the primary referral point for international businesses with needs in North America, an advantage for our domestic clients seeking connections outside the U.S.

### **Active Partner Involvement Dedicated Engagement Teams**

We have built strong relationships with our clients by being proactive, thorough and efficient. Firm partners are involved in the day-to-day management of engagements, ensuring a high degree of client service and cost effectiveness. Multi-disciplinary teams ensure solutions are customized to address specific needs and integrated for greater efficiency.

### **A Higher Standard: Beyond Passive Value Calculation to Active Value Creation**

Our focus on value has driven our growth, propelling PKF O'Connor Davies to the Top 26 on *Accounting Today's* 2022 "Top 100 Firms" list and gaining us acclaim as one of the country's fastest-growing firms. With unmatched client focus, we unlock genuine value hidden at key connection points in every engagement within regional, national and international arenas. Through these connections, our team of specialists continually drives efficiencies, uncovers opportunities and manages risk – delivering value where others can't.

## **Industry Recognition**

- **Ranked 26 of "2022's Top 100 Firms"**  
– *Accounting Today, 2022*
- **Ranked 6 of the "Top Firms in the Mid-Atlantic"**  
– *Accounting Today, 2022*
- **"America's Best Tax and Accounting Firms"**  
– *Forbes, 2022*
- **"Best Business Consulting Firm for Family Offices"**  
– *Private Asset Management Awards, 2022*
- **"Best Accountancy Advisor"**  
– *Family Wealth Report Awards, 2022*
- **"Best Family Office Management Consultancy"**  
– *Family Wealth Report Awards, 2022*
- **"Best Accounting Firms to Work For"**  
– *Accounting Today, 2021*
- **"Best Places to Work in New Jersey"**  
– *NJBIZ, 2021*
- **Ranked #2 "Best Accounting Internship"**  
– *Vault, 2021*
- **Ranked 15 of the 50 "Best Accounting Employers to Work for in North America"**  
– *Vault, 2022*

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**KNOW GREATER VALUE®**

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## Agility, Responsiveness and Recognition

Since our founding, PKF O'Connor Davies has maintained its commitment to gaining a deep understanding of each client's operations and financial history in order to help meet their every challenge and objective. We fulfill this mission by providing resources that match those of larger firms in scope – but with the agility only a mid-sized firm such as ours can demonstrate...and yet, we still rank among them. Our services include:

### Accounting and Assurance Services

- Accounting Outsourcing
- Agreed-Upon Procedures (AUPs)
- Audits, Reviews and Compilations
- Elite Accounting Services
- Employee Benefit Plans
- Endowment Fund Accounting
- International Financial Reporting Standards (IFRS)
- IT Audit & Cybersecurity Reviews
- Public Company Accounting Oversight Board (PCAOB)
- Public Sector Audits & Compliance

### International Services

- China Desk
- General Data Protection Regulation (GDPR)
- German Desk
- Transfer Pricing

### Investment Banking Services

- Acquisition Advisory
- Exit Readiness and Transaction Planning
- Sell-Side Advisory

### Tax Compliance and Planning Services

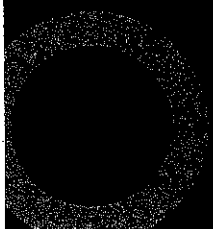
- Employee Benefit Planning & Tax Compliance
- International Tax Services
- IRS Representation & Tax Controversies
- Personal Financial Planning
- Private Foundation Services
- State and Local Tax (SALT)
- Tax Compliance & Reporting
- Tax Research and Strategic Planning
- Tax-Exempt Organizations
- Trust and Estate Planning

### Advisory Services

- Bankruptcy & Restructuring
- Cybersecurity & Privacy Advisory Services
- Dark Web Monitoring Services
- Digital Forensic Services
- Family Advisory Services
- Forensic, Litigation and Valuation Services
- Matrimonial Services
- Management Advisory Services
- PPP Loan Forgiveness Services
- Risk Advisory Services
- Specialty Industry Advisory Services
  - Business Solutions
  - Employee Benefit Plan Services
  - Healthcare Advisory Services
  - Hospitality Advisory Services
  - Medical and Dental Advisory Services
  - Public Sector Advisory Services
- Transaction & Financial Advisory Services
- Virtual Chief Information Security Officer Services
- Wealth Services

### Family Office Services

- Accounting & Reporting
- Advisory
- Charitable Giving
- Family Advisory Services
- Investment Monitoring & Oversight
- Lifestyle Support
- Personal Financial Management
- Tax Planning
- Wealth Planning



Bethesda, MD | Boston, MA | Cranford, NJ | Harrison, NY | Hauppauge, NY | Middletown, NY |  
Mumbai, India | New York, NY | Newburgh, NY (two locations) | Palm Beach Gardens, FL |  
Poughkeepsie, NY | Providence, RI | Shelton, CT | Stamford, CT | Wethersfield, CT | Woburn, MA |  
Woodlark Lake, NJ

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EXHIBIT  
09-F-22-9127/22

**AFFIDAVIT OF PUBLICATION  
FROM**

**State of Wisconsin  
County of Brown, ss.:**

On the 12 day of September in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttt, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Tuttt being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

**Zone:  
Rockland**

**Run Dates:  
09/12/2022**

Linda Tuttt  
Signature

Sworn to before me, this 12 day of September, 2022

Vicky Felty  
Notary Public, State of Wisconsin, County of Brown  
9/12/22

VICKY FELTY  
Notary Public  
State of Wisconsin

My commission expires

Legend:

**WESTCHESTER:**

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

**ROCKLAND:**

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005405611

TOWN OF ORANGETOWN  
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that pursuant to a resolution of the Town Board of the Town of Orangetown, duly adopted at a meeting held on August 23, 2022, a public hearing will be held by the Town Board on a proposed local law, Amending Chapter 39, Vehicles and Traffic, Article I, Vehicle and Traffic Regulations, Section 39-11(D)(5) Heavy Trucking in the Hamlet of Sparkill with respect to the reinstatement of a five-ton weight restriction and the removal of truck route designation on William Street. This public hearing is scheduled for the 27th of September, 2022, at 7:05 pm, Orangetown Town Hall, 26 W Orangeburg Rd, Orangeburg, NY.

At the time and place of the public hearing specified above, all interested persons will be given the opportunity to be heard.

By order of the Town Board of the Town of Orangetown.

Dated: August 23, 2022  
Orangeburg, NY

Rosanna Sfraga, Town Clerk  
Robert Magrino, Town Attorney

0005405611

Town Of Orangetown

DATE: September 27, 2022

WARRANT

Warrant Reference	Warrant #	Amount
Approved for payment in the amount of	092722	\$ 1,807,179.56
		\$ 1,807,179.56

The above listed claims are approved and ordered paid from the appropriations indicated.

APPROVAL FOR PAYMENT

AUDITING BOARD

Councilman Gerald Bottari

Councilman Paul Valentine

Councilman Thomas Diviny

Councilman Brian Donohue

Supervisor Teresa M. Kenny

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**TOWN OF ORANGETOWN  
FINANCE OFFICE MEMORANDUM**

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**TO:** THE TOWN BOARD  
**FROM:** JEFF BENCIK, *DIRECTOR OF FINANCE*  
**SUBJECT:** AUDIT MEMO  
**DATE:** 9/8/2022  
**CC:** DEPARTMENT HEADS



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The audit for the Town Board Meeting of 9/13/2022 consists of 1 warrant for a total of \$1,807,179.56.

The first warrant had 139 vouchers for \$1,807,179 and had the following items of interest.

1. Alfa Laval (p2) - \$7,261 for sewer parts.
2. All-Bright Electric (p2) - \$10,700 for streetlight maintenance contract.
3. Brooker Engineering (p5) - \$5,556 for Home for Heroes project.
4. Chemung Supply (p8) - \$9,466 for Highway materials.
5. CSEA Employee Benefit Fund (p10) - \$35,066 for dental benefits.
6. Envirotest (p14) - \$14,430 for sewer testing.
7. Ferraro Construction (p16) - \$111,540 for culvert replacement (bonded).
8. Global Montello (p18) - \$34,198 for fuel.
9. Goosetown Enterprises (p18) - \$11,050 for monthly leases.
10. Gorman Brothers (p19) - \$337,200 for Highway paving (bonded).
11. Johnson Controls (p24) - \$6,588 for repairs to HVAC system Town Hall.
12. Kuehne Chemical Co. (p27) - \$7,430 for sewer chemicals.
13. Lube Squad of NJ (p29) - \$7,783 for Highway oils.
14. Morano Brothers Corp. (p30) - \$68,941 for sidewalk repairs (chips money).
15. NC Carpets & Garages (p30) - \$24,527 for new garage at Blue Hill.
16. NYPA (p31) - \$22,190 for streetlight contract.
17. NYS Dept. of Civil Service (p32) - \$834,397 for healthcare benefits.

18. Pearl River Chamber of Commerce (p33) - \$5,770 for Town sign.
19. Richmar Controls (p38) - \$5,438 for building repairs.
20. Schultz Ford (p40) - \$8,424 for various repairs.
21. Slack Chemical Co. (p41) - \$17,020 for sewer chemicals.
22. State Comptroller (p44) - \$29,444 for Justice fines.
23. The Morey Organization (p45) - \$5,867 for senior tickets.
24. Tilcon NY (p46) - \$16,172 for Highway materials.
25. Tymetal (p47) - \$5,878 for impeller blades.
26. US Pitchcare (p48) - \$17,770 for retainage return from bunker project.
27. Verde Electric (p49) - \$41,705 for traffic signal replacements (bonded).

Please feel free to contact me with any questions or comments.

Jeffrey W. Bencik, CFA

845-359-5100 x2204

