

THE HARDYSTON TOWNSHIP
MUNICIPAL UTILITIES AUTHORITY
FINANCIAL STATEMENTS
FOR THE YEARS ENDED
AUGUST 31, 2016 AND 2015

THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

TABLE OF CONTENTS

<u>Page</u>		<u>Exhibit</u>
1	Independent Auditor's Report	
	REQUIRED SUPPLEMENTARY INFORMATION	
4	Management Discussion and Analysis	
	BASIC FINANCIAL STATEMENTS	
13	Statement of Net Position	A
15	Statement of Revenues, Expenses and Changes in Net Position	B
16	Statement of Cash Flows	C
18	Notes to the Financial Statements	
	SUPPLEMENTARY SCHEDULES	
35	Schedule of Revenues, Expenses and Changes in Net Position - Restricted and Unrestricted	1
36	Schedule of Cash Receipts, Cash Disbursements and Changes in Cash and Cash Equivalents	2
37	Schedule of Operating Revenues and Cost Funded by Operating Revenues Compared to Budget	3
39	Schedule of Capital Financing Sources and Costs Funded by Capital Financing Sources Compared to Budget	4
40	Roster of Officials	5
41	Independent Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards	
43	Schedule of Findings and Questioned Costs	
45	General Comments	
46	Status of Prior Years' Audit Findings/Recommendations	

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INDEPENDENT AUDITOR'S REPORT

The Chairman and Commissioners of the
Hardyston Township Municipal Utilities Authority
149 Wheatsworth Road, Suite A
Hardyston, New Jersey 07419

Report on the Financial Statements

We have audited the accompanying statements of net position of the Hardyston Township Municipal Utilities Authority as of August 31, 2016 and 2015, and the related statements of revenues, expenses, and changes in net position and cash flows for the years then ended, and the related notes to the financial statements, which collectively comprise the Authority's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

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

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the audit requirements prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey (the "Division"), and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.



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

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Basis for Adverse Opinion on the Financial Statements

Management has not recorded certain contributed assets in the financial statements and, accordingly, has not recorded depreciation expense on those assets. Accounting principles generally accepted in the United States of America require that those contributed assets be capitalized and depreciated, which would increase the assets, net position, and expenses of the governmental activities. The amount by which this departure would affect the assets, net position, and expenses of the governmental activities has not been determined.

Adverse Opinion

In our opinion, because of the significance of the matter discussed in the "Basis for Adverse Opinion on the Financial Statements" paragraph, the financial statements referred to previously do not present fairly the net position of the Hardyston Township Municipal Utilities Authority, as of August 31, 2016 and 2015, or the changes in net position thereof for the years then ended.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses

to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprises the Hardyston Township Municipal Utilities Authority's financial statements. The schedule of revenues, expenses and changes in net position - restricted and unrestricted; schedule of cash receipts, cash disbursements and changes in cash and cash equivalents - unrestricted and restricted; schedule of operating revenue and costs funded by operating revenue compared to budget; schedule of capital budget program funded by financing services; and roster of officials (collectively referred to as the "Supplementary Schedules") are presented for purposes of additional analysis and are not a required part of the financial statements.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated November 15, 2016 on our consideration of the Hardyston Township Municipal Utilities Authority's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Hardyston Township Municipal Utilities Authority's internal control over financial reporting and compliance.

Ferraioli, Wielkocz, Cerullo & Cuva, P.A.
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Certified Public Accountants
Pompton Lakes, New Jersey

November 15, 2016



Required Supplementary Information

Management Discussion and Analysis

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of the Hardyston Township Municipal Utilities Authority, we offer the Authority's financial statements this narrative overview and analysis of the Authority's financial performance during the fiscal year ended August 31, 2016 and 2015. Please read this analysis in conjunction with the Authority's financial statements, which follow this section.

Financial Highlights

- The Authority's assets and deferred outflows of resources exceeded its liabilities by \$5,476,703 (net position) for the fiscal year reported. This compares to the previous year when assets and deferred outflows of resources exceeded liabilities by \$5,597,180.
- Total net position is comprised of the following:
 - (1) Net investment in capital assets of \$2,465,665 include property and equipment, net of accumulated depreciation, and reduced for outstanding debt related to the purchase or construction of capital assets.
 - (2) Unrestricted net position of \$3,011,038 represent the portion available to maintain the Authority's continuing obligations to citizens and creditors.
- Total liabilities of the Authority increased by \$190,831 to \$1,151,839 during the fiscal year.

Overview of the Financial Statements

This annual report includes this management discussion, the independent auditor's report and the basic financial statements of the Authority. The financial statements also include notes that explain in more detail some of the information in the financial statements.

Required Financial Statements

The financial statements of the Authority report information of the Authority using accounting methods similar to those used by private sector companies. These statements offer short and long-term financial information about its activities. The *Statement of Net Position* includes all of the Authority's assets, deferred outflows of resources, liabilities and deferred inflows of resources, and provides information about the nature and amounts of investments in resources (assets), the consumption of net assets that is applicable to a future period (deferred outflows of resources), the acquisition of net assets that is applicable to a future reporting period (deferred inflows of resources) and the obligations to Authority creditors (liabilities). It also provides the basis for evaluating the capital structure of the Authority and assessing the liquidity and financial flexibility of the Authority.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)

Overview of the Financial Statements (Continued)

All of the current year's revenues and expenses are accounted for in the *Statement of Revenues, Expenses and Changes in Net Position*. This statement measures the results of the Authority operations over the past year and can be used to determine whether the Authority has recovered all its costs through its user fees and other charges, operational stability and credit worthiness.

The final required financial statement is the *Statement of Cash Flows*. This statement reports cash receipts and cash payments, and net changes in cash resulting from operations, investing and financing activities and provides answers to such questions as what operational sources provided cash, what was the cash used for, and what was the change in cash balance during the reporting period.

Notes to the Financial Statements

The accompanying notes to the financial statements provide information essential to a full understanding of the financial statements. The notes to the financial statements begin immediately following the basic financial statements.

Other Information

In addition to the basic financial statements and accompanying notes, this report presents certain required supplementary information. This supplementary information follows the notes to the financial statements.

Financial Analysis of the Authority

One of the most important questions asked about the Authorities finances is "Is the Authority as a whole better able to fulfill its mission as a result of this years activities?" The *Statement of Net Position* and the *Statement of Revenues, Expenses and Changes in Net Position* report information about the Authority's activities in a way that will help answer this question. These two statements report net position of the Authority and the changes in those assets. The reader can think of the Authority's net position – the difference between assets and deferred outflows of resources and liabilities – as one way to measure financial health or financial position. Over time, increases or decreases in the Authority's net position are one indicator of whether its financial health is improving or deteriorating. However, one will need to consider the non-financial factors such as changes in economic conditions, population growth, development, and new or changed government regulation.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Net Position

As year-to-year financial information is accumulated on a consistent basis, changes in net position may be observed and used to discuss the changing financial position of the Authority as a whole.

The Authority's net position at fiscal year-end was \$5,476,703. This is a \$120,477 decrease over last year's net position of \$5,597,180.

A summary of the Authority's current year statement of net position is presented with comparative prior year balances in the following table:

**Condensed Statement of Net Position at August 31, 2016
With Comparative Prior Year Balances**

	<u>FY 2016</u>	<u>FY 2015</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Current and Other Assets	4,162,877	3,947,953	214,924	5.44%
Capital Assets	<u>2,283,543</u>	<u>2,414,104</u>	<u>(130,561)</u>	(5.41)%
Total Assets	<u>6,446,420</u>	<u>6,362,057</u>	<u>84,363</u>	1.33%
Total Deferred Outflows of Resources	<u>182,122</u>	<u>196,131</u>	<u>(14,009)</u>	(7.14)%
Total Liabilities	<u>1,151,839</u>	<u>961,008</u>	<u>190,831</u>	19.86%
Net Investment in Capital Assets	2,465,665	2,610,235	(144,570)	(5.54)%
Unrestricted	<u>3,011,038</u>	<u>2,986,945</u>	<u>24,093</u>	0.81%
Total Net Position	<u>5,476,703</u>	<u>5,597,180</u>	<u>(120,477)</u>	(2.15)%

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Net Position (Continued)

A summary of the Authority's prior year statement of net position is presented with comparative FY 2014 year balances in the following table:

**Condensed Statement of Net Position at August 31, 2015
With Comparative Prior Year Balances**

	<u>FY 2015</u>	<u>FY 2014</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Current and Other Assets	3,947,953	3,736,373	211,580	5.66%
Capital Assets	<u>2,414,104</u>	<u>2,548,650</u>	<u>(134,546)</u>	(5.28)%
Total Assets	<u>6,362,057</u>	<u>6,285,023</u>	<u>77,034</u>	1.23%
Total Deferred Outflows of Resources	<u>296,131</u>	<u>210,141</u>	<u>85,990</u>	40.92%
Total Liabilities	<u>961,008</u>	<u>807,045</u>	<u>153,963</u>	19.08%
Net Investment in Capital Assets	2,610,235	2,758,791	(148,556)	(5.38)%
Unrestricted	<u>2,986,945</u>	<u>2,928,828</u>	<u>58,117</u>	1.98%
Total Net Position	<u>5,597,180</u>	<u>5,687,619</u>	<u>(90,439)</u>	(1.59)%

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Net Position (Continued)

While the *Statement of Net Position* shows the change in financial position of net position, the *Statement of Revenues, Expenses and Changes in Net Position* provides answers as to the nature and source of these changes. As can be seen in the following table, net position decreased by \$120,477 in FY 2016 and by \$90,439 in FY 2015.

**Condensed Statement of Revenues, Expenses and Changes
in Net Position for the Year Ending August 31, 2016
With Comparative Prior Year Balances**

	<u>FY 2016</u>	<u>FY 2015</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Operating Revenues	1,463,775	1,446,710	17,065	1.18%
Non-Operating Revenues	<u>5,680</u>	<u>5,623</u>	<u>57</u>	1.01%
Total Revenues	<u>1,469,455</u>	<u>1,452,333</u>	<u>17,122</u>	1.18%
Depreciation	130,561	134,546	(3,985)	(2.96)%
Other Operating Expenses	1,414,158	1,384,833	29,325	2.12%
Other Non-Operating Expense	<u>45,213</u>	<u>23,393</u>	<u>21,820</u>	93.28%
Total Expenses	<u>1,589,932</u>	<u>1,542,772</u>	<u>47,160</u>	3.06%
Change in Net Position	(120,477)	(90,439)	(30,038)	33.21%
Beginning Net Position	<u>5,597,180</u>	<u>5,687,619</u>	<u>(90,439)</u>	(1.59)%
Ending Net Position	<u>5,476,703</u>	<u>5,597,180</u>	<u>(120,477)</u>	(2.15)%

The Authority's Operating Revenues increased by \$17,065 to \$1,463,775 in 2016 from \$1,452,333 in 2015 due to an increase in water and sewer customers and developer's contribution.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Net Position (Continued)

A summary of the Authority's prior year statement of revenues, expenses and changes in net position is presented with comparative FY14 year figures in the following table:

**Condensed Statement of Revenues, Expenses and Changes
in Net Position for the Year Ending August 31, 2015
With Comparative Prior Year Balances**

	<u>FY 2015</u>	<u>FY 2014</u>	<u>Dollar Change</u>	<u>Percent Change</u>
Operating Revenues	1,446,710	1,420,544	26,166	1.84%
Non-Operating Revenues	<u>5,623</u>	<u>3,151</u>	<u>2,472</u>	78.45%
Total Revenues	<u>1,452,333</u>	<u>1,423,695</u>	<u>28,638</u>	2.01%
Depreciation	134,546	134,736	(190)	(0.14)%
Other Operating Expenses	1,384,833	1,297,402	87,431	6.74%
Other Non-Operating Expense	<u>23,393</u>	<u>20,309</u>	<u>3,084</u>	15.19%
Total Expenses	<u>1,542,772</u>	<u>1,452,447</u>	<u>90,325</u>	6.22%
Change in Net Position	(90,439)	(28,752)	(61,687)	214.55%
Beginning Net Position	<u>5,687,619</u>	<u>5,716,371</u>	<u>(28,752)</u>	(0.50)%
Ending Net Position	<u>5,597,180</u>	<u>5,687,619</u>	<u>(90,439)</u>	(1.59)%

The Authority's Operating Revenues increased by \$26,166 to \$1,446,710 in 2015 from \$1,420,544 in 2014 due an increase in water and sewer customers and developer's contribution. The Authority's non-operating revenues increased by \$2,472 to \$5,623 in 2015 from \$3,151 reported in 2014 due to an increase in interest on investments.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Budgetary Highlights

The Authority prepares and submits an annual budget to the State of New Jersey, which approves the budget for adoption by the Authority prior to the beginning of the fiscal year.

The following table provides a 2016 and 2015 budget comparison:

Budget vs. Actual FY 2016			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues:			
Operating	1,568,868	1,685,049	116,181
Non-Operating	<u>5,000</u>	<u>5,680</u>	<u>680</u>
Total Revenues	<u>1,573,868</u>	<u>1,690,729</u>	<u>116,861</u>
Expenses:			
Operating	1,314,500	1,417,674	103,174
Non-Operating Reserves	<u>259,368</u>	<u>259,368</u>	<u>-----</u>
Total Expenses	<u>1,573,868</u>	<u>1,677,042</u>	<u>103,174</u>
Income Before Depreciation and Amortization	<u><u>-----</u></u>	<u><u>13,687</u></u>	<u><u>13,687</u></u>

Budget vs. Actual FY 2015			
	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Revenues:			
Operating	1,541,095	1,648,112	107,017
Non-Operating	<u>1,300</u>	<u>5,623</u>	<u>4,323</u>
Total Revenues	<u>1,542,395</u>	<u>1,653,735</u>	<u>111,340</u>
Expenses:			
Operating	1,285,700	1,395,823	110,123
Non-Operating Reserves	<u>256,695</u>	<u>256,695</u>	<u>-----</u>
Total Expenses	<u>1,542,395</u>	<u>1,652,518</u>	<u>110,123</u>
Income Before Depreciation and Amortization	<u><u>-----</u></u>	<u><u>1,217</u></u>	<u><u>1,217</u></u>

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Budgetary Highlights (Continued)

The HTMUA determines sewer and water charges based primarily on three separate cost elements. These cost elements include an annual operating charge imposed by the Sussex County Municipal Utilities Authority (SCMUA), an annual debt service charge imposed by the SCMUA, and an annual operating, maintenance and administration charge imposed by the Hardyston Township Municipal Utilities Authority. A public hearing is conducted annually in accordance with N.J.S.A. 40:14B.

Capital Assets

During 2016, the Authority's net property, plant and equipment at fiscal year-end was \$2,283,543. This is a \$130,561 decrease over last year's net property, plant and equipment of \$2,414,104.

A summary of the Authority's capital assets is presented in the following table:

CAPITAL ASSETS			
(000's)			
	<u>FY2016</u>	<u>FY 2015</u>	<u>FY 2014</u>
Forest Hill Village	1,723,276	1,723,276	1,723,276
Crystal Springs	2,183,365	2,183,365	2,183,365
Briar Crest	368,935	368,935	368,935
HTMUA	<u>433,924</u>	<u>433,924</u>	<u>433,924</u>
 Total Property, Plant and Equipment	 4,709,500	 4,709,500	 4,709,500
 Less: Accumulated Depreciation	 <u>(2,425,957)</u>	 <u>(2,295,396)</u>	 <u>(2,160,850)</u>
 Net Property, Plant and Equipment	 <u>2,283,543</u>	 <u>2,414,104</u>	 <u>2,548,650</u>

As mentioned in Note 5 of the Notes to the Financial Statements, several contributed water and sewer systems are not included in the summary of the Authority's capital assets above. The Authority had no significant capital projects or improvements pending at year end.

The Authority's ongoing capital plan is reviewed each year by the Authority's consulting engineer. Notable future capital improvements are listed below:

Various Water Capital Improvements	\$300,000
Various Sewer Capital Improvements	<u>300,000</u>
	<u>\$600,000</u>

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

Economic Factors, Future Years Budgets and Rates

The Commissioners and management of the Authority consider many factors when preparing each years budget and service charges. Two of the main factors are growth in the Authority's system and new regulations issued by the State and Federal governments.

Contacting the Authority

This financial report is designed to provide our customers and creditors with a general overview of the Authority's finances and to demonstrate the Authority's accountability for the fees it receives. If you have any questions about this report or need additional information, contact the Hardyston Township Municipal Utilities Authority, 149 Wheatsworth Road, Suite A, Hardyston, New Jersey 07419.

Financial Statements

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
STATEMENT OF NET POSITION
AUGUST 31, 2016 AND 2015

<u>ASSETS</u>	<u>2016</u>	<u>2015</u>
Current Assets:		
Unrestricted:		
Cash and Cash Equivalents	2,738,893	2,640,368
Petty Cash	50	50
Developer Fees Receivable	1,062,944	885,986
Miscellaneous Receivable		22,251
Prepaid Expenses	8,800	48,426
Water and Sewer Rents Receivable	311,154	310,583
Total Unrestricted Assets	<u>4,121,841</u>	<u>3,907,664</u>
Restricted:		
Cash and Cash Equivalents	41,036	40,289
Total Restricted Assets	<u>41,036</u>	<u>40,289</u>
Capital Assets		
Water and Sewer System	4,709,500	4,709,500
Less: Accumulated Depreciation	<u>(2,425,957)</u>	<u>(2,295,396)</u>
Total Capital Assets	<u>2,283,543</u>	<u>2,414,104</u>
TOTAL ASSETS	<u>6,446,420</u>	<u>6,362,057</u>

DEFERRED OUTFLOWS OF RESOURCES

Deferred Debits:		
Organizational Costs (Net of Amortization)	182,122	196,131
TOTAL DEFERRED OUTFLOWS OF RESOURCES	<u>182,122</u>	<u>196,131</u>

See accompanying notes to the financial statements.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
STATEMENT OF NET POSITION
AUGUST 31, 2016 AND 2015

<u>LIABILITIES</u>	<u>2016</u>	<u>2015</u>
Current Liabilities:		
Payable from Unrestricted Assets		
Accounts Payable and Accrued Liabilities	1,099,255	908,963
Deferred Revenue	4,148	4,356
Due to Swedeland Development Group, Inc.	7,400	7,400
Total Payable from Unrestricted Liabilities	<u>1,110,803</u>	<u>920,719</u>
Payable from Restricted Assets		
Escrow Deposits Payable	41,036	40,289
Total Payable from Restricted Liabilities	<u>41,036</u>	<u>40,289</u>
TOTAL LIABILITIES	<u>1,151,839</u>	<u>961,008</u>

<u>NET POSITION</u>		
Net Investment in Capital Assets	2,465,665	2,610,235
Unrestricted:		
Designated	2,627,824	2,413,669
Undesignated	383,214	573,276
TOTAL NET POSITION	<u>5,476,703</u>	<u>5,597,180</u>

See accompanying notes to the financial statements.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
COMPARATIVE STATEMENT OF REVENUES,
EXPENSES AND CHANGES IN NET POSITION
FOR THE YEARS ENDED AUGUST 31, 2016 AND 2015

	<u>2016</u>	<u>2015</u>
Operating Revenues:		
Water and Sewer Rents	1,163,047	1,162,459
Developer Fees	246,736	231,278
Miscellaneous	53,992	50,275
	<u>1,463,775</u>	<u>1,444,012</u>
Operating Expenses:		
Cost of Providing Services	1,197,835	1,203,020
Administrative and General	219,839	192,803
Depreciation	130,561	134,546
Amortization	14,009	14,010
	<u>1,562,244</u>	<u>1,544,379</u>
Operating Income	<u>(98,469)</u>	<u>(100,367)</u>
Nonoperating Revenue (Expenses):		
Interest on Investments	5,680	5,623
Cancellation of Accrued Liabilities	17,525	27,698
Renewal and Replacement	(45,213)	(23,393)
	<u>(22,008)</u>	<u>9,928</u>
Change in Net Position	(120,477)	(90,439)
Net Position, September 1	<u>5,597,180</u>	<u>5,687,619</u>
Net Position, August 31	<u><u>5,476,703</u></u>	<u><u>5,597,180</u></u>

See accompanying notes to the financial statements.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
STATEMENT OF CASH FLOWS
FOR THE YEARS ENDED AUGUST 31, 2016 AND 2015

	2016	2015
Cash Flows From Operating Activities:		
Cash Received From:		
Water and Sewer Rents	1,162,476	1,172,089
Developers Fees	69,778	63,668
Miscellaneous	53,784	50,483
Cash Paid to Vendors and Employees		
Cost of Providing Services	(927,394)	(1,084,540)
Administrative and General	(219,839)	(192,803)
Renewal and Replacement	(45,213)	(23,393)
	93,592	(14,496)
Net Cash Provided (Used) by Operating Activities:		
Cash Flows From Investing Activities:		
Interest Received	5,680	5,623
	5,680	5,623
Net Cash Provided (Used) by Investing Activities:		
Net Increase (Decrease) in Cash	99,272	(8,873)
Cash and Cash Equivalents, Beginning of Year	2,680,657	2,689,530
Cash and Cash Equivalents, End of Year	2,779,929	2,680,657
Cash and Cash Equivalents:		
Unrestricted	2,738,893	2,640,368
Restricted	41,036	40,289
	2,779,929	2,680,657

See accompanying notes to the financial statements.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
STATEMENT OF CASH FLOWS**

	<u>2016</u>	<u>2015</u>
Reconciliation of Operating Income (Loss) to Net Cash Provided (Used) by Operating Activities:		
Operating Income (Loss)	(98,469)	(100,367)
Adjustments to Reconcile Net Income to Net Cash Used by Operating Activities:		
Depreciation	130,561	134,546
Amortization	14,009	14,010
Renewal and Replacement	(45,213)	(23,393)
Cancellation of Water / Sewer Receivable	17,525	27,698
(Increase)/Decrease in Due from Developers	(176,958)	(167,610)
(Increase)/Decrease in Accounts Receivable	(571)	9,630
(Increase)/Decrease in Prepaid Expenses	39,626	(40,222)
Increase/(Decrease) in Deferred Revenue	(208)	208
Increase/(Decrease) in Accounts Payable	212,543	129,571
Increase/(Decrease) in Escrow Deposits Payable	747	1,433
Total Adjustments	<u>192,061</u>	<u>85,871</u>
Net Cash Used by Operating Activities	<u><u>93,592</u></u>	<u><u>(14,496)</u></u>

See accompanying notes to the financial statements.

Notes to Financial Statements

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Basis of Accounting:

The financial statements of the Hardyston Township Municipal Utilities Authority (Authority) have been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. Under the accrual basis of accounting, revenues are recognized when earned and expenses are recorded when incurred. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The Authority also applies Financial Accounting Standards Board (FASB) statements and interpretations issued on or before November 30, 1989, provided that they do not conflict with or contradict GASB pronouncements. The more significant of the Authority's accounting policies are described below.

On September 1, 2012, the Authority adopted the provisions of Governmental Accounting Standards Board Statement No. 63, *Financial Reporting of Deferred Outflows of Resources, Deferred Inflows of Resources, and Net Position*, which amends the net asset reporting requirement of Statement No. 34, *Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments*, and other pronouncements by incorporating deferred outflows from resources and deferred inflows of resources into the definitions of the required components of the residual measure and by renaming that measure as net position, rather than net assets. The classifications of net position are defined as follows:

- *Net investment in Capital Assets* - This component of net position consists of capital assets, including restricted capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds, mortgages, notes, or other borrowings that are attributable to the acquisition, construction, or improvement of those assets. If there are any significant unspent related debt proceeds at year-end, the portion of the debt attributable to the unspent proceeds are not included in the calculation of net investment in capital assets. Rather that portion of the debt is included in the same net position component as the unspent proceeds.
- *Restricted* - This component of net position consists of constraints placed on net position used through external constraints imposed by creditors (such as debt covenants), grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- *Unrestricted* - This component of net position consists of net position that do not meet the definition of "restricted" or "net investment in capital assets."

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

B. Organization:

The Hardyston Township Municipal Utilities Authority was created pursuant to the Municipal Utilities Law, N.J.S.A. 40:14B-1 et seq. on September 17, 1985. The Authority shall have and exercise all of the powers and perform all of the duties provided for by the Municipal Utilities Authority Law within the territorial boundaries of the Township of Hardyston in the County of Sussex, New Jersey.

The Authority's fiscal year is the twelve-month period ending August 31, on any year, or such other twelve-month period, which the Authority may establish by Resolution.

The ordinance creating the Authority provides that the Authority's governing body shall consist of five members each appointed by the Township Committee for a term of 5 years and who serve until a successor is appointed.

C. Component Unit:

In evaluating how to define the Authority for financial reporting purposes, management has considered all potential component units. The decision to include any potential component units in the financial reporting entity was made by applying the criteria set forth in GASB Statements No. 14, *The Financial Reporting Entity*, as amended by GASB Statement No. 39, *Determining Whether Certain Organizations are Component Units*, and GASB Statement No. 61, *The Financial Reporting Entity: Omnibus - an amendment of GASB Statements No. 14 and No. 34*. Blended component units, although legally separate entities, are in-substance part of the government's operations. Each discretely presented component unit would be or is reported in a separate column in the financial statements to emphasize that it is legally separate from the government.

The basic-but not the only-criterion for including a potential component unit within the reporting entity is the governing body's ability to exercise oversight responsibility. The most significant manifestation of this ability is financial interdependency. Other manifestations of the ability to exercise oversight responsibility include, but are not limited to, the selection of governing authority, the designation of management, the ability to significantly influence operations, and accountability for fiscal matters. A second criterion used in evaluating potential component units is the scope of public service. Application of this criterion involves considering whether the activity benefits the government and/or its citizens.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

C. Component Unit:(continued)

A third criterion used to evaluate potential component units for inclusion or exclusion from the reporting entity is the existence of special financing relationships, regardless of whether the government is able to exercise oversight responsibilities. Finally, the nature and significance of a potential component unit to the primary government could warrant its inclusion within the reporting entity.

Based upon the application of these criteria, the Authority has no component units.

D. Inventories of Materials and Supplies:

Since the cost of inventories of materials and supplies is not material to the financial statements, it is recorded as an expenditure at the time the individual item is purchased. The cost of inventories of materials and supplies is not included on the balance sheet.

E. Organization Costs:

All costs incurred prior to the Authority beginning operations were capitalized. These costs are being amortized over a period of 40 years using the straight-line method.

F. Operations:

Prior to August 31, 1990 revenues and expenses related to all the developers were capitalized to contributed capital and organization costs respectively. Subsequent to August 31, 1990 all revenues and expenses are shown as operating.

G. Property and Depreciation:

Property received as a contribution is stated at cost on the date received.

Depreciation is computed using the straight-line method over the following estimated useful lives:

Sewer Lines	75 Years
Sewer Pump Station	40 Years
Water System	75 Years
Water Mains	75 Years
Wells	75 Years
Water Tanks	75 Years
Water Treatment Building	75 Years
Well Pump House	75 Years
Equipment	5 Years

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

G. Property and Depreciation: (continued)

Depreciation on assets acquired with contributed capital is recorded as a reduction of contributed capital.

H. Allowance for Doubtful Accounts:

The Authority does not provide for an allowance for doubtful accounts. The Authority believes that all accounts will eventually be collected either through the lien or foreclosure process. The Authority also has a water shut off procedure in place to compel collections.

I. Use of Estimates:

The process of preparing financial statements in conformity with generally accepted accounting principles requires the use of estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the period. These estimates and assumptions include depreciation expense and the amount payable to the Borough of Sussex. Actual results could differ from those estimates.

J. Budgetary Procedures:

The Authority follows these procedures in establishing the Operating Fund budget:

The annual budget for each fiscal year of the Authority is introduced by resolution passed by not less than a majority of the governing body. Three certified copies are submitted to the director of the Division of Local

Government Services at least 60 days prior to the beginning of the Authority's fiscal year for approval prior to its adoption.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

J. Budgetary Procedures: (continued)

The budget must comply with the terms and provisions of any security agreements, and is to be in such form and detail as to items of revenue, expenses and other contents as required by law or by rules and regulations of the Local Finance Board.

No Authority budget can be finally adopted until the Director has approved the budget.

Public hearings are conducted to obtain citizen comment on the proposed budget.

Appropriations lapse at the close of the fiscal year to the extent that they have not been expended.

The level at which expenses cannot exceed the budget is at the total budget level.

The budget may be increased after adoption when an item of revenue has been made available after the adoption date (N.J.S.A. 5:31-2.8).

K. Cash, Cash Equivalents and Investments:

Cash and cash equivalents include petty cash, change funds, cash in banks and all highly liquid investments with a maturity of three months or less at the time of purchase and are stated at cost plus accrued interest. U.S. Treasury and agency obligations and certificates of deposit with maturities of one year or less when purchased are stated at cost. All other investments are stated at fair value.

N.J.S.A. 17:9-41 et. seq. establishes the requirements for the security of deposits of governmental units. The statute requires that no governmental unit shall deposit public funds in a public depository unless such funds are secured in accordance with the Act. Public depositories include Savings and Loan institutions, banks (both state and national banks) and savings banks the deposits of which are federally insured. All public depositories must pledge collateral, having a market value at least equal to five percent of the average daily balance of collected public funds, to secure the deposits of Governmental Units. If a public depository fails, the collateral it has pledged, plus the collateral of all other public depositories, is available to pay the full amount of their deposits to the Governmental Units.

In addition to the above collateral requirement, if the public funds deposited exceed 75% of the capital funds of the depository, the depository must provide collateral having a market value at least equal to 100% of the amount exceeding 75%.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

K. Cash, Cash Equivalents and Investments: (continued)

All collateral must be deposited with the Federal Reserve Bank of New York, The Federal Reserve Bank of Philadelphia, the Federal Home Loan Bank of New York, or a banking institution that is a member of the Federal Reserve System and has capital funds of not less than \$25,000,000.

L. Recent Accounting Pronouncements

The Government Accounting Standards Board issued GASB Statement No. 72, Fair Value Measurement and Application. This Statement addresses accounting and financial reporting issues related to fair value measurements. The definition of *fair value* is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. This Statement also provides guidance for determining a fair value measurement for financial reporting purposes. This Statement also provides guidance for applying fair value to certain investments and disclosures related to all fair value measurements. The Authority is currently reviewing what effect, if any, this Statement might have on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 73, Accounting and Financial Reporting for Pensions and Related Assets That Are Not Within the Scope of GASB Statement 68 and Amendments to Certain Provisions of GASB Statements 67 and 68. This Statement is effective for fiscal years beginning after June 15, 2015 – except those provisions that address employers and governmental nonemployer contributing entities for pensions that are not within the scope of Statement 68, which are effective for financial statements for fiscal years beginning after June 15, 2016. The Authority does not believe this Statement will have an effect on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans. This Statement applies to OPEB plans and basically parallels GASB Statement 67 and replaces GASB Statement 43 and is effective for fiscal years beginning after June 15, 2016. The Authority does not believe this Statement will have an effect on future financial statements.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

L. Recent Accounting Pronouncements, (continued)

The Government Accounting Standards Board issued GASB Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions. This Statement applies to government employers who provided OPEB plans to their employees and basically parallels GASB Statement 68 and replaces GASB Statement 45. The Statement is effective for fiscal years beginning after June 15, 2017. The Authority believes this Statement will have no effect on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 76, The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments, which reduces the GAAP hierarchy to two categories of authoritative GAAP from the four categories under GASB Statement No. 55, The Hierarchy of Generally Accepted Accounting Principles for State and Local Governments. The first category of authoritative GAAP consists of GASB Statements of Governmental Accounting Standards. The second category comprises GASB Technical Bulletins and Implementation Guides, as well as guidance from the American Institute of Certified Public Accountants that is cleared by the GASB. The Authority is currently reviewing what effect, if any, this Statement might have on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 77, Tax Abatement Disclosures, which improve financial reporting by giving users of financial statements essential information that is not consistently or comprehensively reported to the public at present. Disclosure of information about the nature and magnitude of tax abatements will make these transactions more transparent to financial statement users. As a result, users will be better equipped to understand (1) how tax abatements affect a government's future ability to raise resources and meet its financial obligations and (2) the impact those abatements have on a government's financial position and economic condition. The Authority believes this Statement will have no impact on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 78, Pensions Provided through Certain Multiple-Employer Defined Benefit Pension Plans, which establishes the criteria for identifying the applicable pension plans and addresses measurement and recognition for pension liabilities, expense and expenditures; note disclosures of descriptive information about the plan, benefit terms, and contributions items; and required supplementary information presenting required contribution amounts for the past 10 fiscal years. The Authority believes this Statement will have no impact future financial statements.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES, (continued)

L. Recent Accounting Pronouncements, (continued)

The Government Accounting Standards Board issued GASB Statement No. 79, *Certain External Investment Pools and Pool Participation*, which permits qualifying external investment pools to measure pool investments at amortized cost for financial reporting purposes. The Authority is currently reviewing what effect this Statement might have on future financial statements.

The Government Accounting Standards Board issued GASB Statement No. 80, *Blending Requirements for Certain Component Units*, which provides clarity about how certain component units incorporated as not-for-profit corporations should be presented in the financial statements of the primary state or local government. The Authority does not believe this Statement will have any effect on future financial statements.

In March 2016, the Government Accounting Standards Board issued GASB Statement No. 81, *Irrevocable Split-Interest Agreements*. The objective of this Statement is to improve accounting and financial reporting for irrevocable split-interest agreements by providing recognition and measurement guidance for situations in which a government is a beneficiary of the agreement. The Authority does not believe this Statement will have any effect on future financial statements.

In March 2016, the Government Accounting Standards Board issued GASB Statement No. 82, *Pension Issues - an Amendment of GASB Statements No. 67, No. 68 and No. 73*. The objective of this Statement is to address certain issues that have been raised with respect to Statement No. 67, *Financial Reporting for Pension Plans*, No. 68, *Accounting and Financial Reporting for Pensions*, and No. 73, *Accounting and Financial Reporting for Pensions and Related Assets That Are Not Within the Scope of GASB Statement 68, and Amendments to Certain Provisions of GASB Statements 67 and 68*. Specifically, this Statement addresses issues regarding (1) the presentation of payroll-related measures in required supplementary information, (2) the selection of assumptions and the treatment of deviations from the guidance in an Actuarial Standard of Practice for financial reporting purposes, and (3) the classification of payments made by employers to satisfy employee (plan member) contribution requirements. The Authority does not believe this Statement will have any effect on future financial statements.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 2. CASH AND CASH EQUIVALENTS AND INVESTMENTS

Cash and cash equivalents includes change funds, petty cash, amounts in deposits, and short term investments with original maturities of three months or less.

As of August 31, 2016 and 2015, cash and cash equivalents of the Hardyston Township Municipal Utilities Authority consisted of the following:

	<u>2016</u>	<u>2015</u>
Cash and Cash Equivalents:		
Checking Accounts	<u>\$2,779,929</u>	<u>\$2,680,657</u>
Analysis:		
Unrestricted Accounts	\$2,738,893	\$2,640,368
Restricted Accounts	<u>41,036</u>	<u>40,289</u>
	<u>\$2,779,929</u>	<u>\$2,680,657</u>

Deposits

New Jersey statutes permit the deposit of public funds in institutions located in New Jersey which are insured by the Federal Deposit Insurance Corporation (FDIC), or by any other agencies of the United States that insures deposits or the State of New Jersey Cash Management Fund.

New Jersey Cash Management Fund

All investments in the Fund are governed by the regulations of the Investment Council, which prescribe specific standards designed to insure the quality of investments and to minimize the risks related to investments. In all the years of the Division of Investment's existence, the Division has never suffered a default of principal or interest on any short-term security held by it due to the bankruptcy of a securities issuer; nevertheless, the possibility always exists, and for this reason a reserve is being accumulated as additional protection for the "Other-than-State" participants. In addition to the Council regulations, the Division sets further standards for specific investments and monitors the credit of all eligible securities issuers on a regular basis. As of August 31, 2016 and 2015, the Authority had \$-0- on deposit with the New Jersey Cash Management Fund.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 2. CASH AND CASH EQUIVALENTS AND INVESTMENTS, (continued)

Custodial Credit Risk – Deposits

Custodial credit risk is the risk that in the event of a bank failure, the government's deposit may not be returned to it. The Authority's policy is based on New Jersey statutes requiring cash be deposited only in New Jersey based on banking institutions that participate in New Jersey Governmental Depository Protection Act (GUDPA) or in a qualified investment established in New Jersey Statutes 40A:5-15.1(a) that are treated as cash equivalents. As of August 31, 2016, \$0- of the Authority's bank balance of \$2,818,402 was exposed to custodial risk. As of August 31, 2016 and 2015, the Authority did not hold any investments.

Interest Rate Risk

The Authority does not have a formal investment policy that limits investment maturities as a means of managing its exposure to fair value losses arising from increasing interest rates. However, New Jersey Statutes 40A:5-15.1(a) limits the length of time for most investments to 397 days.

Credit Risk

New Jersey Statutes 40A:5-15.1(a) limits municipal investment maturities to those specified in the Statutes. The type of allowance investments are Bonds of the United States of America or the local unit or school districts of which the local unit is part of: obligations of federal agencies not exceeding 397 days; government money market mutual funds; the State of New Jersey Cash Management Plan; local government investment pools; or repurchase of fully collateralized securities.

Concentration of Credit Risk

The Authority places no limit on the amount it may invest in any one issuer.

NOTE 3. ESCROW FUNDS

These funds are restricted to the expenditures related to a specified developer and can be used for no other purpose.

NOTE 4. DEVELOPERS' FEES

Developers' fees receivable at August 31, 2016 and 2015 are as follows:

	<u>2016</u>	<u>2015</u>
Crystal Springs	\$1,061,491	\$880,860
Anton Pitz	1,453	5,126
	<u>\$1,062,944</u>	<u>\$885,986</u>

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 4. DEVELOPERS' FEES, (continued)

Of this \$1,062,944 Developers' fees receivable balance reported at August 31, 2016, \$1,061,491 has been outstanding for a period greater than 120 days. In December 2013, the Authority put a lien on this balance and are currently working with the Hardyston Township tax collector and current lienholder of the HRP taxes for collection. The Authority has not provided for an allowance for doubtful accounts in the event that this account will not be collected through settlement or through the Developer Agreement Provisions providing for revocation of sewer allocations. The Authority established a corresponding liability in the amount of \$1,061,491 as a pass-through to Sussex Borough (see Note 13).

NOTE 5. PROPERTY, PLANT AND EQUIPMENT

Reference is made to Note 1 for information related to property. Property, plant and equipment as of August 31, 2016 and 2015, respectively, is as follows:

Forest Hill Village

	<u>2015</u>	<u>Additions</u>	<u>Deletions</u>	<u>2016</u>
Sewer Lines	320,918			320,918
Sewer Pump Station	122,154			122,154
Water System	234,862			234,862
Water Mains	317,149			317,149
Wells	67,373			67,373
Water Tank	414,586			414,586
Water Treatment Building	61,365			61,365
Water Tank Improvement	180,200			180,200
Well Pump House	4,669			4,669
Total Forest Hill Village	<u>1,723,276</u>			<u>1,723,276</u>

Crystal Springs

	<u>2015</u>	<u>Additions</u>	<u>Deletions</u>	<u>2016</u>
Water Lines	214,722			214,722
Water Tank	901,261			901,261
Transfer Lines	100,101			100,101
Wells	158,070			158,070
Well House/Pump	174,473			174,473
Sewer Lines	463,056			463,056
Equipment	17,212			17,212
Sewer Pump Station	154,470			154,470
Total Crystal Springs	<u>2,183,365</u>			<u>2,183,365</u>

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 5. PROPERTY, PLANT AND EQUIPMENT, (continued)

Briar Crest

	<u>2015</u>	<u>Additions</u>	<u>Deletions</u>	<u>2016</u>
Water Pipes	56,250			56,250
Water Valves / Valve Boxes	4,200			4,200
Water Hydrants	8,800			8,800
Water Service Connection	37,800			37,800
Sewer Pipe	91,525			91,525
Sewer Equipment	4,000			4,000
Manhole	21,000			21,000
Emergency Generator	15,000			15,000
Sewer Pumps	10,000			10,000
Lift Stations	75,000			75,000
Sewer Service Connection	45,360			45,360
	<u>368,935</u>			<u>368,935</u>

HTMUA

	<u>2015</u>	<u>Additions</u>	<u>Deletions</u>	<u>2016</u>
Waterspheriod Coating - IF	333,418			333,418
Truck	43,144			43,144
Equipment	57,362			57,362
Total Property, Plant and Equipment	4,709,500	0		4,709,500
Accumulated Depreciation	<u>(2,295,396)</u>	<u>(130,561)</u>		<u>(2,425,957)</u>
Net Property, Plant and Equipment	<u>2,414,104</u>	<u>(130,561)</u>		<u>2,283,543</u>

The Authority has several contributed water and sewer systems that have not been valued or included in the above list of Property, Plant and Equipment as of August 31, 2016. The Authority is currently working with the original contributing developers to determine a value of these contributed capital assets.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 6. ORGANIZATION COSTS

Net organization costs which are listed below totaled \$182,122 and \$196,131 as of August 31, 2016 and 2015, respectively. See Note 1 regarding the amortization of organization costs.

	<u>2016</u>	<u>2015</u>
<u>Organization Costs</u>		
Secretary	\$8,584	\$8,584
Postage	65	65
Accounting	30,258	30,258
Legal	44,886	44,886
Engineering	34,668	34,668
Service Contract – SCMUA	319,926	319,926
Reimbursement Franklin & Hamburg	84,271	84,271
Office Supplies	1,365	1,365
Legal Advertising	360	360
Bank Charges	87	87
Insurance	5,785	5,785
Fees and Permits	121	121
Equipment Reserves	<u>30,000</u>	<u>30,000</u>
	560,376	560,376
Amortization of Organization Costs	<u>(378,254)</u>	<u>(364,245)</u>
Net Organization Costs	<u>\$182,122</u>	<u>\$196,131</u>

NOTE 7. CONTRIBUTED CAPITAL

Contributed Capital which is listed below was contributed by the Developers and totaled \$2,562,235 and \$2,686,548 as of August 31, 2016 and 2015, respectively.

	<u>2016</u>	<u>2015</u>
Contributed Capital – Cash		
Brotherhood Construction	\$284,459	\$284,459
Crystal Springs	383,453	383,453
Fitzgibbons/Dautel	24,484	24,484
Contributed Capital – Property		
Brotherhood Construction	1,543,076	1,543,076
Briar Crest	368,935	368,935
Crystal Springs	<u>2,166,153</u>	<u>2,166,153</u>
	4,770,560	4,770,560
Less: Accumulated Depreciation and Amortization	<u>(2,208,325)</u>	<u>(2,084,012)</u>
Net Contributed Capital	<u>\$2,562,235</u>	<u>\$2,686,548</u>

As mentioned in Note 5, several contributed water and sewer plants are not included in the list above.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015**

NOTE 8. DEVELOPER'S AGREEMENTS

On April 12, 1995, the Authority entered into a developer agreement with the HFH Development Corp. for operation of the Indian Fields water and sewer system. One of the major financial provisions of this agreement is as follows:

“Recognizing that there are operating and maintenance costs of the Authority which must be subsidized, which costs directly related to Developer’s specific project, as well as other administration costs such as payments for insurance coverage, salary of employees, amounts to independent contractors for billing, and portions of charges from professionals such as the auditor, attorney, engineer, it is agreed by Developer to pay its proportionate share of all operating, maintenance, and administration costs until completion of the project. Developer and the owner of the project formerly known as Crystal Springs and the development owned by Anton Pilz shall be obligated to pay such costs in the proportion that their respective approved flows as set forth in their approved CP-1 application form bear to the total of such costs and expenses less the revenues in the form of water and sewer rents or charges received from unit owners in the project known as Indian Fields at Hardyston and Forest Hill Estates. It is further agreed that if any Developer advances more than his, her or its pro-rata share, such developer shall be entitled to contribution from the others of the excess amount so paid, said adjustment to be made by the Authority in the form of an assessment. Developer agrees to pay any such assessment designed to equalize the contributions between the Developers. No Developer shall be entitled to contribution among any other person, firm or corporation contracting with the Authority for sewer service.

If either this Agreement or any Agreement with either of the other Developers is annulled or terminated for any reason, the remaining Developer or Developers shall pay all such assessments and contributions as set forth above, but the obligation to make payments shall be reduced pro tanto by the amount of service charges and other revenue received from customers.”

On May 10, 1995, a similar agreement was entered into with C.S. Acquisition for the operation of the Crystal Springs water and sewer system.

The Authority, by resolution at its September 12, 1990 meeting entered into an agreement with Riverdale Quarry Co., Inc. for the operation and ownership of a fire protection system to service the industrial buildings to be located within the North Church Technical Center subdivision.

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 8. DEVELOPER'S AGREEMENTS, (continued)

On September 9, 1992 the Authority revoked 10,000 gpd of sewer allocations from Dautel and reallocated the allocation to Anton Pilz, subject to the condition that he enter into a developer's agreement with the Authority and make all payments therein specified. The Authority adopted, at its December 9, 1992 meeting, a developer's agreement similar to the agreement with HFH Development Corp. and C.S. Acquisitions.

On July 7, 1999 the Authority entered into a developers agreement with Sussex National Development, Inc. ("Developer"). The Authority has applied for sewer flow allocation in the amount of 125,000 gpd from the Borough of Franklin ("Borough") and has paid a reservation fee of \$3.17 per gallon or \$396,250 to the Borough. The final sewer allocation will be obtained upon payment of a transfer fee in accordance with the ordinance of the Borough and the Reservation Agreement between the Borough and the Authority. All reservation and sewer allocation fees are being paid by the developer to the Authority.

On August 13, 2003, the HTMUA reserved 17,000 gpd and 8,000 gpd of sewer capacity allocations into the SCMUA's Upper Wallkill System for Wallkill Valley and the YMCA, respectively. These reservations are subject to conditions entered into a developers agreement with the Authority that was adopted at its August 13, 2003 meeting. Some of the major provisions of this agreement require the Authority to collect the following annual payments from developers on a quarterly basis. These payments are paid quarterly by the HTMUA to the Borough of Franklin.

At a meeting held on February 28, 2007, the Authority passed a resolution regarding a Sewer System Agreement with High Ridge Properties, L.L.C. regarding the acquisition of 25,000 gallons per day of sewage allocation from the Borough of Sussex and a written agreement with High Ridge for the development, construction, management and use of a sanitary sewage collection system.

In April 2012, judgment was in favor of the Authority against Beaver Run Shopping Center, LLC. This case was consolidated with the below-referenced High Ridge litigation.

In June 2012, judgment was in favor of the Authority against High Ridge Properties, LLC in the amount of \$350,092 plus counsel fees. As of the year end 2016, the Authority has not received any payment but is actively working with the Hardyston Township tax collector and current lienholder of HRP for collection.

NOTE 9. OTHER MATTERS

The Authority currently services 360 customers at its Indian Field water and sewer system and 1,016 at its Crystal Springs water and sewer system. The Authority is able to finance the operating cost of these systems through water and sewer charges and its developers' agreements (see Note 8 for more information) until such time as the development is substantially completed.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
 NOTES TO FINANCIAL STATEMENTS (CONTINUED)
 AUGUST 31, 2016 AND 2015**

NOTE 10. RISK MANAGEMENT

The Hardyston Township Municipal Utilities Authority is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disaster.

Property and Liability Insurance

The Authority is currently a member of the New Jersey Utility Authorities Joint Insurance Fund, a public entity risk pool currently composed of 46 member authorities. The Fund provides members with Property, Liability and Worker's Compensation Insurance.

NOTE 11. DUE TO/FROM OTHER FUNDS

At August 31, 2016, interfund receivables and payables that resulted in various designations and interfund transactions were as follows:

	<u>Due From</u>	<u>Due To</u>
HTMUA Operating Account	\$2,101	\$
Escrow Account	<u> </u>	<u>2,101</u>
	<u>\$2,101</u>	<u>\$2,101</u>

NOTE 12. UNRESTRICTED – DESIGNATED NET ASSETS

As mentioned in Note 1, GASB No.34 classifies net assets that do not meet the definition of "restricted" or "invested in capital assets, net of related debt as "unrestricted". Of this amount unrestricted, the Authority has designated for the following reserves:

	<u>2016</u>	<u>2015</u>
Reserve for Renewal and Replacement	\$2,612,327	\$2,398,172
Reserve for Purchase of Equipment	<u>15,497</u>	<u>15,497</u>
	<u>\$2,627,824</u>	<u>\$2,413,669</u>

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
NOTES TO FINANCIAL STATEMENTS (CONTINUED)
AUGUST 31, 2016 AND 2015

NOTE 13. COMMITMENTS AND CONTINGENCIES

The Authority has committed the 477,000 GPD of capacity it has received from the Sussex County Municipal Utilities Authority as follows:

Indian Fields	89,500
Crystal Springs	327,500
High Ridge Properties	25,000
YMCA	10,000
Wallkill Valley RHS	17,000
Crystal Springs	<u>8,000</u>
	<u>477,000</u>

The Authority has received a billing statement dated October 11, 2013 from Sussex Borough indicating that the HTMUA is delinquent in the amount of \$1,038,031 in payment of its sewer allocation costs on behalf of High Ridge Properties, Inc. High Ridge Properties, Inc. has been making partial payments to the HTMUA. The HTMUA has been satisfying first the contractual obligations of High Ridge to the HTMUA and forwarding the remaining balance to Sussex Borough. During fiscal year ending August 31, 2016, the Authority has accrued a receivable and a liability in the amount of \$1,061,491 as a pass-through to Sussex Borough.

NOTE 14. SUBSEQUENT EVENTS

The Hardyston Township Municipal Utilities Authority has evaluated subsequent events through November 15, 2016, the date which the financial statements were available to be issued. No additional items were noted for disclosure or adjustment

Supplementary Schedules

SCHEDULE 1

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
SCHEDULE OF REVENUES, EXPENSES AND CHANGES IN
NET POSITION - RESTRICTED AND UNRESTRICTED
FOR THE YEARS ENDED AUGUST 31, 2016 AND 2015**

	Net Investment in Capital Assets	Unrestricted			Total (Memo)	
		Designated	Equipment Reserve	Undesignated	2016	2015
					Renewal and Replacement	
Operating Revenues:						
Water and Sewer				1,163,047	1,163,047	1,162,459
Developer Fees				246,736	246,736	231,278
Miscellaneous				53,992	53,992	50,275
Total Operating Revenues				1,463,775	1,463,775	1,444,012
Operating Expenses:						
Costs of Providing Services				1,197,835	1,197,835	1,203,020
Administrative and General				219,839	219,839	192,803
Depreciation	130,561			130,561	130,561	134,546
Amortization	14,009			14,009	14,009	14,010
Total Operating Expenses	144,570			1,417,674	1,562,244	1,544,379
Operating Income (Loss)	(144,570)			46,101	(98,469)	(100,367)
Non-Operating Revenue (Expenses):						
Interest Income				5,680	5,680	5,623
Cancellation of Accrued Liabilities				17,525	17,525	27,698
Renewal and Replacement (net)		214,155		(259,368)	(45,213)	(23,393)
Total Non-Operating Revenue (Expenses)		214,155		(236,163)	(22,008)	9,928
Increase/(Decrease) in Net Position	(144,570)	214,155		(190,062)	(120,477)	(90,439)
Net Position - September 1,	2,610,235	2,398,172	15,497	573,276	5,597,180	5,687,619
Net Position - August 31,	2,465,665	2,612,327	15,497	383,214	5,476,703	5,597,180

SCHEDULE 2

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
 SCHEDULE OF CASH RECEIPTS, CASH DISBURSEMENTS
 AND CHANGES IN CASH AND CASH EQUIVALENTS
 FOR THE YEARS ENDED AUGUST 31, 2016 AND 2015

	HTMUA Operating Account	Crystal Springs Account	Indian Fields Account	Renewal and Replacement Account	Escrow Account	Totals
						2016 2015
Cash and Cash Equivalents - September 1,	99,121	370,780	1,252	2,169,215	40,289	2,680,657 2,689,530
Cash Receipts:						
Contributions/Developers Fees	69,778					69,778 63,668
Interest Income	998	446	5	4,173	58	5,680 5,623
Water and Sewer Rents	359,749	802,727				1,162,476 1,172,089
Developers Deposits					14,400	14,400 18,000
Miscellaneous	55,196				55,196	55,196 53,181
Transfers	920,405			221,274		1,141,679 778,752
Total Cash and Cash Equivalents Available	1,505,247	1,173,953	1,257	2,394,662	54,747	5,129,866 4,780,843
Cash Disbursements:						
Operations	1,147,233					1,147,233 1,257,790
Developers Withdrawals					15,812	15,812 16,640
Renewal and Replacement	45,213					45,213 23,393
Miscellaneous						
Transfers	221,274	920,405				1,141,679 778,752
Total Cash Disbursements	1,413,720	920,405			15,812	2,349,937 2,100,186
Cash and Cash Equivalents - August 31,	91,527	253,548	1,257	2,394,662	38,935	2,779,929 2,680,657
Balance Comprised of:						
Cash and Cash Equivalents	91,527	253,548	1,257	2,394,662	38,935	2,779,929 2,680,657
Investments	91,527	253,548	1,257	2,394,662	38,935	2,779,929 2,680,657
Unrestricted	91,527	253,548	1,257	2,394,662	(2,101)	2,738,893 2,640,368
Restricted	91,527	253,548	1,257	2,394,662	41,036	41,036 40,289
					38,935	2,779,929 2,680,657

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
SCHEDULE OF OPERATING REVENUES AND COST FUNDED BY OPERATING
REVENUES COMPARED TO BUDGET YEAR ENDED AUGUST 31, 2016
WITH COMPARATIVE ACTUAL AMOUNTS FOR THE YEAR ENDED AUGUST 31, 2015

	2016 Budget	2016 Budget After Modification	2016 Actual	2015 Actual
Revenues:				
Retained Earnings	221,274	221,274	221,274	204,100
Developer Fees	141,327	141,327	246,736	231,278
Interest on Investments	5,000	5,000	5,680	5,623
User Charges and Fees	1,156,267	1,156,267	1,163,047	1,162,459
Miscellaneous	50,000	50,000	53,992	50,275
Total Revenues	1,573,868	1,573,868	1,690,729	1,653,735
Expenditures:				
Cost of Providing Services:				
Fees, Permits and Dues	7,500	7,500	5,930	5,881
Contracted Operators	190,000	190,000	192,130	202,362
Electricity	70,000	70,000	46,619	66,202
Natural Gas	3,000	3,000	2,132	2,511
Lab Testing	7,000	7,000	5,530	7,554
Materials, Supplies and Markouts	60,000	60,000	75,156	58,687
Service Contract - SCMUA	660,000	660,000	677,908	675,000
Service Contract Borough of Sussex	65,000	65,000	180,637	166,302
Chemicals	10,000	10,000	5,325	6,259
Alarm System	7,500	7,500	6,468	12,262
Sub-total Cost of Providing Services	1,080,000	1,080,000	1,197,835	1,203,020
Administrative and General:				
Interlocal Service Agreement-Hardyston	103,000	103,000	102,014	99,518
Accounting and Auditing	22,000	22,000	21,360	21,186
Legal Fees	35,000	35,000	20,688	10,839
Engineering Fees	30,000	30,000	40,114	23,952
Stationary and Supplies	3,500	3,500	1,763	1,847
Legal Advertising	1,000	1,000	989	692
Insurance	26,000	26,000	25,803	25,057
Postage	4,000	4,000	3,562	3,992
Miscellaneous	2,000	2,000	266	168
Computer Software	8,000	8,000	3,280	5,552
Sub-total Administrative and General	234,500	234,500	219,839	192,803
Reserves:				
Renewal and Replacement	259,368	259,368	259,368	256,695
Sub-total Reserves	259,368	259,368	259,368	256,695
Total Expenditures	1,573,868	1,573,868	1,677,042	1,652,518

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
 SCHEDULE OF OPERATING REVENUES AND COST FUNDED BY OPERATING
 REVENUES COMPARED TO BUDGET YEAR ENDED AUGUST 31, 2016
 WITH COMPARATIVE ACTUAL AMOUNTS FOR THE YEAR ENDED AUGUST 31, 2015

	2016 Budget	2016 Budget After Modification	2016 Actual	2015 Actual
Excess or (Deficit)			13,687	1,217
Reconciliation of Budgetary Basis to GAAP:				
Renewal and Replacement, net			214,155	233,302
Cancellation of Accrued Liabilities			17,525	27,698
Retained Earnings			(221,274)	(204,100)
Depreciation Expense			(130,561)	(134,546)
Amortization			(14,009)	(14,010)
Total Adjustments			(134,164)	(91,656)
Change in Net Position			(120,477)	(90,439)

SCHEDULE 4

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
SCHEDULE OF CAPITAL FINANCING SOURCES AND COSTS
FUNDED BY CAPITAL FINANCING SOURCES COMPARED TO BUDGET

	<u>2016 Budget</u>	<u>2016 Budget After Modification</u>	<u>2016 Actual</u>	<u>2015 Actual</u>
Capital Financing Sources:				
Reserve for Equipment	15,000	15,000		
Renewal and Replacement Reserve	<u>50,000</u>	<u>150,000</u>	<u>45,213</u>	<u>23,393</u>
Total Revenues	<u>65,000</u>	<u>165,000</u>	<u>45,213</u>	<u>23,393</u>
Expenditures:				
Capital Outlays:				
Various Capital Projects - Water	50,000	50,000	24,838	1,730
Purchase of Meter Reading Equipment	15,000	15,000		
Various Capital Projects - Sewer	<u>100,000</u>	<u>100,000</u>	<u>20,375</u>	<u>21,633</u>
Total Costs Funded by Capital Financing Sources	<u>165,000</u>	<u>165,000</u>	<u>45,213</u>	<u>23,363</u>

SCHEDULE 5

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
ROSTER OF OFFICIALS
AUGUST 31, 2016**

The following officials were in office on August 31, 2016:

Board Commissioners

Positions

Frank Cicerale

Chairman

Stanley Kula

Vice Chairman

Ellis Marples

Secretary

Jeffrey Albanese

Treasurer

Randy Roof

Commissioner

Brian Kaminski

Commissioner

Michael O'Grady

Commissioner

Authority Professionals

Ferraioli, Wielkocz, Cerullo & Cuva, P.A.

Auditors

DeCotiis, FitzPatrick & Cole, LLP

Attorney

Guerin & Vreeland Engineering Inc.

Engineer

Ferraioli, Wielkotz, Cerullo & Cuva, P.A.

Charles J. Ferraioli, Jr., MBA, CPA, RMA
Steven D. Wielkotz, CPA, RMA
James J. Cerullo, CPA, RMA
Paul J. Cuva, CPA, RMA
Thomas M. Ferry, CPA, RMA

Certified Public Accountants
401 Wanaque Avenue
Pompton Lakes, New Jersey 07442
973-835-7900
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100B Main Street
Newton, N.J. 07860
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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

The Chairman and Commissioners of the
Hardyston Township Municipal Utilities Authority
149 Wheatsworth Road, Suite A
Hardyston, New Jersey 07419

We have audited, in accordance with auditing standards generally accepted in the United States of America; audit requirements as prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey; and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the Hardyston Township Utilities Authority, as of and for the year ended August 31, 2016, and the related notes to the financial statements, and have issued our report thereon dated November 15, 2016.

Internal Control Over Financial Reporting

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

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. We consider the deficiency described in the accompanying General Comments (Finding 2016-001) to be a material weakness.

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.



Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Hardyston Township Utilities Authority's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed instances of noncompliance or other matters that are required to be reported under Government Auditing Standards and one described in the accompanying schedule of findings and questioned costs as Finding 2016-002. We noted certain other matters that we reported to management of the Authority in the comments and recommendations section of this report.

This report is intended solely for the information of the governing body, management, and The Division of Local Government Services, Department of Community Affairs, State of New Jersey, and is not intended to be and should not be used by anyone other than these specified parties.

Purpose of this Report

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

Ferraioli, Wielkatz, Cerullo & Cuva, P.A.
FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.
Certified Public Accountants
Pompton Lakes, New Jersey

November 15, 2016

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
AUGUST 31, 2016**

FINDING: 2016-001*

STATEMENT OF CONDITION

Evidence of failure to properly maintain an itemized fixed assets schedule.

CRITERIA

Governmental entities should maintain a fixed asset list providing the cost and description of property and equipment, as well as any depreciation previously expensed against such listed assets. This list should be updated regularly to include purchases or contributions of new capital items and exclude capital assets that have been disposed of or replaced.

EFFECT

Absent or inadequate controls over the safeguarding of assets. The Authority's fixed asset list does not include several contributed water and sewer systems.

CAUSE

Unknown

RECOMMENDATION

The Authority should maintain a fixed asset list providing the cost and description of its property and equipment, as well as any depreciation previously expensed against such listed assets.

MANAGEMENT'S RESPONSE

Management recognizes the importance of maintaining an itemized fixed asset schedule and is investing possible solutions to this problem.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS (CONTINUED)
AUGUST 31, 2016**

FINDING: 2016-002

STATEMENT OF CONDITION

Two contracts that exceeded the quote threshold were awarded without quotations or documentation describing the emergency.

CRITERIA

N.J.S.A. 40A:11-6 states that any contract may be awarded without public advertisement for bidding (or solicitation of quotes) when an emergency affecting the public health, safety or welfare requires immediate delivery of goods or performance of services, provided such contracts are made in the following manner: (a) the official in charge of the agency wherein the emergency occurred should notify the purchasing agent in writing of the need for the performance of a contract, nature of the emergency and the time of its occurrence; upon furnishing of such goods or services, the contractor.

EFFECT

The Authority did not comply with New Jersey Local Public Contract Law.

CAUSE

Although these contracts were mentioned at the Authority's board meetings, there was no mention that they were emergency purchases or documentation approving the award without quotation. Management was not aware of the documentation requirements of N.J.S.A. 40A:11-6.

RECOMMENDATION

All emergency contracts should be approved by board resolution.

MANAGEMENT'S RESPONSE

Management acknowledges this finding and plans to correct it during the 2017 fiscal year.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
GENERAL COMMENTS**

Contracts and Agreements Requiring Advertisement for Bid

Effective January 1, 2011 and thereafter the bid thresholds in accordance with N.J.S.A. 40A:11-3 (as amended) is \$17,500.

N.J.S.A. 40A:11-2 contains definitions for terms used throughout N.J.S.A. 40A:11-1 et seq. and was amended under P.L. 1999, c.440. It includes as subsection (23) the term 'competitive contracting', which is defined as "the method described in sections 1 through 5 of P.L. 1999, c.440 (C.40:11-4.1 through C.40A:11-4.5) of contracting for specialized goods and services in which formal proposals are solicited from vendors' formal proposals are evaluated by the purchasing agent or counsel; and the governing body awards a contract to a vendor or vendors from among the formal proposals received."

N.J.S.A. 40A:11-3 was amended with P.L. 1999, c.440 to raise the bid threshold and require award by governing body resolution. "When the cost or price of any contract awarded by the purchasing agent in the aggregate does not exceed in a contract year the total sum of \$26,000, the contract may be awarded by a purchasing agent when so authorized by ordinance or resolution as appropriate to the contracting unit, of the governing body of the contracting unit without public advertising for bids and bidding therefore, except that the governing body may adopt an ordinance or resolution to set a lower threshold for the receipt of public bids or the solicitation of competitive quotations."

N.J.S.A. 40A:11-15 was amended with P.L. 1999, c.440 to extend the base contract period. "Any contract made pursuant to this section may be awarded for a period of 24 consecutive months, except that contracts for professional services pursuant to paragraph (1) of subsection (a) of N.J.S.A. 40A:11-5 may be awarded for a period not exceeding 12 consecutive months."

The bid thresholds in accordance with N.J.S.A. 40A:11-3 (as amended) is \$40,000.00.

The governing body of the Authority has the responsibility of determining whether the expenditures in any category will exceed the statutory threshold within the contract year. Where question arises as to whether any contract or agreement might result in violation of the statute, the Authority Counsel's opinion should be sought before a commitment is made.

Resolutions were adopted authorizing the awarding of contracts and agreements for "Professional Services" N.J.S. 40A:11-5.

Inasmuch as the system of records did not provide for an accumulation of payments for categories for the performance of any work or the furnishing or hiring of any material or supplies, the results of such an accumulation could not reasonably be ascertained. Disbursements were reviewed, however, to determine whether any clear cut violation existed. No violations were disclosed.

Our examination of expenditures did not reveal any individual payments, contracts or agreements in excess of the statutory threshold "for the performance of any work or the furnishing or hiring of any materials or supplies," other than those where bids had been previously sought by public advertisement or where a resolution had been previously adopted under the provisions of N.J.S. 40A:11-6.

Condition of Records

The Authority's records were in good order.

**HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
STATUS OF PRIOR YEARS' AUDIT FINDINGS/RECOMMENDATIONS**

A review was performed on all prior years' recommendations and corrective action was taken on all items, except those noted with an asterisk "*".

There were no problems and weaknesses noted in our review that were of such magnitude that they would effect our ability to express an opinion on the financial statements taken as a whole.

Should any questions arise as to our comments or recommendations, or should you desire assistance in implementing our recommendations, do not hesitate to call us.

Very truly yours,

Ferraioli, Wielkotz, Cerullo & Cuva, P.A.

FERRAIOLI, WIELKOTZ, CERULLO & CUVA, P.A.
Certified Public Accountants
Pompton Lakes, New Jersey