

**ALBANY CSO POOL COMMUNITIES  
CORPORATION**

**(A NOT-FOR-PROFIT CORPORATION)**

**FINANCIAL STATEMENT**

**SEPTEMBER 30, 2016**

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## **INDEPENDENT AUDITORS' REPORT**

Officers, Directors and Members  
Albany CSO Pool Communities Corporation  
(A Not-For-Profit Corporation)  
Albany, New York

We have audited the accompanying financial statements of Albany CSO Pool Communities Corporation (a nonprofit organization), which comprise the statement of financial position as of September 30, 2016, and the related statements of activities and cash flows for the year then ended, and the related notes to the financial statements.

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

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

### **Auditors' 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. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' 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 Corporation'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 Corporation'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.

**Opinion**

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Albany CSO Pool Communities Corporation as of September 30, 2016, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

**Other Matters**

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The supplementary information included on page 9, is presented for purposes of additional analysis and is not a required part of the 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 financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or the to financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the financial statements as a whole.

*WEST & COMPANY CPAs PC*

Gloversville, New York  
December 8, 2016

ALBANY CSO POOL COMMUNITIES CORPORATION

STATEMENT OF FINANCIAL POSITION

SEPTEMBER 30, 2016

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**ASSETS:**

Cash and cash equivalents	\$ 103,530
Due from communities	23,057
Work in process	10,081,312
Grants receivable	<u>85,452</u>
<b>TOTAL ASSETS</b>	<b><u>\$ 10,293,351</u></b>

**LIABILITIES:**

Accounts payable	\$ 212,039
Deferred revenue	<u>10,081,312</u>
<b>TOTAL LIABILITIES</b>	<b><u>\$ 10,293,351</u></b>

See accompanying notes and independent auditors' report.

ALBANY CSO POOL COMMUNITIES CORPORATION

STATEMENT OF ACTIVITIES

YEAR ENDED SEPTEMBER 30, 2016

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<b>REVENUES:</b>	
Program revenues	\$ 2,687,535
Grant revenues	<u>340,312</u>
<b>Total revenues</b>	3,027,847
<b>FUNCTIONAL EXPENSES:</b>	
Project costs	2,576,666
Legal fees	211,452
Professional fees	56,241
Administrative fees	183,444
Bank fees	25
Miscellaneous fees	<u>19</u>
<b>Total functional expenses</b>	<u>3,027,847</u>
<b>CHANGE IN NET ASSETS</b>	0
<b>NET ASSETS - BEGINNING</b>	<u>0</u>
<b>NET ASSETS - ENDING</b>	<u><u>\$ 0</u></u>

See accompanying notes and independent auditors' report.

ALBANY CSO POOL COMMUNITIES CORPORATION

STATEMENT OF CASH FLOWS

YEAR ENDED SEPTEMBER 30, 2016

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**CASH FLOWS FROM OPERATING ACTIVITIES:**

Change in net assets	\$	0
Adjustments to convert to cash:		
(Increase) in accounts receivable		(85,452)
(Increase) in work in process		(10,081,312)
(Increase) in due from communities		(23,057)
Increase in communities work in process		10,081,312
Increase in accounts payable		212,039
		<hr/>
<b>Net cash provided by operating activities</b>		103,530
		<hr/>
<b>NET INCREASE IN CASH</b>		103,530
		<hr/>
<b>CASH - BEGINNING OF YEAR</b>		0
		<hr/>
<b>CASH - END OF YEAR</b>	\$	<u>103,530</u>

See accompanying notes and independent auditors' report.

**ALBANY CSO POOL COMMUNITIES CORPORATION**

**NOTES TO FINANCIAL STATEMENTS**

**SEPTEMBER 30, 2016**

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**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES**

**Nature of Activities**

Albany CSO Pool Communities Corporation is formed as a Charitable Corporation pursuant to Section 2-1 of the N-PCL, and will be operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The Corporation was formed for the purpose of reducing discharges of wastewater and stormwater from combined sewer overflows within the municipalities (i.e., cities of Albany, Cohoes, Rensselaer, Troy, Watervliet and the village of Green Island) that are the members of the Corporation, in order to protect the quality of the waters therein and to achieve compliance with all federal, state, and local laws, regulations, and permits applicable to the management of combined sewer overflows in the municipalities that are the Corporation's members.

The Corporation shall carry out the foregoing purposes, on behalf of its member municipalities, by soliciting, entering, administering, and performing any contracts necessary or incidental to the implementation of the Albany Pool CSO Long Term Control Plan dated June 30, 2011, together with the Albany Pool CSO Long Term Control Plan Supplemental Documentation, dated October, 2013 (collectively, the "LTCP"), as both were approved by the New York State Department of Environmental Conservation ("NYSDEC") on January 15, 2014, as well as any amendments or revisions to those documents made and approved in writing by the NYSDEC.

The Corporation may also assist the member communities by applying for, obtaining and contracting with any federal, state, or local governmental agency or foundation, organization, or natural person for the purpose of obtaining grants, loans, or other forms of financial assistance, and expending or authorizing the expenditure of such funds in furtherance of the purposes of the Corporation.

**Basis of Accounting**

The financial statements have been prepared on the accrual basis of accounting in accordance with generally accepted accounting principles.

**Cash and Cash Equivalents**

Cash equivalents consist of highly liquid investments with an initial maturity of three months or less, or which are redeemable on demand. Fair value approximates carrying amounts.

**Accounts Receivable**

The Corporation does not maintain any allowance for estimated uncollectible accounts. It is management's opinion that all receivables are collectible.

**Income Taxes**

Albany County CSO Pool Communities Corporation is exempt from federal income taxes under Section 501(c)(3) of the Internal Revenue Code and, therefore, has made no provisions for taxes in the accompanying financial statements. The Corporation is exempt from filing federal and state income tax returns under IRS Revenue Procedure 95-8.

ALBANY CSO POOL COMMUNITIES CORPORATION

NOTES TO FINANCIAL STATEMENTS

SEPTEMBER 30, 2016

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**NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES – (CONTINUED)**

**Uncertain Tax Positions**

The Corporation files information returns in its U.S. federal jurisdiction and New York State. The Corporation's returns for its year ended September 30, 2016, is subject to U.S. federal and New York State examination.

The Corporation follows the provision of uncertain tax positions as addressed in FASB ASC 740. The Corporation has been granted tax exempt status as a nonprofit organization, which management believes would be accepted upon examination by the taxing authorities. Management has determined that it currently has no other uncertain tax positions to report for the year ended September 30, 2016.

**Estimates**

The preparation of financial statements in accordance with generally accepted accounting principles requires the use of management's estimates. Accordingly, actual results could differ from those estimates.

**NOTE 2 – DUE (TO) FROM COMMUNITIES**

The participating communities have contributed funds towards the existing projects. The amounts due (to) from each community are as follows:

City of Albany	\$	(671,804)
City of Cohoes		(140,955)
Village of Green Island		(27,266)
City of Rensselaer		56,566
City of Troy		923,120
City of Watervliet		(116,604)
		<hr/>
Due from Communities	\$	<u>23,057</u>

**NOTE 3 – WORK IN PROCESS AND DEFERRED REVENUE**

As of September 30, 2016, the Corporation has \$10,081,312 of work in process. The majority of these costs were incurred directly by the participating communities prior to the execution of the consent order and prior to the formation of the Corporation. While these costs were incurred directly by the communities, these projects are part of the long-term plan and, therefore, included in the total expenses of the plan. Upon approval by the Corporation, these costs will be distributed to each community based on their cost-sharing percentages and recognized as revenue of the Corporation.

**NOTE 4 – CONCENTRATIONS OF CREDIT RISK**

The Corporation maintains its cash balances in one financial institution. The balances are insured by the Federal Deposit Insurance Corporation up to \$250,000. At September 30, 2016, the Corporation's cash balances were fully insured.

**ALBANY CSO POOL COMMUNITIES CORPORATION**

**NOTES TO FINANCIAL STATEMENTS**

**SEPTEMBER 30, 2016**

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**NOTE 5 – COMMITMENTS AND CONTINGENCIES**

The Corporation's long-term plan sets forth a project budget through 2027 in the amount of \$103,545,000. Through September 30, 2016, \$4,321,678 has been spent on these projects.

**NOTE 6 – SUBSEQUENT EVENTS**

The Corporation has evaluated subsequent events through the issuance date of the report. None were considered material to the issued financial statement.

**ALBANY CSO POOL COMMUNITIES CORPORATION**

**SCHEDULE OF CUMULATIVE COSTS AND INCOME ALLOCATION BY COMMUNITY**

**YEAR ENDED SEPTEMBER 30, 2016**

<b>Community</b>	<b>Cumulative Costs</b>	<b>Grants</b>	<b>Net Cumulative Costs</b>
City of Albany	\$ 2,535,961	\$ (512,732)	\$ 2,023,229
City of Cohoes	118,414	(23,942)	94,472
Village of Green Island	22,905	(4,631)	18,274
City of Rensselaer	92,052	(18,611)	73,441
City of Troy	1,502,215	(303,725)	1,198,490
City of Watervliet	50,131	(10,136)	39,995
<b>TOTAL</b>	\$ 4,321,678	\$ (873,777)	\$ 3,447,901

See accompanying notes.

*ALBANY CSO POOL COMMUNITIES CORPORATION*  
*One Park Place, Suite 102*  
*Albany, New York 12205*

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December 8, 2016

WEST & COMPANY CPAs PC  
97 North Main Street  
PO Box 1219  
Gloversville, NY 12078-0354

This representation letter is provided in connection with your audit of the financial statements of Albany CSO Pool Communities Corporation, which comprise the statement of financial position as of September 30, 2016, and the related statement of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing an opinion as to whether the financial statements are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States (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, as of December 8, 2016, the following representations made to you during your audit.

**Financial Statements**

- We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated June 16, 2016.
- The financial statements referred to above are fairly presented in conformity with U.S. generally accepted accounting principles.
- We acknowledge our responsibility for 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.
- We acknowledge our responsibility for the design, implementation, and maintenance of internal control to prevent and detect fraud.
- Significant assumptions we used in making accounting estimates, including those measured at fair value, are reasonable.
- Related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
- All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
- We are in agreement with the adjusting entries you have proposed, and they have been posted to the Corporation's accounts.
- The effects of all known actual or possible litigation, claims, and assessments have been accounted for and disclosed in accordance with U.S. GAAP.
- Material concentrations have been appropriately disclosed in accordance with U.S. GAAP.
- Guarantees, whether written or oral, under which the Corporation is contingently liable, have been properly recorded or disclosed in accordance with U.S. GAAP.

**Information Provided**

- We have provided you with:
  - 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, documentation, and other matters.
  - Additional information that you have requested from us for the purpose of the audit.
  - Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
- All material transactions have been recorded in the accounting records and are reflected in the financial statements.
- 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.
- We have no knowledge of any fraud or suspected fraud that affects the Corporation and involves:
  - Management,
  - Employees who have significant roles in internal control, or
  - Others where the fraud could have a material effect on the financial statements.
- We have no knowledge of any allegations of fraud or suspected fraud affecting the Corporation's financial statements communicated by employees, former employees, grantors, regulators, or others.
- We have disclosed to you all known instances of noncompliance or suspected noncompliance with laws and regulations whose effects should be considered when preparing financial statements.
- We have disclosed to you all known actual or possible litigation, claims, and assessment whose effects should be considered when preparing the financial statements.
- We have disclosed to you the identity of the Corporation's related parties and all the related party relationships and transactions of which we are aware.
- The Corporation 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.
- We are responsible for compliance with the laws, regulations, and provisions of contracts and grant agreements applicable to us.
- Albany CSO Pool Communities Corporation is an exempt Corporation under Section 501 (c)(3) of the Internal Revenue Code. Any activities of which we are aware that would jeopardize the Corporation's tax-exempt status, and all activities subject to tax on unrelated business income or excise or other tax, have been disclosed to you. All required filings with tax authorities are up-to-date.
- We acknowledge our responsibility for presenting the statement of functional expenses in accordance with U.S. GAAP, and we believe the statement of function expenses, including its form and content, is fairly presented in accordance with U.S. GAAP. The methods of measurement and presentation of the statement of functional expenses 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.

Very truly yours,

ALBANY CSO POOL COMMUNITIES CORPORATION

By \_\_\_\_\_

Title: Erin Kimmel Plano, Albany CSO CTCP Project Manager