

**TOWN OF RIVERHEAD PECONIC
BAY COMMUNITY PRESERVATION FUND**
*(A Special Revenue Fund of
The Town of Riverhead, New York)*
Special Purpose Framework
Financial Statements and
Supplementary Information with
Independent Auditor's Reports
For the Year Ended December 31, 2022

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

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INDEPENDENT AUDITOR'S REPORT

The Honorable Supervisor and Town Board
Town of Riverhead
Riverhead, New York

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of the Town of Riverhead Peconic Bay Community Preservation Fund, as of and for the year ended December 31, 2022, and the related notes to the financial statements, as listed in the table of contents.

In our opinion, the accompanying fund financial statements referred to above preset fairly, in all material respects, the respective financial position of the Town of Riverhead Peconic Bay Community Preservation Fund, as of December 31, 2022, and the respective changes in fund balance for the year then ended in accordance with the accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Town of Riverhead Peconic Bay Community Preservation Fund, and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Emphasis of Matter

As discussed in Note 1, the financial statements of the Town of Riverhead Peconic Bay Community Preservation Fund are intended to present the fund balance and the changes in fund balance, of only that portion of the financial activities of the Town of Riverhead that is attributable to the transactions of the Peconic Bay Community Preservation Fund. They do not purport to, and do not, present fairly the financial position of the Town of Riverhead, as of December 31, 2022 or the changes in its financial position, for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and 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.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that individually or in the aggregate, they would influence the judgement made by a reasonable user based on the financial statements.

Auditor's Responsibilities for the Audit of the Financial Statements – continued

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we

- Exercise professional judgement and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit 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 Town of Riverhead Peconic Bay Community Preservation Fund's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgement, there are conditions or events, considered in aggregate, that raise substantial doubt the Town of Riverhead Peconic Bay Community Preservation Fund's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Town of Riverhead Peconic Bay Community Preservation Fund's basic financial statements. The Schedule of Real Estate Purchases and Schedule of Related Outstanding Debt are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion the Schedule of Real Estate Purchases and Schedule of Related Outstanding Debt are fairly stated, in material respects in relation to the Town of Riverhead Peconic Bay Community Preservation Fund's financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated July 12, 2023, on our consideration of the Town of Riverhead Peconic Bay Community Preservation Fund's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts, 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 the effectiveness of the Town of Riverhead Peconic Bay Community Preservation Fund's 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 Town of Riverhead Peconic Bay Community Preservation Fund's internal control over financial reporting and compliance.

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Smithtown, NY
July 12, 2023

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

BALANCE SHEET - MODIFIED ACCRUAL BASIS

DECEMBER 31, 2022

ASSETS

Cash and cash equivalents, restricted	\$ 12,385,071
Due from other governments	<u>1,992,342</u>

Total assets	<u>\$ 14,377,413</u>
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LIABILITIES

	\$ -
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FUND BALANCE

Restricted for Community Preservation	<u>14,377,413</u>
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Total liabilities and fund balance	<u>\$ 14,377,413</u>
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The accompanying notes are an integral part of these financial statements.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

STATEMENT OF REVENUES, EXPENDITURES AND

CHANGE IN FUND BALANCE - MODIFIED ACCRUAL BASIS

FOR THE YEAR ENDED DECEMBER 31, 2022

REVENUES

Other non-property tax items	\$ 9,238,634
Interest income	<u>57,074</u>
Total revenues	<u>9,295,708</u>

EXPENDITURES

Professional fees	<u>9,325</u>
Total expenditures	<u>9,325</u>

OTHER FINANCING USES

Operating transfers for debt service	<u>4,576,778</u>
Total expenditures and other financing uses	<u>4,586,103</u>

Net change in fund balance for year	4,709,605
Fund balance - beginning of year	<u>9,667,808</u>
Fund balance - end of year	<u>\$ 14,377,413</u>

The accompanying notes are an integral part of these financial statements.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2022

1. Summary of Significant Accounting Policies

The Town of Riverhead Peconic Bay Community Preservation Fund (Community Preservation Fund) was created by Section 64-e of New York State Town Law during 1999. The Community Preservation Fund is a special revenue fund of the Town of Riverhead, New York (Town) and is governed by the Town Board. These financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) for governmental units. The Governmental Accounting Standards Board (GASB) is the standard-setting body for establishing governmental accounting and financial reporting principles. Significant accounting principles and policies used by the Community Preservation Fund are as follows:

a. Organization and Background

The Community Preservation Fund is supported by revenues from a 2% real estate transfer tax imposed by the Town pursuant to Article 31-D of New York State Tax Law. The authority to levy and collect the tax expires on December 31, 2050. This revenue is used to purchase farmland, open space, and other real property for the purpose of land preservation, to provide a management and stewardship program for such purchases, and to implement water quality improvement projects. Since inception, the Community Preservation Fund has received revenues, and has made related purchases of land, of approximately \$77 million, and has protected over 2,280 acres of land throughout the Town. The Town has become a leader in land preservation with the assistance of some matching funds from Suffolk County, New York State, and the federal government. An additional \$30 million was made available under a state low-interest, short-term loan program, further enhancing the Town's ability to purchase land in an ever-increasingly competitive real estate market. The Town has also authorized bonds to advance its purchasing ability, which is expected to be paid with future revenues of the Community Preservation Fund through the year 2030. The Community Preservation Fund program advances the Town's goals in farmland and open space preservation, protection of historical sites, and establishment of parks and recreation areas and for water quality improvement projects.

b. Basis of Presentation

These financial statements only report on the operations and related transactions of the Community Preservation Fund; whereby the audited financial statements of the Town of Riverhead include all Town funds. Additionally, the financial statements of the Town of Riverhead would include all non-current assets and non-current liabilities for all Town funds.

c. Measurement Focus and Basis of Accounting

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus and basis of accounting. These financial statements are accounted for using the current financial resources focus and follows the modified accrual basis of accounting used to prepare the Annual Financial Report Update Document (AFRUD), required to be filed by the Town with the Office of the New York State Comptroller (OSC). With this measurement focus, generally only current assets and current liabilities are included on the balance sheet. Operating statements present increases (i.e., revenues and other financing resources) and decreases (i.e., expenditures and other financing uses) in fund balances. Under the modified accrual basis of accounting, revenues are recognized when measurable and available. "Measurable" means the amount of the transaction can be reasonably determined, and "available" means the related cash resources are collectible within the current period or within the first 60 days of the following year.

Expenditures are recorded when the related fund liability is incurred, except for principal and interest on general long-term debt, which are recognized as expenditures to the extent they have matured. General capital asset acquisitions are reported as expenditures in the fund. Proceeds of general long-term debt are reported as other financing sources.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2022

1. Summary of Significant Accounting Policies - continued

c. Measurement Focus and Basis of Accounting – continued

The modified accrual basis of accounting varies from accounting principles generally accepted in the United States of America (U.S. GAAP) primarily in that under U.S. GAAP:

- Financial statements are replaced with the basic financial statements, and include two additional statements, the statement of net position and the statement of activities, collectively referred to as the “government-wide” financial statements which are presented on the full accrual basis of accounting. Under the accrual basis, revenues and expenses are recognized when incurred regardless of when the actual cash receipt or disbursement occurred.
- Management's Discussion and Analysis (MD&A) is required as supplementary information that precedes the basic financial statements and is intended to provide an objective analysis of the government's financial activities, both on a current and long-term basis, based on current conditions.
- Fund-based financial statements must be reconciled to the “government-wide” financial statements.
- Capital assets, other than land, are depreciated and reported on the “government wide” statement of net position at net book value, and depreciation expense is allocated to the major functions on the statement of activities based on the use of the underlying assets.

d. Cash and Cash Equivalents, Restricted

Cash and cash equivalents consist of funds deposited in demand accounts and time deposit accounts

e. Fund Balance

Fund balances for governmental funds are reported in classifications that comprise a hierarchy based primarily on the extent to which the government is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. The five fund balance classifications utilized by the Town are as follows; however, the Community Preservation Fund only utilizes restricted:

Nonspendable - Amounts that cannot be spent because they are either (a) not in spendable form, or (b) are legally or contractually required to be maintained intact.

Restricted - Amounts that have restraints that are either (a) externally imposed by creditors, grantors, contributors, or laws and regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation.

Committed - Amounts that can only be used for specific purposes pursuant to constraints imposed by a formal action such as legislation, resolution, or ordinance by the government's highest level of decision-making authority.

Assigned - Amounts that are constrained only by the government's intent to be used for a specified purpose but are not restricted or committed in any manner.

Unassigned - In a special revenue fund, if expenditures and other financing uses exceed the amounts restricted, committed, or assigned for those purposes, then a negative unassigned fund balance will occur.

The fund balance of the Community Preservation Fund is a restricted fund of the Town.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2022

1. Summary of Significant Accounting Policies - continued

f. Real Estate Transfer Tax

During November 1998, the residents of the Town approved a 2% real estate transfer tax to fund the operations of the Community Preservation Fund. The transfer tax became effective April 1, 1999. Transfer tax receipts are used for the purchase and/or preservation of agricultural land, open space, parks, or historic preservation sites. In 2016, the residents of the Town approved an extension of the transfer tax through December 31, 2050, and the allowance of up to 20% of the annual fund to be used for water quality improvement projects. The tax applies to sales of unimproved real property in excess of \$75,000 and sales of improved real property in excess of \$150,000. Conveyance of real property for open space, parks, or historic preservation purposes is exempt from this tax, as well as first time homebuyers who meet specific criteria.

g. Leases

For the year ended December 31, 2022, GASB No. 87 *Accounting and Financial Reporting for Leases* became applicable to the Community Preservation Fund. However, GASB No. 87 should only be applied when those leases of the local government are deemed to be material. The Community Preservation Fund currently has no leases meeting the criteria outlined in GASB 87; as such the standard is not applicable.

h. Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Actual results could differ from those estimates.

i. Subsequent Events

The Community Preservation Fund has evaluated subsequent events for potential recognition or disclosure through July 12, 2023, the date the financial statements were available to be issued.

2. Deposits With Financial Institutions and Investments

The Town's investment practices are governed by state statutes and Town policy. Community Preservation Fund monies must be deposited in Federal Deposit Insurance Corporation (FDIC) insured commercial banks or trust companies located within the state. Permissible investments include obligations of the U.S. Treasury and U.S. Agencies, repurchase agreements and obligations of New York State or its localities. Collateral is required for demand and time deposits and certificates of deposit not covered by FDIC insurance. Obligations that may be pledged as collateral are obligations of the United States and its Agencies and obligations of New York State and its municipalities. Investments are stated at fair value.

Custodial credit risk is the risk that in the event of a bank failure, the Town may be unable to recover deposits or collateral securities that are in possession of an outside agency. GASB directs that deposits be disclosed as exposed to custodial credit risk if they are not covered by depository insurance and the deposits are as follows:

- a. Uncollateralized,
- b. Collateralized by securities held by the pledging financial institution, or
- c. Collateralized by securities held by the pledging financial institution's trust department or agent but not in the Town's name.

At December 31, 2022, all deposits were covered by FDIC insurance or fully collateralized by securities pledged on the Town's behalf.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

NOTES TO FINANCIAL STATEMENTS

DECEMBER 31, 2022

3. Due From Other Governments

At December 31, 2022, the Community Preservation Fund was due \$1,992,342 from Suffolk County, related to unremitted real estate transfer taxes. The balance was subsequently collected in full. Therefore, no allowance against this amount is required.

4. Interfund Transactions

Interfund activities at December 31, 2022, are as follows:

	Interfund Activities	
	<u>Transfers In</u>	<u>Transfers Out</u>
Community Preservation Fund	\$ -	\$ 4,576,778
Debt Service Fund - Town of Riverhead	<u>4,576,778</u>	<u>-</u>
Total	<u>\$ 4,576,778</u>	<u>\$ 4,576,778</u>

The Community Preservation Fund typically transfers to the Town of Riverhead's debt service fund for related bond principal and interest payments.

5. Contingencies

The Community Preservation Fund financial information to be included in the Town's December 31, 2022 audited financial statements may be different from these financial statements due to timing.

6. Indebtedness

As noted in Note 1a, the Community Preservation Fund may borrow money in order to acquire land and other interests in real property. See the supplementary information accompanying these financial statements which summarize the amounts outstanding as of December 31, 2022, and the future debt service requirements on these borrowings.

7. Risks and Uncertainties

- a. Town Audit - As of July 12, 2023, the Town's December 31, 2022, audited financial statements have not been issued. The Town's management believes that any adjustment to the Town's financial statements will not have a material effect, if any, on the Community Preservation Fund's account balances as of December 31, 2022, and for the year then ended.
- b. Environmental Risks - The Community Preservation Fund is subject to federal, state, and local regulations relating to the disposal of certain hazardous materials. At July 12, 2023, management is not aware of any potential hazardous materials or risks related to properties owned.

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

SCHEDULE OF REAL ESTATE PURCHASES

FOR THE YEAR ENDED DECEMBER 31, 2022

	Beginning Balance <u>January 1, 2022</u>	Acquisitions & Related Costs <u> </u>	Ending Balance <u>December 31, 2022</u>
Real Estate Purchases	<u>\$ 76,908,250</u>	<u>\$ -</u>	<u>\$ 76,908,250</u>

See Paragraph on Supplementary Information Included within the Independent Auditor's Report

TOWN OF RIVERHEAD PECONIC BAY COMMUNITY PRESERVATION FUND

(A Special Revenue Fund of the Town of Riverhead, New York)

SCHEDULE OF RELATED OUTSTANDING DEBT

FOR THE YEAR ENDED DECEMBER 31, 2021

<u>Description</u>	<u>Date Issued</u>	<u>Interest Range Rate</u>	<u>Matures</u>	<u>Outstanding at December 31, 2022</u>
Refunding bonds	2018	4.00% - 5.00%	08/01/2030	<u>\$ 17,216,071</u>

The following is a summary of the debt service requirements:

<u>For the years ending December 31,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2023	\$ 2,408,095	\$ 788,674	\$ 3,196,769
2024	2,517,388	668,269	3,185,657
2025	2,534,118	542,400	3,076,518
2026	2,543,529	415,694	2,959,223
2027	2,562,941	288,518	2,851,459
2028-2030	<u>4,650,000</u>	<u>371,600</u>	<u>5,021,600</u>
	<u>\$ 17,216,071</u>	<u>\$ 3,075,155</u>	<u>\$ 20,291,226</u>

See Paragraph on Supplementary Information Included within the Independent Auditor's Report

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 Honorable Supervisor and Town Board
Town of Riverhead
Riverhead, New York

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Town of Riverhead Peconic Bay Community Preservation Fund (Community Preservation Fund), as of and for the year ended December 31, 2022, and the related notes to the financial statements and have issued our report thereon dated July 12, 2023. As more fully described in Note 1 to the financial statements the Community Preservation Fund has prepared their financial statements using the current financial resources focus and follows the modified accrual basis of accounting used to prepare the Annual Financial Report Update Document (AFRUD), required to be filed by the Town with the Office of the New York State Comptroller (OSC). This is a basis of accounting other than accounting principles generally accepted for governmental entities in the United States.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Community Preservation Fund's internal control over financial reporting (internal controls) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Community Preservation Fund's internal control. Accordingly, we do not express an opinion on the effectiveness of the Community Preservation Fund'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 combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

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

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Community Preservation Fund'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 no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Community Preservation Fund'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.

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Smithtown, NY
July 12, 2023