TOWN OF UNION LOCAL DEVELOPMENT CORPORATION

FINANCIAL STATEMENTS

DECEMBER 31, 2018

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DECEMBER 31, 2018

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Principals: Santo D. Caracciolo, CPA, CVA Adam S. McCauley, CPA



Established in 1955

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Abraham L. Piaker, CPA (1925-2005)

Retired: Allan R. Lyons, CPA Kenneth L. Coleman, CPA James J. Lewis, CPA

*Also Licensed in Pennsylvania

INDEPENDENT AUDITOR'S REPORT

The Board of Directors Town of Union Local Development Corporation Endwell, New York

Report on the Financial Statements

We have audited the accompanying financial statements of TOWN OF UNION LOCAL DEVELOPMENT CORPORATION (a nonprofit organization), a component unit of the Town of Union, which comprise of the statements of net position as of December 31, 2018 and 2017, and the related statements of activities and changes in net position, and cash flows for the years 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.

Auditor's Responsibility

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

Piaker & Lyons

The Board of Directors Town of Union Local Development Corporation

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the net position of Town of Union Local Development Corporation as of December 31, 2018 and 2017, and the related statements of activities and changes in net position, and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Report on Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The schedule of loans receivable on page 10 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 to the 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.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued a report dated March 18, 2019 on our consideration of Town of Union Local Development Corporation'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 the internal control over financial reporting or compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Town of Union Local Development Corporation's internal control over financial reporting and compliance.

Ker & Lyons, P.C.

Binghamton, New York March 18, 2019

TOWN OF UNION LOCAL DEVELOPMENT CORPORATION STATEMENTS OF NET POSITION DECEMBER 31, 2018 AND 2017

	<u>2018</u>	<u>2017</u>
Current Assets		
Cash and Cash Equivalents	\$ 1,523,462	\$ 1,314,711
Loans Receivable - Current Portion (Net of Reserve		
for Doubtful Loans of \$20,312 and \$22,479 in 2018 and		
2017, Respectively)	185,061	188,704
Accounts Receivable	2,297	4,720
Grant Receivable		-
Prepaid Expense	2,588	3,415
Total Current Assets	1,713,408	1,511,550
Other Assets		
Loans Receivable - Non-Current Portion	786,535	964,011
TOTAL ASSETS	\$ 2,499,943	\$ 2,475,561
Current Liabilities		
Accounts Payable	\$ 380	\$ 1,593
Accrued Liabilities	1,916	1,564
Compensated Absences - Current Portion	2,767	2,286
Total Current Liabilities	5,063	5,443
Long - Term Liabilities		
Compensated Absences, Net of Current Portion	29,569	27,589
Total Liabilities	34,632	33,032
Net Position		
Unrestricted	2,316	2,316
Restricted	2,462,995	2,440,213
Total Net Position	2,465,311	2,442,529
TOTAL LIABILITIES AND NET POSITION	\$ 2,499,943	\$ 2,475,561

TOWN OF UNION LOCAL DEVELOPMENT CORPORATION STATEMENTS OF ACTIVITIES AND CHANGES IN NET POSITION FOR THE YEARS ENDED DECEMBER 31, 2018 AND 2017

	<u>2018</u>		2017	
Operating Revenues				
Federal Aid - CDBG	\$ 108	,927	\$	109,227
CDBG Loan Interest	23	,950		19,278
Miscellaneous Income	3	,125		1,300
Contributed Revenue - Town of Union	3	,655		3,655
Total Operating Revenues	139	,657		133,460
Operating Expenses				
Salaries	81	,851		75,572
Administration Fees		,638		7,289
Employee Benefits		,778		21,234
Occupancy		,655		3,655
Audit		,700		3,700
Legal Fees		,087		1,833
Provision for Loan Losses		747	_	22,479
Total Operating Expenses	118	,456	-	135,762
		• • • •		(2.0.02)
Operating Income (Loss)	21	,201		(2,302)
Non-Operating Revenue				
Other Interest Income	1	,581	_	761
Change in Net Position	22	,782		(1,541)
Net Position - Beginning of Year	2,442	529		2,444,070
iver i osidon - Degnining of Teat	<u></u>	JEJ	-	2,111,070
Net Position - End of Year	\$ 2,465	,311	\$	2,442,529

TOWN OF UNION LOCAL DEVELOPMENT CORPORATION STATEMENTS OF CASH FLOWS FOR THE YEARS ENDED DECEMBER 31, 2018 AND 2017

		<u>2018</u>		<u>2017</u>
Cash Flows From Operating Activities:				
Cash Received from Providing Services	\$	142,080	\$	139,650
Cash Payments for Contractual Expenses		(115,282)		(110,595)
Cash Advances to Loan Program Recipients		-		(340,000)
Cash Received from Loan Program Repayments	- 5	180,372		175,869
Net Cash Provided by (Used in) Operating Activities		207,170		(135,076)
Cash Flows From Investing Activities:				
Interest Income	_	1,581	-	761
Increase (Decrease) In Cash		208,751		(134,315)
Cash at Beginning of Year	-	1,314,711		1,449,026
Cash at End of Year	\$	1,523,462	\$	1,314,711
Reconciliation of Operating Income to Net Cash				
Provided by (Used in) Operating Activities:				
Operating Income (Loss)	\$	21,201	\$	(2,302)
Adjustments to Reconcile to Net Cash Provided By (Used in)				
Operating Activities:				
Decrease in Allowance for Loan Losses		(2,167)		(22,894)
Changes in Operating Assets and Liabilities:				
Loans Receivable		183,286		(118,758)
Accounts Receivable		2,423		(2,561)
Grant Receivable		-		8,751
Accounts Payable		(1,213)		701
Prepaid Expense		827		(162)
Compensated Absences		2,461		1,852
Accrued Liabilities	-	352		297
Net Cash Provided by (Used in) Operating Activities	\$	207,170	\$	(135,076)

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. <u>Nature of Operations</u> - The Town of Union Local Development Corporation (LDC) was established to aid the Town of Union in growth and development of business concerns by encouraging the location of industrial, manufacturing and commercial capacity, and the creation of new and improved job opportunities and retention of existing jobs within the geographic boundaries of the Town of Union.

B. <u>Revenue and Expense Recognition</u> - The LDC is a nonprofit corporation and is a component unit of the Town of Union. The LDC operates as a proprietary fund (a business-type activity), distinguishing operating revenues and expenses from non-operating items. Operating revenues are mostly comprised of grant, government subsidy, and interest revenue resulting from exchange transactions associated with the principal activities of the Corporation. Operating expenses include general and administrative expenses in accordance with the Corporation's mission. All revenues and expenses not meeting these definitions are reported as non-operating revenues and expenses. Revenues are recognized when earned and expenses are recorded when the liability is incurred or an economic asset is used.

LDC is funded principally through grants from the Town of Union Community Development Block Grant Program (CDBG). LDC recognizes the grant funds from CDBG when received, which coincides with the disbursement of funds by LDC for various operation expenses and new loans.

LDC also receives revenue in the form of repayments on loans from the Urban Development Action Grant Program (UDAG) and grants from the Town of Union's (UDAG) program. Program income generated from CDBG and UDAG loans is recognized as revenue when received.

The Town of Union contributes office space to the LDC for its operations. The accompanying financial statements include amounts for this contributed service, which as of December 31, 2018 and 2017 was valued at approximately \$3,655 by management.

C. <u>Basis of Accounting and Presentation</u> - As a proprietary fund, the financial statements of the LDC have been prepared on the accrual basis of accounting and are presented utilizing an "economic resources" measurement focus as prescribed under the Governmental Accounting Standards Board (GASB) Codification of Governmental Accounting and Financial Reporting Standards Part II, Section P80, *Proprietary Fund Accounting and Financial Reporting*. The accounting objectives of this measurement focus are the determination of operating income, changes in net position (or cost recovery), financial position, and cash flows. All assets, deferred outflows of resources, liabilities, and deferred inflows of resources (whether current or noncurrent) associated with their activities are reported. Fund equity is classified as net position under the following components:

<u>Net Investment in Capital Assets</u> - Represents capital assets, including restricted capital assets, net of accumulated depreciation. The LDC has no capital assets as of December 31, 2018 and 2017.

<u>Restricted Net Position</u> - Represents net position with constraints placed on either their use by either (1) external groups such as creditors or laws or regulations of other governments; or by (2) law through constitutional provisions or enabling legislation. None of the LDC's restricted net position arise from endowments. For this reason, all restricted net position is considered expendable.

<u>Unrestricted Net Position</u> – Represents all other assets that do not meet the definition of net investment in capital assets or restricted net position.

It is the LDC's policy to first apply restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position is available.

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. <u>Federal Income Taxes</u> - The LDC is tax exempt under Section 501(c)(3) of the Internal Revenue Code. Accordingly, it is not liable for income taxes or federal unemployment insurance. The LDC files annual informational returns to the Internal Revenue Service (Form 990) and to New York State Department of Law (Office of the Attorney General) (CHAR500). The LDC has not been informed of any tax examinations by either the Internal Revenue Service or New York State.

E. <u>Cash and Cash Equivalents</u> - The LDC considers short-term, highly liquid investments with original maturities of three months or less to be cash equivalents.

F. <u>Compensated Absences</u> - The LDC utilizes employees of the Town of Union. The amount of compensated absences as of December 31, 2018 and 2017, represent unused vacation pay and sick leave as per the Town's personnel policy.

G. <u>Use of Estimates</u> - The preparation of financial statements in conformity with generally accepted accounting principles requires management to make 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 reporting period. Actual results could differ from those estimates.

H. <u>Reserve for Doubtful Loans</u> - The LDC follows the policy of providing currently for bad debts in order to maintain an adequate reserve for anticipated losses. Management anticipates certain loan receivables are doubtful as to collection and therefore, established a reserve for doubtful loans receivable of \$20,312 and \$22,479 as of December 31, 2018 and 2017 respectively. Accounts receivable is stated at the amount management expects to collect.

I. <u>Subsequent Events</u> - The LDC has evaluated events and transactions that occurred between January 1, 2019 and March 18, 2019, which is the date the financial statements were available to be issued, for possible disclosure and recognition in the accompanying financial statements.

NOTE 2 - LOANS RECEIVABLE

Loan Transactions are summarized as follows:

		2018	2017
Loans Receivable Balance, Beginning of Period	\$	1,175,194	\$ 1,056,436
Year Ended December 31, Activity:			
Loan Advances During the Year		-	340,000
Write-Offs		(2,914)	(45,373)
Principal Repayments	-	(180,372)	(175,869)
Loans Receivable Balance, End of the Period		991,908	1,175,194
Less: Reserve for Doubtful Loans		(20,312)	(22,479)
Less: Loans Receivable - Current Portion		(185,061)	 (188,704)
Loans Receivable - Noncurrent Portion	\$	786,535	\$ 964,011

NOTE 3 - CONCENTRATION OF CREDIT RISK

Financial instruments, which potentially subject the LDC to concentrations of credit risk, consist of deposits with a single financial institution, cash in excess of FDIC insurance, and loans receivable. The LDC generally places its cash and investments with quality financial institutions and collateralizes cash deposits in excess of FDIC coverage with obligations of the United States and its agencies.

Concentrations of credit risk with respect to loans receivable are limited due to the large number of loans and the dispersion across many different industries. Also, the LDC requires security to support the loans receivable.

NOTE 4 - COMMITMENTS AND CONTINGENCIES

The LDC has approved various development loan commitments as of December 31, 2018. Such commitments will be funded upon the satisfaction of all loan provisions by the applicants and the availability of funds at the time of closing the loans.

NOTE 5 - TOWN OF UNION AGREEMENT

The LDC has an agreement with the Town of Union, regarding the use of CDBG fund for various economic development programs. The original agreement was for the period October 1, 2014 through September 30, 2016. The terms of the agreement provided for an automatic renewal for two years unless either party gave 60 days' notice, prior to the expiration date, to the other of its desire to end the agreement. As neither party provided such notice, the agreement automatically renewed for the period October 1, 2016 through September 30, 2018.

Subsequent to December 31, 2018, but prior to the issuance of the auditor's report, both parties agreed to amend the terms such that the agreement continually renews every two years unless either party gives 60 days' notice, prior to the expiration date, to the other of its desire to end the agreement. Either party is able to terminate without cause upon 60 day written notice. Upon termination, all loans related to funds allocated by CDBG funds become the property of the Town of Union and the LDC shall assign to the Town related security interest.

NOTE 6 - FUNCTIONAL EXPENSES

	Program <u>Services</u>	Management and General		2018 <u>Total</u>
Salaries	\$ 49,895	\$ 31,956	\$	81,851
Administration Fees	-	6,638		6,638
Employee Benefits	10,173	8,605		18,778
Occupancy	-	3,655		3,655
Audit	-	3,700		3,700
Legal Fees	-	3,087		3,087
Provision for Loan Losses	 747		_	747
Total Operating Expenses	\$ 60,815	\$ 57,641	\$	118,456

The costs of providing program service and other activities have been summarized in the table above. Accordingly, certain costs have been allocated between program service, and management and general services based upon actual costs incurred within each area.

TOWN OF UNION LOCAL DEVELOPMENT CORPORATION SCHEDULE OF LOANS RECEIVABLE FOR THE YEAR ENDED DECEMBER 31, 2018

	Loan Principal	[Loan Principal
	Balance as of	<u>2018</u>	2018	Balance as of	
	<u>1/1/2018</u>	Advances Repayments W		Write-Offs	12/31/18
CDBG Loans:					
17 Kentucky Avenue, LLC	\$ 230,000	\$ -	\$ 11,287	\$ -	\$ 218,713
402 Airport Rd. Holding, LLC	56,830	-	2,320	-	54,510
500 North Street, LLC	35,881	-	7,579		28,302
Connolly Companies, LLC	90,495	H	8,970	1.551	81,525
Engineering Manufacturing Tech	108,738	-	63,261	-	45,477
Jewels of Java, LLC	40,624	<u>.</u>	-	-	40,624
Lopez-Edouard, Diane (Unforgettable Parties)	11,776	-	3,923	-	7,853
New Vision Industries, Inc.	115,956	-	13,357	-	102,599
Renaissance Realty & Management	28,417		7,443	120	20,974
Sonostics	171,429	-	6,940	(E)	164,489
Southern Tier Leasing, LLC	47,598	ц.	4,876	2	42,722
Southern Tier Technologies, LLC	47,500	-	5,069	-	42,431
T&M Enterprises of Broome County, NY Inc.	28,938	<u>~</u>	3,341		25,597
Subtotal CDBG Loans	1,014,182		138,366		875,816
UDAG - Façade Loans					
2719-2725 Plaza, LLC	33,360	-	8,170	-	25,190
Coco Mojo, LLC	4,333	-	1,419	2,914	-
Fast Eddies Café	1,413	-	1,413	-,	
Gobbo Enterprises, LLC	4,715		1,825	-	2,890
Sheric Holdings, LLC	14,358	-	7,179	-	7,179
Spathl Group	93,333	÷.	20,000	-	73,333
Taylor Irene Properties, LLC	9,500	-	2,000	-	7,500
Subtotal UDAG - Façade Loans	161,012		42,006	2,914	116,092
Total Loans	<u>\$ 1,175,194</u>	<u>\$</u>	\$ 180,372	<u>\$ 2,914</u>	991,908
Less: Reserve for Doubtful Loans					(20,312)
Less: Loans Receivable - Current Portion					(185,061)
Loans Receivable - Noncurrent Portion					\$ 786,535

Officers: Roy E. Fuller, CPA Angelo J. Gallo, CPA Richard A. Lynch, CPA John R. May. CPA* Kyle J. Miesfeldt, CPA Alan D. Piaker, CPA Jancen F. Schrann, CPA* Thomas F. Shanahan, CPA*

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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

Board of Directors Town of Union Local Development Corporation Endwell, New York

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Town of Union Local Development Corporation(a nonprofit organization), which comprise the statements of net position as of December 31, 2018 and 2017, and the related statements of activities and changes in net position, and cash flows for the years then ended, and the related notes to the financial statements, and have issued our report thereon dated March 18, 2019.

Internal Control Over Financial Reporting

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

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

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

Piaker & Lyons

To the Board of Directors Town of Union Local Development Corporation

Compliance and Other Matters

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

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the organization'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 organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

This report is intended solely for the information and use of management, the U.S. Department of Housing and Urban Development, others within the entity, the Board of Directors, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

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Binghamton, New York March 18, 2019 Officers: Roy E. Fuller, CPA Angelo J. Gallo, CPA Richard A. Lynch, CPA John R. May, CPA* Kyle J. Micsfeldt, CPA Alan D. Piaker, CPA Janeen F. Schrann, CPA* Thomas F. Shanahan, CPA*

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INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL

Board of Directors Town of Union Local Development Corporation Endwell, New York

We have audited management's assertion that Town of Union Local Development Corporation maintained effective internal control over financial reporting as of December 31, 2018 and 2017. The entity's management is responsible for maintaining effective internal control over financial reporting, and for its assertion of the effectiveness of internal control over financial reporting. Our responsibility is to express an opinion on management's assertion based on our examination.

We conducted our audit in accordance with attestation standards established by the American Institute of Certified Public Accountants. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether effective internal control over financial reporting was maintained in all material respects. Our audit included obtaining an understanding of internal control over financial reporting, assessing the risk that a material weakness exists, and testing and evaluating the design and operating effectiveness of internal control based on the assessed risk. Our audit also included performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion.

An entity's internal control over financial reporting is a process affected by those charged with governance, management, and other personnel, designed to provide reasonable assurance regarding the preparation of reliable financial statements in accordance with accounting principles generally accepted in the United States of America. An entity's internal control over financial reporting includes those policies and procedures that (1) pertain to the maintenance of records that, in a reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the entity, (2) provides reasonable assurance that transactions are recorded as necessary to permit preparation of financial statements in accordance with accounting principles generally accepted in the United States of America, and that receipts and expenditures of the entity are being made only in accordance with authorization of management and those charged with governance; and (3) provide reasonable assurance regarding prevention, or timely detection and correction of unauthorized acquisition, use, or disposition of the entity's assets that could have a material effect on the financial statements.

Because of its inherent limitations, internal control over financial reporting may not prevent, or detect and correct misstatements. Also, projections of any evaluation of effectiveness to future periods are subject to the risk that controls may become inadequate because of changes in conditions, or that the degree of compliance with the policies or procedures may deteriorate.

Piaker & Lyons

To the Board of Directors Town of Union Local Development Corporation

In our opinion, management's assertions that Town of Union Local Development Corporation maintained effective internal control over financial reporting as of December 31, 2018 and 2017 is fairly stated, in all material aspects.

We have audited, in accordance with auditing standards generally accepted in the United States of America, the basic financial statements of the authority and our report dated March 18, 2019 expressed an unmodified opinion.

This report is intended solely for the information and use of management, the U.S. Department of Housing and Urban Development, others within the entity, the Board of Directors, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Piaker & Lyons PC.

Binghamton, New York March 18, 2019