

*TOWN OF MALTA, NEW YORK*

*NYS DOT SINGLE AUDIT*

*DECEMBER 31, 2008*

**TOWN OF MALTA, NEW YORK**

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**REPORT ON COMPLIANCE AND CONTROLS OVER STATE TRANSPORTATION ASSISTANCE  
EXPENDED BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN  
ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

To the Town Supervisor and Members  
of the Town Board  
Town of Malta, New York

Compliance

We have audited the compliance of the Town of Malta, New York with the types of compliance requirements described in the preliminary Draft Part 43 of the New York State Codification of Rules and Regulations (NYCRR) that are applicable to each state of its major transportation assistance program tested for the year ended December 31, 2008. The programs tested are identified in the summary of audit results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each program tested is the responsibility of the Town of Malta's management. Our responsibility is to express an opinion on the Town of Malta's compliance based on our audit.

We conducted our audit of compliance in accordance with generally accepted auditing standards; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Draft Part 43 of NYCRR. Those standards and Draft Part 43 require that we plan and perform the audit to obtain reasonable assurance about whether non-compliance with the types of compliance requirements referred to above, that could have a direct and material effect on the state transportation assistance programs tested, has occurred. An audit includes examining, on a test basis, evidence about the Town of Malta's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the Town of Malta's compliance with those requirements.

In our opinion, the Town of Malta complied in all material respects with the requirements referred to above that are applicable to each of its state transportation assistance programs tested for the year ended December 31, 2008.

### Internal Control Over Compliance

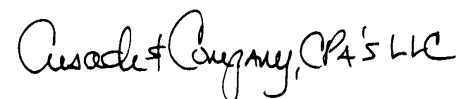
The management of the Town of Malta is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to state transportation assistance programs tested. In planning and performing our audit, we considered the Town of Malta's internal control over compliance with requirements that could have a direct and material effect on state transportation assistance programs tested in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, and to test and report on the internal control over compliance in accordance with Draft Part 43 of NYCRR.

Our consideration of the internal control over compliance would not necessarily disclose all matters in the internal control that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that non-compliance with applicable requirements of laws, regulations, contracts, and grants caused by error or fraud that would be material in relation to state transportation assistance programs tested, may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over compliance and its operation that we consider to be material weaknesses.

### Schedule of State Transportation Assistance Expended

We have audited the general purpose financial statements of the Town of Malta, New York as of December 31, 2008 and for the year then ended, and have issued our report thereon dated March 27, 2009. Our audit was performed for the purpose of forming an opinion on the Town of Malta's financial statements taken as a whole. The accompanying schedule of state transportation assistance expended for the year ended December 31, 2008 is presented for purposes of additional analysis as required by Draft Part 43 of NYCRR, and is not a required part of the general purpose financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the financial statements taken as a whole.

This report is intended solely for the information and use of the Town of Malta's management and the New York State Department of Transportation. However, this report is a matter of public record and its distribution is not limited.



**CUSACK & COMPANY, CPA'S LLC**

Latham, New York  
March 27, 2009

**TOWN OF MALTA, NEW YORK**  
*SCHEDULE OF STATE TRANSPORTATION ASSISTANCE EXPENDED*  
*FOR THE YEAR ENDED DECEMBER 31, 2008*

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<u>Program Title</u>	<u>NYS DOT Contract/ Reference Number</u>	<u>Expenditures</u>
Marchiselli/Dunning/Plains Roads	Pin #175749121/221	\$ 1,674
State Multi-Modal Program - Luther Forest Technology Park	Pin # 1MS155.30A	1,283,534
State Multi-Model Program Luther Forest Technology Park (Including retainage)	1ME034.30A	12,595,917
Legislative Initiative Project	Pin #1MB006	50,000
Consolidated Local Streets and Highway Improvements Program (CHIPS) - Capital Component	SFY 06-07	<u>68,572</u> <u>\$ 13,999,697</u>

**TOWN OF MALTA, NEW YORK**  
*NOTES TO SCHEDULE OF STATE TRANSPORTATION ASSISTANCE EXPENDED*  
*FOR THE YEAR ENDED DECEMBER 31, 2008*

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**1. General**

The accompanying Schedule of State Transportation Assistance Expended of the Town of Malta, New York presents the activity of all financial assistance programs provided by the New York State Department of Transportation.

**2. Basis of Accounting**

The accompanying Schedule of State Transportation Expended is presented using the accrual basis of accounting.

**TOWN OF MALTA, NEW YORK**  
*SCHEDULE OF FINDINGS AND QUESTIONED COSTS*  
*FOR THE YEAR ENDED DECEMBER 31, 2008*

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**Summary of Audit Results:**

Internal control over state transportation assistance expended:

- Material weakness(es) identified No
- Reportable condition(s) identified that are not considered to be material weaknesses(es)? None reported

Type of auditors' report issued on compliance for programs tested: Unqualified

Summary of Audit Findings: None reported

Identification of State Transportation Assistance Programs Tested:

Name:     State Multi-Modal  
                  Program - Luther Forest Tech Park

**Compliance Findings and Questioned Costs:**

No matters were identified