



**NEW JERSEY HIGHLANDS WATER  
PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

Financial Statements

June 30, 2009 and 2008

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

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## INDEPENDENT AUDITORS' REPORT

To the Commissioners of  
New Jersey Highlands Water Protection & Planning Council  
Directly Administered Funds

We have audited the accompanying financial statements of the directly administered funds of New Jersey Highlands Water Protection & Planning Council (the "Council") as of and for the years ended June 30, 2009 and 2008. These financial statements are the responsibility of the Council's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits 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 includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Council's internal control over financial reporting. Accordingly, we express no such opinion. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Council's directly administered funds as of June 30, 2009 and 2008, and the respective changes in financial position for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

- AN INDEPENDENTLY OWNED MEMBER OF THE RSM MCGILDRAY NETWORK
- AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
- NEW JERSEY SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
- NEW YORK SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
- PENNSYLVANIA INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
- AICPA'S PRIVATE COMPANIES PRACTICE SECTION
- AICPA'S CENTER FOR AUDIT QUALITY
- REGISTERED WITH THE PCAOB

## INDEPENDENT AUDITORS' REPORT (CONTINUED)

In accordance with *Government Auditing Standards*, we have also issued our report dated April 15, 2011 on our consideration of the Council's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts 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 on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis is not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

*Mercaderes, P.C.*  
*Certified Public Accountants*

April 15, 2011

# NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL DIRECTLY ADMINISTERED FUNDS

## MANAGEMENT'S DISCUSSION AND ANALYSIS

This section of the annual financial report for the New Jersey Highlands Water Protection & Planning Council (the "Council") presents our discussion and analysis of the Council's financial performance of directly administered funds during the fiscal year ended June 30, 2009. Please read it in conjunction with the Council's financial statements and accompanying notes.

### FINANCIAL HIGHLIGHTS

Current assets decreased by \$396,840 (or 21%)  
 Current liabilities decreased by \$3,134 (or 3%)  
 Revenues decreased by \$619,972 (or 49%)  
 Expenditures increased by \$49,504 (or 5%)  
 Net assets decreased by \$408,264 (or 21%)

### OVERVIEW OF THE FINANCIAL STATEMENTS

The annual financial report consists of two parts: Management's Discussion and Analysis (this section) and the basic financial statements, which consist of government-wide and governmental fund financial statements, which are linked by a reconciliation. The government-wide financial statements are prepared using the economic resources management focus and the accrual basis of accounting; the governmental fund financial statements are prepared using the current financial resources measurement focus and the modified accrual basis of accounting.

### FINANCIAL ANALYSIS OF THE COUNCIL

#### Balance Sheets

The following table summarizes the changes in the statements of net assets between June 30, 2009 and 2008. Explanations of significant changes follow the report:

	<u>June 30,</u>			<u>% Increase (Decrease)</u>
	<u>2009</u>	<u>2008</u>	<u>Difference</u>	
<b><u>ASSETS</u></b>				
Current assets				
Cash and cash equivalents	\$ 1,480,030	\$ 1,893,512	\$ (413,482)	(22)%
Due from State of NJ	353	353	-	-
Prepaid expenses	<u>25,133</u>	<u>8,491</u>	<u>16,642</u>	100 %
Total current assets	1,505,516	1,902,356	(396,840)	(21)%
Property and equipment, net of accumulated depreciation of \$233,529 (2009) and \$153,700 (2008)	<u>153,530</u>	<u>168,088</u>	<u>(14,558)</u>	(9)%
Total assets	<u>\$ 1,659,046</u>	<u>\$ 2,070,444</u>	<u>\$ (411,398)</u>	(20)%
<b><u>LIABILITY AND NET ASSETS</u></b>				
Liability				
Accounts payable	<u>\$ 116,376</u>	<u>\$ 119,510</u>	<u>\$ (3,134)</u>	(3)%
Total liability	<u>116,376</u>	<u>119,510</u>	<u>(3,134)</u>	(3)%
Net assets				
Restricted - Regional Master Plan	594,321	1,101,013	(506,692)	(46)%
Unrestricted	<u>948,349</u>	<u>849,921</u>	<u>98,428</u>	12 %
Total net assets	<u>1,542,670</u>	<u>1,950,934</u>	<u>(408,264)</u>	(21)%
Total liability and net assets	<u>\$ 1,659,046</u>	<u>\$ 2,070,444</u>	<u>\$ (411,398)</u>	(20)%

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

**FINANCIAL ANALYSIS OF THE COUNCIL (CONTINUED)**

*Current assets:* Cash and cash equivalents decreased by approximately 22%, or \$413,482, during fiscal year 2009, primarily due to an excess of expenditures over appropriations revenue.

*Liability:* Liabilities decreased by approximately 3%, or \$3,134. At the end of fiscal year 2009, payables were \$116,376 compared to \$119,510 at the end of fiscal year 2008, which includes outstanding obligations accrued at the end of the year.

Statements of Revenues, Expenses and Changes in Net Assets

The following table summarizes the changes in statements of revenues, expenses and changes in net assets between June 30, 2009 and 2008. Explanations of significant changes follow the report:

	<u>Year Ended June 30,</u>			<u>% Increase</u>
	<u>2009</u>	<u>2008</u>	<u>Difference</u>	<u>(Decrease)</u>
<b>Revenues</b>				
State appropriations - RMP	\$ -	\$ 500,000	\$ (500,000)	(100)%
State appropriations - operating	622,151	750,075	(127,924)	(17)%
Interest income	6,526	-	6,526	- %
Other	7,530	6,104	1,426	23 %
Total revenues	<u>636,207</u>	<u>1,256,179</u>	<u>(619,972)</u>	(49)%
<b>Expenditures</b>				
RMP expenditures	506,693	484,239	22,454	5 %
Administrative expenses	457,949	445,385	12,564	3 %
Provision for depreciation	79,829	65,343	14,486	22 %
Total expenditures	<u>1,044,471</u>	<u>994,967</u>	<u>49,504</u>	5 %
Change in net assets	<u>\$ (408,264)</u>	<u>\$ 261,212</u>	<u>\$ (669,476)</u>	(256)%

*Other revenues:* Other revenues increased by \$1,426 due to an increase in the fees charged for copies in response to Open Public Records Act ("OPRA") requests.

*Expenditures:* Expenditures increased by \$49,504 primarily due to an increase in expenditures dedicated to the Regional Master Plan ("RMP").

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**MANAGEMENT'S DISCUSSION AND ANALYSIS (CONTINUED)**

**CAPITAL ASSETS AND DEBT ADMINISTRATION**

**Capital Assets**

The Council's capital assets include computer equipment, furniture and leasehold improvements made to its facilities. Net capital assets decreased by \$14,558 during fiscal year 2009. The change in net capital assets includes the depreciation of the new and existing furniture and computer equipment. The following table summarizes the changes in capital assets between June 30, 2009 and 2008:

	<u>June 30,</u>			<u>% Increase (Decrease)</u>
	<u>2009</u>	<u>2008</u>	<u>Difference</u>	
Furniture	\$ 57,806	\$ 57,806	\$ -	- %
Computer equipment	305,393	242,785	62,608	26 %
Leasehold improvements	<u>23,860</u>	<u>21,197</u>	<u>2,663</u>	13 %
Total capital assets	387,059	321,788	65,271	20 %
Less: accumulated depreciation	<u>(233,529)</u>	<u>(153,700)</u>	<u>(79,829)</u>	52 %
Capital assets, net	<u>\$ 153,530</u>	<u>\$ 168,088</u>	<u>\$ (14,558)</u>	(9)%

**Capital Debt**

The Council's directly administered funds had no debt for the years ended June 30, 2009 and 2008.

**CONTACTING THE COUNCIL'S FINANCIAL MANAGEMENT**

This financial report is designed to provide New Jersey citizens, taxpayers and legislators with a general overview of the Council's finances for its directly administered funds and to demonstrate the Council's accountability for the appropriations and revenues that it receives. If you have questions about this report or need additional financial information, contact the Council at (908) 879-6737 or visit its website at: [www.highlands.state.nj.us](http://www.highlands.state.nj.us).

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**STATEMENT OF NET ASSETS AND GOVERNMENTAL FUNDS BALANCE SHEET**

June 30, 2009

	<u>Governmental Funds</u>	<u>Adjustments (Note E)</u>	<u>Statement of Net Assets</u>
<b>ASSETS</b>			
Cash and cash equivalents	\$ 1,480,030	\$ -	\$ 1,480,030
Due from State of New Jersey	-	353	353
Prepaid expenses	-	25,133	25,133
Property and equipment, net	<u>-</u>	<u>153,530</u>	<u>153,530</u>
Total Assets	<u>\$ 1,480,030</u>	<u>\$ 179,016</u>	<u>\$ 1,659,046</u>
<b>LIABILITY AND FUND BALANCE/NET ASSETS</b>			
<b>Liability</b>			
Accounts payable	<u>\$ 116,376</u>	<u>\$ -</u>	<u>\$ 116,376</u>
Total Liability	<u>116,376</u>	<u>-</u>	<u>116,376</u>
<b>Fund Balance/Net Assets</b>			
Restricted - Regional Master Plan	594,321	-	594,321
Unrestricted	<u>769,333</u>	<u>179,016</u>	<u>948,349</u>
Total Fund Balance/Net Assets	<u>1,363,654</u>	<u>179,016</u>	<u>1,542,670</u>
Total Liability and Fund Balance/Net Assets	<u>\$ 1,480,030</u>	<u>\$ 179,016</u>	<u>\$ 1,659,046</u>



**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**STATEMENT OF NET ASSETS AND GOVERNMENTAL FUNDS BALANCE SHEET**

June 30, 2008

	<u>Governmental Funds</u>	<u>Adjustments (Note E)</u>	<u>Statement of Net Assets</u>
<b>ASSETS</b>			
Cash and cash equivalents	\$ 1,893,512	\$ -	\$ 1,893,512
Due from State of New Jersey	-	353	353
Prepaid expenses	-	8,491	8,491
Property and equipment, net	<u>-</u>	<u>168,088</u>	<u>168,088</u>
Total Assets	<u>\$ 1,893,512</u>	<u>\$ 176,932</u>	<u>\$ 2,070,444</u>
<b>LIABILITY AND FUND BALANCE/NET ASSETS</b>			
<b>Liability</b>			
Accounts payable	<u>\$ 119,510</u>	<u>\$ -</u>	<u>\$ 119,510</u>
Total Liability	<u>119,510</u>	<u>-</u>	<u>119,510</u>
<b>Fund Balance/Net Assets</b>			
Restricted - Regional Master Plan	1,101,013	-	1,101,013
Unrestricted	<u>672,989</u>	<u>176,932</u>	<u>849,921</u>
Total Fund Balance/Net Assets	<u>1,774,002</u>	<u>176,932</u>	<u>1,950,934</u>
Total Liability and Fund Balance/Net Assets	<u>\$ 1,893,512</u>	<u>\$ 176,932</u>	<u>\$ 2,070,444</u>

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUNDS REVENUES,  
EXPENDITURES AND CHANGES IN FUND BALANCE/NET ASSETS**

Year Ended June 30, 2009

	<u>Governmental Funds</u>	<u>Adjustments (Note E)</u>	<u>Statement of Net Assets</u>
<b>Revenues</b>			
State appropriations - operating	\$ 622,151	\$ -	\$ 622,151
Interest income	6,526	-	6,526
Other	<u>7,530</u>	<u>-</u>	<u>7,530</u>
Total revenues	<u>636,207</u>	<u>-</u>	<u>636,207</u>
<b>Expenditures</b>			
Materials and supplies	38,367	-	38,367
Professional fees	26,000	-	26,000
Rent and utilities	216,183	-	216,183
Depreciation	-	79,829	79,829
Capital outlay	65,271	(65,271)	-
Other operating expenses	194,041	(16,642)	177,399
Regional Master Plan expenditures	<u>506,693</u>	<u>-</u>	<u>506,693</u>
Total expenditures	<u>1,046,555</u>	<u>(2,084)</u>	<u>1,044,471</u>
Change in fund balance/net assets	(410,348)	2,084	(408,264)
Fund balance/net assets, beginning of year	<u>1,774,002</u>	<u>176,932</u>	<u>1,950,934</u>
Fund balance/net assets, end of year	<u>\$ 1,363,654</u>	<u>\$ 179,016</u>	<u>\$ 1,542,670</u>

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS**

**STATEMENT OF ACTIVITIES AND GOVERNMENTAL FUNDS REVENUES, EXPENDITURES  
AND CHANGES IN FUND BALANCE/NET ASSETS**

Year Ended June 30, 2008

	<u>Governmental Funds</u>	<u>Adjustments (Note E)</u>	<u>Statement of Net Assets</u>
<b>Revenues</b>			
State appropriations - Regional Master Plan	\$ 500,000	\$ -	\$ 500,000
State appropriations - operating	750,075	-	750,075
Other	<u>6,104</u>	<u>-</u>	<u>6,104</u>
Total revenues	<u>1,256,179</u>	<u>-</u>	<u>1,256,179</u>
<b>Expenditures</b>			
Materials and supplies	46,126	-	46,126
Professional fees	13,000	-	13,000
Rent and utilities	221,002	-	221,002
Depreciation	-	65,343	65,343
Capital outlay	115,860	(115,860)	-
Other operating expenses	173,748	(8,491)	165,257
Regional Master Plan expenditures	<u>484,239</u>	<u>-</u>	<u>484,239</u>
Total expenditures	<u>1,053,975</u>	<u>(59,008)</u>	<u>994,967</u>
Change in fund balance/net assets	202,204	59,008	261,212
Fund balance/net assets, beginning of year	<u>1,571,798</u>	<u>117,924</u>	<u>1,689,722</u>
Fund balance/net assets, end of year	<u>\$ 1,774,002</u>	<u>\$ 176,932</u>	<u>\$ 1,950,934</u>

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS  
NOTES TO FINANCIAL STATEMENTS**

**A. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES**

**Nature of Activities**

New Jersey Highlands Water Protection & Planning Council (the "Council"), located in Chester, New Jersey, was created by the State of New Jersey (the "State") on November 30, 2004, pursuant to the Highlands Water Protection and Planning Act (the "Act") that preserves open space and protects the State's greatest diversity of natural resources including the precious water resources that supply drinking water to more than half of New Jersey's families. The Act documents the geographical boundary of the Highlands Region and establishes the Highlands Preservation Area and the Highlands Planning Area. The Council is charged with carrying out the provisions of the Act, including the development of a regional master plan for the Highlands Region. State appropriations fund all directly administered expenditures included in these financial statements. The Council's debt and certain other program related activities are only included in the State of New Jersey's financial statements.

**Significant Accounting Policies**

*Basis of Accounting*

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America as prescribed by the Governmental Accounting Standards Board ("GASB").

The accompanying financial statements include only the accounts and activity of the directly administered funds of the Council.

The basic financial statements consist of government-wide and governmental fund financial statements.

The Council combines government-wide and governmental fund financial statements, which are linked together by a reconciliation.

The government-wide financial statements are prepared using the economic resources measurement focus and the accrual basis of accounting. Revenues are recognized when earned, and expenditures are recognized when incurred.

The governmental fund financial statements are prepared using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recorded when measurable and available. Expenditures are recognized when the related liability is incurred.

*Cash Equivalents*

The Council considers all highly liquid debt instruments with original maturities of ninety days or less to be cash equivalents.

*Concentration of Risk*

The Council maintains cash balances which may exceed federally insured limits. It historically has not experienced any credit-related losses.

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS  
NOTES TO FINANCIAL STATEMENTS**

**A. NATURE OF ACTIVITIES AND SIGNIFICANT ACCOUNTING POLICIES  
(CONTINUED)**

**Significant Accounting Policies (continued)**

*Use of 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 the amounts reported in the financial statements and accompanying notes to the financial statements. Actual results could differ from those estimates.

*Due from State of New Jersey*

Amounts due from the State of New Jersey consist of appropriations receivable from the June 30, 2009 and 2008, State of New Jersey budgets, respectively.

*Property and Equipment*

Property and equipment are recorded at cost when purchased in the government-wide financial statements. Depreciation is computed by the straight-line method over the estimated useful lives of the assets, which are 3 years for computers and computer equipment, and 7 years for furniture and equipment. Leasehold improvements are depreciated over the lesser of the length of the related leases or the estimated useful lives of the assets. Property and equipment are expensed when purchased in the governmental fund financial statements. Repairs and maintenance which do not extend the useful lives of the related assets are expensed as incurred.

*Income Taxes*

As a public body, the Council is exempt from both federal and state taxes under existing statute.

**B. CASH AND CASH EQUIVALENTS**

Custodial credit risk for deposits is the risk that, in the event of the failure of a depository financial institution, a government will not be able to recover deposits that are in the possession of an outside party. The following is a summary of the Council's cash deposits by financial institution. The Council's deposits at TD Bank and Peapack-Gladstone Bank are insured by the Federal Deposit Insurance Corporation ("FDIC") up to \$250,000 and \$100,000 as of June 30, 2009 and 2008, respectively. In addition, the Council has entered into agreements with Peapack-Gladstone Bank and TD Bank to collateralize all deposits in excess of the FDIC insured limits.

	<u>June 30,</u>	
	<u>2009</u>	<u>2008</u>
Peapack-Gladstone Bank	\$ -	\$ 1,936,225
TD Bank	1,655,661	-
Less: FDIC insured deposits	250,000	100,000
Less: deposits collateralized by financial institution	<u>1,405,661</u>	<u>1,836,225</u>
Total deposits exposed to custodial credit risk	<u>\$ -</u>	<u>\$ -</u>
Total book balance of deposits	<u>\$ 1,480,030</u>	<u>\$ 1,893,512</u>

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS  
NOTES TO FINANCIAL STATEMENTS**

**C. RESTRICTED NET ASSETS**

Restricted net assets are available for the development of the Regional Master Plan. Restricted net assets amounted to \$594,321 and \$1,101,013 at June 30, 2009 and 2008, respectively.

**D. COMMITMENTS AND CONTINGENCIES**

The Council leases office space at 100 North Road in Chester, New Jersey under an operating lease that expired December 31, 2009. Effective January 1, 2010, the Council's lease agreement for its office space is automatically renewed on a month to month basis. Rent and utilities expenses under all leases was \$216,183 and \$221,002 for the years ended June 30, 2009 and 2008, respectively.

Future minimum lease payments under operating leases are as follows:

Year Ending June 30, 2010	<u>\$ 78,652</u>
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**E. ADJUSTMENTS - RECONCILIATION OF DIFFERENCES BETWEEN THE  
GOVERNMENTAL FUNDS AND GOVERNMENT-WIDE FINANCIAL STATEMENTS**

- (1) When capital assets that are to be used in governmental activities are purchased or constructed, the cost of those assets is reported as an expenditure in governmental funds. However, the statement of net assets includes those capital assets among the assets of the Council as a whole.

	<u>June 30,</u>	
	<u>2009</u>	<u>2008</u>
Leasehold improvements	\$ 23,860	\$ 21,197
Furniture and equipment	57,806	57,806
Computers and computer equipment	<u>305,393</u>	<u>242,785</u>
Total cost of property and equipment	387,059	321,788
Accumulated depreciation	<u>(233,529)</u>	<u>(153,700)</u>
Property and equipment, net	<u>\$ 153,530</u>	<u>\$ 168,088</u>
Capital outlay	<u>\$ 65,271</u>	<u>\$ 115,860</u>

- (2) Receivables from the State of New Jersey are not part of the Council's governmental fund activities because no portion of this balance is available for use by the Council at year end.

	<u>June 30,</u>	
	<u>2010</u>	<u>2009</u>
Due from State of New Jersey	<u>\$ 353</u>	<u>\$ 353</u>

- (3) Depreciation expense in the governmental fund (\$0 for both 2009 and 2008) differs from depreciation expense in the statement of activities (\$79,829 for 2009 and \$65,343 for 2008). The difference is a result of the long-term economic focus of the statement of activities versus the current financial resources focus of the governmental funds.

**NEW JERSEY HIGHLANDS WATER PROTECTION & PLANNING COUNCIL  
DIRECTLY ADMINISTERED FUNDS  
NOTES TO FINANCIAL STATEMENTS**

**F. SUBSEQUENT EVENTS**

Management has evaluated subsequent events that occurred after the statement of net assets date but before April 15, 2011, the date the financial statements were available to be issued. No items were determined by management to require disclosure.

**INDEPENDENT AUDITORS' 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***

To the Commissioners of  
New Jersey Highlands Water Protection & Planning Council  
Directly Administered Funds

We have audited the financial statements of the directly administered funds of New Jersey Highlands Water Protection & Planning Council (the "Council") as of and for the year ended June 30, 2009, and have issued our report thereon dated April 15, 2011. 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.

**Internal Control over Financial Reporting**

In planning and performing our audit, we considered the Council's internal control over financial reporting as a basis for designing our auditing procedures 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 Council's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Council's internal control over financial reporting.

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.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control over financial reporting that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

- AN INDEPENDENTLY OWNED MEMBER OF THE RSM MCGLADREY NETWORK
- AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
- NEW JERSEY SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
- NEW YORK SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS
- PENNSYLVANIA INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS
- AICPA'S PRIVATE COMPANIES PRACTICE SECTION
- AICPA'S CENTER FOR AUDIT QUALITY
- REGISTERED WITH THE PCAOB



INDEPENDENT AUDITORS' 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* (CONTINUED)

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Council's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations and contracts, noncompliance with which could have 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 opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of the Commissioners, the audit committee, management, and others within the Council and is not intended to be and should not be used by anyone other than these specified parties.

*Mercaderes, P.C.*  
*Certified Public Accountants*

April 15, 2011