

TOWN OF TEWKSBURY, MASSACHUSETTS

REPORTS ON FEDERAL AWARD PROGRAMS

FISCAL YEAR ENDED JUNE 30, 2012

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**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 Honorable Board of Selectmen
Town of Tewksbury, Massachusetts

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of Town of Tewksbury, Massachusetts, as of and for the year ended June 30, 2012, which collectively comprise the Town's basic financial statements and have issued our report thereon dated April 29, 2013. 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 Town of Tewksbury's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Town of Tewksbury's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Town'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 the 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 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.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Town of Tewksbury, Massachusetts' 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*.

We noted certain other matters that we reported to management of Town of Tewksbury, Massachusetts in a separate letter dated April 29, 2013.

This report is intended solely for the information and use of management of Town of Tewksbury, Massachusetts 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.

A handwritten signature in black ink that reads "Powers & Sullivan LLC". The signature is written in a cursive, flowing style.

April 29, 2013



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**REPORT ON COMPLIANCE WITH REQUIREMENTS THAT
COULD HAVE A DIRECT AND MATERIAL EFFECT ON EACH
MAJOR PROGRAM AND ON INTERNAL CONTROL OVER
COMPLIANCE IN ACCORDANCE WITH OMB CIRCULAR A-133**

To the Honorable Board of Selectmen
Town of Tewksbury, Massachusetts

Compliance

We have audited the compliance of the Town of Tewksbury, Massachusetts with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) Circular A-133 *Compliance Supplement* that could have a direct and material effect on each of the Town of Tewksbury's major federal programs for the fiscal year ended June 30, 2012. The Town of Tewksbury's major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts, and grants applicable to each of its major federal programs is the responsibility of the Town of Tewksbury, Massachusetts' management. Our responsibility is to express an opinion on the Town of Tewksbury, Massachusetts' compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the Town'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's compliance with those requirements.

In our opinion, the Town of Tewksbury, Massachusetts complied, in all material respects, with the requirements referred to above that could have a direct and material effect on each of its major federal programs for the fiscal year ended June 30, 2012.

Internal Control Over Compliance

Management of Town of Tewksbury, Massachusetts is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered Town of Tewksbury, Massachusetts' internal control over compliance with the requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Town of Tewksbury, Massachusetts internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis.

A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis.

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

This report is intended solely for the information and use of management of the Town of Tewksbury 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.

Schedule of Expenditures of Federal Awards

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Town of Tewksbury, Massachusetts, as of and for the fiscal year ended June 30, 2012, and have issued our report thereon dated April 29, 2013. Our audit was performed for the purpose of forming opinions on the financial statements that collectively comprise the Town of Tewksbury, Massachusetts' basic financial statements. The accompanying schedule of expenditures of federal awards is presented for purposes of additional analysis as required by OMB Circular A-133 and is not a required part of the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic 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 of management of the Town of Tewksbury, Massachusetts, 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.



April 29, 2013

SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS

FOR THE FISCAL YEAR ENDED JUNE 30, 2012

<u>Federal Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Expenditures</u>
U.S. DEPARTMENT OF AGRICULTURE:		
<u>Passed through Massachusetts Department of Elementary and Secondary Education:</u>		
Non-Cash Assistance (Commodities): National School Lunch Program	10.555	\$ 29,617
Cash Assistance: School Breakfast Program	10.553	3,562
National School Lunch Program	10.555	<u>239,834</u>
TOTAL AGRICULTURE		<u>273,013</u>
U.S. DEPARTMENT OF JUSTICE:		
<u>Passed through Massachusetts Department of Criminal Justice:</u>		
Bullet Proof Vest Partnership Program	16.607	<u>4,845</u>
NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION:		
<u>Passed through Massachusetts Department of Transportation:</u>		
State and Community Highway Safety	20.600	<u>6,272</u>
U.S. DEPARTMENT OF EDUCATION:		
<u>Passed through Massachusetts Department of Elementary and Secondary Education:</u>		
Title I Grants to Local Educational Agencies	84.010	150,761
Special Education Grants to States (IDEA, Part B)	84.027	871,052
Special Education Grants to States (IDEA, Part B, 611)	84.027A	6,755
Improving Teacher Quality State Grants	84.367	66,173
ARRA - Special Education Grants to States, Recovery Act	84.391	12,624
Education Jobs Fund	84.410	11,742
<u>Passed through Massachusetts Department of Early Education and Care:</u>		
Special Education Preschool Grants	84.173	23,781
ARRA - Special Education Preschool Grants, Recovery Act	84.392	<u>1,148</u>
TOTAL EDUCATION		<u>1,144,036</u>
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES:		
<u>Direct Program:</u>		
Centers for Disease Control and Prevention Investigations and Technical Assistance	93.283	<u>3,127</u>
SOCIAL SECURITY ADMINISTRATION:		
<u>Passed through Massachusetts Rehabilitation Commission:</u>		
Social Security Disability Insurance	96.001	<u>465</u>
U.S. DEPARTMENT OF HOMELAND SECURITY:		
<u>Direct Program:</u>		
Emergency Management Performance Grants (A)	97.042	10,978
<u>Passed through the Massachusetts Emergency Management Agency:</u>		
Disaster Grants - Public Assistance (Presidentially Declared Disasters)	97.036	<u>214,755</u>
TOTAL HOMELAND SECURITY		<u>225,733</u>
TOTAL		<u>\$ 1,657,491</u>

See notes to schedule of expenditures of federal awards.

Note 1 – Definition of Reporting Entity

The accompanying Schedule of Expenditures of Federal Awards presents the activity of all federal financial assistance programs of the Town of Tewksbury, Massachusetts. All federal financial assistance received directly from federal agencies as well as federal financial assistance passed through other governmental agencies is included on the schedule.

Note 2 – Significant Accounting Policies

The accounting and reporting policies of the Town of Tewksbury, Massachusetts are set forth below:

- (a) Basis of Presentation – The accompanying Schedule of Expenditures of Federal Awards is presented on the modified accrual basis of accounting. Accordingly, expenditures are recognized when the liability is incurred.
- (b) Cash Assistance – School Breakfast and Lunch Program – Program expenditures represent federal reimbursement for meals provided during the fiscal year.
- (c) Non-Cash Assistance (Commodities) – School Lunch Program – Program expenditures represent the value of donated foods received during the fiscal year.

Note 3 – Program Clusters

In accordance with Subpart A §.105 of OMB Circular No. A-133, *Audits of States, Local Governments and Non Profit Organizations*, certain programs have been clustered in determining major programs. The following represents the clustered programs:

<u>Name of Cluster/Program</u>	<u>CFDA Number</u>
Child Nutrition Cluster	
School Breakfast Program	10.553
National School Lunch Program	10.555
Special Education Cluster	
Special Education Grants to States (IDEA, Part B)	84.027
Special Education Grants to States (IDEA, Part B, 611)	84.027A
Special Education Preschool Grants	84.173
ARRA – Special Education Grants to States, Recovery Act	84.391
ARRA – Special Education Preschool Grants, Recovery Act	84.392

A. Summary of Auditors’ Results

1. The auditors’ report expresses an unqualified opinion on the basic financial statements of the Town of Tewksbury, Massachusetts.
2. No significant deficiencies relating to the audit of the basic financial statements are reported in the Report on Compliance and on Internal Control over Financial Reporting Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*.
3. No instances of noncompliance material to the financial statements of the Town of Tewksbury, Massachusetts, were disclosed during the audit.
4. No significant deficiencies relating to the audit of the major federal award programs are reported in the Report on Compliance with Requirements that could have a direct and material effect on each Major Program and on Internal Control Over Compliance in Accordance with OMB Circular A-133.
5. The auditors’ report on compliance for the major federal award programs for the Town of Tewksbury, Massachusetts, expresses an unqualified opinion.
6. There were no audit findings relative to the major federal award programs for the Town of Tewksbury, Massachusetts.
7. The programs tested as a major grants are:

<u>Program Title</u>	<u>CFDA Number</u>
Special Education Grants to States (IDEA, Part B)	84.027
Special Education Grants to States (IDEA, Part B, 611)	84.027A
Special Education Preschool Grants	84.173
ARRA – Special Education Grants to States, Recovery Act	84.391
ARRA – Special Education Preschool Grants, Recovery Act	84.392

8. The threshold for distinguishing Types A and B programs was \$300,000.
9. The Town of Tewksbury, Massachusetts was not determined to be a low-risk auditee.

B. Findings-Financial Statements Audit

None

C. Findings and Questioned Costs-Major Federal Award Programs

None

D. Summary Schedule of Prior Audit Findings**U.S. DEPARTMENT OF EDUCATION**

Special Education Grants to States (IDEA, Part B)	CFDA No. 84.027
Special Education Preschool Grants	CFDA No. 84.173
ARRA – Special Education Grants to States, Recovery Act	CFDA No. 84.391
ARRA – Special Education Preschool Grants, Recovery Act	CFDA No. 84.392
Education Job Fund	CFDA No. 84.410

2011-1: *Condition and Criteria:* OMB Circular A-87, “Cost Principles for State, Local and Indian Tribal Governments” requires grantees to maintain documentation of employee time and effort that has been charged to federal awards. If 100% of an employee’s salary is charged to a federal award, a grant recipient is required to maintain semi-annual certifications stating that 100% of the employee’s time was spent working on grant activities. If less than 100% of an employee’s salary is charged to a federal award, a grant recipient is required to maintain monthly personnel activity reports documenting 100% of the employee’s time.

Cause: The Town did not maintain semi-annual certifications or personnel activity reports for employee salaries charged to the grants.

Effect: The Town is not in compliance with the grant requirements.

Questioned Cost: Unknown.

Auditors’ Recommendation: We recommend that the Town implement procedures to comply with OMB Circular A-87, “Cost Principles for State, Local and Indian Tribal Governments”.

Status – Resolved. The Town has implemented procedures to comply with this requirement.

U.S. DEPARTMENT OF EDUCATION

Special Education Grants to States (IDEA, Part B)	CFDA No. 84.027
Special Education Preschool Grants	CFDA No. 84.173
ARRA – Special Education Grants to States, Recovery Act	CFDA No. 84.391
ARRA – Special Education Preschool Grants, Recovery Act	CFDA No. 84.392

2011-2: *Condition and Criteria:* The Town, through the School Department, was required to submit the final reports for each grant by October 31st annually, except for the ARRA-funded grants which are due by August 31st. The final financial reports for the grants under CFDA #'s 84.391 and 84.392 were filed subsequent to the due date in fiscal year 2010. The final financial report for the grant under CFDA # 84.027 was filed subsequent to the due date in fiscal year 2011.

Cause: Improper controls to ensure compliance with grants reporting requirements

Effect: The Town is not in compliance with grant regulations concerning the final report.

Questioned Cost: None.

Auditors' Recommendations: We recommend the Town review current policies and procedures to ensure that elements of the program grant agreements can be met in an efficient and timely manner.

Status – Resolved. The Town has implemented procedures to comply with this requirement.