# February 8, 2016 Town of Albion Regular Board Meeting

### Agenda:

- 1. Call Meeting to Order
- 2. Pledge of Allegiance
- 3. Exit Message
- 4. FYI: Remind residents to sign attendance sheet
- 5. Roll Call
- 6. Public Comment
- 7. Motion to approve the agenda
- 8. Motion to approve the minutes of the January 4<sup>th</sup> and 11<sup>th</sup> meetings.
- 9. Resolution to approve the vouchers
- 10. Motion to approve payment of the Health care bills in the amount of \$7,122.54
- 11. Municipal Deposit Resolution
- 12. Water Fund Audit
- 13. Town of Barre Water Contract
- 14. Resolution to approve review report of Town Clerk, Tax receiver and Court Clerk.
- 15. Resolution calling for public hearing to rescind Local Law #1 of 2014.
- 16. Games of chance/Bingo draft law
- 17. Executive Session



Date:		
Deposit Account(s):	all accounts except: 884002318,	
	8860002222, 8840016243, 8840006871	1

TIN/EIN: 16-6002167

# MUNICIPAL DEPOSIT RESOLUTION

1120	THE CERTAIN			SOLUTIO	T.A.
I,Sarah Basina		Town Clerk	, of the	Town of Albion	organiza
and existing under the law true copy of resolutions of present, on	of the State of New duly adopted by the E	York described herein Board of Directors of I	as "this corp	oration," hereby certify t	
"RESOLVED, that Firs depositary of this corpor	t Niagara Bank, N		in Buffalo, I	New York is designa	ited an authorize
		a ar athan is strome anti-	<i>t.</i>		
"FURTHER RESOLVED, account or accounts of this	s corporation with said	depository shall be sign	gned by any o	the payment of mone one of the following (title	y drawn against the & name):
Supervisor,	Matt Passare				
Deputy Supervisor	F. Richard Re	emley			
deposit shall be to the credit of "FURTHER RESOLVED, that the payment of money, or manual, rubber stamp, facsim without regard to the dispiterewith notwithstanding that officers, agent or agents of taccount of any such person or AUTHORIZED SIGNATUSignature	said depositary is heret any proceeds thereof, hile, or other mechanical ossition of any such item t such item may be paya this corporation, or such persons, officer or office	by directed to accept, and drawn on such according to a signature (by whomever nor any proceeds thereof able to the order of a per notems or any proceeds the ers, agent or agents with a Print Na	unt or accounts affixed) withor f. Further, said son whose sign hereof may be the depository of	when signed as required to ut limit as to amount, of depositary shall not be nature appears thereon or	by these resolutions be without inquiry, and be liable in connection of any other officers
		F. Rich	ard Remiey		
		***************************************			
N WITNESS WHEREOF, I	have hereunto subscr	ribed my signature on		*	Andrew wyg. How do to promote the same p
SEAL}		*			
		Sarah	Basinait	Marie Control of the	Town Clerk
		authorized to a	nder the powers act alone, the ce ow by another o	s conferred by the above re ertification of the resolutions officer.	esolutions is
		Confirmed:	N/A		
		John Hou.	Name		Title

TCB MDR B/00This order is binding upon the corporation until First Niegara Bank, N.A. is notified in writing of changes in authorizations affecting any accounts of the corporation and until new signatures are filed and recorded by the Bank.

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# TOWN OF ALBION, NEW YORK JUSTICE COURT, TOWN CLERK AND TAX COLLECTOR DEPARTMENTS

Independent Accountant's Report On Applying Agreed-Upon Procedures For the Year Ended December 31, 2015

### INDEPENDENT ACCOUNTANT'S REPORT ON APPLYING AGREED-UPON PROCEDURES

### January XX, 2016

To the Town Board of the Town of Albion, New York:

We have performed the procedures enumerated below, which were agreed to by the Town of Albion, New York (the Town) and the Town's Justice Court, Town Clerk, and Tax Collector Departments (collectively, the Departments) (the specified parties), solely to assist in evaluating the Town's and the Departments' compliance with Appendices D, E, and F of the Local Government Management Guide, Fiscal Oversight Responsibilities of the Governing Board, issued by the New York State Office of the State Comptroller for the period from January 1, 2015 - December 31, 2015. Management of the Town is responsible for the Town's and the Departments' compliance with those requirements. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of those parties specified in this report. Consequently, we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

Our procedure and finding is as follows:

#### Town Clerk, Tax Collector, and Town Justice

### Procedure #1

Based on inquiry of the Departments, complete the annual checklists provided by the New York State Office of the State Comptroller for the Town Clerk, Tax Collector, and Town Justice for the year ended December 31, 2015.

#### Finding

See Schedule A for documentation of Appendices D, E, and F. Procedure performed without exception.

We were not engaged to, and did not, conduct an audit, the objective of which would be the expression of an opinion on compliance with the above agreed upon procedures. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Town, the Town Board, New York State Office of the State Comptroller, and the Departments and is not intended to be and should not be used by anyone other than those specified parties.

### Appendix D - General Recordkeeping Requirements for Town Clerks continued

### Checklist for Review of Town Clerk's Records

Cash Receipts	YES	NO
Is the cash receipts journal up-to-date?		
Is the cash receipts journal maintained in a manner that identifies the date received, payer, purpose, and the amount either individually or totals referenced to subsidiary receipt records (e.g., water rents receipts register)?	Ø	
Are un-deposited cash receipts safeguarded?	V	
Are duplicate deposit slips kept?	d	D
Do deposit amounts agree with cash receipt amounts?	4	
Are deposits made timely (no later than the third business day after \$250 has been collected) and recorded up-to-date?	4	
Last Recorded Deposit: Date 4 16 Amount \$ 310.00		
Is the cash receipts journal totaled and summarized monthly?		

Cash Disbursements	YES	NO
Is the cash disbursements journal up-to-date?		
Is the cash disbursements journal maintained in a manner to identify amounts disbursed either individually or totals referenced to abstracts or payrolls?	<b>Y</b>	
Are pre-numbered checks used for all disbursements made by check?	2	
Are all checks signed by the town clerk?		
Are canceled checks or check images returned with bank statements and maintained on file?	V	
Are all unused checks properly controlled (blank check stock)?	2	
Are checks recorded up-to-date?	2	
Last Recorded Check: # 1397 Date 14 16 Amount \$67.50		

See accompanying Independent Accountant's Report on Applying Agreed-Upon Procedures.

Office of the State Comptroller

# Appendix D - General Recordkeeping Requirements for Town Clerks continued

Cash Reconciliations			YES	NO
Are bank accounts reconcile  By Whom? SARAH  Who Reviews/Verifie	ed? Basiwait How Often es Them? Saßa Stiff	n? MONTHUY	☑	
Is the bank reconciliation pe	rformed timely after the ba	nk statement is received?	<b>V</b>	
Last Bank l	Reconciliation for Each Bar	nk Account	1	
Bank Account 8840002318	Date Performed	Month Ending		
Are reconciliations documen			Ø	
Does the reconciled bank ba accounting records?	lance agree with the cash b	alance recorded in the		
Deposit Protection			YES	NO
Has the bank pledged adeque that exceed FDIC insurance.		otect town clerk deposits	<b>P</b>	
Accountability	(0)		YES	NO
Is accountability (what the t	own clerk owes) determined	d at the end of each month?	<b>4</b>	
Does the accountability amorecords?			V	
Are unissued licenses and p	ermits (e.g., dog licenses) s	afeguarded?	<b>V</b>	
Are revenues from town cle	rk fees comparable with the	ose of previous years?	<b>2</b>	
Financial Reporting			YES	NO
Are monthly reports and page				
Are monthly reports and page	yments made timely to othe	er agencies?	V	
Do reported amounts on modisbursements books?	nthly reports agree with car	sh receipts and		

# Appendix D - General Recordkeeping Requirements for Town Clerks continued

Receivables (if applicable, such as water rents)	YES	NO	
Are receivable control accounts maintained?			
Is there indication that the receivable control accounts are reconciled to the subsidiary records?	detail		
Comments and Conclusions			
			0.
			<b>O</b> .

### Receivables

• Per the Town Clerk, the Town does not have any receivables as they operate on a cash basis. Therefore this section of the checklist is not applicable.

# Appendix E - General Recordkeeping Requirements for Tax Collecting Officers continued

### Checklist for Review of Tax Collecting Officer's Records

Settlement	YES	NO
Is a copy of the collector's or receiver's settlement sheet available?		П
Have all settlement issues/concerns been adequately resolved?	<b>V</b>	
Bank Accounts	YES	NO
Last Bank Reconciliation for Each Bank Account:  Date Performed \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	ď	Q
Note: Tax collector's bank account balance should be \$0.00 at the <u>beginning</u> of the <u>collection</u> period		
Cash Receipts	YES	NO
Is the cash receipts journal maintained in a manner sufficient to identify the date received, payer, tax account number, tax amount, interest amount and other appropriate information?	☑′	
Are deposits identified?		
Are duplicate deposit slips kept?		
Do deposit amounts agree with cash receipt amounts?	V	
Are bank deposits timely or (for towns) within 24 hours of collection?	1	
Cash Disbursements	YES	NO
Are pre-numbered checks used for all disbursements other than petty cash?	$\square$	
Are all checks signed by the tax collector or receiver?	Ø	
Are canceled checks or check images returned with bank statements and maintained on file?	$\square$	
Deposit Protection	YES	NO
Has the bank pledged adequate, eligible securities to protect tax collector deposits that exceed FDIC insurance protection, when applicable?	<b>Y</b>	

See accompanying Independent Accountant's Report on Applying Agreed-Upon Procedures.

Office of the State Comptroller

# Appendix E - General Recordkeeping Requirements for Tax Collecting Officers continued

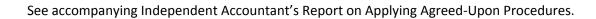
Financial Reporting	<u>YES</u>	NO
Are payments made at least weekly to the supervisor?	1	
Are receipt forms issued by the supervisor to acknowledge collection?	1	
Are payments made timely to the county treasurer?	<b>d</b>	
		A
Accountability	YES	<u>NO</u>
Are penalties assessed/collected on late payments?		
Is the total amount of penalties collected on overdue real property taxes comparable with that collected in previous year(s)? Do the amounts look reasonable?	V	
Is the tax collector or receiver treating his/her own tax bills properly, e.g., penalties, if required?	<b>\</b>	
Are interest earnings remitted to the supervisor and/or the county as appropriate? (Check county resolution for guidance.)	,	
Are there significant safeguards for the protection of assets and cash, such as a safe or locked file cabinet, offices with locks on the door, regular deposits of cash, etc.?		
Comments and Conclusions		

### **Bank Accounts**

• The Tax Collector's bank account maintains a minimum of \$100 in the account in order to keep the account open throughout the year.

### **Accountability**

Per the Tax Collector, the Town no longer receives interest earnings.



### Appendix F -

General Recordkeeping Requirements for Town and Village Justice Courts continued

### Checklist for Review of Justice Court Records

Cash Receipts	YES	NO
Is the cash receipts journal up-to-date?	<b>V</b>	
Is the cash receipts journal maintained in a manner that identifies the date received, payer, and the amount of fines, fees, bail, and/or other categories of collection?	D'	
Are pre-numbered receipt forms issued for all collections?	V	
Are duplicate receipt copies kept for court records?	4	
Are receipts recorded up-to-date?		
HORE Last Recorded Receipt: # 15124 Date 1/5/16 Amount 5/193 FULLER # 14832 1/6/16 4 125		
Are duplicate deposit slips kept for court records?	<b>\( \sigma \)</b>	
Do deposit amounts agree with cash receipt amounts?	7	
Are deposits made timely (within 72 hours of collection, exclusive of Sundays and holidays) and recorded up-to-date?  **Conclusive Sundays**  **Amount 5 213**  **Amount 5 213	<b>∀</b>	
FULER 12/30/15 \$1,153		
Are un-deposited cash receipts safeguarded?	9	
Is the cash receipts journal totaled and summarized monthly?	V	
	YES	N
Cash Disbursements	IES	11
Is the cash disbursements journal up-to-date?	W	
Is the cash disbursements journal maintained in a manner to identify individual amounts disbursed either individually or totals referenced to abstracts or payrolls?	<b>\( </b>	
Are pre-numbered checks used for all disbursements (other than petty cash)?	2	
Are all checks signed by the justice?	2	
Are canceled checks or check images returned with bank statements and maintained on file?	Image: Control of the	
Are all unused checks properly controlled (blank check stock)?	2	
Are checks recorded up-to-date?	1	I

See accompanying Independent Accountant's Report on Applying Agreed-Upon Procedures.

MURELast Recorded Check: # 1203 Date 12 15 15 Amount \$1,000 FULLER # 1214 11 25 15 \$ 500

### Appendix F -

### General Recordkeeping Requirements for Town and Village Justice Courts continued

Cash Reconciliations	YES	NO
Is the bank account reconciled after bank statements are received?	✓	
MONTH Last Bank Reconciliation for Each Bank Account:  MCORE Date Performed \\    5 \    16 \  Month Ending \    12 \  31 \    15 \    12 \  31 \    15 \    15 \    16 \    12 \    31 \      15 \		
Flucier 15/16 12/31/15		
Deposit Protection	YES	NO
Has the bank pledged adequate, eligible securities to protect court deposits that exceed FDIC insurance protection, if applicable?	⊻′	
Additional Supporting Records	YES	NO
Is a list of bail maintained?	V	
Is a record of uncollected installment payments maintained?		
Dockets and Case Files	YES	<u>NO</u>
Are separate dockets maintained for various classifications of cases, such as vehicle and traffic, criminal, civil, and small claims?	V	
Are case files maintained for all cases?	V	
Are indexes maintained for all cases?	$\checkmark$	
Do dockets for disposed cases appear to be complete?	V	
Do dockets for disposed cases agree with amounts reported?	✓	
Accountability	YES	NO
Is accountability (a comparison of cash to liabilities) determined at the end of each	Q'	
month?  Do liabilities (as recorded in the court's records) agree with net bank balances (as evidenced on monthly bank reconciliations) plus any cash on hand as of a specified date?	Ø	
Last Determination of Accountability:  Date Performed \( \frac{1}{5} \) \( \frac{16}{16} \) Month Ending \( \frac{12}{31} \) \( \frac{15}{15} \)		

## Appendix F -

### General Recordkeeping Requirements for Town and Village Justice Courts continued

Reports to Division of Criminal Justice Services	YES	NO
Are reports made timely to the Division of Criminal Justice Services?	1	
Has the court received any notices regarding late reporting?  If yes, why were reports late and what corrective actions were taken?		<b>7</b>
Reports to Justice Court Fund	YES	NO
Are monthly reports made timely to the Justice Court Fund?		
Do reported amounts agree with cash receipt and disbursement books?	7	H
Do reported amounts agree with docket dispositions and case files?  Last Report Submitted:  ORE Month Ending 12 31 15 Date 16 15 Amount 64,282  WER 12 31 15 VISIS #2,474		
Has the court received any notices regarding late reporting?  If yes, why were reports late and what corrective actions were taken?		
Reporting to Department of Motor Vehicles - TSLE&D Program	YES	NC
Is information reported timely to TSLE&D?		П
Are reports from TSLE&D to the court maintained and utilized?	V	
Last TSLE&D Report Available: Date NOVEMBER 2015		
How many cases are shown as pending in the last TSLE&D report? ≥ 110	<b>V</b>	
Is the number of pending cases reasonable?	V	
How many cases are shown as pending for more than 90 days?		
What actions have been taken to dispose of these cases?		
		-
Has the court received any notices regarding pending cases?  If yes, why were the cases pending and what corrective actions were taken, if any?		8

	requirements to	r Town and Villag	e Justice Cour	is conlinued
If yes, why were the rep	ports late and what c	orrective actions we	re taken?	
omments and Conclusion	ons.		1	
		XX		
	. 0	C		
	.101			
C				

### **Additional Supporting Records**

 The question asked is not applicable because the Court does not collect installment payments. Payees are allowed to pay an entire ticket/fine/etc., or they are not allowed to pay anything at all. If payees send in the wrong amount, the Court Clerk will return the money to them and request the exact amount owed. No exceptions.

### Reporting to Department of Motor Vehicles – TSLE&D Program

- The TSLE&D report used by the Court Clerk does not have the number of cases pending for more than 90 days reported as a separate item. The Court Clerk does receive a report documenting such information but it is only received once a year (in February).
- If cases are pending for an extended period of time, the Court will begin the process of applying the Scoff Law or issuing warrants.