

Fiscal Responsibility for Town Clerks

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NYS COMPTROLLER
THOMAS P. DiNAPOLI



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Financial Recordkeeping

- Receive Moneys
- Maintain Cash Book and Deposit Moneys
- Issue Receipts
- Tax Collection Duties
- Additional Items
- Prepare Monthly Reports
- Maintain a Debt Register
- Disbursements
- Petty Cash
- Perform Reconciliations
- Process Claims
- Internal Controls
- Safeguarding Assets

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Receive Moneys

- Marriage licenses
- Hunting/fishing licenses
- Birth/death certificates
- Dog licenses
- Garbage bags or tags
- Water/sewer rents
- Building permits
- Tax searches
- Many more ...
- Put money received in:
 - Cash Register or
 - Cash Drawer

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Maintain Accounting Records and Deposit Receipts

Town Law Article 3 Section 30 (1-a)

- Town Clerk:
 - Required to maintain a cash book
 - Enters money into cash book daily
 - Deposits intact
 - If receipts exceed \$250
 - Deposit by 3rd business day

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Issue Receipts

General Municipal Law § 99-b

- Receipt is required for collection of money
- Press-Numbered
- Duplicate
- Date - Name - Purpose
- Payment method
 - Cash - Check - Money Order - Credit Card

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Tax Collection Duties (if any)

Town Law § 35

- Towns:
 - Duplicate receipts
 - All money received
 - Deposit in 24 hours (we recommend using duplicate deposit slips)
 - Pay to Supervisor at least weekly
 - After warrant is satisfied, pay County Treasurer by 15th day of each month

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Additional Items

- For Tax Collections and Interest:
 - Interest Free - January 31
 - Postmark

Additional Items (cont'd)

- Dishonored Checks – GML, Section 85 allows for imposition of Service Charge up to \$20.

Additional Items (cont'd)

Credit Cards - GML §5b

- By local law, ordinance or resolution, Board designates officer to accept credit card payments for a specific purpose.
 - Real Property taxes
 - Water/Sewer payments
 - Permits, Licenses, etc.

Additional Items (cont'd)

Registrar's Fees - Public Health Law §4124, 4173

- Salaried:
 - Fees property of town – A1603
 - Monthly report and fees to CFO
- Unsalared:
 - Fees property of town – A1603
 - Claim for fees – A4020.4
 - \$.50 for each: birth certificate, death certificate, burial, removal or transit permit, report of fetal death.
 - \$10 for each birth/death certificate, certified transcript of birth/death, or for a certification of search for birth/death.*
 - Actual and necessary expenses.

Additional Items (cont'd)

Marriage Officer's Fees – Domestic Relations Law §14-c

- Board authorized officer (may or may not be Clerk) to solemnize marriages within town limits. Term to be set up to four years. May be removed at will by the Board with no cause necessary.
- Salaried:
 - Salary set by Board; no other compensation may be received.
- Unsalared:
 - If no salary set, may accept up to \$75 per marriage officiated, paid by or on behalf of the persons married.

Additional Items (cont'd)

Marriage Officer's Fees – Domestic Relations Law §14-a

- Town Clerk issue a marriage certificate fifteen days after receipt or return of the completed marriage license.
- The Board can fix a set fee not to exceed \$10 for the issuance of a marriage certificate. This fee is payable at the time of issuance of the marriage license.
- Corrections:
 - “To effectuate such correction and provide certified copies of the amended certificate, the town or city clerk shall be entitled to a fee not exceeding ten dollars to be fixed in the case of town clerks by the town board... The clerk shall forward a copy of such amended certificate to the commissioner of health.”

Reporting

- To the Supervisor
 - Submit report to Supervisor by 15th of following month.
 - Report should detail all fees and charges.
 - From cash receipts record.
- To Others
 - Marriage license fees – NYSDOH
 - 15th day of each month.
 - Hunting/fishing license fees – NYSDEC
 - 14th - 16th of each month depending on County name.
 - Dog licensing surcharge – Animal Population Control Fund
 - 5th day of each month.

Maintain Debt Register

Local Finance Law §163

Bonds and Note Register should include:

- Type and amount;
- Number of obligations in the issue;
- Interest rate;
- Date issued;
- Maturity dates;
- Payment schedule;
- Date of adoption of resolutions, if any, pursuant to which obligations are issued.

Disbursements

- Make all disbursements by check except for authorized petty cash payments.

Petty Cash Fund

Town Law §64(1-a)

- Maximum:
 - Receiver of Taxes: \$1,000
 - All Other Town Officers: \$500
- Reimburse Periodically
- Submit Claim
 - Materials
 - Supplies
 - Services

Petty Cash Fund

Replenish with voucher and supporting receipts.

Description	AC Code	Amount
Petty Cash Count		112.25
#2006-001 Rosalee (Receipt for Supplies)	A1330.4	\$48.75
#2006-003 Rosalee (Postage)		<u>\$39.00</u>
Petty Cash Fund	A210	\$200.00

Count and Prove Cash

- Daily – the sooner the better
- Reconcile cash – take back to original documents if necessary
- Discrepancies? – follow-up procedures
- Deposit intact

Deposit Intact

Description	Check No.	Amount
Twyla Jones	234789	\$25.98
Wendy Smith	10001	\$74.89
Connie Williams	2789	\$25.00
Lester Johnson	987435	\$175.06
The Pizza Shack	00013456951	\$1,325.42
Total Checks:		\$1,626.35
Cash		300.52
Total Deposit		\$1,926.87

Total Daily Collected Equals Total Deposited

Perform Reconciliations

- Reconcile Monthly
 - Bank Statement
 - Check Register/Cash Book
 - Liabilities

Bank Reconciliation

Balance per bank		\$2,500
Add: Deposits in transit	\$85	
Less: Checks not cleared	(\$175)	(\$90)
Adjusted bank balance:		\$2,410
Balance per cash book		\$2,468
Add: Interest earned	\$5	
Less: Dishonored checks	(\$43)	
Plus or minus: Book adjustments	(\$20)	(\$58)
Adjusted book balance:		\$2,410

Process Claims

Town Law §119

- Town Clerk's Statutory Responsibilities:
 - Consecutively number vouchers
 - Mark with date presented
 - Prepare abstract
 - Have available as a public record
 - Enter in the minutes

Please note the following:

- Post audit not required:
 - Payrolls
 - Indebtedness (principal and interest)
 - Contracts exceeding one year
 - Court-ordered payments
 - Retirement system payments
 - Can pay in advance of audit:
 - Public utility services
 - Postage
 - Freight and express charges
- Note: All such claims shall be presented at the next regular meeting for audit.

Claim Voucher

The image shows a 'Claim Voucher' form with several key sections highlighted by blue boxes and arrows:

- Appropriation Code (s):** Points to the 'APPROPRIATION CODE' field at the top right.
- Amount/Total:** Points to the 'TOTAL' row in the 'AMOUNTS' table.
- Itemized Description:** Points to the 'DESCRIPTION' column in the table.
- Departmental Approval:** Points to the 'DEPARTMENTAL APPROVAL' section at the bottom left.
- Claimant Certification (Optional):** Points to the 'CLAIMANT CERTIFICATION (OPTIONAL)' section at the bottom right.
- Audit Approval:** Points to the 'AUDIT APPROVAL' section at the bottom right.

What are Internal Controls?

- Any activities or procedures designed to provide reasonable assurance that operations are “going according to plan”.

Why are Internal Controls Important?

- Ensure compliance with laws, regulations, policies, and procedures
- Preserve integrity
- Increase public confidence
- Establish standards of performance
- Ensure objectives are met
- Reduce fraud opportunities

Safeguarding Assets

- Separate cash drawers
- Locked if unattended
- Use safe
- Frequent deposits
- Inventory of unused tags, licenses and permits
- Office (workspace)
- Duplicate receipts
- Check stock
- Inventory (bags)

Transaction Processing

- Computerized Accounting Systems
 - Who has access? Is it limited?
 - Individual usernames/ passwords
 - Are computer records safeguarded?
 - Back-ups performed
 - How do you manage access changes?
 - Is software supported?

A Breakdown in Controls?

- Waste or misuse of assets
- Inaccurate or incomplete information
- Embezzlement and theft

Questions?

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