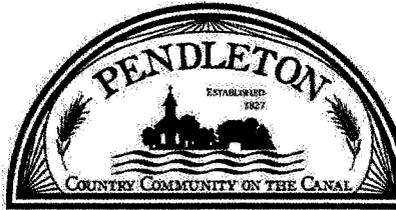


**TOWN OF PENDLETON**

6570 Campbell Boulevard  
Lockport, NY 14094



**Councilman Dylan Rumbold**

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Thursday, February 5, 2026

Supervisor Maerten and Town Board Members  
6570 Campbell Boulevard  
Lockport, NY 14094

RE: 2025 Audit for Town Clerk and for Tax Collecting Officer

This letter is to verify that the annual audit of the Town Clerk and Tax Collecting Officer was completed on January 16<sup>th</sup>, 2026. Guidance in preparing this audit was obtained from the Local Government Management Guide pertaining to the Fiscal Oversight Responsibilities of the Governing Board specifically, Appendix "D" and "E" which deals with General Recordkeeping Requirements for Town Clerks and Tax Collecting Officers respectively. This publication is made available by the New York State Comptroller's Office. All sections of both Appendix "D" and "E" were reviewed and verified.

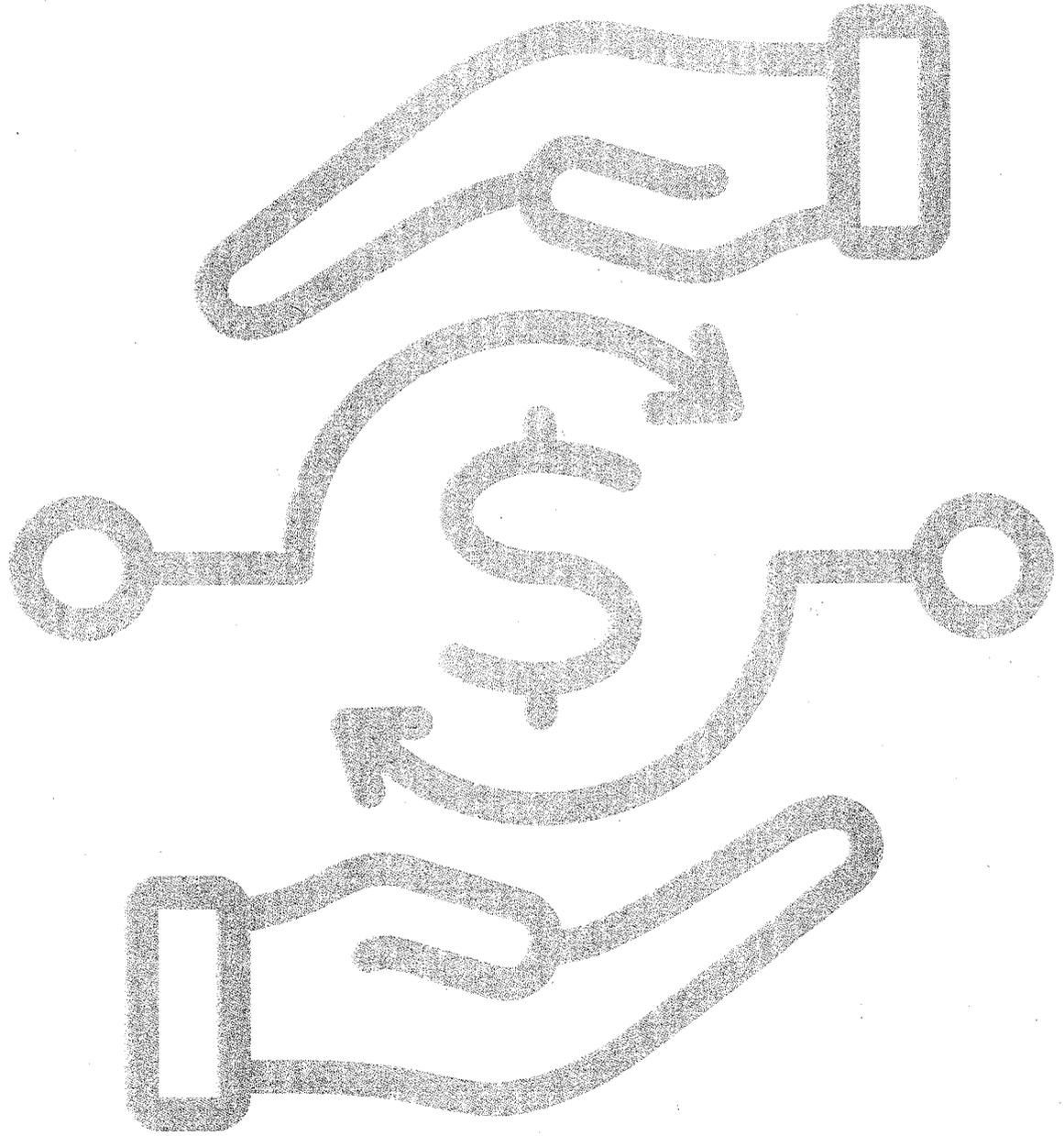
During the Town Clerk's audit it was found that the Town Clerk did not sign any checks. Upon further investigation I found that general payments made by check are often signed by the Supervisor or the Supervisor's Confidential Secretary. Additionally, while completing the Tax Collecting Officer's audit no cash receipt journal was found. Tax collection was recorded through other means such as an excel spreadsheet, but the details specified in Appendix "E" were not available. Finally, regarding tax payments to the Supervisor, it was documented that payments were not weekly but extended over multiple weeks. All other records pertaining to these audits are complete, accurate and in good order.

While some issues were discovered during the course of these audits I am confident that as our new Town Clerk settles into her role throughout the year these will be resolved. Unfortunately, we were unable to locate a previous Town Clerk and/or Tax Collecting Officer audit to use as an example. Only after the completion of the audit did I have an opportunity to review an example of a past Justice Court audit which provided additional documentation. For the next annual audit, I plan to improve this aspect by providing supporting documentation in my report.

Respectfully Submitted,

Councilman Dylan R. Rumbold  
Town of Pendleton, NY

# Fiscal Oversight Responsibilities of the Governing Board



Office of the New York  
**STATE COMPTROLLER**  
Thomas P. DiNapoli

Local Government and  
School Accountability

INTERNAL CONTROLS SERIES

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# Appendix D:

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## General Recordkeeping Requirements for Town Clerks

Adequate accounting records and effective procedures should be in place to account for and report town clerk financial activities properly. Some basic and essential recordkeeping and reporting procedures include the following:

1. Maintain a cashbook, which chronologically identifies all receipts and disbursements.
2. Make all disbursements by check, except as otherwise authorized by law, such as authorized petty cash disbursements.
3. Maintain official bank accounts in designated depositories.
4. Deposit all moneys received to official bank account no later than the third business day after \$250 has been collected (Town Law Section 30 [1-a]).
5. Perform a monthly reconciliation of cash with amount in the bank and related liabilities.
6. Prepare monthly reports and remit collections to the supervisor and agencies on a timely basis:
  - To the Town Supervisor – for fees and other moneys collected belonging to the town no later than the fifteenth day of each month following receipt (Town Law Section 27[1]).
  - To the New York State Department of Health – for marriage license fees on or before the fifteenth day of each month (Domestic Relations Law Section 15[3]).
  - To the New York State Department of Agriculture and Markets – Dog Licensing Unit and County Treasurer – for dog license fees on or before the fifth day of each month (Agriculture and Markets Law Section 111[1]).
  - To the New York State Department of Environmental Conservation (DEC) – for conservation (hunting/fishing) license fees as applicable via the DEC's automated system (Environmental Conservation Law Section 11-0713; 6 NYCRR Section 177.4).

The town clerk of certain towns may also serve as the tax-collecting officer (see Town Law Section 36). As collecting officer, the town clerk generally would be responsible for collecting both town real property taxes and county real property taxes that are levied within the town. A portion of the taxes collected (the amount levied by the town) is remitted to the town supervisor, and any residual amount is paid to the county treasurer (see Town Law Section 35). Because of some unique or additional legal requirements pertaining to tax collecting officers, a separate audit checklist has been developed for this portion of the clerk's functions.

# Appendix D:

## General Recordkeeping Requirements for Town Clerks

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

<u>Cash Receipts</u>	YES	NO
Is the cash receipts journal up-to-date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are un-deposited cash receipts safeguarded?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are duplicate deposit slips kept?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do deposit amounts agree with cash receipt amounts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are deposits made timely (no later than the third business day after \$250 has been collected) and recorded up-to-date?  Last Recorded Deposit: Date <u>1/14</u> Amount <u>\$209.00</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the cash receipts journal totaled and summarized monthly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<u>Cash Disbursements</u>	YES	NO
Is the cash disbursements journal up-to-date?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the cash disbursements journal maintained in a manner to identify amounts disbursed either individually or totals referenced to abstracts or payrolls?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are pre-numbered checks used for all disbursements made by check?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are all checks signed by the town clerk?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are canceled checks or check images returned with bank statements and maintained on file?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are all unused checks properly controlled (blank check stock)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are checks recorded up-to-date? 8713 Last Recorded Check: # <u>8712</u> DR Date <u>1/14</u> Amount <u>\$72.33</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Appendix D:

## General Recordkeeping Requirements for Town Clerks

<b>Cash Reconciliations</b>	<b>YES</b>	<b>NO</b>
Are bank accounts reconciled? <i>By Whom? Noreen Lemma How Often? At least monthly Who Reviews/Verifies Them? Claudia</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the bank reconciliation performed timely after the bank statement is received?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Last Bank Reconciliation for Each Bank Account</u>		
<u>Bank Account</u>	<u>Date Performed</u>	<u>Month Ending</u>
- 4998	12/5/2025	11/31/2025
- 4998	7/5/2025	6/30/2025
- 4840	9/5/2025	8/31/2025
- 5003	11/6/2025	10/31/2025
Are reconciliations documented and available for review?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the reconciled bank balance agree with the cash balance recorded in the accounting records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Deposit Protection</b>	<b>YES</b>	<b>NO</b>
Has the bank pledged adequate, eligible securities to protect town clerk deposits that exceed FDIC insurance, if applicable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Accountability</b>	<b>YES</b>	<b>NO</b>
Is accountability (what the town clerk owes) determined at the end of each month?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Does the accountability amount agree with the bank reconciliation and supporting records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are unissued licenses and permits (e.g., dog licenses) safeguarded?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are revenues from town clerk fees comparable with those of previous years?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Financial Reporting</b>	<b>YES</b>	<b>NO</b>
Are monthly reports and payments made timely to the supervisor?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are monthly reports and payments made timely to other agencies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do reported amounts on monthly reports agree with cash receipts and disbursements books?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Appendix D:

## General Recordkeeping Requirements for Town Clerks

<b>Receivables</b> (if applicable, such as water rents)	<b>YES</b>	<b>NO</b>
Are receivable control accounts maintained?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Is there indication that the receivable control accounts are reconciled to the detail subsidiary records?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Comments and Conclusions

Date: Jan 16, 2026

# Appendix E:

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## General Recordkeeping Requirements for Tax Collecting Officers

In order to accomplish their responsibilities and properly account for tax collections, collectors and receivers of taxes and assessments should, and in some cases must, comply with the following:

1. Maintain tax warrants, tax rolls, tax bills (statement of taxes due), and other documents relating to tax accounts.
2. Maintain a cashbook, which chronologically identifies all receipts and disbursements.
3. Maintain official bank accounts in designated depositories.
4. Issue acceptable receipt forms to acknowledge all moneys collected (tax bill and tax receipts are generally one document).
5. Deposit all moneys received in a timely manner.  
**For Towns Only:** Deposit to the appropriate bank account(s) within 24 hours of collection.
6. Make all disbursements by check except for authorized petty cash payments.
7. **For Towns Only:** Generally, remit tax collections to the supervisor at least once a week until payment in full of all moneys payable to him/her pursuant to the warrant have been made.
8. **For Towns Only:** After payment to the supervisor in full of all moneys payable to him/her pursuant to the warrant, remit additional tax collections, if any, to the county treasurer by the 15th day of the month following collection.
9. Prepare a list of unpaid taxes at expiration of the warrant, and complete settlement with the county treasurer, if applicable.

(See, generally, Town Law Section 35, pertaining to the powers and duties of collectors, and Town Law Section 37, pertaining to the powers and duties of receivers of taxes and assessments.)

## An Important Initial Step in the Audit Process for Tax Collectors and Receivers

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Following the tax collection period, the tax collector or receiver is required to account for or settle up real property taxes that the collector or receiver was responsible for collecting. The accounting is made to the county treasurer, and is considered an important and integral part of any audit and/or oversight process.

Before the town board audits the records of the tax collector or receiver, a copy of the settlement sheet should be obtained and reviewed. If necessary, inquiry should be made with the county treasurer to find out if there were any known problems or concerns with the collector's or receiver's records or accounting at the time of settlement.

Note: An audit of the tax collector or receiver could be done any time after settlement with the county treasurer. Once the collector or receiver has settled with the county, there should be no further activity and the bank account balance should be zero (unless the bank, at the time of opening the account, required a minimum amount to be held in the account).

# Appendix E:

## General Recordkeeping Requirements for Tax Collecting Officers

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

<b>Settlement</b>	<b>YES</b>	<b>NO</b>
Is a copy of the collector's or receiver's settlement sheet available?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Have all settlement issues/concerns been adequately resolved?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Bank Accounts</b>	<b>YES</b>	<b>NO</b>
Is the bank account reconciled after bank statements are received?  <i>Last Bank Reconciliation for Each Bank Account: Date Performed <u>4/4/25</u> Month Ending <u>3/31/25</u></i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Note:</b> Tax collector's bank account balance should be \$0.00 at the beginning of the collection period		

<b>Cash Receipts</b>	<b>YES</b>	<b>NO</b>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are deposits identified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are duplicate deposit slips kept?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do deposit amounts agree with cash receipt amounts?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are bank deposits timely or (for towns) within 24 hours of collection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Cash Disbursements</b>	<b>YES</b>	<b>NO</b>
Are pre-numbered checks used for all disbursements other than petty cash?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> <i>DR</i>
Are all checks signed by the tax collector or receiver?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are canceled checks or check images returned with bank statements and maintained on file?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Deposit Protection</b>	<b>YES</b>	<b>NO</b>
Has the bank pledged adequate, eligible securities to protect tax collector deposits that exceed FDIC insurance protection, when applicable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Appendix E:

## General Recordkeeping Requirements for Tax Collecting Officers

<b>Financial Reporting</b>	<b>YES</b>	<b>NO</b>
Are payments made at least weekly to the supervisor?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Are receipt forms issued by the supervisor to acknowledge collection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are payments made timely to the county treasurer?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<b>Accountability</b>	<b>YES</b>	<b>NO</b>
Are penalties assessed/collected on late payments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the tax collector or receiver treating his/her own tax bills properly, e.g., penalties, if required?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are interest earnings remitted to the supervisor and/or the county as appropriate? (Check county resolution for guidance.)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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.?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **Comments and Conclusions**

Date: Jan 16, 2026

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