

**CITY OF LOCKPORT**  
**CORPORATION PROCEEDINGS**

Lockport Municipal Building

Regular Meeting  
Official Record

July 15, 2015  
6:00 P.M.

Mayor Anne E. McCaffrey called the meeting to order.

**ROLL CALL**

The following Common Council members answered the roll call:

Aldermen Kibler, Lombardi, Mullane, Fogle, Schrader, and Genewick.

**INVOCATION**

**MAYOR'S UPDATE**

**RECESS**

Recess for public input.

**071515.1**

**APPROVAL OF MINUTES**

On motion of Alderman Kibler, seconded by Alderman Lombardi, the minutes of the Regular Meeting of July 1, 2015 and the Special Meeting of July 8, 2015 are hereby approved as printed in the Journal of Proceedings. Ayes 6. Carried.

**PUBLIC HEARING**

The Mayor announced a public hearing on a proposed local law to amend Section 90 of the Charter of the City of Lockport respecting General Duties of the Treasurer.

Recess for public input.

Alderman Genewick introduced "Local Law No. 1 of 2015 Position Paper" - an explanation for the purpose of Local Law #1 supported by the Mayor and the majority of the Common Council.

The Mayor asked the City Clerk if any petitions or communications relative to said Local Law have been received.

The Mayor closed the public hearing.

## FROM THE CITY CLERK

The Clerk submitted payrolls, bills for services and expenses, and reported that the Department Heads submitted reports of labor performed in their departments. Referred to the Finance Committee.

### **Communications** (which have been referred to the appropriate City officials)

6/30/15 Rev. Craig Campbell, Faith Tabernacle Church, 5676 Beattie Avenue, Lockport, NY – request permission to barricade a portion of Ontario Street for a “Neighborhood Appreciation Picnic” on Wednesday, July 22, 2015.  
Referred to the Committee of the Whole

7/6/15 Ecology and Environment, Inc., Buffalo Corporate Center, 368 Pleasant View Drive, Lancaster, NY – Riparian Owner/User notification letter for the use of an aquatic herbicide in Tonawanda Creek/Erie Canal.  
Referred to the Committee of the Whole

### **Notice of Defect:**

6/24/15 479 Hawley Street – tree  
7/7/15 49 West Remick Parkway – tree  
7/8/15 24 Nicholls Street – tree  
Referred to the Director of Streets and Parks

### **Notice of Claim:**

7/13/15 Joanne Ryder, 141 Windermere Road, Lockport, NY  
Referred to the Corporation Counsel

## **MOTIONS & RESOLUTIONS**

### **071515.2**

By Alderman Genewick:

Resolved, that the Mayor and City Clerk be authorized to issue orders in favor of the claimants for payrolls, bills, and services to be paid on July 17, 2015 as follows:

General Fund	Account #001	\$ 96,818.87
Water Fund	Account #002	\$ 21,356.02
Sewer Fund	Account #003	\$ 21,046.08
Refuse Fund	Account #012	\$ 92,037.24
Small Cities	Account #013	\$ 10,000.00
Payroll	Pay Date 7/9/15	\$ 512,091.34

Seconded by Alderman Kibler and adopted. Ayes 6.

**071515.3**

By Alderman Schrader:

Whereas, on May 27, 2015, the Common Council passed a resolution regarding an Emergency Declaration for a repair of CSO-8, and

Whereas, the cost for the concrete road base for the repair exceeded the 15% contingency amount by \$5,041.00, now therefore be it

Resolved, that resolution 052715.2 be amended to include said amount.

Seconded by Alderman Mullane and adopted. Ayes 6.

**071515.4**

By Alderman Kibler:

**WHEREAS**, in December 2013, the Office of the State Comptroller issued a Fiscal Stress Report that classified the City of Lockport as in moderate fiscal stress, and

**WHEREAS**, the Common Council and the Mayor created the position of Director of Finance to assist with the City with its financial affairs, and

**WHEREAS**, it is the desire of the Mayor and Common Council to retain the position of Treasurer in the Charter but limit certain powers and duties, and

**WHEREAS**, pursuant to Section C-10 of the City Charter the Treasurer is an elected officer, and

**WHEREAS**, pursuant to Section C-15 of the City Charter the salary of an elective officer may be changed by the Common Council in the month of July, preceding the general election at which candidates for such office are to be voted for, but at no other time, and such change in salary shall not become effective until the first day of January following such election, and

**WHEREAS**, in 2006 the salary of the Treasurer was \$45,000.

**NOW THEREFORE BE IT RESOLVED**, that the salary of the Treasurer shall be Fifty Five Thousand Dollars (\$55,000) per year effective January 1, 2016.

Seconded by Alderman Lombardi. A roll call vote was taken which resulted as follows:

Alderman Kibler	VOTING	YES
Alderman Lombardi	VOTING	YES
Alderman Mullane	VOTING	NO
Alderman Fogle	VOTING	YES
Alderman Schrader	VOTING	YES
Alderman Genewick	VOTING	YES

The resolution was thereupon declared duly adopted.

**071515.5**

By Alderman Fogle:

Resolved, that pursuant to their request, permission is hereby granted to Faith Tabernacle Church to barricade a portion of Ontario Street in front of the Community Garden on Wednesday, July 22, 2015, for a Neighborhood Appreciation Picnic, and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.6**

By Alderman Kibler:

City of Lockport

Local Law No. 1 of the year 2015

A local law amending Section 90 of the Charter of the City of Lockport respecting General Duties of the Treasurer.

Be it enacted by the Common Council of the City of Lockport as follows:

§ 1. Section 90 of Article V of the Charter of the City of Lockport (Chapter 870 of the Laws of 1911, as amended) is hereby further amended by deleting the same in its entirety and substituting therefor a new Section 90 to read as follows:

“Section 90. General Duties of the City Treasurer. It shall be their duty, personally, to receive all county, city and local taxes or assessments which may be paid at his office, and to retain there, and not elsewhere the possession of all warrants and assessment rolls which may from time to time be delivered to them by the Common Council and the Niagara County Legislature or by the Clerk of the city; they shall enter daily, in suitable books, the sum received by them for taxes or otherwise, with the name of the person on whose account and on what account the same is paid, and shall when required exhibit the same in their office to the Mayor, Director of Finance and Committee of Finances for inspection; they shall be the general custodian of and be responsible, with their surety, for all moneys, bonds, obligations or other evidence of debt belonging to said city; they shall receive all moneys belonging to the city and be responsible for all banking and investments in accordance with Common Council policies. They shall perform all the duties hereinafter mentioned in and pertaining to the collection of taxes and tax sales, and such other duties pertaining thereto and to the finances of the city as the Common Council may direct. All fees, percentages or interest moneys received by the Treasurer, including all interest moneys which they may receive for the use of moneys in their hands, shall be paid by them into the treasury of the city. They shall also be the collector of county taxes in said city.

§ 2. Sections 92 (L. 1911, c. 870; amended by L.L. No. 1-1960), 94 (L. 1911, c. 870), 95 (L. 1911, c. 870; amended by L. 1934, c. 53), 96 (L. 1911, c. 870), and 97 (L. 1911, c. 870) of Article V of the Charter of the City of Lockport are hereby deleted in their entirety.

§ 3. This local law shall be subject to a mandatory referendum and the City Clerk and the Corporation Counsel are hereby directed to submit a separate proposition respecting this local law for inclusion on the ballot in the 2015 General Election.

§ 4. This law shall take effect January 1, 2016 as provided by law following the referendum held as set forth in Section 3 above.

Seconded by Alderman Lombardi. A roll call vote was taken which resulted as follows:

Alderman Fogle	VOTING	YES
Alderman Genewick	VOTING	YES
Alderman Kibler	VOTING	YES
Alderman Lombardi	VOTING	YES
Alderman Mullane	VOTING	NO
Alderman Schrader	VOTING	YES

The local law was thereupon declared duly adopted.

**071515.7**

By Alderman Lombardi:

Resolved, that pursuant to their request, permission is hereby granted to Mills Jewelers to barricade a portion of the Main Street parking lot beginning Saturday, August 1, 2015 for the "Mural on Main Street" project, and be it further

Resolved, that the Director of Streets and Parks be and the same is hereby authorized and directed to arrange for delivery of barricades to said area prior to said event.

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.8**

By Alderman Schrader:

Resolved, that the Common Council does hereby amend Resolution #052015.5E to include additional language as required by the State of New York in relation to the Utility Work Agreement, Form HC-140, dated June 9, 2015, PIN 5812.79, for adjustment of a water valve box located at the East corner of the Main Street Bridge, with the State of New York, acting through the Commissioner of Transportation in connection with that particular project, to grant the State of New York authority to perform the adjustments for the City of Lockport and the City of Lockport agrees to maintain facilities adjusted via State-let contract.

Seconded by Alderman Mullane and adopted. Ayes 6.

**071515.8A**

By Alderman Schrader:

Whereas, the Water Maintenance Supervisor and the Assistant Director of Engineering have informed the Mayor that an 80 year old cast iron water main running east on Lincoln Avenue from Beattie Avenue has severe water leaks and is in need of replacement, and

Whereas, the Niagara County Department of Public Works is reconstructing Lincoln Avenue from Beattie Avenue to Akron Road and has a signed contract with Accadia Site Contracting, Inc. to perform all work involved in said reconstruction, and

Whereas, Accadia Site Contracting, Inc. has proposed the City to replace approximate 175 lineal feet of the old cast iron pipe with a 6 inch PVC pipe for a cost of \$31,200.00, and be it further

Resolved, that the Mayor, subject to Corporation Counsel approval, is hereby authorized and directed enter into contract with Accadia Site Contracting, Inc., 5636 Transit Road, Depew, New York 14043, to replace approximate 175 lineal feet of the cast iron water pipe with a 6 inch PVC water main, including all accessories and residence water connections to put the new line in service, for a cost of \$31,200 plus 10% of contingency to be charged to City Capital Improvements, be it further

Resolved, that the cost of project shall be bonded.

Seconded by Alderman Fogle and adopted. Ayes 6.

#### **071515.8B**

By Alderman Kibler:

Whereas, Lockport City Court is in the process of renovating the court room in the Municipal Building, and

Whereas, the Chief Building Inspector has determined that it would be beneficial to the City to sell the used chairs and supplies from the renovations as scrap rather than at public auction, now therefore be it

Resolved, that the Chief Building Inspector is hereby authorized and directed to sell the used chairs and supplies removed from the court room for scrap.

Seconded by Alderman Lombardi and adopted. Ayes 6.

By Alderman Kibler:

Resolved, that the reading of the foregoing resolution be and the same is hereby waived.

Seconded by Alderman Fogle and adopted. Ayes 6.

#### **071515.8C**

By Alderman Genewick:

Whereas, the Finance Committee has reviewed policies that were prepared by the Director of Finance relating to Budget Modification, Preparation and Management of the Petty Cash and Change Fund Accounts, and Cash Management and Handling at their July 1, 2015 meeting, and

Whereas, the Finance Committee has unanimously agreed that said polices be adopted by the Common Council, now therefore be it

Resolved, that the following polices be adopted:

### **City of Lockport**

#### **Policy and Procedures Budget Modifications**

#### **1. Purpose:**

To provide for appropriate budgetary controls and to promote the effective, efficient and economical management of appropriated funds.

**2. Policy:**

It is the policy of City of Lockport that all modifications of the adopted budget, both appropriation and revenue accounts, shall be requested consistent with the procedures contained herein and shall utilize the standard Adopted Budget Modification Request. The level of authorization required is contingent upon the amounts and accounts involved, as detailed herein. These procedures shall apply to a transfer of funds, an increase in appropriations and revenues, and establishment of new accounts. In all instances said requested modifications shall maintain a balanced budget.

**3. Procedure:**

1. The Adopted Budget Modification Request (ABMR) attached hereto and made a part of this policy, shall be prepared for all transfers of funds and adjustments to the adopted budget.
2. All ABMR's shall be typewritten and completed with all the required information. The ABMR shall reflect the department and action requested; transfer of funds, increases in appropriations and revenues, and/or the establishment of new accounts.
3. The ABMR shall contain an explanation and justification of the action requested. It shall contain sufficient detail to provide an adequate understanding and discussion of the requested action.
4. When completing the ABMR the account numbers and account descriptions contained in the Chart of Accounts shall be utilized. All dollar amounts shall be reflected as whole dollars, cents are not used in this format. Account numbers, descriptions and amounts transferred "From" shall be on a separate line from the accounts being transferred "To." The amounts reflected as the "From" account shall be in parenthesis to indicate this is a withdrawal from the respective account. All transactions shall maintain a balanced budget.
5. The ABMR shall reflect the level of authorization being requested. The following levels of authorization are applicable:

A. Up to \$25,000:

The Director of Finance and Administration shall have the authorization:

- 1) To approve requests for the transfer of funds, not to exceed \$25,000, within and between the contractual, capital, and benefit expense items of a department budget, including the creation of new line items, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.

- 2) To approve requests for the transfer of funds, not to exceed \$25,000, within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

B. Up to \$50,000:

The Director of Finance and Administration, with the concurrence of the Mayor shall have the authorization:

- 1) To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within and between the equipment and contractual areas of the department budget, including the creation of new line items, provided said administrative transfers do not exceed total appropriations for the departmental budget as adopted or amended by the City Council.
- 2) To approve requests for the transfer of funds which exceed \$25,000 but are less than \$50,000 within the Personal Services account or from Personal Services to Equipment and Contractual, provided said authority is further limited to modifications for temporary, overtime and/or shift differential appropriations, which shall not result in the creation of permanent full time or part-time positions.

C. Other –Finance Committee and City Council Approval needed:

City Council approval shall be required for all other budget amendments to include the following:

- 1) Requests which provide for the transfer of funds between funds or departments shall be subject to a Resolution approved by the Finance Committee and City Council.

In all instances, there shall be no splitting of transfer amounts to avoid the next level of authorization.

6. Upon completion of the ABMR the authorization process shall be contingent upon the required level of authorization. The process shall be:
  - A. Department head's review and recommendation.
  - B. Director of Finance and Administration's review, recommendation and authorization.
  - C. Mayor's review and recommendation, when applicable.
  - C. Finance Committee's review and recommendation, when applicable.
  - D. City Council's review and authorization, when applicable.

7. Upon securing the necessary authorization, the Director of Finance and Administration shall initiate the authorized transaction and make the approved modifications to the adopted budget and accounting system within five (5) business days.
8. All budget modifications and transfers shall be reported to the Finance Committee following the end of each quarter.
9. Any questions relative to the intent or clarification of the policy and procedures contained herein shall be subject to a determination of the Mayor, Finance Committee or the City Council, if determined to be necessary and appropriate.

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**Policy, Procedures and Instructions  
for the Preparation and Management of the  
Petty Cash and Change Fund Accounts**

**1. Purpose and Intent.**

A petty cash fund is established through an advance of funds by the Treasurer's Office. Departments can seek approval to establish a petty cash fund to make change during cash transactions and/or to handle small, unanticipated purchases from vendors when immediate payment is required and the formal City purchasing and billing procedures are impractical or cannot be used.

Petty cash must not be used to pay vendors when a Purchase Order or Electronic Payment can be used. All Petty Cash purchases and reimbursements must adhere to the City of Lockport Purchasing Policies and Procedures

**2. Types of Petty Cash Funds.**

1. **Change Fund:** established for the sole purpose of making change for customers. The authorized amount should not exceed what is needed to support required cash drawers.
2. **General Petty Cash Fund:** established for departmental use for emergency purchases where alternative means (e.g. Purchase Orders) are not feasible. The authorized amount will be limited to one month's purchases.

**3. Procedures:**

**1. Establishing a Petty Cash Fund (excluding Research Participant Fund):**

To establish a petty cash fund, a requesting department must complete and submit to the Treasurer's Office the "Application for Petty Cash/Change Fund" form and a letter of explanation addressing the need for the fund, including an

analysis justifying the dollar amount requested. Upon approval, the Treasurer's Office will make arrangements to prepare a check payable to the petty cash or change fund custodian. This initial issue is not charged to your departmental expense account, but is maintained as part of the overall petty cash account of the Treasurer's Office. The fund must remain intact either in cash or in cash and authorized receipts purchases.

*The custodian must be a full-time employee of the City of Lockport. The custodian must accept personal responsibility for the safety, proper usage and return of the funds entrusted. In rare circumstances the actual handling of the funds may be delegated but the responsibility of the funds remains with the custodian.*

The form must be signed by the custodian and Department Head and the Director of Finance as reconciler of the funds (Reconciler). The form must be completed in its entirety to be processed.

## **2. Operating a Fund; Custodian Responsibilities:**

The custodian of the fund is fully responsible for the safekeeping of the fund and for its proper usage. The custodian must exercise caution in the administration and protection of the fund in their position. Access to the fund should be limited to the petty cash custodian. Petty cash funds must not be commingled with any other funds (including but not limited to personal funds) or used for any purpose than requested on the application. Any discrepancies in the fund are the responsibility of the custodian and/or Department Head that approved the request. It is the responsibility of the custodian to follow current City policies and procedures in maintaining the petty cash fund. The funds should be in a locked office safe, file safe or reinforced lockable file or desk with padlock that secures all drawers at all times and the key should be kept in the custodian's possession. At no time should the funds be left in unlocked desk drawers or cabinets. Receipts should be logged and maintained as the expenses occur. Receipts should be submitted to the Accounts Payable Department in a timely manner. When submitting expenses for reimbursement please be aware that the vendor name on the check request should be listed 'Your Name, Petty Cash Custodian'.

## **3. Reimbursements:**

Checks based on expense accounting (or ACH transactions to petty cash account) are used to replenish the petty cash fund. This avoids the need to request additional amounts from the Treasurer's Office. Excess funds should be returned to the Treasurer's Office to reduce the outstanding balance.

## **4. Loss of Theft of Funds:**

If a loss or theft occurs such loss must be refunded to the City of Lockport. Loss from negligence will be the custodian's personal responsibility. Any overage and shortage should be reported to the Director of Finance and the Treasurer's Office immediately. All petty cash funds must be reimbursed at fiscal year-end or the end of the purpose for which the fund was established.

**5. Reconciling a Fund - Reconciler Responsibilities:**

A monthly reconciliation is required for all petty cash accounts. These reconciliations should be independently reviewed. Both reconciler and reviewer should sign off on the reconciliation. The total of all paid receipts, reimbursements in transit and cash on hand must agree with the authorized amount of the funds at all times. Signed reconciliations are required to be turned into the Treasurer's Office 2 times per year (July and January) although upon the request of the Treasurer's Office they may be requested throughout the year. The appropriate "City of Lockport Petty Cash Fund Reconciliation" form must be used in the reconciling process.

**6. Modifying a Fund:**

**a. Change of custodian:**

When changing the custodian, a reconciliation of the fund must be provided to the Treasurer's Office. This must be reviewed and signed by the current custodian and the Department Head and the Director of Finance. A new "Application for Petty Cash or Change Fund" establishing the new custodian must be completed and submitted to the Treasurer's Office and Director of Finance for approval.

**b. Request for increase in fund:**

To increase a petty cash fund, a new "Application for Petty Cash or Change Fund" must be completed and submitted to the Treasurer's Office along with a letter of explanation addressing the need for the increase in the fund, including an analysis justifying the dollar amount requested.

**7. Closing a Fund:**

The custodian should fully reimburse the fund by submitting all receipts to the Accounts Payable Department for reimbursement. All upfront and excess funds need to be returned directly to the Treasurer's Office. All reconciliation procedures will still apply.

**8. Audit of a Fund:**

Petty Cash funds must be made available upon request of the Director of Finance and external auditors who will make periodic audits to aid the department in proper handling of the funds.

**9. Misuse of Petty Cash Funds:**

Petty cash funds must not be commingled with any other funds (including but not limited to personal funds) or used for any purpose than requested on the application. Any person, including but not limited to a supervisor, who knowingly assists another person in violating this policy will be subject to disciplinary

measures and may face criminal charges and penalties. Violations of this policy shall include the submission of fraudulent requests for expense reimbursement.

**Forms/Instructions:**

Application for Petty Cash or Change Funds;  
Itemized Use of Petty Cash Register  
Master Petty Cash Reimbursement Request;  
City of Lockport Petty Cash Fund Reconciliation..

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**Policy and Procedure  
Cash Management and Handling**

**1. Authority.**

The City Treasurer of the City of Lockport shall be responsible for the day to day handling and management of all funds received and expended on behalf of the City. The Director of Finance shall retain the primary role in overseeing the handling of and accounting for City funds and shall have the authority to promulgate rules and regulations not inconsistent with this policy.

**2. Purpose and Intent.**

All Departments involved in the collection or handling of funds in connection with the conduct of official City business shall be subject to regulations and procedures which in every reasonable way provide for full accountability and control so as to insure the security and safeguarding of those funds. Departments and Offices which have responsibility for directly collecting, handling or disbursing funds shall perform this responsibility within a uniform set of regulations and procedures and in doing so shall be subject to appropriate oversight and audit.

**3. Policy and Procedures.**

**3.1 Collection of City Fees and Payments.**

Department Heads shall be responsible for the collection of fees and payments due to the City either as a result of goods or services delivered or provided by their department or pursuant to that department's other duly authorized or designated governmental responsibility. City fees and payments collected shall be at rates established by law or regulation, as provided for in duly authorized contracts or as otherwise established by the City Council.

Unless otherwise prescribed by law or regulation, payment for goods or services delivered by a department for which a fee is collectable shall generally be due upon delivery of the good or service. In the event that collection of a fee or payment shall not

be appropriate at the time of delivery of the good or service, the department shall promptly issue invoices or bills for such goods or services. Except as otherwise approved in writing by the Director of Finance, invoices or bills shall be issued on at least a monthly basis and shall be in a form approved by the Director of Finance. Where possible, departments shall issue invoices and bills on a more frequent basis. Invoices and bills shall instruct that checks shall be made payable to the "City of Lockport".

The City Attorney's Office shall provide legal assistance to a department necessary to enforce collection of delinquent payment of bills and invoices issued by a department.

The Director of Finance shall be notified at the close of each fiscal year in writing as to the amount of and status of invoices or bills issued and outstanding. The Director of Finance may require that such information be provided on a more frequent basis when appropriate for accounting purposes.

### 3.2 Fees and Payments Collected and Held on Behalf of Others.

In cases where funds collected in the form of fees or payments are to be held by the City on behalf of another government agency or private concern pursuant to the provisions of State or Federal statutes or regulations or pursuant to a court order, such funds shall be collected, handled, accounted for and disbursed in accordance with the requirements of such statutes, regulations or court order. To the extent that this policy does not conflict with such statutes, regulations or court order, such funds shall be collected, handled, accounted for and disbursed in accordance with this policy.

### 3.3 Form of Payment.

Department heads shall accept as payment of funds owed to the City as provided in Section 1, either cash, check or other warrant except as provided in Section 7 herein. All checks and warrants which provide for payment of funds owed to the City shall be made payable to the "City of Lockport."

### 3.4 Receipts to be Provided, Restrictive Endorsement.

Departments collecting funds on behalf of the City or another government agency, or holding funds in custody for a private concern shall provide written or mechanically generated receipts for all fees collected or monies otherwise received when such fees or monies are in the form of cash or when requested by the paying party. Written receipts shall be preprinted and numbered and shall be issued in numerical order. Copies of all receipts issued shall be kept on file in the office of the collecting department.

All checks or warrants received shall be restrictively endorsed immediately upon receipt by the collecting department. Checks or warrants shall be restrictively endorsed by the collecting department as follows: "For Deposit Only, City of Lockport."

### 3.5 Handling and Accounting for Funds Collected

Departments collecting or receiving monies on behalf of the City, or otherwise collecting funds in accordance with this section shall maintain a system of record keeping and

internal controls which shall fully account for funds received and shall provide a system to properly secure such funds until released from the custody of the Department.

### 3.6 Payment and Deposit of City Funds Collected.

#### A. Daily Payment of City Funds Collected to City Treasurer.

Except as provided in paragraph B, City funds in the form of fees collected or payments otherwise received shall be paid over to the City Treasurer for the City of Lockport on a daily basis. Each time monies are paid over they shall be accompanied by a statement, on a form prescribed by the Director of Finance, signed by the Department Head or their designee identifying the general source of the funds, identifying the period of time during which the funds were collected and certifying that the amount of funds turned over represent all such funds collected during the specified time period. Upon receiving City funds from the Department, the City Treasurer's Office shall provide an appropriate receipt therefore.

#### B. Temporary Holding and Deposit of City Funds Collected

Written approval from the Director of Finance must be obtained in cases where daily delivery or payment to the City Treasurer of City funds collected is not practical or is prohibited by law or regulation (as determined by the Director of Finance

### 3.7 Checks Returned for Insufficient Funds.

Checks which comprise City funds paid over to a department which are returned for insufficient funds shall be subject to a service charge as determined by the Director of Finance. In cases where a party has previously tendered payment by check or warrant which has been returned for insufficient funds, the department may require that future payments from such party shall be made in cash or by certified check.

### 3.8 Refunds of City Fees and Payments Erroneously Collected.

Refunds of fees or monies erroneously collected on behalf of the City and paid over to the City Treasurer shall be made by the City Treasurer payable to the party from whom funds were originally received upon receipt of a statement by the department head, verified by the Director of Finance attesting to the validity of such refund.

### 3.9 Departmental Petty Cash Funds.

#### A. General Requirements

Petty cash funds established within departments on behalf of the City may be used for the purposes specified in the document establishing the fund. The Department Head shall be the cashier and custodian of any petty cash fund within the department and shall be responsible for its maintenance and accounting.

#### B. Documentation and Procedures

Numbered preprinted petty cash slips shall be generated by the cashier and signed by the recipient for each disbursement from a petty cash fund. Each slip shall be completed in ink and shall state in numbers and words the amount of funds being disbursed. All disbursements from a petty cash fund shall be subject to submission of appropriate receipts or statements which fully document expenses incurred. Reconciliation of each petty cash fund shall be accomplished at least once per month or each time replenishment of the fund is requested on forms provided by the Director of Finance.

#### C. Petty Cash Advances

Advances may be made from a petty cash fund subject to a timely reconciliation after the actual expense is determined and documented.

#### D. Auditing of Petty Cash Funds

The City Treasurer or Director of Finance shall have the authority to audit any petty cash fund at any time.

#### E. Other

The Director of Finance may issue guidelines, not inconsistent with this policy, which provide further direction and guidance in the administration of petty cash funds.

### 3.10 Establishment and Maintenance of Bank Accounts

Unless specifically required by law, regulation or court order, establishment of bank accounts by departments and officers shall be subject to approval of the City Treasurer and Director of Finance. Every effort shall be made to minimize the number of bank accounts established. For every bank account currently in existence, or hereafter established, for deposit of funds within the custody of a department, whether such funds shall be the property of the City or another government or private concern, the Department Head shall file with the City Treasurer and Director of Finance, a statement signed by the custodial Department Head which outlines the need for the account and the purpose or purposes for which it exists or was established. Such statement shall also identify the authorized signatories for the given account or those authorized to otherwise withdraw funds from the account. Department Heads shall update the statement on file with the City Treasurer and Director of Finance at such time as there is a significant change in information relating to the account.

Whenever possible and economically beneficial bank accounts established pursuant to this Section shall be interest bearing accounts. In evaluating whether to open an interest bearing account the department shall take into consideration projected interest earnings as well as service fees. All funds deposited in a departmental bank account shall be fully secured by insurance of the Federal Deposit Insurance Corporation or obligations of the State of New York, obligations of the United States, or obligations of federal agencies the principle and interest of which are guaranteed by the United States.

Once each month or as frequently as may be agreed to by the Director of Finance, the Department Head shall provide the Director of Finance with a copy of the bank statement for all bank accounts within their custody for reconciliation. Where appropriate, the Department Head shall provide a statement in a form prescribed by the Director of Finance generally describing to what extent the funds are the property of the City are held in a fiduciary capacity for another government or private concern. The Director of Finance may periodically require that cancelled checks be produced by the Department Head in support of bank statements and reconciliation forms.

Departments authorized to establish a bank account pursuant to this Section shall, whenever possible and practical, require two signatures on all checks disbursing funds from a checking account.

All disbursements from checking accounts established pursuant to this Section and all withdrawals from any other City bank account shall be supported by appropriate documentation which shall be kept on file in the department

### 3.11 Audit of Departmental Accounts and Records.

All records and accounts in the custody of the City Treasurer or a department head of the City which relate to funds collected on behalf of the City shall be subject to audit at any time by the Director of Finance or their designee, were and when appropriate. The Director of Finance shall report any findings of noncompliance with these regulations and procedures to the Mayor and Finance Committee of the City Council.

### 3.12 Clarification of Policy

Any questions relative to the intent or clarification of the policy and procedures contained herein shall be subject to a determination of the Mayor, Finance Committee or the City Council, if determined to be necessary and appropriate.

Seconded by Alderman Schrader and adopted. Ayes 6.

**071515.9**

## **ADJOURNMENT**

At 7:03 P.M. Alderman Kibler moved the Common Council be adjourned until 6:00 P.M., Wednesday, August 5, 2015.

Seconded by Alderman Lombardi and adopted. Ayes 6.

**RICHELLE J. PASCERI**  
City Clerk