

**December 29, 2014
Town of Taghkanic
Town Board Meeting
Year-End**

Approved
January 19, 2015

7 pm: The Town Board of the Town of Taghkanic held its Year-End meeting on the above date at the Taghkanic Town Hall. Supervisor Young opened the meeting with the Pledge of Allegiance, a moment of Silence and Safety Review.

Present:

Erik Tyree	Supervisor
Carolyn Sammons	Councilwoman
Richard Skoda	Councilman
Ryan Skoda	Councilman
Joyce Thompson	Councilwoman
Cheryl Rogers	Clerk

Absent:

7:05 pm: Supervisor Erik Tyree opened the Public Hearing for the Public Hearing Churchtown Fire Company 1 year Contract.

- ✚ Arthur Griffith, did the Churchtown Fire Company provide a copy of their budget?
- ✚ Clerk Rogers, yes but I do not have it with me, it is in the file with the 2015 budget information at my office.
- ✚ Arthur Griffith, shouldn't the Taghkanic Fire Company provide the town with a copy of their budget when renewing their contract?
- ✚ Supervisor Erik Tyree, yes.

7:07 pm: Supervisor Erik Tyree asked if there were any further question or comments, if not I will entertain a motion to close the Public Hearing, so moved by Councilwoman Carolyn Sammons, seconded by Councilman Richard Skoda.

Approved: 5 Ayes (Erik, Carolyn, Joyce, Richard, Ryan)
0 Nays
0 Absent

7:08 pm: Supervisor Erik Tyree continued the Public Hearing Local Law for the Notification of Presence of Hazardous Materials.

- ✚ Supervisor Erik Tyree, the concern raised on December 8th was about the quantity that has to be reported.
- ✚ Dennis Callahan, it is stated right in the notification # 3 that this law pertains only to commercial entities and *any* amount must be reported. See below:
"Every person engaged in commerce in the Town of Taghkanic, excepting those operating as a farm, as defined by subdivision one of section six hundred seventy-one of the labor law who, based upon the experience of the business in the use of hazardous materials during the previous year, may have possession of hazardous materials at a permanent place of business, a

construction site or a temporary storage depot, shall report the presence of such hazardous materials to the chief of the appropriate fire department, fire corporation, or fire company having responsibility for fire protection, of each location at which any such hazardous material may be found. Upon receipt thereof, the fire department, fire corporation or fire company, shall forward a copy of said report to the office of the county fire coordinator. Failure to inform shall constitute a violation as set forth in subdivision eight of this section.”

7:10 pm: Supervisor Erik Tyree asked if there were any further questions or comments, if not I will entertain a motion to close the Public Hearing, so moved by Councilwoman Joyce Thompson, seconded by Councilman Richard Skoda.

Approved: 5 Ayes (Erik, Carolyn, Joyce, Richard, Ryan)
0 Nays
0 Absent

Guest Speaker: Peter Fingar, Fingar Insurance, dropped off the 2015 NYMIR Policy Book.

1. **Audit Books:**

- ✓ Justice Tallackson 2014: Audit completed, satisfactory.
- ✓ Justice Prochera 2014: Audit completed, satisfactory
(Attached are the signed audit reports)

2. **Kinderhook Bank Third Party Custodian Agreement:** Councilman Richard Skoda motioned to grant permission for the Supervisor to sign the Third Party Custodian Agreement, seconded by Councilman Ryan Skoda.

Approved: 5 Ayes (Erik, Carolyn, Joyce, Richard, Ryan)
0 Nays
0 Absent

3. **Local Law 3 – 2014 Notification of Presence of Hazardous Materials:** Supervisor Erik Tyree read the State Environmental Quality Review (SEQRA) and then asked for a motion for the Town to be Lead Agency and for a Negative Declaration. Councilman Ryan Skoda motion and Councilwoman Joyce Thompson seconded.

Approved: 5 Ayes (Erik, Carolyn, Joyce, Richard, Ryan)
0 Nays
0 Absent

Supervisor Erik Tyree asked for motion to enact Local Law 3 – 2014 Notification of Presence of Hazardous Materials, so moved by Councilman Ryan Skoda, seconded by Councilman Richard Skoda.

4. **Churchtown 1 year Fire Protection Contract:** Councilwoman Joyce Thompson motioned to approve the Churchtown 1 year Fire Protection Contract as reviewed by the Town Attorney, seconded by Councilwoman Carolyn Sammons.

Approved: 5 Ayes (Erik, Carolyn, Joyce, Richard, Ryan)
0 Nays
0 Absent

5. **Open Positions for ZBA, PB, and ZC, Letter of Interest:**

- 🚧 Donn Critchell – alternate ZBA
- 🚧 Ralph Gorgone – alternate Planning Board
- 🚧 Tom Mirabelli – Alternate ZBA
- 🚧 James Alvarez – Member Planning Board
- 🚧 Mark Stickles – Member ZBA (letter not received but confirmed by phone)

The Board agreed to interview Donn Critchell before the January 12th meeting. The board agreed that Donn Critchell could be asked to consider the open Zoning Commission position. Councilwoman Joyce Thompson offered to call and ask him.

6. **Set a date to Audit the CFO Books:** The Board agreed to audit the CFO and the Clerk books February 12th, 2015

7. **Financial Report Councilwoman Joyce Thompson:**

FINANCIAL REPORT – YEAR-END TOWN BOARD MEETING – 29 DECEMBER 2014
 The 29 December 2014 Year-End abstract for the General Fund (A) requires Budget Amendment #9 in the amount of \$3,895.56 from ZBA Contract Line to cover seven (7) lines that are short of adequate funds for the final invoices. To date, we still have not had to use the allocated fund balance to cover operating expenses.

A new Capital Fund (H) will be established to handle all Highway Project invoices. A loan of \$62,686.92 will be transferred from General Fund Unappropriated Fund Balance to a new Capital Building Fund (H). All Highway Project bills will be paid out of that H fund. Appropriate bookkeeping as instructed by our accountant will be done and checked by our accountant before the loan transfer and payment of bills approved by the board in December are executed.

A review of the 2014 Morris Associated engineering bills and all invoices related to the Highway Project is in progress. The purpose is to track engineering costs by category: Operations, Capital Projects, PB/ZBA Applications. There remain some questions that need further clarification with Morris Associates billing department to assure that this understanding of the bills is correct. To date that understanding shows the following numbers:

Highway Project Engineering – (Feasibility, Project Design, Phase 1 Admin)	\$ 29,874
Related Highway Project Invoices (Water testing, Borings, Remediation)	\$ 40,572
Town Hall Engineering	\$ 3,036
Old Route 82 Creek work	\$ 2,343
Martindale Culvert Replacement	\$ 110
Sopak Road Telecom Tower	\$ 928

Respectfully submitted,
 Joyce Thompson
 29 December 2014

8. **Budget Amendment #9-2014:** Councilwoman Carolyn Sammons motioned to approve Budget Amendment #9-2014, seconded by Councilman Richard Skoda.

Approved: **5 Ayes** **(Erik, Carolyn, Joyce, Richard, Ryan)**
 0 Nays
 0 Absent

Town of Taghkanic					
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December 29, 2014		Budget Amendment # 9	
GENERAL		Increase	Decrease
ACCOUNTANT	A1340.41	\$ 73.92	
CLERK CONTRACTUAL	A1410.4	\$ 319.04	
BUILDING CONTRACTUAL	A1620.4	\$ 207.88	
GARAGE CONTRACTUAL	A 5132.4	\$ 1,791.90	
COMMISSION CONT	A8010.41	\$ 363.09	
PLANNING CONT	A8020.4	\$ 310.80	
HOSPITALIZATION	A9060.8	\$ 828.93	
ZONING CONT.	A8010.4		\$ 3,895.56
TOTAL		\$ 3,895.56	\$ 3,895.56

9. The December 29, 2012 Year-End bills were audited and approved for payment: on a motion by Councilman Ryan Skoda, seconded by Councilwoman Carolyn Sammons, the highway project checks are to be held until Town Accountant reviews and confirms the setup of the project journal entries.

2014 General Fund Vouchers	# 377 - 414	\$ 25,887.36
2014 Highway Fund Vouchers	# 237 - 245	\$ 7,249.46
2014 Highway Project Vouchers	# 1 - 14	\$ 69,686.92

Approved: 5 Ayes (Young, Gilbert, Kadish, Skoda, Thompson)
0 Nays
0 Absent

Councilwoman Joyce Thompson motioned the transfer of funds to the highway project appropriation line is to be held for Accountant review of journal entries, seconded by Councilman Ryan Skoda.

Approved: 5 Ayes (Young, Gilbert, Kadish, Skoda, Thompson)
0 Nays
0 Absent

Clerk Rogers, just to clarify you also want the checks for the highway project to be held for Accountant review. Councilwoman Joyce Thompson, yes.

The following people commented during the fifteen minute public comment:

- Linda Swartz, thanked Carolyn Sammons for serving out the open seat, all agreed.
- Arthur Griffith, asked why Beverly was shoveling the ramp?

- Councilman Richard Skoda, she shouldn't be. The Highway man who plows the parking lot should be.
- Dennis Callahan, what's going on with the awning?
- Clerk Rogers, I will call and see when it will be getting done.

Executive Session: None

With no further business, Supervisor Erik Tyree asked for a motion to adjourn, Councilman Richard Skoda so moved, seconded by Councilwoman Carolyn Sammons, the meeting was adjourned at 8:05 pm., carried unanimously by all members present. The next Regular meeting will be **January 12, 2014** at the Taghkanic Town Hall.

Audience: Beverly Baillargeon Jeff Tallackson Arthur Griffith Linda Swartz
Peter Fingar

Appendix F –

Judge Tallackson

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are pre-numbered receipt forms issued for all collections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are duplicate receipt copies kept for court records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are receipts recorded up-to-date? <i>Last Recorded Receipt: # 2701 Date 12/22/14 Amount \$343.00</i>		
Are duplicate deposit slips kept for court records?	<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 (within 72 hours of collection, exclusive of Sundays and holidays) and recorded up-to-date? <i>Last Recorded Deposit: Date 12/23/14 Amount \$2,632.00</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are un-deposited cash receipts safeguarded?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is the cash receipts journal totaled and summarized monthly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Cash Disbursements	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 individual 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 (other than petty cash)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are all checks signed by the justice?	<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"/>
Are all unused checks properly controlled (blank check stock)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are checks recorded up-to-date? <i>Last Recorded Check: # 1071 Date 4 Dec 14 Amount 10,514.00</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<i>Last Bank Reconciliation for Each Bank Account: Date Performed <u>29 Dec 14</u> Month Ending <u>December 14</u> <u>via on-line access to bank Records.</u> </i>		
Deposit Protection	YES	NO
Has the bank pledged adequate, eligible securities to protect court deposits that exceed FDIC insurance protection, if applicable?	<input type="checkbox"/>	<input type="checkbox"/>
<i>N/A</i>		
Additional Supporting Records	YES	NO
Is a list of bail maintained? <i>Separate Checkbook</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is a record of uncollected installment payments maintained? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>
Dockets and Case Files	YES	NO
Are separate dockets maintained for various classifications of cases, such as vehicle and traffic, criminal, civil, and small claims?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are case files maintained for all cases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are indexes maintained for all cases? <i>in computer</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do dockets for disposed cases appear to be complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do dockets for disposed cases agree with amounts reported?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Accountability	YES	NO
Is accountability (a comparison of cash to liabilities) determined at the end of each month? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>
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? <i>N/A All bills paid out of Town Funds</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Last Determination of Accountability: Date Performed _____ Month Ending _____</i>		

Appendix F -

General Recordkeeping Requirements for Town and Village Justice Courts continued

<u>Reports to Division of Criminal Justice Services</u>	YES	NO
Are reports made timely to the Division of Criminal Justice Services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding late reporting? <i>If yes, why were reports late and what corrective actions were taken?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Reports to Justice Court Fund</u>	YES	NO
Are monthly reports made timely to the Justice Court Fund?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do reported amounts agree with cash receipt and disbursement books?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do reported amounts agree with docket dispositions and case files? <i>Justice Tallackson + Court Clerk separately audit Last Report Submitted: + compare disposition of Month Ending _____ Date _____ Amount <u>cancel</u> Town Board did not look at files.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding late reporting? <i>If yes, why were reports late and what corrective actions were taken?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Reporting to Department of Motor Vehicles - TSLE&D Program</u>	YES	NO
Is information reported timely to TSLE&D?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are reports from TSLE&D to the court maintained and utilized? <i>Last TSLE&D Report Available: 2011 Date <u>12-23-14</u></i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
How many cases are shown as pending in the last TSLE&D report? _____	<input type="checkbox"/>	<input type="checkbox"/>
Is the number of pending cases reasonable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
How many cases are shown as pending for more than 90 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
What actions have been taken to dispose of these cases? <i>NOTIFICATIONS SUSPENSION</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding pending cases? <i>If yes, why were the cases pending and what corrective actions were taken, if any?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the court received any notices regarding late monthly reporting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Tallackson

Appendix F -


General Recordkeeping Requirements for Town and Village Justice Courts continued

<p><i>If yes, why were the reports late and what corrective actions were taken?</i></p> <hr/>		
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Comments and Conclusions







Appendix F –

General Recordkeeping Requirements for Town and Village Justice Courts continued

Checklist for Review of Justice Court Records

<u>Cash Receipts</u>	<u>YES</u>	<u>NO</u>
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, and the amount of fines, fees, bail, and/or other categories of collection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are pre-numbered receipt forms issued for all collections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are duplicate receipt copies kept for court records?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are receipts recorded up-to-date? <i>Last Recorded Receipt: # 7372 Date 12/23/14 Amount \$461.00</i>		
Are duplicate deposit slips kept for court records?	<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 (within 72 hours of collection, exclusive of Sundays and holidays) and recorded up-to-date? <i>Last Recorded Deposit: Date 12/23/14 Amount \$204.00</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are un-deposited cash receipts safeguarded?	<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>	<u>YES</u>	<u>NO</u>
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 individual 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 (other than petty cash)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are all checks signed by the justice?	<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"/>
Are all unused checks properly controlled (blank check stock)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are checks recorded up-to-date? <i>Last Recorded Check: # 1842 Date 4 Dec 14 Amount \$9464.00</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix F –

General Recordkeeping Requirements for Town and Village Justice Courts continued

<u>Cash Reconciliations</u>	<u>YES</u>	<u>NO</u>
Is the bank account reconciled after bank statements are received? <i>Last Bank Reconciliation for Each Bank Account: Date Performed <u>4 Dec 14</u> Month Ending <u>NOVEMBER</u></i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Deposit Protection</u>	<u>YES</u>	<u>NO</u>
Has the bank pledged adequate, eligible securities to protect court deposits that exceed FDIC insurance protection, if applicable? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Additional Supporting Records</u>	<u>YES</u>	<u>NO</u>
Is a list of bail maintained?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Is a record of uncollected installment payments maintained? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Dockets and Case Files</u>	<u>YES</u>	<u>NO</u>
Are separate dockets maintained for various classifications of cases, such as vehicle and traffic, criminal, civil, and small claims?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are case files maintained for all cases?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are indexes maintained for all cases? <i>in computer</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do dockets for disposed cases appear to be complete?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do dockets for disposed cases agree with amounts reported?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Accountability</u>	<u>YES</u>	<u>NO</u>
Is accountability (a comparison of cash to liabilities) determined at the end of each month? <i>N/A</i>	<input type="checkbox"/>	<input type="checkbox"/>
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? <i>Bills are paid out of town funds.</i> <i>Last Determination of Accountability: Date Performed _____ Month Ending _____</i>	<input type="checkbox"/>	<input type="checkbox"/>

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Appendix F -

General Recordkeeping Requirements for Town and Village Justice Courts continued

<u>Reports to Division of Criminal Justice Services</u>	YES	NO
Are reports made timely to the Division of Criminal Justice Services?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding late reporting? <i>If yes, why were reports late and what corrective actions were taken?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Reports to Justice Court Fund</u>	YES	NO
Are monthly reports made timely to the Justice Court Fund?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do reported amounts agree with cash receipt and disbursement books?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Do reported amounts agree with docket dispositions and case files? <i>Justice Proclama and Court Clerk separately audit Last Report Submitted: and compare disposition of Month Ending Date Amount each cell. Town Board did not look at files.</i>	<input type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding late reporting? <i>If yes, why were reports late and what corrective actions were taken?</i>	<input type="checkbox"/>	<input type="checkbox"/>

<u>Reporting to Department of Motor Vehicles - TSLE&D Program</u>	YES	NO
Is information reported timely to TSLE&D?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Are reports from TSLE&D to the court maintained and utilized? <i>Last TSLE&D Report Available: 2011 Date 12-23-14</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
How many cases are shown as pending in the last TSLE&D report? _____	<input type="checkbox"/>	<input type="checkbox"/>
Is the number of pending cases reasonable?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
How many cases are shown as pending for more than 90 days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
What actions have been taken to dispose of these cases? <i>NOTIFICATION SUSPENSION</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the court received any notices regarding pending cases? <i>If yes, why were the cases pending and what corrective actions were taken, if any?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has the court received any notices regarding late monthly reporting?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Prochera

Appendix F –

General Recordkeeping Requirements for Town and Village Justice Courts continued

<p><i>If yes, why were the reports late and what corrective actions were taken?</i></p>		
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Comments and Conclusions

