

Official Minutes

A regular meeting of the Town Board of the Town of Lima, County of Livingston and the State of New York was held at the Town Hall, 7329 East Main Street, Lima, New York, on the 4th day of February 2016 at 6:30 P.M. Notice was printed in the Mendon-Honeoye Falls-Lima Sentinel.

PRESENT: Supervisor, Pete Yendell
 Councilperson, Cathy Gardner
 Councilperson, Bruce Mayer
 Councilperson, Bill Carey
 Councilperson, Dan Marcellus
 Town Clerk, Jennifer Shanks
 Highway Superintendent, Keith Arner
 Town Attorney, Steve Kruk

Guest(s): Gary DeBaise, Sales Representative for Systems East, Inc.,
 presenting Express-Pay.

Supervisor Yendell called the meeting to order at 6:30 P.M., with the Pledge to the Flag.

Audit of Claims

Resolved that the bills contained on Abstract #2 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General Funds:	No. 15 through 54	\$ 14,686.65
Water Funds 1, 2, &3:	No. 4 through 7	\$ 1,465.11
Highway Funds:	No. 13 through 27	\$ 17,221.05

On a motion by Councilperson Mayer, seconded by Councilperson Marcellus the vote went as follows:

CARRIED: Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

January 7, 2016 Organizational Minutes

The minutes of the November 6th meeting were approved as presented on a motion by Councilperson Mayer, seconded by Councilperson Gardner, the vote went as follows:

CARRIED: Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

Reports

Supervisor Yendell read the Supervisor's Report and mentioned the Building Inspector Report and Ambulance Report. On a motion by Councilperson Gardner to accept the Supervisor's reports, seconded by Councilperson Mayer the vote went as follows:

CARRIED: Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

Procurement Policy Review

Councilperson Mayer reviewed the Town of Lima Procurement Policy and found same to be satisfactory. Upon motion by Councilperson Mayer to accept the policy as is, seconded by Councilperson Gardner, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

Annual Municipal Cooperation Water Agreement with the Village of Lima

Supervisor Yendell received the water agreement from the Village of Lima. Town percentage for the 2016 year, for expenses attributable to the maintenance, repair and upkeep of the water transmission main, the pumping station located on Rochester Road, and the water tower, together with the proportional expense of water tower construction and maintenance debt service shall be reallocated and fixed, is 10.11%. Upon motion by Councilperson Gardner to accept the Agreement and authorize Supervisor Yendell to sign same, seconded by Councilperson Mayer, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Marcellus, Mayer, Carey
 Nays: 0

Guest: Gary DeBaise

Mr. DeBaise presented to the Town Board the option of paying any financial obligation to the Town of Lima, ie., dog renewal, building fees, marriage license, hunting license, etc., by credit card, debit card, and electronic check. There are charges to the resident utilizing the system of 2.85% and a .40 cent usage fee. The Town of Lima would pay \$100 for the initial install and \$20 per month. After discussion it was agreed that Town Clerk Jennifer Shanks will contact Courtney of the Town of Geneseo for feedback on her experience with Xpress Pay.

Internal Audit Findings

The Town Board reviewed the findings of an internal audit completed by Raymond F. Wager's office. The following were presented and corrected or will be corrected, as indicated.

1. Opinion on Financial Statements-findings: the balance sheet-all fund types and non-current governmental liability account group-statutory basis and the related statement of revenues, expenditures, and changes in fund equity-governmental fund types-statutory basis presents fairly, all material respects, the financial position of the Town as of December 31, 2014, in accordance with the statutory basis of accounting.
2. Segregation of Duties – Water Billing – findings: The same individual is responsible for preparing and mailing bills, collecting money and depositing money. While a separate individual is responsible for recording collections in a receipt log, this receipt log is not reconciled to the bank statement or the accounting system. In addition, the billings for water are not reviewed by an independent individual prior to being sent out.

The Board agreed to have Deputy Clerk, Mary Smith, balance cash receipts entered in the water program match with Five Star Bank's monthly statements.

3. Fixed Assets – findings: the Town did not report fixed asset balances in the financial statements as required under the statutory basis of accounting.

The Board is in the process of developing an inventory.

4. Payroll Rates- findings: payroll rates for hourly employees are not approved by the Board.

The Board agreed that the hourly rates will be attached to the organizational meeting.

5. Budgeting- findings: sales tax distributions by the County are currently reported in the Town-wide General Fund and the Town-wide Highway Fund. Tax Law provides that if a town and the villages therein elect to receive their shares of county sales tax directly from the County, the Town should first apply its share to reduce taxes levied for town-outside-village activities. If any balance remains, the Board may apply the remainder to reduce general town-side taxes.

The Board stated the budgeting of sales tax has already been remedied.

6. Building Inspections-findings: there is no segregation of duties for the collection of inspection fees.

The Board agreed that Town Clerk Shanks will number permits and use those same numbers in her computer to match and report fee amounts coming into the Building Inspectors office.

7. Board Approval – Excavator- findings: an excavator was disposed of without Board approval prior to the sale which amounted to \$4,000.

The Board indicated this has been remedied and noted in the minutes at the October 1, 2015 Town Board meeting.

8. Voucher Documentation-findings: during our examination of the Library disbursements, we noted that the Town was unable to provide documentation for check #3089 in the amount of \$854.99.

The Board mentioned the Town is not responsible for Library checks but agreed to have Supervisor Yendell check with Five Star bank for a copy of the check in question.

9. Bidding-findings: we reviewed various transactions involving multiple purchases from vendors. We noted one instance for a used excavator which exceeded the bid threshold and did not appear to be competitively bid. We recommend a continued effort be made to insure all items requiring competitive bidding comply with Sections 103 & 104(b) of the General Municipal Law.

The Board will use contract pricing in lieu of competitive bidding because there was not a comparable savings in money.

Library Trustee Appointment

Supervisor Yendell informed the Board he received a resume and cover letter of interest from Catherine Vanhorne for the position of Lima Library Trustee to replace Linda Banfield. Upon motion by Councilperson Gardner to accept Ms. Vanhorne to the Library Board of Trustee's, second by Councilperson Marcellus, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Mayer, Marcellus, Carey
Nays: 0

Intermunicipal Cooperation Agreement for Summer Recreation

Supervisor Yendell informed the board he received the 2016 Agreement for Summer Recreation and fees increased from \$150 to \$175 per camper. Councilperson Gardner expressed concern regarding the increase in program cost, noting that budget constraints make it difficult to absorb increases of more than 15%, and requested that we send feedback that we would not expect such substantial increases in future years. Upon motion by Councilperson Mayer to accept the Summer Recreation Agreement for 2016, seconded by Councilperson Marcellus, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Mayer, Marcellus, Carey
Nays: 0

Change of Mailing Fees for Zoning or Planning Board Mailings

After discussion, and upon motion by Councilperson Mayer, it was agreed that the total number of mailings that are needed when a zoning or planning application is submitted need to be noted for proper charging of fees to the applicant so same is not absorbed by the Town, seconded by Councilperson Gardner, the vote went as follows:

CARRIED Ayes: 5 Yendell, Gardner, Mayer, Marcellus, Carey
Nays: 0

Teen Recognition Recipients Named For Lima

Supervisor Yendell received the list of teen recognition nominees. Yendell announced the three teens from the Lima area nominated: Madelyn Childs, Emily Cooper and Marianthi Stakos.

Executive Session Regarding Tax Litigation

Upon motion by Councilperson Mayer to move into executive session at 8:08 PM, seconded by Councilperson Marcellus, the vote was unanimous.

Move out of Executive Session

Upon motion by Councilperson Mayer to move out of executive session at 8:34PM, seconded by Councilperson Marcellus, the vote was unanimous.

NO ACTION TAKEN.

Upon Motion by Councilperson Mayer to adjourn at 9:00 P.M., seconded by Councilperson Marcellus, the vote was unanimous.

Respectfully Submitted by:

Jennifer Shanks, CMC/RMC
Town Clerk