

Fiscal Oversight Responsibilities of the Governing Board

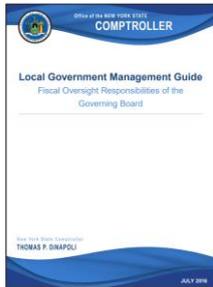
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Division of Local Government and School Accountability



New York State Comptroller
THOMAS P. DINAPOLI

Overview

- Fiscal Responsibilities
- Fiscal Profile
- Developing Policies
- Budgeting Practices
- Monitoring Fiscal Operations
- Auditing the Claims
- Annual Audit Requirements
- Corrective Action Plans
- Additional Resources



What Does Fiscal Accountability Mean to a Governing Board?

- Being responsible for the general management and control of municipal finances.

Governing Board Responsibilities

- Set the tone – “Tone at the Top”
- Develop and review major policies
- Adopt and monitor the budget
- Use monthly reports to make budget modifications as necessary
- Ensure the audit of claims
- Meet annual audit requirements

Know Your Fiscal Profile

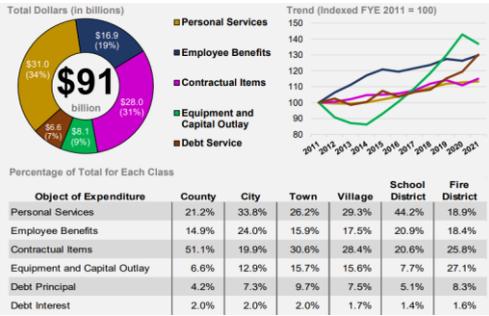
- Where does money come from?
- Where does it go?
- How fast are revenues and expenditures growing?
- In which categories?
- What are the trends?

Revenues for Municipalities



Revenue Sources	County	City	Town	Village	School District	Fire District
Real Property Taxes	21.5%	24.6%	49.8%	47.5%	54.2%	89.4%
Sales and Use Taxes	36.6%	19.5%	9.9%	6.2%	0.8%	0.0%
Charges for Services	8.6%	17.9%	13.1%	26.6%	0.8%	0.0%
Other Local Taxes and Revenues	11.8%	10.9%	13.6%	10.7%	2.9%	9.6%
State Aid	11.6%	19.8%	9.6%	6.6%	36.7%	0.4%
Federal Aid	9.9%	7.3%	3.9%	2.3%	4.7%	0.6%

Expenditures for Municipalities



Developing Policies

- Develop and formally adopt policies that establish control procedures and other requirements for daily financial and other operations.
 - Customized to meet municipalities' needs
 - Reviewed periodically
 - Communicated and reinforced

Policies Required by Law

- Code of Ethics – General Municipal Law §806
- Deposits and Investments – General Municipal Law §39
- Procurement – General Municipal Law §104(b)
- Workplace Violence Prevention – Labor Law, Article 2 §27-b
- Sexual Harassment Prevention – Executive Law, Article 15
- Breach Notification – State Technology Law §208
- State Emergencies Involving Public Health – Labor Law §27-c

Other Policies for Operations

- Wire Transfer and Online Banking
- Travel and Conference
- Credit Card
- Computer Use
- Electronic Device/Cell Phone Use
- Capital Asset Control

Budget Practices

Maintain an open budget process.

- Know your budget calendar deadlines.
- Identify the step-by-step procedures.
- Follow all statutory requirements.
 - Initial budget requests
 - Public hearings
 - Adoption of budgets
- Budgets should follow long-term plans.

Monitoring the Budget

- The Board needs to ensure that controls are in place by using:
 - A purchase order system or alternative method;
 - An encumbrance system; and
 - Budgetary reports.
- Understanding appropriations and the legal level of control

Modifying the Budget

- It is the Governing Board's responsibility to make budget modifications by **Board resolution**.
 - Transferring between appropriations
 - Appropriating available fund balance
 - Appropriating grants, insurance recoveries, gifts
 - Reduction of appropriations
- Significant revenue shortfalls may result in deficit financing.

Monitoring Fiscal Operations

- Interim reports should provide the board with timely information on such issues as:
 - Financial position,
 - Results of operations,
 - Budget status,
 - Policy compliance,
 - Service or project costs,
 - Performance measures, and
 - Legal compliance matters.

Monitoring Fiscal Operations

- Each adopted policy can and should address the timing and content of periodic reports so board members can exercise proper fiscal oversight.
- Using interim reports effectively may cause the need for budget modifications.

Monthly Reports

- The Governing Board should review:
 - A detailed statement of all money received and disbursed;
 - Budget status reports;
 - Cash flow statements; and
 - Any other reports deemed necessary.

Budget Status Reports

- Will assist the Board with:
 - Controlling expenditures;
 - Monitoring progress;
 - Identifying variances; and
 - Correcting identified problems.

Budget Status Reports

- Budgetary reports should be:
 - Completed for all major operating funds;
 - Prepared monthly;
 - Distributed to all department heads; and
 - Reviewed with department heads.

Auditing the Claims

- Why audit claims?
- To ensure that:
 - Claims are for valid and legal purposes;
 - Claims are incurred by authorized officials;
 - Goods are received/services are rendered;
 - Appropriations are available; and
 - Proper documentation exists.

Annual Audit Requirements

Appendix B

- Why do an annual audit?
- Legal requirements
 - Town Law Sections 123, or 34[1] (if Comptroller)
 - Town Law Section 177 (Fire Districts)
 - County Law Section 210
 - Village Law Section 4-408(e)
 - City Charter and/or enacted local legislation
 - Unified Justice Court Act, Section 2019-a
 - Town and Village Justice Courts

Annual Audit Requirements

External Audit Requirements

- School Districts and BOCES
 - Education Law Section 2116-a(3)(a) and 8NYCRR Sections 170.12(e)(1) and 170.3(a) require that all school districts, except those employing fewer than eight teachers, obtain an annual independent audit by an outside CPA or PA.
- Fire Districts
 - Town Law Section 181-b requires an annual audit by an independent CPA or an independent PA if the district has revenues of \$400,000 or more.

Annual Audit Requirements

External Audit Requirements

- Length of Service Award Programs (LOSAPs)
 - General Municipal Law Section 219-a requires the sponsor or designated program administrator of a LOSAP to obtain an annual audit of its records by an independent CPA or an independent PA.
- Single Audit Requirements
 - A local government that expends \$500,000 (\$750,000 for fiscal years beginning on or after January 1, 2015) or more in federally awarded funds in its fiscal year is required to have an audit, conducted by an external auditor, in accordance with the provisions of the federal Single Audit Act and the reporting and filing requirements of the federal Office of Management and Budget Circular A 133.

Annual Audit Requirements

- Why do an annual audit?
 - Provides oversight
 - Ensures proper handling of public money
 - Identifies improvement opportunities
 - Provides forum to express concerns

Audit Objectives

- Records are complete and up-to-date
- Transactions are recorded properly
- Accountability is computed monthly
- Required reports are made accurately and in a timely manner
- Financial results are known

How to Begin?

- Understand operations.
- Visit properties and points of cash collections.
- Learn what records are maintained.
- Learn what reports are produced.
- Use the OSC checklists.
 - Appendices C through G

What Will You Need?

- Bank account reconciliations
- Cash receipts and supporting records
- Cash disbursements and supporting records
- Annual and interim financial reports
- Inventories
- Investment records
- Payrolls and supporting records
- Other pertinent financial information

Review of Chief Fiscal Officer's Records

Cash Receipts	YES	NO
Is the cash receipts journal up-to-date?	<input 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 receipts, register)?	<input type="checkbox"/>	<input type="checkbox"/>
Are un-deposited cash receipts safeguarded?	<input type="checkbox"/>	<input type="checkbox"/>
Are duplicate deposit slips kept?	<input type="checkbox"/>	<input type="checkbox"/>
Do deposit amounts agree with cash receipt amounts?	<input type="checkbox"/>	<input type="checkbox"/>
Are deposits made timely and recorded up-to-date?	<input type="checkbox"/>	<input type="checkbox"/>
<i>Last Recorded Deposit: Date _____ Amount _____</i>		
Is the cash receipts journal totaled and summarized monthly?	<input type="checkbox"/>	<input type="checkbox"/>
Cash Disbursements	YES	NO
Is the cash disbursements journal up-to-date?	<input 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 type="checkbox"/>	<input type="checkbox"/>
Are pre-numbered checks used for all disbursements (other than petty cash)?	<input type="checkbox"/>	<input type="checkbox"/>
Are all checks signed by the chief fiscal officer and co-signed if required?	<input type="checkbox"/>	<input type="checkbox"/>
If checks are signed electronically, is the signature stamp or software in the custody and control of the chief fiscal officer?	<input type="checkbox"/>	<input type="checkbox"/>
Are cancelled checks or check images returned with bank statements and maintained on file?	<input type="checkbox"/>	<input type="checkbox"/>
Are all unused checks properly controlled (blank check stock)?	<input type="checkbox"/>	<input type="checkbox"/>
Are checks recorded up-to-date?	<input type="checkbox"/>	<input type="checkbox"/>
<i>Last Recorded Check: # _____ Date _____ Amount _____</i>		
Is the cash disbursements journal totaled and summarized monthly?	<input type="checkbox"/>	<input type="checkbox"/>
Are payments supported by appropriate documentation? Consider comparing a sample of disbursements with supporting documentation.	<input type="checkbox"/>	<input type="checkbox"/>

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Audit Concerns

- Discuss them with the officer/department head whose claims/records are being audited.
- If concerns still exist, contact OSC:
 - Regional Office
 - localgov@osc.ny.gov
- OSC Fraud Hotline
 - 1-888-672-4555 weekdays, 9:00 a.m. to 5:00 p.m.
 - investigations@osc.ny.gov

Additional Resources

Appendix A

- Policies
 - [Seeking Competition in Procurement](#)
 - [Investing and Protecting Public Funds](#)
 - [Code of Ethics](#)
 - [Data Breach Notification](#)
- Budgeting
 - [Understanding the Budget Process](#)
- Audit Requirements
 - [Improving the Effectiveness of Claims Auditing Process](#)
 - [Responding to an OSC Audit Report](#)

Questions?

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