

AGENDA

REGULAR MEETING, THURSDAY, OCTOBER 13, 2011 AT 7:00 P.M. OR AS SOON THEREAFTER AT BOROUGH HALL

OPEN PUBLIC MEETINGS ACT.

BOROUGH CLERK: this meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Mayor and Council.

ROLL CALL:

COUNCIL MEMBERS: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli and Councilman Kearney

ALSO PRESENT: Mayor Peter C. Massa, Borough Clerk, Terence M. Wall, Borough Attorney, Randy Pearce

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

RESOLUTIONS ON CONSENT

R-231-11 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-232-11 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-233-11 RESO RE: AWARD RESOLUTION FOR 2011 CDBG ROAD PROGRAM

R-234-11 AWARD RESOLUTION 12-14 ARGYLE PLACE ROADWAY AND CONCRETE REPAIRS

R-235-11 RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS (HEDDEN TERRACE, STOVER AVE AND WILSON PLACE)

R-236-11 RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS (GOLD STREET IMPROVEMENTS, PHASE II AND STOVER AVENUE IMPROVEMENTS, PHASE II)

R-237-11 RESI RE: GOVERNING BODY CERTIFICATION 2010 AUDIT

R-238-11 RESO RE: DEDICATION BY RIDER – SNOW REMOVAL TRUST

R-241-11 RESO RE: WAIVER OF CONSTRUCTION CODE FEES RELATED TO THE REPAIR OF DAMAGE CAUSED BY AND RELATED TO HURRICANE IRENE

R-242-11 RESO RE: MEMBERSHIP INTO THE NORTH ARLINGTON FIRE DEPARTMENT

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

RESOLUTIONS OFF CONSENT

R-239-11 RESO RE: SPECIAL EMERGENCY APPROPRIATION – N.J.S.A. 40A:4-53
FUNDING OF TERMINAL PAY FOR RETIRED EMPLOYEES

INTRODUCED BY: Councilman Hughes

SECONDED BY Councilman Kearney

ROLL CALL: All Council present vote in the affirmative

R-240-11 RESO RE: CORRECTIVE ACTION PLAN 2010 AUDIT

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All Council present vote in the affirmative

ORDINANCE

FIRST READING OF ORDINANCE

ORDINANCE NO. 2084

AN ORDINANCE TO AMEND CHAPTER 187 §8 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “VEHICLES AND TRAFFIC”
(203 PROSPECT AVE, PROSPECT DELI & LIQUOR, 2 HOUR PARKING)

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Yampaglia

ROLL CALL: All Council present vote in the affirmative

ADMINISTRATORS REPORT

ENGINEERS REPORT

COUNCIL REPORTS

COUNCILMAN YAMPAGLIA

COUNCILMAN BIANCHI

COUNCILMAN HUGHES

COUNCILMAN JOHNSON

COUNCILMAN KEARNEY

COUNCILMAN TANELLI

MAYOR MASSA

R-243 -11 RESO RE: EXECUTIVE SESSION

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

(*AGENDA IS SUBJECT TO CHANGE AS A RESULT OF THE MATTERS NOT KNOWN
AT THE TIME OF PRINTING)

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-231-11

RESO RE: AUTHORIZATION TO PAY CLAIMS

WHEREAS, There has been presented to the Mayor and Council Members of the Borough of North Arlington, the attached list of invoices requesting payment for the work, labor, services and materials to the Borough; and

WHEREAS, said attached list specify the exact line item in the budget or Ordinance to be charged therewith: \$ 2,346,116.38

WHEREAS, each of the purchases by said invoices have been duly authorized by the purchasing department, agent or office in respect to the goods and services received, as well as the Chief Financial Officer in regard to availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, that the CFO is hereby authorized to pay the claims.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA <u> X </u> YES _____ NO						

R-232-11

RESO RE: APPROVAL OF PURCHASES OVER
\$3,000.00

WHEREAS, the departments listed have requested to purchase the enumerated items on the attached list; and

WHEREAS, prices for the requested purchases were either obtained through written quotes, county contracts or state contracts; and

WHEREAS, certifications of funds have been received for these expenditures from the Chief Financial Officer of the Borough of North Arlington;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey, that the attached list of purchase requests are hereby authorized.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			x			
BIANCHI	x		x			
HUGHES		x	x			
JOHNSON			x			
TANELLI			x			
KEARNEY			x			
MASSA						
TOTAL						
ON CONSENT AGENDA x_ YES _____ NO						

R-233-11

AWARD RESOLUTION FOR
2011 CDBG ROAD PROGRAM

Be it resolved by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey upon the recommendation of the Borough Engineer and as revised by the Borough Attorney that the Contract for the **2011 CDBG ROAD PROGRAM** be awarded to

Smith Sondy, 150 Anderson Avenue, Wallington, NJ 07057

for the sum of, **Two Hundred Fifty Eight Thousand Eight Hundred and Fifty Dollars and Zero Cents (\$258,850.00)being the lowest of five (5) bids submitted.**

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

NEA FILE: NARLMUN11.011

Dated: 10/13/11

Certified: _____
James Mangin, CFO

Dated: 10/13/11

Approved: _____
Peter C. Massa, Mayor

CERTIFICATION

I, Terence Wall, Borough Clerk of the Borough of North Arlington, Bergen County, New Jersey do hereby certify that the foregoing Resolution was adopted by the Mayor and Council at a regular meeting held October 13, 2011.

Terence M. Wall, Borough Clerk

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA X __ YES _____ NO						

R-234-11

AWARD RESOLUTION
12-14 ARGYLE PLACE
ROADWAY AND CONCRETE REPAIRS

Be it resolved by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey upon the recommendation of the Borough Engineer and as revised by the Borough Attorney that the Contract for the **12-14 Argyle Place Roadway and Concrete Repairs** be awarded to **D&L Paving, PO Box 507, Nutley NJ 07110** for the sum of, **Fourteen Thousand Eight Hundred and Zero Cents (\$14,800.00)** being the lowest of **Six (6)** bids solicited.

This Resolution to take effect upon certification of this Resolution by the Borough Treasurer that sufficient funds are available.

NEA FILE: NARLADM11.001

Dated: 10/13/11

Certified: _____
James Mangin, CFO

Dated: 10/13/11

Approved: _____
Peter C. Massa, Mayor

CERTIFICATION

I, Terence Wall, Borough Clerk of the Borough of North Arlington, Bergen County, New Jersey do hereby certify that the foregoing Resolution was adopted by the Mayor and Council at a regular meeting held October 13, 2011.

Terence M. Wall, Borough Clerk

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-235-11

RESOLUTION FOR MUNICIPALITIES TO CONFIRM
ENDORSEMENT OF COMMUNITY DEVELOPMENT
PROJECTS

WHEREAS, a Bergen County Community Development grant of \$165,000 has been proposed by Bergen County

WHEREAS, a Bergen County Community Development grant of \$165,000 has been proposed by the Governing Body of the Borough of North Arlington for Hedden Terrace, Stover Ave and Wilson Place in the municipality of the Borough of North Arlington, Bergen County, New Jersey, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of The Borough of North Arlington, Bergen County, New Jersey, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of The Borough of North Arlington, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

APPROVED: _____
Peter C. Massa, Mayor

DATED: October 13, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA X__ YES _____ NO						

R-236-11

RESOLUTION FOR MUNICIPALITIES TO CONFIRM ENDORSEMENT OF COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, a Bergen County Community Development grant of

\$ 416,580.00 has been proposed by the Governing Body of the Borough of North Arlington for Gold Street Improvements, Phase II and Stover Avenue Improvements, Phase II project in the municipality

of the Borough of North Arlington, Bergen County, New Jersey, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of The Borough of North Arlington, Bergen County, New Jersey, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of

The Borough of North Arlington, Bergen County, New Jersey hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

APPROVED: _____
Peter C. Massa, Mayor

DATED: October 13, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA X__ YES _____ NO						

R-237-11

RESO RE: GOVERNING BODY CERTIFICATION
2010 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2010 has been filed by a Reregistered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by

each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Comments and Recommendations," and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations," as evidenced by the group affidavit of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of new Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director, under the provisions of the Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of North Arlington, County of Bergen, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

APPROVED: _____
Peter C. Massa, Mayor

DATED: October 13, 2011

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON OCTOBER 13, 2011.

Terence M. Wall, RMC, QPA
Borough Clerk

**CERTIFICATION OF GOVERNING BODY OF THE ANNUAL AUDIT
GROUP AFFIDAVIT FORM
NO PHOTO COPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF *Bergen*

We, members of the governing body of the *Borough of North Arlington*, in the County of *Bergen*, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the *Governing Body* of the *Borough of North Arlington* in the County of *Bergen*;
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year *2010*;
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled "Comments and Recommendations."

(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____
(L.S.)	(L.S.)
_____	_____

Sworn to and subscribed before me this _____ day of _____
Notary Public of New Jersey

Terence M. Wall, Borough Clerk

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625.

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA ___X___ YES _____ NO						

R-238-11

**RESO RE: DEDICATION BY RIDER – SNOW
REMOVAL TRUST**

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, PL 2001, c. 138 allows municipalities to receive amounts for costs incurred for **Snow Removal**, and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington, County of Bergen, State of New Jersey as follows:

1. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for **Snow Removal** as per N.J.S.A. 40A:4-39.
2. The Municipal Clerk of the Borough of North Arlington is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION
PASSED AT THE MEETING HELD ON OCTOBER 13, 2011.**

Terence M. Wall, RMC, QPA
Borough Clerk

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI			X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY		X	X			
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES X NO						

R-239-11

**RESO RE: SPECIAL EMERGENCY
APPROPRIATION – N.J.S.A. 40A:4-53
FUNDING OF TERMINAL PAY FOR RETIRED
EMPLOYEES**

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses incurred, or to be incurred, for the payment of accumulated sick/vacation and terminal pay for retired employees, commonly known as terminal pay, by the Borough of North Arlington and no adequate provision has been made in the Borough budget for the aforesaid purpose and,

WHEREAS, N.J.S.A.40A:4-53 provides that it shall be lawful to make such appropriation, which appropriation and/or the “*special emergency notes*” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least one-fifth of the amount authorized pursuant to this act.

NOW, THEREFORE BE IT RESOLVED, (by the not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-55:

1. A Special Emergency Appropriation is hereby made for Terminal Pay in the total amount of \$450,000.
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding five years by the inclusion of not less than \$90,000 commencing with the budget of 2012.
3. That an “*emergency note*” not in excess of the amount authorized pursuant to law, be provided.
4. That said note or notes may be renewed from time to time and at least one-fifth of all such notes and renewals thereof shall mature and be paid in each fiscal year thereafter until all are paid.
5. The Mayor and Chief Financial Officer are hereby authorized to execute said notes, and the Borough Clerk is hereby authorized to affix the seal of then Borough to such notes and to attest such seal and said notes, and said officers are hereby authorized to issue such notes in such form as they may adopt in conformity with the law and to recite therein that all requirements and conditions of law have been complied with in the issuance of said notes, and that said notes are within every debt and other limit prescribed by the Constitution or statutes of New Jersey.

6- The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time, at not less than par and accrued interest and to determine within the limitations prescribed by this resolution, the date, principle amount, maturity date, and denomination of said notes, and the rate of interest said notes shall bear and to deliver such notes upon receiving the purchase price to be paid therefore.

7- That two (2) certified copies of this Resolution be filed with the Director of the Division of Local Government Services.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

**I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION
PASSED AT THE MEETING HELD ON OCTOBER 13, 2011.**

Terence M. Wall, RMC, QPA
Borough Clerk

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI			X			
HUGHES	X		X			
JOHNSON			X			
TANELLI		X	X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES <u>X</u> NO						

R-240-11

RESO RE: CORRECTIVE ACTION PLAN
2010 AUDIT

WHEREAS, on October 13, 2011 the Governing Body acknowledged receipt of the 2010 Municipal Audit; and

WHEREAS, the membership of the Governing Body signed and duly notarized a group affidavit; and

WHEREAS, a Corrective Action Plan has been prepared by the Chief Financial Officer for said 2010 Municipal Audit;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington, County of Bergen, hereby approves the Corrective Action Plan for the 2010 Municipal Audit as submitted by the Chief Financial Officer; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized to forward a certified copy of this resolution and the Corrective Action Plan to the Director of the Division of Local Government Services.

APPROVED: _____

Peter C. Massa, Mayor

ATTEST: _____

Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

I HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE RESOLUTION PASSED AT THE MEETING HELD ON OCTOBER 13, 2011.

Terence M. Wall, RMC, QPA
Borough Clerk

Borough of North Arlington

Corrective Action Plan

Borough of North Arlington

County of Bergen

Audit Report Year: 2010

Prepared by: James A. Mangin – Chief Financial Officer

1. Finding / Condition:

Certain official minutes of the Borough for 2011 were not prepared and approved in a timely manner. A check listing that did not include all the checks that were on the bills list was utilized as the attachment for the minute records.

Recommendation:

#1 The minutes of all Mayor and Council meetings be completed and each meeting be subsequently submitted to the governing body for their approval in a timely manner. Furthermore, the approved minutes of the Borough contain all attachments and be permanently bound for review.

Explanation and Corrective Action:

There was a discrepancy between the report generated for the Bills List in the Council's meeting packets and the one prepared for inclusion in the official minutes. This discrepancy has been identified and resolved.

Implementation Date:

Already implemented

2. Finding / Condition:

Improvement authorizations that were adopted over five years ago in the General Capital Fund have deficit cash balances in the amount of \$164,386 at December 31, 2010.

Recommendation:

#2 The Borough fund the improvement authorization balances that are in excess of five years old and have deficit cash balances in the amount of \$164,386 either through the issuance of debt or Current Fund budget appropriation.

Explanation and Corrective Action:

Many prior Capital ordinances included grant funding separate and apart from the authorized debt. If the entire grant funding was not realized a deficit condition resulted.

The Chief Financial Officer, working with Bond Counsel, will prepare a "Clean-Up" Ordinance to rectify this condition which has existed since the 1990's.

Implementation Date:

November 30, 2011

3. Finding / Condition:

Certain contracts and/or commitments in the General Capital Fund that were incurred prior to year end were not recorded on the financial statements in the General Capital Fund.

Recommendation:

#3 Internal controls be enhanced to ensure all contracts and/or commitments be encumbered when awarded or incurred in the General Capital Fund.

Explanation and Corrective Action:

Procedures have been enacted where the Chief Financial Officer forwards the Resolution awarding a contract to Accounts Payable where the funds are immediately encumbered.

Prior contracts (pre-2011) are now being researched so that they too will be fully encumbered.

Implementation Date:

December 31, 2011

4. Finding / Condition:

Our audit of the Youth Center revealed the following:

- A resolution / ordinance establishing recreation fees was not available for our review.
- A cash receipt ledger was not maintained for the recreation fees and snack bar sales collection/

Recommendation:

#4 It is recommended that the Youth Center:

- Adopt a resolution/ordinance establishing Youth Program Fees.
- A cash receipt ledger be maintained for all revenue collected. This ledger should be sub-totaled monthly and totaled year-to-date.

Explanation and Corrective Action:

A full review of all aspects of Recreation's finances will be conducted including a review of all fees, all bank account balances and deposits, as well as requisition and budgeting procedures. At that time if it is revealed that Borough fee ordinances are inconsistent or incorrect fees are being charged, corrective action will be taken.

Implementation Date:

November 30, 2011

5. Finding / Condition:

Our audit of the Current Fund and General Capital Funds revealed that there were \$332,859 and \$1,439,005 respectively, grant receivable balances as of December 31, 2010. Efforts have been made during 2010 to collect outstanding grant receivable balances in the Current Fund and general Capital Fund. In addition there were certain grant receipts collected subsequent to year end. .

Recommendation:

#5 It is recommended that continued efforts be maintained to collect outstanding grant receivable balances in the Current Fund and General Capital Fund.

Explanation and Corrective Action:

The pursuit and collection of outstanding grant receivable balances has been a priority for the Administrator throughout 2010 as evidenced in Exhibit A-7. In 2011 the Chief Financial Officer and the Finance Office staff will assist in this pursuit. At year end all un-collected balances will be reviewed for disposition, including possible cancellation.

Implementation Date:

December 31, 2011

6. Finding / Condition:

Our audit revealed that there were numerous interfund balances between funds that were not liquidated prior to year end.

Recommendation:

#6 All interfund balances between funds be liquidated prior to year end.

Explanation and Corrective Action:

The liquidation of all interfund balances prior to year end is the statutory responsibility of the Chief Financial Officer. All interfund balances will be cleared by December 31.

Implementation Date:

December 31, 2011

7. Finding / Condition:

Our audit revealed that a policy has not been established indicating the maximum amount of reimbursements and the allowable items to be paid from petty cash.

Recommendation:

#7 It is recommended a petty cash policy be established indicating the maximum amount of reimbursement and the type of allowable items. All petty cash disbursements be in agreement with supporting invoices.

Explanation and Corrective Action:

Over-sight of all municipal petty-cash accounts is the statutory responsibility of the Chief Financial Officer. A petty-cash policy will be developed for consideration by the governing body identifying allowable petty cash expenditures, maximum amounts and naming custodians of the various funds. These custodians will be bonded in accordance with State statute. Once adopted, State approval for all petty cash funds will be sought.

Implementation Date:

November 1, 2011

8. Finding / Condition:

Our audit of the Developer's Escrow Deposits revealed the following:

- Developer's deposits are not being tracked separately by developer in an escrow bank account bearing interest.
- An accounting of the Developer's account is not being performed and mailed to the developer.

Recommendation:

#8 The Borough develop a reporting system to track the Developer's Escrow Deposits in accordance with NJS 40:55D.

Explanation and Corrective Action:

At the present time Developer's deposits are being tracked separately in an interest-bearing account.

In 2011 the Developer's Escrow reporting will be enhanced to facilitate required quarterly and/or monthly reporting required under NJS 40:55D.

Implementation Date:

December 31, 2011

9. Finding / Condition:

Our audit of the Borough health benefits in conjunction with the Borough's internal audit revealed that an employee remained on health benefits until January 2011 who was deceased since January 2010. The Borough has received a credit.

Recommendation:

#9 Continued efforts be maintained in the review of monthly health benefits to ensure only active personnel and living retirees are receiving health benefits.

Explanation and Corrective Action:

The deceased employee indicated above was identified as part of the review process already being conducted by the Administrator's office. This review process has already been strengthened with our participation in the State Health Benefits Program.

Implementation Date:

Already implemented

10. Finding / Condition:

Our audit of the tax title lien disbursements revealed that corrective action has been implemented with respect to approval on the bills list in the official minutes of the borough. However, there was only one authorized signature on all checks disbursed in 2010 and 2011.

Recommendation:

#10 All tax title lien disbursements have two authorized check signatures.

Explanation and Corrective Action:

All Borough bank accounts have been reviewed and new signature cards submitted requiring a minimum of two signatures on all disbursements. In addition, on-line bank access has been reviewed and updated. Additional security measures have been installed to prevent any un-authorized access.

Implementation Date:

Already implemented.

11. Finding / Condition:

Our audit of the Other Trust Fund Reserves revealed that the state fees payable for marriage licenses and DCA training fees were in a deficit position at year end.

Recommendation:

#11 State fees payable for marriage licenses and DCA training fees be processed in the Current Fund so that state fees collected for marriage licenses and DCA training fees can be properly recorded and remitted to the state of New Jersey.

Explanation and Corrective Action:

Historically the Borough has deposited and disbursed marriage licenses and DCA training fees from the Other Trust Fund. However, deposits and disbursements have since been transferred to the Current Fund as per the Auditor's request. The 2011 deficit of \$1,380 will be covered with a 2011 budget appropriation.

Implementation Date:

Already implemented.

12. Finding / Condition:

Our audit of the payroll revealed:

- One employee received \$4,500 in lieu of waiving their medical coverage. This payment was paid through a voucher and not processed through payroll, therefore not included in the employee's W-2 wages for 2010.
- One EMT employee's time sheet selected for testing did not contain supervisory approval.
- One employee who appears to be eligible for pension was not enrolled in the pension system.

Recommendation:

#12 It is recommended that:

- Any payments made to employees for medical benefit waivers be processed through payroll and included in their W-2 as taxable wages.
- All employee time sheets contain supervisory approval.
- All eligible employees be enrolled in the pension system.

Explanation and Corrective Action:

The employee with the health benefit waiver in 2010 did receive a 1099 form in lieu of including the payment on the W-2. In 2011 there are no payments to any employees for waiving health benefits. In the future these payments will be processed through payroll.

All employee time sheets are continually reviewed for supervisory approval. The Library employee eligible for pension is now in the process of being enrolled.

Implementation Date:

Already implemented.

13. Finding / Condition:

Our audit of the expenditures revealed that on certain purchase orders tested the purchase order date (on-line requisition date) was subsequent to the invoice date.

Recommendation:

#13 All purchase orders be initiated / generated when the order for goods and/or services is being placed.

Explanation and Corrective Action:

The offending Purchase Orders identified by the Auditor were reviewed by the Administrator. It was discovered that these Purchase Orders, as well as several other, could best be handled as "Blanket Purchase Orders." Procedures for the handling of blanket purchase orders are being drafted to be distributed to any department that will benefit.

Department Heads will continue to be informed of proper purchasing requirements, including the importance of encumbering funds prior to placing orders for goods or services. .

Implementation Date:

November 30, 2011

14. Finding / Condition:

Our audit of contract awards revealed that there was a change order for the firehouse apron improvements that was not approved in the official minutes of the Borough.

Recommendation:

#14 All change orders be approved in the official minutes of the Borough.

Explanation and Corrective Action:

Any and all change orders will be approved by the governing body and included in the official minutes of the Borough. .

Implementation Date:

Already implemented.

15. Finding / Condition:

Our audit of the bidding revealed that Montana Construction was paid in excess of the bid threshold for various emergency sewer repairs; however competitive bids were not solicited.

Recommendation:

#15 The Borough seek competitive bids for re-occurring emergency sewer repairs.

Explanation and Corrective Action:

It should be noted that competitive bids need not be solicited for certified emergencies. The Certification of emergency conditions with relation to emergency contracts is the responsibility of the Chief Financial Officer. As these sewer emergencies continued into 2011, a Capital Ordinance was adopted to preclude the need for emergency contracting.

In the future, competitive bids will always be solicited for all expenditures that exceed the bid threshold in the aggregate.

Implementation Date:

Already implemented.

16. Finding / Condition:

Our audit of the Municipal Court General Bank Account and Bail Bank Account bank reconciliation revealed the following:

- It appears that there are certain collections that were deposited into the wrong bank account and have not been corrected and are identified as a reconciling item on the bank reconciliation.
- There is a difference between the bail on-account and the reconciled bail bank account balance of \$3,077.

Recommendation:

#16 It is recommended that:

- Municipal Court deposit errors be corrected in a timely manner and cleared from the bank reconciliation.
- The difference between the Bail on-account report and the bail bank account reconciliation be investigated and resolved.

Explanation and Corrective Action:

The December 2010 Bail Bank account deposit that was incorrectly deposited into the Current Fund has since been corrected. This was one-time occurrence and took some time to correct because the erroneous deposit was counted as 2010 Current Fund revenue.

Likewise the difference between the Bail on-account report and the bank balance has also been resolved. These two situations were carried as reconciling items in the Court because the corrective action involved two separate years of Current Fund revenue.

Implementation Date:

Already implemented.

17. Finding / Condition:

Our audit of the school taxes payable revealed that there was a pre-payment to the school in the amount of \$10,000 resulting in a pre-paid school tax on the balance sheet.

Recommendation:

#17 The Borough verify the tax payment schedule to the calendar year tax levy as certified on the A-4F to ensure the correct amount of payments are made to the School District.

Explanation and Corrective Action:

The school tax payment schedule submitted by the School Business Administrator contained a \$10,000 over-age in the first half of the school fiscal year (second half of the Borough's fiscal year). The schedule included a \$10,000 payment shortage in the second half of the school fiscal year.

As a result there was a \$10,000 over-payment to the schools as of December 31, 2010. However, this over-payment corrected itself in March 2011.

In the future the school tax payment schedule submitted by the School Business Administrator will be verified against the A-4F for accuracy. .

Implementation Date:

Already implemented.

18. Finding / Condition:

Our audit of wire transfer between funds revealed that there were numerous transfers made between bank accounts for the various funds, however there is no formal procedure in place for tracking the transfers between the various bank accounts and the reason for these transfers.

Recommendation:

#18 A formal procedure be in place to track all bank account transfers between the funds and the reason for the bank account transfers are documented.

Explanation and Corrective Action:

The Borough of North Arlington disburses all payments through the Current Fund, including Capital, Grant, Trust and Escrow payments. As a result, interfunds are necessary and an important component of our Cash Management efforts.

In 2011 all interfund balances are reconciled monthly to ensure that they are in balance. Only the Chief Financial Officer can transfer bank funds and these transfers will be communicated and documented to ensure that they remain in balance.

Implementation Date:

Already implemented.

19. Finding / Condition:

Our audit of the general ledger revealed the following:

- Certain cash receipts received by the Borough are being deposited into the incorrect bank accounts and posted to the incorrect general ledger accounts.
- The balances on the delinquent tax report and tax overpayment report generated from the First Byte tax system were not in agreement with the general ledger for these accounts.
- Revenues were realized for the General Capital and Other Trust Interfunds in the Current Fund; however these Interfunds were not liquidated and receipted in the Current Fund at year end.

- Numerous interfund transactions being posted to the various funds resulting in large interfund balances at year end.

Recommendation:

#19 It is recommended that the internal control procedures over the general ledger process be enhanced to ensure that:

- All receipts are deposited in the correct bank account and posted to the correct general ledger accounts.
- Tax balances as reported in the First Byte tax system are in agreement with the general ledger account balances.

Explanation and Corrective Action:

Whenever there is a question on a cash receipt deposit the Chief Financial Officer is immediately notified for direction on the proper fund and account code to use. Only existing revenue accounts tied to specific existing general ledger accounts are utilized.

A meeting was held last month with the Borough Administrator, Chief Financial Officer, Borough Auditor and representatives of First Byte in attendance. One of the stated purposes of the meeting was to identify and correct the discrepancy that exists between the audited balances and the bank balances as reported and reconciled by First Byte. The source of the discrepancy was identified and necessary corrective action was taken to bring the First Byte balances into agreement with the audit.

Implementation Date:

Already implemented.

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R- 241 -11

RESO RE: WAIVER OF CONSTRUCTION CODE FEES RELATED TO THE REPAIR OF DAMAGE CAUSED BY AND RELATED TO HURRICANE IRENE

WHEREAS, many residents and business owners in the Borough of North Arlington have experienced significant storm and flood damage as a result of and related to Hurricane Irene; and

WHEREAS, the Code of the Borough of North Arlington Section 122-3 sets forth various fees which are required to be paid before the issuance of a permit by the Borough of North Arlington Construction Official related to any construction project undertaken within the Borough; and

WHEREAS, the Mayor and Council of the Borough of North Arlington have determined that, in light of severe damage caused by and related to Hurricane Irene and in order to allow for Borough residents and business owners to undertake repairs in an efficient and cost-effective manner, the requirement to pay certain fees outlined in Section 122-3 should be waived.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington that the Borough Construction Official is hereby directed and authorized to waive any fees which are normally charged in accordance with Section 122-3 of the Code of the Borough of North Arlington as follows:

1. Fees to be waived for construction projects which involve only the direct replacement of damage related to Hurricane Irene and associated flooding.
2. All such applications must be received by the Construction Office no later than November 30, 2011.
3. Upon the receipt of such an application, the Construction Department is to conduct a pre-inspection of the damaged area.
4. Any waiver of fees must be approved by the Construction Officer after the completion of a pre-inspection.
5. All other requirements of the Uniform Construction Code and the Code of the Borough of North Arlington must be followed.
6. Any fees required for work beyond the repair of storm damage shall not be waived.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI	X		X			
HUGHES		X	X			
JOHNSON			X			
TANELLI			X			
KEARNEY			X			
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-242-11

RESO RE: MEMBERSHIP INTO THE NORTH
ARLINGTON FIRE DEPARTMENT

BE IT RESOLVED by the Mayor and Council of North Arlington that after a meeting of the Board of Fire Officers, application for membership was approved for Anthony LaBarbera, into Eagle Truck Company #3.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, QPA
Borough Clerk

DATED: October 13, 2011

First Reading

INTRODUCED BY: Councilman Bianchi				
SECONDED BY: Councilman Yampaglia				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPGALIA	X			
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI	X			
KEARNEY	X			
MASSA				
TOTAL				

Second & Final Reading

INTRODUCED BY:				
SECONDED BY:				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA				
BIANCHI				
HUGHES				
JOHNSON				
TANELLI				
KEARNEY				
MASSA				
TOTAL				

ORDINANCE NO.2084
 BOROUGH OF NORTH ARLINGTON
 BERGEN COUNTY, NEW JERSEY

**AN ORDINANCE TO AMEND CHAPTER 187 §8 OF THE CODE OF THE
 BOROUGH OF NORTH ARLINGTON ENTITLED “VEHICLES AND TRAFFIC”**

WHEREAS, the Mayor and Council have determined that there is a need to amend Chapter 187 of the Code of the Borough of North Arlington entitled “Vehicles and Traffic”;
 and

WHEREAS, the Mayor and Council have determined that there is a need to amend Chapter 187 §8 of the Code of the Borough of North Arlington entitled “Parking Time Limited”.

NOW THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of North Arlington, County of Bergen, State of New Jersey, as follows:

Chapter 187 §8 shall be amended to **include** the following:

<u>Location</u>	<u>Side</u>	<u>Time</u>	<u>Description</u>
203 Prospect Avenue	West	2 hours; 8:00 a.m.- 5:00 p.m.; Monday through Saturday	Beginning at a point 55 feet north of the northerly curb line of Belmont Ave. and extending to a point 20 feet north therefrom with a sign erected on a sign post located 55 feet north of the northerly curb line of Belmont Ave. which shall read "Two Hour Parking Monday-Saturday 8am-5pm"

IT IS FURTHER ORDAINED that the remainder of Chapter 187 §8 of the Code of the Borough of North Arlington shall remain in full force and effect.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: October 13, 2011

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT AT A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTH ARLINGTON HELD ON THURSDAY, OCTOBER 13, 2011 THE ABOVE ORDINANCE WAS INTRODUCED AND PASSED ON ITS FIRST READING. SAID ORDINANCE SHALL BE TAKEN UP FOR FURTHER CONSIDERATION FOR FINAL PASSAGE AT A REGULAR MEETING OF THE MAYOR AND COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, BOROUGH HALL, 214 RIDGE ROAD, NORTH ARLINGTON, BERGEN COUNTY, NEW JERSEY ON OCTOBER 27, 2011 PM OR AS SOON THEREAFTER AS THE MATTER CAN BE REACHED, AT WHICH TIME AND PLACE ALL PERSONS WHO MAY BE INTERESTED THEREIN SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAME. DURING THE WEEK PRIOR TO AND UP TO AND INCLUDING THE DATE OF SUCH MEETING, COPIES OF SAID ORDINANCE WILL BE MADE AVAILABLE AT THE BOROUGH CLERK'S OFFICE TO THE MEMBERS OF THE GENERAL PUBLIC WHO SHALL REQUEST SAME.

Terence M. Wall, RMC
Borough Clerk

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLIA						
BIANCHI						
HUGHES						
JOHNSON						
TANELLI						
KEARNEY						
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES ____ NO						

R-243-11

RESO RE: EXECUTIVE SESSION

WHEREAS, the Open Public Meeting Act, Chapter 231 permits the exclusion of the public from a meeting in

certain circumstances, and

WHEREAS, the Mayor and Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Mayor and Council wish to discuss:

Personnel
Collective Bargaining

“Public release of the discussion will only occur after counsel approval. Action may or may not occur after discussion”.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council are now in executive session.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC, QPA
Borough Clerk

DATED: October 13, 2011