



BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
23-404

LIQUID FUELS TAX FUND
EXAMINATION REPORT

FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

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BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

Background

The Liquid Fuels Tax Municipal Allocation Law, Title 72 P.S. § 2615.5, provides municipalities other than counties (townships, boroughs, cities, towns, home rule, and optional plan governments) with an annual allocation of liquid fuels taxes from the state's Motor License Fund to be used for the maintenance and repair of streets, roads, and bridges for which the municipality is responsible. The allocation of these funds to municipalities is based: (1) 50 percent on the municipality's proportion of local road mileage to the total local road mileage in the state, and (2) 50 percent on the proportion of a municipality's population to the total population in the state.

The Vehicle Code, Title 75 P.S. § 9511, provides municipalities with annual maintenance payments to be received from the Motor License Fund for functionally local highways that were transferred to a municipality from the Commonwealth of Pennsylvania.

Each municipality must deposit the Liquid Fuels Tax Fund money and annual maintenance payments that it receives into a special fund called the Municipal Liquid Fuels Tax Fund or State Fund. A municipality may not deposit any other monies into this fund except when the municipality does not have enough money in the special fund to meet the payments called for by its current annual budget for road and bridge purposes. In this case, the municipality may borrow money or transfer money from its General Fund to its Liquid Fuels Tax Fund.

The Department of Transportation has been given the regulatory authority for the administration of these funds. To qualify for its annual allocation, each municipality shall submit the following documents and information to the Department of Transportation:

1. Evidence that the treasurer is bonded in accordance with the law, or that its treasurer is a bank requiring no bond by January 31 of each year.
2. A report indicating the manner in which its liquid fuels tax allocation was expended in the previous year (Form MS-965) by January 31 of each year.
3. A report of elected and appointed officials by January 31 of each year.
4. A Survey of Financial Condition by March 15 of each year.

Department of Transportation *Publication 9* contains the policies and procedures that govern the use of Liquid Fuels Tax Fund money. However, if there is a difference between *Publication 9* and any legislation, the legislation shall govern.



Independent Auditor's Report

The Honorable Allen D. Biehler, P.E.
Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Borough of Clifton Heights, Delaware County, for the three years ended December 31, 2008. The municipality's management is responsible for the Forms MS-965. Our responsibility is to express an opinion on the Forms MS-965 With Adjustments based on our examination.

Except as discussed in the fifth paragraph, our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and the standards applicable to attestation engagements contained in *Government Auditing Standards* issued by the Comptroller General of the United States. An examination includes examining, on a test basis, evidence supporting the Borough of Clifton Heights, Delaware County's Forms MS-965 for the three years ended December 31, 2008 and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion.

We are mandated by Section 403 of *The Fiscal Code*, 72 P.S. § 403, to audit each municipality's Liquid Fuels Tax Fund to ensure that funds received are expended in accordance with applicable laws and regulations. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Section 403 of *The Fiscal Code*.

As described in Note 4, the adjustments included on the Forms MS-965 With Adjustments are made by the Department of the Auditor General.

Independent Auditor's Report (Continued)

As discussed in Finding No. 1, the borough did not maintain documentation to support expenditures of \$111,615.16 in 2006, \$44,994.13 in 2007, and \$11,749.13 in 2008 from the Liquid Fuels Tax Fund. Additionally, as discussed in Finding No. 2, we were unable to examine images of the back of the canceled checks from the borough's financial institution because the borough failed to obtain them from its financial institution. Consequently we were unable to perform procedures to determine whether disbursements were made in accordance with applicable laws and regulations.

As discussed in Finding No. 3, the borough expended \$7,493.00 of Liquid Fuels Tax Fund money in excess of the approved amount on road construction project No. 07-23404-1CA. Furthermore, as discussed in Comment No. 2, during our prior examination period we recommended that the Department of Transportation determine if the municipality should reimburse \$122,614.94 to its Liquid Fuels Tax Fund. This amount consists of \$83,613.70 for a failure to maintain documentation to support expenditures, \$27,045.84 for a failure to maintain documentation supporting price quotations, and \$11,955.40 for overexpending Liquid Fuels Tax Fund money on road construction projects. As of the date of this report, the municipality had not reimbursed \$122,614.94 to its Liquid Fuels Tax Fund.

In our opinion, except for the effects of such adjustments, if any, as might have been determined to be necessary had we been able to examine the documentation discussed in the fifth paragraph and the effects of the matters discussed in the sixth paragraph, the Forms MS-965 With Adjustments present, in all material respects, the information required by the Pennsylvania Department of Transportation for the Liquid Fuels Tax Fund of the Borough of Clifton Heights, Delaware County, for the two years ended December 31, 2005, in conformity with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report findings of significant deficiencies in internal control, violations of provisions of contracts or grant agreements, and abuse that are material to the Forms MS-965 and any fraud and illegal acts that are more than inconsequential that come to our attention during our examination. We are also required to obtain the views of management on those matters. We performed our examination to express an opinion on whether the Forms MS-965 are presented in accordance with the criteria described above and not for the purpose of expressing an opinion on the internal control over reporting on the Forms MS-965 or on compliance and other matters; accordingly, we express no such opinions.

Independent Auditor's Report (Continued)

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Borough of Clifton Heights, Delaware County's ability to initiate, authorize, record, process, or report data reliably in accordance with the applicable criteria such that there is more than a remote likelihood that a misstatement of the Borough of Clifton Heights, Delaware County's Forms MS-965 that is more than inconsequential will not be prevented or detected by the Borough of Clifton Heights, Delaware County's internal control. We consider the deficiencies described in the findings below to be significant deficiencies in internal control over reporting on the Forms MS-965:

- Documentation Supporting Expenditures Was Not Available For Examination.
- Electronic Imaging Of Canceled Checks From The Bank Did Not Include The Back Of The Checks.

A material weakness is a significant deficiency or combination of significant deficiencies that results in more than a remote likelihood that a material misstatement of the Forms MS-965 will not be prevented or detected by the Borough of Clifton Heights, Delaware County's internal control. Our consideration of the internal control over reporting on the Forms MS-965 would not necessarily disclose all matters in the internal control that might be significant deficiencies and, accordingly, would not necessarily disclose all significant deficiencies that are also considered to be material weaknesses. We consider all the significant deficiencies described above to be material weaknesses.

The results of our tests disclosed the following instances of noncompliance that are required to be reported under *Government Auditing Standards*:

- Liquid Fuels Money Overexpended On Project.
- A Complete Record Of Borough Council Meeting Minutes Was Not Available For Examination.

Independent Auditor's Report (Continued)

We also noted an other matter that, while not required to be included in this report by *Government Auditing Standards*, has been included in the finding below:

- Late Receipt Of Allocation.

We are concerned in light of the municipality's failure to correct previously reported findings regarding the municipality's failure to obtain an image of the back of the canceled checks from its financial institution, its failure to maintain documentation to support expenditures, for expending Liquid Fuels Tax Fund money in excess of the amount approved for a road construction project, and for receiving its Liquid Fuels Tax Fund allocation late. During our current examination period the municipality failed to maintain documentation to support expenditures, failed to obtain an image of the back of the canceled checks from its financial institution, expended Liquid Fuels Tax Fund money in excess of the approved amount on a road construction project, failed to maintain a complete record of borough council meeting minutes, and received its 2006 Liquid Fuels Tax Fund allocation late. The municipality should strive to implement the recommendations and corrective actions noted in this report.

This report is intended solely for the information and use of the Pennsylvania Department of Transportation and the management of the Borough of Clifton Heights, Delaware County, and is not intended to be and should not be used by anyone other than these specified parties.

July 7, 2009

JACK WAGNER
Auditor General

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2006 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ -	\$ -	\$ -
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	5,418.72	-	5,418.72
Traffic control devices	42,808.22	-	42,808.22
Street lighting	-	-	-
Storm sewers and drains	2,086.50	-	2,086.50
Repairs of tools and machinery	460.26	-	460.26
Maintenance and repair of roads and bridges	76,548.49	-	76,548.49
Highway construction and rebuilding projects	-	-	-
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 127,322.19</u>	 <u>\$ -</u>	 <u>\$ 127,322.19</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2006 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2006	\$ 36,208.59	\$ -	\$ 36,208.59
Receipts:			
2. State allocation	100,058.53	-	100,058.53
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	1,971.25	-	1,971.25
2c. Miscellaneous (Note 5)	9,131.91	-	9,131.91
3. Total receipts	<u>111,161.69</u>	<u>-</u>	<u>111,161.69</u>
4. Total funds available	<u>147,370.28</u>	<u>-</u>	<u>147,370.28</u>
5. Expenditures (Section 1)	<u>127,322.19</u>	<u>-</u>	<u>127,322.19</u>
6. Balance, December 31, 2006	<u><u>\$ 20,048.09</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 20,048.09</u></u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2006 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 36,208.59	\$ -	\$ 36,208.59
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	20,011.71	-	20,011.71
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	56,220.30	-	56,220.30
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>56,220.30</u>	<u>-</u>	<u>56,220.30</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 20,048.09</u>	<u>\$ -</u>	<u>\$ 20,048.09</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2007 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ -	\$ -	\$ -
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	10,742.12	-	10,742.12
Traffic control devices	29,409.24	-	29,409.24
Street lighting	9,316.46	-	9,316.46
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	6,545.31	81.38	6,626.69
Highway construction and rebuilding projects	-	-	-
Miscellaneous	81.38	(81.38)	-
	<u>81.38</u>	<u>(81.38)</u>	<u>-</u>
Total (To Section 2, Line 5)	<u>\$ 56,094.51</u>	<u>\$ -</u>	<u>\$ 56,094.51</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2007 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2007	\$ 20,048.09	\$ -	\$ 20,048.09
Receipts:			
2. State allocation	103,831.67	-	103,831.67
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	2,880.28	-	2,880.28
2c. Miscellaneous	-	-	-
3. Total receipts	<u>106,711.95</u>	<u>-</u>	<u>106,711.95</u>
4. Total funds available	<u>126,760.04</u>	<u>-</u>	<u>126,760.04</u>
5. Expenditures (Section 1)	<u>56,094.51</u>	<u>-</u>	<u>56,094.51</u>
6. Balance, December 31, 2007	<u><u>\$ 70,665.53</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 70,665.53</u></u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2007 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 20,048.09	\$ -	\$ 20,048.09
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	20,766.33	-	20,766.33
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	40,814.42	-	40,814.42
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>40,814.42</u>	<u>-</u>	<u>40,814.42</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 40,814.42</u>	<u>\$ -</u>	<u>\$ 40,814.42</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2008 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ -	\$ -	\$ -
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	6,341.62	-	6,341.62
Traffic control devices	35,611.68	-	35,611.68
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	2,574.13	-	2,574.13
Highway construction and rebuilding projects	113,328.29	-	113,328.29
Miscellaneous	-	-	-
	<hr/>	<hr/>	<hr/>
Total (To Section 2, Line 5)	<u>\$ 157,855.72</u>	<u>\$ -</u>	<u>\$ 157,855.72</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2008 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2008	\$ 70,665.53	\$ -	\$ 70,665.53
Receipts:			
2. State allocation	114,467.86	-	114,467.86
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	1,682.18	11.74	1,693.92
2c. Miscellaneous (Note 5)	7,493.00	-	7,493.00
3. Total receipts	<u>123,643.04</u>	<u>11.74</u>	<u>123,654.78</u>
4. Total funds available	<u>194,308.57</u>	<u>11.74</u>	<u>194,320.31</u>
5. Expenditures (Section 1)	<u>157,855.72</u>	<u>-</u>	<u>157,855.72</u>
6. Balance, December 31, 2008	<u>\$ 36,452.85</u>	<u>\$ 11.74</u>	<u>\$ 36,464.59</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 2008 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 40,814.42	\$ -	\$ 40,814.42
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	22,893.57	-	22,893.57
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	63,707.99	-	63,707.99
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>63,707.99</u>	<u>-</u>	<u>63,707.99</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 36,452.85</u>	<u>\$ 11.74</u>	<u>\$ 36,464.59</u>

Notes to Forms MS-965 With Adjustments are an integral part of this report.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORMS MS-965 WITH ADJUSTMENTS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

1. Criteria

Section 1

This section of Form MS-965 With Adjustments provides a summary of Liquid Fuels Tax Fund expenditures by category. Categories requiring explanation include:

- Major equipment purchases are purchases of road machinery and road equipment that cost in excess of \$4,000.00.
- Minor equipment purchases are purchases of road machinery and road equipment that cost \$4,000.00 or less.
- Agility projects are exchanges of services with the Department of Transportation.

Section 2

This section of Form MS-965 With Adjustments provides information on the fund balance. Categories requiring explanation include:

- The state allocation is generally received from the Department of Transportation during the first week in April of each year. The amount the municipality receives is based half on its population and half on its road mileage.
- The turnback allocation is generally received from the Department of Transportation during the first week in April of each year. A municipality receives a yearly turnback allocation based on road mileage for all roads that were transferred to the municipality from the Commonwealth of Pennsylvania through the Highway Transfer Program.
- Expenditures include the total transferred from Section 1.

Section 3

This section of Form MS-965 With Adjustments determines if the municipality expended Liquid Fuels Tax Fund money in excess of the permissible amount for equipment and the balance that the municipality may carry forward for the purchase of equipment to the subsequent year.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORMS MS-965 WITH ADJUSTMENTS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

1. Criteria (Continued)

Section 3 (Continued)

Department of Transportation *Publication 9* requires that the amount expended for equipment purchases in a given year not exceed the sum of the equipment balance carried forward from the previous year and 20 percent of the current year's Liquid Fuels Tax Fund allocation and, if applicable, 20 percent of the turnback allocation plus other Department of Transportation approved adjustments.

If the municipality spent in excess of the amount listed on Line 4, the excess must be reimbursed to the Liquid Fuels Tax Fund.

The equipment balance to be carried forward for the subsequent year is the lesser of the amount on Line 6 or the ending fund balance on Line 6 of Section 2, but not less than zero.

Basis Of Presentation

The financial activities of the municipality are accounted for in separate funds. The Liquid Fuels Tax Fund is used to account for state aid revenues from the Pennsylvania Department of Transportation used primarily for building and improving local roads and bridges. The Forms MS-965 have been prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation as a result of the Fuels Tax Act 655, dated 1956 and as amended, which does not constitute a complete presentation of the entity's assets, liabilities, expenses, and fund balance. Accordingly, the presentation of Forms MS-965 With Adjustments is restricted to the Liquid Fuels Tax Fund, which represents a segment of the entity.

Basis Of Accounting

The accompanying Forms MS-965 With Adjustments are prepared in accordance with reporting requirements prescribed by the Pennsylvania Department of Transportation. Under this method, revenues are recognized when received and expenditures are recorded when paid.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORMS MS-965 WITH ADJUSTMENTS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

1. Criteria (Continued)

General Fixed Assets

General fixed assets are recognized as expenditures at the time of purchase. No depreciation has been provided on the heavy equipment used to maintain and repair roads and bridges.

2. Deposits

The Borough Code, Title 53 P.S § 46316, authorizes the borough to deposit its funds in the following:

- Deposits in savings accounts or time deposits, other than certificates of deposit or share accounts of institutions having their principal place of business in the Commonwealth of Pennsylvania and insured by the Federal Deposit Insurance Corporation (FDIC) or other like insurance. For any amount above the insured maximum, the depository shall pledge approved collateral.
- Certificates of deposit purchased from institutions insured by the FDIC or other like insurance to the extent that such accounts are so insured. For any amounts in excess of the insured maximum, such deposits shall be collateralized by a pledge or assignment of assets. Certificates of deposit may not exceed 20 percent of a bank's total capital surplus or 20 percent of a savings and loan's or savings bank's assets minus liabilities.

Deposits consist of receipts and deposits in a financial institution. Pennsylvania statutes require all deposits to be insured and, for any amount above the insured maximum, to be secured with approved collateral as defined.

There were no deposits exposed to custodial credit risk as of December 31, 2008. Custodial credit risk, as defined by GASB No. 40, includes deposits that are not covered by depository insurance and the deposits are uncollateralized, collateralized with securities held by the pledging financial institution, or collateralized with securities held by the pledging financial institution's trust department or agent but not in the municipality's name.

BOROUGH OF CLIFTON HEIGHTS
 DELAWARE COUNTY
 LIQUID FUELS TAX FUND
 NOTES TO FORMS MS-965 WITH ADJUSTMENTS
 FOR THE THREE YEARS ENDED
 DECEMBER 31, 2008

2. Deposits (Continued)

Fund Balance

The fund balance as of December 31, 2008 consists of the following:

Cash	\$36,464.59
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3. Interest On Investments

Our examination disclosed that the municipality deposited idle liquid fuels tax money in an interest-bearing account which earned \$1,971.25 during 2006, \$2,880.28 during 2007, and \$1,693.92 during 2008, thus providing additional funds for road maintenance and repairs.

4. Adjustments

2007 - Section 1

Adjustments were made to “Maintenance and repair of roads and bridges” and “Miscellaneous” because expenditures of \$81.38 were misclassified.

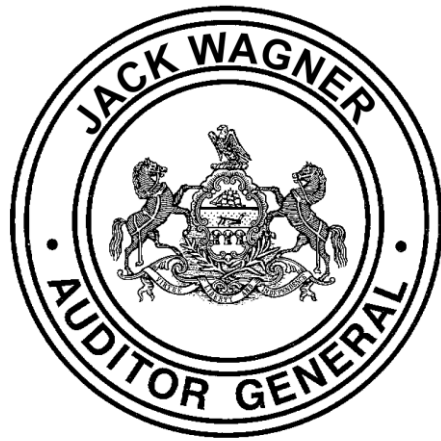
2008 - Section 2

An adjustment of \$11.74 was made to “Interest on investments” because interest earnings were understated.

5. Miscellaneous Receipts

The following miscellaneous receipts were deposited into the Liquid Fuels Tax Fund during the examination period:

Source	Description	2006	2008
Commonwealth of Pennsylvania	Gas tax refund	\$ 391.75	\$ -
General Fund	Reimbursement (Comment No. 1)	4,015.79	-
Private concern	Reimbursement for damages	4,724.37	-
Delaware County	County Aid (Finding No. 3)	-	7,493.00
		\$9,131.91	\$7,493.00
Totals		\$9,131.91	\$7,493.00



BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

Finding No. 1 - Documentation Supporting Expenditures Was Not Available For Examination

Our examination disclosed that the municipality did not maintain documentation to support expenditures of \$111,615.16 in 2006, \$44,994.13 in 2007, and \$11,749.13 in 2008. Applicable vendor invoices, contracts, and payroll documentation were unavailable for review.

Good internal control procedures ensure that there is documentation to support all expenditures.

The Liquid Fuels Tax Municipal Allocation Law, 72 P.S. § 2615.4, provides, in part, that monies herein allocated may be used only for construction, reconstruction, maintenance and repairs of such public roads or streets, including bridges, culverts and drainage structures, for which they are legally responsible. Also permitted are expenditures involving acquisition, maintenance, repairs and operation of street signs, traffic signs, traffic signal control systems, road equipment, and snow fences.

The Department of Transportation has been statutorily authorized to promulgate regulations concerning the administration of Liquid Fuels Tax Fund money and has determined that certain items, including expenditures made without supporting documentation, are outside the scope of permissible expenditures.

Without adequate documentation, we could not determine if the expenditures were permissible according to the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations.

The failure to maintain documentation to support expenditures could result in the municipality having to reimburse \$168,358.42 to its Liquid Fuels Tax Fund.

A similar finding was also written in our prior report.

Recommendations

We recommend that the municipality reimburse \$168,358.42 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

Further, we again recommend that the municipality ensure good internal control over expenditures by maintaining adequate documentation to support all expenditures.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

Finding No. 1 - Documentation Supporting Expenditures Was Not Available For Examination
(Continued)

Management's Response

The municipal officials offered no formal response at this time.

Auditor's Conclusion

This is a recurring finding. We strongly recommend that the municipality comply with our recommendations.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

Finding No. 2 - Electronic Imaging Of Canceled Checks From The Bank Did Not Include The
Back Of The Checks

Our examination disclosed that the imaging of canceled checks from the bank for the Liquid Fuels Tax Fund account was not acceptable because the bank provides only an image of the front side of the canceled checks. For us to properly complete our examination testing, we have to examine the front and back of the canceled checks. Because the test of disbursements was limited, we had to qualify our opinion as stated in the Independent Auditor's Report.

Good internal controls and the Commonwealth of Pennsylvania Management Directive 210.11, dated June 16, 1997, require that imaging systems comply with the provisions of the Internal Revenue Service (IRS) procedures for record keeping with electronic imaging. To be acceptable, the documents provided by the system must meet IRS procedures governing size, content, format, and pattern. Those procedures require that all images produced by the imaging system exhibit a high degree of legibility and readability when displayed on paper. Legibility includes the ability to identify all letters and numerals positively and quickly. Readability includes the ability to recognize a group of letters or numerals as words or completed numbers. Imaged documents must include the front and back of a document in which both the front and back are used.

Further, good internal controls ensure that by having a municipal official review the front and back of the canceled checks, any errors or irregularities can be detected on a timely basis.

Without this control, the potential exists for errors or irregularities to go undetected for long periods of time.

A similar finding was also written in our prior report.

Recommendations

We again recommend that the municipal officials obtain images of the front and back of canceled checks in accordance with Directive 210.11. Additionally, municipal officials should review the front and back of each canceled check for any errors or irregularities.

Further, we again recommend that, if the municipality's financial institution's check imaging process does not comply with Directive 210.11, original documentation must be obtained.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
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Finding No. 2 - Electronic Imaging Of Canceled Checks From The Bank Did Not Include The
Back Of The Checks (Continued)

Management's Response

The municipal officials offered no formal response at this time.

Auditor's Conclusion

This is a recurring finding. We strongly recommend that the municipality comply with our recommendations.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
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Finding No. 3 - Liquid Fuels Money Overexpended On Project

Our examination disclosed that the municipality expended \$59,218.46 of Liquid Fuels Tax Fund money on road construction project No. 07-23404-1CA. However, the amount approved to be expended from the Liquid Fuels Tax Fund for this project was \$51,725.46. The difference of \$7,493.00 should have been paid directly from the General Fund.

The Department of Transportation's Regulations do not permit a municipality to expend Liquid Fuels Tax Fund money in excess of the amount approved on Municipal Services Completion Report Form MS-999.

We noted that on October 20, 2008, the municipality deposited its County Aid proceeds for the project of \$7,493.00 into the Liquid Fuels Tax Fund. However, on January 16, 2009, the municipality transferred the \$7,493.00 back to the General Fund, leaving a balance due of \$7,493.00 to the Liquid Fuels Tax Fund.

The failure to comply with the Department of Transportation's Regulations could result in the municipality having to reimburse \$7,493.00 to its Liquid Fuels Tax Fund.

A similar finding was also written in our prior report.

Recommendations

We recommend that the municipality reimburse \$7,493.00 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

Further, we again recommend that, in the future, the municipality expend only the approved amount of Liquid Fuels Tax Fund money on road construction projects.

Management's Response

The municipal officials offered no formal response at this time.

Auditor's Conclusion

This is a recurring finding. We strongly recommend that the municipality comply with our recommendations.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
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Finding No. 4 - A Complete Record Of Borough Council Meeting Minutes Was Not Available
For Examination

Our examination disclosed that the minutes reflecting advertised meetings of council from March through October of 2006 were not available for our review.

Section 1111 of *The Borough Code* states, in part, that “the secretary shall attend all meetings of the borough council and keep full minutes of its proceedings. The secretary shall certify copies of any book, paper, bylaw, rule, regulation, resolution, ordinance or proceeding of the borough, under the seal, when so certified, shall be admissible in Commonwealth Court.” Furthermore, Section 1113 states, in part, that “the minute book shall be open to inspection of any taxpayer.”

The primary purpose of the minutes is to provide an official record of council meetings. Without a complete record of readable minutes, we were unable to determine if there were any references to the road projects or if any additional information would have had an impact on the propriety of liquid fuels expenditures. Additionally, we were unable to determine if litigation or related party transactions were noted.

Recommendation

We recommend that, in the future, transcribed minutes for council meetings be available for public review within a reasonable period of time after each meeting.

Management’s Response

The municipal officials offered no formal response at this time.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

Finding No. 5 - Late Receipt Of Allocation

Our examination disclosed that the 2006 Liquid Fuels Tax Fund allocation, which should have been distributed during the first week of April of that year, was not received until August 22, 2006, because the municipality failed to comply with the Department of Transportation's Regulation 449.12, which requires the timely filing of particular documents and information, among them:

- Evidence that its treasurer is bonded in accordance with the law or that its treasurer is a bank requiring no bond.
- A report indicating the manner in which its Liquid Fuels Tax Fund was expended in the preceding year.
- Survey of financial condition.
- Roster of municipal officials.

Because the municipality failed to file documents and information timely as noted above, the municipality did not have use of the allocation for more than four months. Furthermore, had the allocation been received timely, money may have been available for investment purposes, potentially earning interest income which could have been used for road maintenance and repairs.

A similar finding was also written in our prior report. However, the municipality filed all required documents and information timely in 2007 and 2008 and therefore, received its allocations on time in those years.

Recommendation

We recommend that, in the future, the municipality continue to comply with the Department of Transportation's Regulation 449.12 to ensure that the allocations are received during the first week in April as outlined above.

Management's Response

The municipal officials offered no formal response at this time.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
COMMENTS
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Comment No. 1 - Summary Of 2002-2003 Examination Recommendations

In our 2002-2003 report, we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$4,015.79 to its Liquid Fuels Tax Fund. This amount consists of \$637.50 for a nonpermissible expenditure and \$3,378.29 for the failure to maintain documentation to support payroll expenditures.

During our 2004-2005 examination, we reviewed a letter dated December 14, 2005, from the Department of Transportation, informing the municipality to reimburse \$4,015.79 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on July 25, 2006.

Comment No. 2 - Summary Of 2004-2005 Examination Recommendations

In our 2004-2005 report we recommended that the Department of Transportation review our examination findings to determine if the municipality should reimburse \$122,614.94 to its Liquid Fuels Tax Fund. This amount consists of \$83,613.70 for a failure to maintain documentation to support expenditures, \$27,045.84 for a failure to maintain documentation supporting price quotations, and \$11,955.40 for overexpending Liquid Fuels Tax Fund money on road construction projects. A finding for a failure to maintain documentation to support expenditures and Liquid Fuels Tax Fund money overexpended on a road construction project were also written in our current report (see Finding Nos. 1 and 3).

During our current examination we reviewed a letter dated January 18, 2008, from the Department of Transportation informing the municipality to reimburse \$122,614.94 to its Liquid Fuels Tax Fund. As of the date of this report, the municipality had not reimbursed this amount to its Liquid Fuels Tax Fund.

In our 2004-2005 report we also recommended that the municipality comply with *The Borough Code* and the Department of Transportation's *Publication 9* by maintaining documentation to support price quotations.

During our current examination we noted that the municipality complied with our recommendation.

BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

An exit conference was held July 7, 2009. Those participating were:

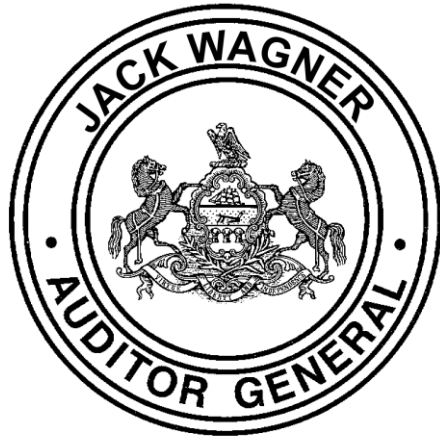
BOROUGH OF CLIFTON HEIGHTS

Mr. Robert J. Poole, Borough Manager

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Robert Rosenfeldt, Auditor

The results of the examination were presented and discussed in their entirety.



BOROUGH OF CLIFTON HEIGHTS
DELAWARE COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE THREE YEARS ENDED
DECEMBER 31, 2008

This report was initially distributed to:

The Honorable Allen D. Biehler, P.E.
Secretary
Department of Transportation

Borough of Clifton Heights
Delaware County
30 South Springfield Road
Clifton Heights, PA 19018

The Honorable Anthony J. Casadei

President of Council

Mr. Robert J. Poole

Borough Manager

This report is a matter of public record. Copies of this report may be obtained from the Pennsylvania Department of the Auditor General, Office of Communications, 318 Finance Building, Harrisburg, PA 17120. To view this report online or to contact the Department of the Auditor General, please access our web site at www.auditorgen.state.pa.us.