COMPLIANCE AUDIT

The Relief Association of the Armagh and East Wheatfield Twp. Volunteer Fire Company

Indiana County, Pennsylvania
For the Period
January 1, 2019, to December 31, 2022

January 2024



Commonwealth of Pennsylvania Department of the Auditor General

Timothy L. DeFoor • Auditor General



Commonwealth of Pennsylvania
Department of the Auditor General
Harrisburg, PA 17120-0018
Facebook: Pennsylvania Auditor General
Twitter: @PAAuditorGen
www.PaAuditor.gov

TIMOTHY L. DEFOOR AUDITOR GENERAL

Mr. Nick Brilhart, President
The Relief Association of the Armagh and
East Wheatfield Twp. Volunteer Fire Company
Indiana County

We have conducted a compliance audit of The Relief Association of the Armagh and East Wheatfield Twp. Volunteer Fire Company (relief association) for the period January 1, 2019, to December 31, 2022. The audit was conducted pursuant to authority derived from Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania; Section 403 of The Fiscal Code, 72 P.S. § 403; and the Volunteer Firefighters' Relief Association Act ("VFRA Act"), see 35 Pa.C.S. § 7418.

The objectives of the audit were:

- 1. To determine if the relief association took appropriate corrective action to address the findings contained in our prior audit report.
- 2. To determine if the relief association complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds.

Our audit was limited to the areas related to the objectives identified above and was not, nor was it required to be, conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States.

Relief association officers are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the relief association's administration of state aid and accumulated relief association funds complies with applicable state laws, contracts, bylaws, and administrative procedures, including the safeguarding of assets. Relief association officers are responsible for complying with applicable state laws, contracts, bylaws, and administrative procedures. It is our responsibility to perform procedures to obtain sufficient, appropriate evidence to the extent necessary to satisfy the audit objectives. We believe that our audit provides a reasonable basis for our conclusions.

Based on our audit procedures, we conclude that, for the period January 1, 2019, to December 31, 2022:

- The relief association did not take appropriate corrective action to address the findings contained in our prior audit report, as detailed below, and discussed in the Status of Prior Findings section of this report.
- Because of the significance of the matters described in Finding Nos. 1 and 2 below and discussed later in this report, the relief association did not, in all significant respects, comply with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds, collectively as a whole. Therefore, the relief association may be subject to the potential withholding of its upcoming state aid distribution, as discussed in the Potential Withhold of State Aid section of this report.
 - Finding No. 1 Noncompliance With Prior Audit Recommendation Erroneous Deposits Of Funds
 - Finding No. 2 Noncompliance With Prior Audit Recommendation Unauthorized Expenditures
 - Finding No. 3 Undocumented Expenditures
 - Finding No. 4 Failure To Maintain A Complete And Accurate Equipment Roster
 - Finding No. 5 Inadequate Financial Record-Keeping System
 - Finding No. 6 Inappropriate Pre-signing Of Blank Checks

We are concerned by the number of findings noted and strongly encourage timely implementation of the recommendations noted in this audit report.

The contents of this report were discussed with the management of the relief association and, where appropriate, their responses have been included in the report. We would like to thank the relief association officials for the cooperation extended to us during the conduct of the audit.

Timothy L. DeFoor Auditor General

Timothy L. Detool

October 17, 2023

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BACKGROUND

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code¹, and the Volunteer Firefighters' Relief Association Act² ("VFRA Act"), the Department of the Auditor General's duty is to audit the accounts and records of every volunteer firefighters' relief association to determine that funds received under the Foreign Fire Insurance Tax Distribution Law³ (commonly referred to as Act 205) are properly expended.

The relief association is a charitable organization that was formed primarily to afford financial protection to volunteer firefighters and to encourage individuals to participate in volunteer fire service.

The VFRA Act governs the overall operation of volunteer firefighters' relief associations. Relief association bylaws define the specific operational procedures by which relief associations conduct business. To fulfill its primary purpose, the VFRA Act authorizes specific types of expenditures and prescribes appropriate volunteer firefighters' relief association investment options. Within the parameters established by the VFRA Act, it is the responsibility of relief associations to choose investments in a proper and prudent manner.

Volunteer firefighters' relief associations receive public tax monies, and the relief association officers therefore have a responsibility to the public to conduct the relief association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all relief association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the relief association operates in accordance with applicable state laws, contracts, bylaws, and administrative procedures.

Act 205 sets forth the computation of the Foreign Fire Insurance Tax Distribution paid to each applicable municipality throughout the Commonwealth of Pennsylvania. The amount of the distribution is based upon the population of each municipality and the market value of real estate within the municipality. Upon receipt of this distribution, the municipality must allocate the funds to the volunteer firefighters' relief association of the fire service organization or fire service organizations that is or are recognized as providing the service to the municipality.

¹ 72 P.S. § 403 (as last amended by Act 44 of 2017).

² 35 Pa.C.S. § 7411 et seq. See specifically, 35 Pa.C.S. § 7418 (amended by Act 91 of 2020).

BACKGROUND – (Continued)

The relief association was allocated state aid from the following municipalities:

Municipality	County	2019	2020	2021	2022
Armagh Borough	Indiana	\$ 518	\$ 525	\$ 473	\$ 512
East Wheatfield Township	Indiana	\$10,990	\$11,083	\$10,012	\$11,472

Based on the relief association's records, its total cash and investments as of December 31, 2022, was \$99,203, as illustrated below:

Cash	\$ 42,503
Fair Value of Investments	 56,700
Total Cash and Investments	\$ 99,203

BACKGROUND – (Continued)

Based on the relief association's records, its total expenditures for the period January 1, 2019, to December 31, 2022, were \$144,392, as noted below. The accuracy of these expenditures was evaluated as part of the Department's audit to conclude on the relief association's compliance with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds. The scope of the Department's audit does not include the issuance of an opinion on the accuracy of these amounts.

Expenditures:

Benefit Services:		
Insurance premiums	\$	9,490
Fire Services:		
Equipment purchased	\$	12,543
Equipment maintenance		4,469
Total Fire Services	\$	17,012
Administrative Services:		
	Φ.	500
Bond premiums	\$	500
Other administrative expenses		60
Total Administrative Services	\$	560
Other Expenditures:		
Miscellaneous – See Finding No. 1	\$	108,604
Undocumented expenditures – See Finding No. 3		1,800
Unauthorized expenditures – See Finding No. 2		6,926
Total Other Expenditures	\$	117,330
Total Expenditures	\$	144,392

The volunteer firefighters' relief association and the affiliated fire service organization are separate, legal entities. The relief association is affiliated with the following fire service organization:

Armagh And East Wheatfield Township Volunteer Fire Company

⁴ Accuracy was evaluated for a selection of transactions based on dollar amount, category, and/or random selection.

THE RELIEF ASSOCIATION OF THE ARMAGH AND EAST WHEATFIELD TWP. VOLUNTEER FIRE COMPANY STATUS OF PRIOR FINDINGS

NONCOMPLIANCE WITH PRIOR AUDIT FINDINGS AND RECOMMENDATIONS

The relief association has not complied with the following prior audit findings. These findings are noted below and discussed in detail in the Findings and Recommendations section of this report:

• Erroneous Deposits Of Funds

Although the relief association transferred \$43,364 to the affiliated fire company on April 9, 2020, the relief association again, had erroneous deposits in the current audit period as disclosed in Finding No. 1 of this report.

• Unauthorized Expenditures

Although the relief association received reimbursement of \$5,652 from the affiliated fire company for the unauthorized expenditures that were made in the prior audit period, the relief association again had unauthorized expenditures in the current audit period as further disclosed in Finding No. 2 of this report.

We are concerned by the relief association's failure to correct those previously reported audit findings. The relief association management should strive to implement the recommendations and corrective actions noted in this audit report.

<u>Finding No. 1 – Noncompliance With Prior Audit Recommendation – Erroneous Deposits</u> <u>Of Funds</u>

<u>Condition</u>: During the prior two audits, the relief association was given a verbal observation and a finding for commingling relief association's funds with the affiliated fire company's funds. This comingling of funds is the result of the Treasurer of the relief association continuously depositing the affiliated fire company's funds in error into the relief association's bank account. The prior audit recommended the relief association pay the affiliated fire company \$43,364 for the prior year's erroneous deposits.

During the current audit period, the relief association made nine additional erroneous deposits totaling \$103,994 into the relief association's account that were intended for the affiliated fire company. In an attempt to fix the errors from the prior audit period and this audit period, the relief association transferred \$65,240 on February 18, 2020, and \$43,364 on April 8, 2020, to the affiliated fire company's bank account. The net result of \$38,754 was still owed to the affiliated fire company for erroneous deposits at the end of the current audit period ending December 31, 2022.

<u>Criteria</u>: Relief association funds should not be comingled with any other organization's funds in order to maintain effective control of its assets. In addition, adequate accounting and internal controls should include procedures to prevent erroneous deposits that are intended for a different legal entity.

<u>Cause</u>: The relief association's Treasurer and the affiliated fire company's treasurer are the same person, and he indicated he confuses the two entities' bank accounts and again failed to establish adequate internal control procedures that would prevent erroneous deposits and the comingling of funds.

<u>Effect</u>: The practice of depositing fire company's funds into the association's account can lead to confusion in determining the total amount of relief association's monetary assets. Furthermore, the relief association's future state aid allocation may be withheld until the finding recommendation is complied with.

Finding No. 1 – (Continued)

Recommendation: We again recommend that the relief association immediately reimburse \$38,754 to the affiliated fire company for the erroneous deposits and also reconcile the accounts. In addition, the relief association should discontinue the current practice of depositing the affiliated fire company funds into the relief association account to ensure the future state aid allocations will not be withheld. We also recommend, the relief association consider other internal control measures that will assist in maintaining the relief association's and the affiliated fire company's funds separately, such as, having a different person act as Treasurer of the relief association than the person acting as treasurer for the affiliated fire company; or having different banks for the two entities. For further guidance, please refer to Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

<u>Auditor's Conclusion</u>: Due to the potential withhold of state aid, the relief association's compliance with the finding recommendation will be monitored subsequent to the release of the audit report and through our next audit.

<u>Finding No. 2 - Noncompliance With Prior Audit Recommendation - Unauthorized Expenditures</u>

<u>Condition</u>: Although the relief association received reimbursement from the affiliated fire company for the unauthorized expenditures that were made in the prior audit period, the relief association expended funds for the following items during the current audit period that are not authorized by the VFRA Act:

Date	Check No.	Description	 Amount
06/10/2019 07/05/2019 09/03/2019 10/30/2019	305 306 308 312	Fire company commercial package policy Fire company commercial package policy Fire company commercial package policy Fire company commercial package policy	\$ 1,732 1,732 1,732 1,730
		Total	\$ 6,926

Finding No. 2 – (Continued)

<u>Criteria</u>: Section 7416(f) of the VFRA Act states:

The funds of any volunteer firefighters' relief association may be spent:

- (2) To purchase contracts of insurance which, at a minimum, shall afford financial assistance to active members of the fire service represented by the association against losses due to injury suffered in the fire service and may also provide, in the order named: (i) for payments to the surviving spouse or other dependents of a member in the event of member's death; (ii) for protection of active firefighters against disease; (iii) for replacement or purchase of prosthetic devices such as visual aids, hearing aids, dentures, braces, crutches and the like, where those devices have been lost or damaged while the owner was engaged in the fire service or where the need for those devices arose because of functional impairment attributable to participation in the fire service; (iv) for repair or replacement, if necessary, of articles of clothing or pocket pagers damaged or lost in the course of participation in the fire service; and (v) for disability incurred after service for a minimum of 20 years as a volunteer firefighter.
- (4) To pay in full or in part for damage or loss in any of the categories mentioned in paragraph (2) above in a specific case where; (i) no policy of insurance is in force covering the risk; or (ii) the amount payable under insurance policies in force is inadequate to cover the loss.
- (8) To contribute to or to purchase contracts of insurance which will contribute to the cost of rehabilitating and retraining volunteer firefighters who, by reason of their participation in the fire service, have suffered a major impairment of the ability to continue their vocation.
- (11) To purchase safeguards for preserving life, health and safety of volunteer firefighters to ensure their availability to participate in the volunteer fire service, including necessary training.
- (12) To secure insurance against the legal liability of volunteer firefighters for loss and expense from claims arising out of performance of official and authorized duties while going to, returning from or attending fires or performing their duties as special fire police.

Finding No. 2 – (Continued)

In addition, Section 7418(b) of the VFRA Act states:

(b) Findings -- If the Auditor General finds that money received by a volunteer firefighters' relief association has been expended for a purpose other than one authorized by this subchapter, the commissioner, upon receiving notice of the finding from the auditor general, shall decline to approve payment to the volunteer firefighters' relief association until the improperly expended amount has been reimbursed to the relief association fund.

Costs associated with the fire company's portion of commercial package insurance policies do not qualify as authorized volunteer firefighters' relief association expenditures; consequently, these disbursements are not authorized under the VFRA Act.

<u>Cause</u>: Relief association officials indicated that insurance invoices were erroneously written out of the relief association account.

<u>Effect</u>: As a result of these improper expenditures, relief association funds were not available for investment purposes, or to pay for expenditures authorized by the VFRA Act. Furthermore, the relief association's future state aid allocation may be withheld until the finding recommendation is complied with.

Recommendation: We recommend that the relief association be reimbursed \$6,926 for the unauthorized expenditures and that relief association officials become familiar with Section 7416(f) of the VFRA Act to aid them in determining the propriety of future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

<u>Auditor's Conclusion</u>: Due to the potential withhold of state aid, the relief association's compliance with the finding recommendation will be monitored subsequent to the release of the audit report and through our next audit of the relief association.

Finding No. 3 – Undocumented Expenditures

<u>Condition</u>: The relief association was unable to provide adequate supporting documentation for the following expenditures made during the current audit period:

Date	Check No.	Payee Description			Amount
06/03/2022	327	Person-fundraiser qualifier		\$	400
06/03/2022	328	Fireworks vendor – fundraiser qualifier			500
06/05/2022	EFT	Affiliated fire company			900
			Total	\$	1,800

Criteria: Section 7418(a) of the VFRA Act states:

The Office of Auditor General shall have the power and its duty shall be to audit the accounts and records of every volunteer firefighters' relief association receiving money under Chapter 7 of the Act of December 18, 1984 (P.L. 1005, No. 205), known as the Municipal Pension Plan Funding Standard and Recovery Act, as far as may be necessary to satisfy the Auditor General that the money received was or is being expended for no purpose other than that authorized by this subchapter. Copies of all audits shall be furnished to the Governor.

Prudent business practice dictates that supporting documentation be maintained to evidence the propriety of all financial transactions.

Cause: The relief association officials indicated that this deficiency occurred due to an oversight.

<u>Effect</u>: Lack of supporting documentation, such as invoices, itemized receipts, and detailed minutes of meetings, made it impossible to determine if the expenditures were made in accordance with Section 7416(f) of the VFRA Act. In addition, the failure to maintain adequate supporting documentation for relief association expenditures can lead to an increased risk of errors occurring and funds being misappropriated. Furthermore, the relief association's future state aid allocations may be withheld until the finding recommendation is complied with.

Finding No. 3 – (Continued)

Recommendation: We recommend that the relief association officials provide this department with adequate supporting documentation, such as invoices and/or itemized receipts, to ensure the propriety of the expenditures or that the relief association be reimbursed \$1,800 for the undocumented expenditures. We also recommend that the relief association officials maintain supporting documentation for all future expenditures. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

<u>Auditor's Conclusion</u>: The relief association's compliance with the finding recommendation and for maintaining appropriate documentation for expenditures made during the next audit period will be subject to verification through our next audit of the relief association.

Finding No. 4 – Failure To Maintain A Complete And Accurate Equipment Roster

<u>Condition</u>: The relief association did not maintain a complete and accurate roster of equipment owned by the relief association. In addition, there was no indication that a physical inventory of equipment was conducted on an annual basis, nor whether such inventory accounted for all equipment owned by the relief association.

<u>Criteria</u>: Prudent business practice dictates that the relief association should establish adequate internal control procedures to ensure the maintenance of a cumulative equipment roster of all items purchased by the relief association and perform and document an annual physical inventory of all operable equipment in order to provide an effective accounting control over the relief association's equipment. A cumulative equipment roster of all relief association equipment should include all of the following:

- Types of equipment purchased
- Dates of purchase
- Unit costs
- Names of suppliers
- Serial numbers, if applicable
- Current locations of items
- Final dispositions of sold or damaged equipment
- Evidence of the performance and results of an annual physical inventory

Finding No. 4 – (Continued)

<u>Cause</u>: The treasurer stated that this occurred because they did not have the correct equipment roster.

<u>Effect</u>: The failure to properly record equipment purchases in a detailed equipment roster prevents officials from effectively monitoring the relief association's equipment purchases. In addition, the failure to maintain a detailed equipment roster and perform an annual physical inventory of equipment prevents adequate accountability for, and safeguarding of, relief association equipment.

<u>Recommendation</u>: We recommend that the relief association officials maintain a cumulative equipment roster of all equipment owned by the relief association. Furthermore, the relief association should ensure it performs an annual physical inventory of all operable equipment and that the completion of the inventory be sufficiently documented. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification through our next audit.

Finding No. 5 – Inadequate Financial Record-Keeping System

<u>Condition</u>: The relief association's financial record-keeping system did not establish adequate accounting procedures to allow the membership to effectively monitor the relief association's financial operations. The following are the noted deficiencies:

- Although a journal was provided, all receipts and disbursements of the relief association were not properly recorded.
- Ledgers were not utilized to record the transactions of the relief association accounts.
- Documentation to support various expenditures was not available for examination at the time of the audit (Refer to Finding No. 3 of this report).

Finding No. 5 – (Continued)

<u>Criteria</u>: Section 7415(a) of the VFRA Act states:

A volunteer firefighters' relief association may be a body corporate, governed by a charter and bylaws or an unincorporated association of individuals governed by bylaws and a constitution. In either case, it must provide for taking and preserving minutes of all meetings and maintenance of such books of account as may be necessary and appropriate to afford a permanent record of its fiscal affairs.

In addition, an adequate system of accounting and record-keeping is a prerequisite for sound administration of relief association assets.

<u>Cause</u>: The treasurer stated that he neglected to add bank interest or more detailed information on transfers and transactions and include invoice numbers on expenditures.

<u>Effect</u>: The failure of relief association officials to maintain adequate records prohibits the membership from effectively monitoring the relief association's financial operations.

<u>Recommendation</u>: We recommend that the relief association officials establish and maintain a financial record-keeping system that allows the membership to effectively monitor the relief association's financial operations. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification through our next audit.

Finding No. 6 – Inappropriate Pre-signing Of Blank Checks

<u>Condition</u>: A review of the relief association's checkbook, at the time of the audit engagement, revealed that 17 blank checks were pre-signed by one of the two relief association officers who are authorized to sign checks. The pre-signing of blank checks negates the relief association's internal control over the disbursement process.

Finding No. 6 – (Continued)

<u>Criteria</u>: Prudent business practice dictates that the relief association has sufficient internal control procedures in place to prohibit the pre-signing of blank checks. Adequate internal control procedures require that checks be signed only after the propriety of the expenditure has been determined and the payee, date, and amount to be paid has been confirmed. Additionally, responsible relief association officers should compare this information with supporting documentation, such as invoices, contracts, etc., prior to signing the checks.

Cause: The treasurer stated that he was not aware that they could not pre-sign checks.

<u>Effect</u>: As a result of one of the two authorized relief association officers pre-signing the blank checks, assets were placed at greater risk of misappropriation since the officer who pre-signed the blank checks did not have the opportunity to verify the propriety of the expenditures.

<u>Recommendation</u>: We recommend that the practice of pre-signing blank checks be immediately discontinued. We also recommend that all of the relief association officers ensure that checks are signed and co-signed only after the propriety of the expenditures have been determined and the payees, dates, and amounts to be paid have been confirmed. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

<u>Management's Response</u>: Relief association management agreed with the finding as presented at the audit exit conference and indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification through our next audit.

THE RELIEF ASSOCIATION OF THE ARMAGH AND EAST WHEATFIELD TWP. VOLUNTEER FIRE COMPANY POTENTIAL WITHHOLD OF STATE AID

Conditions of repeat findings such as those reported by Finding Nos. 1 and 2 contained in this audit report may lead to a total withholding of state aid in the future unless those findings are corrected. However, such action may not be considered if sufficient documentation is provided within 60 days to verify compliance with this department's recommendations. Such documentation should be submitted by the relief association to: Department of the Auditor General, Bureau of Fire Relief Audits, Room 316E Finance Building, Harrisburg, PA 17120.

THE RELIEF ASSOCIATION OF THE ARMAGH AND EAST WHEATFIELD TWP. VOLUNTEER FIRE COMPANY REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Joshua D. Shapiro

Governor Commonwealth of Pennsylvania

The Relief Association of the Armagh and East Wheatfield Twp. Volunteer Fire Company Governing Body:

Mr. Nick Brilhart
President

Mr. Mike Burkett
Vice President

Mr. Timothy Benamati Secretary

Mr. Kevin Means
Treasurer

The following municipalities allocated foreign fire insurance tax monies to this relief association and received a copy of this report:

Ms. Heather Custer
Secretary
Armagh Borough

Ms. Bridget Fuller
Secretary
East Wheatfield Township

THE RELIEF ASSOCIATION OF THE ARMAGH AND EAST WHEATFIELD TWP. VOLUNTEER FIRE COMPANY REPORT DISTRIBUTION LIST

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