



**BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
23-418**

**LIQUID FUELS TAX FUND  
EXAMINATION REPORT**

**FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012**

**COMMONWEALTH OF PENNSYLVANIA**

**EUGENE A. DEPASQUALE - AUDITOR GENERAL**

**DEPARTMENT OF THE AUDITOR GENERAL**





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

**EUGENE A. DePASQUALE**  
**AUDITOR GENERAL**

### Independent Auditor's Report

The Honorable Barry J. Schoch, 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 Parkside, Delaware County, for the period January 1, 2009 to December 31, 2012. 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.

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 Parkside, Delaware County's Forms MS-965 for the period January 1, 2009 to December 31, 2012 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 the Findings and Recommendations section of this report:

- The municipality expended \$20,000.00 during 2009, \$23,000.00 during 2010, and \$15,000.00 during 2012 from the Liquid Fuels Tax Fund for payroll. However, the municipality did not maintain daily payroll timesheets identifying the nature of work performed and the location of work assignments (Finding No. 1).
- The municipality expended \$9,238.18 from its Liquid Fuels Tax Fund in excess of the approved amount for project No. 09-23-418-1CA (Finding No. 2).
- The municipality expended \$6,015.00 for paving in excess of one inch on West Chelton Avenue. However, the municipality did not file an application with the Department of Transportation for the project and also failed to submit specifications for approval (Finding No. 3).

In our opinion, except for the bulleted items discussed above, 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 Parkside, Delaware County, for the period January 1, 2009 to December 31, 2012, 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.

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 Parkside, 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 Parkside, Delaware County's Forms MS-965 that is more than inconsequential will not be prevented or detected by the Borough of Parkside, 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 Payroll Expenditures Was Not Available For Examination.

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 Parkside, 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 the significant deficiency described above to be a material weakness.

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.
- Failure To Obtain Project Approval.

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 Allocations.

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



**EUGENE A. DEPASQUALE**  
Auditor General

June 20, 2013

## CONTENTS

	<u>Page</u>
Background .....	1
Financial Section:	
2009 Form MS-965 With Adjustments .....	2
2010 Form MS-965 With Adjustments .....	5
2011 Form MS-965 With Adjustments .....	8
2012 Form MS-965 With Adjustments .....	11
Notes To Forms MS-965 With Adjustments .....	14
Findings And Recommendations:	
Finding No. 1 - Documentation Supporting Payroll Expenditures Was Not Available For Examination .....	20
Finding No. 2 - Liquid Fuels Money Overexpended On Project .....	22
Finding No. 3 - Failure To Obtain Project Approval .....	23
Finding No. 4 - Late Receipt Of Allocations .....	25
Comments .....	27
Summary Of Exit Conference .....	29
Report Distribution .....	30

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

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.

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2009 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	1,105.00	-	1,105.00
Traffic control devices	1,966.98	-	1,966.98
Street lighting	15,266.40	-	15,266.40
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	25,393.18	(25,393.18)	-
Highway construction and rebuilding projects	-	25,393.18	25,393.18
Miscellaneous (Finding No. 1)	5,000.00	15,000.00	20,000.00
 Total (To Section 2, Line 5)	 <u>\$ 48,731.56</u>	 <u>\$ 15,000.00</u>	 <u>\$ 63,731.56</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2009 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, 2009	\$ 50,899.12	\$ 222.21	\$ 51,121.33
Receipts:			
2. State allocation	38,548.11	-	38,548.11
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	230.38	-	230.38
2c. Miscellaneous (Note 5)	<u>35,565.89</u>	<u>15,000.00</u>	<u>50,565.89</u>
3. Total receipts	<u>74,344.38</u>	<u>15,000.00</u>	<u>89,344.38</u>
4. Total funds available	<u>125,243.50</u>	<u>15,222.21</u>	<u>140,465.71</u>
5. Expenditures (Section 1)	<u>48,731.56</u>	<u>15,000.00</u>	<u>63,731.56</u>
6. Balance, December 31, 2009	<u><u>\$ 76,511.94</u></u>	<u><u>\$ 222.21</u></u>	<u><u>\$ 76,734.15</u></u>

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



BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2009 FORM MS-965 – SECTION 3  
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 50,899.12	\$ (9,474.28)	\$ 41,424.84
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	7,709.62	-	7,709.62
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	58,608.74	(9,474.28)	49,134.46
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>58,608.74</u>	<u>(9,474.28)</u>	<u>49,134.46</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 58,608.74</u>	<u>\$ (9,474.28)</u>	<u>\$ 49,134.46</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2010 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	4,925.34	-	4,925.34
Traffic control devices	7,664.58	-	7,664.58
Street lighting	16,847.98	-	16,847.98
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	216.00	-	216.00
Highway construction and rebuilding projects	-	-	-
Miscellaneous (Finding No. 1)	-	23,000.00	23,000.00
 Total (To Section 2, Line 5)	 <u>\$ 29,653.90</u>	 <u>\$ 23,000.00</u>	 <u>\$ 52,653.90</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2010 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, 2010	\$ 76,511.94	\$ 222.21	\$ 76,734.15
Receipts:			
2. State allocation	37,064.48	-	37,064.48
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	138.88	-	138.88
2c. Miscellaneous (Note 5)	-	23,000.00	23,000.00
3. Total receipts	<u>37,203.36</u>	<u>23,000.00</u>	<u>60,203.36</u>
4. Total funds available	<u>113,715.30</u>	<u>23,222.21</u>	<u>136,937.51</u>
5. Expenditures (Section 1)	<u>29,653.90</u>	<u>23,000.00</u>	<u>52,653.90</u>
6. Balance, December 31, 2010	<u><u>\$ 84,061.40</u></u>	<u><u>\$ 222.21</u></u>	<u><u>\$ 84,283.61</u></u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2010 FORM MS-965 – SECTION 3  
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 58,608.74	\$ (9,474.28)	\$ 49,134.46
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	7,412.90	-	7,412.90
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	66,021.64	(9,474.28)	56,547.36
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>66,021.64</u>	<u>(9,474.28)</u>	<u>56,547.36</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 66,021.64</u>	<u>\$ (9,474.28)</u>	<u>\$ 56,547.36</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2011 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	2,383.04	-	2,383.04
Traffic control devices	2,526.21	1,239.91	3,766.12
Street lighting	13,698.21	-	13,698.21
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous	1,239.91	(1,239.91)	-
	<u>1,239.91</u>	<u>(1,239.91)</u>	<u>-</u>
Total (To Section 2, Line 5)	<u>\$ 19,847.37</u>	<u>\$ -</u>	<u>\$ 19,847.37</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2011 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, 2011	\$ 84,061.40	\$ 222.21	\$ 84,283.61
Receipts:			
2. State allocation	37,962.69	-	37,962.69
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	116.77	-	116.77
2c. Miscellaneous	-	-	-
3. Total receipts	<u>38,079.46</u>	<u>-</u>	<u>38,079.46</u>
4. Total funds available	<u>122,140.86</u>	<u>222.21</u>	<u>122,363.07</u>
5. Expenditures (Section 1)	<u>19,847.37</u>	<u>-</u>	<u>19,847.37</u>
6. Balance, December 31, 2011	<u><u>\$ 102,293.49</u></u>	<u><u>\$ 222.21</u></u>	<u><u>\$ 102,515.70</u></u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2011 FORM MS-965 – SECTION 3  
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 66,021.64	\$ (9,474.28)	\$ 56,547.36
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	7,592.54	-	7,592.54
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	73,614.18	(9,474.28)	64,139.90
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>73,614.18</u>	<u>(9,474.28)</u>	<u>64,139.90</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 73,614.18</u>	<u>\$ (9,474.28)</u>	<u>\$ 64,139.90</u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2012 FORM MS-965 – SECTION 1  
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ 43,454.50	\$ -	\$ 43,454.50
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	-	-	-
Traffic control devices	2,783.30	-	2,783.30
Street lighting	14,818.30	-	14,818.30
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous (Finding No. 1)	15,000.00	-	15,000.00
 Total (To Section 2, Line 5)	 <u>\$ 76,056.10</u>	 <u>\$ -</u>	 <u>\$ 76,056.10</u>

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



BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2012 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, 2012	\$ 94,187.74	\$ 8,327.96	\$ 102,515.70
Receipts:			
2. State allocation	39,009.24	-	39,009.24
2a. Turnback allocation	-	-	-
2b. Interest on investments (Note 3)	120.33	2.15	122.48
2c. Miscellaneous (Note 5)	<u>19,500.00</u>	<u>-</u>	<u>19,500.00</u>
3. Total receipts	<u>58,629.57</u>	<u>2.15</u>	<u>58,631.72</u>
4. Total funds available	<u>152,817.31</u>	<u>8,330.11</u>	<u>161,147.42</u>
5. Expenditures (Section 1)	<u>76,056.10</u>	<u>-</u>	<u>76,056.10</u>
6. Balance, December 31, 2012	<u><u>\$ 76,761.21</u></u>	<u><u>\$ 8,330.11</u></u>	<u><u>\$ 85,091.32</u></u>

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

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 2012 FORM MS-965 – SECTION 3  
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Note 4)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 73,823.47	\$ (9,683.57)	\$ 64,139.90
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	7,801.85	-	7,801.85
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	81,625.32	(9,683.57)	71,941.75
5. Less: Major equipment expenditures	43,454.50	-	43,454.50
6. Remainder	<u>38,170.82</u>	<u>(9,683.57)</u>	<u>28,487.25</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 38,170.82</u>	<u>\$ (9,683.57)</u>	<u>\$ 28,487.25</u>

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

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

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 prior to 2012 and in excess of \$10,000.00 during 2012 and subsequent years.
- Minor equipment purchases are purchases of road machinery and road equipment that cost \$4,000.00 or less prior to 2012 and \$10,000.00 or less during 2012 and subsequent years.
- 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.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

1. Criteria (Continued)

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.

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 PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

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 financial institutions. 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, 2012. 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 PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

2. Deposits (Continued)

Fund Balance

The fund balance as of December 31, 2012 consists of the following:

Cash	\$85,091.32
------	-------------

3. Interest On Investments

Our examination disclosed that the municipality deposited idle liquid fuels tax money in interest-bearing accounts which earned \$230.38 during 2009, \$138.88 during 2010, \$116.77 during 2011, and \$122.48 during 2012, thus providing additional funds for road maintenance and repairs.

4. Adjustments

2009 - Section 1

Adjustments were made to “Maintenance and repair of roads and bridges” and “Highway construction and rebuilding projects” because expenditures of \$25,393.18 were misclassified.

An adjustment of \$15,000.00 was made to “Miscellaneous” because unsupported payroll was not reported.

2009 - Section 2

An adjustment of \$222.21 was made to “Balance, January 1, 2009” because of a prior report adjustment that was not carried forward in the fund balance.

An adjustment of \$15,000.00 was made to “Miscellaneous” because a reimbursement from the General Fund for unsupported payroll was not reported.

2009 - Section 3

An adjustment of \$(9,474.28) was made to “Prior year equipment balance” because adjustments made in the prior report were not carried forward in the equipment balance.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

4. Adjustments (Continued)

2010 - Section 1

An adjustment of \$23,000.00 was made to “Miscellaneous” because unsupported payroll was not reported.

2010 - Section 2

An adjustment of \$221.21 was made to “Balance, January 1, 2010” to reflect the adjustment made to the fund balance in 2009 - Section 2.

An adjustment of \$23,000.00 was made to “Miscellaneous” because a reimbursement from the General Fund for unsupported payroll was not reported.

2010 - Section 3

An adjustment of \$(9,474.28) was made to “Prior year equipment balance” to reflect the adjustment made to the equipment balance in 2009 - Section 3.

2011 - Section 1

Adjustments were made to “Traffic control devices” and “Miscellaneous” because expenditures of \$1,239.91 were misclassified.

2011 - Section 2

An adjustment of \$222.21 was made to “Balance, January 1, 2011” to reflect the adjustment made to the fund balance in 2010 - Section 2.

2011 - Section 3

An adjustment of \$(9,474.28) was made to “Prior year equipment balance” to reflect the adjustment made to the equipment balance in 2010 - Section 3.

BOROUGH OF PARKSIDE  
 DELAWARE COUNTY  
 LIQUID FUELS TAX FUND  
 NOTES TO FORMS MS-965 WITH ADJUSTMENTS  
 FOR THE PERIOD  
 JANUARY 1, 2009 TO DECEMBER 31, 2012

4. Adjustments (Continued)

2012 - Section 2

An adjustment of \$8,327.96 was made to “Balance, January 1, 2012” because an incorrect fund balance was reported.

An adjustment of \$2.15 was made to “Interest on investments” because interest earned was understated.

2012 - Section 3

An adjustment of \$(9,683.57) was made to “Prior year equipment balance” because an incorrect equipment balance was carried forward.

5. Miscellaneous Receipts

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

<u>Source</u>	<u>Description</u>	<u>2009</u>	<u>2010</u>	<u>2012</u>
General Fund	Reimbursement (Comment No. 1)	\$17,227.58	\$ -	\$ -
General Fund	Reimbursement (Comment No. 2)	10,966.81	-	-
Delaware County	County aid (Finding No. 2)	4,860.00	-	-
Upland Borough	Road program reimbursement	2,511.00	-	-
General Fund	Grant	.50	-	-
General Fund	Reimbursement (Finding No. 1)	15,000.00	23,000.00	-
General Fund	Reimbursement (Comment No. 3)	-	-	19,500.00
Totals		<u>\$50,565.89</u>	<u>\$23,000.00</u>	<u>\$19,500.00</u>



BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

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

Our examination disclosed that the municipality expended \$20,000.00 during 2009, \$23,000.00 during 2010, and \$15,000.00 during 2012 from the Liquid Fuels Tax Fund for payroll. However, the municipality did not maintain daily payroll time sheets identifying the nature of work performed and the location of work assignments.

Good internal control procedures over payroll ensure that there is documentation identifying the nature of the work performed and the location of work assignments.

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 payroll documentation that includes daily time sheets that identify the nature of work performed and the location of work assignments, we could not determine if the payroll expenditures were permissible according to the Liquid Fuels Tax Municipal Allocation Law.

On April 28, 2009 and December 31, 2010, the municipality reimbursed \$15,000.00 and \$23,000.00, respectively, to its Liquid Fuels Tax Fund.

The failure to maintain documentation of payroll expenditures as noted above could result in the municipality having to reimburse \$20,000.00 to its Liquid Fuels Tax Fund.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

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

Recommendations

We recommend that the municipality reimburse \$20,000.00 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that the municipality ensure good internal control over payroll by maintaining daily time sheets that identify the nature of work performed and the location of work assignments.

Management's Response

The treasurer stated:

We agree with the finding.

Auditor's Conclusion

During our next examination we will determine if the municipality complied with our recommendations.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Finding No. 2 - Liquid Fuels Money Overexpended On Project

Our examination disclosed that the municipality expended \$19,378.18 of Liquid Fuels Tax Fund money on construction project No. 09-23-418-1CA. However, the amount approved to be expended from the Liquid Fuels Tax Fund for this project was \$10,140.00. The difference of \$9,238.18 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.

The municipality deposited county aid of \$4,860.00 into its Liquid Fuels Tax Fund on June 24, 2009.

The failure to comply with the Department of Transportation's Regulations could result in the municipality having to reimburse \$4,378.18 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the municipality reimburse \$4,378.18 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further 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 treasurer stated:

We will review the engineering bill to see if it was possible to be paid from the Liquid Fuels Funds.

Auditor's Conclusion

The municipal officials should ensure that only the amount approved on the Form MS-999 is paid from the Liquid Fuels Tax Fund. During our next examination we will determine if the municipality complied with our recommendations.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Finding No. 3 - Failure To Obtain Project Approval

Our examination disclosed that the municipality expended \$6,015.00 for paving in excess of one inch on West Chelton Avenue. Before paving of one inch in thickness or greater is done the municipality must obtain the approval of the Department of Transportation. However, the municipality did not file an application with the Department of Transportation for the project and also failed to submit specifications for approval.

The Department of Transportation's *Publication 9* contains the policies and procedures for the administration of the Liquid Fuels Tax Fund. *Publication 9*, Chapter Two, Section 2.7.2, states that nonpermissible expenditures include "Construction and reconstruction projects without prior PENNDOT approval."

Additionally, *Publication 9*, Chapter Two, Section 2.8, states, in part:

The following criteria is used to determine when a project is required for work on local roads utilizing Liquid Fuels Tax Funds, when construction, reconstruction and/or resurfacing work exceeds one inch or more in depth as well as other activities.

Bituminous Surface:                      One inch thickness or greater

The failure to comply with the Department of Transportation's *Publication 9* could result in the municipality having to reimburse \$6,015.00 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the municipality reimburse \$6,015.00 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that before the municipality expends money on a project, it applies for and obtains prior approval for the project, and when the project is completed it obtains approval of the completed work.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Finding No. 3 - Failure To Obtain Project Approval (Continued)

Management's Response

The treasurer stated:

The engineer is reviewing documentation to explain the vendor bill paid from Liquid Fuels. We may have correspondence from Penndot to justify the expense.

Auditor's Conclusion

Municipalities are required to obtain the approval of the Department of Transportation when paving of one inch in thickness or greater is done. The municipality did not obtain the approval of the Department of Transportation for the paving. During our next examination we will determine if the municipality complied with our recommendations.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Finding No. 4 - Late Receipt Of Allocations

Our examination disclosed that the 2009 and 2012 Liquid Fuels Tax Fund allocations of \$38,548.11 and \$39,009.24, respectively, which should have been distributed from the Department of Transportation to the municipality during the first week of April of each year, were not received until June 30, 2009 and May 17, 2012, respectively, because the municipality failed to comply with the Department of Transportation's *Publication 9*, Chapter Two, Section 2.4, which states:

To qualify for the annual liquid fuels tax allocation, a municipality shall:

- Submit annual reports (MS-965, Actual Use Report, MS-965P, Project and Miscellaneous Receipts, and MS-965S, Record of Checks).
- Make deposits and payments or expenditures in compliance with the Act 655. Failure to do so may result in not receiving allocations from PENNDOT until all discrepancies are resolved.
- Submit the Pennsylvania Department of Community and Economic Development's (DCED) Report of Elected and Appointed Officials by January 31<sup>st</sup> and the Survey of Financial Condition by March 15<sup>th</sup>.
- Ensure resolution of all Contractor Responsibility Program (CRP) holds and blocks imposed by the Department of Revenue and the Department of Labor and Industry.

Because the municipality failed to file documents and information timely as noted above, the municipality did not have use of the 2009 allocation for almost three months and the 2012 allocation for more than one month. Furthermore, had the allocations 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.

Recommendation

We recommend that, in the future, the municipality comply with the Department of Transportation's *Publication 9* to ensure that the allocations are received during the first week in April as outlined above.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
FINDINGS AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Finding No. 4 - Late Receipt Of Allocations (Continued)

Management's Response

The treasurer stated:

We agree with this Finding.

Auditor's Conclusion

During our next examination we will determine if the municipality complied with our recommendation.

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
COMMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Comment No. 1 - Summary Of 2002-2003 Audit Recommendation

In our 2002-2003 report we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$17,227.58 to its Liquid Fuels Tax Fund for the failure to maintain documentation to support expenditures.

During our current examination we noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on April 28, 2009.

Comment No. 2 - Summary Of 2004-2005 Audit Recommendation

In our 2004-2005 report we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$10,966.81 to its Liquid Fuels Tax Fund for liquid fuels money improperly expended on project.

During our current examination we noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on April 16, 2009.

Comment No. 3 - Summary Of 2006-2008 Examination Recommendations

In our 2006-2008 report we recommended that the Department of Transportation review our examination findings to determine if the municipality should reimburse \$37,537.34 to its Liquid Fuels Tax Fund. This amount consists of \$35,000.00 for not maintaining documentation to support a transfer to the General Fund and \$2,537.34 for retroactive expenditures.

During our current examination we reviewed a letter dated September 28, 2012, from the Department of Transportation informing the municipality to reimburse \$37,537.34 to its Liquid Fuels Tax Fund. The Department of Transportation also informed the municipality that they were permitted to reimburse \$19,500.00 to its Liquid Fuels Tax Fund during 2011 and \$18,037.34 during 2012. We noted that the municipality reimbursed \$19,500.00 to its Liquid Fuels Tax Fund on April 27, 2012. As of December 31, 2012, \$18,037.34 had not been reimbursed to its Liquid Fuels Tax Fund.



BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
COMMENTS  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

Comment No. 3 - Summary Of 2006-2008 Examination Recommendations (Continued)

In our 2006-2008 report we also recommended:

- That the municipality ensure good internal control over expenditures by maintaining adequate documentation to support all transfers.
- That the municipality comply with the Department of Transportation's *Publication 9* regarding retroactive expenditures.

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

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF EXIT CONFERENCE  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

An exit conference was held June 20, 2013. Those participating were:

BOROUGH OF PARKSIDE

Mr. Joseph P. Possenti, Jr., Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Stephen P. Stoppie, Auditor

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

BOROUGH OF PARKSIDE  
DELAWARE COUNTY  
LIQUID FUELS TAX FUND  
REPORT DISTRIBUTION  
FOR THE PERIOD  
JANUARY 1, 2009 TO DECEMBER 31, 2012

This report was initially distributed to:

The Honorable Barry J. Schoch, P.E.  
Secretary  
Department of Transportation

Borough of Parkside  
Delaware County  
22 East Elbon Road  
Parkside, PA 19015

The Honorable Douglas Bull

President of Council

Mr. Joseph P. Possenti, Jr.

Treasurer

This report is a matter of public record and is available online at <http://www.auditorgen.state.pa.us>. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 231 Finance Building, Harrisburg, PA 17120; via email to: [news@auditorgen.state.pa.us](mailto:news@auditorgen.state.pa.us).