

ATTESTATION ENGAGEMENT

Township of Salem
Clarion County, Pennsylvania
16-220
Liquid Fuels Tax Fund
For the Period
January 1, 2012 to December 31, 2014

May 2016



Commonwealth of Pennsylvania
Department of the Auditor General
Eugene A. DePasquale • Auditor General



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EUGENE A. DePASQUALE
AUDITOR GENERAL

Independent Auditor's Report

The Honorable Leslie Richards
Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Township of Salem, Clarion County, for the period January 1, 2012 to December 31, 2014. 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 Township of Salem, Clarion County's Forms MS-965 for the period January 1, 2012 to December 31, 2014 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 Finding No. 1, the adjustments included on the Forms MS-965 With Adjustments are made by the Department of the Auditor General.

Independent Auditor's Report (Continued)

In our opinion, 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 Township of Salem, Clarion County, for the period January 1, 2012 to December 31, 2014, in conformity with the criteria set forth in Note 1.

In accordance with *Government Auditing Standards*, we are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud and noncompliance with provisions of laws or regulations that have a material effect on the Forms MS-965; and any other instances that warrant the attention of those charged with governance; noncompliance with provisions of contracts or grant agreements, and abuse that has a material effect on the Forms MS-965. We are also required to obtain and report the views of responsible officials concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. 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.

Our consideration of internal control was for the limited purpose of expressing an opinion on whether the Forms MS-965 are presented in accordance with the criteria described above and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described below, we identified certain deficiencies in internal control that we consider to be material weaknesses and other deficiencies that we consider to be significant deficiencies.

A deficiency in internal control 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 and correct, misstatements on a timely basis. *A material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Forms MS-965 will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency below to be a material weakness:

- Failure To Properly Prepare Forms MS-965 - Recurring.

Independent Auditor's Report (Continued)

As part of obtaining reasonable assurance about whether the Forms MS-965 are free from material misstatement, we performed tests of the Township of Salem, Clarion County's compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of amounts on the Forms MS-965. However, providing an opinion on compliance with those provisions was not an objective of our engagement, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*. However, we did note matters that, while not required to be included in this report by *Government Auditing Standards*, have been included in the findings below:

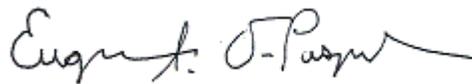
- Nonpermissible Expenditure.
- Late Receipt Of Allocation - Recurring.

We are concerned that the municipality failed to correct our prior examination findings for failure to properly prepare Forms MS-965 and late receipt of allocation. During our current examination the municipality failed to properly prepare Forms MS-965, made a nonpermissible expenditure, and received its 2012 allocation late.

The failure to properly complete Forms MS-965 increases the risk that errors or misappropriations may occur and remain undetected. Additionally, the failure to follow the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations as noted above could result in the municipality having to reimburse \$2,166.31 to its Liquid Fuels Tax Fund. Furthermore, because the municipality failed to file documents and information timely as noted above, the municipality did not have use of the 2012 allocation for more than three months. The municipality should strive to comply with 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 Township of Salem, Clarion County, and is not intended to be and should not be used by anyone other than these specified parties.

We appreciate the courtesy extended by the Township of Salem, Clarion County, to us during the course of our examination. If you have any questions, please feel free to contact Michael B. Kashishian, CPA, CGAP, CFE, Director, Bureau of County Audits, at 717-787-1363.



Eugene A. DePasquale
Auditor General

March 24, 2016

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TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

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.

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2012 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ -	\$ -	\$ -
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	-	10,458.97	10,458.97
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	6,468.70	4,260.01	10,728.71
Maintenance and repair of roads and bridges	59,181.02	(14,718.98)	44,462.04
Highway construction and rebuilding projects	47,020.05	-	47,020.05
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 112,669.77</u>	 <u>\$ -</u>	 <u>\$ 112,669.77</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2012 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2012	\$ 124,821.85	\$ -	\$ 124,821.85
Receipts:			
2. State allocation	73,985.81	(262.55)	73,723.26
2a. Turnback allocation	45,500.00	60.00	45,560.00
2b. Interest on investments (Note 3)	16.29	84.71	101.00
2c. Miscellaneous	-	-	-
3. Total receipts	<u>119,502.10</u>	<u>(117.84)</u>	<u>119,384.26</u>
4. Total funds available	<u>244,323.95</u>	<u>(117.84)</u>	<u>244,206.11</u>
5. Expenditures (Section 1)	<u>112,669.77</u>	<u>-</u>	<u>112,669.77</u>
6. Balance, December 31, 2012	<u>\$ 131,654.18</u>	<u>\$ (117.84)</u>	<u>\$ 131,536.34</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2012 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 124,821.85	\$ -	\$ 124,821.85
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	23,897.16	(40.51)	23,856.65
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	148,719.01	(40.51)	148,678.50
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>148,719.01</u>	<u>(40.51)</u>	<u>148,678.50</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 131,654.18</u>	<u>\$ (117.84)</u>	<u>\$ 131,536.34</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2013 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ -	\$ -	\$ -
Minor equipment purchases	-	-	-
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	-	4,856.48	4,856.48
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	7,911.82	-	7,911.82
Maintenance and repair of roads and bridges	28,163.30	(4,856.48)	23,306.82
Highway construction and rebuilding projects	53,956.76	-	53,956.76
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 90,031.88</u>	 <u>\$ -</u>	 <u>\$ 90,031.88</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2013 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2013	\$ 131,654.18	\$ (117.84)	\$ 131,536.34
Receipts:			
2. State allocation	72,491.10	-	72,491.10
2a. Turnback allocation	45,560.00	-	45,560.00
2b. Interest on investments (Note 3)	43.32	44.69	88.01
2c. Miscellaneous	-	-	-
3. Total receipts	<u>118,094.42</u>	<u>44.69</u>	<u>118,139.11</u>
4. Total funds available	<u>249,748.60</u>	<u>(73.15)</u>	<u>249,675.45</u>
5. Expenditures (Section 1)	<u>90,031.88</u>	-	<u>90,031.88</u>
6. Balance, December 31, 2013	<u>\$ 159,716.72</u>	<u>\$ (73.15)</u>	<u>\$ 159,643.57</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2013 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 131,654.18	\$ (117.84)	\$ 131,536.34
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	23,610.22	-	23,610.22
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	155,264.40	(117.84)	155,146.56
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>155,264.40</u>	<u>(117.84)</u>	<u>155,146.56</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 155,264.40</u>	<u>\$ (117.84)</u>	<u>\$ 155,146.56</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2014 FORM MS-965 – SECTION 1
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
Major equipment purchases	\$ 99,558.80	\$ 32,000.00	\$ 131,558.80
Minor equipment purchases	36,250.00	(32,000.00)	4,250.00
Computer/Computer related training	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	-	14,110.75	14,110.75
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	8,136.62	-	8,136.62
Maintenance and repair of roads and bridges	84,671.61	(8,840.75)	75,830.86
Highway construction and rebuilding projects	-	-	-
Miscellaneous	5,000.00	(5,000.00)	-
 Total (To Section 2, Line 5)	 <u>\$ 233,617.03</u>	 <u>\$ 270.00</u>	 <u>\$ 233,887.03</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2014 FORM MS-965 – SECTION 2
 WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2014	\$ 159,716.72	\$ (73.15)	\$ 159,643.57
Receipts:			
2. State allocation	78,062.28	-	78,062.28
2a. Turnback allocation	45,560.00	-	45,560.00
2b. Interest on investments (Note 3)	75.58	-	75.58
2c. Miscellaneous (Note 4)	50,000.00	-	50,000.00
3. Total receipts	<u>173,697.86</u>	<u>-</u>	<u>173,697.86</u>
4. Total funds available	<u>333,414.58</u>	<u>(73.15)</u>	<u>333,341.43</u>
5. Expenditures (Section 1)	<u>233,617.03</u>	<u>270.00</u>	<u>233,887.03</u>
6. Balance, December 31, 2014	<u>\$ 99,797.55</u>	<u>\$ (343.15)</u>	<u>\$ 99,454.40</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 2014 FORM MS-965 – SECTION 3
 WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments (Finding No. 1)</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 155,264.40	\$ (117.84)	\$ 155,146.56
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	24,724.46	-	24,724.46
3. PENNDOT approved adjustments	-	50,000.00	50,000.00
4. Total funds available for equipment acquisition	179,988.86	49,882.16	229,871.02
5. Less: Major equipment expenditures	99,558.80	32,000.00	131,558.80
6. Remainder	<u>80,430.06</u>	<u>17,882.16</u>	<u>98,312.22</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 80,430.06</u>	<u>\$ 17,882.16</u>	<u>\$ 98,312.22</u>

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

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 NOTES TO FORMS MS-965 WITH ADJUSTMENTS
 FOR THE PERIOD
 JANUARY 1, 2012 TO DECEMBER 31, 2014

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 with varying yearly costs in excess of the amounts indicated below:

Prior To 2012	2012	2013	2014
\$4,000.00	\$10,000.00	\$10,200.00	\$10,300.00

- Minor equipment purchases are purchases of road machinery and road equipment with varying yearly costs, or less, than the amounts indicated below:

Prior To 2012	2012	2013	2014
\$4,000.00	\$10,000.00	\$10,200.00	\$10,300.00

- 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 was received from the Department of Transportation during the first week in April of each year through 2013. Municipalities began receiving the state allocation in March of each year beginning in 2014. The amount the municipality receives is based half on its population and half on its road mileage.
- The turnback allocation was received from the Department of Transportation during the first week in April of each year through 2013. Municipalities began receiving the turnback allocation in March of each year beginning in 2014. 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.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORMS MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

1. Criteria (Continued)

Section 2 (Continued)

- 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.

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.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
NOTES TO FORMS MS-965 WITH ADJUSTMENTS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

1. Criteria (Continued)

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.

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 Second Class Township Code, Title 53 P.S. § 68204, authorizes the township 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 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.

TOWNSHIP OF SALEM
 CLARION COUNTY
 LIQUID FUELS TAX FUND
 NOTES TO FORMS MS-965 WITH ADJUSTMENTS
 FOR THE PERIOD
 JANUARY 1, 2012 TO DECEMBER 31, 2014

2. Deposits (Continued)

There were no deposits exposed to custodial credit risk as of December 31, 2014. 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.

Fund Balance

The fund balance as of December 31, 2014 consists of the following:

Cash	\$54,687.29
Certificate of deposit	<u>44,767.11</u>
Total	<u>\$99,454.40</u>

3. Interest On Investments

Our examination disclosed that the municipality deposited idle liquid fuels tax money in interest-bearing accounts and a certificate of deposit which earned \$101.00 during 2012, \$88.01 during 2013, and \$75.58 during 2014, thus providing additional funds for road maintenance and repairs.

4. Local Government Capital Project Loan

On July 30, 2014, the municipality purchased a 2014 JCB backhoe for \$99,558.80. The municipality expended \$99,558.80 from the Liquid Fuels Tax Fund to make the purchase. This amount is reflected in the major equipment purchases on the 2014 Form MS-965 - Section 1. On December 5, 2014, the municipality borrowed \$50,000.00 for this purchase from the Commonwealth of Pennsylvania and deposited the proceeds into its Liquid Fuels Tax Fund. The term of the loan was for five years at an interest rate of 2.0 percent. Principal and interest payments of \$2,647.21 are due quarterly. The outstanding balance of the loan as of December 31, 2014 was \$50,000.00, plus interest.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 1 - Failure To Properly Prepare Forms MS-965 - Recurring

We cited the municipality for failure to properly prepare Forms MS-965 in our prior report for the period January 1, 2009 to December 31, 2011. Our current examination disclosed that there were numerous errors made in the preparation of the municipality's 2012, 2013, and 2014 Forms MS-965. These errors resulted in the following adjustments:

2012 - Section 1

- Adjustments were made to "Winter maintenance services," "Repairs of tools and machinery," and "Maintenance and repair of roads and bridges," because expenditures of \$14,718.98 were misclassified.

2012 - Section 2

- An adjustment of \$(262.55) was made to "State allocation" because this receipt was overstated.
- An adjustment of \$60.00 was made to "Turnback allocation" because this receipt was understated.
- An adjustment of \$84.71 was made to "Interest on investments" because interest earnings were understated.

2012 - Section 3

- An adjustment of \$(40.51) was made to "Current year equipment allocation" because the state allocation and turnback allocation from 2012 - Section 2, which are used to calculate this figure, were incorrectly reported, respectively.

2013 - Section 1

- Adjustments were made to "Winter maintenance services" and "Maintenance and repair of roads and bridges" because expenditures of \$4,856.48 were misclassified.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 1 - Failure To Properly Prepare Forms MS-965 - Recurring (Continued)

2013 - Section 2

- An adjustment of \$(117.84) was made to “Balance, January 1, 2013” to reflect the adjustment made to the fund balance in 2012 - Section 2.
- An adjustment of \$44.69 was made to “Interest on investments” because interest earnings were understated.

2013 - Section 3

- An adjustment of \$(117.84) was made to “Prior year equipment balance” to reflect the adjustment made to the equipment balance in 2012 - Section 3.

2014 - Section 1

- Adjustments were made to “Major equipment purchases” and “Minor equipment purchases” because expenditures of \$32,000.00 were misclassified.
- An adjustment of \$14,110.75 was made to “Winter maintenance services” because expenditures of \$8,840.75 were misclassified as maintenance and repair of roads and bridges and \$5,000.00 were misclassified as miscellaneous. Additionally, these expenditures were understated by \$270.00.
- An adjustment of \$(8,840.75) was made to “Maintenance and repair of roads and bridges” because expenditures for winter maintenance services were misclassified.
- An adjustment of \$5,000.00 was made to “Miscellaneous” because expenditures for winter maintenance services were misclassified.

2014 - Section 2

- An adjustment of \$(73.15) was made to “Balance, January 1, 2014” reflect the adjustment made to the fund balance in 2013 - Section 2.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 1 - Failure To Properly Prepare Forms MS-965 - Recurring (Continued)

2014 - Section 3

- An adjustment of \$(117.84) was made to “Prior year equipment balance” to reflect the adjustment made to the equipment balance in 2013 - Section 3.
- An adjustment of \$50,000.00 was made to “PENNDOT approved adjustments” because loan proceeds for the purchase of a backhoe were not reported as an approved adjustment.
- An adjustment of \$32,000.00 was made to “Major equipment expenditures” to reflect the adjustment made to major equipment purchases in 2014 - Section 1.

Good internal controls ensure that the municipality completes its Forms MS-965 accurately and completely. The failure to properly complete Forms MS-965 increases the risk that errors or misappropriations may occur and remain undetected.

This finding occurred because the municipality did not comply with our prior examination recommendation to ensure that its Forms MS-965 are accurate and complete.

Recommendation

We recommend that the municipality ensure that its Forms MS-965 are complete and accurate.

Management’s Response

The municipal officials stated:

I will work with my municipal representative to correct adjustments on MS-965 forms.

Auditor’s Conclusion

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

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
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JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 2 - Nonpermissible Expenditure

Our examination disclosed that the municipality expended \$2,166.31 during 2012 from the Liquid Fuels Tax Fund for unscreened cinders, which is a nonpermissible expenditure.

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 unscreened cinders, are outside the scope of permissible expenditures.

The failure to follow the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations as noted above could result in the municipality having to reimburse \$2,166.31 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the municipality reimburse \$2,166.31 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that, in the future, the municipality complies with the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations regarding permissible expenditures.

Management's Response

The municipal officials stated:

We were unaware that cinders was a nonpermissible expenditure.

Auditor's Conclusion

The municipal officials should comply with the Department of Transportation's *Publication 9* as noted above. During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 3 - Late Receipt Of Allocation - Recurring

Our examination disclosed that the 2012 Liquid Fuels Tax Fund allocation of \$\$73,723.26, which should have been distributed from the Department of Transportation to the municipality during the first week of April of that year, was not received until July 12, 2012, 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 31st and the Survey of Financial Condition by March 15th.
- 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 2012 allocation for more than three 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 examination. However, the 2013 and 2014 allocations were received on time.

Recommendation

We recommend that, in the future, the municipality continues to comply with the Department of Transportation's *Publication 9* to ensure that the allocations are received timely.

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

Finding No. 3 - Late Receipt Of Allocation - Recurring (Continued)

Management's Response

The municipal officials stated:

The Form MS-965 was filed late in 2012.

Auditor's Conclusion

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

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

An exit conference was held January 27, 2016. Those participating were:

TOWNSHIP OF SALEM

Mrs. Linda Spoharski, Secretary/Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Ronald J. Fairman, Auditor

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

TOWNSHIP OF SALEM
CLARION COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2012 TO DECEMBER 31, 2014

This report was initially distributed to:

The Honorable Leslie Richards
Secretary
Department of Transportation

Township of Salem
Clarion County
57 Community Road
P.O. Box 70
Lamartine, PA 16375

The Honorable Larry E. Smith
Chairman of the Board of Supervisors

Mrs. Linda Spoharski
Secretary/Treasurer

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