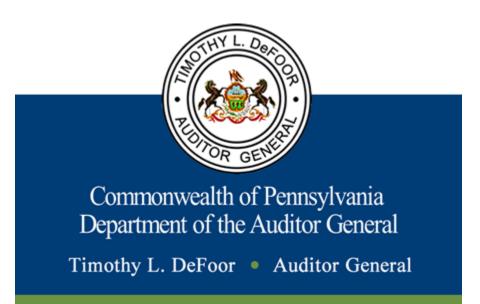
### **COMPLIANCE AUDIT**

# Shenango Township Volunteer Firefighters Relief Association, of Mercer County, Pennsylvania

For the Period January 1, 2020, to December 31, 2022

July 2024





Commonwealth of Pennsylvania
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TIMOTHY L. DEFOOR AUDITOR GENERAL

Mr. Earl Butterfield, President Shenango Township Volunteer Firefighters Relief Association, of Mercer County, Pennsylvania

We have conducted a compliance audit of the Shenango Township Volunteer Firefighters Relief Association, of Mercer County, Pennsylvania (relief association) for the period January 1, 2020, 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, 2020, to December 31, 2022:

- The relief association took appropriate corrective action to address the findings contained in our prior audit report.
- The relief association, in all significant respects, 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, except as noted in the findings listed below and discussed later in this report.

Finding No. 1 – Undocumented Expenditures

Finding No. 2 – Unauthorized Expenditures

Finding No. 3 - Failure To Maintain A Complete And Accurate Equipment Roster

Finding No. 4 – Inadequate Minutes Of Meetings And Relief Association Bylaws

Finding No. 5 - Failure To Segregate Relief Association Officers' Duties

Finding No. 6 – Inadequate Financial Record-Keeping System

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

June 25, 2024

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#### **BACKGROUND**

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code<sup>1</sup>, and the Volunteer Firefighters' Relief Association Act<sup>2</sup> ("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 Law<sup>3</sup> (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 association officers therefore have a responsibility to the public to conduct the association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the 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.

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

_	Municipality	County	2020	2021	2022
	Shenango Township	Mercer	\$19,559	\$17,947	\$20,534

<sup>&</sup>lt;sup>1</sup> 72 P.S. § 403 (as last amended by Act 44 of 2017).

<sup>&</sup>lt;sup>2</sup> 35 Pa.C.S. § 7411 et seq. See specifically, 35 Pa.C.S. § 7418 (amended by Act 91 of 2020).

<sup>&</sup>lt;sup>3</sup> 53 P.S. § 895.701 et seq. (Act 205 of 1984, as amended by Act 119 of 1990).

#### **BACKGROUND** – (Continued)

Based on the relief association's records, its total cash and investments as of December 31, 2022, were \$52,548, as illustrated below:

Cash	\$ 41,124
Fair Value of Investments	11,424
Total Cash and Investments	\$ 52,548

Based on the relief association's records, its total expenditures for the period January 1, 2020, to December 31, 2022, were \$58,328, 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.<sup>4</sup> The scope of the Department's audit does not include the issuance of an opinion on the accuracy of these amounts.

#### Expenditures:

Fire Services:		
Equipment purchased	\$	51,204
Equipment maintenance		328
Training expenses		3,628
Total Fire Services	\$	55,160
Administrative Services:		
Other administrative expenses	\$	106
Other Expenditures:		
Undocumented expenditures – See Finding No. 1	\$	2,634
Unauthorized expenditures – See Finding No. 2		428
Total Other Expenditures	\$	3,062
T ( 1 F 1')	Φ	50.220
Total Expenditures	\$	58,328

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:

Shenango Township Volunteer Fire Department, Mercer County, Pennsylvania

<sup>&</sup>lt;sup>4</sup> Accuracy was evaluated for a selection of transactions based on dollar amount, category, and/or random selection.

# SHENANGO TOWNSHIP VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION, OF MERCER COUNTY, PENNSYLVANIA STATUS OF PRIOR FINDINGS

#### COMPLIANCE WITH PRIOR AUDIT FINDINGS AND RECOMMENDATIONS

The relief association has complied with the prior audit findings and recommendations, as follows:

#### • Failure To Secure Ownership Interest In Jointly Purchased Vehicle

By executing a written formal agreement with the affiliated fire company that adequately secures its proportional ownership interest in the jointly purchased vehicle.

#### • Failure To Secure Ownership Interest In Jointly Purchased Equipment

By executing a written formal agreement with the affiliated fire company that adequately secures its proportional ownership interest in the jointly purchased equipment.

#### <u>Finding No. 1 – Undocumented Expenditures</u>

<u>Condition</u>: The relief association was unable to provide adequate supporting documentation for an expenditure amounting to \$2,634 for the affiliated fire company's credit card bill on January 19, 2021.

In addition, subsequent to the audit period, the relief association was unable to provide adequate supporting documentation for the following expenditures:

Date	Check No.	Payee Description			Amount
03/24/2023 07/11/2023	1051 1052	Equipment vendor Relief association member		\$	1,151 104
			Total	\$	1,255

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.

<u>Cause</u>: The relief association officials did not provide a reason why this occurred.

<u>Effect</u>: Lack of supporting documentation, such as invoices and itemized receipts, 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.

#### Finding No. 1 – (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 \$3,889 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.

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

#### Finding No. 2 – Unauthorized Expenditures

<u>Condition</u>: 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
02/15/2020	805	Sales tax paid	\$ 72
02/15/2020	806	Pediatric medical supplies	121
09/26/2022	1003	Absorbent booms for removing oil and fuel	 235
		Total	\$ 428

In addition, subsequent to the audit period, on September 13, 2023, the relief association expended \$255 for the affiliated fire company's crime bond and property insurance that is not authorized by the VFRA Act.

#### 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:

- (1) To pay for such normal and reasonable running expenses as may be appropriate to the businesslike conduct of the affairs of the association, including legal fees, rental or purchase of offices, payment of reasonable compensation of employees and purchase of office equipment and supplies.
- (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.

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 sales tax, pediatric medical supplies, absorbent booms, and the affiliated fire company's crime bond and property insurance do not qualify as authorized volunteer firefighters' relief association expenditures; consequently, these disbursements are not authorized under the VFRA Act.

<u>Cause</u>: The relief association officials did not provide a reason why this occurred.

<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. In addition, because of stipulations within the VFRA Act, failure to obtain reimbursement of the improperly expended funds will result in a withholding of future state aid fund disbursements until the improperly expended fire relief association monies identified in the finding have been reimbursed to the relief association.

#### Finding No. 2 – (Continued)

Recommendation: We recommend that the relief association be reimbursed \$683 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. All supporting documentation verifying the receipt of reimbursement for unauthorized expenditures should be submitted by the relief association to: Department of the Auditor General, Bureau of Fire Relief Audits, Room 316-E Finance Building, Harrisburg, PA 17120. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and, as a result of our audit, the affiliated fire company partially reimbursed the relief association \$611 for the unauthorized expenditures on December 4, 2023. There is still a balance remaining of \$72.

<u>Auditor's Conclusion</u>: We reviewed documentation that the partial reimbursement of \$611 was received; however, officials must still provide a copy of the bank statement showing the unauthorized expenditures deposited into a relief association account. In addition, we continue to recommend that the relief association be reimbursed \$72 for the remaining unauthorized expenditures. Full compliance will be subject to verification through our next audit.

#### Finding No. 3 – Failure To Maintain A Complete And Accurate Equipment Roster

Condition: The relief association failed to maintain a complete and accurate roster of equipment owned by the relief association. Although a listing of relief association owned equipment was provided during the current audit, it was incomplete because it did not contain the names of suppliers (vendors), dates of purchase, and cost of equipment to accurately identify equipment owned by the relief association. As such, it was impossible to determine if all equipment purchased during the audit period in the amount of \$51,204 was recorded. In addition, although relief association officials indicated that a physical inventory of equipment was conducted on an annual basis, there was insufficient evidence to demonstrate the extent of the annual physical inventories conducted.

#### Finding No. 3 – (Continued)

<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 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

<u>Cause</u>: The relief association officials did not provide a reason why this occurred.

Effect: 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. 4 – Inadequate Minutes Of Meetings And Relief Association Bylaws

Condition: The relief association failed to maintain detailed minutes of meetings as required by the VFRA Act and the relief association's bylaws. Specifically, the relief association's minutes did not address all financial-related transactions that occurred during the audit period and the meeting minutes did not contain an attendance record, or a sign-in sheet of members present, to verify those members who participated in the meeting ensured a quorum of membership was present and the relief association business was conducted before the membership for approval. Although the meeting minutes were signed by the recording officer, they were not dated. Furthermore, the existing bylaws of the relief association contains language to conduct business pertaining to the disbursement, investment, and purchase of funds that is based on Act 84 of June 11, 1968. The relief association has not updated the bylaws to govern their organization to meet the requirements set forth in the VFRA Act.

<u>Criteria</u>: Section 7415(a) of the VFRA Act states, in part, that the relief association:

... 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.

The relief association's bylaws at Article III, Para: 3 states, in part:

4. All elected officers failing to carry out their duties of their elected office as defined in the bylaws of the Shenango Twp Vol Firefighters Relief Association and in accordance with Act 84 of 1968 and the current copy of the Department of the Auditor General Management Guidelines for volunteer firefighters relief associations. [Sic]

In addition, the relief association's bylaws at Article V, Section 10 states, in part:

Secretary: The duties of the Secretary shall be to keep a true record of the proceedings of every meeting, regulay [Sic] or special, committee, or directors meetings, in the minutes.

The minutes shall record authorization by the membership of all financial transactions and other pertinent business discussed at all meetings.

#### Finding No. 4 – (Continued)

Furthermore, the relief association's bylaws at Article V, Section 14 states, in part:

Association funds shall not be expended for any purpose other than authorized by the membership and the provisions of Act 84 of 1968, and the association bylaws.

All expenditures must be approved by a majority vote at an association meeting and duly recorded in the minutes.

Additionally, the relief association's bylaws at Article VI, Section 1 states, in part:

Relief association funds may be invested in any security authorized by the provisions of Section 6 (c) of Act 84.

The relief association's bylaws at Article VIII, Section 1 states:

Upon receipt of a death certificate of a member in good standing, who has died, the association will pay a death benefit of (\$300.00) three hundred dollars to the beneficiary or the estate of the member, as per Act 84.

In addition, the relief association's bylaws at Article VIII, Section 4 states, in part:

As established in Section 3 (53 PS & 8503), statement of purpose of Act 84 of June 11, 1969 as amended and approved at a meeting of the association and voted upon with a majority vote by the membership.

Furthermore, the relief association's bylaws at Article IX, Section 5 states, in part:

Section 6(e) of Act 84 provides for various types of expenditures which can be made with relief association funds at the discretion of the membership.

<u>Cause</u>: The relief association officials indicated that they were unaware that maintaining detailed minutes of meetings was required by the VFRA Act and the relief association's bylaws. In addition, the relief association officials did not provide a reason why financial transactions were not addressed within the meeting minutes, why the Secretary of the Relief Association did not date the meeting minutes, why the meeting minutes did not document attendance for quorum requirements or why the bylaws were not updated to meet the requirements of the VFRA Act.

#### Finding No. 4 – (Continued)

<u>Effect</u>: Without maintaining detailed minutes of meetings that address all financial-related transactions that are signed and dated, evidence that relief association business was presented before the membership for approval does not exist. As a result of the relief association not updating the bylaws to meet the appropriate requirements, the relief association may have conducted its affairs without proper authorization.

Recommendation: We recommend that the relief association officials maintain detailed minutes of meetings as required by the VFRA Act and the relief association's bylaws, evidencing the discussion and approval of all financial-related business conducted by the relief association and whether quorum requirements were met. We also recommend that the relief association officials ensure that all meeting minutes are signed and dated by the Secretary of the Relief Association to ensure the validity of the meeting minutes. In addition, we recommend that the relief association officials remove the language referring to Act 84 by updating the bylaws governing their organization so that the bylaws meet the requirements set forth in the VFRA Act. 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 – Failure To Segregate Relief Association Officers' Duties

<u>Condition</u>: During the current audit, we detected that the same individual holds the position of both Secretary and Treasurer.

<u>Criteria</u>: Prudent business practice dictates that the duties of the Secretary and Treasurer be sufficiently segregated. An adequate segregation of duties is the primary internal control intended to prevent or decrease the risk of errors or irregularities.

The minimum requirements of the Secretary's position, pertaining to a relief association, are to maintain detailed minutes of meetings authorizing the relief association's financial operations. The Secretary should review and coordinate the amending of the bylaws governing the relief association so that the bylaws meet the minimum requirements of the VFRA Act.

#### Finding No. 5 – (Continued)

The minimum requirements of the Treasurer's position, pertaining to a relief association, are to maintain an account of all funds belonging to the relief association. The Treasurer shall maintain a journal and ledger detailing all financial transactions of the relief association along with documentation supporting the receipts and disbursements. The Treasurer should co-sign all negotiable instruments along with another relief association officer. Also, financial statements should be prepared at least on an annual basis by the Treasurer.

Cause: The relief association officials did not provide a reason why this occurred.

<u>Effect</u>: An inadequate segregation of duties could prevent relief association officials and members from effectively monitoring the relief association's financial transactions. Additionally, it negates the checks and balances necessary to detect and correct financial errors or irregularities in the relief association's accounting system.

<u>Recommendation</u>: We recommend that the relief association officials ensure that there is adequate segregation of duties between the Relief Association's Secretary and Treasurer. We also recommend that the relief association officials review its accounting and internal control procedures to ensure that the duties being performed by the Secretary and Treasurer are sufficiently segregated so that relief association assets are adequately safeguarded. 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 – 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:

- A journal was not maintained to record the receipts and disbursements of the relief association.
- Ledgers were not utilized to record the transactions of the relief association accounts.
- Documentation supporting the deposits of all revenues was not kept.
- Documentation to support various expenditures was not available for examination at the time of the audit.

Criteria: 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>: Relief association officials indicated that they were unaware of their various record-keeping responsibilities.

<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.

### SHENANGO TOWNSHIP VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION, OF MERCER COUNTY, PENNSYLVANIA REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

#### The Honorable Joshua D. Shapiro

Governor Commonwealth of Pennsylvania

Shenango Township Volunteer Firefighters Relief Association, of Mercer County, Pennsylvania Governing Body:

Mr. Earl Butterfield
President

Mr. Austin Kent Vice President

Ms. Jessica Barnes
Secretary/Treasurer

A report was also distributed to the following municipality, which allocated foreign fire insurance tax monies to this relief association:

Ms. Gina M. Smith Secretary Shenango Township

This report is a matter of public record and is available online at <a href="www.PaAuditor.gov">www.PaAuditor.gov</a>. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 229 Finance Building, Harrisburg, PA 17120; via email to: <a href="mailto:news@PaAuditor.gov">news@PaAuditor.gov</a>.