

# ATTESTATION ENGAGEMENT

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## Township of East Mahoning

Indiana County, Pennsylvania

32-211

Liquid Fuels Tax Fund

For the Period

January 1, 2019 to December 31, 2020

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February 2022



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General

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TIMOTHY L. DEFOOR  
AUDITOR GENERAL

### Independent Auditor's Report

The Honorable Yassmin Gramian, 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 Township of East Mahoning, Indiana County, for the period January 1, 2019 to December 31, 2020. The municipality's management is responsible for presenting the Forms MS-965 in accordance with the criteria described in the Background section of this report and the Department of Transportation's *Publication 9*. 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. Those standards require that we plan and perform the examination to obtain reasonable assurance about whether the Forms MS-965 are presented in accordance with the criteria described above, in all material respects. An examination involves performing procedures to obtain evidence about the Forms MS-965. The nature, timing and extent of the procedures selected depend on our judgement, including an assessment of the risks of material misstatement of the Forms MS-965, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

As described in the Auditor Description Of Select Transactions section of this report, the adjustments included on the Forms MS-965 With Adjustments are made by the Department of the Auditor General.

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 East Mahoning, Indiana County, for the period January 1, 2019 to December 31, 2020, in accordance with the criteria described in the Background section of this report and the Department of Transportation's *Publication 9*.

## Independent Auditor's Report (Continued)

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.

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 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. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

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. Given these limitations, during our engagement we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified. We did identify a certain deficiency in internal control, described in the finding listed below, that we consider to be a significant deficiency in internal control:

- Vendor Overcharge.

As part of obtaining reasonable assurance about whether the Forms MS-965 are free from material misstatement, we performed tests of the Township of East Mahoning, Indiana 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*.

Independent Auditor's Report (Continued)

The purpose of this report is to determine whether the municipality's Liquid Fuels Tax Fund money is spent in accordance with the laws and regulations identified in the Background section of this report and the Department of Transportation's *Publication 9*. This report is not suitable for any other purpose.

We appreciate the courtesy extended by the Township of East Mahoning, Indiana County, to us during the course of our examination. If you have any questions, please feel free to contact the Bureau of County Audits at 717-787-1363.

A handwritten signature in black ink that reads "Timothy L. DeFoor". The signature is written in a cursive style with a long horizontal line extending to the left of the first letter.

Timothy L. DeFoor  
Auditor General  
January 14, 2022

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TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Background

The Liquid Fuels Tax Municipal Allocation Law, Act 655 of 1956, as amended, (72 P.S. § 2615.5 et seq.), 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 allocation of Liquid Fuels Tax funds and annual maintenance payments that it receives into a special fund called either 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 such a 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. Department of Transportation's *Publication 9* includes the policies and procedures for the administration of Act 655, as amended, and the Liquid Fuels Tax Fund money. However, if there is a difference between *Publication 9* and any legislation, the legislation shall govern.

To qualify for the annual allocation of Liquid Fuels Tax funds, *Publication 9* indicates that each municipality shall:

1. Submit annual reports (MS-965, Actual Use Report, MS-965P, Project and Miscellaneous Receipts, and MS-965S, Record of Checks).
2. Make deposits and payments or expenditures in compliance with Act 655 of 1956, as amended. Failure to do so may result in not receiving allocations from PennDOT until all discrepancies are resolved. *Publication 9*, Section 2.6, includes information about investing Liquid Fuels Tax monies, using loan or bond proceeds, and types of receipts into the Liquid Fuels Tax Fund.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Background (Continued)

3. 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>.
4. Ensure resolution of all Contractor Responsibility Program (CRP) holds and blocks imposed by the Department of Revenue and the Department of Labor and Industry.
5. Ensure resolution of all reimbursements required as a result of audits performed by the Department of the Auditor General or monitoring reviews performed by the Department of Transportation’s Financial Consultants.

*Criteria*

The criteria for the Form MS-965 With Adjustment are described below.

Section 1 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:

2017	2018	2019	2020
\$10,700.00	\$10,900.00	\$11,100.00	\$11,300.00

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

2017	2018	2019	2020
\$10,700.00	\$10,900.00	\$11,100.00	\$11,300.00

- Agility projects are exchanges of services with the Department of Transportation.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Background (Continued)

Section 2 of Form MS-965 With Adjustments provides information on the fund balance. Categories requiring explanation include:

- The state allocation is available from the Department of Transportation in March of each year. The amount the municipality receives is based half on its population and half on its road mileage.
- Municipalities that transferred roads from the Commonwealth of Pennsylvania to the municipality through the Highway Transfer Program receive annual turnback allocations in March of each year from the Department of Transportation. Turnback allocations are based on the mileage of the roads transferred.
- Expenditures include the total transferred from Section 1.

Section 3 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.



TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Background (Continued)

*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 Form MS-965 has 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 Form MS-965 With Adjustments is restricted to the Liquid Fuels Tax Fund, which represents a segment of the entity.

*Basis Of Accounting*

The accompanying Form MS-965 With Adjustments is 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.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2019 FORM MS-965 – SECTION 1  
WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	31,043.52	299.70	31,343.22
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	8,177.85	-	8,177.85
Maintenance and repair of roads and bridges	105,672.12	1,852.44	107,524.56
Highway construction and rebuilding projects	162,315.12	-	162,315.12
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 307,208.61</u>	 <u>\$ 2,152.14</u>	 <u>\$ 309,360.75</u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2019 FORM MS-965 – SECTION 2  
WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2019	\$ 125,300.92	\$ (626.64)	\$ 124,674.28
Receipts:			
2. State allocation	140,665.10	-	140,665.10
2a. Turnback allocation	108,400.00	-	108,400.00
2b. Interest on investments	1,397.10	-	1,397.10
2c. Miscellaneous	55,358.33	1,381.41	56,739.74
3. Total receipts	305,820.53	1,381.41	307,201.94
4. Total funds available	431,121.45	754.77	431,876.22
5. Expenditures (Section 1)	307,208.61	2,152.14	309,360.75
6. Balance, December 31, 2019	<u>\$ 123,912.84</u>	<u>\$ (1,397.37)</u>	<u>\$ 122,515.47</u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2019 FORM MS-965 – SECTION 3  
WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 125,300.92	\$ (626.64)	\$ 124,674.28
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	49,813.02	-	49,813.02
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	175,113.94	(626.64)	174,487.30
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>175,113.94</u>	<u>(626.64)</u>	<u>174,487.30</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 123,912.84</u>	<u>\$ (1,397.37)</u>	<u>\$ 122,515.47</u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2020 FORM MS-965 – SECTION 1  
WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ 7,040.68	\$ .01	\$ 7,040.69
Computer/Computer related training	-	-	-
Major equipment purchases	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	23,365.84	60.33	23,426.17
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	7,089.39	.37	7,089.76
Maintenance and repair of roads and bridges	211,668.16	(650.14)	211,018.02
Highway construction and rebuilding projects	-	-	-
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 249,164.07</u>	 <u>\$ (589.43)</u>	 <u>\$ 248,574.64</u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2020 FORM MS-965 – SECTION 2  
WITH ADJUSTMENTS

<u>Fund Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Balance, January 1, 2020	\$ 123,286.20	\$ (770.73)	\$ 122,515.47
Receipts:			
2. State allocation	136,864.20	-	136,864.20
2a. Turnback allocation	108,400.00	-	108,400.00
2b. Interest on investments	733.18	-	733.18
2c. Miscellaneous	17,160.00	1,399.10	18,559.10
3. Total receipts	<u>263,157.38</u>	<u>1,399.10</u>	<u>264,556.48</u>
4. Total funds available	<u>386,443.58</u>	<u>628.37</u>	<u>387,071.95</u>
5. Expenditures (Section 1)	<u>249,164.07</u>	<u>(589.43)</u>	<u>248,574.64</u>
6. Balance, December 31, 2020	<u><u>\$ 137,279.51</u></u>	<u><u>\$ 1,217.80</u></u>	<u><u>\$ 138,497.31</u></u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
2020 FORM MS-965 – SECTION 3  
WITH ADJUSTMENTS

<u>Equipment Balance</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
1. Prior year equipment balance	\$ 123,286.20	\$ (770.73)	\$ 122,515.47
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	49,052.84	-	49,052.84
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	172,339.04	(770.73)	171,568.31
5. Less: Major equipment expenditures	-	-	-
6. Remainder	<u>172,339.04</u>	<u>(770.73)</u>	<u>171,568.31</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 137,279.51</u>	<u>\$ 1,217.80</u>	<u>\$ 138,497.31</u>

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

The following information relates to certain types of transactions for which the Pennsylvania Department of Transportation requested that we provide additional detail.

Adjustments

2019 - Section 1

An adjustment of \$299.70 was made to “Winter maintenance services” because check No. 7290 was reported as \$239.65, but issued for \$539.65 and check No. 7293 was reported as \$1,358.82, but issued for \$1,358.52.

An adjustment of \$1,852.44 was made to “Maintenance and repair of roads and bridges” because check No. 7342 was reported as \$839.90, but issued for \$835.90, check No. 7364 was reported as \$751.66, but issued for \$757.66, check No. 7379 was reported as \$936.25, but issued for \$926.25, check No. 7369 was reported as \$699.87, but issued for \$699.97, check No. 7384 was reported as \$793.61, but was issued for \$958.87, and check No. 7385 was reported as \$936.22, but issued for \$926.22. Also, check No. 7314 for \$924.08 was voided, but included as an expenditure, and check No. 7387 for of \$2,629.16 was not included as an expenditure.

2019 - Section 2

An adjustment of \$(626.64) was made to “Balance, January 1, 2019” because of prior report adjustments that were not carried forward in the fund balance.

An adjustment of \$1,381.41 was made to “Miscellaneous” because a receipt for winter maintenance from the Commonwealth of Pennsylvania was not reported.

2019 - Section 3

An adjustment of \$(626.64) was made to “Prior year equipment balance” because adjustments made in the prior report were not carried forward in the equipment balance.



TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Adjustments (Continued)

2020 - Section 1

An adjustment of \$.01 was made to “Minor equipment purchases” because check No. 7517 was reported as \$7,040.68, but was issued for \$7,040.69.

An adjustment of \$60.33 was made to “Winter maintenance services” because check No. 7418 was reported as \$225.19, but was issued for \$285.19, check No. 7423 was reported as \$964.27, but was issued for \$964.29, check No. 7424 was reported as \$289.32, but was issued for \$289.52, check No. 7511 was reported as \$43.82, but was issued for \$43.87, and check No. 7522 was reported as \$328.51, but was issued for \$328.57.

An adjustment of \$.37 was made to “Repairs of tools and machinery” because check No. 7505 was reported as \$6,182.49, but was issued for \$6,182.86.

An adjustment of \$(650.14) was made to “Maintenance and repair of roads and bridges” because check No. 7419 was reported as \$5,766.69, but issued for \$5,166.69, check No. 7450 was reported as \$964.29, but issued for \$964.27, check No. 7451 was reported as \$1,079.07, but was issued for \$1,079.01, check No. 7474 was reported as \$970.27, but was issued for \$970.21, and check 7477 was reported as \$970.27, but issued for \$920.27.

2020 - Section 2

An adjustment of \$(770.73) was made to “Balance, January 1, 2020” because an incorrect fund balance was carried forward.

An adjustment of \$1,399.10 was made to “Miscellaneous” because a receipt for winter maintenance from the Commonwealth of Pennsylvania was not reported.

2020 - Section 3

An adjustment of \$(770.73) was made to “Prior year equipment balance” because an incorrect fund balance was carried forward.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

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>2019</u>	<u>2020</u>
Commonwealth of Pennsylvania	Winter maintenance agreement	\$ 2,739.74	\$ 1,399.10
Grant Township	Return of road bond	54,000.00	-
General Fund	Reimbursement for finding (Summary Of Prior Examination Recommendations)	-	17,160.00
	Totals	<u>\$56,739.74</u>	<u>\$18,559.10</u>

Road Bond

On August 17, 2018, the township expended \$54,000.00 to bond Nashville and East Creek Roads, which are located in Grant Township. The bond was required by Grant Township because East Mahoning's trucks would exceed the posted weight limit as they traveled to and from the Rowe Road project site. On January 8, 2019, \$54,000.00 was deposited into the Liquid Fuels Tax Fund.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

**Finding - Vendor Overcharge**

Our examination disclosed that the municipality was overcharged \$847.36 during 2020 for the purchase of cold patch as follows:

<u>Product</u>	<u>Quantity Purchased</u>	<u>Contract Price</u>	<u>Invoice Price</u>	<u>Unit Price Difference</u>	<u>Total Price Difference</u>
Cold patch	24.71 tons	\$86.74	\$93.53	\$6.79	\$167.78
Cold patch	24.73 tons	\$86.74	\$93.53	\$6.79	167.91
Cold patch	22.97 tons	\$86.74	\$93.53	\$6.79	155.97
Cold patch	24.86 tons	\$86.74	\$93.53	\$6.79	168.80
Cold patch	22.94 tons	\$86.74	\$93.53	\$6.79	155.76
Cold patch	22.96 tons	\$86.74	\$86.96	\$.22	5.05
Cold patch	23.03 tons	\$86.74	\$86.96	\$.22	5.06
Cold patch	23.04 tons	\$86.74	\$86.96	\$.22	5.07
Cold patch	24.70 tons	\$86.74	\$86.96	\$.22	5.43
Cold patch	22.95 tons	\$86.74	\$86.96	\$.22	5.05
Cold patch	24.92 tons	\$86.74	\$86.96	\$.22	5.48
Amount overpaid					<u>\$847.36</u>

Good internal controls ensure that invoice prices are compared to contract prices before payments are made on vendor invoices. The failure to follow this procedure increases the possibility that overpayments can be made on vendor invoices and go undetected for long periods of time.

The secretary/treasurer believed the pricing was handled properly under the state contract.

**Recommendations**

We recommend that the municipality reimburse \$847.36 to its Liquid Fuels Tax Fund upon official notification of the Department of Transportation. We also recommend that the municipal officials contact the vendor as soon as possible to obtain reimbursement.

We further recommend that the municipality compare invoice prices to contract prices prior to making payments on vendor invoices.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

**Finding - Vendor Overcharge (Continued)**

Management's Response

The secretary/treasurer stated:

I feel that the contract with COSTARS for [contractor], does away with the bidding and even the amount over quote price. I thought that is why the state does COSTARS. I know you do not understand the reasons [contractor] gave. We will try to do better next time.

Auditor's Conclusion

The municipality should not have been charged more than the contracted price for the purchase of cold patch. As stated above the municipal officials should compare contract price to invoice prices before paying invoices. During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF PRIOR EXAMINATION RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

Summary Of Prior Examination Recommendations

In our prior report, we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$17,160.00 to its Liquid Fuels Tax Fund. This amount consists of \$500.00 for the remainder of the purchase price of the 2006 International Navistar 7500 Tandem truck that was restrictively bid and \$16,660.00 for related party transactions.

During our current examination, we reviewed a letter dated June 5, 2020, from the Department of Transportation directing the municipality to reimburse \$17,160.00 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed \$17,100.00 and \$60.00 to its Liquid Fuels Tax Fund on July 7, 2020, and on December 15, 2020, respectively.

In our prior report, we also recommended that the municipality:

- Improve internal control procedures over disbursements by requiring at least two signatures of unrelated municipal officials on all disbursements from the Liquid Fuel Tax Fund.
- Ensure that its Forms MS-965 are complete and accurate.
- Follow the Department of Transportation's *Publication 9* if it uses brand names in future advertisements for purchases.
- Comply with *The Second Class Township Code* and the Ethics Act as it relates to related party transactions.

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

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF EXIT CONFERENCE  
FOR THE PERIOD  
JANUARY 1, 2019 TO DECEMBER 31, 2020

An exit conference was held November 4, 2021. Those participating were:

TOWNSHIP OF EAST MAHONING

Mrs. Bertha Ackerson, Secretary/Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Mrs. Oldriska Hoch, Auditor

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

TOWNSHIP OF EAST MAHONING  
INDIANA COUNTY  
LIQUID FUELS TAX FUND  
REPORT DISTRIBUTION  
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This report was initially distributed to:

**The Honorable Yassmin Gramian, P.E.**

Secretary  
Department of Transportation

**Township of East Mahoning**

Indiana County  
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**The Honorable Patrick Ackerson**  
Chairman of the Board of Supervisors

**The Honorable Chris Stewart**  
Supervisor

**Mrs. Bertha Ackerson**  
Secretary/Treasurer

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