

# ATTESTATION ENGAGEMENT

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## Township of Fermanagh

Juniata County, Pennsylvania

34-204

Liquid Fuels Tax Fund

For the Period

January 1, 2018 to December 31, 2020

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March 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 Fermanagh, Juniata County, for the period January 1, 2018 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.

As discussed in the Finding And Recommendations section of this report, the municipality did not maintain documentation to support expenditures of \$14,069.37 during 2018 for various building materials and equipment parts and \$1,307.78 during 2019 for various building materials.

## Independent Auditor's Report (Continued)

In our opinion, except for the matters discussed in the preceding paragraph, 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 Fermanagh, Juniata County, for the period January 1, 2018 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*.

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. We did identify a certain deficiency in internal control, described in the finding listed below, that we consider to be a material weakness in internal control:

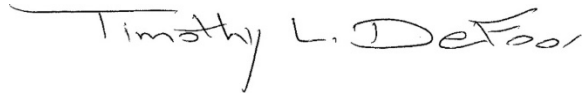
- Documentation Supporting Expenditures Was Not Available For Examination.

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 Fermanagh, Juniata 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*.

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 Fermanagh, Juniata 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 horizontal line above the first name.

Timothy L. DeFoor  
Auditor General  
February 23, 2022

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TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

Background

The Liquid Fuels Tax Municipal Allocation Law, Act 655 of 1956, as amended, see also 72 P.S. § 2615.5, et sec., provides municipalities other than counties (i.e., 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 upon: (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.

Title 75 Pa.C.S. § 9511 of the Pennsylvania Vehicle Code 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 FERMANAGH  
 JUNIATA COUNTY  
 LIQUID FUELS TAX FUND  
 BACKGROUND  
 FOR THE PERIOD  
 JANUARY 1, 2018 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 FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
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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 FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2018 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 FERMANAGH  
 JUNIATA COUNTY  
 LIQUID FUELS TAX FUND  
 2018 FORM MS-965 – SECTION 1  
 WITH ADJUSTMENTS

<u>Expenditure Summary</u>	<u>Reported</u>	<u>Adjustments</u>	<u>Adjusted Amount</u>
Minor equipment purchases	\$ 29,029.24	\$ (27,017.73)	\$ 2,011.51
Computer/Computer related training	-	-	-
Major equipment purchases	47,467.93	21,738.91	69,206.84
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	37,453.67	-	37,453.67
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	15,166.41	-	15,166.41
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	113,117.53	36,460.47	149,578.00
Highway construction and rebuilding projects	29,515.87	-	29,515.87
Miscellaneous	31,191.65	(31,191.65)	-
 Total (To Section 2, Line 5)	 <u>\$ 302,942.30</u>	 <u>\$ (10.00)</u>	 <u>\$ 302,932.30</u>

TOWNSHIP OF FERMANAGH  
 JUNIATA COUNTY  
 LIQUID FUELS TAX FUND  
 2018 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, 2018	\$ 363,744.93	\$ (36,184.30)	\$ 327,560.63
Receipts:			
2. State allocation	173,422.90	-	173,422.90
2a. Turnback allocation	17,480.00	-	17,480.00
2b. Interest on investments	1,434.09	16.31	1,450.40
2c. Miscellaneous	-	2,083.97	2,083.97
3. Total receipts	<u>192,336.99</u>	<u>2,100.28</u>	<u>194,437.27</u>
4. Total funds available	<u>556,081.92</u>	<u>(34,084.02)</u>	<u>521,997.90</u>
5. Expenditures (Section 1)	<u>302,942.30</u>	<u>(10.00)</u>	<u>302,932.30</u>
6. Balance, December 31, 2018	<u><u>\$ 253,139.62</u></u>	<u><u>\$ (34,074.02)</u></u>	<u><u>\$ 219,065.60</u></u>

TOWNSHIP OF FERMANAGH  
 JUNIATA COUNTY  
 LIQUID FUELS TAX FUND  
 2018 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	\$ 60,550.47	\$ 103,648.25	\$ 164,198.72
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	38,180.58	-	38,180.58
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	98,731.05	103,648.25	202,379.30
5. Less: Major equipment expenditures	47,467.93	21,738.91	69,206.84
6. Remainder	<u>51,263.12</u>	<u>81,909.34</u>	<u>133,172.46</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 51,263.12</u>	<u>\$ 81,909.34</u>	<u>\$ 133,172.46</u>

TOWNSHIP OF FERMANAGH  
 JUNIATA 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	24,597.72	6,006.90	30,604.62
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	39,149.54	-	39,149.54
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	32,032.44	-	32,032.44
Highway construction and rebuilding projects	283,972.04	-	283,972.04
Miscellaneous	-	1,394.18	1,394.18
 Total (To Section 2, Line 5)	 <u>\$ 379,751.74</u>	 <u>\$ 7,401.08</u>	 <u>\$ 387,152.82</u>

TOWNSHIP OF FERMANAGH  
 JUNIATA 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	\$ 253,139.22	\$ (34,073.62)	\$ 219,065.60
Receipts:			
2. State allocation	177,484.64	-	177,484.64
2a. Turnback allocation	17,480.00	-	17,480.00
2b. Interest on investments	3,022.87	-	3,022.87
2c. Miscellaneous	2,520.00	-	2,520.00
3. Total receipts	<u>200,507.51</u>	<u>-</u>	<u>200,507.51</u>
4. Total funds available	<u>453,646.73</u>	<u>(34,073.62)</u>	<u>419,573.11</u>
5. Expenditures (Section 1)	<u>379,751.74</u>	<u>7,401.08</u>	<u>387,152.82</u>
6. Balance, December 31, 2019	<u><u>\$ 73,894.99</u></u>	<u><u>\$ (41,474.70)</u></u>	<u><u>\$ 32,420.29</u></u>

TOWNSHIP OF FERMANAGH  
 JUNIATA 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	\$ 51,263.12	\$ 81,909.34	\$ 133,172.46
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	38,992.93	-	38,992.93
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	90,256.05	81,909.34	172,165.39
5. Less: Major equipment expenditures	24,597.72	6,006.90	30,604.62
6. Remainder	<u>65,658.33</u>	<u>75,902.44</u>	<u>141,560.77</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 65,658.33</u>	<u>\$ (33,238.04)</u>	<u>\$ 32,420.29</u>

TOWNSHIP OF FERMANAGH  
 JUNIATA 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	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	11,799.59	-	11,799.59
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	21,334.32	-	21,334.32
Traffic control devices	-	441.20	441.20
Street lighting	-	-	-
Storm sewers and drains	4,363.12	-	4,363.12
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	9,729.67	-	9,729.67
Highway construction and rebuilding projects	-	-	-
Miscellaneous	1,343.24	(892.22)	451.02
 Total (To Section 2, Line 5)	 <u>\$ 48,569.94</u>	 <u>\$ (451.02)</u>	 <u>\$ 48,118.92</u>



TOWNSHIP OF FERMANAGH  
 JUNIATA 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	\$ 37,710.69	\$ (5,290.40)	\$ 32,420.29
Receipts:			
2. State allocation	172,479.76	-	172,479.76
2a. Turnback allocation	17,480.00	-	17,480.00
2b. Interest on investments	1,308.00	-	1,308.00
2c. Miscellaneous	20,668.52	-	20,668.52
3. Total receipts	<u>211,936.28</u>	<u>-</u>	<u>211,936.28</u>
4. Total funds available	<u>249,646.97</u>	<u>(5,290.40)</u>	<u>244,356.57</u>
5. Expenditures (Section 1)	<u>48,569.94</u>	<u>(451.02)</u>	<u>48,118.92</u>
6. Balance, December 31, 2020	<u>\$ 201,077.03</u>	<u>\$ (4,839.38)</u>	<u>\$ 196,237.65</u>

TOWNSHIP OF FERMANAGH  
 JUNIATA 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	\$ 37,710.69	\$ (5,290.40)	\$ 32,420.29
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	37,991.95	-	37,991.95
3. PENNDOT approved adjustments	-	-	-
4. Total funds available for equipment acquisition	75,702.64	(5,290.40)	70,412.24
5. Less: Major equipment expenditures	11,799.59	-	11,799.59
6. Remainder	<u>63,903.05</u>	<u>(5,290.40)</u>	<u>58,612.65</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 63,903.05</u>	<u>\$ (5,290.40)</u>	<u>\$ 58,612.65</u>

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2018 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

2018 - Section 1

An adjustment of \$(27,017.73) was made to “Minor equipment purchases” because \$17,017.73 for major equipment expenditures and \$10,000.00 for maintenance and repair of roads and bridges were misclassified.

An adjustment of \$21,738.91 was made to “Major equipment purchases” because \$17,017.73 was misclassified as minor equipment expenditures and \$4,721.18 was misclassified as miscellaneous.

An adjustment of \$36,460.47 was made to “Maintenance and repair of roads and bridges” because expenditures of \$26,470.47 were misclassified as miscellaneous, \$10,000.00 was misclassified as minor equipment purchases, and \$(10.00) was overstated.

An adjustment of \$(31,191.65) was made to “Miscellaneous” because \$26,470.47 for maintenance and repair of roads and bridges and \$4,721.18 for major equipment expenditures were misclassified.

2018 - Section 2

An adjustment of \$(36,184.30) was made to “Balance, January 1, 2018” because prior report adjustments were not carried forward in the fund balance.

An adjustment of \$16.31 was made to “Interest on investments” because interest earnings were understated.

An adjustment of \$2,083.97 was made to “Miscellaneous” because these receipts were not reported.

2018 - Section 3

An adjustment of \$103,648.25 was made to “Prior year equipment balance” because prior report adjustments were not carried forward in the equipment balance.

An adjustment of \$21,738.91 was made to “Major equipment expenditures” to reflect the adjustment made to major equipment purchases in 2018 - Section 1.

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
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Adjustments (Continued)

2019 - Section 1

An adjustment of \$6,006.90 was made to "Major equipment purchases" because these expenditures were understated.

An adjustment of \$1,394.18 was made to "Miscellaneous" because a reimbursement to the General Fund was not reported.

2019 - Section 2

An adjustment of \$(34,073.62) was made to "Balance, January 1, 2019" because an incorrect fund balance was reported.

2019 - Section 3

An adjustment of \$81,909.34 was made to "Prior year equipment balance" to reflect the adjustment made to the equipment balance in 2018 - Section 3.

An adjustment of \$6,006.90 was made to "Major equipment expenditures" to reflect the adjustment made to major equipment purchases in 2019 - Section 1.

2020 - Section 1

An adjustment of \$441.20 was made to "Traffic control devices" because this expenditure was misclassified as miscellaneous.

An adjustment of \$(892.22) was made to "Miscellaneous" because an expenditure of \$441.20 for traffic control devices was misclassified and expenditures of \$451.02 were overstated.

2020 - Section 2

An adjustment of \$(5,290.40) was made to "Balance, January 1, 2020" because an incorrect fund balance was reported.

2020 - Section 3

An adjustment of \$(5,290.40) was made to "Prior year equipment balance" because an incorrect equipment balance was reported.

TOWNSHIP OF FERMANAGH  
 JUNIATA COUNTY  
 LIQUID FUELS TAX FUND  
 AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
 FOR THE PERIOD  
 JANUARY 1, 2018 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>2018</u>	<u>2019</u>	<u>2020</u>
Commonwealth of Pennsylvania General Fund	Deposit in error	\$1,394.18	\$ -	\$ -
	Reimbursement (Summary of 2014-2016 Examination Recommendation)	689.79	-	-
Fayette Township General Fund	Share of paving project	-	2,520.00	-
	Reimbursement (Summary of 2017 Examination Recommendations)	-	-	20,400.00
General Fund	Deposit in error	-	-	268.52
Totals		<u>\$2,083.97</u>	<u>\$2,520.00</u>	<u>\$20,668.52</u>

Miscellaneous Expenditures

The following miscellaneous expenditures were paid from the Liquid Fuels Tax Fund during the examination period:

<u>Payee</u>	<u>Description</u>	<u>2019</u>	<u>2020</u>
General Fund	Correction of deposit in error	\$1,394.18	\$ -
Vendor	Payment in error	-	451.02
Totals		<u>\$1,394.18</u>	<u>\$451.02</u>

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

Deposits In Error

On December 3, 2018, \$1,394.18 of state funds was electronically deposited into the municipality's Liquid Fuels Tax Fund in error. On January 29, 2019, the municipality transferred this amount from its Liquid Fuels Tax Fund to its General Fund to correct the deposit in error.

On October 15, 2020, the municipality deposited \$268.52 into its Liquid Fuels Tax Fund in error. As of the exit date of this report, the municipality had not corrected the deposit in error.

Payment In Error

On October 15, 2020, the municipality expended \$451.02 from its Liquid Fuels Tax Fund in error. As of the exit date of this report, the municipality had not corrected the payment in error.

Lease-Purchase Agreement

On June 15, 2015, the municipality entered into a lease-purchase agreement with Caterpillar Financial Services Corporation to purchase 2015 Caterpillar hydraulic excavator for \$61,806.00. The agreement was for a term of five years at an interest rate of 2.25 percent. Principal and interest payments of \$12,917.13 are due annually. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$36,817.27 and \$1,934.12, respectively.

During the current examination period, the municipality paid principal of \$24,988.73 and interest of \$846.51 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2018 and 2019 Forms MS-965 - Section 1. As of June 12, 2019, the lease-purchase agreement was paid-in-full.

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

Lease-Purchase Agreement

On May 12, 2016, the municipality entered into a lease-purchase agreement with Bank Capital Services, LLC to purchase a 2004 LeeBoy asphalt paver for \$49,200.00, plus a document fee of \$484.00. The agreement was for a term of three years. Principal and interest payments of \$17,017.73 are due annually. The total amount to be repaid, including principal, interest, and the document fee, is \$51,537.19. Prior years' principal, interest, and document fee payments from the Liquid Fuels Tax Fund were \$34,519.46.

During the current examination period, the municipality paid principal and interest of \$17,017.73 from the Liquid Fuels Tax Fund. This amount is reflected in major equipment purchases on the 2018 Form MS-965 - Section 1. As of May 7, 2018, the lease-purchase agreement was paid-in-full.

Bank Loan

On July 6, 2018, the municipality acquired a General Obligation Note from Pennian Bank to purchase a 2018 JCB Model 427ZX wheel loader for \$186,900.00, two 2019 International HV607 dump trucks and dump bodies for \$314,080.00, and \$7,020.00 for undocumented items that are not permissible to be repaid from the Liquid Fuels Tax Fund, for a total of \$508,000.00. The term of the bond was for fifteen years at an interest rate of 4.55 percent. Principal and interest payments of \$11,779.59 are due quarterly.

During the current examination period, the municipality paid principal of \$12,281.50 and interest of \$21,905.76 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2018, 2019, and 2020 Forms MS-965 - Section 1. Additionally, the municipality paid principal of \$30,864.61 and interest of \$28,293.75 from the General Fund. The outstanding balance of the note as of December 31, 2020, was \$464,853.89, plus interest.

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

**Finding - Documentation Supporting Expenditures Was Not Available For Examination**

Our examination disclosed that the municipality did not maintain documentation to support expenditures of \$14,069.37 during 2018 for various building materials and equipment parts and \$1,307.78 during 2019 for various building materials.

Good internal control procedures ensure that there is documentation to support all expenditures.

The Liquid Fuels Tax Municipal Allocation Law, 72 P.S. § 2615.4, provides, in part, that monies herein allocated may be used only for construction, reconstruction, maintenance and repairs of such public roads or streets, including bridges, culverts and drainage structures, for which they are legally responsible. Also permitted are expenditures involving acquisition, maintenance, repairs and operation of street signs, traffic signs, traffic signal control systems, road equipment, and snow fences.

The Department of Transportation has been statutorily authorized to promulgate regulations concerning the administration of Liquid Fuels Tax Fund money and has determined that certain items, including expenditures made without supporting documentation, are outside the scope of permissible expenditures.

Without adequate documentation, we could not determine if the expenditures were permissible according to the Liquid Fuels Tax Municipal Allocation Law and the Department of Transportation's Regulations.

The failure to maintain documentation to support expenditures could result in the municipality having to reimburse \$15,377.15 its Liquid Fuels Tax Fund.

This condition occurred because the municipality did not ensure good internal control by maintaining documentation for these expenditures.

**Recommendations**

We recommend that the municipality reimburse \$15,377.15 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that the municipality ensure good internal control over expenditures by maintaining adequate documentation to support all expenditures.



TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

**Finding - Documentation Supporting Expenditures Was Not Available For Examination  
(Continued)**

Management's Response

The municipal officials offered no formal response at this time.

Auditor's Conclusion

The municipality should comply with our recommendations as stated above. During our next examination, we will determine if the municipality complied with our recommendations.

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF PRIOR EXAMINATIONS' RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

Summary Of 2014-2016 Examination Recommendation

In our 2014-2016 report, we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$689.79 to its Liquid Fuels Tax Fund for vendor overcharges. We further noted that this amount was reimbursed to the Liquid Fuels Tax Fund on February 6, 2018.

Summary Of Prior Examination Recommendations

In our 2017 report, we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$20,400.00 to its Liquid Fuels Tax Fund for a related party transaction.

During our current examination, we reviewed a letter dated February 28, 2020, from the Department of Transportation directing the municipality to reimburse \$20,400.00 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on March 5, 2020.

In our prior report, we also recommended that the municipality comply with *The Second Class Township Code* and the Ethics Act.

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

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF EXIT CONFERENCE  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

An exit conference was held January 20, 2022. Those participating were:

TOWNSHIP OF FERMANAGH

The Honorable Marian Casner, Vice-Chairperson/Secretary/Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Ms. Tammy Fleisher, Audit Supervisor

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

TOWNSHIP OF FERMANAGH  
JUNIATA COUNTY  
LIQUID FUELS TAX FUND  
REPORT DISTRIBUTION  
FOR THE PERIOD  
JANUARY 1, 2018 TO DECEMBER 31, 2020

This report was initially distributed to:

**The Honorable Yassmin Gramian, P.E.**  
Secretary  
Department of Transportation

**Township of Fermanagh**  
Juniata County  
109 Municipal Road  
Mifflintown, PA 17059

**The Honorable Marian Casner**  
Vice-Chairperson/Secretary/Treasurer

**The Honorable Steven Ramsey**  
Supervisor/Roadmaster

This report is a matter of public record and is available online at [www.PaAuditor.gov](http://www.PaAuditor.gov). 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: [news@PaAuditor.gov](mailto:news@PaAuditor.gov).