

ATTESTATION ENGAGEMENT

Borough of Ashville
Cambria County, Pennsylvania
11-401
Liquid Fuels Tax Fund
For the Period
January 1, 2023 to December 31, 2024

November 2025



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 Michael Carroll
Secretary
Department of Transportation
Harrisburg, PA 17120

We have examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Borough of Ashville, Cambria County, for the period January 1, 2023 to December 31, 2024. 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 qualified opinion.

We are required to be independent and to meet our other ethical responsibilities in accordance with ethical requirements relating to the engagement.

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.

Independent Auditor's Report (Continued)

As discussed in Finding No. 2, the borough expended \$2,464.96 during 2024 in excess of the amount available for the purchase of equipment from the Liquid Fuels Tax Fund. This amount was reimbursed to the borough's Liquid Fuels Tax Fund on January 27, 2025, which was subsequent to our examination period.

In our opinion, except for the matter 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 Borough of Ashville, Cambria County, for the period January 1, 2023 to December 31, 2024, 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.

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

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the Forms MS-965 will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency below to be a material weakness:

- Authorized Check Signers Are Related - Recurring.

Independent Auditor's Report (Continued)

As part of obtaining reasonable assurance about whether the Forms MS-965 are free from material misstatement, we performed tests of the Borough of Ashville, Cambria 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 the following instance of noncompliance that is required to be reported under *Government Auditing Standards*:

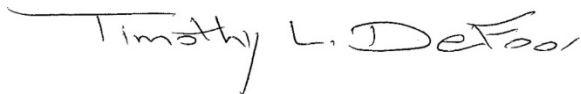
- Over-Expended Equipment Purchase Tally.

We also noted a matter that, while not required to be included in this report by *Government Auditing Standards*, has been included in the finding below:

- Late Receipt Of Allocations.

The purpose of this report is to provide information related to the municipality's Liquid Fuels Tax Fund to assist the Pennsylvania Department of Transportation in fulfilling its regulatory authority as described in the laws and regulations identified in the Background section of this report and the Pennsylvania Department of Transportation's *Publication 9*. This report is not suitable for any other purpose.

We appreciate the courtesy extended by the Borough of Ashville, Cambria 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.



Timothy L. DeFoor
Auditor General
September 24, 2025

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BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

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.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Background (Continued)

3. Submit the Pennsylvania Department of Community and Economic Development's (DCED) Report of Elected and Appointed Officials by January 31st and the Survey of Financial Condition By March 15th.
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:

<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<u>\$11,500.00</u>	<u>\$11,800.00</u>	<u>\$12,200.00</u>	<u>\$12,600.00</u>

- 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:

<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
<u>\$11,500.00</u>	<u>\$11,800.00</u>	<u>\$12,200.00</u>	<u>\$12,600.00</u>

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

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

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.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

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 Forms 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.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2023 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	3,744.00	-	3,744.00
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous	-	-	-
Total (To Section 2, Line 5)	<u>\$ 3,744.00</u>	<u>\$ -</u>	<u>\$ 3,744.00</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2023 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, 2023	\$ 118.52	\$ -	\$ 118.52
Receipts:			
2. State allocation	-	-	-
2a. Turnback allocation	-	-	-
2b. Interest on investments	.89	-	.89
2c. Miscellaneous	4,284.71	-	4,284.71
3. Total receipts	4,285.60	-	4,285.60
4. Total funds available	4,404.12	-	4,404.12
5. Expenditures (Section 1)	3,744.00	-	3,744.00
6. Balance, December 31, 2023	<u>\$ 660.12</u>	<u>\$ -</u>	<u>\$ 660.12</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2023 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	\$ 118.52	\$ -	\$ 118.52
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	-	-	-
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	118.52	-	118.52
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>118.52</u>	<u>-</u>	<u>118.52</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 118.52</u>	<u>\$ -</u>	<u>\$ 118.52</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2024 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	7,049.88	-	7,049.88
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	7,533.03	-	7,533.03
Traffic control devices	-	-	-
Street lighting	4,138.96	-	4,138.96
Storm sewers and drains	-	-	-
Repairs of tools and machinery	2,277.42	-	2,277.42
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous	11,104.74	(11,104.74)	-
Total (To Section 2, Line 5)	<u>\$ 32,104.03</u>	<u>\$ (11,104.74)</u>	<u>\$ 20,999.29</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2024 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, 2024	\$ 660.12	\$ -	\$ 660.12
Receipts:			
2. State allocation	22,332.03	-	22,332.03
2a. Turnback allocation	-	-	-
2b. Interest on investments	322.22	-	322.22
2c. Miscellaneous	<u>25,464.74</u>	<u>(11,104.74)</u>	<u>14,360.00</u>
3. Total receipts	<u>48,118.99</u>	<u>(11,104.74)</u>	<u>37,014.25</u>
4. Total funds available	<u>48,779.11</u>	<u>(11,104.74)</u>	<u>37,674.37</u>
5. Expenditures (Section 1)	<u>32,104.03</u>	<u>(11,104.74)</u>	<u>20,999.29</u>
6. Balance, December 31, 2024	<u><u>\$ 16,675.08</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 16,675.08</u></u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
2024 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	\$ 118.52	\$ -	\$ 118.52
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	4,466.40	-	4,466.40
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	4,584.92	-	4,584.92
5. Less: Major equipment expenditures	<u>7,049.88</u>	<u>-</u>	<u>7,049.88</u>
6. Remainder	<u>(2,464.96)</u>	<u>-</u>	<u>(2,464.96)</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

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

Adjustments

2024 - Section 1

An adjustment of \$(11,104.74) was made to “Miscellaneous” because a transfer between two Liquid Fuels Tax Fund accounts was incorrectly reported as an expenditure.

2024 - Section 2

An adjustment of \$(11,104.74) was made to “Miscellaneous” because a transfer between two Liquid Fuels Tax Fund accounts was incorrectly reported as a receipt.

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>2023</u>	<u>2024</u>
General Fund	Reimbursement (Summary Of 2018-2020 Examination Recommendations)	\$4,284.71	\$ -
Sewer Fund	Grant	-	5,000.00
General Fund	Reimbursement (Summary Of 2021-2022 Examination Recommendations)	-	9,360.00
Totals		<u>\$4,284.71</u>	<u>\$14,360.00</u>

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Lease-Purchase Agreement

On June 15, 2020, the municipality entered into a lease-purchase agreement with Kubota Leasing to purchase a tractor and accessories for \$31,245.00. The agreement was for a term of five years at an interest rate of 4.85 percent. Principal and interest payments of \$587.49 are due monthly. The total principal and interest amount to be repaid is \$35,249.40 plus documentation fees of \$195.00 for a total repayment amount due of \$35,444.40. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$4,112.43. Additionally, the municipality paid principal and interest of \$14,099.76 from the General Fund.

During the current examination period the municipality paid principal and interest of \$7,049.88 from the Liquid Fuels Tax Fund. This amount is reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. Additionally, the municipality paid principal and interest of \$7,049.88 from the General Fund. The amount to be repaid, including principal and interest, as of December 31, 2024, was \$3,132.45.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Finding No. 1 - Authorized Check Signers Are Related - Recurring

We cited the municipality for authorized check signers being related in our prior report for the period January 1, 2021 to December 31, 2022. During our current examination, we noted that two of the four people authorized to sign checks from the Liquid Fuels Tax Fund were related, and the borough only required two signatures on Liquid Fuels Tax Fund checks. The borough officials authorized to sign checks during our examination period were the president, vice-president, secretary/treasurer, and the assistant secretary/treasurer, two of which were father and daughter and the other two were mother and daughter. After the death of one of the officials, authorized check signers changed to the vice-president, councilman, secretary/treasurer, and the assistant secretary/treasurer, two of which are mother and daughter.

An entity's system of internal controls should include procedures to prevent the possibility of related people authorizing checks.

We could not determine the cause of this condition.

When related persons are authorized to sign checks, there is an increased risk of unauthorized disbursements, errors, or misappropriation of assets.

Recommendation

We recommend that the municipality ensure that either none of the authorized check signers are related or that the number of signatures required ensures that at least two signers are unrelated to the other signers.

Management's Response

Municipal officials offered no formal response at this time.

Auditor's Conclusion

This is a recurring finding. We strongly recommend that the borough comply with our recommendation. During our next examination, we will determine if the municipality complied with our recommendation.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Finding No.2 - Over Expended Equipment Purchase Tally

Our examination disclosed that the municipality expended \$2,464.96 in excess of the amount available for the purchase of equipment for 2024, as follows:

<u>2024</u>	<u>Actual</u>
1. Prior year equipment balance	\$118.52
2. Current year equipment allocation (20% of Lines 2 + 2A, Section 2)	4,466.40
3. PENNDOT approved adjustments	<u>-</u>
4. Total funds available for equipment acquisition	4,584.92
5. Less: Major equipment purchases	<u>7,049.88</u>
6. Amount Over-Expended for equipment – 2024	<u><u>\$2,464.96</u></u>

The Department of Transportation's, *Publication 9*, Appendix D, Section 449.11, 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, 20 percent of the current year's Liquid Fuels Tax Fund allocations, and any approved adjustments.

We could not determine the cause of this condition.

On January 27, 2025, the municipality reimbursed \$2,464.96 to the Liquid Fuels Tax Fund, which was subsequent to our examination period.

Recommendation

We recommend that the municipality comply with the Department of Transportation's limit on equipment expenditures in accordance with *Publication 9*.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Finding No. 2 - Over Expended Equipment Purchase Tally (Continued)

Management's Response

Municipal officials offered no formal response at this time.

Auditor's Conclusion

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

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Finding No. 3 - Late Receipt Of Allocations

Our examination disclosed that the 2023 and 2024 Liquid Fuels Tax Fund allocations of \$11,204.72 and \$11,127.31, respectively, which should have been distributed from the Department of Transportation to the municipality during the first week of March of each year, were not received until March 21, 2024 and June 13, 2024, respectively, because the municipality failed to comply with the Department of Transportation's *Publication 9*, Chapter Two, Section 2.4, which states:

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

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

We could not determine the cause of this condition.

Because of the late receipt of allocations, the municipality did not have use of the 2023 allocation for more than twelve months and the 2024 allocation more than three months. Furthermore, had the allocations been received timely, money may have been available for investment purposes, potentially earning interest income which could have been used for road maintenance and repairs.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Finding No. 3 - Late Receipt Of Allocations (Continued)

Recommendation

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

Management's Response

Municipal officials offered no formal response at this time.

Auditor's Conclusion

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

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF PRIOR EXAMINATIONS' RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Summary Of 2018-2020 Examination Recommendations

In our 2018-2020 report, we recommended that the Department of Transportation review our examination finding to determine if the municipality should reimburse \$4,284.71 to its Liquid Fuels Tax Fund for failing to advertise for bids.

During our 2021-2022 examination, we reviewed a letter dated November 30, 2022, from the Department of Transportation directing the municipality to reimburse \$4,284.71 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on December 26, 2023.

Summary Of 2021-2022 Examination Recommendations

In our 2021-2022 report, we recommended that the Department of Transportation review our examination findings to determine if the municipality should reimburse \$9,360.00 to its Liquid Fuels Tax Fund. This amount consists of \$4,360.00 for documentation supporting expenditures not being available for examination and \$5,000.00 for non-permissible expenditures.

During our current examination, we reviewed a letter dated July 17, 2024, from the Department of Transportation directing the municipality to reimburse \$9,360.00 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on December 27, 2024.

In our 2021-2022 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 Fuels Tax Fund account and ensuring none of the authorized check signers are related.
- Comply with Commonwealth of Pennsylvania Management Directive 210.11 by obtaining images of both the front and back of canceled checks from its financial institution. Additionally, the municipal officials should review the front and back of each canceled check for any errors or misappropriations.
- Ensure good internal control over expenditures by maintaining adequate documentation to support all expenditures
- Comply with the Liquid Fuels Tax Municipal Allocation Law and Department of Transportation's Regulations regarding permissible expenditures.

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF PRIOR EXAMINATIONS' RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

Summary Of 2021-2022 Examination Recommendations (Continued)

During our current examination, we noted that the municipality complied with our second, third, and fourth bulleted recommendations. However, the municipality did not comply with our first bulleted recommendation (see Finding No.1).

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF ONSITE CLOSEOUT MEETING
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

An onsite closeout meeting was held April 7, 2025. Those participating were:

BOROUGH OF ASHVILLE

The Honorable Lewis F. DeAngelis, Jr., Vice-President of Council

DEPARTMENT OF THE AUDITOR GENERAL

Ms. Penelope Fjellanger, Auditor

BOROUGH OF ASHVILLE
CAMBRIA COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2023 TO DECEMBER 31, 2024

This report was initially distributed to:

The Honorable Michael Carroll
Secretary
Department of Transportation

Borough of Ashville
Cambria County
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The Honorable Lewis F. DeAngelis, Jr.
Vice-President of Council

Ms. Danielle Schnarrs
Secretary/Treasurer

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