ATTESTATION ENGAGEMENT

City of Lancaster

Lancaster County, Pennsylvania 36-301

Liquid Fuels Tax Fund For the Period January 1, 2024 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 Form MS-965 With Adjustments for the Liquid Fuels Tax Fund of the City of Lancaster, Lancaster County, for the period January 1, 2024 to December 31, 2024. The municipality's management is responsible for presenting the Form 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 Form 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 Form MS-965 is presented in accordance with the criteria described above, in all material respects. An examination involves performing procedures to obtain evidence about the Form 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 Form 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.

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

In our opinion, the Form MS-965 With Adjustments presents, in all material respects, the information required by the Pennsylvania Department of Transportation for the Liquid Fuels Tax Fund of the City of Lancaster, Lancaster County, for the period January 1, 2024 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*.

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, regulations, contracts, or grant agreements that have a material effect on the Form MS-965; and any other instances that warrant the attention of those charged with governance. 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 Form MS-965 is presented in accordance with the criteria described above and not for the purpose of expressing an opinion on internal control over the Form MS-965 or on compliance and other matters; accordingly, we express no such opinions. The results of our tests did not disclose any matters that are required to be reported under Government Auditing Standards. However, we did note 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 Allocation - Recurring.

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 City of Lancaster, Lancaster 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

Timothy L. Detool

October 14, 2025

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Background

The Liquid Fuels Tax Municipal Allocation Law¹ 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 maintained by all political subdivisions making application in the county; and (2) 50 percent on the proportion of a municipality's population to the total population of all municipalities making application in the state.²

Section 9511 (relating to Allocation of proceeds) of the Pennsylvania Vehicle Code provides municipalities with annual maintenance payments to be received from the Motor License Fund.³

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).

¹ 72 P.S. § 2615.1 et seq., Act 655 of 1956, as amended.

² 75 Pa.C.S. § 9010(c)(1)-(2) as last amended by Act 89 of 2013.

³ 75 Pa.C.S. § 9511, as last amended by Act 89 of 2013 and Act 101 of 2016, *See also* 72 P.S. § 2615.4, as last amended by Act 42 of 2013.

Background (Continued)

- 2. Make deposits and payments or expenditures in compliance with Act 655, 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 that can be placed into the Liquid Fuels Tax Fund.
- 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:

2021	2022	2023	2024
\$11,500.00	\$11,800.00	\$12,200.00	\$12,600.00

• 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:

2021	2022	2023	2024
\$11,500.00	\$11,800.00	\$12,200.00	\$12,600.00

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

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.

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, 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's financial activities.

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.

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND 2024 FORM MS-965 – SECTION 1 WITH ADJUSTMENTS

Expenditure Summary	Report	ed	Adjus	tments		Adjusted Amount
Minor equipment purchases	\$	-	\$	-	\$	-
Computer/Computer related training		-		-		-
Major equipment purchases	239,6	29.95		-		239,629.95
Agility projects		-		-		-
Cleaning streets and gutters		-		-		-
Winter maintenance services	155,6	70.62		-		155,670.62
Traffic control devices	49,3	91.72		-		49,391.72
Street lighting	190,7	18.26		-		190,718.26
Storm sewers and drains		-		-		-
Repairs of tools and machinery	15,9	40.62		-		15,940.62
Maintenance and repair of						
roads and bridges	13,6	23.32		-		13,623.32
Highway construction and						
rebuilding projects	555,3	57.46		-		555,357.46
Miscellaneous						
Total (To Section 2, Line 5)	\$ 1,220,3	31.95	\$		\$ 1,	220,331.95

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND 2024 FORM MS-965 – SECTION 2 WITH ADJUSTMENTS

Fund Balance	Reported	Adjustments	Adjusted Amount
1. Balance, January 1, 2024	\$ 1,967,272.03	\$ -	\$ 1,967,272.03
Receipts:			
2. State allocation	1,326,438.79	-	1,326,438.79
2a. Turnback allocation	8,000.00	-	8,000.00
2b. Interest on investments	42,647.69	-	42,647.69
2c. Miscellaneous	29,170.79		29,170.79
3. Total receipts	1,406,257.27		1,406,257.27
5. Total receipts	1,400,237.27	-	1,400,237.27
4. Total funds available	3,373,529.30		3,373,529.30
5. Expenditures (Section 1)	1,220,331.95		1,220,331.95
6. Balance, December 31, 2024	\$ 2,153,197.35	\$ -	\$ 2,153,197.35

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND 2024 FORM MS-965 – SECTION 3 WITH ADJUSTMENTS

Equipment Balance	Reported	Adjustments	Adjusted Amount
1. Prior year equipment balance	\$ 1,390,343.89	\$ -	\$ 1,390,343.89
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	266,887.76	-	266,887.76
3. PENNDOT approved adjustments	2,000.00		2,000.00
4. Total funds available for equipment acquisition	1,659,231.65	-	1,659,231.65
5. Less: Major equipment expenditures	239,629.95		239,629.95
6. Remainder	1,419,601.70		1,419,601.70
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	\$ 1,419,601.70	\$ -	\$ 1,419,601.70

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

Miscellaneous Receipts

The following miscellaneous receipts were deposited into the Liquid Fuels Tax Fund during the examination period:

Source	Description	Amount
General Fund	Grant	\$ 100.54
Vendor Vendor	Refund of overpayment Portion of paving project	163.90 25,226.29
Vendor	Refund of defective material	1,667.20
Vendor	Trade-in of equipment	2,000.00
Vendor	Reimbursement for returned part	12.86
Total		\$29,170.79

Bank Loan

On December 15, 2006, the municipality borrowed \$798,000.00 from Fulton Financial Advisors for LED signal upgrades and other repairs. The term of the loan was for 20 years at a variable interest rate. Principal payments of \$38,000.00, plus interest, are due annually. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$608,000.00 and \$353,647.00, respectively.

During the current examination period, the municipality paid principal of \$38,000.00 and interest of \$8,151.00 from the Liquid Fuels Tax Fund. These amounts are reflected in highway construction and rebuilding projects on the 2024 Form MS-965 - Section 1. The outstanding balance of the loan as of December 31, 2024, was \$152,000.00, plus interest.

Lease-Purchase Agreement

On June 5, 2020, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a Caterpillar 299D3 high flow compact track loader for \$93,664.00. The agreement was for a term of five years at an interest rate of 3.56 percent. Principal and interest payments of \$20,065.57 are due annually. A one-time acquisition fee of \$500.00 and a UCC filing fee of \$94.00 were paid from the Liquid Fuels Tax Fund. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$74,287.24 and \$5,975.03, respectively.

During the current examination period, the municipality paid principal of \$19,376.76 and interest of \$688.80 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. On June 6, 2024, the lease-purchase agreement was paid in full.

Lease-Purchase Agreement

On May 4, 2022, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a 2022 Volvo ten-ton oscillatory double drum roller for \$143,353.00. The term of the agreement was for five years at an interest rate of 4.15 percent. Principal and interest payments of \$31,051.68 are due annually. A one-time initial acquisition fee of \$500.00 and a UCC filing fee of \$94.00 were paid from the Liquid Fuels Tax Fund. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$57,425.64 and \$4,677.72, respectively.

During the current examination period, the municipality paid principal of \$27,485.69 and interest of \$3,565.99 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$58,441.67, plus interest.

Lease-Purchase Agreement

On August 24, 2022, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a 2022 LeeBoy paver for \$149,216.15. The term of the agreement was for ten years at an interest rate of 4.75 percent. Principal and interest payments of \$18,226.92 are due annually. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$17,488.22 and \$9.84, respectively. Additionally, the municipality paid principal of \$12,723.01 and interest of \$6,232.77 from the Stormwater Fund.

During the current examination period, the municipality paid principal of \$5,400.56 and interest of \$2,826.36 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. Additionally, the municipality paid principal of \$7,173.63 and interest of \$2,826.37 from the Stormwater Fund. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$106,430.73, plus interest.

Lease-Purchase Agreement

On June 23, 2021, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a 2019 Caterpillar 416F backhoe loader for \$84,950.00. The term of the agreement was for five years at an interest rate of 3.45 percent. Principal and interest payments of \$18,164.93 are due annually. A one-time initial acquisition fee of \$500.00 and one-time initial UCC File Fee of \$94.00 were paid from the Stormwater Fund. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$50,416.39 and \$4,078.40, respectively.

During the current examination period, the municipality paid principal of \$16,973.52 and interest of \$1,191.36 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$17,560.09, plus interest.

Lease-Purchase Agreement

On June 23, 2021, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a Dulevo Sweeper for \$195,563.00. The term of the agreement was for five years at an interest rate of 3.50 percent. Principal and interest payments of \$41,856.81 are due annually. A one-time initial acquisition fee of \$500.00 and a UCC filing fee of \$94.00 were paid from the Liquid Fuels Tax Fund. Prior years' principal and interest payments from the Liquid Fuels Tax Fund were \$116,046.95 and \$9,523.39, respectively.

During the current examination period, the municipality paid principal of \$39,073.75 and interest of \$2,782.97 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$40,442.30, plus interest.

Lease-Purchase Agreement

On April 12, 2024, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a 2024 Mack GR64F dump truck for \$348,036.06. The term of the agreement was for five years at an interest rate of 6.0 percent. Principal and interest payments of \$78,123.79 are due annually. A one-time initial acquisition fee of \$500.00 and a UCC filing fee of \$94.00 were paid from the Streets Maintenance Fund.

During the current examination period, the municipality paid principal of \$35,217.38 and interest of \$88.46 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. Additionally, the municipality paid principal of \$42,729.49 and interest of \$88.46 from the Streets Maintenance Fund. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$270,089.19, plus interest.

Lease-Purchase Agreement

On April 12, 2024, the municipality entered into a lease-purchase agreement with Fulton Bank to purchase a 2024 Mack GR64F dump truck for \$348,036.06. The term of the agreement was for five years at an interest rate of 6.1 percent. Principal and interest payments of \$78,123.79 are due annually. A one-time initial acquisition fee of \$500.00 and a UCC filing fee of \$94.00 were paid from the Streets Maintenance Fund.

During the current examination period, the municipality paid principal of \$35,217.39 and interest of \$88.46 from the Liquid Fuels Tax Fund. These amounts are reflected in major equipment purchases on the 2024 Form MS-965 - Section 1. Additionally, the municipality paid principal of \$42,729.48 and interest of \$88.46 from the Streets Maintenance Fund. The outstanding balance of the lease-purchase agreement as of December 31, 2024, was \$270,089.19, plus interest.

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND FINDING AND RECOMMENDATION FOR THE PERIOD JANUARY 1, 2024 TO DECEMBER 31, 2024

Finding - Late Receipt Of Allocation - Recurring

We cited the municipality for late receipt of allocation in our prior report for the period January 1, 2023 to December 31, 2023. Our current examination disclosed that the 2024 Liquid Fuels Tax Fund allocation of \$1,326,438.79, which should have been distributed from the Department of Transportation to the municipality during the first week of March of that year, was not received until May 6, 2024, 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.

Because the municipality failed to file its Survey of Financial Condition with the Department of Community and Economic Development timely, the municipality did not have use of the 2024 allocation for two months. Furthermore, had the allocation been received timely, money may have been available for investment purposes, potentially earning interest income which could have been used for road maintenance and repairs.

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND FINDING AND RECOMMENDATION FOR THE PERIOD JANUARY 1, 2024 TO DECEMBER 31, 2024

Finding - Late Receipt Of Allocation - Recurring (Continued)

Recommendation

We again 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

The accountant stated:

We will work toward eliminating this finding in the future.

Auditor's Conclusion

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

CITY OF LANCASTER LANCASTER COUNTY LIQUID FUELS TAX FUND SUMMARY OF ONSITE CLOSEOUT MEETING FOR THE PERIOD JANUARY 1, 2024 TO DECEMBER 31, 2024

An onsite closeout meeting was held July 21, 2025. Those participating were:

CITY OF LANCASTER

Ms. Sabrina M. Kauffman-Gillette, Accountant II

DEPARTMENT OF THE AUDITOR GENERAL

Ms. Tammy Fleisher, Audit Supervisor

This report was initially distributed to:

The Honorable Michael Carroll

Secretary
Department of Transportation

City of Lancaster Lancaster County 120 North Duke Street P. O. Box 1599

Lancaster, PA 17602

The Honorable Amanda Bakay President of Council

Ms. Sabrina M. Kauffman-Gillette Accountant II

This report is a matter of public record and is available online at 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.