

COMPLIANCE AUDIT

Hempfield Township Volunteer Firemen's Relief Association of Mercer County, Inc.

Pennsylvania

For the Period

January 1, 2018 to December 31, 2020

December 2021



Commonwealth of Pennsylvania
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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TIMOTHY L. DEFOOR
AUDITOR GENERAL

Mr. Paul Pryborowski, President
Hempfield Township Volunteer Firemen's
Relief Association of Mercer County, Inc.

We have conducted a compliance audit of the Hempfield Township Volunteer Firemen's Relief Association of Mercer County, Inc. (relief association) for the period January 1, 2018 to December 31, 2020. The audit was conducted pursuant to authority derived from Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania; Section 403 of The Fiscal Code, 72 P.S. § 403; and the Volunteer Firefighters' Relief Association Act, 35 Pa.C.S. § 7411 *et seq.* ("VFRA Act"), as most recently amended by Act 91 of 2020.

The objectives of the audit were:

1. To determine if the relief association took appropriate corrective action to address the finding contained in our prior audit report.
2. To determine if the relief association complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds.

Our audit was limited to the areas related to the objectives identified above and was not, nor was it required to be, conducted in accordance with Government Auditing Standards issued by the Comptroller General of the United States.

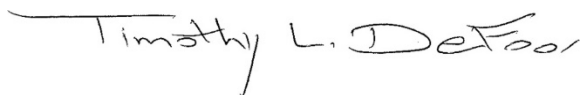
Relief association officers are responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the relief association's administration of state aid and accumulated relief funds complies with applicable state laws, contracts, bylaws, and administrative procedures, including the safeguarding of assets. Relief association officers are responsible for complying with applicable state laws, contracts, bylaws, and administrative procedures. It is our responsibility to perform procedures to obtain sufficient, appropriate evidence to the extent necessary to satisfy the audit objectives. We believe that our audit provides a reasonable basis for our conclusions.

Based on our audit procedures, we conclude that, for the period January 1, 2018 to December 31, 2020:

- The relief association took appropriate corrective action to address the finding contained in our prior audit report.
- The relief association, in all significant respects, complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds, except as noted in the finding listed below and discussed later in this report.

Finding – Unable To Verify Ownership Of Rescue Vehicle

The contents of this report were discussed with the management of the relief association and, where appropriate, their response has been included in the report. We would like to thank the relief association officials for the cooperation extended to us during the conduct of the audit.

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

Timothy L. DeFoor
Auditor General
November 22, 2021

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BACKGROUND

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code¹, and the Volunteer Firefighters' Relief Association Act² ("VFRA Act"), the Department of the Auditor General's duty is to audit the accounts and records of every volunteer firefighters' relief association to determine that funds received under the Foreign Fire Insurance Tax Distribution Law³ (commonly referred to as Act 205) are properly expended.

The relief association is a charitable organization that was formed primarily to afford financial protection to volunteer firefighters and to encourage individuals to participate in volunteer fire service.

The VFRA Act governs the overall operation of volunteer firefighters' relief associations. Relief association bylaws define the specific operational procedures by which relief associations conduct business. To fulfill its primary purpose, the VFRA Act authorizes specific types of expenditures and prescribes appropriate volunteer firefighters' relief association investment options. Within the parameters established by the VFRA Act, it is the responsibility of relief associations to choose investments in a proper and prudent manner.

Volunteer firefighters' relief associations receive public tax monies, and the association officers therefore have a responsibility to the public to conduct the association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the association operates in accordance with applicable state laws, contracts, bylaws and administrative procedures.

Act 205 sets forth the computation of the Foreign Fire Insurance Tax Distribution paid to each applicable municipality throughout the Commonwealth of Pennsylvania. The amount of the distribution is based upon the population of each municipality and the market value of real estate within the municipality. Upon receipt of this distribution, the municipality must allocate the funds to the volunteer firefighters' relief association of the fire service organization or fire service organizations that is or are recognized as providing the service to the municipality.

¹ 72 P.S. § 403 (as last amended by Act 44 of 2017).

² 35 Pa.C.S. § 7411 *et seq.* See specifically, 35 Pa.C.S. § 7418 (amended by Act 91 of 2020).

³ 53 P.S. § 895.701 *et seq.* (Act 205 of 1984, as amended by Act 119 of 1990).

BACKGROUND – (Continued)

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

<u>Municipality</u>	<u>County</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>
Hempfield Township	Mercer	\$18,304	\$20,156	\$20,223
Sugar Grove Township	Mercer	\$ 4,317	\$ 4,618*	\$ 4,690

* Although Sugar Grove Township prepared and returned a Certification Form AG 385 for 2019, the date the township distributed the 2019 state aid to the relief association could not be determined because the township failed to submit a 2019 Receipt And Distribution Of Foreign Fire Insurance Premium Tax Form 706-B to this department as required by the instructions accompanying Form 706-B and the instructions accompanying the 2019 state aid allocation received by the township disclosing this information.

Sugar Grove Township is still required to complete a 2019 Receipt And Distribution Of Foreign Fire Insurance Premium Tax Form 706-B online within the Department of Community & Economic Development’s Municipal Statistics website (MunStats) as soon as possible.

Based on the relief association’s records, its total cash as of December 31, 2020 was \$49,947, as illustrated below:

Cash	<u>\$ 49,947</u>
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BACKGROUND – (Continued)

Based on the relief association’s records, its total expenditures for the period January 1, 2018 to December 31, 2020 were \$52,923, as noted below. The accuracy of these expenditures was evaluated as part of the Department’s audit to conclude on the relief association’s compliance with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds.⁴ **The scope of the Department’s audit does not include the issuance of an opinion on the accuracy of these amounts.**

Expenditures:

Benefit Services:

Insurance premiums	\$ 10,568
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Fire Services:

Equipment purchased	\$ 31,027
Equipment maintenance	3,898

Total Fire Services	<u>\$ 34,925</u>
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Administrative Services:

Other administrative expenses	\$ 206
Bond premiums	200

Total Administrative Services	<u>\$ 406</u>
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Other Expenditures:

Payments on loan	<u>\$ 7,024</u>
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Total Expenditures	<u><u>\$ 52,923</u></u>
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The volunteer firefighters’ relief association and the affiliated fire service organization are separate, legal entities. The relief association is affiliated with the following fire service organization:

Hempfield Township Volunteer Fire Department

⁴ Accuracy was evaluated for a selection of transactions based on dollar amount, category, and/or random selection.

HEMPFIELD TOWNSHIP VOLUNTEER FIREMEN'S RELIEF ASSOCIATION OF
MERCER COUNTY, INC.
STATUS OF PRIOR FINDING

COMPLIANCE WITH PRIOR AUDIT FINDING AND RECOMMENDATION

The relief association has complied with the prior audit finding and recommendation, as follows:

- Undocumented Expenditure

By receiving reimbursement of \$1,580 from the affiliated fire company for the undocumented expenditure that was made in the prior audit period.

HEMPFIELD TOWNSHIP VOLUNTEER FIREMEN'S RELIEF ASSOCIATION OF
MERCER COUNTY, INC.
FINDING AND RECOMMENDATION

Finding – Unable To Verify Ownership Of Rescue Vehicle

Condition: On April 28, 2010, the relief association purchased a rescue vehicle with a loan from First National Bank, in the amount of \$246,375, to carry personnel and safeguard equipment; however, in 2018, the relief association officials did not receive or request the title to this vehicle from the financial institution once the loan was satisfied and we were unable to verify ownership of the vehicle.

Criteria: Prudent business practice dictates that the relief association should maintain sole ownership of all equipment purchased by the relief association. As such, rescue vehicles purchased by the relief association are to be titled in the name of the relief association.

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

Effect: As a result of the rescue vehicle title not being available, it is impossible to verify if the vehicle is appropriately titled in the name of the relief association.

Recommendation: We recommend that relief association officials obtain the title for the rescue vehicle from the financial institution and provide a copy to this Department to verify ownership of the vehicle. If such action is not taken, we recommend that the relief association be reimbursed \$246,375. For further guidance, please refer to the Auditor General's publication, MANAGEMENT GUIDELINES FOR VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Management's Response: Relief association management agreed with the finding as presented at the audit exit conference and, as a result of our audit, relief association officials provided a copy of the rescue vehicle title in the name of the relief association on November 22, 2021.

Auditor's Conclusion: We reviewed the documentation verifying that the title was in the name of the relief association. Compliance for maintaining appropriate documentation for vehicles purchased during the next audit period will be subject to verification through our next audit.

HEMPFIELD TOWNSHIP VOLUNTEER FIREMEN'S RELIEF ASSOCIATION OF
MERCER COUNTY, INC.
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

The Honorable Tom W. Wolf
Governor
Commonwealth of Pennsylvania

Hempfield Township Volunteer Firemen's Relief Association of Mercer County, Inc. Governing
Body:

Mr. Paul Pryborowski
President

Ms. Holly Patterson
Secretary

Ms. Robin Thompson
Treasurer

Ms. Lori Sherman
Assistant Treasurer

The following municipalities allocated foreign fire insurance tax monies to this relief association and received a copy of this report:

Mr. Todd P. Hittle
Secretary
Hempfield Township

Ms. Kara Michaleski
Secretary
Sugar Grove Township

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.