

# COMPLIANCE AUDIT

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## Transfer Volunteer Fire Department Relief Association Mercer County, Pennsylvania For the Period January 1, 2021, to December 31, 2023

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June 2024



Commonwealth of Pennsylvania  
Department of the Auditor General

Timothy L. DeFoor • Auditor General



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**TIMOTHY L. DEFOOR  
AUDITOR GENERAL**

Ms. Margaret Miller, President  
Transfer Volunteer Fire Department  
Relief Association  
Mercer County

We have conducted a compliance audit of the Transfer Volunteer Fire Department Relief Association (relief association) for the period January 1, 2021, to December 31, 2023. 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 ("VFRA Act"), see 35 Pa.C.S. § 7418.

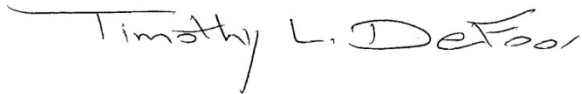
The objective of the audit was to determine if the relief association complied with applicable state laws, contracts, bylaws, and administrative procedures as they relate to the receipt of state aid and the expenditure of relief association funds. Our audit was limited to the areas related to the objective 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 association 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 objective. 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, 2021, to December 31, 2023, 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 – Inadequate Signatory Authority For The Disbursement Of Funds

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  
June 4, 2024

# CONTENTS

	<u>Page</u>
Background.....	1
Finding and Recommendation:	
Finding – Inadequate Signatory Authority For The Disbursement Of Funds.....	3
Report Distribution List .....	5

## BACKGROUND

Pursuant to Article VIII, Section 10 of the Constitution of the Commonwealth of Pennsylvania, Section 403 of The Fiscal Code<sup>1</sup>, and the Volunteer Firefighters' Relief Association Act<sup>2</sup> ("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 Law<sup>3</sup> (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 relief association officers therefore have a responsibility to the public to conduct the relief association's financial affairs in a businesslike manner and to maintain sufficient financial records to support the propriety of all relief association transactions. Volunteer firefighters' relief association officers are also responsible for ensuring that the relief 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.

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

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

<sup>3</sup> 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>2021</u>	<u>2022</u>	<u>2023</u>
Delaware Township	Mercer	\$ 3,396	\$ 3,935	\$ 4,101
Pymatuning Township	Mercer	\$13,339	\$15,823	\$16,674

Based on the relief association’s records, its total cash as of December 31, 2023, was \$46,384, as illustrated below:

Cash	<u>\$ 46,384</u>
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Based on the relief association’s records, its total expenditures for the period January 1, 2021, to December 31, 2023, were \$65,350, 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.<sup>4</sup> **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	<u>\$ 3,923</u>
Fire Services:	
Equipment purchased	\$ 57,094
Equipment maintenance	1,369
Training expenses	<u>2,680</u>
Total Fire Services	<u>\$ 61,143</u>
Administrative Services:	
Bond premiums	<u>\$ 284</u>
Total Expenditures	<u><u>\$ 65,350</u></u>

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:

Transfer Volunteer Fire Department

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

TRANSFER VOLUNTEER FIRE DEPARTMENT RELIEF ASSOCIATION  
FINDING AND RECOMMENDATION

**Finding – Inadequate Signatory Authority For The Disbursement Of Funds**

**Condition:** During the current audit engagement, we identified 21 checks out of 21 checks, and two checks out of two checks in the post audit period, drawn from the relief association’s checking account that did not contain the proper signatory authority. Specifically, for the 23 checks, we found:

- Twenty checks contained two signatures; however, the two signatures did not include the relief association disbursing officer and the Relief Association Secretary as required by the VFRA Act and/or the relief association’s bylaws. Eighteen checks were signed by the Relief Association President and the Fire Chief, who is recognized in the relief association’s bylaws as a relief association officer. An additional two checks were signed by the relief association disbursing officer and the Fire Chief.
- Two checks contained only one signature, that of the Fire Chief.
- One check did not contain any signatures.

Also, the signature card on file at the relief association’s financial institution contains four authorized signers; however, only the Relief Association Treasurer and the Relief Association Secretary are authorized signers per the relief association’s bylaws.

**Criteria:** Section 7415(c)(3) of the VFRA Act states, in part:

The bylaws shall require that the signatures of at least two officers, one of whom shall be the disbursing officer, shall be required to bind the association by formal contract or to issue a negotiable instrument.

In addition, the relief association’s bylaws at Article VII, Section A states:

The signature of at least (2) officers, the Treasurer and Secretary, shall be required for the issuance of Relief Association checks, withdraws from the Association savings account, redemptions of any Relief Association investments, or any other negotiable instrument issued by the Association.

Furthermore, prudent business practice dictates that the relief association has sufficient internal control procedures in place to ensure the signatures of at least two relief association officials are included on all negotiable instruments. Adequate internal control procedures require that checks be signed only after the propriety of the expenditure has been determined and the payee, date, and amount to be paid has been confirmed. Additionally, responsible relief association officers should compare this information with supporting documentation, such as invoices, contracts, etc., prior to approving the checks.

TRANSFER VOLUNTEER FIRE DEPARTMENT RELIEF ASSOCIATION  
FINDING AND RECOMMENDATION

**Finding – (Continued)**

Cause: The relief association officials stated that there are less people volunteering and they need to find the right person to perform the job duties.

Effect: As a result of the relief association officers issuing checks without the authorized signatures of the disbursing officer and the relief association secretary and/or without any relief association officer's signatures, assets were placed at greater risk without the disbursing officer having the opportunity to verify the propriety of the expenditures.

Recommendation: We recommend that the relief association officials establish adequate internal control procedures to ensure that the signatures of at least two authorized relief association officers, one of whom shall be the Treasurer, are included on all relief association negotiable instruments as defined by the VFRA Act. Per the relief association's bylaws, the other signature should be of the Secretary. 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 indicated they will take action to comply with the recommendation.

Auditor's Conclusion: Compliance will be subject to verification through our next audit.



TRANSFER VOLUNTEER FIRE DEPARTMENT RELIEF ASSOCIATION  
REPORT DISTRIBUTION LIST

This report was initially distributed to the following:

**The Honorable Joshua D. Shapiro**  
Governor  
Commonwealth of Pennsylvania

Transfer Volunteer Fire Department Relief Association Governing Body:

**Ms. Margaret Miller**  
President

**Mr. John Karmazin**  
Treasurer

**Mr. Phillip McCloskey, Jr.**  
Fire Chief

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

**Ms. Janice M. Boyd**  
Secretary  
Delaware Township

**Ms. Cheri M. DiGregorio**  
Secretary  
Pymatuning Township

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).