

ATTESTATION ENGAGEMENT

Borough of Lititz
Lancaster County, Pennsylvania
36-409
Liquid Fuels Tax Fund
For the Period
January 1, 2018 to December 31, 2019

January 2021



Commonwealth of Pennsylvania
Department of the Auditor General
Eugene A. DePasquale • Auditor General



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EUGENE A. DePASQUALE
AUDITOR GENERAL

Independent Auditor's Report

Yassmin Gramian, P.E.
Acting Secretary
Department of Transportation
Harrisburg, PA 17120

We examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Borough of Lititz, Lancaster County, for the period January 1, 2018 to December 31, 2019. 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.

We are mandated by Section 403 of *The Fiscal Code*, 72 P.S. § 403, to audit each municipality's Liquid Fuels Tax Fund to ensure that funds received are expended in accordance with applicable laws and regulations. *Government Auditing Standards* issued by the Comptroller General of the United States include attestation engagements as a separate type of audit. An attestation engagement performed pursuant to *Government Auditing Standards* involves additional standards that exceed the standards provided by the American Institute of Certified Public Accountants. Accordingly, this attestation engagement complies with both *Government Auditing Standards* and Section 403 of *The Fiscal Code*.

Independent Auditor's Report (Continued)

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 Finding No. 2, the municipality expended \$101,262.89 from its Liquid Fuels Tax Fund in excess of the amount available for the purchase of equipment in 2019. Additionally, as discussed in Finding No. 3, the municipality expended \$16,585.00 from its Liquid Fuels Tax Fund during 2019 for ADA ramps. However, documentation for price quotations was not available for examination.

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 Borough of Lititz, Lancaster County, for the period January 1, 2018 to December 31, 2019, 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.

Independent Auditor's Report (Continued)

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:

- Inadequate Internal Control Over The Facsimile Signature Stamp - Recurring

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

- Over Expended Equipment Purchase Tally.
- Documentation For Price Quotations Was Not Available For Examination.

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 Borough of Lititz, 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.



Eugene A. DePasquale
Auditor General

December 17, 2020

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BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Background

The Liquid Fuels Tax Municipal Allocation Law, Act 655 of 1956, as amended, (72 P.S. § 2615.5 et seq.), provides municipalities other than counties (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: (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.

The Vehicle Code, Title 75 P.S. § 9511, 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 LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

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:

2015/2016	2017	2018	2019
\$10,500.00	\$10,700.00	\$10,900.00	\$11,100.00

- 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:

2015/2016	2017	2018	2019
\$10,500.00	\$10,700.00	\$10,900.00	\$11,100.00

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

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

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 LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
BACKGROUND
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

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.

BOROUGH OF LITITZ
LANCASTER 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	\$ -	\$ -	\$ -
Computer/Computer related training	-	-	-
Major equipment purchases	-	-	-
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	19,169.19	-	19,169.19
Traffic control devices	100,884.10	-	100,884.10
Street lighting	99,971.02	-	99,971.02
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	33,369.63	-	33,369.63
Highway construction and rebuilding projects	223,412.69	-	223,412.69
Miscellaneous	-	13,377.50	13,377.50
	<u>-</u>	<u>13,377.50</u>	<u>13,377.50</u>
Total (To Section 2, Line 5)	<u>\$ 476,806.63</u>	<u>\$ 13,377.50</u>	<u>\$ 490,184.13</u>

BOROUGH OF LITITZ
LANCASTER 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	\$ 1,681.98	\$ -	\$ 1,681.98
Receipts:			
2. State allocation	272,434.18	-	272,434.18
2a. Turnback allocation	720.00	-	720.00
2b. Interest on investments	1,079.50	-	1,079.50
2c. Miscellaneous	<u>487,683.96</u>	<u>13,377.50</u>	<u>501,061.46</u>
3. Total receipts	<u>761,917.64</u>	<u>13,377.50</u>	<u>775,295.14</u>
4. Total funds available	<u>763,599.62</u>	<u>13,377.50</u>	<u>776,977.12</u>
5. Expenditures (Section 1)	<u>476,806.63</u>	<u>13,377.50</u>	<u>490,184.13</u>
6. Balance, December 31, 2018	<u><u>\$ 286,792.99</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 286,792.99</u></u>

BOROUGH OF LITITZ
LANCASTER 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	\$ 1,681.98	\$ -	\$ 1,681.98
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	54,630.84	-	54,630.84
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	56,312.82	-	56,312.82
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>56,312.82</u>	<u>-</u>	<u>56,312.82</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 56,312.82</u>	<u>\$ -</u>	<u>\$ 56,312.82</u>

BOROUGH OF LITITZ
LANCASTER 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	216,040.44	-	216,040.44
Agility projects	-	-	-
Cleaning streets and gutters	-	-	-
Winter maintenance services	16,909.51	-	16,909.51
Traffic control devices	63,238.45	-	63,238.45
Street lighting	99,408.04	-	99,408.04
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	82,461.35	-	82,461.35
Highway construction and rebuilding projects	218,930.90	-	218,930.90
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 696,988.69</u>	 <u>\$ -</u>	 <u>\$ 696,988.69</u>

BOROUGH OF LITITZ
LANCASTER 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	\$ 286,792.99	\$ -	\$ 286,792.99
Receipts:			
2. State allocation	276,603.67	-	276,603.67
2a. Turnback allocation	720.00	-	720.00
2b. Interest on investments	1,190.42	-	1,190.42
2c. Miscellaneous	<u>217,124.97</u>	<u>-</u>	<u>217,124.97</u>
3. Total receipts	<u>495,639.06</u>	<u>-</u>	<u>495,639.06</u>
4. Total funds available	<u>782,432.05</u>	<u>-</u>	<u>782,432.05</u>
5. Expenditures (Section 1)	<u>696,988.69</u>	<u>-</u>	<u>696,988.69</u>
6. Balance, December 31, 2019	<u><u>\$ 85,443.36</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 85,443.36</u></u>

BOROUGH OF LITITZ
LANCASTER 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	\$ 56,312.82	\$ -	\$ 56,312.82
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	55,464.73	-	55,464.73
3. PENNDOT approved adjustments	<u>-</u>	<u>3,000.00</u>	<u>3,000.00</u>
4. Total funds available for equipment acquisition	111,777.55	3,000.00	114,777.55
5. Less: Major equipment expenditures	<u>216,040.44</u>	<u>-</u>	<u>216,040.44</u>
6. Remainder	<u>(104,262.89)</u>	<u>3,000.00</u>	<u>(101,262.89)</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 LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

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 \$13,377.50 was made to “Miscellaneous” because a reimbursement for a deposit in error was not reported.

2018 - Section 2

An adjustment of \$13,377.50 was made to “Miscellaneous” because a deposit in error was not reported.

2019 - Section 3

An adjustment of \$3,000.00 was made to “PENNDOT approved adjustments” because the proceeds from the sale of a street sweeper were not reported as an approved adjustment.

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>
General Fund	Reimbursement (Summary Of Examination Recommendations)	\$217,299.68	\$ -
Commonwealth of Pennsylvania	Green-light-go grant	30,480.00	32,400.00
Storm Drain Fund	Deposit in error	13,377.50	-
Commonwealth of Pennsylvania	Bridge reimbursement agreements	239,904.28	181,724.97
Vendor	Sale of equipment	-	3,000.00
Totals		<u>\$501,061.46</u>	<u>\$217,124.97</u>

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Deposit In Error

On November 8, 2018, the municipality deposited \$13,377.50 into its Liquid Fuels Tax Fund in error. On December 6, 2018, the municipality transferred this amount from its Liquid Fuels Tax Fund to its Storm Drain Fund to correct the deposit in error.

Reimbursable Agreements

During our current examination, we noted that the municipality entered into reimbursable agreements with the Department of Transportation for the reconstruction of bridges. The municipality received \$421,629.25 as a result of these agreements. As of December 31, 2019, \$52,891.93 was due the Liquid Fuels Tax Fund.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

**Finding No. 1 - Inadequate Internal Control Over The Facsimile Signature Stamp -
Recurring**

Our examination disclosed a significant weakness in the municipality's internal control that requires at least two authorized signatures on checks drawn on the Liquid Fuels Tax Fund. The authorized signatures are the president of council and borough manager/secretary/treasurer. This control was circumvented each time that the consultant (borough employee) applied the facsimile signature stamp that included the signatures of both the president and the borough manager/secretary/treasurer. The borough manager/secretary/treasurer would also sign most of the checks, but there were several checks with only the signatures from the signature stamp.

Good internal controls require that there are at least two authorized signatures on checks drawn on the Liquid Fuels Tax Fund. If a facsimile signature stamp represents any of the authorized signatures, then the municipal official whose signature is represented on each stamp and only that municipal official should apply the stamp and safeguard it to prevent unauthorized use. Facsimile signature stamps should not contain multiple signatures. Without this control, the risk that errors or misappropriations may occur and remain undetected increases significantly.

A similar finding was also written in our prior report. However, we further noted that during 2019 the municipality discontinued the use of the facsimile signature stamp.

Recommendations

We recommend that, in the future, the municipality continues to practice good internal controls by ensuring that there are at least two authorized signatures on checks, and that if the facsimile signature stamp of the municipal officials is used, each municipal official have their own stamp and the stamp should be maintained and applied by the municipal official whose name is represented on the stamp.

Management's Response

The municipal officials offered no formal response at this time.

Auditor's Conclusion

During our next examination, we will determine if the municipality continues to comply with our recommendations.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 2 - Over Expended Equipment Purchase Tally

Our examination disclosed that the municipality expended \$101,262.89 from its Liquid Fuels Tax Fund in excess of the amount available for the purchase of equipment for 2019, as follows:

<u>2019</u>	<u>Actual</u>
1. Prior year equipment balance	\$ 56,312.82
2. Current year equipment allocation (20% of Lines 2 + 2A, Section 2)	55,464.73
3. PENNDOT approved adjustments	<u>3,000.00</u>
4. Total funds available for equipment acquisition	114,777.55
5. Less: Major equipment purchases	<u>216,040.44</u>
6. Amount Over Expended for equipment – 2019	<u><u>\$(101,262.89)</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.

The failure to follow *Publication 9* could result in the municipality having to reimburse \$101,262.89 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the municipality reimburse \$101,262.89 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that the municipality only expend up to the approved amount on equipment expenditures in accordance with the Department of Transportation’s *Publication 9*.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

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

Management's Response

The 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 recommendations.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 3 - Documentation For Price Quotations Was Not Available For Examination

Our examination disclosed that the borough expended \$16,585.00 during 2019 from the Liquid Fuels Tax Fund for ADA ramps. The borough was required to obtain three written or telephonic price quotations for these expenditures. However, documentation for price quotations was not available for examination.

The above expenditures were not made in compliance with the contract requirements of *The Borough Code*, 53 P.S. § 46402(a.1), (also found at § 1402(a.1) of *The Borough Code* as published by the Local Government Commission), which states, in part:

Written or telephonic price quotations from at least three qualified and responsible contractors shall be requested for all contracts [during 2012] that exceed ten thousand dollars (\$10,000.00) but are less than the amount [in excess of \$18,500.00] requiring advertisement and competitive bidding or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations. A written record of telephonic price quotations shall be made and shall contain at least the date of the quotation, the name of the contractor and the contractor's representative, the construction, reconstruction, repair, maintenance or work which was the subject of the quotation and the price. Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.

The thresholds for obtaining price quotations increased to purchases between \$10,900.00 and \$20,100.00 for 2018, \$11,100.00 and \$20,600.00 for 2019, and \$11,300.00 and \$21,000.00 for 2020.

The failure to comply with *The Borough Code* could result in the borough having to reimburse \$16,585.00 to its Liquid Fuels Tax Fund.

Recommendations

We recommend that the municipality reimburse \$16,585.00 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that, in the future, the municipality complies with *The Borough Code* as noted in this finding.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
FINDINGS AND RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Finding No. 3 - Documentation For Price Quotations 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.

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF PRIOR EXAMINATION RECOMMENDATIONS
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

Summary Of Prior Examination Recommendations

In our prior report, we noted that the municipality expended \$217,299.68 from its Liquid Fuels Tax Fund for a duplicate payment of an invoice. We further noted that the municipality reimbursed \$217,299.68 to its Liquid Fuels Tax Fund on January 26, 2018.

In our prior report, we recommended that the municipality:

- Establish and implement internal controls to ensure that vendor invoices are reviewed timely to avoid duplicate payments.
- 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.
- Ensure that its Form MS-965 is complete and accurate.
- Establish and implement an adequate system of internal controls over disbursements. This includes ensuring that there are at least two authorized signatures on checks, and that if the facsimile signature stamp of the municipal officials is used, each municipal official have their own stamp and the stamp should be maintained and applied by the municipal official whose name is represented on the stamp (see Finding No. 1).

During our current examination, our testing did not disclose any duplicate payments. Additionally, the municipality complied with our second and third bulleted recommendation but did not comply with our fourth bulleted recommendation until 2019 (see Finding No. 1).

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
SUMMARY OF EXIT CONFERENCE
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

An exit conference was held September 16, 2020. Those participating were:

BOROUGH OF LITITZ

Ms. Sue Ann Barry, Borough Manager/Secretary/Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Ms. Tammy Fleisher, Audit Supervisor

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

BOROUGH OF LITITZ
LANCASTER COUNTY
LIQUID FUELS TAX FUND
REPORT DISTRIBUTION
FOR THE PERIOD
JANUARY 1, 2018 TO DECEMBER 31, 2019

This report was initially distributed to:

Yassmin Gramian, P.E.
Acting Secretary
Department of Transportation

Borough of Lititz
Lancaster County
7 South Broad Street
Lititz, PA 17543

The Honorable Shane Weaver
President of Council

Ms. Sue Ann Barry
Borough Manager/Secretary/Treasurer

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.