

# ATTESTATION ENGAGEMENT

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Borough of Venango  
Crawford County, Pennsylvania  
20-413

Liquid Fuels Tax Fund  
For the Period  
January 1, 2021 to December 31, 2023

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July 2024



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 examined the accompanying Forms MS-965 With Adjustments for the Liquid Fuels Tax Fund of the Borough of Venango, Crawford County, for the period January 1, 2021 to December 31, 2023. 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 discussed in the Finding and Recommendations section of this report, the borough expended \$2,100.00 during 2021 from the Liquid Fuels Tax Fund for snowplowing services done by a council member, which are related party transactions.

## Independent Auditor's Report (Continued)

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 Venango, Crawford County, for the period January 1, 2021 to December 31, 2023, 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 internal control over reporting on the Forms MS-965 or on compliance and other matters; accordingly, we express no such opinions.

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 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. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over reporting on the Forms MS-965 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 would not necessarily identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our engagement we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

As part of obtaining reasonable assurance about whether the Forms MS-965 are free from material misstatement, we performed tests of the Borough of Venango, Crawford 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*:

- Related Party Transactions - Recurring.

Independent Auditor's Report (Continued)

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 Venango, Crawford 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.

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 name.

Timothy L. DeFoor  
Auditor General  
June 12, 2024

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BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

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 VENANGO  
 CRAWFORD COUNTY  
 LIQUID FUELS TAX FUND  
 BACKGROUND  
 FOR THE PERIOD  
 JANUARY 1, 2021 TO DECEMBER 31, 2023

Background (Continued)

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

2020	2021	2022	2023
\$11,300.00	\$11,500.00	\$11,800.00	\$12,200.00

- 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:

2020	2021	2022	2023
\$11,300.00	\$11,500.00	\$11,800.00	\$12,200.00

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

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

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 VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
BACKGROUND  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

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 VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2021 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	2,687.25	-	2,687.25
Traffic control devices	-	-	-
Street lighting	-	-	-
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	8,416.30	-	8,416.30
Highway construction and rebuilding projects	-	-	-
Miscellaneous	-	-	-
 Total (To Section 2, Line 5)	 <u>\$ 11,103.55</u>	 <u>\$ -</u>	 <u>\$ 11,103.55</u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2021 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, 2021	\$ 10,701.07	\$ -	\$ 10,701.07
Receipts:			
2. State allocation	7,386.54	-	7,386.54
2a. Turnback allocation	-	-	-
2b. Interest on investments	1.69	-	1.69
2c. Miscellaneous	-	-	-
3. Total receipts	<u>7,388.23</u>	<u>-</u>	<u>7,388.23</u>
4. Total funds available	<u>18,089.30</u>	<u>-</u>	<u>18,089.30</u>
5. Expenditures (Section 1)	<u>11,103.55</u>	<u>-</u>	<u>11,103.55</u>
6. Balance, December 31, 2021	<u><u>\$ 6,985.75</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 6,985.75</u></u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2021 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	\$ 6,941.16	\$ -	\$ 6,941.16
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	1,477.31	-	1,477.31
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	8,418.47	-	8,418.47
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>8,418.47</u>	<u>-</u>	<u>8,418.47</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 6,985.75</u>	<u>\$ -</u>	<u>\$ 6,985.75</u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2022 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	-	-	-
Traffic control devices	-	-	-
Street lighting	3,600.26	-	3,600.26
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>\$ 3,600.26</u>	 <u>\$ -</u>	 <u>\$ 3,600.26</u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2022 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, 2022	\$ 6,985.75	\$ -	\$ 6,985.75
Receipts:			
2. State allocation	6,864.06	-	6,864.06
2a. Turnback allocation	-	-	-
2b. Interest on investments	1.24	-	1.24
2c. Miscellaneous	<u>2,750.00</u>	<u>-</u>	<u>2,750.00</u>
3. Total receipts	<u>9,615.30</u>	<u>-</u>	<u>9,615.30</u>
4. Total funds available	<u>16,601.05</u>	<u>-</u>	<u>16,601.05</u>
5. Expenditures (Section 1)	<u>3,600.26</u>	<u>-</u>	<u>3,600.26</u>
6. Balance, December 31, 2022	<u><u>\$ 13,000.79</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 13,000.79</u></u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
2022 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	\$ 6,985.75	\$ -	\$ 6,985.75
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	1,372.81	-	1,372.81
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	8,358.56	-	8,358.56
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>8,358.56</u>	<u>-</u>	<u>8,358.56</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 8,358.56</u>	<u>\$ -</u>	<u>\$ 8,358.56</u>

BOROUGH OF VENANGO  
CRAWFORD 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	720.00	-	720.00
Traffic control devices	-	-	-
Street lighting	4,042.93	-	4,042.93
Storm sewers and drains	-	-	-
Repairs of tools and machinery	-	-	-
Maintenance and repair of roads and bridges	-	-	-
Highway construction and rebuilding projects	-	-	-
Miscellaneous	300.00	-	300.00
 Total (To Section 2, Line 5)	 <u>\$ 5,062.93</u>	 <u>\$ -</u>	 <u>\$ 5,062.93</u>



BOROUGH OF VENANGO  
CRAWFORD 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	\$ 13,000.79	\$ -	\$ 13,000.79
Receipts:			
2. State allocation	7,076.40	-	7,076.40
2a. Turnback allocation	-	-	-
2b. Interest on investments	1.66	-	1.66
2c. Miscellaneous	300.00	-	300.00
3. Total receipts	<u>7,378.06</u>	<u>-</u>	<u>7,378.06</u>
4. Total funds available	<u>20,378.85</u>	<u>-</u>	<u>20,378.85</u>
5. Expenditures (Section 1)	<u>5,062.93</u>	<u>-</u>	<u>5,062.93</u>
6. Balance, December 31, 2023	<u><u>\$ 15,315.92</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 15,315.92</u></u>

BOROUGH OF VENANGO  
CRAWFORD 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	\$ 8,358.56	\$ -	\$ 8,358.56
2. Add: Current year equipment allocation (20% of Lines 2 + 2a, Section 2)	1,415.28	-	1,415.28
3. PENNDOT approved adjustments	<u>-</u>	<u>-</u>	<u>-</u>
4. Total funds available for equipment acquisition	9,773.84	-	9,773.84
5. Less: Major equipment expenditures	<u>-</u>	<u>-</u>	<u>-</u>
6. Remainder	<u>9,773.84</u>	<u>-</u>	<u>9,773.84</u>
7. Equipment balance available for subsequent year (Lesser of Line 6 or Section 2 balance, but not less than zero)	<u>\$ 9,773.84</u>	<u>\$ -</u>	<u>\$ 9,773.84</u>

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
AUDITOR DESCRIPTION OF SELECT TRANSACTIONS  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

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	2022	2023
General Fund	Reimbursement (Summary Of Prior Examination Recommendations)	\$2,300.00	\$ -
Commonwealth of Pennsylvania	Deposits in error	450.00	300.00
Totals		<u>\$2,750.00</u>	<u>\$300.00</u>

Deposits In Error

On September 12, 2022, and December 19, 2023, \$450.00 and \$300.00, respectively, of state funds were electronically deposited into the Liquid Fuels Tax Fund in error. On December 19, 2023, the municipality transferred \$300.00 from its Liquid Fuels Tax Fund to its General Fund to correct the deposit in error. The municipality is keeping the \$450.00 in the Liquid Fuels Tax Fund as a grant.

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

**Finding - Related Party Transactions - Recurring**

Our examination disclosed that the borough expended \$2,100.00 during 2021 from the Liquid Fuels Tax Fund for snowplowing done by a council member. Before a council member can perform work for the borough as a contractor, the work performed must be awarded through a public award process. However, while two proposals were reviewed at a public meeting on August 3, 2020, the borough did not advertise for bids for snow plowing. Additionally, the minutes for the meeting noted that the bid vote was six in favor of awarding the bid to the council member with one abstention. The minutes did not state who abstained from voting. Due to the lack of an open and public award process, the snowplowing appears to violate *The Borough Code* and The Public Official and Employee Ethics Act. Therefore, it should not have been entered into by the borough.

*The Borough Code*, 53 P.S. § 46404, as amended, states, in part:

. . . no borough official, either elected or appointed, or township employe who knows, or who by the exercise of reasonable diligence could know, shall be interested to any appreciable degree, either directly or indirectly, in any purchase made or contract entered into or expenditure of money made by the borough or relating to the business of the borough, involving the expenditure by the borough of more than one thousand dollars (\$1,000.00) in any calendar year, but this limitation shall not apply to cases where such officer or appointee of the borough is an employe of the person, firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise. But in the case of a councilman or mayor, if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditure or any ordinance relating thereto, and shall in no manner participate therein. . . .

This information is also published in § 1404 of *The Borough Code* as published by the Local Government Commission.

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

**Finding - Related Party Transactions - Recurring (Continued)**

The Public Official and Employee Ethics Act (“Ethics Act”), 65 P.S. 1103(f), states, in part:

No public official or public employee or his spouse or child or any business in which the person or his spouse or child is associated shall enter into any contract valued at \$500 or more with the governmental body with which the public official or public employee is associated or any subcontract valued at \$500 or more with any person who has been awarded a contract with the governmental body with which the public official or public employee is associated, unless the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded. In such a case, the public official or public employee shall not have any supervisory or overall responsibility for the implementation or administration of the contract.

Because this contract violates *The Borough Code* and the Ethics Act, the borough could be required by the Pennsylvania Department of Transportation to reimburse \$2,100.00 to its Liquid Fuels Tax Fund.

Copies of this finding will be forwarded to the Pennsylvania Department of Transportation and the State Ethics Commission for their review and whatever action they may deem appropriate.

A similar finding was also written in our prior report. However, during 2022 and 2023, all related party transaction work performed was awarded through a public award process and the related party abstained from voting on the contract.

We were unable to determine why this condition occurred.

**Recommendations**

We recommend that the borough reimburse \$2,100.00 to its Liquid Fuels Tax Fund upon official notification by the Department of Transportation.

We further recommend that the borough continues to comply with *The Borough Code* and the Ethics Act.

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
FINDING AND RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

**Finding - Related Party Transactions - Recurring (Continued)**

Management's Response

The secretary/treasurer stated:

I am the current secretary/treasurer for Venango Borough. I started in February 2024. During the previous audit in 2020, there was a finding involving snow plowing. It resulted in the Borough paying the Liquid Fuels account \$2,300.00 from the General Fund account. The [reimbursement] payment was made in 2022 when findings were sent to the Borough. In 2021, the same finding of related party transaction was still present. It will result in another repayment. However, after reviewing minutes & records, the Borough has corrected process & procedure to eliminate the issue.

Auditor's Conclusion

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

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF PRIOR EXAMINATION RECOMMENDATIONS  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

Summary Of Prior Examination Recommendations

In our prior report, we recommended that the Department of Transportation review our examination finding to determine if the county should reimburse \$2,300.00 to its Liquid Fuels Tax Fund for related party transactions.

During our current examination, we reviewed a letter dated April 27, 2022, from the Department of Transportation directing the municipality to reimburse \$2,300.00 to its Liquid Fuels Tax Fund. We noted that the municipality reimbursed this amount to its Liquid Fuels Tax Fund on January 21, 2021.

In our prior report, we also recommended that the municipality comply with *The Borough Code* and the Ethics Act.

During our current examination, we noted that the municipality did not comply with our recommendations until 2022 (see Finding).

BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
SUMMARY OF ONSITE CLOSEOUT MEETING  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

An onsite closeout meeting was held April 15, 2024. Those participating were:

BOROUGH OF VENANGO

Mrs. Ann Knott, Secretary/Treasurer

DEPARTMENT OF THE AUDITOR GENERAL

Mr. Joe Soltis, Auditor



BOROUGH OF VENANGO  
CRAWFORD COUNTY  
LIQUID FUELS TAX FUND  
REPORT DISTRIBUTION  
FOR THE PERIOD  
JANUARY 1, 2021 TO DECEMBER 31, 2023

This report was initially distributed to:

**The Honorable Michael Carroll**  
Secretary  
Department of Transportation

**Borough of Venango**  
Crawford County  
21262 Erie Street  
Venango, PA 16433

**The Honorable Jessica Graf**  
President of Council

**Mrs. Ann Knott**  
Secretary/Treasurer

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