

Minutes of the Schuylkill Tax Collection Committee Meeting March 15, 2010

The Schuylkill Tax Collection Committee (STCC) held a meeting on Monday, March 15, 2010, in Courtroom 1 of the Schuylkill County Courthouse, 401 North Second Street, Pottsville, PA 17901.

Jack Hurst, Chairman, called the meeting to order at 6:09 p.m., followed by the Pledge of Allegiance to the Flag. It was verified that a quorum was present.

Officers Present: Jack Hurst (Chairman), Steve Pellman (Co-Chairman), Gail Stehr (Secretary), Patricia Reazor (Treasurer)

Others Present: Robert Frycklund (Solicitor), Jim Bush (Berkheimer), Stephen Pytak (Republican Herald)

Members Present:

Blue Mountain SD	Auburn Boro	Cressona Boro	Deer Lake Boro
East Brunswick Twp.	New Ringgold Boro	North Manheim Twp.	West Brunswick Twp.
Mahanoy Area SD	Delano Twp.	Gilberton Boro	Mahanoy City Boro
Mahanoy Twp.	Rush Twp.	Ryan Twp.	Minersville Area SD
Branch Twp.	Cass Twp.	Foster Twp.	North Schuylkill SD
Conyngam Twp.	Ashland Boro	Butler Twp.	Girardville Boro
Gordon Boro	Ringtown Boro	Union Twp.	Pine Grove Area SD
Frailey Twp.	Pine Grove Boro	Pine Grove Twp.	Tremont Boro
Tremont Twp.	Washington Twp.	Pottsville Area SD	Mechanicsville Boro
Mt. Carbon Boro	Norwegian Twp.	Palo Alto Boro	Port Carbon Boro
Pottsville City	Saint Clair Area SD	Blythe Twp.	East Norwegian Twp.
Middleport Boro	New Castle Twp.	St. Clair Boro	Schuylkill Haven SD
Landingville Boro	Schuylkill Haven Boro	South Manheim Twp.	Shenandoah Valley SD
Shenandoah Boro	West Mahanoy Twp.	Tamaqua Area SD	Rush Twp.
Schuylkill Twp.	Tamaqua Boro	West Penn Twp.	Tri-Valley SD
Barry Twp.	Eldred Twp.	Hegins Twp.	Hubley Twp.
Upper Mahantongo Twp			

Members Absent:

Orwigsburg Boro	Wayne Twp.	Minersville Boro	Reilly Twp.
Frackville Boro	New Philadelphia Boro	Port Clinton Boro	Walker Twp.

I. Delegate/Public Comment on Agenda Items

A. Weighted Vote Resolution

Leo Schwartz (Pottsville City) withdrew the Weighted Vote Resolution listed under New Business.

B. One Man One Vote

Larry Padora (New Ringgold Boro) made a motion to amend the bylaws under super majority vote to One Man One Vote. Jack Hurst noted that motion would need to be entertained at the next meeting since that information has to be in the hands of the delegates ten days prior to the meeting. Solicitor Robert Frycklund agreed with Jack Hurst that it is in the bylaws that the delegates need this information ten days prior to the meeting. Mr. Padora will get an amendment to Gail Stehr in order for her to get this to the delegates ten days prior to the next meeting.

C. Mailing of Amendment by Certified Mail

Discussion took place regarding sending the delegates the proposed bylaw amendment by certified mail, since not all of the delegates are receiving emails that are being sent. A motion was made by Julian Milewski (Ringtown Boro) and seconded by Linda Tarlecki (Conyngham Twp.) to send the amendment by certified mail to all primary delegates. A motion was made to send all delegates (including first and second alternates) the amendment by certified mail. No action was taken on this motion due to no one seconding the motion. The vote to send the amendment to primary delegates by certified mail failed by a weighted vote of: Yes 40.22; No 52.26.

Bob Amos (North Schuylkill School District) made the motion to send the primary delegates not present the amendment by certified mail and have the TCC secretary email and send by regular mail to the rest of the delegates. If the delegates present at this meeting do not receive this information ten days prior to the next meeting, they are to contact the secretary and notify her. The motion was seconded by Patty Reazor (South Manheim Twp.) and passed by a majority vote.

D. Procedure to Withdraw Quorum

Larry Padora questioned if there is a procedure to withdraw a quorum. Solicitor Frycklund stated he is not aware of any procedure.

II. Approval of Minutes

Tony Demalis (Shenandoah Valley SD) made the motion, which was seconded by Sharon Chiao (Mahanoy Twp.) to approve the minutes from February 8, 2010. Motion passed by a unanimous vote.

III. Treasurer's Report

Linda Tarlecki made the motion, which was seconded by Leo Schwartz to approve the Treasurer's Report as of February 28, 2010, and to approve the payment of an invoice to the Pottsville Republican in the amount of \$104.40. Motion passed by a unanimous vote. (Copy of Treasurer's Report on file.)

IV. Old Business

A. Approval of Solicitor Services

Discussion took place regarding approving Cerullo, Datte & Wallbillich, P.C. or Kegel Kelin Almy & Grimm LLP for solicitor services. Some of the items discussed were the rates and the travel time. It was questioned if the attorney needed to be present at every meeting, to which Jack Hurst responded that some committees have the attorney present at every meeting and others do not. Attorney Frycklund noted that according to Article II Section 12 of the bylaws, it states the attorney is to be present at every meeting. It was also mentioned that the delegates are not to be calling the attorney. It will be limited to a handful of people being designated to getting in touch with the attorney. If a delegate has an issue, they are to get in touch with the designated person, who in turn will notify the attorney.

Larry Padora made the motion, which was seconded by Albert Lubinsky (Blythe Twp.) to hire the firm of Cerullo, Datte & Wallbillich, P.C. as solicitor for the Schuylkill TCC.
Vote: Yes 46.82; No 45.67.

B. Tax Collector RFP Committee Report

1. Collection of EIT and LST

Leo Schwartz presented the Tax Collector RFP at the last meeting. The committee needs direction on whether or not it should list the LST along with EIT. Larry Padora questioned if the contract for the Tax Collection Agreement from PASBO was received. Jack Hurst noted it was purchased but not yet received. Discussion took place regarding whether or not the TCC should collect the LST. Jim Bush (Berkheimer) stated in his opinion, it would benefit the TCC to collect both taxes; they would certainly get a better rate than if collected separately. The current RFP draft gives the townships the option if they want both taxes collected. The TCC Secretary will email the delegates the draft RFP and mail it to those without email.

Leo Schwartz made the motion, which was seconded by Jim Wosochlo (Deer Lake Boro) to create a Tax Collector RFP to collect both EIT and LST. The motion passed unanimously.

2. Date of Adoption

It was questioned if the date of adoption should be January 2011 or January 2012. Jack Hurst questioned if current contracts to collect EIT go beyond January 2011, could potential issues arise. Larry Padora stated he would like to get the new tax collector up and running as soon as possible. Jim Bush noted the TCC needs to make this decision by September 15, 2010. If the TCC adopts the Tax Collector RFP January 1, 2011, all contracts with current collectors are to be voided. Jack Hurst recommended the delegates call their current collector to verify this and Jim Bush noted he would find the answer on ending existing contracts for those who deal with Berkheimer. When to implement the starting date for the Tax Collector will be voted on at the next meeting.

C. Statement of Financial Interests

The delegates were reminded to complete their Statement of Financial Interest, including first and second alternates. It was questioned if each municipality/school district was required to have a first and second alternate listed. Atty. Fryckland replied it is not, but is strongly advised they have three delegates listed.

V. New Business

A. PLGIT Cash Management Program

PLGIT Cash Management is marketing TCCs to be depository for the tax officer. Many TCCs are already part of PLGIT. Jack Hurst questioned if the committee would like Paul Robinson from PLGIT to attend the next meeting to explain the program. The committee agreed to have Paul Robinson explain the program, but to have him attend the May meeting. It was questioned if there was anybody else that could be used as the tax officer, as PLGIT has a poor rate. It was mentioned there is the INVEST program. Mr. Hurst noted that if anyone knows of someone else, they are to notify him.

B. Shared Municipal Services Grant Program Resolution

Tonya Hartman (West Brunswick Twp.) explained the Shared Municipal Services Grant Program. TCCs are eligible if they apply by March 31. They need to show \$10,000 in receipts by July 11, 2011, in order to receive \$5,000.

Tom Oblas (Mahanoy City Boro) made the motion, which was seconded by Mike Alabinski to accept the Shared Municipal Services Grant Program Resolution. The motion passed by a unanimous vote. (Copy of Resolution on file.)

VI. Delegate/Public Comment – None

VII. Next Meeting Date

The next Schuylkill TCC meeting is scheduled for Monday, April 12, 2010, at 6:00 p.m.

VIII. Adjournment

Tom Oblas made the motion, which was seconded by Linda Decindio (Schuylkill Twp.), to adjourn the meeting at 7:45 p.m. The meeting was adjourned.