

## Minutes of the Schuylkill Tax Collection Committee Meeting April 12, 2010

The Schuylkill Tax Collection Committee (STCC) held a meeting on Monday, April 12, 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 6:15 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: Paul Datte (Solicitor), Jim Bush (Berkheimer), Dustin Pangonis and Dave McKeown (Republican Herald), Representative Neal Goodman, Representative Jerry Knowles

### Members Present:

Blue Mountain SD	Auburn Boro	Cressona Boro	Deer Lake Boro
East Brunswick Twp.	New Ringgold Boro	North Manheim Twp.	Orwigsburg Boro
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.
Minersville Boro	Reilly Twp.	North Schuylkill SD	Conyngham Twp.
Butler Twp.	Frackville Boro	Gordon Boro	Ringtown Boro
Frailey Twp.	Pine Grove Boro	Pine Grove Twp.	Tremont Boro
Tremont Twp.	Washington Twp.	Pottsville Area SD	Mechanicsville Boro
Mt. Carbon Boro	Norwegian Twp.	Port Carbon Boro	Pottsville City
Blythe Twp.	East Norwegian Twp.	New Castle Twp.	New Philadelphia Boro
St. Clair Boro	Schuylkill Haven SD	Landingville Boro	Port Clinton Boro
Schuylkill Haven Boro	South Manheim Twp.	Shenandoah Valley SD	Shenandoah Boro
Tamaqua Area SD	Rush Twp.	Schuylkill Twp.	Tamaqua Boro
Tri-Valley SD	Barry Twp.	Eldred Twp.	Hegins Twp.
Hublely Twp.	Upper Mahantongo Twp		

### Members Absent:

Wayne Twp.	Ashland Boro	Girardville Boro	Union Twp.
Pine Grove Area SD	Palo Alto Boro	Saint Clair Area SD	Middleport Boro
West Mahanoy Twp.	Walker Twp.	West Penn Twp.	

### I. Delegate/Public Comment on Agenda Items

#### A. Adopted Bylaws from February 8, 2010

Jack Hurst had conversation with Solicitor Datte regarding the Bylaws that were adopted at the February 8, 2010, meeting. Solicitor Datte does not feel they were procedurally correct in their adoption. He spoke with the Chairman and some of the delegates and is aware of the controversy regarding One Man One Vote versus Weighted Vote. All of

the delegates did not have the Bylaws ten days prior to the meeting when they were adopted. When the Bylaws are adopted, it has to be in strict compliance. As far as Solicitor Datte is concerned, the Bylaws are moot. The STCC needs to go back to process the Bylaws and adopt them again. Until the Bylaws say something different, all votes must be weighted. All the votes since the original adoption were weighted. He suggested the new Bylaws be presented at the May meeting for adoption. DCED should be notified of this issue. It should not be a problem with them if they receive the correctly adopted Bylaws past the deadline.

## **B. Discussion Regarding the New Bylaws**

Discussion took place if some of the votes should be Weighted and others One Man One Vote in the new Bylaws. It was also questioned if a new Bylaw Committee should be formed to write the new Bylaws. Some of the delegates expressed they are getting tired of the process. One suggestion was that 50/50 be Weighted Votes. Some of the delegates are thinking of boycotting the meetings, thus there would not be a quorum. It is felt that the two sides should come together; that there needs to be a compromise.

Representative John Goodman expressed his concern regarding the proceedings of adopting the Bylaws. The Representatives that put the Weighted Vote in the Bylaws did not know it would turn out like this. They are planning on introducing a new referendum that would eliminate the Weighted Vote. In the meantime, the delegates need to accept the Bylaws and move forward.

Representative Jerry Knowles noted that only one member of the House did not vote for a Weighted Vote. He also encouraged the delegates to work out the issue of the Weighted Vote versus One Man One Vote.

Representative Goodman said in the end Act 32 is a good bill. Legislation wanted local offices to have a say and view regarding the Tax Collection.

## **II. Approval of Minutes**

Tony Demalis (Shenandoah Valley SD) made the motion, which was seconded by Jim Wosochlo (Deer Lake Boro), to approve the minutes from March 15, 2010, with the correction of the name change from Mike Alabinski to Albert Lubinsky under section IV (A). Motion passed by a unanimous vote.

## **III. Treasurer's Report**

Tony Demalis made the motion, which was seconded by Connie Ligenza (Tamaqua Area SD), to approve the Treasurer's Report as of March 31, 2010. Motion passed by a unanimous vote. (Copy of Treasurer's Report on file.)

## **IV. Old Business**

### **A. Tax Collector RFP Committee Report**

Jim Wosochlo noted the Tax Collector RFP Committee had a meeting the previous week. They are planning to hold another meeting on April 21 at 7:00 p.m. to meet with the solicitor and hope to conclude the RFP at that time. Leo Schwartz (Pottsville City) stated the committee is editing the tax collector agreement. They ran into trouble with how interest collected is handled and how the money in general will be handled. The committee is running against a deadline. The Tax Collector RFP is due to the DCED by September 15. Prior to that, the bids need to be mailed out and the proposals received. The committee would like to get the final RFP out to the delegates by May 1 in order to be able to vote on it at the May 17 meeting.

The committee also needs to know approximately how many townships/boros/school districts plan on having the Tax Collector collecting the LST and also when to start the implementation date to collect the EIT and LST. The more accurate the information is in the RFP, the better the rate will be. The committee would like to have the RFP done by May 1; however, the final count for the LST can be at a later date.

Ms. Donna Kulpowicz (Shenandoah Boro) made the motion to strike the early implantation date and to start it January 2012 and to have the townships/boros/school districts contact Gail Stehr by April 30 to notify her of their intention of whether or not to have the Tax Collector collect their LST. The motion was seconded by Tony Demalis and passed by a unanimous vote.

**B. Statement of Financial Interests**

The delegates were reminded to hand in their Statement of Financial Interests to Gail Stehr. Even if they handed one in to their township, they still need to complete the form for the TCC.

**C. Cash Management Program**

Larry Padora questioned if it was necessary to have representatives attend the TCC meeting regarding Cash Management Programs, since this information is needed by May 1 for the Tax Collector RFP. Jack Hurst feels it would be good to have them come in and explain their management programs. A clause could be put in the RFP regarding this.

**V. New Business**

**A. Bylaw Committee**

Leo Schwartz questioned if a new Bylaw Committee should be appointed. Jack Hurst and Solicitor Datte felt this was not necessary; the new Bylaws could be dealt with the existing committee but it would be open to everyone. Mr. Bush (Berkheimer) asked that in order to expedite the process if the delegates could vote on the present Bylaws. Jack Hurst explained the TCC is trying to get away from having Amendments to the Bylaws. Mr. Bush stated he is not sure how having the money going into a depository would be helpful. When a check is received, it would need to wait three days to be deposited.

Tom Oblas (Mahanoy City Boro) questioned why the TCC paid \$4,000 for the Tax Collector Agreement from PSBA when it could have been downloaded from the DCED website for free. Jack Hurst explained the document was bought in order for it to be

reviewed by the solicitor. The DCED recommended the TCC buy this agreement. He can ask PSBA how many agreements it sold. Tom Oblas inquired if the agreement was worth \$4,000, to which Solicitor Datte responded that it probably is since it is a good document.

Wendell Gainer (Washington Twp.) asked if the TCC considered posting documents on a website. Jack Hurst asked him if he would take charge of that. Wendell responded that he would. He will give Bob Mower at the Court House a call and ask him if he would put the TCC information on the County website.

Sharon Chiao (Mahanoy Twp.) asked if Schuylkill County has the most number of townships, to which the response was yes. Jack Hurst questioned Representative Goodman if he would find out how many TCCs adopted One Man One Vote versus Weighted Vote Bylaws. Representative Goodman said he would.

Leo Schwartz feels if the TCC is looking to start anew, should the original Bylaw Committee write the new Bylaws? Steve Pellman stated the names on the original committee. Mr. Schwartz feels there should be a new committee with three members for Weighted Vote and three members for One Man One Vote.

Leo Schwartz made the motion, which was seconded by Larry Padora, to create a new Bylaw Committee consisting of three members for Weighted Vote and three members for One Man One Vote. The motion passed by a vote of: Yes 64.66; No 35.34.

The volunteers for the new Bylaw Committee are: Weighted Vote Delegates – Leo Schwartz, Steve Pellman, Patsy Bowman; One Man One Vote Delegates – Larry Padora, Tom Oblas, Mike Van Allen.

**VI. Delegate/Public Comment – None**

**VII. Next Meeting Date**

The next Schuylkill TCC meeting is scheduled for Monday, May 17, 2010, at 6:00 p.m.

**VIII. Adjournment**

Sharon Chiao made the motion, which was seconded by Tony Demalis, to adjourn the meeting at 7:55 p.m. The motion passed unanimously.