

Minutes of the Schuylkill Tax Collection Committee Meeting December 27, 2011

The Schuylkill Tax Collection Committee (STCC) held a meeting on Tuesday, December 27, 2011, in Courtroom 1 of the Schuylkill County Courthouse, 401 North Second Street, Pottsville, PA 17901.

Larry Padora, Chairman, called the meeting to order at 6:03 p.m., followed by the Pledge of Allegiance to the Flag. It was verified that a quorum was present.

Officers Present: Larry Padora (Chairman), Leo Schwartz (Co-Chairman), Gail Stehr (Secretary)

Others Present: Paul Datte (Solicitor)

Members Present:

Auburn Boro	Cressona Boro	East Brunswick Twp.	New Ringgold Boro
North Manheim Twp.	Orwigsburg Boro	Wayne Twp.	Mahanoy Area SD
Gilberton Boro	Minersville Area SD	Branch Twp.	Cass Twp.
Foster Twp.	Conyngham Twp.	Ringtown Boro	Pine Grove Area SD
Frailey Twp.	Pine Grove Boro	Pine Grove Twp.	Tremont Boro
Mechanicsville Boro	Mt. Carbon Boro	Norwegion Twp.	Port Carbon Boro
Pottsville City	Blythe Twp.	New Castle Twp.	New Philadelphia Boro
St. Clair Boro	Schuylkill Haven Area SD	Schuylkill Haven Boro	Tamaqua Area SD
Tamaqua Boro	Tri-Valley SD	Barry Twp.	Hegins Twp.
Hubley Twp.	Upper Mahantongo Twp.		

Members Absent:

Blue Mountain SD	Deer Lake Boro	West Brunswick Twp.	Delano Twp.
Mahanoy City Boro	Mahanoy Twp.	Rush Twp.	Ryan Twp.
Minersville Boro	Reilly Twp.	North Schuylkill SD	Ashland Boro
Butler Twp.	Frackville Boro	Girardville Boro	Gordon Boro
Union Twp.	Tremont Twp.	Washington Twp.	Pottsville Area AD
Palo Alto Boro	Saint Clair Area SD	East Norwegian Twp.	Middleport Boro
Landingville Boro	Port Clinton Boro	South Manheim Twp.	Shenandoah Valley SD
Shenandoah Boro	West Mahanoy Twp.	Rush Twp.	Schuylkill Twp.
Walker Twp.	West Penn Twp.	Eldred Twp.	

I. Delegate/Public Comment on Agenda Items - None

II. Approval of Minutes

Mike Van Allen (Gilberton Boro) made the motion, which was seconded by Linda Tarlecki (Conyngham Twp.), to approve the minutes from September 27, 2011. Motion passed by a unanimous vote.

III. Treasurer's Report

Julian Milewski (Ringtown Boro) made the motion, which was seconded by Mike Van Allen, to table the approval of the treasurer's report until a new treasurer is approved with the hope of receiving a fuller report. Motion passed by a unanimous vote.

IV. Old Business

A. Transition Update

Solicitor Datte stated that the employer and employee notices were sent out from Centax. Leo Schwartz (Pottsville City) stated that not everyone received the notice. Solicitor Datte responded that part of the problem is that Centax has had some staff changes. He will request a status report from them. Centax was asked to have a representative present at tonight's meeting but no one attended. Gail Stehr (Upper Mahantongo Twp.) was asked to get an email out to the members that need to send information to Centax. According to Centax, two times notices were sent out to those that still need to send them paperwork. Solicitor Datte noted that several payroll services and some of the larger employers are up to speed with receiving information from Centax. Larry Padora (Auburn Boro) added that some of the smaller businesses have also received information from Centax. Gloria Ebling (Schuylkill Haven Boro) questioned if the EIT needs to be filed electronically, and if it does, where do you get that information? Leo Schwartz responded that you can go to their website and the layout is listed there. Solicitor Datte also stated you can find forms that need to be filed along with other information on the Centax website. There are also guidelines listing everything that the municipalities/school districts need to complete. Larry Padora also noted that DCED has their website updated.

B. Tax Appeal Board

Leo Schwartz asked for an update on the Tax Appeal Board. Solicitor Datte responded that according to Act 32, a dispute first needs to go to the dispute board administered by DCED and it needs to be process in a 30-day period. Solicitor Datte needs to check into the rules and regulations regarding this issue. According to the draft, a dispute will need to go to mediation.

V. New Business

A. Appointments for 2012

1. Temporary Chairperson

Julian Milewski made the motion, which was seconded by Mike Van Allen, to elect Larry Wittig (Tamaqua Area SD) as the Temporary Chairperson. The motion passed unanimously.

Mr. Wittig took charge of the meeting.

2. Chairperson

Mike Van Allen made the motion to appoint Larry Padora as the Chairperson. Julian Milewski made the motion to close the nominations, which was seconded by Mike Lonergan (Orwigsburg Boro). The motion passed unanimously and Larry Padora was declared Chairperson.

The meeting was turned over to Mr. Padora.

3. Vice-Chairperson

Laine Mack (Tremont Boro) made the motion, which was seconded by Mike Van Allen, to appoint Leo Schwartz as Vice-Chairperson. Julian Milewski made the motion, which was seconded by Mike Van Allen, to close the nominations. The motion passed unanimously and Leo Schwartz was declared Vice-Chairperson.

4. Secretary

Mike Van Allen made the motion to appoint Gail Stehr as Secretary. Larry Wittig made the motion to close the nominations, which was seconded by Julian Milewski. The motion passed unanimously and Gail Stehr was declared Secretary.

5. Assistant Secretary

Mike Van Allen made the motion to appoint Laine Mack as Assistant Secretary. Larry Wittig made the motion to close the nominations, which was seconded by Julian Milewski. The motion passed unanimously and Laine Mack was declared Assistant Secretary.

6. Treasurer

Mike Van Allen made the motion to appoint Kim Umphrey (Schuylkill Haven Area SD) as Treasurer. Larry Wittig made the motion to close the nominations, which was seconded by Julian Milewski. The motion passed unanimously and Kim Umphrey was declared Treasurer.

7. Solicitor

John Trudich (Tamaqua Boro) made the motion, which was seconded by Michael Van Allen, to reappoint Paul Datte as the solicitor on the same terms and conditions set forth in his original proposal of February 19, 2010, with no change of rates. The motion passed unanimously. (Copy of letter on file.)

8. Insurance Agent

Mike Van Allen made the motion, which was seconded by Laine Mack, to retain the same insurance agent (Philadelphia Insurance Companies) as in previous years. The motion passed unanimously.

9. Bank

Larry Wittig made the motion, which was seconded by Julian Milewski, to retain M & T Bank for banking services. The motion passed unanimously.

10. Auditor

Mike Van Allen made the motion, which was seconded by Roland Price (St. Clair Boro), to reappoint Patten & Lettich as the auditor. The motion passed unanimously.

11. Tax Appeal Board

Julian Milewski made the motion, which was seconded by Linda Tarlecki (Conyngham Twp.) to reappoint the same members to the Tax Appeal Board (Wendell Gainer, Laine Mack, Mike Lonergan, along with Solicitor Datte). The motion passed unanimously.

B. Budget for 2012

Leo Schwartz noted that last year's budget was used as a guideline to complete the budget for 2012. The first year of the TCC, money was collected from the municipalities/school districts, but there is no need to assess them last year or this year. Also, a portion of the money will come back to the TCC once Centax starts collecting it.

Linda Tarlecki made the motion, which was seconded by Mike Van Allen, to approve the 2012 budget. The motion passed unanimously. (Copy of the budget on file.)

C. 2012 Meeting Dates

It was decided the meeting dates would again be quarterly and on the 4th Tuesday of that month, which would be: March 27, 2012; June 26, 2012, September 25, 2012; December 18, 2012 (this will be the 3rd Tuesday due to Christmas).

Mike Van Allen made the motion, which was seconded by Brian Canfield (Cass Twp.) to approve the above dates for 2012. The motion passed unanimously.

VI. Delegate/Public Comment

A. Auditor Information

Jack Hurst (Mahanoy Area SD) stated he thought the auditor for the previous year was Jones and Co. Leo Schwartz noted that the auditor motion made previously should be rescinded. Laine Mack made the motion, which was seconded by Mike Van Allen, to rescind the previous motion to appoint Patten & Lettich as the auditor and table the motion until the March meeting. The motion passed unanimously.

B. Questions Regarding Centax

Jack Hurst commented that Centax indicated that they would send the money into the TCC and the municipalities within 14 days after they collected it. It was noted that the 4th

Quarter collections for 2011 will be collected by the municipality's/school district's previous collectors. Also, as of June 30, Centax is to collect 2012 EIT and delinquents.

Robert Costanzo (Schuylkill Haven Boro) feels it does not speak well for Centax with them not having anyone present at the meeting. He questioned if they can service the delinquents? Solicitor Datte replied that the rates for the delinquent collections are listed on the cost sheet. Legally they can collect the delinquents. Leo Schwartz stated it is the duty of the employers to withhold the EIT and pay it in to Centax. The TCC does have a fee schedule if there is a need to get into legal issues. Solicitor Datte also noted the key thing is the vast majority of the money is to be collected by the employers. Larry Padora noted that Berkheimer will be collecting the delinquents through June 30, if they are presently the municipality's/school district's collector. After June 30, Berkheimer is then to give the list of delinquents to Centax.

Julian Milewski feels he thinks the TCC should get a letter to Centax requesting them to attend the meetings. Larry Padora agreed we could send them a letter and also have Solicitor Datte call them. Leo Schwartz noted there is a provisional in the contract regarding this.

Someone questioned the delinquent fee schedule. Leo Schwartz stated that Gail Stehr could forward the fee schedule to the delegates. Solicitor Datte noted that you do not have to have a separate LST contract with Centax; it is in the big contract with Centax but it is optional. It was decided to circulate the entire contract with Centax to all the delegates.

Robert Costanzo questioned what happens if someone shows up as not having paid their LST. Solicitor Datte responded that they would get a notice as not being paid and if they say it was paid they could question it. He also encouraged everyone to go to the DCED website and look for the PSD Codes. There are also forms and regulations listed there, along with a wealth of other information.

VII. Next Meeting Date

The next Schuylkill TCC meeting is scheduled for Tuesday, March 27, 2012, at 6:00 p.m.

VIII. Adjournment

Larry Wittig made the motion, which was seconded by Judy Bubeck (Cressona Boro), to adjourn the meeting at 6:45 p.m. The meeting was adjourned.