

Minutes of the Schuylkill Tax Collection Committee Meeting June 25, 2013

The Schuylkill Tax Collection Committee (STCC) held a meeting on Tuesday, June 25, 2013, in Courtroom 1 of the Schuylkill County Courthouse, 401 North Second Street, Pottsville, PA 17901.

Larry Padora, Chairman, called the meeting to order at 6:05 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), Kim Umphrey (Treasurer), Laine Mack (Asst. Secretary)

Others Present: Paul Datte (Solicitor), Patti McNamara (Berkheimer)

Members Present:

Blue Mountain SD	Auburn Boro	Cressona Boro	East Brunswick Twp.
New Ringgold Boro	North Manheim Twp.	Orwigsburg Boro	Wayne Twp.
West Brunswick Twp.	Mahanoy Area AD	Gilberton Boro	Minersville Area SD
Branch Twp.	Cass twp.	Foster Twp.	Minersville Boro
North Schuylkill SD	Frackville Boro	Ringtown Boro	Frailey Twp.
Pine Grove Twp.	Tremont Boro	Washington Twp.	Mechanicsville Boro
Mt. Carbon Boro	Norwegian Twp.	Port Carbon Boro	Pottsville City
Saint Clair Area SD	Blythe Twp.	New Castle Twp.	St. Clair Boro
Schuylkill Haven Area SD	Schuylkill Haven Boro	Tamaqua Area SD	Schuylkill Twp.
Tamaqua Boro	West Penn Twp.	Tri-Valley SD	Hubley Twp.
Upper Mahantongo Twp.			

Members Absent:

Deer Lake Boro	Delano Twp.	Mahanoy City Boro	Mahanoy Twp.
Rush Twp.	Ryan Twp.	Reilly Twp.	Ashland Boro
Butler Twp.	Conyngam Twp.	Girardville Boro	Gordon Boro
Union Twp.	Pine Grove Area SD	Pine Grove Boro	Tremont Twp.
Pottsville Area SD	Palo Alto Boro	East Norwegian Twp.	Middleport Boro
New Philadelphia Boro	Landingville Boro	Port Clinton Boro	South Manheim Twp.
Shenandoah Valley SD	Shenandoah Boro	West Mahanoy Twp.	Rush Twp.
Walker Twp.	Barry Twp.	Eldred Twp.	Hegins Twp.

I. Delegate/Public Comment on Agenda Items - None

II. Minutes

A. September 25, 2012, and December 18, 2012

Mike Van Allen (Gilberton Boro) made the motion, which was seconded by John Trudich (Tamaqua Boro), to approve the minutes from September 25, 2012, and December 18, 2012. The motion passed unanimously. (Copy of minutes on file.)

B. March 26, 2013

The minutes from March 26, 2013, are an informational item only since there was no quorum present to make any motions or votes.

III. Treasurer's Report

Kim Umphrey (Schuylkill Haven Area SD) reviewed the Treasurer's Report dated June 25, 2013. There are four municipalities (Reilly Twp., Frackville Boro, Mt. Carbon Boro, West Penn Twp.) that have not yet paid their Weighted Share Fee. Solicitor Datte stated a letter will be sent to them with a deadline of when the money is due; after that the money will be deducted by Berkheimer from their EIT money.

Mike Van Allen made the motion, which was seconded by Julian Milewski (Ringtown Boro) to approve the June 25, 2013, Treasurer's Report. The motion passed unanimously. (Copy of report on file.)

IV. Invoices from the March 26, 2013, Meeting

Laine Mack (Tremont Boro) made the motion, which was seconded by Brian Canfield (Cass Twp.), to approve and ratify the payment of the following invoices from the March 26, 2013, meeting: Solicitor Datte, Gail Stehr, and Schuylkill Haven Area SD. The motion passed unanimously.

V. Solicitor's Report – Legal Update

Solicitor Datte noted that the receivership in Alleghany County is essentially done. It is not a significant amount of money that is due to Schuylkill County. He also noted that the TCC will be pursuing the claim with Centax Surety and will have more information to report at the September meeting.

Patti McNamara (Berkheimer) noted that the PLGIT money has been distributed.

Julian Milewski made the motion, which was seconded by Brad Gotshall (Frackville Boro), to accept the Solicitor's Report. The motion passed unanimously.

VI. Old Business

A. Berkheimer Update

Patty McNamara noted that the takeover from Centax is complete. If any of the municipalities/school districts had any questions on the amount of their collections they should contact Jim Bush in order for them to work on the issue one on one. They are working with Traveler's Insurance and the auditors they hired to get the Alleghany issue resolved. Berkheimer is still working on 2011 returns. They had problems getting the files from Centax. They are hoping to have 2011 complete by the end of July.

VII. New Business

A. Quorum Amendment

Discussion took place regarding the difficulty of getting a quorum present at the meetings. Amendment #2 consists of a quorum being a straight 1/3 of the voting delegates for minor and major issues and Amendment #1 consists of a majority of all voting delegates for major decisions and 1/3 voting delegates on all other Board matters. The votes would still be a weighted vote. Bob Amos (North Schuylkill SD) commented that he feels changing the amendment regarding the quorum is letting people off the hook. Leo Schwartz (Pottsville City) responded this is what needs to be done in order to get people to come to the meetings. Mr. Amos replied then it might as well be 1/3 vote on everything. Julian Milewski stated he thinks there needs to be a super majority for important issues; however, Leo Schwartz agrees with Bob Amos. Jack Hurst (Mahanoy Area SD) noted he finds it disheartening that the TCC cannot get a quorum present for the meetings, and he also feels a majority is needed to vote on important decisions. A super majority vote is needed for four major options: the purchase of property; the appointment of a tax collector; by-law amendments; and emerging with other tax collection committees.

Julian Milewski made the motion, which was seconded by Mike Van Allen, to adopt Amendment #1 which consists of a majority of all voting delegates for major decisions and 1/3 voting delegates on all other Board matters. The vote passed by a majority vote. The by-laws will be set accordingly.

B. Approval of Revisions to the Tax Records Policy and the Deposit Investment Policy

Solicitor Datte noted that the change to the Deposit Investment Policy does not require Berkheimer to have separate accounts for the funds and change to the Tax Records Policy is regarding the data base for software.

Judy Bubeck (Cressona Boro) made the motion, which was seconded by Mike Lonergan (Orwigsburg Boro), to approve the revisions to the Tax Records Policy and the Deposit Investment Policy. Motion passed unanimously. (Copy of policies on file.)

VIII. Delegate/Public Comment

A. Billing for Weighted Share Fee

Bard Gotshall (Frackville Boro) questioned the issue of billing the municipalities/school districts for their weighted share fee. Solicitor Datte stated that for those that didn't pay, it will be attached and deducted from their EIT. Mr. Gotshall questioned if it can be done that way all the time, to which Solicitor Datte responded that it was agreed to bill the municipalities/school districts.

B. Appointment of Delegates

Laine Mack (Tremont Boro) thinks the TCC should send out letters notifying the municipalities/school districts that they can appoint a neighboring delegate as one of their

delegates in order to have greater representation present at the meetings. Solicitor Datte responded that Gail Stehr may circulate a letter to the delegates and leave them know they can appoint a delegate from another municipality/school district.

C. Attendance Policy

Brian Canfield questioned if something could be added to the by-laws regarding a possible attendance policy; that if a municipality/school district does not have a delegate present, they would be contacted for further action. Leo Schwartz stated he would get the by-law committee together to look into that.

IX. Next Meeting Date

The next meeting is scheduled for Tuesday, September 24, 2013, at 6:00 p.m.

X. Adjournment

On a motion by Mike Van Allen and seconded by Roland Price (St. Clair Boro), the meeting adjourned at 6:51 p.m.

Gail A. Stehr, TCC Secretary