

BUCKS COUNTY TAX COLLECTION COMMITTEE

MEETING MINUTES

March 25, 2010

Warwick Township
1733 Township Greene
Jamison, PA 18929

CALL TO ORDER

Michael Gallagher, Newtown Township, Chairman convened the meeting of the Bucks County Tax Collection Committee (TCC) at 7:00 PM, led the committee in the Pledge of Allegiance, and introduced Geoffrey Beauchamp, Esquire, Interim Solicitor.

Stephanie Teoli, Secretary, Upper Makefield Township, called the attendance roll. There was a quorum to conduct business.

Chairman Gallagher called for Public Comment. There was none.

APPROVAL OF MINUTES

Chairman Gallagher called for approval of the minutes for the meeting of January 21, 2010. On motion made and seconded, the minutes were approved.

TREASURER'S REPORT

Eileen Bradley, Treasurer presented a draft in the initial amount of \$75,000. The budget would be apportioned among the Taxing Authorities based on proportional share of each Taxing Authorities Earned Income Tax collections to the total Earned Income Tax collections for the TCC.

ADOPTION OF BYLAWS

Chairman Gallagher called for a discussion of the draft by-laws and proceeded to review the draft section by section. He noted that the draft bylaws proposed two options for voting and this would be a major decision for the Board of Delegates. These include using a weighted voting system; and a one Taxing Authority, one vote system.

A motion was made and seconded to use a weighted voting system. After discussion by Delegates on the merits of both options, Chairman Gallagher called for a vote on the motion. After a roll call vote by Secretary Teoli, the motion passed with approximately 78% of the Delegates present voting in favor of the motion.

Chairman Gallagher then continued a review of each section of the draft bylaws. There was consensus by the Board of Delegates to; (1) limit requests from Taxing Authorities to collection

of Act 511 taxes, including the Local Services Tax; (2) require a supermajority vote to amend the bylaws; (3) require any additional Officers to be TCC delegates; and (4) allow 60 days for the payment of invoiced assessments.

After complete review of the draft bylaws by the Board of Delegates, a motion was made and seconded to adopt the draft bylaws incorporating the changes noted during the discussion. The motion passed unanimously.

APPOINTMENT OF MANAGEMENT COMMITTEE MEMBERS

Chairman Gallagher noted that the adopted bylaws call for the appointment of five Delegates to serve with the TCC Officers on a Management Committee. Chairman Gallagher asked for nominations. On motion and second, the following individuals were nominated by the Board of Delegates:

Robert Donnelly, Council Rock School District
Susan Snyder, Sellersville Borough
Gail Weniger, Warwick Township
Matthew Melanson, Ivyland Borough
Carolyn McCreary, Plumstead Township
Chester Pogonowski, Wrightstown Township

Chairman Gallagher asked those nominated to stand, and noted that Carolyn McCreary, Plumstead Township was not present. By agreement of the Board of Delegates, Ms. McCreary was removed from the slate of nominees. After further brief discussion, Chairman Gallagher called for a vote on the motion. On a roll call vote by Secretary Teoli, the motion passed unanimously.

APPOINTMENT OF TAX APPEALS BOARD

Chairman Gallagher noted that act 32 and the adopted bylaws require the appointment of a Tax Appeals Board to hear appeals from a decision of the Tax Collector. The bylaws indicate that the Tax Appeals Board shall consist of three members and two alternate members. He asked for nominations. On motion and second, the following Delegates were nominated to serve as members or alternate members on the Tax Appeals Board:

Carolyn McCreary, Plumstead Township
David Matyas, Central Bucks School District
Nick Forte, Tinicum Township
Lorraine Leslie, Hilltown Township (Alternate Member)
Patricia Roeder, Milford Township (Alternate Member)

After further brief discussion, Chairman Gallagher called for a vote on the motion. The motion passed unanimously.

APPOINTMENT OF OPEN RECORDS OFFICER

Chairman Gallagher noted that Act 32 and the adopted bylaws require the appointment of an Open Records Officer. On motion made and seconded, Marguerite Genesio, Upper Southampton Township was appointed Open Records Officer.

2010 MEETING SCHEDULE

Act 32 and the TCC bylaws require the Board of Delegates to meet at least quarterly and to hold a reorganization meeting. On motion made and seconded, the Board of Delegates voted unanimously to hold TCC meetings for 2010 on the following dates: April 29, June 30, August 31, November 30, 2010, and to hold the reorganization meeting for 2011 on January 31, 2011. The April 29 meeting will be held in the Buckingham Township Municipal Building, 4613 Hughesian Drive, Buckingham, PA 18912. All other meetings will be held at the Warwick Township Municipal Building, 1733 Township Greene, Jamison, PA 18929. All meetings will begin at 7:00 PM.

APPOINTMENT OF SOLICITOR

Chairman Gallagher noted that the TCC appointed an Interim Solicitor at the January 21, 2010 meeting to assist with the development of bylaws. Mr. Beauchamp stated that the Delaware Valley Municipal Management Association is willing to provide his services as TCC Solicitor at no cost to the TCC, that he is willing to serve as General Counsel, and if appointed, his role would also be to coordinate the services of outside legal services on an as needed basis. He noted that the Montgomery County TCC approved a similar arrangement.

A motion was made and seconded to appoint Geoffrey Beauchamp, Esquire, as TCC Solicitor. The motion passed unanimously.

REQUEST FOR PROPOSALS FOR TAX COLLECTOR

Chairman Gallagher stated that the TCC is required to appoint a county-wide Tax Collector by September 15, 2010, and must notify DCED of its decision and forward a copy of the Tax Collection Agreement by September 25, 2010.

Eileen Bradley, New Britain Township offered to develop a Request for Proposals (RFP) and recommended that the Board of Delegates authorize the purchase of a model Tax Collection Agreement from the Pennsylvania Association of School Board Officials (PASBO) for \$4,000. She noted that the TCC would incur significant legal expense in the alternative if the Agreement was developed in-house using independent legal counsel. A motion was made and seconded to authorize the expenditure of \$4,000 to purchase the model agreement from PASBO. The motion passed unanimously.

ADOPTION OF 2010 BUDGET

Eileen Bradley, New Britain Township, TCC Treasurer, presented a proposed budget of \$75,000 along with a detail on the cost to each Taxing Authority to fund the budget. She explained that in addition to the Taxing Authority assessments the budget anticipates receipt of a \$5,000 DCED grant. Ms. Bradley further explained that the budget proposes expenditures of \$56,500, leaving a projected year end surplus of \$24,000. The most significant expenditures are for legal services (\$30,000), auditing services (\$10,000) and Insurance (\$5,000).

After brief discussion, a motion was made and seconded to adopt the 2010 budget as presented. The motion passed.

OLD BUSINESS

TCC Insurance

Robert Pellegrino, Northampton Township, TCC Vice-Chairman advised that the TCC has received 4 quotes for liability insurance coverage, with two quotes of about \$13,000, one quote of \$7,000, and one quote for about \$3,500. The least expensive quote is for a \$1 Million policy limit from PennPrime, a municipal insurance trust operated by the Pennsylvania League of Cities and Municipalities (PLCM). He noted that PennPrime was offering this coverage to all TCC's in the Commonwealth. Pricing on an optional \$2 Million policy has been requested, and it was also noted that the TCC could obtain crime coverage through the PennPrime property policy in lieu of separately purchasing a bond for the Treasurer. Options on the purchase of insurance will be presented at the April 29, 2010 meeting for Board consideration.

Ethics Statements

Solicitor Beauchamp advised that TCC Delegates must file PA Ethics forms with the TCC for calendar year 2010. He noted that any delegates also serving as elected or appointed officials in their respective Taxing Authorities can simply copy the form filed with their Taxing Authority and submit it to the TCC, however, Delegates that did not previously file a form for 2010, must complete a new one. It was agreed that all forms would be filed with the TCC Secretary.

NEW BUSINESS - There was no New Business presented for discussion.

PUBLIC COMMENT - Chairman Gallagher called for Public Comment. There was none.

There being no further business, Chairman Gallagher adjourned the meeting at approximately 9:20 PM.

Respectfully Submitted,

Stephanie Teoli, Secretary

