Manager's Report

Activity in the Month of July

- Permit applications, bills, deposits and bank reconciliations were handled in a timely manner.
- Attended Board of Supervisors meeting, Planning Commission, Police Commission meeting and two executive session, Authority meeting.
- Workers Compensation Audit (July 31, 2018)
- Reviewed Pennsylvania Economic League draft report on future development for Fleetwood Area School District enrollment projections.
- Revised recycling bid for advertising.
- Attended road preconstruction meeting.
- Held two safety meetings.
- Attended two Schaeffer Road Bridge progress meetings.
- Met with Authority staff on Route 222 waterline plan.
- Attended the Berks County Sewer Association Conference on application of biosolids.
- Submitted the 2020 Census address list.
- New pickup truck was delivered and put in service.
- Reviewed changes to Hazard Mitigation Plan and modified draft resolution.
- Made contact with Fleetwood Borough solicitor regarding none response to Tax Collection Committee appointment.

Items to note:

- Open Enrollment for Ag Security Area begins August 1st.
- Penn DOT retimed the traffic signals on Rt 222 on a trial basis and will be asking the Supervisors to approve the new timing. This is to mitigate the two mile back up that occurs southbound throughout the day.
- Attached is proposed legislation to eliminate the office of tax collector. Just an FYI.

Respectfully Submitted,

Diane Hollenbach

Diane Hollenbach, Manager

Senate Co-Sponsorship Memoranda

Senate of Pennsylvania
Session of 2017 - 2018 Regular Session

MEMORANDUM

Posted: February 15, 2018 04:02 PM
From: Senator Scott Martin
To: All Senate members
Subject: Reforming Property Tax Collection in Pennsylvania Through Local Option

In the near future, I plan to introduce legislation that will give counties, municipalities and school districts more flexibility to utilize reliable, efficient alternatives for property tax collection.

Modernizing government functions in order to improve effectiveness and efficiency should always be something that we strive for. Many systems or positions from days of yore have now become outdated or are no longer needed and the Commonwealth needs to allow the option for local governments to move into the 21st Century. A few years ago the State allowed options pertaining to Jury Commissioner elimination. It's now time to look at providing options to our property tax collection system.

Currently in my home County of Lancaster, over 66% of municipalities utilize the County Treasurer to collect their property taxes because they believe it is the most efficient and cost-effective option. For those that do, they must jump through hoops to find candidates, have them pass background checks, run for the office to get elected, only then to resign. This is unneeded bureaucracy that has led to some unfortunate situations.

For example, in 2013, after years of appointing the County Treasurer to collect municipal taxes, a write-in candidate in East Lampeter Township in Lancaster County was elected tax collector by one write-in vote. Problems began almost immediately in 2014 and as of March 2017, he owed the county more than $90,000 from 2016 tax collections. Despite this individual knowing that the County told him he needed to reconcile his prior year's tax duplicates before receiving current year tax duplicates, this individual sent out his own property tax bills that were not authorized nor verified by the County Treasurer and had incorrect information. Chaos ensued with $40,000 still owed to taxpayers for double payments, and 36 people had been sent to the Tax Claim Bureau, some of whom were incorrectly in danger of losing their property. In addition, the County and Township incurred unnecessary legal fees to get this straightened out in court.

This legislation will allow the position of Tax Collector to be removed from being placed on the ballot to eliminate the red tape for counties or municipalities that choose to have the County Treasurer collect property taxes.

Where tax collectors are utilized by municipalities, the Tax Collector needs to get authenticated information from the county, then collect municipal and county property taxes and then the County Treasurer has to re-collect the county portion from the Tax Collector and then reconcile for accuracy. There's a lot of inefficiency and duplication in this, which also lends to costing more to collect.

With regard to school districts, the cooperation historically enjoyed by school districts and tax collectors was recently jeopardized by a lawsuit filed in November 2017. Manheim Township School District (MTSD) was repeatedly deputized by their local tax collector(s) and has been collecting school district taxes for over 20 years. When a new tax collector was elected in 2013, the District alleges that they reached out to the individual twice to discuss a tax collection agreement and received no response. The District continued collecting taxes and believed "the current tax collector took no steps, or showed any interest, to collect school district taxes" until a complaint against the district was filed with the Lancaster County Court of Common Pleas. The district has already spent thousands in legal fees to address the lawsuit brought against them. When collecting their own property taxes, it is estimated that MTSD annually saves taxpayers $40,000, which are funds that help educate their students. The savings are even greater annually in school districts across the Commonwealth. In Lancaster County, every school district has been collecting their own property taxes for over 20 years. This has allowed them to be more efficient and effective. It's time to eliminate the red tape needed by school districts to do this and allow them the option to collect property taxes without the permission or cost of a Tax Collector.

It's important to note that this legislation provides options. If counties, municipalities or school districts want to continue to utilize tax collectors, they still may. However, for those entities that believe they can collect property taxes more efficiently and effectively, they should be permitted to do so. It also allows them to return to the utilization of Tax Collectors if for some reason they want to in the future.

I hope you will consider joining me in co-sponsoring this important reform legislation.

Introduced as SB1099

PRIOR PRINTER'S NO. 1642 PRINTER'S NO. 1931

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1099 Session of 2018

INTRODUCED BY MARTIN, RESCHENTHALER, AUMENT AND WAGNER, APRIL 11, 2018

SENATOR MARTIN, LOCAL GOVERNMENT, AS AMENDED, JUNE 22, 2018

AN ACT

Amending the act of May 25, 1945 (P.L.1050, No.394), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," further providing for definitions; providing for county option to collect real property taxes, for optional alternative tax collection agreements and for collection of school taxes by school districts; and further providing for bonds of tax collectors.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The definition of "tax collector" or "elected tax collector" in section 2 of the act of May 25, 1945 (P.L.1050, No.394), known as the Local Tax Collection Law, is amended to read:

Section 2. Definitions.--The words--

* * *

"Tax Collector" or "Elected Tax Collector" shall include every person duly elected or appointed to collect all taxes, levied by any political subdivision included in the provisions

of this act, including the treasurers of cities of the third class, elected collectors of taxes in townships of the first class and county collectors of taxes in counties of the third, fourth, fifth, sixth, seventh and eighth class who have been designated to collect county and institution district taxes in cities of the third class and county treasurers in counties of the fourth, fifth, sixth, seventh and eighth class who have been designated to collect county taxes in municipalities existing or organized under 53 Pa.C.S. Pt. III Subpt. E (relating to home rule and optional plan government) that have eliminated the elective office of tax collector and county treasurers in counties of the third, fourth, fifth, sixth, seventh and eighth class who have been designated to collect taxes under section 3.1, 3.2 or 4.4 of this act. The term includes a person authorized to collect taxes under section 3.2, 3.3 or 4.2 of this act.

* * *

Section 2. The act is amended by adding sections to read:

Section 3.1. County Collection of Real Property Taxes.--(a) Notwithstanding any other provision of law, a county of the third~~, fourth, fifth, sixth, seventh or eighth~~ class may, by resolution, provide for the collection by the county treasurer of all real property taxes levied by the county. Upon the adoption of a resolution by a county, the county treasurer shall have the powers, duties and responsibilities of billing and collecting real property taxes levied by the county. The county shall provide written notice of the adoption of the resolution to the taxing districts and the elected tax collectors in the taxing districts. <--

(b) The compensation of personnel and other expenses of

billing and collecting county real property taxes pursuant to this section shall be paid out of the general fund in the county treasury. The compensation and number of such employes other than the county treasurer shall be governed by the provisions of the act of August 9, 1955 (P.L.323, No.130), known as "The County Code," relating to the county salary board. The county treasurer shall not receive added compensation for performing such functions.

(c) If a county elects to discontinue the collection by the county treasurer of real property taxes levied by the county, the county shall provide written notice to the taxing districts and elected tax collectors in the taxing districts.

(D) THIS SECTION SHALL NOT APPLY TO HOME RULE COUNTIES OF THE THIRD CLASS. ANY RECLASSIFICATION OF COUNTIES AS A RESULT OF A FEDERAL DECENNIAL CENSUS OR OF A STATE STATUTE SHALL NOT APPLY TO THIS SECTION. <--

Section 3.2. Optional Alternative Tax Collection Agreements.--(a) (1) Notwithstanding any other provision of law, the governing body of a municipality WITHIN A COUNTY OF THE THIRD CLASS may, by ordinance, enter into an optional alternative tax collection agreement with a tax officer named by the governing body of the municipality to be responsible for the billing and collection of all taxes previously collected by an elected tax collector. The tax officer shall be one of the following: <--

(i) The county treasurer, provided that prior to adoption of an ordinance under this paragraph, the governing body of the municipality and the county commissioners shall each adopt a resolution specifying:

(A) The conditions of the agreement.

(B) The duration of the agreement, if any.

(C) The purpose and objectives of the agreement, including the powers and scope of authority delegated under the agreement.

(ii) A private agency already defined as a tax officer under section 501 of the act of December 31, 1965 (P.L.1257, No.511), known as "The Local Tax Enabling Act."

(iii) A public employe of the municipality or home rule municipality.

(2) For calendar years in which a tax collector is to be elected in the municipality, an ordinance may not be adopted after the deadline for filing nomination petitions has passed.

(3) Upon the adoption of an ordinance by the municipality, the office of tax collector is abolished, subject to subsection (c). The municipality shall notify the taxing districts served by the elected tax collector of the tax officer named to replace the elected tax collector.

(4) When a tax officer is named under this section, the municipal treasurer shall have the authority to take receipt of payment of taxes if the tax officer is located outside of the municipality.

(5) The optional alternative tax collection agreement shall be deemed a professional services contract and not subject to a competitive bidding process.

(b) The ordinance to enter into an optional alternative tax collection agreement shall take effect as follows:

(1) If the office of tax collector is vacant and the municipality has named a tax officer prior to the effective date of the ordinance, the ordinance shall take effect immediately.

(2) If the office of tax collector is not vacant, the ordinance may not take effect until the office of tax collector

becomes vacant or the term of office of the tax collector has expired.

(c) A tax collector in office when a municipality adopts an ordinance under this section shall remain in office until the end of the term of office and shall continue to have all the powers and duties of the office.

(d) The person appointed by the governing body of the municipality as tax collector shall receive such compensation as agreed to between the governing body of the municipality and the appointee.

(e) (1) A tax officer appointed by a municipality shall be subject to the basic and continuing education requirements of this act.

(2) If the tax officer is an organization composed of multiple people, then at least one individual shall be designated to comply with the basic and continuing education requirements of this act.

(f) A tax officer shall name a deputy in accordance with section 22(b).

(g) A tax officer shall comply with the bonding requirements of section 4.

(h) A municipality shall provide a copy of an optional alternative tax collection agreement entered into with a tax officer to the county board of elections. After the effective date of the agreement, the board of elections may not place the office of tax collector on the ballot in that municipality.

(i) An optional alternative tax collection agreement entered into by a governing body of a municipality is not required to have a fixed duration and may be amended or terminated at any time by the governing body.

(j) Prior to terminating an optional alternative tax collection agreement, the municipality shall provide written notice to the tax officer, the taxing district and the county board of elections. Upon receipt of the notification, the county board of elections shall place the office of tax collector on the ballot for the municipality during the next municipal election. The tax officer shall continue to collect taxes until a tax collector has been elected and sworn into office.

(K) THIS SECTION SHALL NOT APPLY TO HOME RULE COUNTIES OF THE THIRD CLASS. ANY RECLASSIFICATION OF COUNTIES AS A RESULT OF A FEDERAL DECENNIAL CENSUS OR OF A STATE STATUTE SHALL NOT APPLY TO THIS SECTION. <--

~~(k)~~ (L) As used in this section, the term "municipality" shall mean a borough, town or township within a county of the third~~, fourth, fifth, sixth, seventh or eighth~~ class. <--

Section 3.3. Collection of School Taxes by School Districts.--(a) Notwithstanding any law, the board of school directors in each school district ~~of the second, third or fourth~~ IN A COUNTY OF THE THIRD class may appoint, by resolution, one or more suitable persons as tax collectors in such school districts. The board of school directors in any school district, appointing any tax collector or tax collectors, may authorize and direct any one tax collector to collect the school taxes in any one or more wards or other proper divisions in such school district. <--

(b) The board of school directors shall provide written notice of the adoption of the resolution to the elected tax collector of the taxing district.

(c) The person appointed by the board of school directors as tax collector shall receive such compensation as agreed to

between the board of school directors and the appointee.

(d) If a board of school directors elects to discontinue the collection by the person appointed by the board of school directors as tax collector, the board of school directors shall provide written notice to the elected tax collector of the taxing district.

(E) THIS SECTION SHALL NOT APPLY TO HOME RULE COUNTIES OF THE THIRD CLASS. ANY RECLASSIFICATION OF COUNTIES AS A RESULT OF A FEDERAL DECENNIAL CENSUS OR OF A STATE STATUTE SHALL NOT APPLY TO THIS SECTION. <--

Section 3. Section 4(b) of the act is amended to read:

Section 4. Bonds of Tax Collectors.--* * *

(b) In boroughs, towns and townships of the first or second class, the [elected] tax collector shall be the collector of borough, town or township taxes, as the case may be, and of county, county institution district, school district and vocational school district taxes. He shall, before he enters upon the duties of his office, take and subscribe an oath of office and file the same in the office of the clerk of the court of common pleas of the county. He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him, in an amount to be fixed by the court of common pleas of the county, which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year. Such bond may, at the option of the tax collector, be an annual bond or may cover the full term of office for which the tax collector shall have been elected or appointed. Such bond shall have thereon at least one bonding company, and the sufficiency of the sureties on the bond shall be approved by the court of common pleas at any time prior to the delivery of a tax

duplicate to the tax collector. The bond shall be filed in the office of the clerk of the court of common pleas on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter, except where the first bond given by the tax collector covers the full term of office for which he was elected <u>or appointed</u>. Should any of the taxing districts be of the opinion, at any time, that the bond given by the tax collector is not sufficient in amount, or as to the surety thereon, the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section. Thereupon the tax collector shall furnish such additional bond, if any, as the court of common pleas may prescribe, but not exceeding the limitation as to the amount hereinbefore prescribed: Provided, That where taxes for borough purposes are collected by an appointee of council the bond shall be as may be prescribed by council. The board of commissioners of any county by resolution adopted no later than November 1 of the prior year may authorize and require for the following year the joint bidding by the board of commissioners of bonds for all tax collectors for the county and for boroughs, incorporated towns and townships of the first or second class, and school districts and vocational school districts within the county. The joint bidding of the bonds shall be subject to all provisions of this act not inconsistent with the requirement of joint bidding.

* * *

Section 4. This act shall take effect in 60 days.

McCORMICK TAYLOR

ECMS 10718 – Schaeffer Road Bridge

Progress Meeting #4 - Minutes

Meeting Date: July 24,2018 Next Meeting: August 7, 2018

Location: Project Field Office

Discussion:

Reviewed previous meeting minutes.

It was noted that all operations within the Buckeye Pipeline Easement @ Station 5+00 to 5+30 should be coordinated with Buckeye Partners R/W Contact Brian Yarko. Those operations would include the completion of the Selected Tree Removal and the installation of Guidrail and Paving Operations within these locations.

Mike Thomson, Rylind Construction reviewed 3 Week Look Ahead. Pre-Auguring of pile holes going rather slow primarily due to the hardness of the rock encountered. Both contractors Rylind and McCrossin Foundations (Drilling Operations) will start working 12 Hr. days Monday – Thursday and 10 Hrs. Friday to try and keep on schedule. At this point all operations will be set back about a week to 10 Days.

Kyle Eaton, Rylind Construction, questioned due to the nature of rock encountered during drilling and the time allotted for this operation at bidding would a Time Extension be considered for the completion of this project. Ryan Hunter, County of Berks, suggested to put something in writing at this point and further discussion on this matter will be addressed when Randy Altemose, PennDOT District 5-0 F.A.M. Coordinator, returns 7-30-18.

Members of the Maidencreek Township Water and Sewer Authority and Township Engineer expressed again concern regarding the Piling Operation and the proximity to their 12" water main. It was noted that the closest pile in Abutment #2 is at least 10' away from that main and the pile driving operation itself should have a low level of vibration because of the Pre-Augured holes and the backfill that encases each pile. Contractor will notify the Township prior to driving any piles for this abutment.

RYLIND
Construction Company, Inc.

SUPERINTENDENT	mike thomson
RCC JOB NUMBER:	ECMS 10718
THIS FRIDAY'S DATE IS:	7/27/18
PROJECT MANAGER:	kyle eaton

Jul.27.2018

7/29/2018	7/30/2018	7/31/2018	8/1/2018	8/2/2018	8/3/2018	8/4/2018
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	drill H pile holes abut 2 move to abut 1	drill H pile holes abut 1	drill H pile holes abut 1 drive test piles drive abut 2 piles	drill H pile holes abut 1 redrive test piles class 3 exc.abut 2	drill H pile holes abut 1 geo bags and R-8 abut 2	drive piles abut 1 class 3 exc.abut 1 geo bags and r-8 abut 1
8/5/2018	**8/6/2018**	**8/7/2018**	**8/8/2018**	**8/9/2018**	**8/10/2018**	**8/11/2018**
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	geo bags and r-8 abut 1 weld temp support angles on piles abut 1 and 2	set precast cap 2 set pre cast cap1 grout	R-8 and backfill abut 2	R-8 and backfill abut 1	set beams shot beams overhangs dia	deck pans overhangs dia
8/12/2018	**8/13/2018**	**8/14/2018**	**8/15/2018**	**8/16/2018**	**8/17/2018**	**8/18/2018**
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
	edge forms bulkheads deck rebar dia	edge forms bulkheads deck rebar dia set up bidwell	edge forms bulkheads deck rebar dia	edge forms bulkheads deck rebar dia dry run	pour deck	strip bulkhead set up for second deck pour wet cure
8/19/2018	**8/20/2018**	**8/21/2018**	**8/22/2018**	**8/23/2018**	**8/24/2018**	**8/25/2018**
SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
wet cure	pour second sec. of deck wet cure	set sleeper slaps wet cure	form side walk wet cure	form guide rail curb wet cure	backfill bridge form approach slab wet cure	wet cure

Notes