

LOWER PROVIDENCE TOWNSHIP

RESOLUTION 2022-33

A RESOLUTION OF THE GOVERNING BOARD OF _____, COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED COLLECTOR OF LOCAL TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, Act No. 511 of the 1965 General Assembly of the Commonwealth of Pennsylvania (53 P.S. §6901 et seq.), enacted December 31, 1965, and effective January 1, 1966, authorizes certain political subdivisions, including _____, COUNTY, to provide for the creation of such bureaus or the appointment and compensation of such officers, clerks, collectors and other assistants and employees as may be deemed necessary for the assessment and collection of taxes imposed under the authority of that Act; and

WHEREAS, _____, COUNTY, has entered into contractual agreement with BERKHEIMER of Bangor, Pennsylvania, whereby and whereunder _____ appointed Berkheimer to collect certain local taxes; and

WHEREAS, said Act 511 specifically mandates that any information gained by the appointed tax officer, his agents or by any other official or agent of the taxing district, as a result of any declarations, returns, investigations, hearings or verifications required or authorized by the taxing municipality's ordinance or resolution, be kept confidential, except for official purposes; and

WHEREAS, any person who divulges any information which is confidential under the provisions of any ordinance or resolution, upon conviction may be subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

WHEREAS, Berkheimer requires passage of a resolution by the governing body of _____, COUNTY specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information;

NOW, THEREFORE, BE IT RESOLVED that:

1. _____, COUNTY hereby appoints _____ as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for _____, as desired and deemed necessary by _____, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the _____, upon request, to _____ as the authorized contact representative for it.

3. _____, COUNTY hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the _____ day of _____,

BY: _____

Gary Neights, Chair

Lower Providence Township Board of Supervisors

ATTEST:

E.J. Mentry, Secretary



LOWER PROVIDENCE TOWNSHIP

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MEMORANDUM

TO: Board of Supervisors

FROM: E.J. Mentry, Township Manager

SUBJECT: Requested Updates to EAC Ordinance

DATE: November 10, 2022

The Lower Providence Township Environmental Advisory Council (EAC) has formally requested that the Board of Supervisors (BOS) consider amending the EAC ordinance to expand the membership by adding additional seats to the council. The EAC was established by Ordinance No. 665 on April 2, 2020, which is now codified in Chapter 11A of the Lower Providence Township Code. The existing ordinance is attached to this memo for reference.

Pursuant to the ordinance, the EAC is currently comprised of five (5) members serving staggered three-year terms. The EAC has requested the addition of two (2) voting members, bringing the total membership to seven (7). Additionally, they would like to add three (3) associate members who would participate in all discussions and activities of the EAC but would not have voting privileges unless they're needed to make a quorum in the absence of voting members. As is the case with all Township boards/committees/commissions, all appointments for both voting and associate members would be made by the BOS and would be conditioned on the candidate signing the Township's Ethics Verification form.

I'd like to have a discussion with the BOS regarding these requested changes at our 11/17/22 regular meeting. If the BOS is in favor of the changes, I can draft an ordinance amendment for your consideration to advertise at the 12/1/22 meeting. The ordinance could then be considered for adoption at the 12/15/22 meeting and would therefore take effect for 2023.

If the BOS is inclined to amend the ordinance for these changes, I would also recommend changing section 11A-5 "Officers" which currently provides for the EAC Chairperson to be appointed by the BOS, as opposed to being appointed by Council membership. This is an unusual provision, and I would recommend removing this from the ordinance so that all EAC officers are chosen by Council membership.

I look forward to discussing these requests with the BOS at our upcoming meeting. Please let me know if you have any questions.

Chapter 11A

ENVIRONMENTAL ADVISORY COUNCIL

[HISTORY: Adopted by the Board of Supervisors of the Township of Lower Providence 4-2-2020 by Ord. No. 665¹. Amendments noted where applicable.]

§ 11A-1. Creation.

The Environmental Advisory Council is hereby created and established in accordance with the provisions of 53 Pa.C.S.A. §§ 2321 through 2329 relating to Environmental Advisory Councils as set forth herein.

§ 11A-2. Membership and terms.

The Environmental Advisory Council shall be composed of five residents of Lower Providence Township. Council members shall be appointed according to the following procedures:

- A. All Council members shall be appointed by the Board of Supervisors of Lower Providence Township.
- B. Council members' terms of office shall expire on the first Monday in January following the last year of their term of office.
- C. Council members shall serve a term of three years, except that initial appointments shall be staggered so that two members serve three-year terms, two members serve two-year terms, and one member serves a one-year term.
- D. Whenever possible, one member shall also be a member of the local planning commission.

§ 11A-3. Expenses.

Members of the Environmental Advisory Council shall receive no compensation for their services, but may be reimbursed for the expenses actually and necessarily incurred by them in performance of their duties, provided that such expenses have been preapproved by the Board of Supervisors. The Council may not contract separately for professional or vendor services but shall have access to Township professional services.

§ 11A-4. Duties.

The Environmental Advisory Council is to be advisory to and shall coordinate its activities with the Board of Supervisors.

§ 11A-5. Officers.

The Environmental Advisory Council will have a Chairperson who shall be appointed by the Board of Supervisors of Lower Providence Township. All other officers shall be elected by Council membership.

1. Editor's Note: This ordinance was adopted as Ch. 38 but was renumbered in order to retain the alphabetical organization of the Code.

§ 11A-6. Powers.

The Environmental Advisory Council shall have the following powers:

- A. Identify environmental issues and recommend plans and programs to the Board of Supervisors for the promotion and conservation of the natural resources and for the protection and improvement of the quality of the environment within Lower Providence Township.
- B. Promote community programs that build environmental literacy among Township residents, community organizations and businesses.
- C. Upon request of the Board of Supervisors, to keep an index of all open space areas, publicly or privately owned, including flood-prone areas, swamps and other unique natural areas, for the purpose of obtaining information on the proper use of those areas.
- D. Upon request of the Board of Supervisors, to make recommendations regarding the acquisition of both real and personal property by gift, purchase, grant, bequest, easement, devise, or lease, in matters pertaining to the protection, conservation, management, promotion and use of the natural resources of the Township.
- E. To undertake such environmental tasks as requested by the Board of Supervisors of Lower Providence Township.

§ 11A-7. Records.

The Environmental Advisory Council shall keep records of its meetings and activities and shall make an annual report which shall be printed and made available to the public. Minutes of each meeting shall be forwarded to the governing body.

§ 11A-8. Appropriations.

The Lower Providence Township Board of Supervisors may, from time to time, appropriate funds for the expenses incurred by the Environmental Advisory Council.