

6-29-99

RESOLUTION

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, 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, Jackson Township, hereinafter referred to as CLIENT, has entered in a contractual agreement with Berkheimer Associates, a division of H. A. Berkheimer, Inc., of Bangor, Pennsylvania, whereby and whereunder CLIENT appointed Berkheimer Associates to collect Earned Income Tax.

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 ordinances 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 sentenced to pay a fine of not more than Five Hundred Dollars (\$500.00) and costs, or in default of payment of said fines and costs, to be imprisoned for a period not exceeding thirty (30) days, under Act 511; and

WHEREAS, CLIENT desires that Berkheimer Associates provide to taxpayers within its jurisdiction written verification or certification of the tax balance due and owing by a taxpayer to CLIENT, if any, at any given time, upon request of that taxpayer, as a service to the community, and owing by a taxpayer to CLIENT, if any, at any given time, upon request of that taxpayer, as a service to the community.

WHEREAS, Berkheimer Associates requires passage of a resolution by CLIENT'S governing body specifying that said confidential information is needed for official purposes and absolving Berkheimer Associates from any liability in connection with the release of said confidential information.

NOW, THEREFORE, BE IT RESOLVED that:

1. Upon written request of any taxpayer who is subject to the local tax ordinances/resolutions of CLIENT, Berkheimer Associates is hereby instructed to provide a letter to said taxpayer informing same of any outstanding tax balances and/or delinquencies due and owing to CLIENT as of the date of the taxpayer's written request and certifying that said amount stated is true and accurate. If, at the time of said request, the taxpayer requesting such information owes no outstanding tax balances and/or delinquencies to CLIENT, than said certification letter shall state that no taxes are currently due and owing to CLIENT as of the date of the taxpayer's request.
2. Berkheimer Associates is hereby authorized to access a reasonable charge for providing said certification letters as herein described, which is to be paid by the taxpayer at the time that a request for such information is made upon it.
3. CLIENT HEREBY saves harmless, indemnifies and/or absolves Berkheimer Associates from and against any and all liability in connection with the release of any confidential information contained and certification letters as herein described.

RESOLVED, ENACTED AND ADOPTED at a meeting held on the 29th Day of July, 1999.

By: George R. Cooper  
President

Secretary George E. Buekey