

West Wyoming Borough

Resolution No. 10 of 2012

A RESOLUTION OF THE GOVERNING BOARD OF WEST WYOMING BOROUGH (client name), LUZERNE COUNTY PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO EXECUTE AN AGREEMENT WITH BERKHEIMER WHEREUNDER BERKHEIMER IS RETAINED AS THE EXCLUSIVE TAX COLLECTOR FOR THE COLLECTION OF DELINQUENT EARNED INCOME TAXES FOR THE TERM HEREIN DEFINED, TOGETHER WITH SUCH EXTENSIONS AS MAY BE AGREED UPON, SAID TAX ENACTMENT HAVING BEEN ADOPTED UNDER AND PURSUANT TO THE AUTHORITY OF THE PENNSYLVANIA LOCAL TAX ENABLING ACT.

WHEREAS, the Pennsylvania Local Tax Enabling Act ("LTEA") authorizes certain political subdivisions, including, WEST WYOMING BOROUGH (client name), LUZERNE COUNTY, to levy, assess and collect certain local taxes; and

WHEREAS, WEST WYOMING BOROUGH (client name), LUZERNE COUNTY, by Resolution and/or Ordinance, has levied, assessed and provided for the collection of such local taxes; and

WHEREAS, the LTEA specifies that any such political subdivision may 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, WEST WYOMING BOROUGH (client name), LUZERNE COUNTY, and Berkheimer have negotiated an Agreement whereby and whereunder it will hire Berkheimer to collect certain local taxes levied by WEST WYOMING BOROUGH (client name), LUZERNE COUNTY, and

WHEREAS, WEST WYOMING BOROUGH (client name), LUZERNE COUNTY, recognizes the legal obligation and practical necessity for Berkheimer to establish and maintain consistent rules and regulations to be used in the efficient administration and collection of said taxes;

THEREFORE, BE IT RESOLVED that:

1. WEST WYOMING BOROUGH (client name), LUZERNE COUNTY hereby appoints **BERKHEIMER** as its exclusive collector of its:

- Local Services Tax [current/delinquent] (circle one);
- Per Capita Tax [current/delinquent] (circle one);
- Occupational Assessment Tax [current/delinquent] (circle one);

for the initial term commencing 2012 and ending \_\_\_\_\_, and any subsequent renewal terms thereafter, said initial and renewal periods to include all quarterly and annual collections pertinent to the tax years therein. This appointment resolution shall be deemed to encompass any renewal terms agreed upon by the parties without further reenactment of this resolution or re-appointment.

2. Further, **BERKHEIMER** is authorized to retain any costs of collection incurred in recovering delinquent taxes and assessed to the delinquent taxpayer as allowed by law.

3. Further, WEST WYOMING  
BOROUGH (client name), LOZERNE COUNTY  
APPROVES AND ADOPTS the Agreement negotiated with Berkheimer for the collection of the above  
selected taxes.

4. And further, WEST WYOMING  
BOROUGH (client name), LOZERNE COUNTY  
adopts and incorporates the any applicable tax rules and regulations as promulgated by Berkheimer, in their  
entirety.

5. Any resolution or part of this resolution conflicting with the provisions of this resolution be  
and the same are hereby repealed to the extent of such conflict.

ENACTED into a RESOLUTION this 10<sup>th</sup> day of September,  
2012.

BY:

Eileen G...

Daniel Drescavage

Daniel Galambos

ATTEST:

Mawreen Zaboski, Secretary

