The Westmoreland County Tax Collection Committee (WCTCC) met on Tuesday, October 19, 2010 in the Commissioners' Public Meeting Room at the Westmoreland County Courthouse, 2 North Main Street, Greensburg, PA.

CALL TO ORDER: The WCTCC Chairperson Joe Koluder called the meeting to order at 6:35 p.m. with the following members present:

WCTCC Chairperson	-Joe Koluder	-Derry Area School District
WCTCC Vice-Chairperson	-Diane Heming	-Murrysville Municipality
WCTCC Secretary	-Mary Perez	-Greensburg City
WCTCC Treasurer	-Diane Figg	-East Huntingdon Township, Everson Borough-Fayette County
WCTCC Solicitor	-Lawrence Maiello	
Eileen Navish	-Belle Vernon Area School District	
Tammy Tuccarello	-Jeannette City School District	
Peggy Gillespie	-Kiski Area School District	
James J. Meyer	-Greensburg Salem School District	
Jude Abraham	-Hempfield Area School District	
James V. Marnell	-Ligonier Valley School District, Ligonier Township, St. Clair Township	
Allison Willis	-Mt. Pleasant Area School District	
Dallas Leonard	-Penn Trafford School District	
Michael Wrobleski	-Yough School District	
Joe Olszewski	-Avonmore Borough, East Vandergrift Borough, Hyde Park Borough, Oklahoma Borough, Vandergrift Borough, Allegheny Township, Bell Township, Washington Township-Westmoreland County	
Paul A. Fry	-Ligonier Borough	
Patrick G. Egros	-Rostraver Township	
Ronald D. Martz	-Salem Township	
Becky Maruca	-Salem Township	
Jacob Blank	-Unity Township	
Joyce A. Ewing	-Upper Burrell Township	
Margaret Graham	-New Alexandria Borough	
Mary E. Ralston	-Parks Township-Armstrong County	
Judy Gilpin	-Upper Tyrone Township-Fayette County	
Joe Grata	-Washington Township-Fayette County	
Lucille D'Alfonso	-Monessen City	
Caprice M. Mills	-Mt. Pleasant Township	
Gordon Stoves	-North Irwin Borough	
L. Bud Santimyer	-Scottdale Borough	
Scott C. Sistek	-New Stanton Borough	

PLEDGE OF ALLEGIANCE

Mr. Koluder, "We do not have a quorum present so we'll wait for more people to arrive before we approve the minutes. We do need to have a quorum at the next meeting as well as in January so we can approve our budget. We have 36 here tonight; we need seven more. If you know anyone from your area that can come, we'd really appreciate it especially in November and January."

COMMITTEE UPDATES:

Finance Committee-Joe Koluder. Mr. Koluder, "We have a couple items to discuss under the Finance Committee. You received copies of the bills. On Attachment #3 entitled 'October Financial Reports', an excel spreadsheet, if you open it up there are tabs along the bottom. On those tabs are things like the Profit Loss Report for the whole year; Accounts Receivable Report, and there are still a couple groups that owe us money but those groups don't have delegates; and a list of bills. Fortunately when we had a quorum we made the motion that we could continue to pay the bills until we do get a quorum to approve them, so I'm sure Diane will continue to do that. And we also have the Balance Sheet Report on that Financial Report and the 2011 Budget. I made ten copies in the back and all the schedules are included. If you don't have access to excel, e-mail me and I'll try to bring some extra copies to the next meeting. Our budget we're estimating for next year is $24,820. If you look at the Profit Loss statement you'll see there is about $44,000 still remaining through October 14th. So that's what the budget is. The Operating Board can decide when we want to bill for that. So for those of you who are budgeting for municipalities you can assume it's going to be around half of what you paid this year. If we don't have a quorum at the next meeting I guess it would roll over into January?"
Solicitor Maiello, "Yes, but it's supposed to be approved annually."

OTHER CONCERNS:

Operating Board-Joe Koluder. Mr. Koluder, "Another item I wanted to talk about today is come January we are going to elect an Operating Board according to our Bylaws. That Operating Board will be made up of ten people from our TCC body. Five of those representatives will come from the municipalities and five will come from the school districts. So between now and January you want to talk amongst your groups and come up with people who are interested in helping carry this through next year. I was talking to Lawrence earlier and one of the things they'll have to be cautious of is work on the transition process helping Berkheimer in communications with all of the members and helping in that transition next year. So those of you who are interested in being on that Operating Board; it's a very important job. You do have to do a little bit of work. I'm sure there are other members of the TCC that would be willing to step forward and help. So come January 25th it will be very important to have a quorum at that meeting not only to elect the Operating Board but that Operating Board must meet prior to January 31st. I'm scheduling the meetings for the whole TCC next year quarterly; January 25th, April 26th, July 26th and October 25th. All those dates were in the e-mail that was sent out to you. I have an application to request this room from the Westmoreland County representatives and I will forward this to them. So unless there is a conflict with these dates these will be the days that we'll meet. The ten members of the Operating Board will meet after that as often as they feel necessary. They may or may not meet in this building. They may want to meet someplace else. So please mark your calendars for January 25th. That is when we'll elect the Operating Board and then the Operating Board may want to meet right after our meeting but it will have to be advertised. Once these dates are confirmed by the County I'll run an ad saying the Operating Board is going to meet immediately after the full TCC meeting. They can meet and if they're not ready to pick chairmen and so forth then they'll have to schedule

another meeting and advertise for that meeting. So I'll put an ad in for January 25th for both our full TCC, which will be at 6:30 p.m., and then I'll advertise for the Operating Board to meet immediately afterward. The Operating Board will take over and start running things and they'll keep us updated on a quarterly basis. I had asked Diane to research this for us. As you know when we take certain votes it's based upon our percentage makeup of the full TCC and our Bylaws say that is to be updated on a yearly basis. We're looking to update it now but unfortunately the numbers that we're currently going by are the most accurate numbers that are available at this time. So as soon as new numbers become available then Diane will take those new numbers and recalculate those percentages. I would think they're going to be pretty similar to what they are now, but just so you know our Bylaws call for us to do that and we are researching that. Unfortunately it's not like the first year where the Department of Community and Economic Development (DCED) sent us a file and said here are the percentage breakdowns. Now we have to calculate that on our own. Diane is our Treasurer and she's also a Certified Public Accountant so I've asked her to get that together. We'll certainly share that information with the group and if there are any questions we'll answer them at that time. I just wanted you to be aware of that. Diane has been in contact with Michael Foreman from the DCED and there's another representative that he's in contact with from the State level. So if we get anything new on that between now and the next meeting, we'll bring you up to date. Please plan on attending the January 25th meeting; we have to have a quorum so we can have our Operating Board in place and report that to the DCED."
Dallas Leonard, "What would be the length of the term for the Operating Board Committee?"
Mr. Koluder, "It's a year-to-year basis."
Mr. Leonard, "So a one-year commitment?"
Mr. Koluder, "Yes, a one-year commitment. If you would like to continue, I'm sure you could get re-elected."
Mr. Leonard, "If a person gets elected, could his alternate rotate on an 'as needed' basis as it is now?"
Mr. Koluder, "I don't believe so. I believe the ten Operating Board members are the ten that run the day-to-day operations of the business. It has to be a majority rule and you can't make every meeting, but you only have ten so I think you could be more accommodating to each other's schedules."
Joe Olszewski, "You have ten; five and five….."
Mr. Leonard, "Yes, why wouldn't it be 11?"
Mr. Koluder, "We talked about that in the Bylaws and it has to be a quorum. I know when we talked we wanted to keep equal representation from both sides, and I'm just speaking for myself; I was on the Bylaws Committee, I felt that was more important. I think that hopefully the ten can come to an agreement on the items. A lot of the votes need to be passed by the full TCC, for example, the budget or if you want to switch carriers from one company to another company; that has to be done by the TCC. So the Operating Board has a limited number of things they can do without coming back to the full TCC."
Mary Perez, "Those are all addressed in your Bylaws. They're referred to as Major Decisions and Operating Decisions."
Solicitor Maiello, "Section 7."
Mr. Koluder, "I think that was the mindset of the Bylaws Committee; keeping that equal representation."
Solicitor Maiello, "There is just one restriction; there can't be more than two representatives within the same school district boundaries."
Mr. Koluder, "Let's just take Derry for example; if I were on that Operating Board only one other representative either from Derry Borough, Derry Township or New Alexandria Borough could be on the Board. So it can only be two of those ten from one area. We hope that there are

ten different areas represented. We did not want to have five representatives from one area and that's why that is in the Bylaws."
Mr. Olszewski, "What if you represent more than one municipality within that school district?"
Mr. Koluder, "We thought about that and that requirement still stands; there can only be two from one school district area. If you volunteered for that, you would pick one of those ones that you're representing. More than likely you're representing all of those ones from the school but that would still only count as one as I recall. Is that right Lawrence?"
Solicitor Maiello, "That's my recollection."
Mr. Olszewski, "Because we represent eight municipalities would we be able to…."
Mr. Koluder, "You would still be okay."
Solicitor Maiello, "Because you only have one vote as a member."
Diane Figg, "If you don't get enough volunteers, can that one person represent the school district and the municipality?"
Mr. Koluder, "No, the Operating Board must be ten members. There are 86 of us and I'm confident we can get ten. I've scheduled a discussion at our next Business Officials meeting so we can try and have five people ready for January."
"You're going to wait and do all of this at the January meeting?"
Mr. Koluder, "According to the Bylaws, that's when we have to do it. You can certainly discuss it ahead of time and bring that slate of candidates that evening."

Meeting Cancellation-Joe Koluder. Mr. Koluder, "If there are no objections to this, I'm just going to cancel the November 23rd meeting and under 'Old Business' we'll pass the budget first and then we'll appoint the Operating Board members. Does anyone have strong feelings about that? We will advertise that we're cancelling our November 23rd meeting. Please make every effort to make the January 25th meeting. That is a very important meeting. We're being watched at a State level and we've been very professional about this. We've done a great job so far and I'd like to continue to do that, so please make every attempt to be here on January 25th."
"What if the weather is bad on the 25th?"
Mr. Koluder, "I don't know that there are any penalties about not making the January 31st deadline, but if that happens I'll talk amongst the officers and we'll reschedule."
Ms. Figg, "We have to advertise that so many days in advance."
Mr. Koluder, "Forty-eight hours."
Solicitor Maiello, "It's a Bylaw requirement. DCED isn't going to come and say 'hey, you didn't appoint your Operating Board'."
Diane Heming, "If we end up at the end of the year with a balance, say we spend another $5,000 of what we have left in our account, do we need to bill next year? If our budget's only $24,000 next year we really wouldn't need to bill."
Mr. Koluder, "I think the Operating Board can decide that."
Ms. Heming, "Well then it's not imperative that this Budget gets approved right in January if the snow does fall."
Ms. Perez, "I think the Budget needs to be approved. As far as the billing, that timing can be postponed by the Operating Board."
Mr. Koluder, "I'm going to recommend that the Budget be passed and leave it up to the Operating Board whether or not they want to bill everyone or not. If we still have $44,000, they may not want to. Every year the Operating Board should prepare the budget for the next year. The next group can take over and then they have the budget already in place. The next ten may not want to do it that way but I think we should pass the budget for next year."
Ms. Heming, "We'll pass it at the January 25th meeting before the new Board comes in."

Early Implementation-Mary Perez. Ms. Perez, "If any of you are intending on early implementation and not waiting until 2012 for Berkheimer to start collecting, you need to notify the DCED. That's in Act 32."
Solicitor Maiello, "You're supposed to take action as a political subdivision (PSD) by November 1st and make the determination whether you're going to use your current Tax Collector or you're going to use the now-appointed Tax Officer. Then by December 1st you need to notify the DCED."
Ms. Heming, "Only if you're going to use the new one?"
Solicitor Maiello, "Yes, but I spoke to them and this if for informational purposes only. We needed to fill out our tax register and the individual wasn't sure when most PSDs did it. I think schools do it differently than municipalities. But if you fill out an annual information form and send it up to them saying what your rates are and who your Tax Collector is going to be, the legal counsel there said that was sufficient to satisfy the Act. I still think you're better off to take action by November 1st and say who it's going to be. Even though I think you can interpret that you only have to tell them if it's going to be somebody new, you're probably safe if you send them some sort of letter saying this is who your Tax Collector is going to be for 2011 and eliminating any issue. I didn't get the sense from them that they were looking to see a formal resolution passed. They just want to know who it's going to be and they set that timeframe to get their register straightened out."
Mr. Koluder, "So if you're going to switch, notify the DCED."

PUBLIC COMMENT: No public comment this evening.

ADJOURNMENT:

Joe Koluder closed the meeting.
Time: 6:57 p.m.

Respectfully submitted,

Mary Perez
WCTCC Secretary
City Treasurer/Fiscal Director
City of Greensburg