

***Meeting Minutes
Lehigh Tax Collection Committee
Thursday, April 21, 2022 8:30 A.M.***

I. Roll Call/Quorum determination

A meeting was held on Thursday, April 21, 2022 at 8:30 am at the South Whitehall Municipal Building. The purpose of the meeting was to continue the process of compliance with Commonwealth of Pennsylvania Act 32.

Officers in Attendance were:

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| <i>Shane Pepe</i> | <i>Chairperson</i> |
| <i>Cathy Bonaskiewich</i> | <i>Vice Chairperson</i> |
| <i>Jack Meyers</i> | <i>Secretary</i> |
| <i>Steven Miller</i> | <i>Solicitor</i> |
| <i>Ron Kistler</i> | <i>Treasurer</i> |
| <i>David Woglom</i> | <i>Executive Director</i> |

The meeting was called to order at 8:35. Meyers took the roll call vote for the delegates. There were a requisite number of delegates from both the School Districts (5/9) and Municipalities (14/25) in attendance for the meeting. Therefore, a quorum was met for the purposes of conducting the meeting and resolving issues.

II. Re-organization of the Board

Voting of Officers

Motion to reappoint Shane Pepe as Chairperson was made (Carter) and seconded (Bruce). There were no comments or questions, or other nominations. Pepe was reappointed unanimously.

Motion to reappoint Cathy Bonaskiewich as Vice Chairperson was made (Trexler) and seconded (Meyers). There were no comments or questions, or other nominations. Bonaskiewich was appointed unanimously.

Motion to reappoint Jack Meyers as Secretary was made (Bonaskiewich) and seconded (Bruce). There were no comments or questions, or other nominations. Meyers was reappointed unanimously.

Motion to reappoint Ron Kistler as Treasurer was made (Roth) and seconded (Beitel). There were no comments or questions, or other nominations. Kistler was reappointed unanimously.

Woglom announced that after 15 years he is stepping down as Executive Director for the TCC. Nicole Beckett who had served as Borough Manager in Lehigh, and to Carbon

County Tax Collection Committee will be assuming these duties at the end of May. Atty. Miller indicated that the TCC's contract is with the Meyner Center. He expressed his appreciation for the years of service and guidance provided to the LTCC by Woglom. Discussion ensued as to whether the name of the Director is in the contract or generally the Meyner Center. It was determined that the agenda needed to be amended to provide for the appointment of the Executive Director. Motion to add to the agenda the Meyner Center as Executive Director was made (Roth) and seconded (Trexler). There were no comments or questions, and the motion was approved unanimously. It was noted that should the contract reflect a name rather than the organization, the same will be changed.

Miller stated that contract is with the Meyner Center, to cooperate with the taxing authorities. The contract will be reviewed and if the name change to the Meyner Center is advised, it must be acceptable to the LTCC delegates., Woglom said that this is not an intensive position and it works closely with the Tax Officer (i.e. Berkheimer). Motion to appoint the Meyner Center as Executive Director was made (Carter) and seconded (Roth). There were no comments or questions, or other nominations. The motion was passed unanimously, noting that if the contract references Woglom by name that this will be changed.

III. Public Comment regarding agenda items

There were no members of the general public present for comment

IV. Approval of Meeting Minutes

A motion was made (Roth) and seconded (Beitel) that the November 18, 2021 meeting minutes be approved as presented. The motion was approved unanimously.

Discussion ensued on the January 20, 2022 minutes, where the commission rate for the Tax Officer was discussed. Miller advised negotiating and completing the final product and not having another meeting on the matter. It was noted that the commission rate was triggered by Montgomery County and Northampton County Tax Collection Committees changes. Woglom serves as the Executive Director of the NTCC. Our TCC is connected with the MTCC and NTCC. The NTCC has identical language in their contract as our TCC. Keystone Collections balked at lowering the commission rate for the NTCC.

The NTCC pays a higher rate than the LTCC. Woglom elaborated on the EIT revenues collected in Lehigh \$135 million, Northampton \$125 million, Montgomery \$325 million, and Chester & Bucks \$250 million. He firmly believed that the trigger to lower the LTCC's rate should be Montgomery. Miller noted that the minutes should be corrected to reflect Montgomery County only, since the Northampton TCC did not take action. Miller added that this will reflect that the NTCC is out. Motion was made by Bruce, and seconded by Beitel. The motion passed unanimously.

V. Approval of Treasurer's Report

Kistler reported there were two reports, as one was an end of year report. Expenses increased as a result of the tax appeals taken. Woglom added that there was a large assessment back in 2009. These funds have been used to finance the LTCC to this day. However, the tax appeals have placed a strain on the TCC budget. He concluded by advising that an assessment would be necessary in 2023 or 2024 to continue to adequately fund TCC operations. We spend between \$10,000-\$15,000 annually less the appeals. Roth moved, seconded by Beitel that the Treasurers report be approved. The motion passed unanimously.

VI. Approval of Invoices for Payment

Three invoices were presented for payment as noted in Kistler's report. A motion was made (Meyers) and seconded (Trexler) to approve the invoice for payment as presented. The motion was approved unanimously.

VII. Tax Officer's Report

Sean Sanderson presented Berkheimer's report. He touted the success of Act 32 to increase tax collection at lower costs. March EIT collections totaled \$41 million, or \$5 million over that of the prior year. Client reports were uploaded. Printed final returns were distributed. SOC 1 audit will be completed in April, which is an audit of the internal controls of the Tax Officer. It is not a financial audit. Berkheimer has 23 TCC's under contract. He noted that the State Income Tax list was backed up and delayed due to COVID affects. Berkheimer upgraded their website. He encouraged the taxing authorities to push the use of the website to their residents. He concluded by stating that should any taxing authorities adopt legislation (such as act 172) that affect EIT rates or collection, that they forward this information to the Tax Officer.

VIII. Old Business

There was no old business to discuss.

IX. New Business

Approval of Weighted Averages Voting System – Woglom explained that this is an annual exercise designed to keep fresh the weighted averages based upon the total collection of earned income tax by the respective taxing authorities. Motion was made by Bruce, seconded by Beitel, that the Weighted Averages Voting System be approved as presented. The motion passed unanimously.

Approval of LTCC Delegates to the Tax Appeals Board – Delegates were forwarded for consideration to the Tax Appeals Board:

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| Leslie Frisbie, Parkland School District | Delegate |
| Thomas Beil, Upper Saucon Township | Delegate |
| Ronald Kistler, Upper Macungie Township | Delegate |
| Vicky Roth, Hanover Township | Alternate |
| Bruce Beitel, Lower Macungie Township | Alternate |

Motion was made by Carter, seconded by Bruce. The three-year terms were approved unanimously.

Approval of the 2021 Audit – Woglom emailed the document, which is a very simple, straight-forward audit. Expenses and revenues are comparatively minimal compared to most audits. Motion was made by Trexler and seconded by Kistler to accept the audit as presented. The motion was passed unanimously.

X. Next Meeting

The next scheduled meeting is on November 17, 2022 at the South Whitehall Municipal Building at 8:30 am. Miller and Woglom explained that there are inconsistencies in the by-laws of the TCC which need to be addressed. These include the terms in the Tax Appeals Board, procedures for staggered terms, etc. Also, the frequency of meetings of the TCC is dated. Miller noted that he will work with the Executive Committee on these, since they have not been updated in many years.

XI. Public Comment

There was no public comment

XII. Adjournment

The date for the next regular meeting is November 17, 2022. There being no further business to discuss, a motion was made (Roth) and seconded (Bonaskiewich) to adjourn the January 20, 2022 meeting at 9:29 am.

Respectfully submitted,

Jack D. Meyers
Secretary