

**SPECIAL MEETING – ADAMS COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, APRIL 28, 2015**

The Adams County Board of Commissioners met this date in a Special Meeting at 2:03 p.m. in the Commissioners Meeting Room of the Adams County Courthouse with Chairman Randy L. Phiel presiding. The following were in attendance: Commissioners James E. Martin and Marty Karsteter Qually; Albert M. Penksa, County Manager; John Hartzell, Solicitor; Molly Mudd, Assistant Solicitor; Theresa Adamik, Treasurer; Beth Smith, Deputy Treasurer; Daryl Crum, Tax Services Director; News Reporter Vanessa Pellechio, *The Gettysburg Times* and Paula V. Neiman, Chief Clerk.

At this time Chairman Phiel turned the Special Meeting over to Solicitor Hartzell to provide an overview of the purpose of this meeting. It was announced that the Tax Collector in New Oxford Borough has resigned and the Board of Commissioners will need to take action to direct the County Treasurer, Theresa Adamik to collect the County taxes within the Borough of New Oxford. Solicitor Hartzell noted it was publicly advertised in *The Gettysburg Times* and posted as required by the Sunshine Law. He also noted that New Oxford Borough will be meeting today on the same subject matter with actions to be taken.

**Public Comment:**

There was no Public Comment addressed to the Board at this time.

**New Oxford Borough Tax Collection:**

Mr. Qually moved, seconded by Mr. Martin to approve, based upon the understanding that the New Oxford Borough Tax Collector is unable to fulfil the duties of Tax Collector, and that New Oxford Borough Council will declare the Tax Collector position vacant at a Special Meeting to be held April 28, 2015, the Board hereby directs the County Treasurer, Ms. Theresa Adamik, collect all County taxes due and owing in New Oxford Borough, pursuant to provisions of the Local Tax Collection Law, 72 P.S. § 5511.4d, and to do so through the end of the calendar year 2015, that being December 31, 2015.

Motion carried.

**Resolution No. 3 of 2015:**

Mr. Martin moved, seconded by Mr. Qually to approve and sign Resolution No. 3 of 2015 as follows:

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF  
THE COUNTY OF ADAMS THAT THE COUNTY TREASURER  
COLLECT COUNTY AND MUNICIPAL TAXES FOR THE  
BOROUGH OF NEW OXFORD**

**WHEREAS**, the Local Tax Collection Law, Public Law 1050 of 1945, as amended, codified at 72 P.S. § 5511.1, et seq., (the “Act”) provides for the administration of duties for municipal tax collectors in the Commonwealth of Pennsylvania; and

**WHEREAS**, the New Oxford Borough Tax Collector is unable to fulfill responsibilities for this position, having tendered her resignation on April 27, 2015 via a letter dated April 23, 2015, and due to her being unqualified for the position due to the unavailability of a bond, which is required by provisions of the Act, 72 P.S. § 5511.4; and

**WHEREAS**, the Act requires that tax collectors be available at least three days during the last week of the discount payment week for the payment of local and county taxes, pursuant to 72 P.S. § 5511.13; and

**WHEREAS**, the Adams County Board of Commissioners, by action taken this date, have directed the County Treasurer, Ms. Theresa Adamik, to collect taxes due and owing to the County in New Oxford Borough, pursuant to 72 P.S. § 5511.4d (a), due to a vacancy in the position of the New Oxford Borough Tax Collector; and

**WHEREAS**, the County Treasurer may collect the taxes for the local municipality when a vacancy exists in the office of local tax collector, the County Treasurer has been appointed or directed by the Board of County Commissioners to collect County taxes in that municipality, and an agreement is made between the governing body of the local municipality and the Board of County Commissioners providing that the County Treasurer undertake such collection for the municipality, 72 P.S. 5511.4d (a); and

**WHEREAS**, the County and New Oxford Borough wish to mutually acknowledge this assignment of responsibilities to the County Treasurer.

**NOW, THEREFORE, BE IT RESOLVED** by the Adams County Board of Commissioners, and it is hereby **RESOLVED** by authority of the same Board of Commissioners, as follows:

1. The Adams County Treasurer, Ms. Theresa Adamik, as assisted by her duly appointed and bonded staff, is appointed to collect all municipal and county taxes for the remainder of calendar year 2015, through December 31, 2015, in the Borough of New Oxford.
2. This collection shall occur at the New Oxford Borough Offices, at the times and dates noted in the municipal and county tax bills provided to New Oxford Borough real property owners, or at such other location as may be duly determined and advertised by the Adams County Treasurer.
3. The Board of Commissioners of the County of Adams (“Board”) hereby authorizes the County to enter into an agreement between the County of Adams and the Borough of New Oxford, under the terms and conditions set forth in the agreement which is attached hereto as Exhibit “A,” and incorporated herein by reference.
4. The Office of the Adams County Treasurer shall have the duties and responsibilities to bill and collect all municipal and county taxes due and owing in the Borough of New Oxford, to properly manage all collected revenue, to pay over all collected taxes as required by statutes, laws and regulations, and to properly update all related tax duplicates and records.
5. The agreement between the County of Adams and the Borough of New Oxford shall continue through the end of the 2015 calendar year, that being December 31, 2015. Such tax collector duties shall then be undertaken by a duly elected New Oxford Tax Collector, who will be elected in the 2015 Municipal Election, and who shall take office January 1, 2016, or by such other successor as elected or appointed in accordance with the law.

**THIS RESOLUTION IS DULY ADOPTED ON** this 28th day of April 2015, at a duly advertised special meeting of the Board of Commissioners of the County of Adams.

**ATTEST**

**ADAMS COUNTY COMMISSIONERS**

By: \_\_\_\_\_/s/\_\_\_\_\_  
Paula V. Neiman, Chief Clerk

By: \_\_\_\_\_/s/\_\_\_\_\_  
Randy L. Phiel, Chairman

By: \_\_\_\_\_/s/\_\_\_\_\_  
James E. Martin, Vice-Chairman

By: \_\_\_\_\_/s/\_\_\_\_\_  
Marty Karsteter Qually, Commissioner

Motion carried.

**Commissioners:**

Mr. Qually moved, seconded by Mr. Martin to approve to enter into an Agreement between the County of Adams and New Oxford Borough for the collection of County and Municipal taxes by the Adams County Treasurer, as provided for by the Local Tax Collection Law, 72 P.S. § 5511.4d.

Motion carried.

**Other Business:**

There was no Other Business brought before the Board at this time.

**Adjournment:**

Mr. Martin moved, seconded by Mr. Qually to adjourn the Special Meeting at 2:26 p.m. this date.

Motion carried.

Respectfully submitted,

Paula V. Neiman  
Chief Clerk