



CITY OF ALLENTOWN

No. 37

RESOLUTION

R – 2021

*Introduced by the Administration on March 17, 2021*

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**A Resolution Of The Governing Board Of Allentown City, Lehigh County, Pennsylvania, Authorizing, Empowering And Directing The Proper Officers Of The Governing Board To Appoint A Liaison Between It And Berkheimer, The Duly Appointed Collector Of Local Taxes For The District, For The Express Purpose Of Sharing Confidential Tax Information With The District For Official Purposes**

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***Resolved by the Council of the City of Allentown, That***

**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 Allentown City, Lehigh County, 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**, Allentown City, Lehigh County, has entered into contractual agreement with Berkheimer of Bangor, Pennsylvania, whereby and whereunder appointed Berkheimer to collect certain local taxes; and

**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 ordinance 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 subject to fines and/or imprisonment, upon conviction, and dismissal from office or discharge from employment; and

**WHEREAS**, Berkheimer requires passage of a resolution by the governing body of Allentown City, Lehigh County specifying that said confidential information is needed for official purposes and absolving Berkheimer from any liability in connection with the release of said confidential information.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. Allentown City, Lehigh County hereby appoints Seth O'Neill, Finance Director; Jessica Baraket, Deputy Finance Director; Tricia Dickert, Revenue and Audit Manager; Bina Patel, Treasury Manager; Michael Sinclair, Accountant, Audrey Danek, Financial Analyst as its authorized representative to make requests upon and receive any and all tax information and records from Berkheimer, relative to the collection of taxes for Allentown City, as desired and deemed necessary by Allentown City, to be used for official purposes only; and

2. Berkheimer is hereby directed to provide and/or transmit any and all tax information and records, or any portion thereof, relating to the collection of taxes for the Allentown City, upon request, to Seth O'Neill, Finance Director; Jessica Baraket, Deputy Finance Director; Tricia Dickert, Revenue and Audit Manager; Bina Patel, Treasury Manager; Michael Sinclair, Accountant, Audrey Danek, Financial Analyst as the authorized contact representative for it.

3. Allentown City, Lehigh County hereby saves harmless, indemnifies and/or absolves Berkheimer from and against any and all liability in connection with the release of said confidential information.

**RESOLVED, ENACTED AND ADOPTED** at a meeting held on the Seventeenth day of March, 2021.

## LEGISLATIVE TEMPLATE

- **What Department or bureau is Bill originating from? Where did the initiative for the bill originate?**

Finance Department

- **Summary and Facts of the Bill**

To permit access of certain employees in the Finance office to access Berkheimer's online portal for tax collection information

- **Purpose – Please include the following in your explanation:**
  - **What does the Bill do – what are the specific goals/tasks the bill seek to accomplish**
  - **What are the Benefits of doing this/Down-side of doing this**
  - **How does this Bill related to the City's Vision/Mission/Priorities**

Due to recent changes in personnel within the Finance Department, the list of those employees who have access to Berkheimer's online portal needs to be updated. These individuals may access tax collection information for purposes of reviewing, recording, reconciling, and auditing.

- **Financial Impact – Please include the following in your explanation:**
  - **Cost (Initial and ongoing)**
  - **Benefits (initial and ongoing)**

There is no financial impact.

- **Funding Sources – Please include the following in your explanation:**
  - **If transferring funds, please make sure bill gives specific accounts; if appropriating funds from a grant list the agency awarding the grant.**

NA

- **Priority status/Deadlines, if any**

Normal priority

- **Why should Council unanimously support this bill?**

For ease of the transition of workload to employees filling new roles within the Finance department