

Borough of Portage

PORTAGE, PENNSYLVANIA

RESOLUTION NO. 9-2021

A RESOLUTION OF THE GOVERNING BOARD OF PORTAGE BOROUGH, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING, EMPOWERING AND DIRECTING THE PROPER OFFICERS OF THE GOVERNING BOARD TO APPOINT A LIAISON BETWEEN IT AND BERKHEIMER, THE DULY APPOINTED DELINQUENT COLLECTOR OF Per Capita FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.

WHEREAS, the Local Tax Enabling Act ("LTEA"), authorizes certain political subdivisions, including PORTAGE BOROUGH, CAMBRIA COUNTY, to levy, assess and collect a tax on persons residing in a taxing district, as therein with more particularity specified, generally and hereinafter referred to as the "Per Capita Tax"; and

WHEREAS, PORTAGE BOROUGH, CAMBRIA COUNTY, has levied, assessed and provided for the collection of an Per Capita Tax under the LTEA; and

WHEREAS, the LTEA 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 PORTAGE BOROUGH, CAMBRIA 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. PORTAGE BOROUGH, CAMBRIA COUNTY, hereby appoints ROBERT KOBAN 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 PORTAGE BOROUGH, CAMBRIA COUNTY, as desired and deemed necessary by PORTAGE BOROUGH, CAMBRIA COUNTY, 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 PORTAGE BOROUGH, CAMBRIA COUNTY, upon request, to ROBERT KOBAN as the authorized contact representative for it.

3. PORTAGE BOROUGH, CAMBRIA 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.

ENACTED into a RESOLUTION this 7th day of June, 2021.

By: 
George Wozniak
Council President

Attest: 
Michelle Claar
Borough Secretary