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**A RESOLUTION OF HAMILTONBAN TOWNSHIP PROVIDING FOR AN  
AGREEMENT BETWEEN ADAMS COUNTY AND HAMILTONBAN TOWNSHIP,  
ADAMS COUNTY, PENNSYLVANIA FOR THE COLLECTION OF TAXES  
PURSUANT TO THE LOCAL TAX COLLECTION LAW, 72 P.S. SECTION 5511.4d  
NO. 2023-05**

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**WHEREAS;**

Hamiltonban Township (Township) is a Township organized and existing pursuant to the laws of the Commonwealth of Pennsylvania and is a taxing district as defined in the Local Tax Collection Law; and

Adams County (County) is a Fifth Class County organized and existing pursuant to the laws of the Commonwealth of Pennsylvania; and

The Township's Tax Collector has resigned her position effective February 28, 2023; and

The Township is unable to fill the position of Tax Collector for its municipality; and

As authorized by Section 4d of the LTCL, 72 P.S. §5511.4d, the County and the Township may enter into an Agreement for the collection of the taxes levied by the Township by the County Treasurer under certain circumstances:

**NOW THEREFORE, BE IT RESOLVED** by the Board of Supervisors of the Township of Hamiltonban, Adams County, Pennsylvania, as follows:

**SECTION 1:** The Board of Supervisors of the Township of Hamiltonban hereby approves and authorizes and directs its Chairman, Vice-Chairman and Secretary to execute and deliver an Agreement for Collection of Municipal and County Taxes, a copy of which is attached as Exhibit "A" and incorporated by reference as if fully set forth (the "Agreement"). The specific terms, conditions and provisions of the Agreement are made a part of this Resolution.

**SECTION 2:** The terms and conditions of the Agreement are those as set forth in the attached Exhibit "A", incorporated as if fully set forth herein.

**SECTION 3:** The duration of the Agreement is for a set period of time as set forth in Section 4 of the Agreement (Exhibit "A") which shall expire December 31, 2023.

**SECTION 4:** The purpose and objectives of the agreement, including the powers and scope of authority delegated under the Agreement, are those as set forth in the attached Exhibit "A", incorporated as if fully set forth herein.

**SECTION 5:** The provisions of this Resolution are severable, and should any section, subsection, clause, sentence or part be held or declared illegal, invalid and unconstitutional by any court of competent jurisdiction, the decision shall not affect nor impair any of the remaining sections, subsections, clauses, sentences or parts. It is hereby declared to be the intent of the

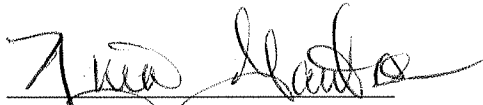
Hamiltonban Township Board of Supervisors that this Resolution would have been adopted if such illegal invalid or unconstitutional section, subsection, clause, or sentence or part had not been included.

**SECTION 6:** All Resolutions or parts thereof inconsistent with the terms of the Resolution are repealed to extent of such inconsistency.

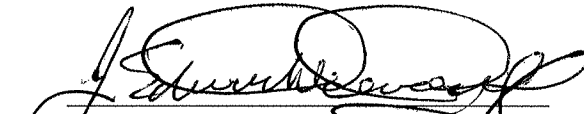
**SECTION 7:** This Resolution shall become effective immediately.

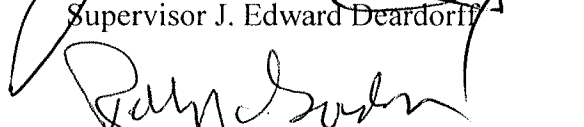
**RESOLVED** by the Board of Supervisors of the Township of Hamiltonban, Adams County, Pennsylvania, on the 7<sup>th</sup> Day of February 2023.

**ATTESTED BY:**


  
\_\_\_\_\_  
Nina Garretson  
Secretary/Treasurer

**Board of Supervisors  
Hamiltonban Township**

  
\_\_\_\_\_  
Supervisor J. Edward Deardorff

  
\_\_\_\_\_  
Supervisor Robert L. Gordon

\_\_\_\_\_  
Supervisor David B. Martin

  
\_\_\_\_\_  
Supervisor Coleen N. Reamer

  
\_\_\_\_\_  
Supervisor Douglas W. Woerner

**AGREEMENT FOR COLLECTION OF  
MUNICIPAL AND COUNTY TAXES**

This Agreement is entered into this \_\_\_\_ day of February, 2023, by and between the County of Adams ("County"), a municipal corporation and fifth class county of the Commonwealth of Pennsylvania, with offices at 117 Baltimore Street, Suite 201, Gettysburg, Pennsylvania 17325; and the Township of Hamiltonban ("Township"), a Pennsylvania Township, with a mailing address of 23 Carrolls Tract Road, P.O. Box 526, Fairfield, PA 17320.

**WITNESS**

**WHEREAS**, the Township of Hamiltonban Tax Collector is unable to fulfill responsibilities for this position, having tendered her resignation effective February 28, 2023 leaving a vacancy in the Tax Collector position until after the 2023 Municipal Elections as required by the Township Code, as amended, codified at 8 Pa.C.S. § 901; and

**WHEREAS**, the Board of Commissioners of the County of Adams ("Board"), has directed Ms. Christine Redding, Adams County Treasurer, to collect all County taxes due and owing in the Township, pursuant to authority contained in the Act, at 72 P.S. § 5511.4d; and

**WHEREAS**, the Township of Hamiltonban ("Township") wishes to utilize the services of the Adams County Treasurer to collect all municipal taxes due and owing, as provided for by the Act at 72 P.S. § 5511.4d, which the Board of Supervisors is signifying by the adoption of a duly enacted resolution, such resolution to be enacted at a duly advertised meeting; and

**WHEREAS**, the Board is likewise enacting a resolution, as required and called for at 72 P.S. § 5511.4d; and

**WHEREAS**, the Act, in allowing for the collection of municipal and county taxes, requires the adoption of an agreement setting forth the terms of the collection responsibilities of the Adams County Treasurer.

**NOW THEREFORE**, with the foregoing incorporated herein and made an essential part hereof, the parties, intending to be legally bound hereby, agree as follows:

1. **Term.** The Adams County Treasurer ("Treasurer") shall undertake all tax collection duties within the Township of Hamiltonban for municipal and County taxes from the date of this agreement through December 31<sup>st</sup>, 2023.
2. **Duties.** The Treasurer shall comply with all requirements of the Local Tax Collection Law in the performance of these duties. All records and tax duplicates shall be marked and updated as required, collected revenue shall be timely paid over as required, and the Treasurer and associated staff shall remain bonded in carrying out these duties. Moreover, the Treasurer shall coordinate and communicate with the Township and County of Adams staffs as necessary to perform these responsibilities.
3. **Purpose and Objectives.** The purpose of this agreement is to ensure the timely, complete, efficient, and responsible collection of municipal and county taxes in the Township, with the least amount of disruption or inconvenience to the taxpayers, Township, and County. The objectives of this agreement are: (1) ensure complete tax collection of municipal and county taxes; (2) undertake collection by the bonded County Treasurer and her staff, (3) minimize any change, uncertainty, or confusion for Township taxpayers, and Township and County personnel; and (4) provide for continued collection throughout the term of this agreement.

4. **Office Hours.** The Treasurer shall hold office hours on Monday through Friday, from 8:00 a.m. to 4:30 p.m, subject to holidays and other closures by the County. Other required office hours shall be at the Treasurer's discretion, after consulting with the Township.
5. **Costs.** Any and all other costs and payments for collection, supplies, and materials, shall be as provided for in the Act.
6. **Delegation of Powers.** The Township and County are not delegating any powers through the institution of this agreement, save that the Township agrees during the term of this agreement not to appoint a tax collector to a vacant position, as provided for the Township Code, 53 Pa. C.S. § 901.

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed the day and year first above written.

[SIGNATURE PAGE FOLLOWS]

**ATTEST**

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

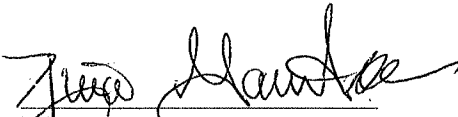
**ADAMS COUNTY COMMISSIONERS**

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

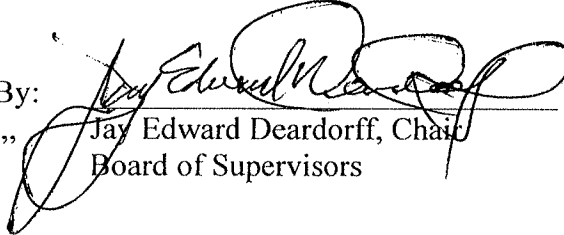
By: \_\_\_\_\_  
James E. Martin, Vice-Chairman

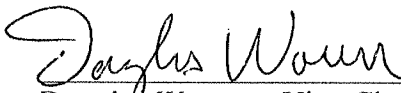
By: \_\_\_\_\_  
Marty Karsteter Qually, Commissioner

**ATTEST**

By:   
Nina Garretson  
Secretary/Treasurer

**HAMILTONBAN TOWNSHIP**

By:   
Jay Edward Deardorff, Chair  
Board of Supervisors

By:   
Douglas Woerner, Vice-Chairman  
Board of Supervisors