

**CHAPTER 1**

**ADMINISTRATION AND GOVERNMENT**

**PART 1**

**REGULAR AND SPECIAL MEETINGS OF THE BOARD OF SUPERVISORS**

- §1-101. Order of Business**
- §1-102. Public Comment**

**PART 2**

**COMPENSATION OF THE BOARD OF SUPERVISORS**

- §1-201. Compensation of the Board of Supervisors**

**PART 3**

**AUTHORITIES**

- A. Towanda Area Joint Municipal Airport Authority.**

- §1-301. Intent**
- §1-302. Articles of Incorporation**
- §1-303. Notice**
- §1-304. Publication**
- §1-305. First Members**
- §1-306. Purpose**

- B. Central Bradford Progress Authority.**

- §1-311. Purpose**
- §1-312. Title**
- §1-313. Articles of Incorporation**
- §1-314. Terms of Board Members**
- §1-315. Officers**
- §1-316. Execution of Articles of Incorporation**

**PART 4**

**REIMBURSEMENT FOR EXPENSES**

- §1-401. Definitions**

**ADMINISTRATION AND GOVERNMENT**

- §1-402. Administration**
- §1-403. Litigation**
- §1-404. Emergency Services**

**PART 5**

**COLLECTION PROCEDURES AND SCHEDULE OF FEES**

- §1-501. Collection of Fees**
- §1-502. Schedule of Fees**
- §1-503. Collection Procedures**

**PART 6**

**RIGHT TO KNOW ACT**

- §1-601. Right to Documents**
- §1-602. Availability of Documents**
- §1-603. Fees for Copies**
- §1-604. Non-reviewable Documents**
- §1-605. Limited Access**
- §1-606. Denial of Access**
- §1-607. Fees Prior to Granting a Request**

**PART 7**

**DELINQUENT TAX COLLECTOR**

- §1-701. Appointment of Elected Tax Collector**

**PART 1**

**REGULAR AND SPECIAL MEETINGS OF THE BOARD OF SUPERVISORS**

**§1-101. Order of Business.**

All regular and special meetings of the Towanda Township shall be conducted according to the following order of business:

- Call to order
- Pledge of allegiance
- Minutes of previous meeting
- Treasurers report
- Public comment
- Administrative actions
- Staff reports
- Old business
- New business
- Correspondence
- Adjournment

(Res. 93-2, 9/7/1993; as amended by Ord. 47, 7/9/2001)

**§1-102. Public Comment.**

Public comment at regular or special meetings shall be governed by the following rules and regulations.

- A. A period of public comment shall be held at each meeting.
- B. The Chairman of the Board shall preside over the public comment period and may within his discretion:
  - (1) Recognize individuals wishing to offer comment.
  - (2) Require identification of such persons.
  - (3) Allocate available time among individuals wishing to comment.
  - (4) Rule out of order scandalous, impertinent and redundant comment or any comment the discernible purpose of which is to disrupt or prevent the conduct of the business of the meeting.
- C. The total time allocated for the public comment period at each meeting shall be 30 minutes. [Ord. 47]

## ADMINISTRATION AND GOVERNMENT

- D. In the event that there is insufficient time for public comment at the meeting, the Board of Supervisors, at its discretion, may defer the public comment period to a meeting held in advance of the next regular meeting or until the next regular or special meeting.

(Res. 93-2, 9/7/1993; as amended by Ord. 47, 7/9/2001)

**PART 2**

**COMPENSATION OF THE BOARD OF SUPERVISORS**

**§1-201. Compensation of the Board of Supervisors.**

1. Each Supervisor of Towanda Township elected or appointed to office after the effective date of this Part shall receive compensation for attending duly advertised general or special public meetings or hearings of the Board of Supervisors, or other authorized meetings by the Board of Supervisors, at the rate of \$125 for each meeting attended by such Supervisor, not to exceed the maximum allowed by Act 68.
2. Such compensation shall be paid monthly, quarterly or semi-annually.

(Ord. 36, 11/6/1995)



**PART 3**

**AUTHORITIES**

**A. Towanda Area Joint Municipal Airport Authority.**

**§1-301. Intent.**

The Board of Supervisors of this Township signifies its intention and desire to organize an Authority, jointly, with certain other municipalities, namely, Towanda Borough, Monroe Borough, Wysox Township, North Towanda Township, and Asylum Township under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the “Municipality Authorities Act of 1945” (the “Authorities Act”), for the purpose of exercising any and all powers conferred by the Authorities Act. The Authority shall be organized, jointly, by the Borough of Towanda and the Borough of Monroe, Townships of Towanda, North Towanda, Asylum and Wysox, all situate in Bradford County, Pennsylvania.

(Ord. 3/3/1986A, 3/3/1986, §1)

**§1-302. Articles of Incorporation.**

The President of the Board of Supervisors and Secretary, respectively, of this Township are authorized and directed to execute, in behalf of this Township, Articles of Incorporation for the Authority in the following form:

**ARTICLES OF INCORPORATION**

**TO: THE SECRETARY OF THE COMMONWEALTH OF PENNSYLVANIA**

In compliance with requirements of the Acts of Assembly approved May 2, 1945, P.L. 382, known as the “Municipality Authorities Act of 1945, as amended and supplemented, and pursuant to Ordinances duly enacted by the municipal authorities of the Boroughs of Towanda and Monroe, and the Townships of Towanda, North Towanda, Asylum, and Wysox, all situate in Bradford County, Pennsylvania, expressing the intention and desire of the municipal authorities of said municipalities to organize an Authority, jointly, under provisions of said Act, said incorporating municipalities certify:

- A. The name of the Authority is “Towanda Area Joint Municipal Airport Authority.”
- B. The Authority is formed under provisions of the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the “Municipality Authorities Act of 1945.”

## ADMINISTRATION AND GOVERNMENT

- C. Authorities which have been organized under the Act of Assembly approved May 2, 1945, P.L. 382, as amended and supplemented, known as the "Municipality Authorities Act of 1945," or under the Act of Assembly approved June 28, 1935, P.L. 463, as amended and supplemented, and which are in existence in or for any incorporating municipality, are as follows:
- (1) Towanda Water and Sewer Municipal Authority (formed by Towanda Borough, later joined by North Towanda Township).
  - (2) Wysox Township Municipal Authority.
  - (3) Municipal Hospital Authority of the Township of North Towanda.
- D. The purpose of the authority is to own, manage, construct and to operate an airport located in Towanda Township and to repair, store and assemble airplanes of all kinds and to rent space for the storage of the same and to do any and all things incidental to and necessary for the operation of an airport.
- E. The names of the incorporating municipalities are:
- (1) Borough of Towanda, Bradford County, Pennsylvania;
  - (2) Borough of Monroe, Bradford County, Pennsylvania;
  - (3) Township of Towanda, Bradford County, Pennsylvania;
  - (4) Township of North Towanda, Bradford County; Pennsylvania;
  - (5) Township of Asylum, Bradford County, Pennsylvania;
  - (6) Township of Wysox, Bradford County, Pennsylvania.
- F. The names and addresses of all the municipal authorities of said incorporating municipalities are: [Here followed the names and address of all the municipal authorities of said incorporating municipalities.]
- G. The members of the Board of the Authority shall be six in number, with one member being appointed by the Borough of Towanda, one member being appointed by the Borough of Monroe, one member being appointed by the Township of Towanda, one member being appointed by the Township of North Towanda, one member being appointed by the Township of Asylum, and one member being appointed by the Township of Wysox.
- H. The names, addresses and terms of office of the first members of the Board of the Authority, each of whom is a citizen or taxpayer of the incorporating municipality by which he is appointed, are as follows: [Here followed the name, address, appointing municipality and terms of office of the first members of the Board of the Authority.]

(Ord. 3/3/1986A, 3/3/1986, §2)



**§1-303. Notice.**

The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting jointly with appropriate officers of the other municipalities set forth in §301 of this Part 3A, are authorized and directed to cause notice of the substance of this Part 3A, including the substance of the foregoing Articles of Incorporation, and of the proposed filing of such Articles of Incorporation, to be published as required by the Authorities Act.

(Ord. 3/3/1986A, 3/3/1986, §3)

**§1-304. Publication.**

The Chairman or Vice Chairman of the Board of Supervisors and Secretary, respectively, of this Township, acting jointly with appropriate officers of the other municipalities set forth in §301 authorized and directed to file such Articles of Incorporation and the necessary proofs of publication with the Secretary of the Commonwealth of Pennsylvania and to do all other things necessary to effect the incorporation of such Authority, including payment of the required filing fee.

(Ord. 3/3/1986A, 3/3/1986, §4)

**§1-305. First Members.**

The following named persons are appointed as the first members to represent this Township on the Board of such Authority: [Here followed the named persons appointed as the first members to represent this Township.]

(Ord. 3/3/1986A, 3/3/1986, §5)

**§1-306. Purpose.**

The enactment of this Part 3A is deemed necessary for the benefit of and preservation of the public health, peace, comfort and general welfare of and will increase the prosperity of citizens of this Township.

(Ord. 3/3/1986A, 3/3/1986, §6)

**B. Central Bradford Progress Authority.**

**§1-311. Purpose.**

It is the joint desire and intention of the Townships of North Towanda, Towanda and Wysox and the Borough of Towanda, municipalities of the Commonwealth of Pennsyl-

## ADMINISTRATION AND GOVERNMENT

vania and all situated in central Bradford County, to organize an authority under the Municipality Authorities Act of 1945, approved May 2, 1945, its supplements and amendments, for the purpose of exercising any and all powers conferred by said act. The municipalities have retained the right which exists under this act to approve any plan of the authority in case the authority created is for the purpose of making business improvements or providing administrative services if appropriate. The adoption of this Part 3B is deemed necessary to create an intermunicipal organization in the central Bradford County area for the four participating municipalities: the Townships of North Towanda, Towanda and Wysox and the Borough of Towanda for the purposes set forth in the following paragraph:

The purpose of this organization shall be to promote the overall economic growth of the central Bradford County area in particular and the surrounding central Bradford County area as a whole and foster area wide cooperation by the creative interchange of ideas, promotion of intercommunity relations, exchange of information for industrial, commercial and community development purposes and general civic betterment. One of the major functions of the authority is the administration of the enterprise zone. The organization shall serve as an economic and community development entity that encourages, assists and promotes the industrial, commercial and social welfare of the central Bradford County area. The organization shall be permitted to buy, hold, sell, mortgage, or lease real or personal property and perform all other lawful acts necessary or convenient in carrying out the foregoing purposes. The organization may also solicit and accept funds from any person, trust, associations, corporations, government agencies and other entities for the same purposes.

(Ord. 31, 12/8/1992, §1)

### **§1-312. Title.**

The name of the proposed authority is the “Central Bradford Progress Authority.”

(Ord. 31, 12/8/1992, §2; as amended by Res. 97-3, 2/3/1997, §1)

### **§1-313. Articles of Incorporation.**

The proposed Articles of Incorporation of said authority are as follows:

#### CENTRAL BRADFORD PROGRESS AUTHORITY

#### ARTICLES OF INCORPORATION

To the Secretary of the Commonwealth of Pennsylvania:

In compliance with the Municipality Authorities Act of 1945, its supplements and amendments, the Townships of North Towanda, Towanda, and Wysox and the Borough

of Towanda, all situated in Bradford County, Pennsylvania, and all Municipalities of the Commonwealth of Pennsylvania, pursuant to identical ordinances duly adopted by the respective municipalities signifying their joint desire and intention to form an Authority, hereby certify:

- A. The name of the Authority shall be the “Central Bradford Progress Authority.” [Res. 97-3]
- B. This Authority is formed under the Municipality Authorities Act of 1945, its supplements and amendments.
- C. No other joint Authority organized under the Municipality Authorities Act of 1945, its supplements or amendments, or under the Act approved June 28, 1935, P.L. 463, its supplements or amendments, is in existence in or for the incorporating municipalities named herein. Except as follows:

Towanda Borough has organized an Authority under the Municipality Act of May 2, 1945, P.L. 382, as follows:

- (1) Towanda Airport Authority:
  - Towanda Borough
  - Wysox Township
  - North Towanda Township
  - Towanda Township
  - Asylum Township
  - Monroe Township
- (2) Towanda Municipal Authority:
  - Towanda Borough
  - North Towanda Township

North Towanda has organized an Authority under the Municipality Act of May 2, 1945, P.L. 382, as follows:

- (1) Towanda Airport Authority:
  - Towanda Borough
  - Wysox Township
  - North Towanda Township
  - Towanda Township
  - Asylum Township
  - Monroe Township
- (2) Towanda Municipal Authority:
  - Towanda Borough
  - North Towanda Township
- (3) Memorial Hospital Authority:
  - North Towanda Township

## ADMINISTRATION AND GOVERNMENT

Wysox Township has organized an Authority under the Municipality Act of May 2, 1945, P.L. 382, as follows:

- (1) Wysox Municipal Authority:  
Wysox Township
- (2) Towanda Airport Authority:  
Towanda Borough  
Wysox Township  
North Towanda Township  
Towanda Township  
Asylum Township  
Monroe Township

Towanda Township Authority has organized an Authority under the Municipality Act of May 2, 1945, P.L. 382, as follows:

- (1) Towanda Airport Authority:  
Towanda Borough  
Wysox Township  
North Towanda Township  
Towanda Township  
Asylum Township  
Monroe Township

- D. The respective names of the incorporating municipalities are the Townships of North Towanda, Towanda, and Wysox and the Borough of Towanda.
- E. The names of the Mayor and the members of Council, and the Supervisors, such persons being the municipal officials of said municipalities, are as follows: [Here followed the names of the Mayor and the members of Council and the Supervisors.]
- F. The membership of the Board of the Authority shall consist of 20 members who reside or work within the geographic boundaries of the participating municipalities. They should be or have been in management positions with decision making responsibilities. Any member appointed to the Authority must have demonstrated a strong commitment to civic, community and public affairs with the willingness to be actively involved in the projects and programs undertaken by the Authority.

Each municipality shall have five members on the Board of Directors. These directors shall be appointed from municipal officials, industrial, business, civic, and public sectors.

The Board shall be organized as follows:

- (1) One member being a municipal official of the Borough of Towanda to be appointed by the Borough of Towanda;
- (2) One member being a municipal official of the North Towanda Township to be appointed by the Township of North Towanda;
- (3) One member being a municipal official of Wysox Township to be appointed by the Township of Wysox; and
- (4) One member being a municipal official of the Towanda Township to be appointed by the Township of Towanda.

The four members appointed by the respective municipalities, together with the Central Bradford Progress Authority Steering Committee, shall nominate the remaining 16 initial members to the Board. Those members shall be from the following organizations: [Res. 97-3]

- (5) One member from the Towanda Area Industrial Development Corporation, said member to be selected by the Towanda Borough municipal official mentioned above and to then be appointed by the Borough of Towanda.
- (6) One member from the Towanda Area Industrial Development Corporation, said member to be selected by the North Towanda Township municipal official mentioned above and to then be appointed by the Township of North Towanda.
- (7) One member from the Towanda Area Industrial Development Corporation, said member to be selected by the Wysox Township municipal official mentioned above and to then be appointed by the Township of Wysox.
- (8) One member from the Towanda Area Industrial Development Corporation, said member to be selected by the Towanda Township municipal official mentioned above and to then be appointed by the Township of Towanda.
- (9) One member who is affiliated with GTE Products (or their successor) or another industrial representative having decision making responsibilities and management experience, said member to be recommended by the Towanda Borough municipal official mentioned above and to then be appointed by the Borough of Towanda. [Res. 00-4]
- (10) One member who is affiliated with E.I. Dupont de Nemours (or their successor) or another industrial representative having decision making responsibilities and management experience, said member to be recommended by the North Towanda Township municipal official

## ADMINISTRATION AND GOVERNMENT

mentioned above and to then be appointed by the Township of North Towanda. [Res. 00-4]

- (11) One member that is affiliated with Masonite (or their successor) or another industrial representative having decision making responsibilities and management experience, said member to be recommended by the Wysox Township municipal official mentioned above and to then be appointed by the Township of Wysox. [Res. 00-4]
- (12) One member who is an industrial representative having decision making responsibilities and management experience, said member to be recommended by the Towanda Township municipal official mentioned above and to then be appointed by the Township of Towanda. [Res. 00-4]
- (13) One member that is affiliated with a financial institution or a financial planner organization including insurance executives and accountants, said member to be selected by the Towanda Borough municipal official mentioned above and to then be appointed by the Borough of Towanda.
- (14) One member that is affiliated with a financial institution or a financial planner organization including insurance executives and accountants, said member to be selected by the North Towanda Township municipal official mentioned above and to then be appointed by the Township of North Towanda.
- (15) One member that is affiliated with a financial institution or a financial planner organization including insurance executives and accountants, said member to be selected by the Wysox Township municipal official mentioned above and to then be appointed by the Township of Wysox.
- (16) One member that is affiliated with a financial institution or a financial planner organization including insurance executives and accountants, said member to be selected by the Towanda Township municipal official mentioned above and to then be appointed by the Township of Towanda.

The remaining four members would be members at large representing other sectors of the community that are not already represented on the Board.

- (17) One member being a member at large representing other sectors of the community not represented on the Board namely civic, education, public service, etc., said member to be selected by the Towanda Borough municipal official mentioned above and to then be appointed by the Borough of Towanda.

- (18) One member being a member at large representing other sectors of the community not represented on the Board namely civic, education, public service, etc., said member to be selected by the North Towanda Township municipal official mentioned above and to then be appointed by the Township of North Towanda.
- (19) One member being a member at large representing other sectors of the community not represented on the Board namely civic, education, public service, etc., said member to be selected by the Wysox Township municipal official mentioned above and to then be appointed by the Township of Wysox.
- (20) One member being a member at large representing other sectors of the community not represented on the Board namely civic, education, public service, etc., said member to be selected by the Towanda Township municipal official mentioned above and to then be appointed by the Township of Towanda.
- (21) One member being a member at large as selected by the municipalities on a rotating basis in the following order: (1) North Towanda Township, (2) Towanda Borough, (3) Towanda Township, (4) Wysox Township. [Res. 00-4]

G. Said appointments shall be made in the manner provided by the applicable statutes.

The names, address and terms of office of the initial members of the Board of Authority to be formed hereby are as follows: [Here followed the names, addresses and terms of office of the initial members of the Board of the Authority.]

(Ord. 31, 12/8/1992, §3; as amended by Res. 97-3, 2/3/1997, §1; and by Res. 00-4, --/--)

**§1-314. Terms of Board Members.**

- 1. The terms of the members shall be for five years. Initially, however, members terms shall be staggered as follows:
  - A. The four individuals that will serve a one year term shall be the four individuals at large.
  - B. The four individuals that will serve a two year term shall be the municipal officials.
  - C. The four individuals that will serve a three year term shall be from the financial institutions.

## ADMINISTRATION AND GOVERNMENT

- D. The four individuals that will serve a four year term shall be from the industries.
  - E. The four individuals that will serve a five year term shall be from the Towanda Industrial Development Corporation.
  - F. Thereafter, as terms expire, each new term shall be for five years.
2. Whenever a vacancy shall, for any reason, exist in the Board of Authority, the vacancy shall be filled by the municipality in the representation of which the vacancy occurs or according to the formula and method set forth above for the other positions of the Board to serve the remaining at term of office.
  3. It is the intent of this procedure to maintain equal representation of all participating municipalities.
  4. Any change in a members qualifying employment status elective position, or membership in Towanda Industrial Development Corporation shall require immediate resignation from the Board.
  5. Certified copies of the resolution of the Borough of Towanda, North Towanda Township, Wysox Township, and Towanda Township attached hereto as Exhibits "A," "B," "C" and "D."<sup>1</sup>
  6. The term of existence of the Authority shall be increased to the date which shall be 50 years from the approval of these Articles of Amendment by the Secretary of the Commonwealth of Pennsylvania.

(Ord. 31, 12/8/1992, §4)

### **§1-315. Officers.**

1. The President shall preside at all meetings of the Authority and the Board of Directors. The President shall promote those actions which seem likely to increase the usefulness of the Authority and which will enhance its image in the community. The President shall perform all other duties incident to the office and shall serve as an ex-office member of all committees.
2. The Vice President shall sit in the absence of the President or Secretary or in the prolonged absence of the Treasurer.
3. The Treasurer shall be responsible for receiving and disbursing the funds of the Authority and keeping all monies deposited in its name in a depository approved by the directors. The Treasurer shall make complete financial reports to the Board at intervals which they shall determine. The Treasurer shall be bonded if the di-

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<sup>1</sup> Editor's Note: Exhibits "A," "B," "C" and "D" are on file in the Township office.



rectors so require. Disbursement of funds shall be in the manner prescribed by the Board.

4. The Secretary shall be responsible for performing the official duties of their position.
5. The officers of the Board shall be known as the Executive Committee.
6. The President and/or the Board shall be empowered to appoint committees and designate persons to serve as advisors as it deems fit and appropriate.
7. The majority of the Board shall be required to expand the size of the Board if new industries locate in the area.
8. The majority of the Board shall be required to allow additional municipalities to join the Authority.

(Ord. 31, 12/8/1992, §5)

**§1-316. Execution of Articles of Incorporation.**

The Articles of Incorporation of said Authority, in substantially the form set forth in §313 of this Part 3A, shall be executed on behalf of the Borough of Towanda by the President of the Council and the Mayor of the Borough of Towanda and under its municipal seal, attested by the Secretary of said Borough, and on behalf of North Towanda Township by the Chairman of the Board of Supervisors, and under its municipal seal attested by the Secretary of said Township, and on behalf of Wysox Township by the Chairman of the Board of Supervisors, and under its municipal seal attested by the Secretary of said Township, and on behalf of Towanda Township by the Chairman of the Board of Supervisors, and under its municipal seal attested by the Secretary of said Township, and such officers are hereby authorized, empowered and directed to do all things necessary and appropriate to effect and establish said Authority in conformity with the Municipal Authorities Act of 1945, its amendments and supplements.

(Ord. 31, 12/8/1992, §8; as amended by Res. 00-4, --/--)



**PART 4**

**REIMBURSEMENT FOR EXPENSES**

**§1-401. Definitions.**

EXTRAORDINARY EXPENSES — those expenses and those related costs and fees that are incurred by the Township or performed at the Township’s request by independent contractors, Township employees, agents, servants or workmen, State or Federal departments or agencies, emergency services organizations and private sector entities for actual costs or charges for labor, materials and any other costs for which the Township may be liable, associated with the use of any specialized extinguishing or abatement agent, chemical neutralizer or similar equipment or material that is employed to monitor, extinguish, confine, neutralize, contain, clean or remove any hazardous material including, but not limited to, such materials as defined in 35 P.S. §6022.103, known as the Hazardous Material Emergency Planning and Response Act, that is or may be involved in a fire or released into the air, ground or water, or the potential threat of any release or fire, and any and all actual costs associated with the implementation of any protective action including, but not limited to, evacuation, taken to protect the public health, safety and welfare.

EXTRAORDINARY SERVICES — those services which are performed by Township employees, agents, servants or workmen, independent contractors, State or Federal departments or agencies, emergency services organizations or other private sector entities in connection with mitigating a hazard or potential hazard or involved in providing services to implement a protective action. “Extraordinary services” may include, but are not limited to, such materials as defined in 35 P.S. §6022.103, known as the Hazardous Material Emergency Planning and Response Act, spills, releases or the threat of spills or releases of hazardous materials, utility line breaks or leakages, and any other protective action including, but not limited to, evacuation, which may be taken to protect against other imminent or perceived of potential threats to health, safety and welfare of the public that may be detailed or contemplated in the definition of “extraordinary expenses,” above.

(Ord. 35, 7/5/1995, §1)

**§1-402. Administration.**

The Supervisors of the Township of Towanda shall collect all reimbursable expenses, fees and costs as follows:

- A. The person, entity, owner, lessee, principal or agent who owns or has custody or control of the vehicle or substance involved in an incident which causes the need for the provision of extraordinary services shall be respon-

## ADMINISTRATION AND GOVERNMENT

sible for all extraordinary expenses that occur as a direct or consequential result of such incident.

- B. The person, entity, owner, lessee, principal or agent who owns or leases the premises on which an incident occurs which is caused by the buying and selling, storage, transferring, manufacturing or processing of hazardous material including, but not limited to, such materials as defined in 35 P.S. §6022.103, known as the Hazardous Material Emergency Planning and Response Act, and which causes the need for the provision of extraordinary services shall be responsible for all extraordinary expenses that occur as a direct or consequential result of such incident.
- C. Fees and costs, including overhead costs, shall encompass all personnel, equipment, materials and maintenance expenses in such a form as to insure for full reimbursement for charges incurred by the Township from both the public and private sectors for extraordinary services actually rendered. A particular cost or fee schedule need not be set forth in this Section or elsewhere by Township ordinance or by further formal action by the Township Supervisors. The Township Supervisors' approval of this Section shall constitute authorization for the Supervisors to collect all such fees and costs, including overhead costs.
- D. Not later than 60 days from the date of the determination of the combined costs to the Township of rendering the extraordinary services, the Township Supervisors shall submit a bill for all costs, fees, charges and expenses to the owner, lessee, principal or agent of the vehicle, substance or premises which caused the need for extraordinary services, with a demand that full remittance be made within 30 days from the date the Township issues an invoice or other appropriate demand for payment of such expenses, fees or costs.
- E. The costs associated with the rendering extraordinary services shall be paid directly to the Township within 30 days from the date the Township issues an invoice or other appropriate demand for payment of such expenses, fees or costs. Interest shall accrue on any unpaid balance due at the rate of 1 1/2% per month, commencing after the expiration of the 30 day grace period.
- F. All monies received under the provisions of this Part shall be placed into the general fund and reimbursement made to all public and private sector departments, agencies or companies who had submitted related costs, fees, charges and expenses for providing an extraordinary service as outlined herein.

(Ord. 35, 7/5/1995, §2)

**§1-403. Litigation.**

The Township Supervisors may enforce the provisions of this Part by initiating a civil action in any court of competent jurisdiction for the collection of any amounts due hereunder, plus attorney fees and for any other relief that may be appropriate.

(Ord. 35, 7/5/1995, §3)

**§1-404. Emergency Services.**

Nothing in this Part shall authorize the Township, bureau, department or personnel or staff members to refuse or delay provision of an emergency service to any person, firm, organization or corporation that has not reimbursed the Township for extraordinary services. Furthermore, nothing in this Part shall be construed to demand reimbursement to the Township for those municipal services that are normally provided to Township residents and others as a matter of the Township's general operating procedure, and for which the levying of taxes is normally made.

(Ord. 35, 7/5/1995, §4)



**PART 5**

**COLLECTION PROCEDURES AND SCHEDULE OF FEES**

**§1-501. Collection of Fees.**

The Township hereby approves the collection of reasonable attorney fees as set forth in the Municipal Claims Act (53 P.S. 7101 et seq.)

(Ord. 43, 7/11/2000, §1)

**§1-502. Schedule of Fees.**

1. The Township hereby approves the following schedule of attorney fees for services in connection with the collection of accounts, which is hereby determined to be fair and reasonable compensation for the services set forth below, all in accordance with the principals set forth in the Municipal Claims Law, as added by Act 1 of 1996 (the "Act"):

<b>Legal Services</b>	<b>Fee for Services</b>
Initial review and sending first demand letter	\$45.00
File a lien and mail second demand letter	\$35.00
Prepare Writ of Scire Facias	\$75.00
Obtain Re-Issued Writ	\$15.00
Prepare and mail letter under Pa. R.C.P. 237.1	\$25.00
Prepare Motion for Alternate Service	\$85.00
Prepare Motion for Summary Judgment and related Judgment	\$150.00
Prepare Writ of Execution	\$25.00
Attend sale; Review Distribution and Resolve Distribution issues	\$100.00
Services not listed above	Hourly amount equal to Solicitor's hourly rate charged to Town- ship

2. There shall be added to the above amounts the reasonable out-of-pocket expenses incurred by counsel in connection with each of those services, as itemized in applicable counsel bills, which shall be deemed part of the fees.

## ADMINISTRATION AND GOVERNMENT

3. The amount of fees determined as set forth above shall be added to the Township's claim in each account.

(Ord. 43, 7/11/2000, §2)

### **§1-503. Collection Procedures.**

1. At least 30 days prior to assessing or imposing attorneys fees in connection with collection of an account, the Township shall mail or cause to be mailed, by certified mail, return receipt requested, a notice of such intention to the taxpayer or other entity liable for the account ("account debtor").
2. If within 30 days after mailing the notice in accordance with subsection 3(a) the certified mail to any account debtor is refused or unclaimed or return receipt is not received, then at least 10 days prior to the assessing or imposing of attorney fees, the Township shall mail or cause to be mailed, by first class mail a second notice to such account debtor.
3. All notices required by this Part shall be mailed to the account debtor's last known address as recorded in the records or other information of the Township, or such other address as it may be able to obtain from the County Assessment Office.
4. Each notice as described above shall include the following:
  - A. Type of tax or other charge, the date it became due and the amount owed, including penalty and interest.
  - B. A statement of the Township's intent to impose or assess attorney fees within 10 days after the second notice.
  - C. The manner in which assessment or imposition of attorney fees may be avoided by payment of the account.
  - D. Place of payment for accounts and the same and telephone number of the municipal official designated as responsible for collection of the account.

(Ord. 43, 7/11/2000, §3)



**PART 6**  
**RIGHT TO KNOW ACT**

**§1-601. Right to Documents.**

Any member of the public may request the right to review and inspect specific public documents pursuant to the Act in writing on a form available at the Township building from the Township Secretary.

(Res. 03-2, 3/10/2003, §1)

**§1-602. Availability of Documents.**

The Township shall make available for review and inspection the specifically requested documents within five business days of receipt of the request.

(Res. 03-2, 3/10/2003, §2)

**§1-603. Fees for Copies.**

The Township will charge a fee of \$0.25 per page for copies of documents requested.

(Res. 03-2, 3/10/2003, §3)

**§1-604. Non-reviewable Documents.**

If the documents requested are not reviewable under the Act, the Township shall notify the requestor within five business days. The requesting party shall have the right to appeal such determination by filing written exceptions with the Towanda Township Board of Supervisors within 15 business days of the mailing date of the Township's response or within 15 days of a deemed denial to a request for information. The said exceptions shall be in writing and shall state the grounds upon which the requestor asserts that the record is a public record and shall address the grounds stated by the Township for delaying or denying the request. Unless otherwise agreed upon, the Board of Supervisors of Towanda Township shall make a final determination regarding the exceptions within 30 days of the mailing date of the said exceptions. The Board of Supervisors may make this determination with or without a hearing. The Board of Supervisors shall provide a written explanation to the requestor of the reasons for any continued denial.

(Res. 03-2, 3/10/2003, §4)

## ADMINISTRATION AND GOVERNMENT

### **§1-605. Limited Access.**

If the Township determines that the requested public record contains information which is subject to access as well as information not subject to access, the Township will grant access to the information subject to access or will redact the information from the request which is not subject to access. Any information redacted hereunder shall be deemed a denial.

(Res. 03-2, 3/10/2003, §5)

### **§1-606. Denial of Access.**

A requestor may file a petition for review with the Court of Common Pleas of Bradford County within 30 days of the mailing date of a filed determination by the Board of Supervisors of Towanda Township affirming the denial of access.

(Res. 03-2, 3/10/2003, §6)

### **§1-607. Fees Prior to Granting a Request.**

Prior to granting a request for access in accordance with the Act, the Township may require a requestor to pre-pay an estimate of fees authorized under this Part if the fees are expected to exceed \$100.

(Res. 03-2, 3/10/2003, §7)

**PART 7**

**DELINQUENT TAX COLLECTOR**

**§1-701. Appointment of Elected Tax Collector.**

1. The Board of Supervisors of Towanda Township, Bradford County, Pennsylvania, hereby appoints the elected tax collector for Towanda Township as the delinquent tax collector for Towanda Township.
2. The delinquent tax collector appointed hereunder shall have and enjoy all of the duties, powers, rights, privileges and obligations as set forth in §686 of the Public School Code of 1949 (24 P.S. §6-686).

(Ord. 52, 12/28/2001)