

**RESOLUTION #7**

**A RESOLUTION OF THE GOVERNING BOARD OF FAIRFIELD TOWNSHIP, WESTMORELAND 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 EIT, LOCAL SERVICES, AMUSEMENT AND PER CAPITA TAXES FOR THE DISTRICT, FOR THE EXPRESS PURPOSE OF SHARING CONFIDENTIAL TAX INFORMATION WITH THE DISTRICT FOR OFFICIAL PURPOSES.**

**WHEREAS**, the Pennsylvania Local Tax Enabling Act ("LTEA") authorizes certain political subdivisions, including **FAIRFIELD TOWNSHIP, WESTMORELAND 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**, **FAIRFIELD TOWNSHIP, WESTMORELAND COUNTY**, has entered into contractual agreement with **BERKHEIMER** of Bangor, Pennsylvania, whereby and whereunder **CLIENT** appointed Berkheimer to collect **EIT, Local Services, Amusement and Per Capita 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 **FAIRFIELD TOWNSHIP, WESTMORELAND 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. **FAIRFIELD TOWNSHIP, WESTMORELAND COUNTY** hereby **appoints** SECRETARY AND/OR CHAIRMAN as **its authorized representatives to make requests** upon and receive any and all tax information and records **from Berkheimer**, relative to the collection of taxes for **CLIENT**, as desired and deemed necessary by **CLIENT**, 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 **FAIRFIELD TOWNSHIP, WESTMORELAND COUNTY**, upon request, to SECRETARY AND/OR CHAIRMAN as the authorized contact representatives for it.

3. **FAIRFIELD TOWNSHIP, WESTMORELAND 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. Pursuant to the strict terms of this Resolution.

**RESOLVED, ENACTED AND ADOPTED** at a meeting held on the 8TH day of DECEMBER, 2011.

BY: \_\_\_\_\_CHAIRMAN  
VAUGHN E. TANTLINGER

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JAMES M. BROWN VICE-CHAIRMAN

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PAUL J. ALTIMUS SUPERVISOR

ATTEST:

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EMMA J. BRENDLINGER SEC-TRE