

IN THE COURT OF COMMON PLEAS
OF NORTHUMBERLAND COUNTY, PA

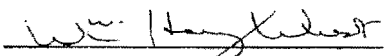
SHAMOKIN AREA SCHOOL DISTRICT,	:	
et. al.,	:	
Plaintiffs,	:	
v.	:	
	:	CV – 11 – 383
NORTHUMBERLAND COUNTY TAX	:	
COLLECTION COMMITTEE,	:	
Defendant.	:	

ORDER

AND NOW, this 17th day of October, 2011, it is **hereby ordered and directed** that, following a bench trial on the merits, and a TCC meeting where no compromise was reached, the Court's ruling is as follows:

1. The bylaws of the Northumberland County Tax Collection Committee were adopted in conformity with Act 32 notice requirements when an online medium was utilized to provide notice, where such online medium was used to provide notice of meetings dates and times and other pertinent information.
2. The bylaws are in conformity with the Short Form example of bylaws provided by the Pennsylvania Association of School Business Officials, which is in conformity with the Act 32 requirements.
3. The Bylaws committee reviewed portions of the Long Form example of bylaws provided by PASBO as was evidenced by their inclusion of a portion relating to "Management Committee."
4. The Bylaws Committee's review of both the Long Form and Short Form versions of sample bylaws fully acquainted them with the need to elect "non-weighted" voting in clear, unambiguous language.
5. The N.C.T.C.C. bylaws do not clearly elect "non-weighted" voting.
6. The N.C.T.C.C. bylaws are then bound to "weighted voting" on all issues presented to the TCC for review and decision.
7. The vote on September 1st, 2010, was in violation of the TCC bylaws as they are currently written.

BY THE COURT:


Wm. Harvey Wiest, Judge

Cc: Howard Kelin, Esq., 24 N. Lime St., Lancaster, PA 17602
Edward Greco, Esq., 660 Chestnut St., Kulpmont, PA 17834
Court