CAMP HILL BOROUGH
CUMBERLAND COUNTY, PENNSYLVANIA
RESOLUTION NO. 1 - 2015

A RESOLUTION AMENDED AND RESTATING THE RESOLUTION OF JUNE 8, 2011, APPROVING COLLECTION PROCEDURES AND ADOPTING A SCHEDULE OF ATTORNEY FEES TO BE ADDED TO THE AMOUNT COLLECTED AS PART OF MUNICIPAL CLAIMS FOR DELINQUENT SANITARY SEWER ACCOUNTS.

WHEREAS, to be fair to all rate payers of the Camp Hill Borough (the "Borough") it is necessary to recover promptly the amount of delinquent and other municipal charges, and if necessary, through legal the process; and

WHEREAS, in the past, the amount recovered in such proceedings has been depleted by the cost of reasonable attorney fees incurred by the Borough in the proceedings, thereby making, in the case of smaller claims, enforcement not financially feasible; and

WHEREAS, the General Assembly of Pennsylvania enacted an amendment to the Municipal Claims Act, Act No. 1 of 1996 (the "Act"), which authorizes the adding of the amount of reasonable attorney fees and costs to the total payable with respect to unpaid taxes and other municipal claims, but only if the municipality involved has approved by resolution a schedule of reasonable attorney fees; and

WHEREAS, the Borough has determined that it is in the best interest of all the rate payers to have vigorous enforcement of all delinquent and other unpaid charges, utilizing the procedures set forth in the Act; and

WHEREAS, the Borough previously approved the Resolution of June 8, 2011, scheduling the attorney fees for collection of the Accounts, but a recent increase in costs to be paid to the Sheriff with the Writ of Execution has necessitated an amended schedule; and

WHEREAS, the Borough has reviewed the subject of attorney fees for collection matters, and has determined that the fees set forth in the schedule hereby adopted are reasonable in amount for the services herein described.

NOW THEREFORE, IT IS HEREBY ORDAINED AND ENACTED by the Camp Hill Borough as follows:

1. Schedule of Fees.

(a) The Borough 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 Section 3 (a.1) of the Municipal Claims Law as amended by Act No. 1 of 1996 (the "Act"):

Legal Services	Fee for Services
Initial Review and Send First Demand Letter & Title Report	$ 250.00
File Lien and Send Second Demand Letter; Prepare Writ of Scire Facias, File Writ, Service of Writ by Sheriff	$ 500.00
Prepare and Mail Letter Under Pa.R.C.P. § 237.01; Prepare Entry of Judgment, Notices, Pleadings and Affidavits	$ 500.00
Prepare Writ of Execution; Attendance at Sale; Review Schedule of Distribution and Resolve Distribution Issues	$3,175.00
Services Not Covered Above:	
Satisfaction of Municipal Lien	$ 40.00
Satisfaction of Judgment	$ 40.00
Review of Bankruptcy (Including Proof of Claim)	$ 300.00
Motion for Relief from the Automatic Stay	$ 800.00
Motion for Special Service	$ 600.00
Petition to Reassess Damages	$ 275.00
Forbearance Agreement	$ 400.00
All Other Services	$ 200.00 per hour

(b) The above amounts include an estimate of the reasonable out-of-pocket expenses of counsel in connection with each of these services, as itemized in the applicable counsel bills, which shall be deemed to be part of the fees.

(c) The amount of fees determined, as set forth above shall be added to the Authority's claim in each account.

2. **Collection Procedures.** The following collection procedures are hereby established in accordance with Act No.1:

(a) At least thirty (30) days prior to assessing or imposing attorney fees in connection with the collection of an Account, the Borough shall mail or cause to be mailed, by certified mail, return receipt requested,

a notice of such intention to the rate payer or other entity liable for the Account (the "Account Debtor").

(b) If within thirty (30) days after mailing the notice in accordance with subsection (a), the certified mail to an Account Debtor is refused or unclaimed or the return receipt is not received, then at least 10 (10) days prior to the assessing or imposing such attorney fees, the Borough shall mail or cause to be mailed, by first class mail, a second notice to such Account Debtor.

(c) All notices required by this Resolution shall be mailed to the Account Debtor's last known post office address as recorded in the records or other information of the Borough, or such other address as it may be able to obtain from the County Office of Assessment of Taxes.

(d) Each notice as described above shall include the following:

(i) The type of tax or other charge, the date it became due and the amount owed, including penalty and interest;

(ii) A statement of the Borough's intent to impose or assess attorney fees within thirty (30) days after the mailing of the first notice, or within ten (10) days after the mailing of the second notice;

(iii) The manner in which the assessment or imposition of attorney fees may be avoided by payment of the Account; and

(iv) The place of payment for the Account and the name and telephone number of the Borough official as designated as responsible for the collection matter.

3. **Related Action.** The proper officials of the Borough are hereby authorized and empowered to take such additional action as they may deem necessary or appropriate to implement this Resolution.

DULY ADOPTED by the January on 10 _____, 2018.

ATTEST:

_____
Secretary

CAMP HILL BOROUGH

By: _____
Chairperson