

**CARROLL TOWNSHIP AUTHORITY
RESOLUTION NO. 4 OF 1999**

**A RESOLUTION OF THE CARROLL TOWNSHIP AUTHORITY,
WASHINGTON COUNTY, PENNSYLVANIA, ADOPTING A SCHEDULE OF
ATTORNEY'S FEES IN CONNECTION WITH THE COLLECTION OF
DELINQUENT SEWAGE CHARGES PURSUANT TO ACT I OF 1996.**

WHEREAS, the Carroll Township Authority is required from time to time to enforce collection of delinquent sewage accounts; and

WHEREAS, the expense of such enforcement and the record keeping and other services related to the collection, filing, satisfaction, assignment and revival of municipal claims when absorbed by the Carroll Township Authority would constitute a further demand on the Authority's resources; and

WHEREAS, Act I of 1996 amends the Municipal Claim and Lien Law (hereinafter "the Act"), Act of May 16, 1923, PL 207, 33 as amended, 53 P.S. §7106 to permit Municipalities and Authorities as defined under the Act, or their assigns, to recover reasonable attorney fees in connection with the collection of Municipal claims as defined under the Act from the persons and property owing such claims; and

WHEREAS, the Act requires that the Authority involved must approve by Resolution a schedule of reasonable attorney fees; and

WHEREAS, the Authority desires to exercise such legal authority in order to encourage timely payment of sewer charges; and

WHEREAS, the Authority has determined that it is in the best interest of all ratepayers and other residents to have vigorous enforcement of all delinquent charges, utilizing the procedures set forth in the Act, except in the cases of serious hardship, which the Authority will address on a case by case basis pursuant to uniform policies; and

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

NOW THEREFORE, be it resolved and it is hereby as follows:

SCHEDULE OF FEES

- (a) The Authority 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 principal set forth in Section 3 of the Municipal Claims Law as added by Act. No. I of 1996:

<u>Legal Services</u>	<u>FEE FOR SERVICES</u>
Filing of lien	\$125.00
Title Search	\$250.00
Preparation and Service of Writ of Scire Facias	\$375.00
Required additional notice and presentation of related Motions regarding Federal tax liens, judgments and mortgages	\$150.00
Alternative service of legal pleadings	\$150.00
Entry of Judgment	\$125.00
Preparation of Writ of Execution and attend initial Sheriff Sale	\$675.00
Preparation of documents and attendance at second Sheriff Sale	\$500.00
Review schedule of distribution and resolve distribution issues	\$250.00
Installment payment agreements at taxpayer's request	\$100.00

Services not covered above

\$150.00/hr. – attorney
\$75.00/hr. – paralegal
\$50.00/hr. – law clerks

- (b) There shall be added to the above amounts the reasonable out-of-pocket expenses of counsel in connection with each of these services, including Sheriff's and Prothonotary's costs.
 - (c) The amount of fees determined as set forth above shall be added to the Authority's claim in each account.
1. This Resolution shall take effect on the date of enactment set forth below.
 2. If any sentence, clause or section or any part of the Resolution is found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses or sections or parts of the Resolution.
 3. Any Resolutions or parts of Resolutions which are contrary to or conflict with the provisions of the Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

Resolved this 20th day of December, 1999.