

RESOLUTION No. 10-02 of 2021

WHEREAS, the Board of Supervisors of Pittston Township recognizes its obligation to make every effort to collect all legally imposed taxes assessed against all persons and or entities in a fair and non-discriminatory manner.

WHEREAS, Lucknow-Highspire Terminals LLC (LHT) has challenged the Township's assessment of mercantile taxes with respect to some of the revenues it derives from certain activities it engages in at its facility located in Pittston Township.

WHEREAS, Pittston Township and LHT are currently involved in litigation wherein LHT is challenging the Township's assessment of mercantile taxes with respect to some of the revenues it derives from certain activities it engages in at its facility located in Pittston Township.

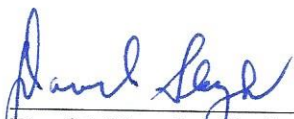
WHEREAS, the Board of Supervisors of Pittston Township recognizes that the outcome of the litigation initiated by LHT is uncertain. In order to eliminate the uncertainty of continuing with the litigation, the Board has agreed to resolve and compromise the Township's dispute with LHT in exchange for a lump sum payment from LHT.

WHEREAS, the Board of Supervisors of Pittston Township has determined that the terms of the proposed Settlement Agreement resolving LHT's challenge to the Township's assessment of mercantile taxes with respect to some of the revenues it derives from certain activities it engages in at its facility located in Pittston Township is fair, reasonable and prudent under all of the circumstances.

WHEREAS, the Board of Supervisors of Pittston Township hereby incorporates the terms of the proposed Settlement Agreement with LHT herein in their entirety. (A copy of the Settlement Agreement is attached and incorporated herein as Exhibit ItAIt).

NOW, THEREFORE, it is hereby resolved that the Board of Supervisors of Pittston Township approves the terms of the proposed Settlement Agreement with LHT and authorizes the Board Members to execute the proposed Settlement Agreement with LHT.

This resolution was duly RESOLVED, ADOPTED and ENACTED on October 18, 2021 by the Board of Supervisors of Pittston Township, Luzerne County, PA



David Slezak, Chairman

Attest: 

John Bonita, Secretary