[J-13A-2012 and J-13B-2012] [MO: Saylor, J.] IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

DIANE TELLY, SUZANNE CLARKE, JENNIFER CROCUS, SUSAN PAFF, JUDITH PATTON, KATHLEEN PERCETTI, : Appeal from the order of Commonwealth PATRICA H. SIWERT, AND SUE SNYDER ٧.

PENNRIDGE SCHOOL DISTRICT BOARD

OF SCHOOL DIRECTORS

SHERRY LABS, DENISE BETTS, NANCY JONES, CAROL SCARBOROUGH, KARI WILLIAMS TYSINSKI, DOROTHY CAMPANA, AND JOHN P. MOHAN

٧.

CENTRAL BUCKS SCHOOL DISTRICT **BOARD OF SCHOOL DIRECTORS**

NEW BRITAIN TOWNSHIP. Intervenor WARRINGTON TOWNSHIP, Intervenor

APPEAL OF: DIANE TELLY, SUZANNE CLARKE, JENNIFER CROCUS, SUSAN PAFF, JUDITH PATTON, KATHLEEN PERCETTI, PATRICA H. SIWERT, SUE SNYDER, SHERRY LABS, DENISE BETTS, : NANCY JONES, CAROL SCARBOROUGH. KARI WILLIAMS TYSINSKI, DOROTHY CAMPANA, AND JOHN P. MOHAN

: No. 68 MAP 2011

: Court entered 05-24-2010 at No. 2142 CD 2009 reversing the order of the Bucks County Court of Common Pleas, Civil : Division, entered 10-09-2009, exited 10-: 15-09, at Nos. 2009-04824-31 and 2009-: 04825-33.

: ARGUED: March 6, 2012

DIANE TELLY, SUZANNE CLARKE, : No. 69 MAP 2011 JENNIFER CROCUS, SUSAN PAFF, JUDITH PATTON, KATHLEEN PERCETTI, : Appeal from the order of Commonwealth PATRICIA H. SIWERT, AND SUE SNYDER: Court entered 05-24-2010 at No. 2142 ٧.

: CD 2009 reversing the order of the Bucks : County Court of Common Pleas, Civil : Division, entered 10-09-2009, exited 10-

: 04825-33.

PENNRIDGE SCHOOL DISTRICT BOARD : 15-09, at Nos. 2009-04824-31 and 2009-OF SCHOOL DIRECTORS

SHERRY LABS, DENISE BETTS, NANCY : ARGUED: March 6, 2012

JONES, CAROL SCARBOROUGH, KARI WILLIAMS TYSINSKI, DOROTHY CAMPANA, AND JOHN P. MOHAN ٧.

CENTRAL BUCKS SCHOOL DISTRICT **BOARD OF SCHOOL DIRECTORS**

WARRINGTON TOWNSHIP, Intervenor NEW BRITAIN TOWNSHIP, Intervenor

CROSS APPEAL OF: NEW BRITAIN TOWNSHIP, Intervenor

CONCURRING OPINION

MR. JUSTICE EAKIN DECIDED: August 20, 2012 I concur with the majority; the compensation rates adopted by the Pennridge and Central Bucks School Boards were so low as to deprive the tax collectors of the ability to perform their basic duties. In light of the arguments made, I write to posit the caveat that we cannot permit tax collectors to unilaterally expand their role from tax collector to customer service representative and expect those self-imposed duties to be the subject of mandatory compensation. School boards clearly have the authority to reduce the rate of compensation, but not to the extent of prohibiting tax collectors from performing their statutory duties. School Boards need not be made to compensate for non-statutory duties. Customer service is a very nice thing, but when tax dollars are tight, it is a luxury item, not a statutory duty, and what is fair and reasonable compensation must be based on the statutorily-required responsibilities of tax collectors alone. If the Board wishes to pay for more, it certainly may, but if it does not, it cannot be made to pay for more than the duties set forth by the Legislature.