



ETHICS BOARD

815 Washington Street
Reading, PA 19601
610-655-6204

April 22, 2009

Present: Doris Leisawitz, Steve McCracken, Jeff Darlington, Chair – 3.

Absent: Jonathan Del Collo, Joseph Amprey –2.

Also Present: Ed Stock, Solicitor
Shelly Katzenmoyer, Secretary

The meeting was called to order at 5:00 pm by Jeff Darlington, Chair.

MINUTES

A motion was made by Steve McCracken, seconded by Doris Leisawitz, to approve the March 4, 2009 minutes as written. The motion carried unanimously.

OLD BUSINESS

- Amendment to Code of Ethics to allow members to hold de minimus elected office

Mr. Stock informed the Board that the Charter states that members of the Ethics Board may not hold elected office. He stated that changing the Code of Ethics would be a Charter violation. He recommended that this not be amended.

Rev. McCracken noted that his current position is on the Airport Authority. He is continuing to attend Ethics meetings until his replacement is found. The City Clerk has advised him that this is acceptable. He stated that he is uncomfortable being in this situation.

Ms. Leisawitz informed the Board that she will need to resign after she is elected to her position. She will contact the City Clerk.

Mr. Stock noted his belief that the members of the Ethics Board should be above reproach. He stated that he is unfamiliar with election law but is comfortable with Ms. Leisawitz tendering her resignation.

Mr. Darlington questioned the Board's ability to attain a quorum after losing two members. Mr. Stock replied that the Board has five members. All three remaining members must attend to attain a quorum.

Ms. Leisawitz expressed her hope that she would be able to return to the Board after the expiration of her elected term.

- Fraudulent and Other Activity addition to Code of Ethics

The Board reviewed the draft supplied by Mr. Stock. He stated that the revisions are consistent with the rest of the Code.

A motion was made by Doris Leisawitz, seconded by Steve McCracken, to approve the draft and that it be submitted to City Council for their approval. Motion carried unanimously.

- Integrity in Government addition to Code of Ethics

Mr. Stock noted that the current ordinance addresses the notion of "Pay to Play" legislation. He noted that it has been proposed that this be included in the Code for enforcement by the Board. He stated that the ordinance as it stands is unsuitable for the Code and is problematic. He stated that substantial work would need to be done to include it in the Code. He questioned the Board's willingness to pursue this issue.

Rev. McCracken agreed with the statements made by Mr. Stock. He stated his belief that the ordinance is unclear. He requested that the ordinance be redrafted and inquired of that process. Ms. Katzenmoyer explained the possible use of the Legislative Aide Committee and Council staff.

Rev. McCracken questioned how the Legislative Aide Committee would know the future intentions of the Ethics Board. Ms. Katzenmoyer stated that joint meetings could be held. Mr. Stock stated that legal assistance will be needed.

Ms. Leisawitz questioned if this would increase the caseload for the Board. Mr. Stock noted that potentially it would as this would increase this Board's oversight responsibilities.

Ms. Leisawitz questioned if the Charter Board could enforce this issue. Mr. Stock noted that the current ordinance does not assign enforcement. This is an important piece that is currently missing.

Rev. McCracken stated his belief that complaints will increase. He stated that the investigative officer will be impacted and that more Board hearings will be necessary. He also stated his belief that the decisions of the hearings will be appealed.

Ms. Leisawitz questioned if infractions should be reported to the County Elections office. Rev. McCracken stated his belief that this ordinance indicates that the City wants to enforce the ordinance.

The Board recommended that Mr. Stock revise the ordinance to have a quicker response.

NEW BUSINESS

- None.

OTHER BUSINESS

- Status of Investigation

Ms. Katzenmoyer updated the Board on the status of the current investigation.

Rev. McCracken noted his belief that the determination of the investigation will be appealed to the Board. He again stated the importance of the membership of the Board and requested that draft minutes of this meeting be forwarded to Dr. Amprey and Mr. Del Collo.

Meeting adjourned at 5:30 pm.

Respectfully submitted,

Shelly Katzenmoyer
Deputy City Clerk