

City of Reading Charter Board

October 30, 2012 – 7:10pm

Penn Room

Members Present: Susan Gibson, John Slifko, Jerry Richter, Elizabeth Stanley

Members Absent: None

Members of Public and Invited Guests: Eric Smith, Board Solicitor

I. Administration

- The Boards next regularly scheduled meeting is Tuesday, November 20, 2012.
- The Chair announced there has been no Right to Know requests.
- Ongoing vacancy of one Board seat was discussed. No candidates currently in application process per the Boards knowledge.
- Minutes for the 10/2/2012 meeting were reviewed. A motion was made by Mr. Richter, 2nd by Ms. Stanley to approve meeting minutes as drafted. The motion passed by unanimous verbal vote.

II. Education

- Charter Board educational sessions are planned for 12/4/12 and 12/11/12. Review of a proposed agenda for the sessions will be deferred to the 11/20/12 meeting of the Board.

III. Advisory

- The Board Chair announced an Executive Session to confer with counsel regard Advisory Opinion #30 and to discuss pending litigation/enforcement action regarding Investigation #31, and the procedural status of Investigations #34 & #35. The Board entered into executive session at 7:15 pm and exited Executive Session at 8:30 pm.

After returning to public session, a motion was made by Mr. Slifko, 2nd by Mr. Richter to adopt and issue Advisory Opinion #30 as discussed. The motion passed by unanimous verbal vote. The Opinion is slated for issuance on or before November 15, 2012. The substantive questions of Advisory Opinion #30 include:

1. Can the Charter requirement for an RFP for contracts exceeding \$10,000 be waived by the Administrative Code, unless the need to purchase for emergency purposes arises?

2. Can the Mayor's Office waive the need for the RFP process when purchasing professional services without the Managing Directors knowledge?
3. The original contract for media services for \$24,500 to Fleck Consulting, where Mick Dee was employed, expired on September 21, 2012. Is the issuance of a second contract on September 21, 2012 for \$4,000 per month for a three month term to Mick Dee a "piecemeal" contract?
4. If a Charter Complaint is currently under investigation, can new evidence be added that supports the complaint?

IV. **Enforcement**

- The Board Chair noted the ruling of the Commonwealth Court in Reading City Council V. City of Reading Charter Board. The opinion by Judge Covey, filed October 23, 2012, affirms the trial court ruling of December 9, 2011, which denies the appeal of City Council and sustains the Charter Boards Final Opinion and Order in Investigation #31.

V. **Closing**

- Meeting adjourned at 8:40 pm.

Respectfully Submitted

Susan Gibson, Chair

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