



ETHICS BOARD

October 2, 2012

Present: Joseph Amprey, Jeff Darlington, Melissa Eggert – 3

Absent: Jonathan DeCollo, Barry Richardson – 2.

Also Present: Greg Shantz, Solicitor
Shelly Katzenmoyer, Secretary

The meeting was called to order at 5:17 pm by Jeff Darlington, Chair.

APPROVAL OF MINUTES

Motion was made by Ms. Eggert, seconded by Dr. Amprey, to accept the March 29, 2012 minutes as written. Motion carried.

OLD BUSINESS

- Integrity in Government

Mr. Shantz gave a brief background of the issue. He stated that this amendment to the Code has been in process for some time. He stated that the issue started much broader but has been narrowed to include contributions and no-bid contracts. He stated that similar regulations are difficult to interpret and to apply. He expressed his belief that this amendment will be enforceable. He stated that enforcement and violations are clear and that the amendment includes State Ethics and Election Code language. He stated that he has reviewed Philadelphia's and Pittsburgh's regulations which have held up in Court. He stated that these regulations are consistent with State law.

Mr. Shantz stated that he received several comments from the City's Audit Committee who reviewed the draft.

Mr. Darlington questioned other City elected offices. Ms. Katzenmoyer stated that the City Auditor is also an elected position.

Mr. Darlington suggested adding the City Auditor. Mr. Shantz agreed stating that generally arguments against these regulations are based on an infringement of free speech. He stated that the contributor claims that their contribution allows the candidate to speak for them. He stated that the more uniformly the regulations apply the better.

Mr. Darlington questioned the monetary amounts included in the regulations. Mr. Shantz stated that these are based on State law.

Mr. Darlington expressed his support for the regulations. He questioned if there were other concerns.

Ms. Katzenmoyer stated that she had several questions when reading the regulations. She stated that the regulations name the City Clerk as the gatekeeper. She explained that the City Clerk does not get copies of all contracts, most especially no-bid contracts. She suggested that the City Auditor, purchasing office, or law department also have the ability to act as gatekeeper as they are more involved in the contract process. Mr. Shantz stated that he assumed the City Clerk would have copies of all contracts as others are obligated to file copies with the Clerk.

Ms. Katzenmoyer explained that if a contract is issued under the City Council approval cap, the Clerk's office does not always get copies. She stated that many times, rumors begin but that it can take the Clerk's office weeks or months to obtain copies of contracts.

Ms. Katzenmoyer questioned if these regulations would also apply to members of the City's boards, authorities and commissions. Mr. Shantz stated that the way the Code is currently written it would apply to officials and employees only.

Ms. Katzenmoyer stated that this was a question from a member of Council as individuals serving in this capacity may also contribute to local campaigns. Mr. Shantz suggested that since the regulations apply to the City and all its entities that it should also include members of boards, authorities and commissions. He stated that he would make this change.

Mr. Darlington questioned the advertising requirement as there is only one newspaper in Reading. Mr. Shantz stated that he will change this area to reflect the need to advertise in the largest local newspaper and on the City's website.

Ms. Katzenmoyer also noted her concern with the Spanish translation as there are many dialects spoken in Reading. Mr. Shantz questioned if the City translated other items. Ms. Katzenmoyer stated that the City only routinely translates items placed on election ballots as it is cost prohibitive. Mr. Shantz stated that he will remove this requirement as the City does not routinely translate other items.

Mr. Darlington questioned next steps. Mr. Shantz stated that he will make corrections based on this discussion. He stated that he will forward the corrected regulations via email but stated that he did not feel another meeting was necessary.

Ms. Eggert moved, seconded by Dr. Amprey, to correct the amendment as necessary and distribute it via email and instructed Ms. Katzenmoyer to distribute the corrected amendment to the Audit Committee, City Council and the City's Law Department for review. Motion passed unanimously.

NEW BUSINESS

- None

Ms. Katzenmoyer stated that each member has correspondence attached to their agenda packet. She stated that much of the correspondence is from the Investigative Officer updating the Board on complaint status. She stated that Mr. Swope has resigned his position as he has moved outside the City. Mr. Darlington welcomed Ms. Eggert to the Board.

Meeting adjourned at 5:42 pm.

Respectfully submitted,

Shelly Katzenmoyer
Deputy City Clerk