***City of Scranton***

**Ethics Board**

340 N. Washington Avenue

Scranton, PA 18503

Board Members: Stephanie Bressler, David Falchek,

Andrew Heller, Brad Kovaleski, Matthew Meyer

Solicitor: John M. Hart

**Meeting Minutes**

**Wednesday, July 21, 2021 @ 6:00 p.m.**

**Governor’s Room, Scranton City Hall**

1. **Call to Order**

Ethics Board Chairman Matthew Meyer called the meeting to order at 6:00 p.m.

1. **Welcome and Roll Call**

Ethics Board Chairman Meyer, Board Members Stephanie Bressler and Dave Falchek, and Solicitor John Hart were in attendance and answered affirmatively to the roll call. Board Members Andrew Heller and Brad Kovaleski were absent.

1. **Reading and Approval of the Minutes of the June 9th meeting**

Board Member Falchek made a motion to suspend the reading of and approve the minutes of the June 9th meeting. Board Member Bressler seconded the motion. The motion passed with yes votes from Board Members.

1. **Reports**
   1. Solicitor’s Report
      1. Pending Complaint

Solicitor Hart reported that the Investigative Officer of Complaint 20-001 used a subpoena to obtain a video. He will interview the subject of the complaint about the video. At the completion of the investigation in mid-August, a Findings Report could be presented.

Attorney Jamie Davis informed Solicitor Hart that she checked the Board’s P. O. Box. No new complaints were mailed to the box.

* + 1. Advisory Opinions

Solicitor Hart reported he found no conflict of interest concerning Attorney Ryan Campbell’s serving as Investigative Officer for Complaint 20-001. He will write an Advisory Opinion explaining his decision.

Solicitor Hart and Board Members discussed an Advisory Opinion draft based on a whistleblower complaint received by City Solicitor Joseph O’Brien concerning a possible conflict with the City’s using a vendor whose wife works in the City Controller’s Office. The discussion raised questions about Ethics Code language related to contracts that might require revision by City Council. Solicitor Hart will review these questions and draft a revised Advisory Opinion.

Solicitor Hart summarized a request for an Advisory Opinion from Assistant City Solicitor Patty Lafferty concerning the anonymous donation to the Scranton Police Department. Solicitor Hart clarified that the Ethics Code states that bargaining unit contracts supersede the Code.

* + 1. Our Mailbox

Solicitor Hart advised that he recently received mail forwarded from the Board’s mailbox in City Hall. This mail is not related to a complaint. The Board should clearly communicate that the P.O. Box should be used to file complaints while the City Hall mailbox can be used for non-complaint related mail.

* 1. Chair’s Report

Chairman Meyer reminded the Board that Board Member Andy Heller’s term expires at the end of August. Chairman Meyer will alert the Mayor’s Office of the need to appoint Board Member Heller’s replacement to the Board. Chairman Meyer also noted that Board Member Brad Kovaleski is leaving the area and is in contact with the City Controller about appointing his replacement to the Board.

Board Member Falchek informed the Board that he is requesting that City Council re-appoint him to the Board when his current term expires at the end of August.

* 1. Finance Report

In Board Member Kovaleski’s absence, no finance report was available.

* 1. Gift Subcommittee Report

Board Member Bressler reported that the Gift Subcommittee evaluated a Gift Report Form submitted from the Mayor indicating acceptance of used office furniture valued at less than $500 from AHT Insurance. Because City Council already approved the donation after determining that AHT does not have business before the City, the Gift Subcommittee notified the Mayor that acceptance of the gift is appropriate.

1. **Other Business**
   1. Scranton Code of Ethics: A Quick Guide

Chairman Meyer reported sharing the draft of the Quick Guide with City Human Resources Director Amber Viola. Director Viola agreed that the Guide would be helpful in educating employees on the Code. The Board discussed a tri-fold format for the Guide that would be available to employees and the public. Chairman Meyer and Board Member Bressler will review the Guide draft and incorporate the Code’s gift reporting requirements and the restrictions on acceptance of gifts.

* 1. Candidates’ Compliance with the Code

The Board discussed how to enforce compliance of the Code’s campaign reporting provisions among candidates for City Elected Office. The Board decided to focus efforts on candidates who are advancing to the General Election. Board Member Bressler will provide Chairman Meyer with a list of candidates who have not complied so that he can send an email reminding them of requirements.

* 1. Solicitor’s Invoice

The Board considered an invoice for $2535.00 from Solicitor Hart for services provided to the Board. Board Member Falchek made a motion to approve payment of the invoice and Board Member Bressler seconded the motion. The motion passed with yes votes from Board Members.

1. **Public Participation**

Joan Hodowanitz addressed the Board on a number of issues summarized in an earlier email to the Board. She reminded the Board that many members of the public do not have access to the Internet to communicate via email and recommended providing access through a mailbox and telephone number. Solicitor Hart advised that his telephone number in listed on the Board’s webpage. Board Member Bressler suggested that addresses for general mail and submission of complaints could be included in the Quick Guide.

Ms. Hodowanitz again informed the Board that the Fire Union contract is up for negotiation and suggested that union contracts be reconciled with the Code of Ethics. Solicitor Hart clarified that the Code clearly states that bargaining unit contracts take precedence over the Code.

Ms. Hodowanitz requested that Board meeting minutes be posted on the Board’s webpage. Board Member Bressler will explore posting minutes. Ms. Hodowanitz reminded the Board that the Code requires posting of Statements of Financial Interests. Board Member Bressler noted that SFIs are currently available for review in the City Clerk’s Office.

The Board agreed that some changes to the Code might be necessary and will begin making a list of possible changes to be communicated to City Council.

1. **Next Meeting: Wednesday, August 18 at 6:00 p.m.**

Board Chairman Meyer confirmed the next Board meeting on August 18 at 6:00 p.m.

1. **Adjournment**

Board Member Falchek made a motion and Board Member Bressler seconded the motion to adjourn the meeting at 7:09 p.m. The motion passed with yes votes from Board Members.

**Respectfully Submitted**

**Stephanie Bressler**

**Board Member/Secretary**