

Special Council Meeting
January 22, 2018
6:30 PM

The Regular monthly meeting of Shamokin City Council was held this evening with Mayor John J. Brown presiding.

CALL TO ORDER:

PLEDGE TO THE FLAG: All

PRAYER: Silent

ROLL CALL: Moyer ,Verano, McGaw, Brown

NEW BUSINESS:

MOTION BY: Moyer to grant authorization to the City Administrator to secure a \$150,000 TRAN for 2018

SECOND BY: McGaw

ROLL CALL: Ayes: Moyer, McGaw,Verano, Brown,
Nays: None
Absent:None

MOTION BY: Verano to appoint Scott Roughton to fill the two year vacancy on Council.

SECOND BY: McGaw

ROLL CALL: Ayes: Moyer, McGaw,Verano, Brown,
Nays: None
Absent:None

SOLICITORS REPORT:

- **Citizens Comments contingent upon new business being added to the agenda at this part of the meeting.**

Joseph Leschinskie – See Attachment provided by Mr. Leschinskie.

ADJORN:

Minutes taken by Doreen Annis, Administrative Accountant
Meeting ended at 6:44 PM

Joseph Leschinskie – January 22, 2018 Special Council Meeting

“At this time, I would like to call an objection which is in my rights as a resident and a taxpayer, for the framework of its context under the Pennsylvania Sunshine Law, and an objection to the Executive Session meeting held on Wednesday, January 3, 2018. I would like to notify the press that is present, that there is no need to take notes of what I’m about to say. I have a printed copy for each of you.

Good evening, My name is Joseph Leschinskie, and I reside at 518 East Pine Street in Shamokin.

The Pennsylvania Sunshine Law gives the public the right to comment on issues that are or may be before the board. Agencies must provide a reasonable opportunity for residents and/or taxpayers to comment on an issue.

Under the Pennsylvania Sunshine Law, the law defines agency business as “the framing, preparation, making or enactment of laws, policy or regulations, the creation of liability by contract or otherwise or the adjudication of rights, duties, and responsibilities.”

Under the Pennsylvania Sunshine Law, an agency is defined as “Any state or local government body and all sub-units appointed by that body that perform an essential government function and exercises the authority to take official action.”

The Pennsylvania Sunshine Law defines a meeting as “any prearranged gathering of an agency which is attended or participated in by a quorum (majority) of the members of an agency held for the purpose of deliberating agency business or taking official action.”

The Pennsylvania Sunshine Act applies any time that a quorum deliberates agency business or takes official action, no matter the physical location of those deliberations or actions. The use of the term “prearranged” does not allow agencies to thwart the intent of the Sunshine Act simply by holding a discussion about agency business.

Under the Pennsylvania Sunshine Act, the definition of “official action” includes “The decisions on agency business made by an agency” and “the vote taken by an agency on any motion, proposal, resolution, rule, regulation, ordinance, report or order.”

It is my understanding that in an article in the News-Item, printed January 9, that “Brown said council discussed the process of appointing a new council member and each applicant in an executive session following a January 3rd work session.” If that statement is true, this is a clear violation of the Pennsylvania Sunshine Law.

I would like to say congratulations to the selection [Scott] made for the vacant council seat. I hope that your hard work and determination moving forward will make you a success in your remaining 2 year term. With that, I would also like to commend the other 9 interested applicants who applied for this seat as well. It shows that there are good and decent people out there who

are willing to step up to make a difference in our community no matter the task of making this city a better place for all.

Unfortunately, the voters and the tax base did not have an opportunity to have an input on the appointment, or view interviews as promised by the administration because up until this meeting, none of the public had the opportunity to review and know information about the applicants including the things you were able to review privately that led you to your vote tonight. It was written by the News-Item on January 9, that at the Council Meeting on January 8, I "accused" you all to be "hush hush" about the applicants, and only then were the names released. I believe there were many great candidates who didn't get an opportunity in fairness to interview with the council.

For the record, several times, as a taxpayer, I had asked City Administrator Robert Slaby in City Hall to have the opportunity to file a right-to-know on the applicants and their submissions. I was told every time in discussions that occurred privately at City Hall after the work session, the council meeting, and most recently on January 4, 2018, that, "The names are public record, the resumes and cover letters are not." Upon a conversation on the evening of January 19th with Larry Deklinski, I was informed by him outside of James' Pizza that he had received the applications and resumes through a Right-To-Know request, without a problem. Why was public information being held secretive from me by the City Administrator? This is a clear and blatant violation of the Right to Know Law because we, the public, are guaranteed the right to access and obtain public information held by government agencies. This is a blatant act of bad faith by the City's Administrator.

Secondly, I would like to make the council and taxpayers aware, and please let the record reflect, that on Friday, January 19, I received a phone call from Councilman Charles Verano from the phone number 570-648-1612, which is his place of employment, at 10:30am, with the call duration being 7 minutes and 48 seconds. During that phone call, I was told to "not be discouraged or to get my feelings hurt because I was not going to be the one voted on Monday night as per the meeting we had discussing candidates. Joe, you told other members of council that you were not in favor of firing code enforcer Rick Bozza if selected, and that didn't go to well with the other side. Don't worry, your time is coming and 2019, Dan McGaw is very beatable. Trust me, I know this and I will help you. Just hang in there, buddy. If you say anything, I will deny it." He continued to say, "Joe, no offense to you, but we had decided on someone who is not politically tied, owes no favors, which was a big one for me and Barb, and this will be a shock to the public, so sit tight. That's all I'm going to say. Maybe this will backfire, maybe it won't, but we couldn't take the chance of a deadlock, which would send it to the county and have a bum like Craig Rhoades be selected by a judge. This was agreed upon by all council members." After a bit of poaching, it was then said by Councilman Verano the name of the person appointed before you, would be the one appointed tonight. I was not surprised as Councilman Verano had expected me to be, no disrespect. I said "I had expected never to be fairly considered for this, and was never respectfully given an interview because I had disagreed with some on political views, and had exposed illegal pensions, and untruthful living arrangements of other Councilmen, they're holding grudges, and I'm fine with that. I will respect the decision you make and make plans for the future." The conversation continued

briefly, then ended because he "had a customer." The last words to me were "keep your head up kid, your time is coming, OKAY?"

I was shockingly surprised by Councilman Verano's statement, because I believe former Councilman Craig Rhoades and guys like another former Councilman William Strausser have more knowledge about the city than all of you sitting on this council combined. Also a candidate like Robert Derk who is present tonight, and Darrell Jackson who was the only person who ran for council in the 2017 campaign, were not even given the respect of an opportunity to be interviewed or even have the decency to be considered by you or the public, just like the many other great candidates who applied were slighted in the same aspect. This isn't about me, this is about you all respecting everyone who gave you the time and respect to submit an application. How fair and true was this process REALLY to anyone in Shamokin? If your intent was to put "your buddy" in, you should not have wasted others time they took to make an honest effort believing that they had a chance.

My question to you all is simple, when did this meeting Councilman Verano claims you all had discussing candidates and applications take place? Was it the January 3rd Executive Session? What criteria did you determine to be detrimental in narrowing the list of 10 to 3? When were the interviews done of the candidates? If there were interviews, why were some interviewed, and some not? Everyone on that list had something to offer this city, but you nor the public will ever know this, unfortunately. If you expect the taxpayers to believe that the applicants were never discussed in private, or behind closed doors in violation of the Pennsylvania Sunshine Act, I think you may be mistaken. You didn't hold a one hour and 30 minute "Executive Session" after a 25 minute Council Work Session on Wednesday, January 3rd, just to "discuss the process of appointing a replacement" like you informed Larry Deklinski that same evening. Where's the decency?

To my fellow taxpayers and voters, here we are only 22 days into 2018, and 20 days into the terms of the recently elected and reelected officials, and already we have "business and politics as usual in Shamokin." Back door dealings by this administration have already continued to fail voters and taxpayers by not having transparency in our government with the people, something voters truly believed they were getting when voting for these candidates in November, and so far, it looks like it will continue for years down the road AGAIN, because it is very clear that this administration does not believe in following the law or having transparency with the taxpayers and voters.

With all of this being said, I will continue to fight for transparency in our city government. You will not violate our rights as residents and taxpayers by doing whatever the hell you want because that's what government in Shamokin has always done, so stop carrying out the tradition here. Good people want better, and better people want change. It's about time you all learn to respect the people who put you where you're at today, and the ones who pay their taxes to allow you to collect paychecks from their hard earned money!

Thank you."