

PENDING COMMITTEE APPROVAL

Law, Rules and Ethics

December 13, 2021

Minutes

1. Meeting Called to order at 7:09 pm

2. Attendance:

Present (10): Martin Wolpoff, Chair, Dan Padernacht, Vice-Chair, Sylvia Alexander, Kelli Buford, Paul Ellis, Steve Froot, David Gellman, Lisa Daub, Rosemary Ginty, Omar Murray

Absent (1): Louis Lopez

3. Approval on November 8, 2021 minutes

- a. Correction: David Gellman was not present
- b. Minutes approved unanimously as amended

4. Chair's report

- a. Discussion of OML amendments
 - i. 24-hour public notice of resolutions
 1. Resolutions without community input?
 2. Identify topic on agenda
 3. Committee vote on intent. Freedom to flesh-out after meeting?
 - ii. Two-week time limit for distribution of minutes /One week after an Executive session
 - iii. Extension of use of videoconferencing
 - iv. OML sunset date?

§ 2. This act shall take effect immediately and shall expire and be deemed repealed January 15, 2022
- b. COOG Foil Conference 11/18/21
- c. COOG video conference on OML – 12/16
- d. Inquiry to COOG concerning speaker anonymity

5. Adding to the Ethical Guidance Manual concerning filling mid-term vacancies. Wording to be offered at next month's Executive and full Bboard meeting.

Upon the vacancy of any Officer or elected Committee Chair position as the result of death, resignation or termination, the expression of interest by any community board member in seeking election to the position will not be made public before 10 days after the effective date of such vacancy. Expressions of interest may be submitted at any time up to the time of the election to fill such vacancy.

A vote to fill such vacancy shall be taken not later than at the second regular meeting following the creation of the vacancy. At the election to fill the vacancy, all nominations will be made from the floor.

6. Role of Chair in membership on special committees

- A. Committee reviewed bylaws that indicate special committees are established via Board resolution. Such resolution may name committee members and/or the chair. The resolution presented, is subject to amendment, substitution, etc.
- B. It was noted that Board chair is seeking to fill two vacancies on the SCRE committee. Although, we have not required it on previous occasions, such action requires an amended resolution to be approved by the Board.

7. Establishing Rules for public participation at Committee/Board Meetings

"To put the issue in perspective, the Open Meetings Law gives the public the right to attend, listen and observe the performance of public officials during meetings of

public bodies. That statute, however, is silent with respect to public participation. If a public body does not want the public to speak during its meetings, a policy or rule to that effect would be valid. Many public bodies, however, permit limited public participation, and when they do so, this office has advised that rules should be adopted and that any such rules must be reasonable and treat members of the public equally.” OML AO 5607

- A. Committee looked over the following categories for rules:
 - 1. Conditions under which members of the public may speak
 - 2. Conditions under which non-committee Board members may speak
 - 3. Set time limits for debate in total or on specific items
 - 4. Establish a schedule of order categories for speakers
 - 5. When can elected officials be invited to speak?
 - 6. Establish time limits for categories of speakers
 - 7. Can speakers be limited to specific items?
 - 8. Can time limits be modified or ended
- B. Committee agreed that:
 - 1. Rules need not be consistent across all committees
 - 2. Rules need to be announced at the beginning of each meeting so that members of the public know what to expect
 - 3. This item will be more deeply discussed at the January meeting

8. **COIB** – One Board member requested advise on whether a conflict existed

9. New York City Council Spreadsheet

- a. Last calendar of the legislative session
- b. Voting rights for c. 800,000 non-citizens (30 day-residence, Green Cards, DACA)

10. Next Meeting – January 10, 2022

Respectfully submitted,

Martin Wolpoff, Chair
Law, Rules and Ethics Committee