

Pending Committee Approval

Law Rules and Ethics Committee Meeting Minutes February 14, 2022

1. Meeting called to order at 7:06 PM
2. Attendance
 - Present (6): Martin Wolpoff, Sylvia Alexander, Kelli Buford, Lisa Daub Rosemary Ginty, David Gelman
 - Absent (4): Paul Ellis, Steve Froot, Dan Padernacht, Omar Murray
 - Community Board 8 member (1): Dr. Camelia Tepelus
3. Approval of January minutes – Approval of delayed until presence of a quorum.
4. Chairman' report
 - A. Chairman noted that in locating the proper place in the Ethical Guidance Manual for the addition of the rules concerning filling midterm vacancies, he noted that we have never formally eliminated the phrase “Abstention for cause.” Thus, he replaced the phrase with “Present, ineligible to vote.”
 - B. New language for obtaining “Revocable Permits” to operate a sidewalk or roadside café. - On Tuesday (2/8/22) two City Council committees co-conducted hearings proposed new language. In the morning there was an in-person session where DOT’s intent was laid out. In the afternoon, there was a Zoomed session. Chair Zoomed in for a good part of the afternoon. He reported on a number of issues speakers raised. Aside from a questionnaire some speakers felt was inadequate, DOT did not request, or obtain, Community Board input. However, there, there will be a period, time to be announced, during which Community Boards will be able to hold hearings and voice their opinions. Chair offered several points raised by the speakers, whose voices included Community Boards, restaurant organizations, senior citizen groups and others. LRE pondered on which committee would take the lead concerning CB 8’s potential hearings. It could appropriately fit within land use, economic development, traffic and transportation, LRE or perhaps others. Laura, as chair of the Board, will need to decide.
 - C. At the request of the SCRE committee, chairman polled members to identify an area specific to LRE that could further the objective of encouraging and enhancing racial equity. Ms. Ginty noted that the former Mayor’s Racial Justice Commission composed three ballot items to appear in November 2022. It was suggested that LRE should review the items to see if we might adopt/adapt one or more that align to our objectives. Further, we could advise both the Board and the public about the ballot items. Chair will forward the press release to LRE members for discussion in March.
 - D. COIB – In a recent emailing from COIB announcing Dispositions, a Manhattan Community Board member was fined \$1,500 for “representing” her agency at Board and committee meetings when the issue concerned the agency for which she worked. LRE chair contacted COIB requesting a more precise delineation between “Declaring

and Discussing” when there is a conflict of interest and “Representing.” Chair indicated he was still unsure of the line and asked attorneys on the committee to help clarify.

Chair is concerned for Board members who have previously “Declared and Discussed.” In both the Disposition from COIB and our Board 8 experiences, the persons affected Did not vote. Chair was of the impression that he had previously shared the fuller document with the committee. However, in light of the comments that the material hadn’t been received, he will resend and lay the item over to the March meeting.

5. COIB – Committee briefly reviewed the four other Dispositions distributed by COIB.
6. Legislative Spreadsheet – previously distributed
7. Draft meeting rules – Chair has been trying to get consensus on a set of rules to help better construct how Board and committee meetings are conducted. Chair had intended to forward the item previously. Thus, the item was laid over. It was pointed out that hearings, under ULURP, for example, may have their own set of rules. The authority of a chair to limit the time for speakers should further elaborate that it refers to all speakers, e.g., the public, Board members, elected officials, presenters. It was also. Suggested that the rules serve as a primer for both new and more senior members.
8. Old business – None
9. New Business – None
10. Approval of January 2022 minutes - Approved unanimously
11. Meeting adjourned at 7:58 Next meeting – March 14

Respectfully submitted

Martin Wolpoff,
Chair