

**Draft Awaiting Committee Approval**

**LAW, RULES & ETHICS COMMITTEE**

**DATE:** Monday, September 12, 2022

**TIME:** 7:00 PM

**LOCATION:** Join Zoom Video Meeting:

<https://us02web.zoom.us/j/2114033690>

Join Zoom Phone Conference Meeting:

Tel. No.: **(646) 558-8656** Pin: **2114033690#**

**Minutes**

Meeting called to order at 7:05 pm

1. Welcome to returning Committee members. Chair noted that this was the last Zoom meeting under the Governor's emergency order, Martin Wolpoff, Chair, Sylvia Alexander, Steve Froot, David Gellman, Dan Padernacht
2. Attendance (5): Martin Wolpoff, Chair, Sylvia Alexander, Steve Froot, David Gellman, Dan Padernacht  
Absent (0)  
Guests (0)
3. Approval of May 9, 2022 minutes - Approved unanimously
4. Chairman's Report
  - A. SCRE
    1. Chairman reported he had sent a memo to the members of the SCRE committee offering some observations on their draft report distributed in June 2022. Two of the Items were the COIB notification that reference to a political party or representative was denied to community boards and their notion that they could contact the Mayor, Borough President or city agencies in the name of the board was unauthorized.
    2. The Chair attended the last SCRE meeting at which a representative on the Mayor's Commission on Racial Equity informed the committee about the three items that would be on the November ballot. The LRE chair advised SCRE that we had a letter from the NYC Law Office that forbids community boards from advocating for or against any issue that is on the ballot. SCRE could inform but could not take any position.
  - B. Hybrid meetings  
The committee discussed the absence of any publicly distributed guidelines from the board as to how requests for hybrid attendance should or would be handled. The chair will speak to the board chair offering LRE to be the committee to generate a set of guidelines for board consideration.
5. Discussion on use of personal E-mail addresses  
Based on an article shared by Sergio Velaverde the committee considered the availability of City-provided email address for CB 8 member's communications. The chair shared an advisory he received from Ciara Gannon on this matter (see below). After confirming that getting a .gov email address would not be feasible, the committee agreed the board members should recommend that all board members consider setting up an email address for the exclusive use for board business.

Wed, Aug 24 at 1:37 PM

Good Afternoon All,

I wanted to provide some insight on the email address inquiry. When this came up in years past, we were informed by DOITT that it was not possible because to agency resources. I reached out to the Borough Presidents Office today and received the below response. I understand that this will be on the LRE agenda, but I want to make sure everyone understands the city's stance on this before CB8 makes an issue out of something that will not go anywhere.

From Ciara

As you are aware, our office has always suggested CB members create a specific email address for their community board business that is separate from their personal email address, since the City currently does not have the capacity (or ability) to deploy city emails for all 600+ community board members. We actively discourage the use of personal email addresses for CB business, and each year reiterate why, for the reasons the article suggests.

This creating a new CB email guidance was specifically tailored in an attempt to preserve individuals' privacy in their personal communications and to avoid commingling of individual's personal communications from public scrutiny in relation to communications about community board business. If the objective case can be shown that *all* community board emails go to one segregated email address ([nameBxCB8@.com](#) or the like) , there is less rationale to try to seek disclosure of a personal email address ([name@.com](#)) on a fishing expedition. That's the nuance.

5. Discussion of COIB Agreements
  - A Chair distributed the latest copy of the **COIB Ethical Times** which focused on the prohibition for city employees to accept gifts.
  - B. The committee reviewed the four latest Enforcement cases.
6. Discussion of City Council Legislative Spreadsheet  
Committee reviewed selected items on the spreadsheet.
7. Old business - None
8. New business  
At the request of **Camelia Tepelus, the committee began discussion of her position that there be an amendment to the board's bylaws of Article VI, sec. 2 (cited below). The chair outlined the process for this item:**
  - A. Camelia would be invited to offer the reasons behind her request
  - B. Committee members would be given the opportunity to offer initial thoughts
  - C. The item would be tabled to allow committee members to do any research and return in October prepared for any debate.
  - D. Chair noted that if there were any amendment suggested, it needed to go from LRE to the executive committee and then required approval at two consecutive full board meetings.
  - E. He also noted that in the issue at hand, actual implementation would not have any impact until September. Dan Padernacht offered that when the board considered such an amendment, it could also consider a retroactive date for implementation.

**ARTICLE VI**  
**COMMITTEES**

*Sec. 2 – Each standing committee shall consist of a committee Chairperson, such other Appointed Members as volunteer and **are approved by the Chairperson of the Board** and such other members of the Community nominated by the Chairperson of the committee and appointed by the Chairperson of the Board. **The committee chairpersons in consultation with the Chairperson of the Board shall determine the size and membership for each committee.** Community committee members shall serve through the next June meeting, subject to reappointment, unless removed by the Board Chairperson in consultation with the Committee Chairperson  
[5/12/15)*

In sum, Ms. Tepelus, while accepting the concept that a committee chair has the right to cap committee membership, felt that where there are more board members wishing to be on a committee than the number of seats capped by the committee chair, there should be an anonymous or person-neutral method for selecting the committee members. Ms. Tepelus withdrew her suggested language for such an amendment but would follow up by providing the committee with an updated version. Ms. Tepelus made it clear that if she was unsuccessful in her attempt to get the amendment, she was prepared to file a discrimination complaint.

9. Next meeting – The chair pointed out that the date selected for the October LRE meeting was problematic in that it was Indigenous American Day, Columbus Day, and the start of a Jewish holiday. Chair will be in contact with the office to select an alternate date.

10. Adjournment - 8:40 PM

Respectfully submitted,

Martin Wolpoff  
Chair