

Draft until approved by Committee

Minutes Law, Rules and Ethics Committee September 7, 2023

- I. Meeting called to order at 7:30 pm
Present (7): Martin Wolpoff, Chair, Steve Froot, Vice-Chair, Sylvia Alexander, Jillian Baez, David Gellman, Rosemary Ginty, Jessica Sosa
Absent (2): Charles Moerdler, Omar Murray
Guests (4): Julie Reyes, CB 8 Board Chair, Vanessa Tines (Coop Pres of building on Greystone Ave), Brett Castello (Greystone Ave resident)
Chairman welcomed last year's committee members, as well as returning members and new-to-the committee and Board members.
2. Vote to approve June 2023 minutes – approved unanimously
3. At the request of the Board chair LRE was asked to vet two SAPO applications so that resolutions could be brought before the full Board next week.
 - A. Girls Prep Bronx Elementary, an all-girls charter school that began this term in a co-location in PS 307 at 214 Eames Place is seeking to have a block party with its new neighbors. A presentation was provided by Vanessa Tines, Director of SFA. Ms. Tines was advised to contact neighbors, through flyers, and coordinate with the 50th precinct about how to handle the vehicular needs of the neighbors on the one-way street that will be impacted.
Vote to approve the application: Unanimous
 - B. An applicant resident, unknown to any on the committee, proposed to have a “Summer Splish Splash - End of summer block party” on Saturday September 30, 2023, on Greystone Avenue between W 236th St, and W 238 St, from 12:30 pm to 9:00 pm, with cleanup through 9:30 pm. Members of the committee had several questions but there was no representative present to explain. As with the above applicant, contact was attempted to advise that appearance before the committee was essential to the possibility of approval. There was failure to respond to several such attempted contacts, There had been no response and thus, no presentation was offered.
Unanimously, no one wanted to approve this application for the following reasons:
 - a. No presentation or explanation of plans for the event
 - b. Inconsistencies in the application, e.g., the application introduction announces they would be featuring hotdogs, but checked that no food or beverage would be distributed or sold. But later they checked off that alcohol would be served.
 - c. Closing off the street with music until 9 pm appeared, with cleanup through 9:30 pm to be inappropriate
 - d. With information provided from the president of a coop on the block in question and from another resident, the street with its multiple driveway curb cuts, with additional garage and parking spaces to the rear of residential homes, appeared to be too great an inconvenience for the neighbors.
 - e. Committee members observed that West 238th Street above Greystone was a very congested thoroughfare under the best of circumstances, and that closing Greystone between West 236th and 238th Streets would likely exacerbate the situation.
 - f. It was also suggested that this proposed block party might be proposed by Manhattan College students, and if so, that there should be areas of the College campus more suitable than a residential public street for such a celebration.

The one concern was that the 5-0 pct. be advised of our concern that the applicant might attempt to move forward without a permit.

4. Chair's report
 - A. Welcomed all committee members.
 - B. Steve Froot has agreed to serve as vice-chair.
 - C. Chair is still hoping to have a volunteer to serve as secretary.
- D. As promised in June 2033, the Chair is implementing a rule concerning the introduction of new business at LRE meetings. Any "New Business" requested will be allowed based on three criteria:
 - i. The chair is advised in advance so that any necessary preparations can be made.
 - ii. The person offering the New Item intends for it to be discussed at the next LRE meeting.
 - iii. The item requested has a sense of urgency that requires immediate action.
- E. Chair reported that over the summer he offered the following advice:
 - i. Letters/testimony presented to the Board at a public hearing should not require a FOIL for a member of the public to gain access.
 - ii. If there is a request for an Item that was submitted to the Board stamped "confidential," the office needs to confirm with an appropriate agency whether confidentiality is still relevant.
 - iii. Definition of Ex Officio: "The president is an ex-officio member who has the right, but not the obligation, to participate in the proceedings of the committees. In this situation, the president is not counted in determining the number required for a quorum or whether a quorum is present at a meeting "
- F. Review of implementation of Videoconferencing
 1. COOG Survey – Chair distributed, for the benefit of the new committee members, a memo that attempted to memorialize a conversation he had in July with a poll taker from COOG. COOG was performing a study of the implementation of the hybrid model to be able to advise the state legislature before it renews the OML.
 2. The committee reviewed the current practice and considered some of the changes that might be considered before the CB 8 resolution comes up for renewal in May.
 3. One issue of concern is the implementation of each chair's approvals for Extraordinary Circumstances (EC). In the absence of a specific list of permissible reasons to request EC status, there is already a sense of possible abuse and the reality that some chairs may be more stringent or relaxed in authorizing hybrid participation.
 4. This matter will become part of our monthly agenda.
- G. Preparations for committee chair transitions and beginning of the impact of term limits. A CB member felt that there was insufficient time for newly elected chairs to transition into their new positions during the summer recess. It was suggested that the actual takeover of committees take place in September. The chair asked committee members to ponder this concern and offer suggestions at the October meeting. He also asked for consideration of the anticipated major Board membership change when term limits are fully effectuated,

5. Code of Conduct – The Chair referenced an article in the Bronx Press concerning the need for better discipline/civility among community board members and also the fact that the Bronx Borough President had required this year's class of appointees and reappointees to community boards to sign an detailed code of conduct. Although LRE had issued a draft Statement on Civility and planned to consider proposing Code of Conduct for Community Board 8, the question arose as to whether such a Code of Conduct was necessary for CB 8. The item was tabled until October to allow committee members to review a draft code and offer suggestions. The committee also considered the role of the parliamentarian as an enforcer of norms of civility, but it was agreed that this is the proper role of each committee's chair or the chair of the Board.
6. COIB – The Chair reviewed the mandated role of COIB to ensure compliance with regulations governing ethics and integrity in government. He noted the continuing notices of COIB Dispositions which the chair regularly forwards to committee members. The Chair noted that he had distributed to Committee members the COIB Dispositions received over the summer.
7. City Council Spreadsheet
The Chair noted that he downloads the data regarding proposed and adopted legislation from the City Council website into an Excel format. He then sorts the data by committee and color-codes those items that were initially sponsored by one of our three City Council representatives. He further noted that he distributed the full spreadsheet to all the Board chairs suggesting that each chair identify items of direct concern to their committees.
8. Primer update – the Chair noted that in 2019 he distributed a Primer document for the benefit of all Board members but with a concern for bringing new Board members up to speed. He updated the Primer but chose to request committee input before distribution. Since he did not send it out until the afternoon of the meeting, he will wait for comments at the next LRE meeting. LRE Committee members Jillian Baez and Jessica Sosa volunteered to help the Chair insert links to the relevant documents in the body of the Primer. ■
9. Next Meeting – Normally scheduled for October 9, which is Columbus Day/Indigenous Peoples Day. Thus, the Chair has requested that the Board office offer an alternate date, and Thursday October 12, 2023, was selected.