

PENDING COMMITTEE APPROVAL
Law, Rules & Ethics Meeting Minutes
April 12, 2021
Via Zoom

Attendance:

Present (9): Sylvia Alexander, Lisa Daub, Paul Ellis, Rosemary Ginty, Louis Lopez, Charles Moerdler, Omar Murray, Sergio Villaverde, Martin Wolpoff (Chair)
Absent (2): Steve Froot, Dan Padernacht (Vice-Chair)
Board Members (1): David Gellman
Guests (2): Araceli F. Linc, Dr. Alan Rosenthal

1. **Meeting called to order at 7:10 PM**
2. **Chairman welcomed committee members and guests.** He also welcomed Dr. Alan Rosenthal, who he mistakenly thought was the COIB representative who responded to a Board query as to whether the chair of the Land Use committee could poll District 11, City Council candidates on their positions concerning CB input on City agency planning. The correct COIB representative was, in fact, Ethan Carrier, General Counsel, who responded, *“While the views of the next mayor on the subject of land use of are understandably of great interest to community boards across the City, Chapter 68 of the City Charter prohibits community board from being involved in political activities, including holding candidate forums, candidate position surveys, and the like. Accordingly, I advise that the community board cannot ask candidates for elective office about their positions on land use (or any other) issues.”*
3. **Approval of March 8 Minutes** - unanimously approved, as amended:
 - a. Correct acronym for Rank Choice Voting to RCV.
 - b. Eliminate second part of last sentence in item 3.c to read, “This process continues until a winner is declared.”
4. **Review of City Council legislative spreadsheet** - Chairman distributed to LRE members, Board officers and committee chairs, via email, the latest City Council legislative spreadsheet which he had generated. Chairman intended to share abbreviated document in which he identified about two dozen items, by Council committees, that he felt were of particular interest. However, he had great difficulty mastering the screenshare feature on his computer. He expressed the intent to share the abridged spreadsheet via email tomorrow.
5. **Review of latest COIB Agreements** - Chairman had distributed, via email, the latest Agreements from the COIB. Given his difficulty in mastering screenshare, Chair emailed file to Lisa Daub. She was able to share the Agreements on screenshare from her computer.
6. **Discussion of possible letter to DOT** - Chair shared with committee the latest draft of the letter to DOT expressing concern that, based on an article appearing in “City and State.” The latest draft included a paragraph based on an item recommended by Bob Bender, with information provided by Dan Padernacht. Although focused on the imposition of bicycle lanes in CB 8, Manhattan, the article reports on DOT’s attempt to ignore City law requiring DOT to advise community boards of proposed projects giving Boards 90 days to engage in research, public hearings and expressing its opinions, before the project is started. The following letter was unanimously approved.

To: The NYC Department of Transportation.

Based on coverage offered by the publication "City & State," (February 17, 2021), Community Board 8, Bronx, learned of your agency's desire to either have repealed, or totally circumvent, the 2011 City Council unanimously-enacted law requiring DOT to provide ample notice to Community Boards when bicycle lanes and other DOT projects are under consideration. CB 8, Bronx finds this attitude less than appreciative of the role of government and the right of citizens to have and express their opinions. Democracy isn't always neat and expeditious, but it does ensure that citizens are heard.

As cited in the article, "In May and late June, DOT announced plans to create temporary, protected bike lanes that would connect already-existing lanes as an emergency response to the pandemic. Many of the lanes announced were already in the works. But some Community Board 8 members seemed surprised to learn that their East 61st and East 62nd Street lanes were on the list." What is of concern is why Board 8, Man. members were not given fair and due notice?

Community Board 8, Bronx has many examples of instances in which DOT has bypassed the courtesy and legal requirement to inform our board. These include the placing of speed bumps on Palisade Avenue directly in front of the Hebrew Home for the Aged, a roadway very frequently used by emergency ambulances going to and from the Home and the removal of muni-meters and the installation of bicycle racks on West 231 St. While there may be merit behind these projects, community input may have convinced you that the locations selected were more of an impediment than DOT realizes.

With the inevitable change of government that is our American way, positive and negative disturbances into our neighborhoods will be enjoyed, or judged, by the local residents for years to come. It seems only fair and proper for Community Boards to be able to conduct public hearings and be able to offer their local perspective.

Thank you,

C: Elected officials

7. Discussion of experiences with Rank Choice Voting - Committee members discussed their experiences with our first Rank Choice Voting election. At this time, we are awaiting the opening of absentee ballots and the possibility of rounds of lowest vote-getters being eliminated.
8. Old business – None
9. New Business – None
10. Meeting adjourned 8:20 PM – Next meeting Monday, May 10, 2021

Respectfully submitted,
Martin Wolpoff, Chair
Law, Rules and Ethics