

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF THE LAW, RULES & ETHICS COMMITTEE MEETING
HELD ON SEPTEMBER 29, 2014
RIVERDALE MENTAL HEALTH, 5676 RIVERDALE AVENUE – 2ND FLOOR**

Committee Members Present: Martin Wolpoff, *Chair*, I. William Stone, *Vice-Chair*, Sylvia Alexander, Steve Balicer, Robert Fanuzzi, Arlene Feldmeier, Philip Friedman, Rosemary Ginty, Maria Khury, Irving Ladimer, Demetrius McCord, Daniel Padernacht, *Board Chair*, Anthony Piscitelli, Robert Press, Julie Reyes

Members Absent: Dana Lennon, Charles Moerdler, Amy Moore

Visitors: Laura Spalter

Chair apologized for meeting starting time mix-up. Meeting time will continue to be, 7:00 P.M.

With a quorum present, the meeting was called to order at 7:15 PM.

1. Approval of minutes – Committee approved minutes for May and June 2014.
Voting Yes: Martin Wolpoff, I. William Stone, Sylvia Alexander, Rosemary Ginty, Irving Ladimer, Anthony Piscitelli, Robert Press
Abstaining (for Cause): Demetrius McCord, Philip Friedman, Julie Reyes (having not been present)
2. Introduction of committee members and welcome to Demetrius McCord, new Board Member
3. Announcements
 - a. I. William Stone identified as Vice Chair
 - b. Distribution of tentative meeting dates (fourth Thursday of each month – Oct 23, Nov 24, Dec 24, Jan 27, Feb 24, Mar 25, Apr 29, May 27, Jun 24). Noted that November coincides with Thanksgiving and December coincides with Christmas. If committee's agenda calls for it, alternate dates will be arranged.
 - c. With respect to ensuring a quorum, Chair noted concern that committee was too large. He plans to closely monitor attendance and ask the Board chair to remove committee members after two consecutive absences. (After meeting it was pointed out that Board 8 bylaws call for three consecutive absences or six absences during the year.)
4. Legislative Review
 - a. Chair thanked Rosemary Ginty for preparing grid identifying bills currently being considered by the New York City Council.
 - b. Ms. Ginty explained origin and intent of tracking system she began when she was committee's chair.
 - c. Committee members identified several items that would be of interest to other committees.
 - d. Chair noted intent to bring grid to Executive Board meeting so other committee chairs could decide if they wanted to apprise their respective committees of significant items.
 - e. Chair noted that resolution 164, concerning process for Borough Presidents to appoint community board members had been tabled by the Council. It was also

noted that any implementation would require City Charter amendment. Thus, Chair wished to table this item from the distributed agenda.

- f. Mr. Piscitelli advised that State Legislature passed, and the Governor signed law permitting two persons, as young as 16, to be appointed to community boards. This item will be referred to Education and Youth Committees. Mr. Piscitelli provided copy of legislation.
5. Review of decisions by the New York City Conflicts of Interest Board (COIB)
 - a. Mr. Ladimer pointed out that Community Board 8's by-laws are silent on possible penalties for ethical lapses and such should be considered.
 - b. Chairman indicated he planned to establish a committee to review, and if necessary offer suggestions for revision of the by-laws.
 6. Chair requested discussion of Reso A, as listed in the agenda be tabled to October so that committee could focus its attention on the Open Meetings Law (OML) and consideration of the future of the nominating committees.
 - a. Chair noted distressful summer, due to ambiguities concerning OML adherence. Land use subcommittee established to investigate specifics of proposed Self-help project on Broadway was particularly frustrating. Chair was also frustrated due to having to disagree with persons with whom he agreed. The process to call for meetings seemed to be hampered. However, he hoped that after Board adopted Law Rules & Ethics proposed guidelines, the process would become more fluid and less an impediment.
 - b. Chair referenced and again distributed his correspondence with Executive Director Robert Freeman of the NYS Committee on Open Government (COOG). From that correspondence, and additional readings of COOG's-published decisions, the Chair's sense is that all committees, subcommittees, working groups, small groups; etc., established to conduct, or prepare for board follow-up, must be publicized through an identified location, provided to the press, posted conspicuously on our website and open to the public. Chairman reminded all of the purpose of OML; to ensure the public has access to the decision-making process.
 - c. Committee focused on length for required notice, limitations on use of "executive sessions", requirements for conducting "emergency" meetings, general belief that non-board member appointment to a committee does not render the committee not a "public body."
 - d. Beyond court action, inquiry sought information on penalties built into the OML.
 - e. Difference of opinion expressed over whether the nominating committee process should be discontinued. Several members posited possible alternatives.
 - f. Chair asked committee members to consider the discussion and be prepared to develop a proposal at the October meeting to be forwarded to the Executive Committee. Chair will seek to provide committee members, prior to October meeting, language for possible proposals.
 7. For the October meeting the agenda will include:
 - a. Development of OML proposals for the Executive Committee, including recommendation for nominating process.
 - b. Creation of a by-laws review committee - request was made for Chair to develop a list of some items a by-laws review committee might need to consider.
 - c. Discussion of Reso A

8. Meeting adjourned at 8:45 PM. Next meeting date October 23, 2014, 7:00 PM – Riverdale Mental Health

Submitted by,

Martin Wolpoff, Chair
Law, Rules & Ethics
Committee