

# Minutes

## Law, Rules and Ethics Committee

November 13, 2023

Vice Chair Froot called the Meeting to order at 7:38 pm.

### 1. Attendance

Present (4): Steve Froot (Vice-Chair), Sylvia Alexander, Jillian Baez, Rosemary Ginty

Absent (4): David Gellman, Charles Moerdler, Omar Murray, Jessica Sosa,  
Martin Wolpoff (Chair) – participating via Zoom

Guests: Julie Reyes (CB 8 Board Chair), Jeff Klapper, Belinda Hancock

2. **Minutes** of October 12, 2023 meeting: approval of minutes deferred due to a lack of quorum

### 3. Chair's report

A. How to handle video recordings of CB 8 meetings victimized by Zoom-bombing:

- I. edit & post on website along with notice of deletion, but maintain intact recording as government record; or post on website without editing, but perhaps with a warning
- II. DM to follow up with BP's office for guidance previously requested
- III. M. Wolpoff drafted letter to CoOG requesting guidance; Board Chair to approve

B. Whether to poll members as to reasons for abstaining during Board votes

- I. goal to encourage members not to abstain (as opposed to "present/ineligible to vote")
- II. such questioning likely to be time-consuming & thus impractical
- III. Board Chair might routinely address issue at Board meeting, prior to committee reports
- IV. insufficient bases for abstaining: not paying attention; not well enough informed on issue; cannot decide; wish to avoid disagreeing with other members' votes

C. Orientation for new/returning Board members

- I. M. Wolpoff & R. Ginty were asked by Board Chair Reyes to offer insights to new members. M. Wolpoff provided an orientation session in which he focused on the committee's primer
- II. R. Ginty: "learn the rules; be informed about issues; vote one way or other"
- III. Both emphasized taking role as Board member seriously

D. NYC Civic Engagement Commission (CEC):

- I. M. Wolpoff pointed out divergences between the commission's presentations and the rules which actually govern NYC community boards
- II. Examples include abstentions counting as NO votes; public meeting requirements applying to Board subcommittees; meeting minutes required; attendance at meetings by videoconference only if approved under Extraordinary Circumstances, according to Board's procedures
- III. The CEC has acknowledged the observations and corrected its presentations

E. "Disability" now recognized by amendment to statute covering hybrid meetings

- I. there are similar definitions of disability in the ADA and NYC Human Rights Law
- II. if a member has a disability that prevents him/her from attending a meeting in person, he/she may attend via videoconference and be counted for a quorum
- III. LRE should inform committee chairs of change in law and this should be included in any amended versions of its hybrid meetings "Procedures" adopted by the Board

4. **Survey committee chairs' experience/views concerning "Exceptional Circumstances" (EC)** provisions of the Board's hybrid meeting procedures

- A. The committee reviewed a draft of the survey, which includes a letter to committee chairs, a data collection form, and a questionnaire
- B. The survey will be distributed at the end of November, with a request that it be completed by mid-December
- C. The committee will take the survey results into account in determining whether to recommend that the existing hybrid meeting procedures be kept in place or amended before a Board vote in the Spring

**5. Future Update to Primer**

M. Wolpoff noted several items that might be included in a future version of the Primer that he and LRE prepared to introduce new members to the work of CB 8

- i. requirement to be a member of two standing committees
- ii. historical districts within community district
- iii. SAPO process
- iv. Capital and Expense priorities prepared by Budget Committee

**6. CB 8 Code of Conduct –**

- A. The following language is found in both the Forward & Introduction to the By-laws and the Introduction to the Ethical Guidance Manual:

**“Beyond adherence to the formal rules, members are expected to treat with dignity and respect all the members of the Board and members of the public whom we serve.”**

- B. The sense of the committee was to recommend that the Board Chair consider reciting this sentence at the opening of every Board meeting for as long a period as warranted.

**7. Guest speaker from Conflicts of Interest Board (COIB)**

- A. The committee discussed what subjects might be addressed if presented to LRE; representative has visited LRE in past years
- B. At the suggestion of M. Wolpoff, the committee determined that it might be helpful if the COIB representative addressed either the Executive Committee or the full Board
  - a. For a presentation to the full Board, a separate event could be held on an evening where there was no other Board business scheduled
  - b. M. Wolpoff will raise the issue at the next Exec meeting

**8. Next Meeting –** Likely to be scheduled for Monday, December 11, 2023.

The meeting was adjourned at 8:27 p.m.

Respectfully submitted,

Steven Froot