

Awaiting Committee Approval
Law, Rules and Ethics Committee
Minutes
April 8, 2024

1. Attendance

Present (3): Martin Wolpoff, Chair, Steve Froot, Vice-Chair, Rosemary Ginty

Extenuating Circumstances (1): Sylvia Alexander

Absent (3) David Gellman, Charles Moerdler, Jessica Sosa

Guests (1): Julie Reyes, Board Chair

2. Approval of March 4, 2024, Minutes – In the absence of a quorum, item skipped.

3. Chair's Report

1. The chair presented two articles for the committee to consider. The first involved a changeover in the leadership of CB 5, M. As reported, because it had been interpreted that an interest group was taking over leadership of the board, the chair and others resigned. In the ensuing election, leadership from that interest group took over the Board's officerships. The chair pointed out with particular interest The vote was 22 in favor and 19 abstentions. In the second article the chair pointed to community educational council for district 14 in Brooklyn where three parents have sued because of the leadership reliance on the Department of Education's Regulation D-210 that the lawsuit claims has been used to suppress dissenting voices. The regulation claims it permits the investigation and removal of CEC members for speech deemed "offensive or disrespectful." The lawsuit argues that the regulation's vague and undefined scope is a violation of fundamental free speech and due process rights.

2. CB 8 Awards - Board chair Reyes requested LRE guidance concerning the selection and process for identifying individuals to receive Awards in the name of the Board, specifically the Irving Ladimer Community Service Award, the Grace Campbell Merchant of the Year Award and the potential Veteran's Award. Chair Reyes' memo was shared. Committee chair Wolpoff admitted that he was the cause for this question arising. He had pointed out to the executive committee that he was disturbed that awards being given out in the name of the board did not involve the board membership at all. A committee in each case went through a process to receive nominations and selected the awardee(s). It was usually at our June meeting when the awards were distributed that the board membership became aware of who had been selected. Relating to the origins of the community service award, when he had been chair of the board, the process required that after the selection committee had made its choice or choices the executive committee was advised of the recommendations and discussion followed. In recent years that process has not been followed. He also noted that when the awards were first initiated the open meetings law was not in effect thus discussion at the executive committee or the selection committee did not involve possible public exposure. We certainly would not want someone to be discussed and publicly rejected.

What has been occurring for various selection procedures is for applications, resumes, nominations to be lettered and shared with discussion limited to items that would not disclose the individual being considered.

There being no quorum, no motion was presented, and no recommendation was being forwarded at this time.

3. A second item from Chair Reyes requested LRE input concerning implementation of the "Procedures" for Hybrid meetings. She requested that LRE consider the anomaly of committee chairpersons who had not requested, or received Extraordinary Circumstances status, and were therefore absent, making reports via Zoom. Should LRE consider this issue and provide further guidance? Again, in

the absence of a quorum there was no resolution offered. However, the general consensus was that this matter was a judgment call by the chair of any meeting at which this could arise.

- 4. Use/discontinuance of Extraordinary Circumstances** – Beginning with the March memorandum to the full Board from the committee chair and vice-chair, the committee reviewed its stance on ending the concept of extraordinary circumstances. The chair also shared the comments he had received from Board members. Although the current law expires on July first, with the possibility of legislative amendment, the committee felt it was important to reiterate to the Board that we anticipate submitting a resolution to end the practice at our May board meeting when a resolution to extend the use of telecommunications will also be on the agenda. We will continue to solicit input from board members who have opinions on this practice.
- 5. COIB Settlements** – The chair shared the latest communications from COIB.
- 6. Spreadsheet of NYC Council Legislative Activity** – Chair noted that the latest spreadsheet had been forwarded to the committee and committee chairs.
- 7. Old Business** - None
- 8. New Business**- None
- 9. Meeting Adjourned 8:40 - Next Meeting – Monday May 13, 2024**

**Respectfully submitted,
Martin Wolpoff, Chair**