

PENDING COMMITTEE APPROVAL

LAW, RULES & ETHICS COMMITTEE MINUTES 9/14/2020

1. Meeting called to order at 7:03 PM

Attendance

Present (9): Martin Wolpoff, Chair, Sylvia Alexander, Lisa Daub, Paul Ellis, Steven Froot, Rosemary Ginty, Daris B. Jackson, Omar Murray, Daniel Padernacht

Absent (3): Louis Lopez, Charles Moerdler, Sergio Villaverte

2. Introduction of committee members and guests
3. Chairman welcomed returning and new committee members. He requested approval to amend the Agenda to include discussion of the Ethical Guidance Manual (EGM) section on voting. With unanimous consent, using a Power Point presentation, the Chair shared the appropriate EGM section. He explained the difference between “abstention” and “abstention for cause” and their impact on the majority vote required to approve a resolution and the appropriateness of challenges. “Cause” is most usually defined as having a conflict of interest. Board members anticipating the possible need to “abstention for cause” should obtain, through the LRE Chair, guidance from the Conflicts of Interest Board (COIB). If a Board member has not previously done so, the chair of LRE offers an opinion.

In conjunction with this discussion, the Chair pointed out that having been absent from the previous meeting does not warrant an automatic abstention. It is the obligation of committee members to review the published minutes and discuss with committee members, who were present, any issues in question and then vote as they see appropriate.

4. Approval of June minutes
It was pointed out that there was a malapropism in the minutes through the use of “census” when the correct word was “consensus.” Minutes, as corrected, were unanimously approved.
5. Discussion of draft changes to community Board 8 Ethical Guidance Manual (EGM) concerning street co-namings for sections of parks and historical landmarks. After extensive discussion, it was felt that the rewording required a closer review and resubmission to the committee. Chair will provide committee with a “track change” copy prior to the next meeting.
6. Nominating Committee Recommendations
Committee discussion ensued on the four recommendations, summarized as;
 - A. public announcement of initial nominating committee meeting
 - B. although all seats are effectively vacant in anticipation of promulgation of the slate, the EGM should require an affirmative statement by current officers and committee chairs that they wish, or do not wish, to be considered for re-nomination
 - C. prohibition of members wishing to be considered for more than one position

D. mandating interviews for all board members wishing to be considered for slate consideration

With knowledge of the sense of the committee members, Steve Froot was asked to review the four items that emerged from his committee and prepare wording for resolutions. There was a request for a non-binding straw poll on whether all applicants for a position on the slate must be interviewed.

Yes (2): Paul Ellis, Daniel Padernacht

No (7): Sylvia Alexander, Lisa Daub, Steven Froot, Rosemary Ginty, Daris B. Jackson, Omar Murray, Martin Wolpoff,

It was understood that when a new applicant or someone seeking re-nomination on the slate for an alternate position, such persons would be interviewed. Also, if there is more than one candidate for a position, all such candidates would be interviewed.

7. Decisions of COIB – Item was not discussed

8. Legislative Spreadsheet – Item was not discussed

9. Old Business - None

8. New business

A. Considering possible impact of Special Committee on Racial Equity (SCRE)

Chair wanted members to be aware of the existence of SCRE. He did not have any sense of how their research and recommendations will impact LRE.

B. Use of CB mailing lists for Email blasts

Board officers have been distressed by abuses and over use of the Board's membership list. As a result, Lisa Daub drafted a policy statement on this issue. This afternoon she shared the draft with the committee Chair. It was agreed that Lisa and the Chair would work together to further flesh out the draft for discussion at the next meeting.

C. Creation of Special Committees

Concerning the creation of a Special Committee, Chair had been asked several questions including:

1. Does membership on a special committee count as one of the two required committees?

Committee agreed that precedent dictated a "no" response.

2. What is the relationship between a standing committee and the Board/ Executive Committee? The Chair of a Special Committee sits on the Board's Executive Committee. Chair pointed out that he advised SCRE that their role does not exceed the powers and responsibilities of any standing committee, the Chair of the Board or the Executive Committee.

3. What is the relationship between a working group/special committee and the Board/Executive Committee?

A working group is an administrative convenience created by the Chair of the Board or a committee chair. It reports solely to its originator.

4. What is the role of the Board Chairperson?

Chair shared bylaws section concerning Special Committees. The Board Chair has the authority to set up any working group. A Special Committee requires a Board vote on a resolution that provides the composition of the committee or subcommittee, the method of selection of its Chairperson, its members, its purposes, its length of existence, and any other matters concerning its

operation. At the July 2020 special meeting called to establish SCRE, the Chair's right to propose the committee members and chair was challenged. The Chair's position was upheld.

10. Next meeting Oct 15. Original date is in conflict with Columbus Day. However, this date conflicts with T and T. A new date will be identified.

11. Adjournment – 9:33 PM

Respectfully Submitted
Martin Wolpoff, Chair