

Law, Rules and Ethics Committee
Meeting Minutes – Pending Committee Approval
May 26, 2016
Community Board Office

Attendance

Present: Martin Wolpoff, Chair, Sylvia Alexander, Irving Ladimer, Philip Friedman, Rosemary Ginty, Robert Press, I. William Stone, Mary Yamagata, Herb Young

Absent: 0

Others:

Chris White, Principal, Visitation School

Dan Padernacht, Chair, CB 8, Ex officio

Lisa Daub, CB 8

Deputy Inspector Terence M. O'Toole, Commanding Officer, 50th Pct.

Meeting called to order at 7:05

1. Approval of March Minutes

In favor: 7- Martin Wolpoff, Sylvia Alexander, Philip Friedman, Irving Ladimer, Rosemary Ginty, Robert Press, Herb Young,

Against: 0

Abstention: 0

2. Playstreet Application for the Visitation School:

A. Chairman recounted process resulting in item being placed on LRE agenda. Requested discussion be split between approval/disapproval of request and process for Board Chair's request to have item placed on committees' agendas. Chairman noted Youth Committee already passed a similar resolution (distributed). He pointed out that this was CB 8's first play street application.

B. Principal White, of the Visitation School, related process for play street permit request. He noted that BJ shopping area has resulted in major traffic increase around school. Following a near child/auto accident, he sought advice from Deputy Inspector O'Toole of the 5-0. The Deputy Inspector researched the process for obtaining play street permits and determined that, following CB approval, a permit application be forwarded to DOT. However, there are only two times during the year when street permits are accepted. June 1 is the last date for submission of requests for the fall. Chairman Wolpoff suggested LRE accept distributed language of the Youth Committee resolution. The committee voted to approve the request as follows:

Approve: 6 Martin Wolpoff, Rosemary Ginty, Bob Press, Sylvia Alexander, Irving Ladimer, Herb Young

Disapprove: 0

Abstentions: 1 - Phil Friedman

C. After Mr. White left, committee discussed process by which the Board Chair could place such items on the agendas of the various committees. At this point, Deputy Inspector O'Toole arrived. He described his research into play street application process. He noted that, although several schools have informally adopted play streets, Board 8 had no official play street. Deputy Inspector also recommended applications for several additional school play streets. Once approved, play street permits do not require annual renewals. Such permits allow street closure beginning next school year. Permit does not require renewal. Mr. Friedman believes such resolutions should be considered only by committees that deal directly with the City agencies involved. Thus, he felt, only T and T should have considered this application. Chairman Padernacht reiterated that, for this request, the time constraint made that impossible. Chairman Wolpoff, although believing that the Community Board should not create unnecessary bureaucratic obstacles, felt that the committee should develop a written policy. He suggested that he would offer a draft resolution for June committee meeting.

3. Review of COIB opinions. - no new items

4. City Council legislative activities

A. Ms. Ginty reviewed the latest legislative grid.

B. Chairman brought special attention to reso 1135-2016 calling for the establishment of Neighborhood Support Teams. Both the Chair and Ms. Ginty noted that the intro was part of an omnibus proposal focusing mostly on criminal justice issues, including support for victims and their families. Neither could understand why these teams were part of this proposal, except that it was introduced by the Speaker who had already established such a team in her own district. Chairman noted that the intro was also supported by Councilmember Cohen. The establishment of these teams offers no support for improving the CAU, community boards or district cabinets in general. The item will be raised at the executive Board meeting.

5. Civics Committee

Chairman reported that Civics subcommittee met and has come to a focus as follows: a lunch time presentation at a senior community center, presentation on role and function of community boards and end with voter registration. Suggestions will be formalized at the next meeting on June 16th.

6. Ethical Guidance Manual

A. The subcommittee reviewed existing manual and suggested changes and additional items. One more meeting should enable the full committee to review the Manual and offer it for adoption by the Community Board.

B. VOTING GUIDE

Suggested text was distributed.

“Appointed members of the Board are exclusively entitled and expected to vote on resolutions for action submitted to the Board. An official vote requires a MEETING quorum (a majority of appointed members.) All votes are recorded as cast in person and on time. For a resolution to be approved there must be a majority vote of the members eligible to vote.

“Votes may be positive, negative, abstentions or abstention noted “for cause.” The MEETING quorum is not affected by abstention or ABSTENTION FOR CAUSE (refusal to vote---THIS IS NOT ALLOWED). All abstentions for cause (must be approved) and ARE subject to challenge on request.

“An abstention is acceptable if the cause or reason for abstention is permissible as a recognized conflict of interest, the appearance of a conflict of interest or the position of the member is based on statute or decision of the Conflict of Interest Board (COIB). In the absence of a specific response to a question adjudicated by the COIB, the chair of the Laws, Rules and Ethics committee shall determine whether the basis of a abstention for cause meets the standards provided by the COIB. The chair of the board will offer a decision, which may be challenged BY A MEMBER AND MUST BE FOLLOWED by a vote of the board.

“Votes from members WHICH are approved as abstentions “for cause” reduce the majority required for the resolution to be approved.

“All votes are recorded as For, Against, abstention OR abstentions “for cause.” The member is permitted to attend the meeting and allowed to take part in the discussion.

“Example: There are 10 members present who represent a quorum. A majority (6 affirmative votes) is needed for a resolution to be passed.

Scenario 1: 5 vote in favor, 5 against – the resolution fails.

Scenario 2: 5 vote in favor, 4 against, 1 abstention – the resolution fails

Scenario 3: 5 vote in favor, 4 against, 1 abstention for cause – the resolution passes”

This will be shared with the executive committee and reviewed by committee next month.

7. Old business

Bill Stone questioned having to vote for minutes when a member wasn't present at said meeting. It was agreed that, in general, the single abstention should not impact outcome. However, if there were no dissention among those who were present, an abstention could result in impeding committee/board operations. Officially sanctioned conflicts "for cause" do not recognize absence from a meeting as an approvable cause.

8. Next meeting

The next scheduled meeting is June 23rd. However, that is the date of the Riverdale Senior Services event honoring Charles Moerdler. Thus, Chair requested that the next meeting be held on Thursday, June 30.

Respectfully Submitted,

**Martin Wolpoff
Chair, LRE committee**

Additional notes provided by Mary Yamagata