

BRONX COMMUNITY BOARD NO. 8

**MINUTES OF THE LAW, RULES & ETHICS COMMITTEE MEETING
HELD ON OCTOBER 29, 2013
RIVERDALE MENTAL HEALTH, 5676 RIVERDALE AVE. – 2ND FLOOR**

Committee Members present:

Rosemary Ginty, Chair
Sylvia Alexander
Arlene G. Feldmeier
Irving Ladimer
Dana Lennon
Dan Padernacht
Anthony Piscitelli
Robert Press
Ari A. Spett
I.W. Stone
Martin Wolpoff

Board Members present:

Maria Khury

Others present:

Andrew Sandler, Councilmember Koppell's Office

The meeting was called to order at 7:10 pm.

The chair stated that the committee meeting is open to the public. The meeting is publicized and the minutes are available on the board's website as are all committee meetings in accordance with the NYS Open Meetings Law.

The minutes of the last committee meeting were unanimously approved.

Organizational Discussion

The Chair welcomed the members of this year's committee and noted that it is one of the largest board committees with 14 members.

Mr. Stone has agreed to once again be the Vice Chair. The task of taking the minutes for the meeting will also once again be rotated on a voluntary basis. Those who volunteered last year are exempt this year. The meetings will be scheduled as needed. There was a discussion about whether the location of the meetings should alternate. The consensus was that for now the current location was convenient to all.

Discussion of Issues for Upcoming Community Board Year

The Chair welcomed any comments from committee members about what issues, projects or efforts the committee wanted to follow or accomplish this year.

The Chair reviewed last year's discussion and goals:

- I. A general review of the Ethical Guidance Manual. This will be a continuing effort of this committee.
- II. Track bill introductions at the City Council for items of importance to the work of the board's committees and where there was interest, track hearing schedules. We took this task up and will discuss later in the agenda.

The Chair raised a possible issue for consideration concerning community members on board committees. The By-Laws state how new community members are admitted to committees with the power to vote on that committee but then, once admitted, there are no training sessions to assist them as there are for board members dealing with land use, budgeting, parliamentary procedures and conflicts of interest.

Discussion ensued and the following resolution was offered:

"The Committee recommends that an informational pamphlet be developed for the assistance of and use by community committee members."

The resolution was adopted by a vote of 10-1.

In Favor: S. Alexander, A. Feldmeier, R. Ginty, I. Ladimer, D. Lennon, D. Padernacht, A. Piscitelli, R. Press, A. Spett, , M. Wolpoff

Opposed: I.W. Stone

Legislative Review – Status of Council Legislation

Ms. Ginty presented the list of City Council legislative introductions and their status. The legislative session comes to an end on December 31st. Mr. Piscitelli explained that all previously-introduced bills will no longer exist as the council will be *sine die*. All bills must be specifically introduced again in the new legislative session if they are to go forward. The committee will follow the new legislative introductions in 2014 with the continuing assistance of Mr. Ari Spett. Mr. Piscitelli offered to look at NYS bill introductions for items of interest.

Highlighted by Ms. Ginty was the city council committee hearing on three legislative proposals concerning sidewalk cafes. She attended the May 7th hearings and reported to Board Chair Fanuzzi and this committee on the hearing. Intro 875, which allows sidewalk cafes to open for business on Sundays at 10 am, was approved and is now law. Intro 1039 which affected the CB's time to review sidewalk cafes and was opposed by many community boards, was laid over by the council committee with no decision.

Mr. Ladimer cited Intro 956 concerning a business owner's bill of rights as being of interest to Board Vice Chair Khury as a member of the Economic Development Committee. The Chair gave a copy of the bill to Ms. Khury.

Ms. Ginty also highlighted four introductory bills concerning various aspects of food establishments (inspections ombudsman, code of conduct, advisory board and consultative inspection program). The bills are awaiting mayoral signature. If signed into law, the language will be sent to the Economic Development Chair for his and the committee's information.

Legislative Review – Intro 948

Mr. Piscitelli gave background and update on the issue. Originally at the request of the community board, legislation was introduced on October 11, 2012 by the City Council (Int. No. 948) to change the public hearing and notice requirements of the Franchise and Concession Review Committee to allow sufficient time for community board review of proposals including a public meeting. Letters were drafted and sent to our councilmember, Speaker Quinn and the Chair of the Government Operations Committee, Gale Brewer again requesting a hearing on the legislation, which was held on June 28, 2013. Board Chair Fanuzzi testified in favor of the bill.

Mr. Piscitelli said after discussions with the Councilmember's and Speaker's offices that the bill dealt with franchises and revocable consents while the ice-skating rink was a concession; therefore, either the legislation needs to be amended to include concessions or we need to work towards having the Rules of the FCRC changed to increase time for community board review for concessions. This will be further pursued.

Old Business- Ethical Guidance Manual ("EGM") Update

Mr. Ladimer gave a status report on the work to update the EGM, which focused on a working outline of topics to be considered for inclusion in any update. Mr. Ladimer noted that updates did not include any changes to the rules but merely clarifications on existing rules. Suggestions from committee members were invited. After discussion, the committee accepted the list of work items as presented with minor additions.

Mr. Ladimer acknowledged the assistance of Mr. Spett in developing the working outline and his continuing assistance in updating the EGM.

New Business – Conflict of Interest Board Published Decisions

Ms. Ginty presented a list of COIB decision summaries from June to October 2013. The committee reviewed them. It was agreed that the Chair will continue to summarize the COIB decisions & inform the committee of them as they are issued.

New Business – Appendix "E" of Community Board Handbook

Ms. Ginty presented the recent COIB amendment to the Appendix "E" of the Community Board Handbook. The only change was the inclusion of the language of Opinion 2008-2 dealing principally with not-for-profit organizations, board of directors, associates, and any item before a community board member concerning benefits, including financial benefits for the same. The committee asks that the amended Appendix "E" be included on the board's website in appropriate places.

The next meeting will be Wednesday, December 11th at the Riverdale Mental Health 2nd floor conference room.

The meeting was adjourned at 8:45 pm.

The chair thanks Ms. Dana Lennon for assisting with the minutes of the meeting.

Respectfully submitted,

Rosemary Ginty
Chair,
Law, Rules and Ethics Committee