

FULL BOARD MEETING MINUTES

July 2, 2021 at 11:30 am

Steven Brown, Chairperson

Present: Barbara Adler, Jay Adolf, Andrew Albert, Linda Alexander, Richard Asche, Kristen Berger, Steven Brown, Elizabeth Caputo, Courtney Clark Metakis, Josh Cohen, Christian Cordova, Ken Coughlin, Page Cowley, Louisa Craddock, Catherine DeLazzer, Mark Diller, Beverly Donohue, Robert Espier, Shelly Fine, Paul Fischer, Julian Giordano, Miranda Goodwin-Raab, Madelyn Innocent, Audrey Isaacs, Natasha Kazmi, Doug Kleiman, Sara Lind, Ira Mitchneck, Klari Neuwelt, William Ortiz, Michele Parker, Seema Reddy, Rich Robbins, Madge Rosenberg, Peter Samton, Susan Schwartz, Roberta Semer, Ethel Sheffer, Polly Spain and Howard Yaruss. **Absent:** Daniela Alvarado, Rosa Arenas, Amy Hyman, K Karpen, Blanche Lawton, Doug McGowan, Jeannette Rausch, Andrew Rigie, Melissa Rosenberg, Meg Schmitt, Erana Stennett and Benjamin Wu.

Steve Brown called the meeting to order at 11:30 after the Secretary confirmed the existence of a quorum.

The Expiration of Executive Order 202.110, which allowed CB7 to meet via Zoom

Steve announced that the purpose of the meeting is to talk about the recent change in our ability to hold Zoom meetings. After July 5, all public meetings, including committee meetings and full board meetings, must be held in person. We are pressed to come up with solutions for July on very short notice.

Discussion re July In-Person Full Board Meeting

He hoped that today's discussion will allow us to decide on a course of action as a community. He is relying on advice he received in a legal briefing from the attorney in the Manhattan Borough President's office. The special-order allowing Zoom meetings expires on 7/5/21, after which we will have to meet live. While there is discussion in Albany about amending the Open Meetings Law, people do not expect any change in the short term. The Borough President sent a note stating that we need to meet live where there is voting, and certainly all Full Board and Committee meetings should be live. For the full Board, how do we feel about meeting live? There is a challenge logistically to set it up safely. There are community Board members who do not feel safe yet to meet in person. It is legal to meet on Zoom today. He noted that the Manhattan Borough Board guidelines permit Community Boards not to meet in July and August. The majority of CB's do not meet in July.

Board members were then called on to express their views.

- Susan Schwartz noted that CB7 is rare in holding July meetings. She did not support meeting in person at this time because the risk of getting the Delta variant is too high.
- Page Cowley stated that, while she has been going to meetings for her work, everyone is guarded because of the Delta variant. She proposed waiting until September to meet in person.
- Shelly Fine expressed his view that the health risk is not worth it to meet in person. He mentioned the alternative idea of meeting by Zoom and then ratifying decisions in September at an in-person meeting.
- Linda Alexander noted that, In business, people are meeting in-person. She is not opposed to meeting if we can find a venue. BCI has resolutions that are time sensitive. She will go along with the consensus but would prefer to meet if we can find a socially distanced site.
- Ethel Sheffer stated that the question of meeting was moot for next Tuesday's full board meeting as there was no site available. She suggested that we could meet on Zoom to deliberate. If any people feel uncomfortable meeting in person, she would not want to put them in that position.
- Madelyn Innocent expressed that we should plan everything out for the summer now. She has been home with a sick dog for a year and a half and wants to be at home for the dog's last days.
- Michelle Parker announced that she was not comfortable going to meetings at this point. She noted that, In the past, we have taken resolutions to LPC based on a committee vote, not a full board vote.
- Steve Brown commented that he was not comfortable doing a Zoom meeting and then voting on the items discussed in September. That process would require two discussions and the Zoom meeting would not expedite decisions.

- Mark Diller stated that, since there are valid reasons why members are uncomfortable with in-person meetings, we should not meet. Today's meeting counts as our July meeting so we are not violating our by-laws.
- Seema Reddy asked for clarification on what level of government had passed a law preventing CB7 from holding Zoom meetings. Steve Brown responded that it was the State open meeting law.
- Ken Coughlin agreed that the Delta variant is a problem, including for vaccinated older people. He asked if we could meet in the park to conduct essential business.
- Steve Brown responded that we should decide today. We could then give people notice of what to expect. He noted that it is challenging logistically to meet outdoors, with back-up plans required for inclement weather.
- Barbara Adler stated that she was in favor of cancelling all July meetings. She got Covid after the last BCI meeting in March 2020, where she believes she was exposed. She has plans to be away. For some time, she has been a proponent of eliminating July meetings.
- Roberta Semer noted that the venues available to us will not currently allow meetings of more than 50 people. She mentioned that the past practice has been to send resolutions voted in committee to relevant agencies stating that full board vote will follow.
- Jay Adolf suggested that committees that deal with applications should check with the relevant agencies that will also be required to meet in person. He recognized that the consensus of the board is not to meet in person. Unless committees meet by Monday, it looks like we are not having meetings. SLA and DOT will consider committee resolutions that have not yet received a full board vote. The overarching consensus is to delay and resume business in September.
- Christian Cordova stated that, while he is not personally against meeting in person, he believes we should delay meeting until September, given the level of concern.
- Louisa Craddock agreed with the sense of the meeting. Considering the Delta variant, we should not meet in person. She asked if it would be possible to hold an informational meeting of the Housing Committee without voting. Steve Brown stated that we will come back to that after voting on the question of holding a full board meeting.
- Richard Asche stated that we ought to decide that we are not having a live meeting in July.
- Klari Neuwelt agreed with Richard. Regarding resolutions, we can let applicants report on what committees have done. There are 2 noncontroversial resolutions before the Parks and Environment Committee. It will be the applicants' issue to explain the delay, not ours.
- Elizabeth Caputo noted that, in September, the Transportation Committee will have a controversial resolution and will need a place that can accommodate a large group safely.
- Rich Robbins noted that we do need a July meeting per our by-laws.

The vote was called and seconded to confirm that we will not have an in-person full board meeting in July, postponing the next full board meeting until September

The voted carried: 33-0-2-0.

Discussion on July In-Person Committee Meetings

Steve Brown then opened the discussion of whether to hold in-person committee meetings. He noted that the office could be made ready for committees to meet. Each co-chair could have the option of meeting or not meeting in July.

- Mark Diller noted that we are only required to have the board members voting in person and the public could attend remotely. Steve responded that the direction we have received from the Borough President is that if we have an in-person meeting, the public must be admitted. However, we can limit the number of people in attendance for health reasons. We are discussing whether to make this an option for the co-chairs or not.
- Robert Espier stated that he felt it was much too soon to attend in-person meetings. He will vote against holding July committee meetings.
- Courtney Clark Metakis noted that there is a difference between committees with time-sensitive matters and those that do not have them.
- Linda Alexander said that it was Important to speak with committee members and see what they want.
- Will Ortiz supported letting committees decide whether to meet in July.
- Catherine DeLazzaro noted that she wouldn't want committee members excluded from voting because they have health concerns about attending.
- Roberta Semer suggested that committees should check to see if agencies are meeting in person before making a decision. The work we had planned for July on budget priorities we will find other ways to accomplish.
- Steve Brown announced that we would be voting to decide whether co-chairs have the option to meet in person in July. A "no" vote would mean we are also cancelling committee meetings.
- Klari Neuwelt noted that, except for BCI, it seems committees are not meeting in July. She spoke in favor of ending the agony and telling the public "See you in September."
- Louisa Craddock asked whether Housing could hold a Zoom meeting if it is only informational. They had planned to have Linda Rosenthal discuss the Mitchell Lama legislation. Steve Brown responded that our direction from the Borough President was that all Committee and Board meetings were required to be in person.
- Kenneth Coughlin observed that he did not believe that the office has adequate ventilation and suggested that we should not put members in that situation.
- Michele Parker noted that, for the Preservation Committee, they would have to have 18-26 people in a room where it would not be environmentally safe.
- Jay Adolf observed that the open meeting law does not distinguish between meetings with and without votes. Possibly, LPC would lend a large room for a committee meeting.
- Rich Robbins stated that we need to put out a resolution supporting the holding of virtual meetings by Zoom. He also suggested that we would be in violation of our by-laws requiring that we meet in July.
- Steve Brown observed that, while there are opinions on the open meetings law interpretation, we have conclusive direction from the Manhattan Borough President. If we vote to have Chairs decide, he announced that he will ask them to decide by Monday. He differs from Rich Robbins' interpretation that we would be in violation of our by-laws.
- Susan Schwartz said that she was not comfortable with our enabling July meetings.
- Doug Kleiman noted that the district office is relatively small. There are ways around dealing with time sensitive matters without meeting. We should emphatically ask Albany to fix the mess they have created.
- Page Cowley recounted that her office had duct work tested. She believes that the duct work at the district office should be made clean before September.

- Klari Neuwelt reflected that the minutiae of how CB7 manages is insignificant in comparison to the disruptions caused by Covid.

The vote was then taken to enable co-chairs to decide whether to hold July committee meetings.

The vote failed: 6-20-4-0

All July committee meetings are therefore cancelled.

- Steve Brown stated that, from a logistical perspective, we will have the capacity to hold in-person meetings by September. He will encourage the By-Laws Task Force to take up the July meeting issue in the fall.
- Jay Adolf inquired what the legal citation is for requiring in-person meetings. Steve Brown reiterated that we were following the guidance of the Borough President's office that in-person meetings were required. Mark Diller said that there is a provision in the City Charter that addresses this question. He will continue to look for it.
- Rich Robbins suggested calling on both City and State to enable remote voting.
- Christian Cordova noted that, at the time the law was passed, virtual meetings were not possible. The local health department could make changes based on public health. Madge Rosenberg agreed that the law preceded the ability to hold virtual meetings.
- Doug Kleiman inquired whether, if there is a resolution of this issue, and we get a green light to meet virtually in later July, we should shift our position. Steve Brown responded that, for clarity and stable expectations, we should keep our decisions of today.
- Steve Brown then noted that the meeting no longer had a quorum of board members, so there could not be a vote on a resolution urging the City and State to enable remote voting. There followed a brief discussion on whether the Chair could write a letter supportive of Zoom meetings. Differing views were expressed on the length of time for which virtual meetings should be supported. Steve Brown stated that, without unanimous agreement on the details, we would hold off on a letter until we can vote.

He then stated his opinion that we have met as a full board and that this meeting counts as our July meeting.

The meeting was adjourned by acclamation at 1:15.