

Minutes of the Open Meeting of the New York City Conflicts of Interest Board
October 20, 2010
At the Offices of Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas, 29th Floor
New York, NY 10019

Present were:

Board Members: Angela Mariana Freyre, Monica Blum, Andrew Irving, Burt Lehman, and the Chair, Steven B. Rosenfeld.

Board staff: Mark Davies, Wayne Hawley, Julia Davis, Carolyn Miller, Dinorah Nunez-White, Bre Injeski, Sung Mo Kim, Karrie Ann Sheridan, Vanessa Legagneur, and Jessie Beller.

Board intern: Matthew Cowan

The meeting was called to order by the Chair at approximately 9:05 a.m. The Chair stated that the meeting was being conducted pursuant to the New York State Open Meetings Law, Public Officers Law Section 100 et seq.

The Chair designated the undersigned as the Recording Secretary for purposes of the meeting.

The Chair stated that the meeting was called to consider a proposed rule on financial disclosure appeals, pursuant to Administrative Code section 120-110 (c)(2), which requires the Board “to promulgate rules establishing procedures whereby any employee may seek review of the agency’s determination that he or she is required to report.”

The Chair asked for any comments concerning the Staff’s Draft of Proposed Financial Disclosure Appeals Rule.

The Board discussed the following subsections:

1-17 (b)(6): omit the last sentence;

1-17 (d)(1): change language to “If the agency denies an appeal, the agency must submit forthwith to the COIB by email within 14 days the date on which, and the manner by which, the notice of that denial was sent to the employee.”

1-17 (d)(6): change language to “If the COIB requests additional information, the employee and the agency shall provide it within 14 days. Failure of either party to timely provide any of the requested information may result in a summary finding adverse to that party.”

1-17 (d)(8): move last sentence to 1-17 (d)(6)

1-17(d)(11): add language limiting the ex parte restriction to the appeal in question

1-17 (e)(6): cite to specific subsection and move reference to statute as follows: “determining, pursuant to New York City Administrative Code § 12-110 (b)(3)(a)(2)-(3).”

The Chair provided the undersigned with non-substantive drafting edits in written form; these edits will be incorporated into the revised draft rule, which will be available for public inspection and posted on the Board's website.

The Board then determined that it would continue its consideration of the proposed rule at an open meeting of the Board to commence at 9:00 a.m. on November 17, 2010, again at the offices of Paul, Weiss.

The open meeting was adjourned at approximately 9:30 a.m.

Respectfully submitted,

Julia Davis
Recording Secretary