

COMMUNITY BOARD NO. 8 BRONX

5676 Riverdale Avenue, Suite 100 • Bronx, New York 10471-2194

Telephone: 718-884-3959 • Fax: 718-796-2763

E-Mail: brxcb8@optonline.net

Website: www.nyc.gov/brxcb8

ETHICAL GUIDANCE

A MANUAL FOR MEMBERS OF COMMUNITY BOARD NO. 8 BRONX

BY IRVING LADIMER, J.D., S.J.D.

MEMBER, LAW, RULES & ETHICS COMMITTEE

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Serving the neighborhoods of Fieldston, Kingsbridge, Kingsbridge Heights,
Marble Hill, Riverdale, Spuyten Duyvil, and Van Cortlandt Village

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Foreword and Introduction

“Community board members are chosen because of their professional involvement with, and commitment to, the communities in which they live and work.” *

*It is recognized that, by virtue of such interests and qualifications, they have personal interests and private or official associations. It is the purpose of the New York City ethical codes, presented in many ways, to ensure the integrity and impartiality of Board decisions. Thus, members are instructed and assigned in their service to avoid personal gain or advantage.” (Community Boards by General Counsel, Conflict of Interest Board)

Our community is best served by the sincere and active involvement of Board members. The highest ethical imperative is met by attendance, participation and voting. In this way, members may achieve improvement in the quality of life for the neighborhoods served by the Bronx Community Board NO. 8 and for all New Yorkers.

Beyond adherence to the formal rules, members are expected to treat with dignity and respect all the members of the Board and members of the public whom we serve.

This manual is intended as long-term reference for members of Bronx Community Board No. 8 to aid them in affording proper and effective service. Generally, few issues arise but, for guidance, the basis and experience of local boards and the specifics of the Board’s Bylaws are provided. The major source is the Conflicts of Interest Board (COIB), responsible for issuing opinions and for advising community boards and the public.

Bronx Community Board No. 8 also has a website at www.nyc.gov/bronxcb8. The Board’s site provides resource information; committee agendas and minutes, board reports, data relevant to the district’s planning initiatives, district statistical profiles, community health profiles and conflict of interest information.

The completion of this project could not have occurred without the hard work of the Board office and its staff: Nicole Stent, District Manager and Pat Manning, Community Associate. In addition, great appreciation to Wayne G. Hawley, General Counsel, Conflicts of Interest Board who reviewed this document and to those Board members that provided comments.

This is a work in progress. As new issues come before us, especially in our rich and varied communities, new and current responses will be needed. This is a start.

Irving Ladimer,
Board member

Part I

General Conditions

In service to City and community, members of Community Boards (CB) are expected to observe generally accepted ethical principles, notably avoidance of conflict of interest or advantage of position.

It is known that members would have personal, family, work or social interests and associations that may affect their views or conduct in Board considerations. Accordingly, rules and opinions from several sources are available to instruct and govern member participation. The purpose of these restrictions is to acknowledge private concerns while preserving the integrity of the Board and its processes.

Part II

Authorities and Sources

1. Primarily, the New York City Charter includes a chapter on Ethics (Ch. 68) creating the current Conflicts of Interest Board (COIB) to promulgate rules, provide education and issue advisory opinions. The Charter contains specific provisions relating to official conduct of Community Board members, many subject to COIB interpretation. These apply to Board staff and to appointed Board members but not to “public members” who volunteer on committees, as they are not deemed “public servants” under the Charter.
2. The Conflicts of Interest Board (COIB) is the principal agency monitoring and advising Boards generally on ethical issues or specifically in answer to a Board inquiry. The COIB may also enforce requirements and impose fines or other penalties, after a hearing.

The COIB has a wide range of responsibilities and issues advisory opinions (not judicial orders) on topics concerning Board operations, committee service and financing of Board activity, but mainly responses to private versus public interests. Part III (below) summarizes a

number of opinions of special interest to Bronx Community Board No. 8 (CB8) such as zoning, representation of charitable and non-profit groups, public employment and business ventures.

3. Bylaws of Bronx Community Board No. 8. This is the governing instrument of the Board. It governs the internal management and outlines the responsibilities and powers of the Board. It defines rules for officers, meetings, voting, standing committees and the authorization for special committees, public hearings, gallery sessions, public relations, district manager and the board office and amendments. The bylaws are available on the Board's website at: www.nyc.gov/bronxcb8 under the category About CB8.

The Board uses parliamentary procedures based on Robert's Rules of Order to conduct meetings in the tradition of public democracy. The Mayor's Community Assistance Unit has written *A Guide to Parliamentary Procedures for New York City Community Boards*. The parliamentary procedures are available on the Board's website at www.nyc.gov/bronxcb8 under the category About CB8, Member Resources.

4. Law, Rules & Ethics Committee. The Committee is a regular standing committee of the Board. By special provision, the membership of the Committee "shall consist of those appointed Board Members who are attorneys at law and other interested appointed Board Members. When an issue arises requiring an ethics opinion, an ad hoc ethics committee can be formed with the Board Chairperson appointing two (2) officers of the Board; and the Chairperson of the Law Committee appointing a Law Committee member as counsel/voting member". (Bylaws, Article Section 7, D)

The jurisdiction of the Committee is limited to issues and matters within the scope of Board powers and functions and does not extend to subjects of interest to the community district unless properly presented and acknowledged by the Board.

The Committee is available on an open or confidential basis, for information or advice to any appointed Board member, or any community committee member upon approval of the chair.

The Committee is obliged to inform the Board of official reports, decisions and advice provided for guidance of Community Boards. The Committee maintains a reference file of such information for the benefit of Board and community members.

5. Your Community Board. This brochure, issued by the Mayor's Community Affairs Unit, outlines the functions, powers and operations of local Boards. It is available on the Board website at: www.nyc.gov/bronxcb8 under the category About CB8.
6. The 2008 Handbook for Community Board Members was originally prepared by the Community Board Assistance Unit of the Mayor's Office. It has is a reference guide for community board members and includes the *Appendix E. Conflicts of Interests*. The Hand book is available on the Board's website at: www.nyc.gov/bronxcb8, under the category About CB8, Member Resources

Part III

Opinions of the Conflicts of Interest Board

The Conflicts of Interest Board (COIB) issues and compiles opinions, published periodically; also in City Law, the journal of the Center for New York City Law; in occasional bulletins and brochures. Separates are available. A City Law monograph "Conflicts of Interest Under the New York City Charter" contains a chapter on Community Boards. By illustration, two pamphlets "Conflicts of Interest: What Every Community Board Member Should Know" (1996) and "Conflicts of Interest Law and Community Boards" (1999) are appended to this manual.

Ethics seminars open to the public are held by the COIB and the Center for New York City Law. Meetings and conferences are announced in publications of the Center for New York City Law (New York Law School) and COIB office. Visit COIB at: <http://nyc.gov/ethics>

The purpose of the Charter (law) is to ensure that Board members, as public servants, do not use or appear to use their positions for their own interests. Recognizing their private interests, COIB opinions permit discussion and participation on proper disclosure or recusal, if indicated, and

appropriate voting. These are determined by balancing the nature and extent of possible personal gain or influence against the importance of the subject at issue.

Some typical opinions are provided:

1. Zoning - Board member homeowners may vote on rezoning when not individually or directly involved. Nine members of Community Board 7 (Queens) asked COIB if they could vote on a proposal for rezoning an area in which they lived. Voting would not violate conflicts of interest laws as long as members disclose, in advance, any economic interests to their Board. The Board members were homeowners, not investors with business interests and the rezoning involved a vast area with 8000 properties. Board members could not individually benefit. (Opinion No. 2005-3, 11/7/05)
2. Senior Facility - A Board member had an interest in a corporation planning to build an assisted living facility on five lots in the community. The member did not refrain from voting on the proposal. COIB ruled that by voting, he violated the Ethics provision of the Charter since his vote could result in a direct economic gain to him. (Opinion No. 99-157, 2001)
3. Liquor Facility - A Board member who owned a liquor shop may be permitted to vote on liquor licensing of another, possibly competing, facility because any advantage would be speculative and any effect on the member's facility would be indirect. (Opinion No. 2003-2, 2003). A further Opinion stated that a Board member who had an interest in a liquor facility could not serve as Chair of the Committee responsible for considering liquor license applications, i.e.; Public Safety Committee. (Opinion No. 2003-2)
4. Private Interests - A Board member may Chair a Committee unlikely to consider issues concerning the member's private interests. If they arise, the member may not participate in discussions. Relevant information must be disclosed.
5. Budget Priorities - Board members may vote on budget priorities that may affect developments in which they have an interest, provided such votes do not result in personal and direct economic gain. (Opinion No. 93-3)

6. Compliance with City Charter - Appointed members may not use their positions for personal advantage or for any business or organization with which they are associated. Generally, they are subject to the same restrictions imposed on public servants but are afforded the special Charter provision for community boards, mainly regarding conflicts of interest.

Part IV

Related Issues of Interest to Board

Related issues, indirectly affecting Board members, are noted.

1. Representation. A Board member may not issue a public statement to media or otherwise without prior approval by the Board Chair and may not sign as a Board member or permit such inference unless authorized.
2. Honoraria. A Board member may not accept an honorarium or expense fee for speaking or working for an organization when it may reasonably be inferred that the member might receive favorable treatment.
3. Political Activity. A Board member may be involved in political activity and run for public office while continuing to serve on the Board. However, pursuant to Section 1115 of the City Charter, which prohibits individuals from holding more than one civil office, a Community Board member would have to resign from the Board upon assuming elective office. Fundraising must be undertaken separately and without reference to Community Board membership.
4. Board Appointments. Appointments to a Community Board are within the discretion of the Borough President on the basis of applications, recommendations and nominations from local City Council members. Appointments are not subject to reconsideration or appeal.
5. Board Fundraising. Boards may authorize soliciting of donations or contributions but not from individuals or firms with matters pending before the Board and, as appropriate, within the City's bidding process. The Board may solicit or accept funds to support a public service project,

such as a community survey, but with disclosure of any possible involvement leading to conflict of interest and must provide findings and recommendations on the basis of fair dealing.

6. Gifts. The Board may, after appropriate approval, accept unsolicited gifts on the condition that the donor, private or non profit, is not afforded any advantage or preference or be a party to a pending issue.
7. Member Request. A Board member for self or others is entitled, as a private citizen, to apply to a Committee for consideration of a neighborhood matter, such as parking or housing. Membership does not, of itself, imply preference or the appearance of special interest. The member is equally entitled to the resources of public authorities, including the Board. There is no personal economic gain for the member.
8. Professional Representation. Board members associated with professional firms such as law, health, accounting, engineering, architecture, urban planning and similar entities, may not personally represent a private client before the Board and cannot vote on any matter involving the client's interest. However, the firm may be able to obtain a waiver from COIB for presentation by a partner or colleague.
9. Supplier to Board. A Board member may not serve as a supplier or vendor to the Board or engage in business dealings. An exception may be made for special purchases, upon disclosure and approval.
10. Financial Disclosure. Information presented by a member at the time of appointment is deemed sufficient by the Board. A proposal by a new York City Council Member, submitted to all Boards, for full financial disclosure similar to that for City employees, was deemed not necessary and also inappropriate for members with only advisory authority.
11. Waivers for Members. Employees of contractors for the City may serve as "public members" or Board members. They are unpaid volunteers who evaluate or review programs and take part in public hearings. They have no executive or administrative responsibility for the employer. To serve as members they may obtain waivers from COIB and recuse themselves

from any negotiations involving their employer or gain status from their employer. (Opinion No. 2006-01, 01/18/06)

12. Voting. A Board member that is not entitled to vote on a particular issue due to a conflict of interest may be counted present for a quorum. For vote tabulation, the member should be marked “present but not entitled to vote” rather than “abstaining for cause.”
13. Ex Officio Member. An ex officio Board member may participate in discussion and express opinions, but is not entitled to vote. CB8 has three (3) ex-officio members from City Council Districts 10, 11, and 14.

Part V

Procedure Requesting a Ruling

A Board member may request a ruling on entitlement to participate or vote on a particular issue at any time, before or during a Board or Committee meeting. Board members should first refer any ethical issue to the Committee on Law, Rule & Ethics for appropriate local decision or proper referral to COIB. Depending on circumstances and available information, the Chair of the Board or Committee may render a ruling or refer to the Law, Rules and Ethics Committee. A ruling by a Board or Committee Chair may be appealed.

An action by a Board member intending to participate or vote may be challenged by another Board member. A challenge by a member may be decided by the Chairperson of the Board, unless the matter may present a possible conflict of interest to the Chairperson. Otherwise, the matter must be referred to the Committee on Law, Rules & Ethics. A ruling by a Chair may be appealed.

An abstention by a Board member for possible conflict of interest may be questioned or challenged by any Board member to assure sufficient participation and necessary vote. The issue may be referred to the Committee on Law, Rules and Ethics for a ruling on the challenge and for mediation, if appropriate.

Information which may be relevant to a conflict-of-interest determination should not be withheld by any member. Disclosure of pertinent facts reflects the integrity and effectiveness of the Board for members and public.

Board members should first refer any ethical issues to the Committee on Law, Rule and Ethics for appropriate local decision and for proper referral to the COIB.

END

Appendix:

1. Conflicts of Interest: Appendix E. Conflicts of Interest: What Every Community Board Member Should Know from 2008 Handbook for Community Board Members
2. Community Boards by Wayne G, Hawley, General Counsel, Conflicts of Interest Board
3. Conflict Of Interest Board (COIB) Community Boards, August 2005 (Opinions)
4. Your Community Board, City of New York, Mayor's Community Affairs Unit pamphlet

CONFLICTS OF INTEREST

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CONFLICTS OF INTEREST

WHAT EVERY COMMUNITY BOARD MEMBER SHOULD KNOW

It is expected that Community Board members will have associations and outside interests that could affect their views on matters to be considered by their Boards. However, as unpaid public servants, all Community Board members (but not the “public members” of community board committees) are governed by the City's Conflicts of Interest Law (City Charter Chapter 68). The law's purpose is to ensure that public servants do not use or appear to use their public positions to benefit their private interests or those of their families or associates. This memorandum, prepared by the Mayor's Community Assistance Unit in cooperation with the Conflicts of Interest Board, is designed to familiarize all Community Board members with the conflicts of interest restrictions concerning when they may discuss and vote on matters in which they may have an interest, or otherwise participate in the review of such matters.

The Charter also establishes the Conflicts of Interest Board (COIB), composed of five public members appointed by the Mayor with the advice and consent of the City Council. The Conflicts of Interest Board is authorized to issue rules to implement and interpret the provisions of Chapter 68, advise public servants about the application of the chapter, issue advisory opinions with respect to any matters covered by that chapter, and provide education to public servants about the Conflicts of Interest Law. The Board can enforce the requirements of Chapter 68, after conducting a hearing and determining that a violation occurred, and impose civil fines or other penalties. A violation of Chapter 68 is also a misdemeanor which can be prosecuted by the District Attorney.

Compiled for your information are:

- A list of regulations concerning the conduct and activities of Community Board members.
- An explanation of the method of tabulating votes if Board members have conflicts of interests.
- Selected excerpts from Charter Chapter 68 and explanatory notes. (Those passages that pertain particularly to Community Board members have been underlined.)
- A summary of COIB advisory opinions concerning Community Boards.

If you have any questions regarding these provisions, opinions and procedures, or need advice about possible conflicts, you can call or write to:

Conflicts of Interest Board
2 Lafayette Street, Suite 1010
New York, NY 10007
(212) 442-1400
<http://nyc.gov/ethics>



REGULATIONS CONCERNING CONDUCT AND ACTIVITIES OF COMMUNITY BOARD MEMBERS

VOTING

[Note: These regulations apply to votes of Community Boards *and* committees.]

1- A Community Board member is not entitled to vote on any matter that may result in a personal and direct economic gain to the member or any person or firm with whom the member is "Associated". (Charter Section 2604(b)(1)(b)). The member is required to disclose his or her interest, and is then permitted to take part in discussions on the matter. (Advisory Opinion 91-3).

2- A Community Board member who is a City employee is not entitled to vote on any matters concerning the member's agency, but may take part in discussions on such matters. This pertains to employees of all mayoral agencies and non-mayoral agencies subject to the Conflicts of Interest Law (e.g., School Construction Authority, Health and Hospitals Corporation, NYC Housing Authority, et cetera). (Advisory Opinion 91-3)

3- A Community Board member who serves on the board of directors of a not-for-profit organization is not entitled to vote on Board resolutions recommending funding by City agencies for that organization, or other resolutions that could result in a direct economic gain for the not-for-profit in question. (Charter Section 2604(b)(1)(b))

4- A Community Board member who holds an unpaid position with a local development corporation or public benefit corporation may vote on matters affecting that corporation, provided that the vote would not result in a personal and direct economic gain to the member or to a person or firm associated with the member. (Advisory Opinion 93-3)

5- A Community Board member is not entitled to vote on any matter that may result in a direct economic gain for a firm or not-for-profit with which the Community Board member is currently seeking employment. (Charter Section 2604 (d)(1)). The member is required to disclose the prospective employment interest, and is then permitted to take part in discussions on the matter.

CHAIRING OR SERVING ON COMMITTEES

1- A Community Board member who is a City employee may serve on a committee which considers matters that have come or may come before the member's agency, but cannot be the chairperson. **EXAMPLE:** A City Planning employee may not chair a Zoning Committee. (Board of Ethics Opinion 571*).

2- A Community Board member may not chair a committee which is likely to have matters before it which concern the member's private interests or employment. (Advisory Opinion 95-18) For example, a member with an interest in a licensed liquor facility within the district may not chair the committee responsible for considering liquor license applications. (Advisory Opinion 03-2)

OTHER ACTIVITIES

1- No public servant may use or appear to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant. (Section 2604(b)(3))

2 - A Board chair may have an interest in a firm or organization which regularly has matters before that Board, provided that he or she refrains from making any decisions or taking any other official Board actions on matters involving that interest, and does not preside at Board meetings when such matters may be considered or voted upon. This means that s/he may not serve as chair for the entire meeting. (Advisory Opinion 96-8)

3 - A Community Board member who is a professional (e.g. lawyer, architect, engineer) may not personally represent any party presenting a project or proposal for consideration to the Community Board on which he or she serves. (Charter Section 2604(b)(6)). A member's firm or business partners are likewise not permitted to represent private clients before the member's Board unless the Community Board member has received a waiver from the Conflicts on Interest Board to permit his/her firm to do so. (Advisory Opinion No. 96-4)

4- A Community Board member may run for public office while continuing to serve on the Board. However, pursuant to Section 1115 of the City Charter, which prohibits individuals from holding more than one civil office, a Community Board member would need to resign from the board upon assuming elective office. (Board of Ethics Opinion 435*, affirmed by the Conflicts of Interest Board)

5- Certain close relatives and business associates of community board members may not serve on the staff of the member's community board. More particularly, a member's spouse, domestic partner, parents, children, siblings, or anyone with whom the member has a business or financial relationship may not serve as staff to the board. (Advisory Opinion No. 2004-3)

6- Former Community Board members may not appear before their former Community Board within one year of leaving Community Board service. An "appearance" is any communication for compensation, other than those involving ministerial activities. This does not bar the former Community Board member from coming to public meetings and participating as a regular private citizen. It does, however, bar him from representing clients before his former Community Board for one year after finishing service as a Community Board member. (Charter Sections 2601(4) and 2604(d)(2))



TABULATING COMMUNITY BOARD VOTES WHEN MEMBERS HAVE CONFLICTS OF INTERESTS

Charter Section 2801: a. A majority of the appointed members of any community board shall constitute a quorum of such board. b. Whenever any act is authorized to be done or any determination or decision made by any community board, the act, determination or decision of the majority of the members present entitled to vote during the presence of a quorum, shall be held to be the act, determination or decision of such board.

In order for a Community Board or committee resolution to be carried in accordance with this section, a majority of members entitled to vote must vote "yes." If a Board member is not entitled to vote on a matter as a result of complying with the restrictions concerning conflicts of interest, then the number of members entitled to vote on that matter is reduced, and the majority required for passage is reduced accordingly. When a vote is taken, a **member not entitled to vote due to conflict of interests is not counted as abstaining**. However, such a member is counted as present for the purpose of maintaining a quorum. It is suggested that such members be marked "**present but not entitled to vote**" rather than "abstaining for cause," to make sure that votes are properly tabulated.

EXAMPLE: A fifty-member Board has a quorum of twenty-six members present, but two members are excluded from voting on a particular matter due to conflicts of interest or City agency employment. The number of members entitled to vote on that matter drops from twenty-six to twenty-four, but the two members not entitled to vote are still present, so the quorum is maintained. The majority needed for passage of that matter changes from fourteen to thirteen.



CITY CHARTER: CHAPTER 68

Conflicts of Interest Excerpts

Community Board staff and Board members employed by the City are subject to additional requirements of the Conflicts of Interest Law that will not be covered here. The passages pertaining particularly to Community Board members are underlined]

Section 2601. Definitions:

2. "Agency" means a city, county, borough or other office... or other agency of government, the expenses of which are paid in whole or in part from the city treasury, and shall include but not be limited to...community boards....

5. A person or firm "associated" with a public servant includes a spouse, child, parent or sibling; a person with whom the public servant has a business or other financial relationship; and each firm in which the public servant has a present or potential interest.

19. "Public servant" means all officials, officers and employees of the city, including members of community boards....

20. "Regular employee" means all elected officials and public servants whose primary employment, as defined by rule of the board, is with the city, but shall not include members of...community boards.

SECTION 2604. Prohibited interests and conduct.

a. Prohibited interests in firms engaged in business dealings with the city.

1. (a) no public servant shall have an interest in a firm which such public servant knows is engaged in business dealings with the agency served by such public servant; provided, however, that, subject to paragraph one of subdivision b of this section, an appointed member of a community board shall not be prohibited from having an interest in a firm which may be affected by an action on a matter before the community or borough board...

NOTE: Although Section 2604(a)(1)(a) permits Community Board members' "having an interest in a firm which may be affected by an action on a matter before a community or borough board," it does prohibit a Community Board member from having an interest in a firm doing business with the Board itself, e.g., by contracting with or otherwise providing services to the Community Board.

b. Prohibited conduct:

1. A public servant who has an interest in a firm which is not prohibited by subdivision a of this section shall not take any action as a public servant affecting that interest, except that

(b) in the case of an appointed community board member, such action shall not be prohibited, but no member may vote on any matter before the community or borough board which may result in a personal and direct economic gain to the member or any person with whom the member is associated.

3. No public servant may use or appear to use his or her position as a public servant to obtain any financial gain, contract, license privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.

6. No public servant shall, for compensation, represent private interests before any city agency or appear directly or indirectly on behalf of private interests in matters involving the city. For a public servant who is not a regular employee, this prohibition shall apply only to the agency served by the public servant.

9. No public servant shall

(a) coerce or attempt to coerce, by intimidation, threats or otherwise, any public servant to engage in political activities or,

(b) request any subordinate public servant to participate in a political campaign....

11. No public servant shall, directly or indirectly,

(a) compel, induce or request any person to pay any political assessment, subscription or contribution, under threat of prejudice to or promise of or to secure advantage in rank, compensation or job-related status or function,

(b) pay or promise to pay any political assessment, subscription or contribution in consideration for having been or being nominated, elected, or employed as such public servant or to secure advantage in rank, compensation, or other job-related status or function, or

(c) compel, induce or request any subordinate public servant to pay any political assessment, subscription or contribution.

SECTION 2604(c). This section shall not prohibit:

6. a public servant from acting as attorney, agent, broker, employee, officer, director, or consultant for any not-for-profit corporation, or association, or other such entity which operates on a not-for-profit basis, interested in business dealings with the city, provided that:

(a) such public servant takes no direct or indirect part in such business dealings.

SECTION 2604(d). Post-employment restrictions.

1. No public servant shall solicit, negotiate for or accept any position (i) from which, after leaving city service, the public servant would be disqualified under this subdivision, or (ii) with any person or firm who or which is involved in a particular matter with the city, while such public servant is actively considering, or is directly concerned or personally participating in such particular matter on behalf of the city.

2. No former public servant shall, within a period of one year after termination of such person's service with the city, appear before the city agency served by such public servant; provided,

however, that nothing contained herein shall be deemed to prohibit a former public servant from making communications with the agency served by the public servant which are incidental to an otherwise permitted appearance in an adjudicative proceeding before another agency or body, or a court, unless the proceeding was pending in the agency served during the period of the public servant's service with that agency.

4. No person who has served as a public servant shall appear, whether paid or unpaid, before the city, or receive compensation for any services rendered, in relation to any particular matter involving the same party or parties with respect to which particular matter such person had participated personally and substantially as a public servant through decision, approval, recommendation, investigation or other similar activities.

5. No public servant shall, after leaving city service, disclose or use for private advantage any confidential information gained from public service which is not otherwise made available to the public; provided, however, that this shall not prohibit any public servant from disclosing any information concerning conduct which the public servant knows or reasonably believes to involve waste, inefficiency, corruption, criminal activity or conflict of interest.

6. The prohibitions on negotiating for and having certain positions after leaving city service, shall not apply to positions with or representation on behalf of any local, state or federal agency.

7. Nothing contained in this subdivision shall prohibit a former public servant from being associated with or having a position in a firm which appears before a city agency or from acting in a ministerial matter regarding business dealings with the city.



CONFLICTS OF INTEREST BOARD ADVISORY OPINIONS

OPINION ISSUE

- 91-3 A Board member who is not permitted to vote on a matter due to economic interest may participate in discussions on that matter. A Board member who is employed by a City agency may not vote, but may participate in discussions, on matters that have been or may be considered by that agency.
- 91-12 Board members and staff (including chairs and district managers) may hold political party office.
- 93-2 A Board member who is a community school board member may not chair a committee that considers school board-related issues.
- 93-9 A district manager may serve on the board of directors of a not-for-profit organization engaged in business dealings with the City, but not one dealing directly with the district manager's Community Board.
- 93-21 It would be a violation of Chapter 68 for a member of the City Council to nominate a family member for appointment to a community board. Additionally, nominations of employees of other Council Members would be considered on a case-by-case basis.
- 95-18 A Community Board member may not chair a committee which is likely to have matters before it which concern the member's private interests or employment.
- 96-4 A Board member's firm or business partners are not permitted to represent private clients before the member's Board.
- 96-8 A Board chair may have an interest in a firm or organization which regularly has matters before that Board, provided that he or she refrains from making any decisions or taking any other official actions on matters involving his or her private interests, and does not preside at Board meetings when such matters may be considered or voted upon.
- 03-2 A Board member with an interest in a licensed liquor facility in the district may not chair the committee responsible for considering liquor applications. A Board member with an interest in a licensed facility in the district may vote on matters involving liquor license applications of others, but may *not* vote on their own license applications or on applications of persons with whom they are associated.
- 03-3 A member of the Council may nominate the spouse of a member of his or her staff for a community board seat, provided that the staff member is recused from the appointment process. A member of a community board may not,

however, be employed in the office of a member of the Council who has appointment power to that community board.

- 04-1 "Public members" of community board committees are not public servants within the meaning of the City's conflicts of interest law and are therefore not subject to the provisions of that law.
- 04-3 Certain close relatives and business associates of community board members may not serve on the staff of the member's community board. More particularly, a member's spouse, domestic partner, parents, children, siblings, or anyone with whom the member has a business or financial relationship may not serve as staff to the board.
- 05-3 Community board members will not violate Chapter 68 if they vote at the community board concerning the rezoning of a large area in which they own homes, provided that they disclose the interest on the minutes of the community board and to the Conflicts of Interest Board.
- 435* A Board member may remain on the Board while running for public office.
- 571, 657* A Board member employed by a City agency may serve on (but not chair) a committee that considers matters concerning that agency.

* - Board of Ethics opinions re-affirmed by the Conflicts of Interest Board

COMMUNITY BOARDS

by

Wayne G. Hawley
General Counsel

NYC Conflicts of Interest Board

A. Introduction

Community board members are chosen because of their professional and personal involvement with, and commitment to, the communities in which they live and work. They often have associations with individuals, businesses, or organizations which may have matters before their community boards. To protect the integrity of community boards' decision-making processes and to ensure that community board members do not use their positions as public servants to obtain a private advantage for any individual, business, or organization with which they are associated, Chapter 68 of the City Charter contains specific provisions relating to the official conduct of community board members. In addition, community board members are subject to many of the same restrictions that the ethics law imposes on public servants generally. The ethics law addresses those various conflicts of interest provisions.

In Advisory Opinion Number 2004-1, however, the Board determined that while community board members are subject to the provisions of Chapter 68, the so-called "public members" of community board committees are *not* public servants within the meaning of the Charter and are therefore not subject to the provisions of the City's conflicts of interest law.

B. Participating in Discussions and Voting

A community board member is specifically permitted to have an interest in a firm which may be affected by an action on a matter before the community board, but the member should disclose the interest to his or her board.¹ A community board member may not, however, vote on any matter before his or her community board which could result in a personal and direct economic gain to the community board member or to anyone associated with the community board member.² "Associated," as defined in Charter § 2601(5), includes the public servant's spouse, domestic partner, child, parent, or sibling; a person with whom the public servant has a business or other financial relationship; and each firm in which the public servant has a present or potential interest.

¹ Charter § 2604(a)(1)(a). ² Charter § 2604(b)(1)(b). ³ Charter § 2604(a)(1)(a). ⁴ Charter §§ 2601(12), (16), (18). ⁵ Charter §§ 2604(a)(3), (a)(4), (e). ⁶ Charter § 2604(b)(6). ⁷ Charter § 2601(4). ⁸ Charter § 2601(15). ⁹ Charter § 2604(b)(9). ¹⁰ Charter § 2604(b)(11).

In Advisory Opinion Number 91-3, the Board determined that, while a community board member could not vote on matters before the community board in which he or she had a direct economic interest or which concerned a City agency in which he or she was employed, the member could participate in discussions of such matters. Before participating, however, the member is required to disclose to the other members of the community board the nature and extent of his or her private interest in the matter. This opinion expanded upon the guidelines originally provided in

Opinion Number 305 of the Board of Ethics, the Conflicts of Interest Board's predecessor agency. In Advisory Opinion Number 93-3, the Board determined that community board members could vote on budget priorities that affected the local development and public benefit corporations which they served as unpaid directors, provided that such votes would not result in a personal and direct economic gain to the community board member or to a person associated with the member. In a summary judgment based upon stipulated facts, the Board fined a community board member \$4,000 for voting on a matter involving real property in which he and his siblings held an ownership interest. Because a vote expressing the community's preference for land use "may result" in a personal and direct economic gain to the community board member, the community board member with an interest in the property may not participate in the vote. *COIB v. Basis Capetanakis*, COIB Case No. 99-157 (2001). More recently, the Board fined a community board member \$1,000 for voting in favor of a proposal submitted by a developer that provided 25% of the annual budget of the not-for-profit organization which the member served as its paid president. In his agreement with the Board, the member acknowledged that he was "associated" with the developer within the meaning of Chapter 68 and that his vote therefore violated the conflicts of interest law. *COIB v. Bergman*, COIB Case No. 2003-153a (2007). In Advisory Opinion Number 2003-2, the Board advised that a community board member who owned a business in the community district with a liquor license *could* vote on matters concerning liquor licenses applications of other businesses in the district, but could not vote on *his or her own* liquor license application or on those of people with whom he or she is associated. In Advisory Opinion Number 2005-3, faced with the proposed down-zoning of a large area in a community district, the Board determined that it would not violate Chapter 68 for a community board member who owns a home in that area to vote on the rezoning application, provided that the member discloses his or her interest on the record of the community board and to the Board.

C. Doing Business with the Community Board

Although Charter § 2604(a)(1)(a) permits a community board member to have an interest in a firm which may be affected by an action on a matter before the community board, a community board member may not have an interest in a firm which is directly engaged in business dealings with the community board itself.³ An interest may be either an ownership interest in a firm or a position with a firm.⁴ Ownership interests are discussed in more depth in the chapter on Outside Activities. Note that *full-time* community board employees are prohibited from having interests in any firms which do business with *any* City agency, not just the community board for which they work. Orders and waivers are sometimes granted by the Conflicts of Interest Board permitting an otherwise prohibited interest.⁵ Waivers are discussed in more depth in the chapter on Outside Activities.

For example, a member of a community board is also the owner of Print Fast, a printing

company. The community board needs 1,000 pamphlets printed for an upcoming event and would like to contract with Print Fast to have the work done. Print Fast has a reputation in the community for fast service at fair prices. If Print Fast takes on the job, the community board member would have violated Charter § 2604(a)(1)(a) because Print Fast, a company in which he has an ownership interest, would be engaged in business dealings with the community board. In Advisory Opinion Number 92-31, a community board member who also had a private law practice requested an opinion as to whether she could be retained by the community board to represent it in connection with public improvement projects planned for an area served by the community board. The attorney had been a member of the community board for 14 years and had provided voluntary legal services to the community board in the past. The Board determined that the proposed engagement would violate Chapter 68 because, among other things, it could give rise to an appearance that the community board was rewarding a long-standing member with a private consulting contract instead of seeking qualified outside counsel to perform the work.

D. Representing Private Clients Before the Community Board

In addition to being prohibited from doing business with their community boards, community board members are also prohibited from representing private clients for compensation before their community boards or from appearing anywhere, directly or indirectly, in matters involving the community board.⁶ "Appear" means to "make any communication, for compensation, other than those involving ministerial matters."⁷ This includes attending meetings, making telephone calls, writing letters, and engaging in similar types of activities. A "ministerial matter" means "an administrative act, including the issuance of a license, permit or other permission by the city, which is carried out in a prescribed manner and which does not involve substantial personal discretion."⁸ Thus, in Advisory Opinion Number 96-4, the Board determined that neither community board members nor their partners or employees in private firms may represent private clients before their community boards or community board committees or appear on behalf of these clients before their community boards. For example, a community board member is also a partner in a law firm. One of her clients has applied to the community board for a variance on his property, and has asked the community board member to represent him before the community board in this matter. The community board member declines, stating that it would violate Chapter 68 to appear before her community board on behalf of a private client. However, the community board member asks one of her partners in her law firm to represent the client before the community board. This poses a problem under the conflicts of interest law because the community board member is so closely associated with the firm that her firm's appearance before the board would be considered an indirect appearance by the member herself. In this case, neither the community board member nor any member or employee of her private law firm may represent private clients before her community board, absent a waiver from the Conflicts of Interest Board under Charter § 2604(e).

In Advisory Opinion Number 98-9, the Board granted such a waiver, permitting a

community board member's private law firm to appear before the community board, provided that the community board member recused himself from any community board discussions concerning the firm's business before the community board and further recused himself from working on the matter for the firm. In the same opinion, the Board granted a waiver to a community board member who is also an architect, permitting him to appear before other City agencies and a Borough President's Office in a matter before his community board, conditioned on the same recusal requirements. The Conflicts Board further held that, in applying for waivers, a community board member must certify to the Conflicts Board that his or her proposed conduct is not in conflict with the purposes and interests of the City and must also supply the Board with a complete set of facts describing the circumstances of his or her representation or his or her firm's representation of the client. The Board makes its determination on a case-by-case basis as to whether a waiver is appropriate, given the particular facts and circumstances of each case.

E. Chairing a Community Board or Chairing or Serving on Committees

1. Chairing Community Boards In Advisory Opinion Number 96-8, the Board determined that a community board chair may have interests in firms or organizations which regularly have matters before the community board, provided that the chair steps down at meetings which involve discussions or votes on matters involving such private interests and that the chair refrains from making any decisions or taking any other official actions on matters involving his or her private interests. The chair may otherwise continue to participate at community board meetings, with proper disclosure, and discuss matters involving his or her private interests to the same extent as other community board members.

2. Chairing Committees

As a result of their private interests or employment, community board members are prohibited from chairing certain committees of their community boards. In Advisory Opinion Number 93-2, a community board member who was also a community school board member requested an opinion as to whether he could chair the Youth Services Committee of his community board, which would vote on matters that would also be voted upon by the school board. The Board cited several prior opinions of its predecessor agency, the Board of Ethics, and agreed with the view expressed in those opinions that it would be "unseemly" and "improper" for a community board member who was also an employee of a City agency to cast a vote which might be in opposition to a position taken by his or her City agency. In addition, the Board stated that "the same concerns which arise when a community board member votes on matters involving his or her other City agency also arise when a community board member chairs a committee which votes on matters which have been or may be considered by him or her in another official capacity on behalf of his or her other City agency." The Board noted that this was true because a committee chair could greatly influence a committee by controlling the agenda, recognizing speakers, and making rulings. Thus, the Board determined that it would be a violation of Chapter 68 for a community board member who was also a member of a local school board to chair the Youth Services Committee of his

community board. The community board member could, however, participate in discussions of matters which involved the school board, provided that, before participating, he disclosed the nature and extent of his interest in the matters as a member of the school board. In Advisory Opinion Number 95-18, the Board was asked to clarify the circumstances under which a community board member may chair a committee which considers matters related to the community board member's private interests. In this advisory opinion, the Board explained that the restrictions which Chapter 68 imposes on community board members are intended to "insure that actions taken by a community board are not tainted by questions of self-interest or divided loyalty on the part of any member." Since there is a possibility that a community board member could use or appear to use his or her position as a committee chair for the private advantage of a firm in which the community board member has an interest, to avoid potential conflicts, the Board determined that a community board member may not chair a committee if that committee is likely to have matters before it which concern the community board member's private interests or employment. In Advisory Opinion Number 2003-2, the Board advised that a community board member with an interest in a licensed liquor facility in the community district could not serve as the chair of the community board committee responsible for considering liquor license applications. A community board member *may* chair a committee if that committee is unlikely to have matters before it concerning his or her private interests. However, if such matters come before the community board, the community board member may not serve as chair during any meeting where those matters are discussed.

3. Serving on Committees

The concerns about the ability of a committee chair to greatly influence the agenda of committee meetings are not present where a community board member merely serves as a member of a committee. Thus, a community board member is permitted to serve as a member of committees which are likely to have matters before them which concern the member's private interests and employment. However, as noted above, if community board members wish to participate in discussions about matters which concern their private interests or employment, they must disclose to the community board the nature and extent of the private interests.

F. Fundraising

Faced with severe budget restrictions, community boards, like many other City agencies, are finding it necessary to reach out to private individuals and organizations to gain financial support for their programs and initiatives. Generally, community boards may engage in fundraising, provided that they act in accordance with certain conditions which have been imposed by the Board.

In Advisory Opinion Number 95-27, the Board determined that a community board could

solicit and accept donations from individuals and firms. The community board, however, should not solicit or accept donations from individuals, firms, or other organizations which have matters pending before the community board, or which have matters where the community board's involvement is imminent, or where a fundraising solicitation would be likely to be perceived as a promise of special treatment in return for a contribution. In addition, such fundraising efforts must comply with the conditions set forth in Advisory Opinion Number 92-21, the Board's general opinion on the acceptance of donations by City agencies. In light of these rules, donors should be informed that giving donations or gifts will not affect the bidding process or result in special treatment from the community board; solicitation should be done by general appeal; specific entities should not be targeted; and "donation" staff should be separate from those officials who make decisions on agency contracts. In Advisory Opinion Number 92-27, a community board requested an opinion as to whether it could solicit funds to hire a consultant to study waterfront-related commercial uses for a waterfront site located within its jurisdiction. The community board would solicit funds from foundations, civic organizations, and corporations, including a business corporation which owns land adjacent to the site. The Board determined that the community board could solicit funds for such a study from organizations and individuals who did not have any matters pending before the community board. Further, any solicitation of the business corporation which owns land adjacent to the site would be conditioned on: (i) the corporation having no involvement in the study, including input into the selection of the consultant; (ii) the community board's disclosure of any support received from the business corporation in any reports or other communications concerning the study's findings and recommendations; and (iii), if possible, the community board arranging for personnel who are involved in the solicitation to be different from those who might be expected to have dealings with the corporation if the substantive recommendations of the study are adopted.

G. Political Activities

Community board members may generally engage in political activities. They must, however, abide by the prohibitions contained in Chapter 68, which are designed to prevent public servants from using their official City positions to promote their private political interests. Community board members thus may not coerce any public servant to engage in political activities or request any subordinate to participate in a political campaign.⁹ In addition, community board members may not coerce anyone to make a political contribution or even request a subordinate public servant to make a political contribution.¹⁰ In Advisory Opinion Number 91-12, however, the Board determined that community board chairs and district managers were **not** public servants "charged with substantial policy discretion" and hence were not subject to additional restrictions on political activities applicable to certain high-ranking City officials.¹¹ Political activities are discussed in more depth in the chapter of that name. **H. Restrictions on Who May be Appointed to Community Boards**

¹¹ Charter §§ 2604(b)(12), (b)(15). ¹² *COIB v. Russell*,
COIB Case No. 2006-423a (2007).

In Advisory Opinion Number 93-21, the Board held that a member of the City Council could not nominate a close family member to a community board. The Board reasoned that community board positions hold “a certain degree of power and prestige,” so that appointment to a community board would confer an “advantage” on the member’s relative, in violation of Charter § 2604(b)(3). The Board also noted that Charter § 1135 prohibits an employee of a Council Member or a Borough President from being appointed to a community board to which the Borough President makes appointments or to which the Council Member makes recommendations. In Advisory Opinion Number 2003-3, the Board advised that a Council member could nominate *the spouse* of a member of his or her staff for membership on a community board, provided that the Council staff member did not participate in the nomination process. In the same opinion, however, the Board ruled that it would violate Chapter 68 for a member of a community board to be employed in the office of a member of the Council who has appointment power to that community board. In Advisory Opinion Number 2004-3, in a ruling that affects both community board members and the employees of community boards, the Board determined that community board members are the “superiors” of the employees of the community board for the purposes of Chapter 68 and accordingly that it would violate Chapter 68 for anyone “associated” with a community board member, including the member’s spouse, domestic partner, parents, children, and siblings, to serve as staff to that member’s community board. The Board also determined that it would violate Chapter 68 for any other person with whom a board member has a financial relationship to serve as a staff member.

I. Complying Generally with Chapter 68

Community board members and their staffs are also subject to the same restrictions that Chapter 68 imposes on all other public servants, except as noted above. Thus, in 2007, the Board fined a member of a community board \$1,000 for accepting two mattress and box spring sets from a hotel owner doing business with the City.¹²

Community Boards

—City employees who serve on community boards—

Q. I work for the Department of City Planning. Can I vote on City Planning items at my community board? Can I chair the land use committee?

A. No and no. A community board member who is a City employee is not entitled to vote on *any* matter concerning the member’s agency. Also, a board member may not chair a committee that is likely to consider matters involving the City agency he or she works for, but may serve on the committee.

—Misuse of confidential information—

Q. My committee just received an advance copy of a Request for Proposals (RFP) from the Department of Citywide Administrative Services for the development of some vacant lots. The RFP will not be available to the public until next month. My husband’s business partner is a real estate developer. Can I tell my husband’s partner about this RFP now?

A. No. Public servants may not use their positions to obtain any financial gain or advantage for themselves, their spouses or associates, or disclose or use any confidential information concerning the City.

—Misuse of position for economic gain—

Q. The Parks Department is asking my community board to support its proposal to build a park on a city-owned vacant lot across the street from my house. Can I vote on this item?

A. Yes. While you would not be entitled to vote on a matter that would result in a “direct and personal” economic gain to you, a family member, or a business associate, it appears that in this case any benefit to you (e.g., the possible increased value of your property and that of your neighbors) would be indirect; by comparison, if the matter involved the sale of your own

property, you would not be entitled to vote.

—Not-for-profits—

Q. I serve on the board of directors of a not-for-profit organization that is requesting City funding for an after-school program. Can I vote on a community board resolution supporting this request?

A. No. Community board members are permitted to serve as officers or directors of not-for-profit entities that are interested in business dealings with the City, but are not entitled to vote on matters that involve the not-for-profit, and would not be permitted to use their City positions to benefit the not-for-profit directly. So, the community board member may discuss (after disclosing, of course) the matter before the board, but is not entitled to vote on the matter.

—Outside financial interests—

Q. I am an employee of ABC Properties, a real estate developer. ABC wants to construct a building in my district, and has applied for a zoning variance to build a larger building. When the application comes before my community board, can I discuss the project with my fellow board members? Can I vote on it?

A. A community board member is permitted to have an interest in a firm that may be affected by an action of the board. The member must disclose the interest to the board, and is then free to discuss the matter with his or her fellow board members. However, a community board member is not entitled to vote on any matter that may result in a personal and direct economic gain to the member, his or her family, or business associates. So, you may not vote on ABC's application.

Q. My law firm represents ABC Properties on the project described above. Can I appear on behalf of ABC before my board? Can my partner?

A. No and no. A community board member may not represent a private client before his or her board; that restriction applies to your entire firm. You may, however, be able to obtain a waiver from the COIB.

Q. I am an architect and I regularly have clients appearing before my board's consents and variances committee. Can I be on that committee? Can I be the chairperson?

A. A Board member may serve on a committee that is likely to consider matters concerning the member's private interests, although the member must disclose all such interests prior to discussing them, and is not entitled to vote on those matters. However, the member may not be the chair.

Q. I own a stationery store near our board's district office. Can the Board purchase stationery and supplies from me?

A. No. A board member may not have an interest in a firm that is directly engaged in business dealings with the board itself.

—Soliciting donations for the community board—

Q. My Board wants to publish a Youth Services Directory. Can we ask for donations from local businesses to pay for printing the directory?

A. Yes, with certain conditions. A community board can solicit and accept donations from individuals and firms, except where those individuals and firms have matters before or about to come before the board, or where a solicitation would likely be perceived as a promise of special treatment in return for a contribution.

FOR ADDITIONAL INFORMATION, CONTACT

**NEW YORK CITY CONFLICTS OF INTEREST BOARD
2 LAFAYETTE STREET, SUITE 1010
NEW YORK, NY 10007
212-442-1400 (TDD 212-442-1443)**

**OR VISIT THE BOARD'S WEB SITE AT
<http://nyc.gov/ethics>**

8/05



Dear Community Partner,

The Mayor's Community Affairs Unit (CAU) is the direct link between the Mayor and New York's communities. CAU plays a pivotal role in improving the quality of life for all New Yorkers by working with neighborhood organizations and city agencies to tackle large-scale issues, making city government accessible, transparent, and accountable. The city's fifty-nine Community Boards are essential to this mission.

Community Boards provide New Yorkers with a voice and the ability to be increasingly helpful and productive in their neighborhoods. Through our partnerships with Community Boards, CAU is able to facilitate a relationship between City Hall and the city's many diverse neighborhoods. Whether advising on unprecedented land use reforms or fighting for crucial social services, Community Board members work to strengthen and celebrate this great city.

New York has a vibrant civic life and this administration has long recognized the value of community boards as local experts within the larger structure of city government. Everyday, community boards offer their time, talent and energy to make life better for residents. We are grateful for this collaborative partnership and look forward to working more closely with active community members who are committed to enhancing their communities and helping others.

On behalf of Mayor Bloomberg and the Community Affairs Unit staff, thank you for your contributions to ensuring the best quality of life for all New Yorkers.

Sincerely,

Nazli Parvizi
Commissioner

Community Board Phone Numbers

Bronx 1	.....(718) 585-7117
Bronx 2	.....(718) 328-9125
Bronx 3	.....(718) 378-8054
Bronx 4	.....(718) 299-0800
Bronx 5	.....(718) 364-2030
Bronx 6	.....(718) 579-6990
Bronx 7	.....(718) 933-5650
Bronx 8	.....(718) 884-3959
Bronx 9	.....(718) 823-3034
Bronx 10	.....(718) 892-1161
Bronx 11	.....(718) 892-6262
Bronx 12	.....(718) 881-4455
Brooklyn 1	.....(718) 389-0009
Brooklyn 2	.....(718) 596-5410
Brooklyn 3	.....(718) 622-6601
Brooklyn 4	.....(718) 628-8400
Brooklyn 5	.....(718) 498-5711
Brooklyn 6	.....(718) 643-3027
Brooklyn 7	.....(718) 854-0003
Brooklyn 8	.....(718) 467-5574
Brooklyn 9	.....(718) 778-9279
Brooklyn 10	.....(718) 745-6827
Brooklyn 11	.....(718) 266-8800
Brooklyn 12	.....(718) 851-0800
Brooklyn 13	.....(718) 266-3001
Brooklyn 14	.....(718) 859-6357
Brooklyn 15	.....(718) 332-3008
Brooklyn 16	.....(718) 385-0323
Brooklyn 17	.....(718) 467-3536
Brooklyn 18	.....(718) 241-0422
Manhattan 1	.....(212) 442-5050
Manhattan 2	.....(212) 979-2272
Manhattan 3	.....(212) 533-5300
Manhattan 4	.....(212) 736-4536
Manhattan 5	.....(212) 465-0907
Manhattan 6	.....(212) 319-3750
Manhattan 7	.....(212) 603-3080
Manhattan 8	.....(212) 758-4340
Manhattan 9	.....(212) 864-6200
Manhattan 10	.....(212) 749-3105
Manhattan 11	.....(212) 831-8929
Manhattan 12	.....(212) 568-8500
Queens 1	.....(718) 786-3335
Queens 2	.....(718) 533-8773
Queens 3	.....(718) 458-2707
Queens 4	.....(718) 760-3141
Queens 5	.....(718) 366-1834
Queens 6	.....(718) 263-9250
Queens 7	.....(718) 359-2800
Queens 8	.....(718) 264-7895
Queens 9	.....(718) 286-2686
Queens 10	.....(718) 843-4488
Queens 11	.....(718) 225-1054
Queens 12	.....(718) 658-3308
Queens 13	.....(718) 464-9700
Queens 14	.....(718) 471-7300
Staten Island 1	.....(718) 981-6900
Staten Island 2	.....(718) 317-3253
Staten Island 3	.....(718) 356-7900

YOUR COMMUNITY BOARD



The City of New York
Mayor's Community Affairs Unit
100 Gold Street, 2nd Floor
New York, NY 10038

MICHAEL R. BLOOMBERG,
MAYOR

Nazli Parvizi, Commissioner



YOUR COMMUNITY BOARD

Community Boards can play an important role in improving the quality of life for all New Yorkers. We urge you to take a moment and learn how your Community Board can assist you, and how you can help your Community Board.

THE COMMUNITY BOARDS

Membership— Each of the 59 Community Boards, comprised of 50 unsalaried members appointed by Borough Presidents in consultation with the Council Members of the Board district, serves as a local representative body of City government. Board members must reside, work or possess a specific interest in the community they represent.

Meetings— Monthly Board meetings provide a public forum for members to address items of concern to the community and give residents the opportunity to express their opinions. Boards also regularly conduct public hearings on the City's budget, land use matters and other items of concern.

Committees— Committees within Community Boards are charged with following up on the issues raised at Board meetings. Each board establishes its own structures and procedures for committees; non-Board members may apply to join them.

THE BOARD'S RESPONSIBILITIES

Boards play an important advisory role in dealing with land use and zoning matters, the City budget, municipal service delivery and many other matters relating to their community's welfare.

Land Use and Zoning Matters— Community Boards are consulted regarding placement of most municipal facilities in communities and may initiate their own plans for growth and improvement. The board reviews any application for a change in, or variance from zoning regulations; their position is considered in the final determinations on these applications.

City Budget— Community Boards assess the budgetary needs of their own neighborhoods and meet with City agencies to make recommendations in the City's budget process.

Other Community Concerns— Any problem affecting all or part of a community, from traffic to deteriorating housing, falls within the purview of the Community Board.

Limitations— While the Community Board, its District Manager and its office staff serve as advocates and service coordinators for a community of residents, they lack authority over City agencies and officials. Nevertheless, Boards are usually successful in achieving resolution through dialogue with other government entities.

THE DISTRICT MANAGER AND DISTRICT OFFICE

The District Manager and Board staff are chosen by the Community Board and serve at the Board's discretion. District Manager is a salaried position overseeing an office and a staff. The District Manager is responsible for implementing procedures to improve the delivery of City services to the district. Additional functions

include taking complaints and serving as a municipal manager, information source, community organizer, mediator and advocate. The District office receives and resolves complaints from community residents and may also provide services such as assistance with Senior Citizen Rent Increase

To find out which Community Board district you live in, get a membership application, or learn more about community boards, call your Borough President's office:

BRONX.....(718) 590-6001/5
BROOKLYN.....(718) 802-4032
MANHATTAN..... (212) 669-8151
QUEENS..... (718) 286-2900
STATEN ISLAND.....(718) 816-2232

or contact the Mayor's Community Affairs Unit at 311.

Exemption (SCRIE) Forms, Housing Assistance Applications and Half-Fare applications. Additionally, they may process permits for block parties and street fairs. Some District Managers also handle special projects such as organizing tenants and merchants associations, coordinating neighborhood cleanup programs and publicizing special events — the role of the office is dependent on community needs.