



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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Manhattan Community Board 4 Conflicts of Interest Rules and Procedures For Members

The New York City Charter provides that all community board members are appointed because of their professional and / or personal involvement with, and dedication to, the communities in which they live or work. To protect the integrity of community boards' decision-making processes and retain public trust in those processes, and to ensure that community board members do not use their positions as public servants to obtain a private advantage for themselves or any person, firm or organization with whom they are associated¹, Chapter 68 of the New York City Charter contains several provisions relating to the official conduct of community board members. This document, which is based on materials obtained from the New York City Conflicts of Interest Board and used with its permission, contains a summary of these rules and procedures, as well as related Community Board 4 rules.

Participating in Discussions and Voting

While community board members are specifically permitted to have an ownership interest² in or a position³ with a firm, work for other New York City agencies, or hold a position (including paid positions and unpaid positions as officers or members of boards of directors) with not-for-profit organizations, any of which might be affected by an action on a matter before the community board or one of its committees, the following restrictions shall be observed.

The general rule is that, if a community board member does have such an interest, the member:

- shall disclose, on the record, the interest when discussion of the agenda item in question begins;
- may participate in the ensuing discussion of the agenda item request; and

¹ "Associated" is defined in the City Charter to include a public servant's spouse, domestic partner, parent, child or sibling; a person with whom a public servant has a business or other financial relationship; and each firm in which the public servant has a present or potential interest.

² "Ownership interest" means an interest in a firm held by a public servant or a public servant's spouse or domestic partner which exceeds five percent of the firm or an investment of \$44,000, whichever is less, or any lesser interest in the firm when the public servant or the public servant's spouse or domestic partner exercises managerial control or responsibility regarding any such firm.

³ "Position" means position in a firm, such as an officer, director, trustee, employee, or any management position, or as an attorney, agent, broker, or consultant to the firm.

- shall not vote on any matter before his or her community board that could result in a personal and direct economic gain to the member or any person or firm associated with the member.

Representing Private Clients Before the Community Board

Occasionally, some members of Community Board No. 4 make presentations to the Board concerning their employers' projects or other projects in which the board members have direct or indirect interests. Such presentations have in the past, and continue to be, of invaluable assistance to the board in making decisions on vital and frequently complicated issues. To protect the community board from the appearance of conflicts of interest in such situations, presenting board members shall, in addition to disclosing their interests in the matters, clarify that while they are making such presentations they are acting as members of the public and not "rejoin" the board until after the votes have been taken.

Chairing Community Boards

A community board chair may have an interest in a firm or organization or be employed by a City agency that regularly has matters before the board, provided the chair steps down during that part of the meeting when discussions or votes on matters involving such interests take place, and the chair does not make any decisions or take any official actions on matters involving his or her private interests. The chair may otherwise continue to take part at board meetings, with proper disclosure, and take part in discussions involving his or her private interests to the same extent as other board members.

Chairing Community Board Committees

- Community Board members shall not chair committees meetings if the committee meeting in question is likely to have matters before it involving those members' private interests or employment.
- A board member may chair a committee if that committee is unlikely to have matters before it concerning his or her private interests or employer; however, if such matters do come before the committee, the chair is not permitted to chair any meetings where such matters are discussed.
- There is no restriction on board members serving as members of committees, even when the committee is likely to be considering matters affecting the members' private interests or employers, provided that the members observe the requirement to disclose, discuss and recues, which is described above.

Gifts

- A community board member may not accept a "valuable" gift, which is defined by the Conflicts of Interest Board, as being worth \$50 or more, from any person or firm which the board member knows has business dealings or intends to have such dealings with the board.

- Notwithstanding the \$50 threshold amount, Community Board members may not accept any free food or beverage not also offered to other segments of the public `from the district’s liquor-serving establishments, and they are urged to use discretion and restraint in accepting any gifts, especially when they know that the person or firm offering the gift has or is likely to have matters before the board or their committees.

Doing Business with the Community Board

A community board member may not have an interest in a firm directly engaged in business dealings⁴ with the member’s community board. For example, a member or the member’s firm is not permitted to sell goods or services to the board on which he or she serves.

General Conflicts of Interest Rules

There are a number of general conflict of interest rules that apply to all public servants, regular City employees and part-time volunteers such as community board members. The most important of these rules is the following:

- No public servant shall use or attempt to use his or her official position to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or for any person or firm associated with the public servant.

To help board members comply with these rules, and in the interests of transparency, Board Members will be asked to fill out a brief form disclosing their interests or employment located in the community board’s district. These forms will be filed in the board’s office and available to the public, upon request.

If you require advice or clarification, you can contact the District Manager or you can contact the Conflicts of Interest Board at (212) 442-1400 and speak to an attorney on a confidential basis.

I have received a copy of these rules and agree to abide by them in conducting all my activities on behalf of the community board:

Member Signature	Date
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⁴ “Business dealings” means any transaction involving the sale, purchase, rental, disposition or exchange of any goods, services, or property, any license, permit, grant, or benefit, and any litigation with respect to the foregoing, but shall not include any transaction involving a board member’s residence or any ministerial matters (which are administrative acts, including the issuance of licenses, permits, that are carried out in a prescribed manner and do not involve substantial personal discretion).