

2022 SEP 23 P 1:07
MOUNT VERNON, MI

Rules of Procedure

City of Mount Vernon Tree Advisory Board

Article I. General Governing Rules.

- A. The Tree Advisory Board of the City of Mount Vernon shall be governed by the Chapter 252 of the Mount Vernon City Code under Section 252-17
- B. The term “Board” as used in these rules shall mean the duly appointed Tree Advisory Board of the City of Mount Vernon.

Article II. Membership.

The five (5) members of the Board shall be appointed by the City Council of the City of Mount Vernon as provided by Section 252-17(A). The Mount Vernon Tree Advisory Board shall consist of the City Tree Surgeon, a designee of the City of Mount Vernon Department of Planning and three (3) members of the public, serving three (3) year terms to be approved by the City Council of the City of Mount Vernon.

Article III Purpose, Duties and Responsibilities.

The Mount Vernon Tree Advisory Board is to meet regularly to:

- A. Provide advice to the Mayor, City Council, Department of Public Works, Department of Buildings, Department of Planning (hereafter referred to as “The City”) regarding the needs of the City of Mount Vernon in connection with its tree planting, preservation, and tree maintenance program.
- B. Assist the City in maintaining Arbor Day Tree City status and/or any advantageous relationships or certifications important to the support of the City’s urban canopy as agreed upon by the Tree Advisory Board members.
- C. Assist the City Council with interpreting, implementing, and disseminating information to the general public regarding the revised Tree Ordinance as it affects City property and the responsibilities of private property owners thereto.
- D. Establish educational and other programs to encourage proper management and maintenance of trees on public and private property within the City of Mount Vernon.
- E. Advise the City land use boards regarding the impact of trees on development and maintaining the neighborhood character of the City and its green infrastructure. All applications for site plan review will be copied to the Tree Advisory Board by the Planning Dept. for the Board’s recommendations.
- F. Oversee the programs of pruning, maintenance, removal, and replacement of City trees.

G. Regularly update and maintain the list of permitted trees to be planted in the City.

H. Carry out studies or investigations and make recommendations regarding trees and the land development process as the City may request or as self-initiated by the Tree Advisory Board from time to time.

I. Pursue grant monies for the Tree Fund Escrow Account and participate in financial decision-making related to the Tree Fund Escrow Account.

J. Review proposed new regulations and amendments of the Tree Ordinance and advise the City about their impact and effectiveness.

Article IV. Officers, Staff and Duties.

A. Officers. The officers of the Board shall include a Chairperson and Vice Chairperson.

B. Chairperson. The Chairperson shall be elected by the members of the Board for a term of one (1) year. The Chairperson shall perform all duties required by law, ordinance, and these rules. The Chairperson shall preside at all meetings of the Board and have the privilege of initiating motions and the privilege of voting on all matters before the Board. These same privileges shall be extended to the Vice Chairperson. The Chairperson shall decide on all points of order and procedures unless a different determination on a point of order or procedure is requested by a Board member and seconded by another Board member and there is a majority vote of all Board members present supporting a different determination than that of the Chairperson. The Chairperson shall appoint any subcommittees deemed necessary to carry out the business of the Board.

C. Vice Chairperson. The Vice Chairperson shall be elected by the members of the Board for a term of one (1) year. In the event of the absence of the Chairperson, the Vice Chairperson shall be prepared to serve as the Chairperson with all attendant powers and duties of such position until such time as the Chairperson is in a position to resume his or her duties.

D. Administrative and Technical Support Staff. Provided by the City of Mount Vernon Department of Public Works it is the technical, secretarial, and other support as the Board may reasonably require in the conduct of its business. This includes the maintenance of minutes and records, the preparation of an agenda for all meetings, the providing of notice of all meetings, attendance to the correspondence of the Board.

E. Legal Advisor. The City of Mount Vernon Corporation Counsel shall serve the Board as legal staff.

Article V. Board Attendance and Voting.

A. Attendance. It is the responsibility of each member to inform the Chairperson when and for what reason a member will be absent from a meeting. If a member is absent for three (3) or more regular meetings in any twelve (12) month period, the Chairperson shall contact said member to determine whether the Board shall seek a permanent replacement by informing the City Council of the situation.

B. Quorum. A Quorum shall consist of three (3) Board members. A majority vote of those constituting a quorum shall be sufficient to decide all matters which come before the Board.

C. Recusal. A Board member who is part of a quorum of the Board during the consideration of any matter, but not participating in the discussion or vote on a specific matter because of a conflict of interest, shall be considered present for quorum purposes but absent from the voting on that specific matter. All recusals must be on the record, with reason(s) indicated and should be disclosed prior to any presentation/discussion of Board members.

D. Voting. A vote shall be taken by the Chairperson and a majority vote of a quorum of the Board members is required for approval of all motions. A tie vote shall be deemed as a denial of the motion. A motion that fails by a majority vote shall not be deemed as approval of the opposite position. A new motion must be made to approve the opposite position, with any amendments and conditions. A record of the vote shall be kept as part of the minutes of the meeting.

Article VI. Meeting.

A. Regular Meetings. The Board's regular meetings shall be held on the third (3rd) Thursday of each month beginning at 4 p.m. in the City of Mount Vernon Memorial Room or at an alternate site and/or time designated in advance of the meeting and contained in the meeting notice. The Chairperson or a majority of the Board may make any cancellations or meeting changes with an advanced notice of no less than two (2) days prior to the meeting.

B. Special Meetings. The Chairperson or a majority of the Board may call a special meeting at any time with two (2) calendar days' notice. Business other than the specific stated purpose shall not occur at a special called meeting.

C. Notice of Meetings. Administrative Support shall notify all Board members of each scheduled meeting at least seven (7) calendar days preceding such meeting through the delivery of a written agenda which shall include all matters to be considered. Notifications of any cancellations and/or meeting changes shall be delivered by a written notice or by telephone.

Article VII. Agenda.

- A.** All departments, boards or individuals submitting materials to the Board must do so by the submission deadline, which is fourteen (14) days prior to the regularly scheduled meeting.
- B.** Included among the materials to be submitted to the agenda shall be:
 - 1. Requests for tree removal permits [submitted by Buildings Department and/or Department of Public Works],
 - 2. Applications for subdivision, site plan and special use permits [submitted by the Architectural Review Board and the Planning Board],
 - 3. Financial reports from the Tree Fund Escrow Account [submitted by the Comptroller].

Article VIII. Proceedings.

- A. Order of Business.**
 - 1. Notation of attendance/roll call.
 - 2. Consideration of minutes of previous meetings and approval of the minutes.
 - 3. Old business.
 - 4. New business.
 - 5. Announcement/scheduling of the next meeting date.
 - 6. Adjournment.
- B.** The parliamentary rules contained in Robert's Rules of Order shall govern the proceedings at the meetings of the Board unless otherwise provided by statute or by these rules.

Article IX. Recommendations.

- A.** The Board may make recommendations on issues or applications being considered by City Agencies or other City Boards on matters in accordance with their related powers and duties as outlined in Chapter 252 of the Code of the City of Mount Vernon. The Board shall handle recommendations in the following manner:
 - 1. Recommendations will be based solely on information provided to the Board.
 - 2. All Board recommendations are only advisory.
 - 3. The Board shall provide a written advisory opinion indicating the basis for its determination. In those instances where the Board makes a negative or unfavorable recommendation to the referring board or agency, those reasons must be articulated in the written report.
 - 4. The Board may ask the City Agencies or City Boards to provide additional background information as needed that will aid in the Board's determination of its written advisory opinion.
- B.** The Board may advise the City on projects and spending that come under the purview of the Tree Fund Escrow Account.

Article X. Assistance of other Departments.

The Board may draw upon the resources and knowledge of all City departments, boards and authorities as deemed necessary for the fulfillment of its purposes, duties, and responsibilities. City staff shall, upon request, furnish to the committee all such information requested that it may reasonably require, to the extent available and within a reasonable time.

Article XI. Enabling Ordinance.

In the event that a conflict occurs between these rules and procedures and provisions of the City Code and/or Charter of the City of Mount Vernon, New York, the provisions of the City Code and the Charter of the City of Mount Vernon, New York shall apply.

Article XII. Adoption and Amendment.

A. These rules of procedure may be amended from time to time by an affirmative vote of a majority of the entire membership of the Board.

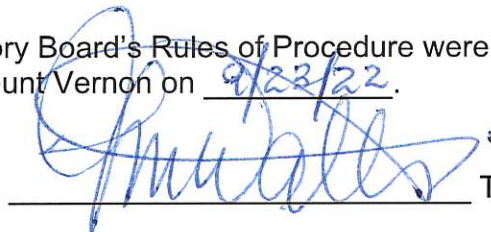
B. A copy of these rules of procedure and any subsequent amendments with the City of Mount Vernon City Clerk shall be maintained by the City Clerk as a public record.

The Tree Advisory Board's Rules of Procedure were adopted by the Tree Advisory Board of the City of Mount Vernon on 09/15/2022.



Eveline Feldmann, Chairperson

The Tree Advisory Board's Rules of Procedure were received in the City Clerk's Office of the City of Mount Vernon on 9/23/22.



Tanesia Walters, City Clerk