

Vamos A Sembrar

Community Garden

Garden Bylaws DRAFT-Final

Update: 3/18/2021 and 3/24/2021 indicated which options and amendments passed in sections 6 through 8 and Garden Guidelines A, B, and C.

3/24/2021 Wed 5:30 pm Annual Meeting Part 3, Voted on the MISTAKENLY SKIPPED SUBSECTION 6.3.1.d. OPTIONS.

3/11/2021 indicated which options and amendments passed in sections 1 -5. (Text changes indicated by their date: [1/30], [1/31], [2/5], [2/6], [2/7], [2/11], [2/15], [2/20], [2/21], [2/23], [2/24].)

Number of proposed amendments: 57*

Number of edits: 11*

Number of bylaws sections: 8

Number of guidelines sections: 3

* These numbers do not include *Pending items to add* listed below, and does not include any additional amendment proposals or edits not yet submitted.

All proposed amendments, edits, and including the rest of the bylaws are to be compared to the following two documents for conflicts or inconsistencies:

The Garden License (2019, PDF file):

https://vamosasembrar.org/within/files/gardenlicense/GreenThumbLicense2019_FINAL-VAS.pdf

GreenThumb Gardener's Handbook 2019 (PDF file):

https://greenthumb.nycgovparks.org/pdf/greenthumb-gardeners-handbook-2019-compressed_updated.pdf

This handbook includes GreenThumb, NYC Parks, NYC, and NY State policies and laws that govern community gardens.

Voting on the Amendment Proposals (marked in red throughout the

bylaws and guidelines) will take place **during the Annual Meeting** (the date will be announced by the steering committee, and may be 10 days to two weeks from the completion of the DRAFT 2/24/2021).

1. As soon as all garden members receives (2/24) the completed DRAFT, they are to go through each item of the DRAFT (bylaws and guidelines) **on their own and note for themselves how they will vote** (at the Annual Meeting).
2. If any errors, please notify Shig M. immediately in order for the errors to be corrected. If there are any parts that are not clear, please email with the Section number and the language/text that needs to be clearer.
3. The bylaws DRAFT may be edited based on feedback from GreenThumb, in which case all members will be notified immediately.

Expected Date of completing the DRAFT: ~~2/8/2021~~ ~~2/12/2021~~ ~~2/14/2021~~ ~~Monday~~ ~~Friday~~ ~~Monday~~ ~~Wednesday~~.

Upon completion, all members and GreenThumb will be notified.

Deadline: 2/1/2021 Monday, end of day – Deadline for submitting amendment proposals, suggestions, and corrections.

[Click here for the Bylaws Amendment Process.](#)

Pending items to add, include, or consolidate into amendment proposals into the bylaws sections:

1. *Comparison with the GreenThumb Gardener’s Handbook for conflicts and consistency.*

Vamos A Sembrar Community Garden

Bylaws and Garden Guidelines

Note. Moved the Amendments section from #6 to #8 (amendments are usually towards the end of the bylaws).

SECTIONS

BYLAWS

1. THE COMMUNITY GARDEN
 - 1.3 Mission
2. MEMBERSHIP
3. GARDEN MEETINGS
4. VOTING PROCEDURES
5. GARDEN POSITIONS: STEERING COMMITTEE, GARDEN CHAIR, AND GARDEN SECRETARY
6. BEHAVIOR RULES AND ACTIONS
 1. Rules of Conduct
 2. Conflicts and Disputes
 3. Violation Procedures
7. FINANCES
8. AMENDMENTS

GARDEN GUIDELINES

- A. Members, Volunteers, and Visitors Rules
- B. Planting Areas, Raised Beds, and Assigned Plots/Beds
- C. Garden Care and Maintenance

Amendment proposals, including edits, are preceded by a title in red.

All text in bold are either the content of the amendment proposal or the suggested edits.

BYLAWS

3/4/2021 Thu 5:30 pm Annual Meeting Part 1 – Voted on the bylaws Sections 1 through 5.

Attendees total: 11 people.

Garden members participating: 9 members.

Proxies: 2.

Part 2 occurred on 3/18/2021, [see Section 6 below](#).

1. THE COMMUNITY GARDEN. [All amendments including additions/edits in Section 1 passes 11 to 0, except for options which are indicated individually.]

1.1. Community Garden Name and Location. The name of the community garden is Vamos A Sembrar (referred to below as the community garden or the Garden) located at 198 Avenue B, New York NY 10009 (between 12th and 13th Streets, in the East Village/Lower East Side of the borough of Manhattan).

Note. Items below with (Originally #.) indicate their original numbering in the previous Bylaws; they will be removed after the Bylaws have been finalized at the Annual Meeting (date TBD). This document will be preserved for archiving with its edits and notes in red as a PDF file before their removal.

1.2. Community Garden Type.

1.2.1. Vamos A Sembrar is a NYC Parks GreenThumb community garden.

Amendment proposal to add 1.2.2. a., b., and c.:

1.2.2. GreenThumb Requirements. A GreenThumb community garden must have an active and inclusive membership, and satisfy the following requirements by its members: Garden License, Garden Registration, and Primary and Secondary Contacts (GreenThumb Garden Liaisons).

1.2.2.a. The Garden License is between the volunteer garden members and GreenThumb to manage and maintain the community garden as volunteer stewards of the site, a NYC Parks property, as the garden members may decide following the Garden Bylaws (this document) as set by the garden members, and in accordance to GreenThumb’s Garden License and the GreenThumb Gardener’s Handbook. The license is renewed every four years. The relicensing with GreenThumb is usually renewed by December of the fourth year (current license is from 1/1/2019-12/31/2022).

1.2.2.b. GreenThumb Garden Registration. Part of the relicensing includes a registration packet, which includes the latest garden information, contact information, membership procedure, membership list, the Garden Bylaws and Guidelines, and the Open Hours for the season (from April 1 to October 31). Updates to any of these are to be provided to the designated GreenThumb Outreach Coordinator from time to time, as they may occur.

1.2.2.c. Primary Contact Person and Secondary Contact Person (GreenThumb Garden Liaisons). [2/21] The Primary and Secondary Contact Persons’ main role is as the sole representatives who serve as liaisons to GreenThumb regardless of the Garden’s internal governance structure. In this regard, the garden members are to follow the Garden’s [Communications Guide](#) (vamosasembrar.org/communications-guide/).

1.2.2.c-1. [2/21] Election of Garden Liaisons. GreenThumb requires each garden to have a Primary and a Secondary contact person, and each Contact is to be elected democratically by the general garden membership. Contacts can be any garden member and rotate among other members from time to time (how often, according to GreenThumb, is left flexible). Because of this flexibility and because

there should always be two Contact Persons, the election of the Garden Liaisons may take place at any general garden meeting at any time during the year. When contacts change, both the previous Contacts and new Contacts need to notify the GreenThumb Outreach Coordinator.

1.2.2.c-1.1. **Qualifications to be a Garden Liaison.** Both Contact Persons must reside in New York City and at least one Contact Person must reside in the community board where the community garden is located (Community Board 3); both Contact Persons must be a garden member in good standing.

1.2.2.c-2. **[2/21] Responsibilities of the Primary and Secondary Contact Persons.**

- **To act as the garden liaison between the garden group (the community garden and its volunteer garden members) and GreenThumb (the Outreach Coordinator):**
 - **Anything that needs to be communicated to GreenThumb by the garden group, need to go through either the Primary or Secondary Contact Person;**
 - **All communications from GreenThumb (that are sent [by email or mail] to the Primary and Secondary Contacts) should be passed on to the general garden membership by the Primary Contact Person (or the Secondary, when the Primary notifies the Secondary to temporarily take over this responsibility);**
- **To sign and submit the GreenThumb Garden License and the Registration Packet;**
- **Submit updates to items in the Registration Packet;**
- **To assist (along with the efforts of other garden members) in building and maintaining the garden membership; as the Garden Liaisons, they are the contact point that GreenThumb refers to when redirecting people who contact GreenThumb to either volunteer or become a member of a local community garden;**
- **And any other responsibilities as may be determined and voted on by the garden membership (for example, if they are voted on to be a co-signer if the Garden decides to open a bank account, as per Section 7.1.1.).**

1.2.2.c-3. **Notification of Certain Garden Events to GreenThumb by the Garden**

Liaisons. (*Originally IV.C.; and 5.8.1.*) ~~Coordinating Garden events (one public event yearly is required by GreenThumb).~~ All garden events that fall under a certain category as defined by GreenThumb are to be given advanced notice to GreenThumb by a Garden Liaison within a given timeframe (refer to the GreenThumb Gardener’s Handbook).

1.2.2.c-4. **Maintaining a List of Garden Members by the Garden Liaisons.** Since the Garden Liaisons (Primary and Secondary Contact Persons) are responsible for providing a list of garden members to GreenThumb (via the Registration Packet, Section 1.2.2.b.), the Liaisons need to maintain a list of members. The task of maintaining the list may be delegated, assigned, or volunteered by another Garden member, but must be available and accessible by the Liaisons at any time.

1.2.2.d. **Some additional requirements of the Garden License are as follows:**

1.2.2.d-1. Each year, at least one garden member is to attend a GreenThumb workshop or event. This is one of the requirements, especially to receive supplies (i.e., spring supplies, winter supplies) from GreenThumb.

1.2.2.d-2. Signs must be posted on the Garden’s fence with the most up-to-date information on a. Open Hours, and b. Contact information for the Garden (i.e., website address, email address).

1.2.2.d-3. Host at least two events in the Garden every year that are open and free to the public, and the events may need to comply with GreenThumb rules and policies (refer to 1.2.2.c-3 above, 1.4. below, as well as, the GreenThumb Gardener’s Handbook).

1.2.2.d-4. For a full list and details of all requirements, garden members should read and occasionally refer to the Garden License ([GreenThumb-License-2019_2022.pdf](#)).

Amendment proposal 1.2.3. (was part of 2.2.3.):

1.2.3. **Open Hours.** During the Open Hours Season, April 1st through October 31st, Garden members and volunteers agree to keep the Garden open (“open hours”) for a minimum of two sessions or 10 hours each season. A session can include a weekend session, up to five hours, or a weekday session, up to four hours. A

member may opt out of their open-hours obligation by getting another garden member to cover this responsibility. When a garden member or volunteer cannot do their open-hours obligation, they are to get another garden member to cover this responsibility.

~~Add either option 1 or option 2. to 1.2.3.:~~

Option 1.

The steering committee will manage an analog and digital calendar where members can sign up for a day/time.

~~–or–~~

Option 2. Passes 11 to 0.

The garden members will participate to help manage an analog and digital calendar where volunteers and members can sign up to do open hours.

See also [Garden Guidelines A.1.1. – A.1.4.](#) on additional details on Open Hours.

Edits:

1.2.4. An Independent Garden. (*Originally IX.*) Members agree to protect the independence of the **community garden**. Garden members agree to be stewards of this property, to assume the legal right to make Garden decisions and to take on the responsibilities for maintaining the Garden’s autonomous status as a legally registered GreenThumb garden. Should a garden member threaten or challenge this independence, they will be subject to ~~expulsion~~ **Violation Procedures (Section 6.3.)**. Actions that compromise, threaten or challenge the Garden’s autonomy include, but are not limited to, advocating a merger of the Garden with any other New York City community garden or green space.

Edits:

1.2.5. Provision In Case of Incorporating as a Nonprofit. (*Originally XI.*) Should the garden **group** decide to incorporate at any point as a non-profit entity, the Garden will create an official Board of Directors, and/or assign officer titles, if necessary, to satisfy legal requirements for incorporation. The decision to incorporate will be voted on by the general garden membership, which vote will follow the same voting procedures as outlined above in Paragraph 7 (*originally VII.*) **in Section 4.**

Edits:**1.3. Mission.**

The purpose of the ~~the~~ Vamos A Sembrar community garden is to provide a green, restful, beautiful and safe space for gardening. This space is for the community to enjoy. The Garden will be open as often as possible and will be made available to serve as a public space for neighborhood meetings, social gatherings and other activities.

Amendment proposal 1.4.: [2/22]

1.4. Crisis Situations. During Extreme Situations, such as a Pandemic, the Garden is to follow the rules and regulations as set by GreenThumb which may restrict or suspend the open hours, restrict the number and type of garden events, as well as, any other restrictions or requirements (such as, the number of people allowed in the Garden at a time, mask wearing and social distancing guidelines).

2. MEMBERSHIP [All amendments including additions/edits in Section 2 passes 11 to 0, except for options which are indicated individually.]

2.a. Terminology.**2.1. Joining the Garden.****2.2. Assigned Guide and Orientation.****2.3. As a Volunteer (Working Towards Membership).****2.4. As a Garden Member.****Amendment proposal 2.a.: [2/23]**

(For each terminology indicated with -or-, vote on which term will be this Garden's common phrase. Agreeing to a terminology is important in order to prevent confusion and miscommunications.)

2.a. Terminology.

Volunteer (generally): a person who freely offers to take part in one or more garden activities or undertake tasks for the Garden. Everyone involved in helping the garden, whether as a non-member, member, short or long-term member, are

all considered volunteers.

Volunteer Steward of the Garden: All volunteers, visiting helpers, and garden members helping to manage and/or maintain the Garden are also considered “volunteer stewards of the Garden.”

Volunteer (11 to 0) ~~or~~ Visiting Volunteer (Visiting Helper): Someone who comes to help out once or just occasionally.

Volunteer (10 to 1) ~~or~~ New Probationary Member: A person who just joined the Garden and applied to become a member, but has not yet fulfilled the requirements to be a member.

Probationary Member ~~or~~ (4 to 7) Existing Probationary Member:

- a. A garden member who has been restricted for a period of time by the results/”Consequences” due to Violation Procedures (example, loss of key privileges for six months); whether they can vote or not would be on a case by case basis depending on the results of the Consequences (Section 6.3.1.).
- b. If a garden member has not met their “existing membership requirements” for a specified period of time as per Section 2.4.5. (Existing Probationary Member.)

Member: Also, “garden member,” an individual who has fulfilled the requirements to either become a new member or continue as an existing member; has a key to the Garden; can vote on garden matters; and participate in garden roles and decisions, including as a Guide; initiate/manage garden projects (a short-term activity and usually has a deadline) and programs (a series or courses that are long-term or permanent, such as a monthly gardening education workshop, or a weekly yoga in the garden program); and can be nominated to a Garden Position (Garden Chair, Secretary, Steering Committee).

Guide: A garden member who volunteers to help a new volunteer (or new probationary member) to become a garden member by providing the information, guidance, and orientation to the Garden.

Active Member: A garden member who does more than the minimum requirements and participates in garden activities frequently or on a regular basis. Active members may be relied upon for various things, such as garden maintenance, or to become a steering committee member. However, regular members are encouraged to participate more and taken on roles, such as taking their turn on the steering committee, other garden positions, and as a garden liaison.

Amendment proposal to 2.1.:

2.1. Joining the Garden. Anyone can join the Garden (see 2.1.2. Inclusive Membership) by either visiting the Garden, attending a garden meeting, or contacting the Garden through the Garden’s website (vamosasembrar.org).

Amendment proposal to 2.1.1.:

2.1.1. How to Join.

Sign Up and Register to join by filling out a **New Membership Application Form** with name, address, contact information (phone, email), how ~~the new member registrant~~ and **communications with** the Garden will be maintained ~~communications with one another~~, that ~~they new member registrant applicant~~ **are** at least 18 years of age (otherwise, parental approval is required), **primary language**, and optionally provide other garden related information (gardening interests, previous gardening activities, involvements with other gardens, etc.).

Amendment proposal to 2.1.2. (was 2.7.): [2/6]

2.1.2. Inclusive Membership.

Option 1: Passes 6 to 5.

The Garden is Open to All. (*Originally, Guidelines 18.*) The Garden is committed to diversity in ethnicity, race, gender, class, sexual orientation and physical capacity in its general garden membership and on its Steering Committee. The Garden will not condone any act of discrimination, be it based on ethnicity, race, gender, class, sexual orientation and physical capacity toward any garden member, by any garden member or Steering Committee member, or toward any visitor to the garden. **As a community garden, the Garden must be open to the community. A**

Garden member or Steering Committee member who engages in any act of discrimination will be subject to ~~expulsion~~ **Violation Procedures (Section 6.3.)** by a vote of the general garden membership.

~~–or–~~

Option 2:

~~The Garden is Open to All. (Originally, Guidelines 18.)~~ The Garden is committed to diversity in ethnicity, race, gender, class, sexual orientation and physical capacity in its general garden membership and on its Steering Committee. The Garden will not condone any act of discrimination, be it based on ethnicity, race, gender, class, sexual orientation and physical capacity toward any garden member, by any garden member ~~or Steering Committee member~~, or toward any visitor/~~member~~ to the garden. **As a community garden, the Garden must be open to the community.** ~~A Garden member or Steering Committee member~~ **anyone** who engages in any act of discrimination will be subject to ~~expulsion~~ **Violation Procedures (Section 6.3.)** by a vote of the general garden membership.

2.2. Assigned Guide and Orientation.

Amendment proposal to 2.2.1. (was 2.1.1.b.): [2/23]

2.2.1. Registered **Signed Up and Informed**. After completing and submitting the New Membership Application Form, the new ~~member registrant~~ **volunteer applicant** will receive the following:

2.2.1-a. Be assigned a Guide (Section 2.2.2. below).

2.2.1-b. Copy of, or direct link to, the Garden Bylaws and Guidelines, and a template (not filled out) copy of the Garden License.

2.2.1-c. Garden Membership Agreement Form for the new garden member ~~registrant~~ volunteer to sign and date (Section 2.2.4.).

Amendment proposal to 2.2.2. (was 2.1.1.c.): [2/24]

2.2.2. **Assigned a Garden Member as a Guide**. One of the rights of becoming a new member is to have a direct contact (phone, email, and to meet in person) with an existing garden member who will be available to act as a Guide and to help the ~~new garden registrant~~ **with the Garden documents** and with an orientation to the

Garden, as well as, to coordinate access to the Garden in order to carry out volunteer hours.

Amendment proposal 2.2.3.: [2/24]

2.2.3. Orientation. The Guide will give the new garden volunteer an orientation to the Garden’s operation, including where the tools are kept, how to care for them, a guide to watering and other garden activities/tasks (including the Garden Guidelines on leaves, ground cover, etc.), on how to use the hydrant, and on any other garden maintenance tasks, gardening activities, and tasks related to events.

Amendment proposal to 2.2.4. (was 2.8.): [2/6]

2.2.4. Garden Membership Agreement, ~~Open Hours~~ Obligations.

Option 1:

(Originally VIII.) A ~~contract~~ **Garden Membership Agreement** will be signed and dated by each new garden volunteer garden member whereby she/he/they agrees to abide by the Bylaws and Guidelines of the Garden, and to indicate that they understand that as a garden member, they are a volunteer steward of the community garden, a public green space; that they understand the rights and responsibilities of garden members; and that they’ve read and understood the Agreement and received and read the Garden Bylaws and Guidelines.

(The following moved to section 1.2.3. above) Members also agree to keep the Garden open (“open hours”) for a minimum of two sessions or 10 hours each season. A session can include a weekend session, up to five hours, or a weekday session, up to four hours. A member may opt out of their open-hours obligation by getting another garden member to cover this responsibility.

~~–or–~~

Option 2. Add the following to the above, option 1, paragraph:

The steering committee will manage an analog and digital calendar where members can sign up for a day/time.

Amendment proposal 2.2.5.:

2.2.5. Rights and Responsibilities of Garden Members.

2.2.5-a. The rights of a garden member is essentially the privilege to access the Garden and to participate in the Garden’s activities. For further details, see

[Garden Membership Rights \(vamosasembrar.org/garden-membership-rights/\)](https://vamosasembrar.org/garden-membership-rights/).

2.2.5-b. The responsibilities of a garden member are mainly **to be a good steward of the Garden and** to abide by and to help maintain the policies, rules and regulations of the Garden Bylaws and Guidelines, and of the Garden License.

2.3. As a Volunteer (Working Towards Membership) – New Probationary Member.

Edits (was 2.2.):

2.3.1. **New Member Requirements.** To become a member of the Garden one must complete the following:

Amendment proposal to 2.3.1-A. (was 2.2.A.): [2/5]

~~(Vote for either Original, Option 1, or Option 2)~~

Original:

2.3.1-A. Volunteer ~~at least~~ 20 hours at the Garden,

Option 1: Passes 7 to 3.

2.3.1-A. Volunteer **at least** 20 hours **for** the Garden,

~~—or—~~

Option 2:

2.3.1-A. Volunteer ~~at least~~ **30** hours ~~for~~ the Garden,

and

2.3.1-B. Attend at least 3 garden meetings.

Amendment proposal to 2.3.2 (was 2.4., 2.4.a., b., c., and d.): [2/5]

2.3.2. **Qualifying Hours.** Hours that count are those done at the Garden, that is, activities done or open hours held at the Garden qualifies for the hours to both become a member and to maintain membership. The hours may be fulfilled during any open hours, garden workdays or events, or by getting involved in garden activities.

2.3.2-a. Hours Done Away From the Garden.

Option 1:

~~Hours done away from the Garden may count, but would require both a pre-approval from the steering committee and a review afterwards, and is on a case-by-case basis.~~

~~–or–~~

Option 2: [2/23] Passes 11 to 0.

Hours done away from the Garden that count could include attending GreenThumb workshops, program planning, developing community relationships, seeking resources, and managing social media for the Garden, but would require advance notification to the garden membership (by email and at a general garden meeting), and is on a case-by-case basis.

~~-add?- Yes (11 to 0).~~

~~To add to the end of either Option 1 or Option 2.~~

~~Attending any of the garden meetings does not count towards Hours, they only count towards number of meetings attended.~~

2.3.2-b. New Members Total Hours.

Option 1: Passes 8 to 3.

New members total hours may be done over the span of two seasons, for example, if a new member starts in early to mid any time in 2020 and completes the total required hours any time in 2021, they would then qualify.

~~–or–~~

Option 2:

~~New members total hours are to be completed between April 1st to the following April 1st. GreenThumb community gardens' Open Season is April 1st to October 31st, and providing a timeframe to the following April would allow the hours counted to include tasks and activities done over the winter.~~

~~–or–~~

Option 3: [2/23]

~~New members total hours may be done over the span of either two seasons during relatively normal times, or three seasons if during crisis situations (such as during a pandemic, Section 1.4.). For example, if a new member starts any time in 2020 and completes the total required hours any time in 2021 for the 2~~

~~seasons case, or 2022 for the 3 seasons case, they would then qualify.~~

2.3.2-c. Hours Log Sheet.

A sign-in log sheet, “Hours Log Sheet,” will be available in the Garden shed for documenting these hours. If not, notify your Guide (2.1.1.c.) and request that sign-in log sheets be available in the Garden. They hours may also be reported directly to a member of the steering committee members by email. ...

Option 1. (added to the end of the above paragraph ~~2.4.d.~~ 2.3.2-c): Passes 10 to 1.

However, the sign-in hours log sheets reported by emails to the steering committee must be done together with one of the members with key who was there at the time the hours were done. The member with key should submit by email to the steering committee the sign-in hours log sheet as a photo or a scan. If no sign-in hours log sheet is available in the Garden, then a blank template of the sign-in hours log sheet is available on the website in both [google doc format](#) and [PDF format](#).

~~–or–~~

Option 2. (added to the end of the above paragraph 2.3.2-c.):

The sign-in hours log sheets should be reported to the steering committee via email and must be signed off on by the overseeing existing member. If there are no sign-in hours log sheets in the Garden, then a blank template of the sign-in hours log sheet is available on the website in both [google doc format](#) and [PDF format](#).

Amendment proposal 2.3.3 (was 2.5.): [2/5, 2/23]

2.3.3. All potential members and members must attend the Annual Meeting (Section 3.3.).

2.4. As a Garden Member.

Amendment proposal to 2.4.1. (was 2.6.): [2/6] Fails (3 Yeses, 8 Abstains).

2.4.1. Approval of New Members.

Option 1:

New members are not voted in. They become full members upon fulfilling the

requirements and review by the steering committee and/or the garden membership.

~~–or–~~

Option 2:

New members are not voted in. They become full members upon fulfilling the requirements and review by the steering committee *and/or the garden membership*.

Amendment proposal to 2.4.2. (was 2.7.): [2/6]

2.4.2. Garden Keys.

Option 1: Passes 7 to 4.

After completing the requirements (2.3.1-A. and 2.3.1-B.), their membership will be announced **at the next garden meeting** where they will receive a key to the Garden or can get a copy made for themselves with a member with key going with them to a key making place; access to the tool shed will also be provided if applicable (**which may also have its own separate key or combination lock**).

Members may not share, loan or give their keys, **or the combination number if a combination lock is used**, to those who are not garden members. **Member with key must be present whenever the Garden is open.**

~~–or–~~

Option 2:

After completing the requirements (2.3.1-A. and 2.3.1-B.), **the new member will be given a key and celebrated at the next garden meeting where they will receive a membership package.** Members may not share, loan or give their keys, to those who are not garden members. **Member with key must be present whenever the Garden is open.**

Amendment proposal to (was 2.3.): [2/5]

2.4.3. Existing Member Requirements.

Option 1 (original): Passes 9 to 1 (and 1 abstain).

Existing members must participate in a minimum of 3 meetings and volunteer a minimum of 10 hours per season to maintain **their** membership.

~~–or–~~

Option 2:

Existing members must participate in a minimum of 3 meetings and volunteer a

minimum of ~~30~~ hours per season to maintain ~~their~~ membership.

2.4.4. Existing Members Total Hours.

Option 1: Passes 8 to 3.

Existing members total hours must be per season, that is, within one calendar year, between January 1st and December 31st.

~~–or–~~

Option 2:

~~Existing members total hours must be per season, that is, within one year, between April 1st and the following April 1st.~~

Amendment proposal 2.4.5. [2/23]:

2.4.5. Existing Probationary Member. If a garden member has not met their “existing membership requirements,” by the end of the second year, for any two-year period, at the beginning of the third year, they will be asked to turn in their garden key and be considered as an existing probationary member. If they complete the minimum requirements for existing members at any time in the third year, they can get their garden key back. If they have not met the minimum existing membership requirements by the end of the third year, at the beginning of the fourth year, they will be as a new probationary member and will have to meet the new membership requirements to become a full member again.

Amendment proposal 2.4.6. (was 2.9.):

2.4.6. Garden Member in Good Standing. A person who has gained their garden membership would maintain and be in good standing as long as they volunteer the minimum 10 hours per calendar year for existing members, attend at least 3 garden meetings per calendar year, and they have not been expelled, or are not under suspension, or are not under some disciplinary censure. A member would not be in good standing if they are in their next year while not having done at least their minimum hours and meetings their previous year.

Amendment proposal to 3.:

3. GARDEN MEETINGS. [All amendments including additions/edits in Section 3

passes 11 to 0, except for options which are indicated individually.]

For the following first three types of meetings, their *(originally from end of III.)*

~~Regular Garden meetings for the general Garden membership and interested community members, will be held monthly, April through October. meeting times and dates will be posted on the Garden bulletin board or fence, on the Garden’s website, and members will be notified by email and/or phone at least 7 days in advance of any meeting. The type of garden meeting must be clearly stated when the meeting date and agenda are announced.~~

Amendment proposal to 3.1.: [1/31]

3.1. General Garden Meetings (or Regular Meetings).

3.1.a. The general garden meetings are open to all, members and non-members.

3.1.b. General meetings will occur on a regular basis, at least once a month, and may take place not only during the Open Hours season, April 1st to October 31st. but also

3.1.c. During the off season, November 1st to March 31st, general meetings may occur as may be necessary in order to manage garden activities during the winter season (fall leaves, snow and ice removal, trash picking, rat abatement, etc.), but also to manage administrative tasks, such as, securing winter supplies and garden materials, planning for the next season (new or repairing garden beds, garden items, pruning, seeds, bulbs, etc.), and GreenThumb Registration items updates. General garden meetings during the off season must accommodate everyone who may want to attend.

3.1.d. Attend at least 3 Garden Meetings Requirements. (Originally Guidelines 17.)

Option 1: [2/7]

~~Every Garden member must participate in at least 3 garden meetings per season, that is, the calendar year between January 1st and December 31st.~~

~~—or—~~

Option 2: [2/7] Passes 7 to 3 (and 1 abstain).

Every Garden member must participate in at least 3 garden meetings per season, that is, between April 1st and the following April 1st.

(Originally IV.E.):

3.1.e. Any Garden member may call for a general garden meeting and help coordinate on the date of the general meeting.

3.1.f. The agenda for the general meeting is to be organized by either the Garden Chair or by the Garden Secretary and emailed to the garden members and volunteers.

3.1.g. [2/7] Holding Steering Committee Meetings Right Before the General Garden Meeting. Each general garden meeting, during the open hours season, should include one half-hour beforehand, designated for the steering committee only to address and consolidate any reporting whether garden issues or resolutions, and to be on the same page in order to avoid confusion and conflicts during the general garden meeting. See also 3.4. Steering Committee Meetings (type of garden meeting), and 5.5. Steering Committee Meetings Obligations.

3.2. Special Meetings. *(Originally IV. ¶3)* Any Garden member may call a special meeting as deemed necessary, but any one member may not call a special meeting more than once in a 3-month period.

Amendment proposal to 3.3.: [2/7]

3.3. Annual Meeting. *(Originally III.)* There will be one official meeting per calendar year, the Annual Meeting, to elect the garden members to the Garden Positions ([Section 5.](#)): Steering Committee, the Garden Chair, and the Garden Secretary; and to adopt any new amendments to the Garden Bylaws ([Section 8.](#)). The date of the Annual Meeting will be determined by the Steering Committee. The Garden Members and potential members must attend this Annual Meeting.

3.4. Steering Committee Meetings. The Steering Committee will decide how often it needs to meet to effectively coordinate and oversee the work of the Garden. See Section 5.4.2. Steering Committee Meetings Obligations.

Amendment proposal 3.5. and 3.5.1.: [2/7]

3.5. Meetings should begin on time, led by the Chair, where each attendee states their name for the record. Every attendee is expected to be on time, focused on the meeting, and respectful of the person who holds the floor.

3.5.1. Lateness to a Meeting.

Add either,

Option 1.: Passes 6 to 2 (and 3 abstain).

If a new member or existing member is late to a meeting by 15 minutes after the actual start of the meeting, then their attendance will not count.

~~–or–~~

~~Option 2.: [2/20]~~

~~If a new member or existing member is late to a meeting and/or leaves early, then their attendance will not count if their total attendance time is less than 20 minutes, or less than 50% for short meetings up to 40 minutes long.~~

Amendment proposal 3.6. and 3.6.1.: [1/31]

3.6. Virtual and Hybrid Meetings. In the case garden meetings are held virtually (online and by phone), or as a hybrid meeting, where some garden members are attending the meeting virtually and others are physically in the garden (and connected to those virtually either by their mobile device or another's mobile device), the person starting the virtual meeting software** is the host and is able to control several features as listed below under 3.6.1.

The Host and the Garden Chair may be the same person or may be different persons. The Host controls the virtual meeting software, and the Garden Chair facilitates the meeting (see Section 5.2.).

*** The software used for the virtual meeting is currently FreeConferenceCall since it provides a free dial-in phone number and up to 1000 free connections (alternates may include Skype, Cisco Webex Meetings, Zoom, etc. However, they do not provide a free phone number for those can only call in).*

3.6.1. The Host of the Virtual or Hybrid Meeting. If the host of the virtual meeting is not the garden chair or garden secretary, then the host either gives the chair and/or secretary the ability to host the virtual meeting, or the host is designated as the meeting host with the following roles:

3.6.1.a. Admitting attendees into the virtual meeting.

3.6.1.b. Recording the meeting.

3.6.1.c. Muting and unmuting attendees if necessary or required.

3.6.1.d. Saving the Chat if any messages or notes were posted in the Chat by any of the garden members. The saved Chat is to be forwarded to whoever will be

writing up the meeting minutes.

4. VOTING PROCEDURES. [All amendments including additions/edits in Section 4 passes 11 to 0, except for options which are indicated individually.]

Amendment proposal to 4.1.: Fails (All abstains).

4.1. Quorum, Requirement for Vote to Pass, and Proxy. (*Originally II.*) For all votes taken at regular garden meetings which pertain to any garden issue or business, a quorum of members must participate. A quorum is defined as “50% plus one” of the general garden membership at the time an election is held or a vote is taken, in order for the results to be valid. (**Quorum for Amendments to the Bylaws and Guidelines are excepted, see [Section 8.](#)**) Results of any vote will be determined by a simple majority of those voting,...

Option 1.: [2/7]

~~... unless it is a vote on a member’s membership rights which would then require a 2/3rd vote to pass.~~ For any given vote, the general membership may cast votes via email or by proxy, if someone cannot attend a meeting. “Proxy” is defined as a Garden member in good standing giving permission for another Garden member to cast their vote. *This proxy vote may be cast via email to a designated Steering Committee member (see below) or in person.*

~~—or—~~

Option 2.: [2/7]

~~... unless it is a vote on a member’s membership rights which would be a steering committee vote only and require a 3/4 vote to pass.~~

Amendment proposal to 4.2. [1/30]:

~~To either keep (with edits) the following original section, Option 1 only, or to replace with Option 2 (which includes everything through 4.2.4.).~~

Option 1:

4.2. Motions. (*Originally VII.*) All motions made at a regular monthly Garden meeting will be voted on at the next monthly regular meeting. The motions must be announced to the general Garden membership by being posted in the Garden or and sent via email.

~~—or—~~

Option 2. (all of 4.2 through 4.2.4.) [1/31]: Passes 7 to 4.

4.2. Motions. Any motion made must be Seconded by another garden member in order for it to proceed to the next step.

4.2.1. Motions Made Outside a General Meeting. Any motion made by either email, over the phone, text, or any other means, need to be put in the agenda for the next general garden meeting, and during the meeting the motion must be restated.

4.2.2. If a Motion is Not Seconded.

4.2.2.a. If a motion is not Seconded by another garden member, then it fails to proceed.

4.2.2.b. Bring Up a Failed Motion Again.

Option 1.: [2/7] Passes 9 to 2.

However, this does not prohibit the motion from being made again at a future general garden meeting.

~~—or—~~

~~**Option 2.: [2/7]**~~

~~However, this does not prohibit the motion from being made again at a future general garden meeting after a waiting period of two months.~~

4.2.3. Motions Seconded.

4.2.3.a. Motions that are Seconded must then go into discussion, where either the Chair or the Secretary may set a time for discussion (suggested: 5 minutes).

4.2.3.b. If more time is needed, a motion may be made to extend the discussion by 5 minutes;

4.2.3.c. Or, a motion may be made for the discussion to continue outside the general meeting with results announced at the next general meeting where it can then be voted on.

4.2.4. Motion to Vote. At any time during the discussion of the motion (the main motion), whether at the same meeting when the main motion was made or at the next general garden meeting, a Motion-to-Vote on the main motion may be

called.

4.2.4.a. If the Motion-to-Vote is not Seconded, then either the discussion continues [2/20] if there's still time as set in 4.2.3.a; or 4.2.3.b or c may be done.

4.2.4.b. If the Motion-to-Vote is Seconded, then a vote is taken immediately.

4.3. Voting Rights and Privileges.

4.3.1. A Garden member should not be allowed to vote if the motion made is of direct personal interest or personal gain to the member only and to no one else.

4.3.2. A Garden member can vote on a motion that directly affects them, if the member is named with other members in a motion, such as, when the member is selected to a representative group to a conference or event, or when the member is nominated to a garden position.

4.3.3. A Garden member has the right to change their vote until the result is announced. After the result is announced, the member can still change their vote, but only either by a general consensus or by a motion that passes by a majority vote.

5. GARDEN POSITIONS: STEERING COMMITTEE, GARDEN CHAIR, and GARDEN SECRETARY. [All amendments including additions/edits in Section 5 passes 11 to 0, except for options which are indicated individually.]

5.1. Election of the Garden Positions.

5.2. Garden Chair.

5.3. Garden Secretary.

5.4. Steering Committee.

Amendment proposal 5.1.:

5.1. Election of the Garden Positions.

Amendment proposal to 5.1.a. (was 5.3.):

5.1.a. Nominations. (*Originally III. second half of ¶2*) Any Garden member of **good standing** can be a candidate. **Any garden member can nominate any garden member, including themselves, to a garden position.** New Steering Committee members, **garden chair, and garden secretary** will be nominated at a general ~~regular~~ ~~monthly~~ Garden meeting, at least thirty days before the Garden’s Annual Meeting ([Section 3.3.](#)).

Amendment proposal to 5.1.b. (was 5.2.): [1/31]

5.1.b. Garden Chair and Garden Secretary Positions. Members nominated to the Garden Chair or Garden Secretary position must also be nominated to the Steering Committee (the nominee must be voted into both the Chair or Secretary position and Steering Committee position). **[1/30]**

Amendment proposal to 5.1.c. (was 5.4.): [1/31]

5.1.c. Ballot and Election to the Garden Positions. The list of nominees chosen by the general Garden members, **at a general garden meeting before the Annual Meeting**, will serve as the ballot. The ballot will be available in the Garden **and via email** within three days following the nominations. (*Originally III. ¶3*) Members will vote by checking off the names on the ballot. The ballots will be submitted, and the votes counted, at the Garden’s Annual Meeting. ~~Board~~ ~~m~~ **Garden Members** are elected to the **Garden Positions** by a simple majority vote, and members can also vote by proxy.

Amendment proposal to 5.2. [2/21]:

5.2. Garden Chair. A garden member in good standing, elected by a majority vote of the general garden members, may serve as the Garden Chair for a term of two years, and may serve for a total of three consecutive terms. The main role of the Garden Chair include chairing garden meetings, facilitating and guiding the meetings through the agenda.

5.2.1.a. (*Originally IV.B.*) Chairing garden meetings. **This involves** facilitating and guiding the meeting through the agenda. **[1/30]**

5.2.1. (*Originally IV.A. 1.*) Garden Chair. **The responsibilities of the Garden Chair include the following:**

5.2.1.a. Timekeeping. The chair either asks a volunteer to keep time, or they themselves are aware of the meeting start time and end time and that each agenda item is covered within the overall meeting time. [1/30]

5.2.1.b. Attendance and Minutes. The Chair makes sure that someone is taking the attendance and meeting minutes if the Secretary is not present. [1/30]

5.2.1.c. Hosting Virtual and Hybrid Meetings. The Garden Chair (or the Secretary) may also be the Host of the virtual meeting and may either take on all or part of the hosting roles (see Section 3.6.1.); this is in addition to their regular roles as described in these Sections 5.2. and 5.3. [1/31]

5.2.2. Signing Documents. The Garden Chair and/or Garden Secretary would be the main signers of documents that may require signatures, such as, grant applications, grant reports, and agreements with organizations or schools. The exceptions are the GreenThumb documents (Garden License and Registration Packet Items) which are to be signed by the Primary and Secondary Contact Persons (Section 1.2.2.). [1/31]

Amendment proposals to sections of 5.3. (was 5.2.2.):

5.3. (Originally IV.A. 2.; 5.2.2.) Garden Secretary. A garden member in good standing, elected by a majority vote of the general garden members, may serve as the Garden Secretary for a term of two years, and may serve for a total of three consecutive terms. The responsibilities of the Garden Secretary include the following, which the Secretary may either do themselves or delegate to any other garden members, but for which the Secretary is responsible for overseeing or following up on:

5.3.a. As the Garden's Records Keeper. (Originally IV.N.; 5.2.2.a.) Maintaining a book record of previous minutes and other Garden information, including 5.3.b, 5.3.c., and 5.3.d.

5.3.b. Meeting Minutes. (Originally IV.M.; 5.2.2.b.) Taking meeting minutes and meeting attendance, and to provide the minutes to the garden members soon

after the meeting and before the next regular garden meeting.

5.3.c. Recording Proxies. (*Originally IV.G.; 5.2.2.c.*) ~~Coordinating~~ **Recording the proxy votes.**

5.3.d. Other Records. (*Originally IV.L.; 5.2.2.d.*) ~~Maintaining a list~~ **Serve as a central record keeper of Garden assignments (who is assigned what plots, growing areas, raised beds, etc. ~~open hours, watering, ...~~) and Garden logs (open hours, volunteer hours, meetings attended, etc.) which may be managed and maintained by other garden members.**

5.3.e. (was 5.2.2.e.) Web Presence. **[2/20] Administrate, manage and/or delegate, as well as maintain the account information for the Garden’s online accounts (5.2.2.e-2.) email accounts, website, google account (google drive, google docs, etc.), and social media accounts if the garden group decides to have them (Facebook, Twitter, Instagram, YouTube, etc.).**

5.3.e-1. (was 5.2.2.e-1.) [2/20] Access to the Online Accounts. **Per each online account, at least two garden members, but no more than four garden members at a time, are to have the access information for each account. A garden member may have the access information of one or more online accounts, and preferably be on the steering committee, however, unless they are assigned to help manage specific accounts.**

5.3.e-2. (was 5.2.2.e-2.) [2/20] The Online Accounts. **These online accounts may include the domain name registrar, web hosting service provider, website root level administration (e.g., Cpanel), website content management level (e.g., WordPress), the Garden’s email accounts (e.g., Gmail), media storing and sharing accounts (e.g., Google Drive, Google Docs, Dropbox, etc.), communications accounts (e.g., Google Group, Eventbrite, Mailchimp, etc.), and social media accounts (Facebook, Twitter, Instagram, YouTube, etc.).**

5.3.f. General Access to Garden Records. (*Originally IV.H.; 5.2.2.f.*) **Making sure that the garden members have easy and convenient access to and can readily see the Garden’s records, including the latest Bylaws and Guidelines; these Garden records and information, as appropriate and redacted of personal contact**

information where applicable, will be provided either in the garden and/or on the website where a print-friendly version is also made available.

Edits (was 5.1.): [2/24]

5.4. Steering Committee. *(Originally III. first half of ¶12)* **The role of the steering committee is to help the garden membership in the coordination and overseeing of the direction and maintenance of the Garden. Up to eight (8) Garden members in good standing will be elected by a majority vote of the general Garden members in good standing to serve on the Steering Committee for a term of two years. Any member may sit on the Committee for a total of three consecutive terms. Members are nominated to the Steering Committee according to Section 5.1.a., and voted onto the Steering Committee at the Annual Meeting.**

Amendment proposal to 5.4.1. (was 5.3.1.): [2/23]

5.4.1. Inclusive and Diverse.

Option 1.

~~Diversity and People of Color. As much as is possible, at least two-thirds of the steering committee members should be people of color, in accordance to the rules and regulations of NYC Parks, GreenThumb. (Unable to find a source for this.)~~

~~—or—~~

Option 2. Passes 6 to 5.

The steering committee is an inclusive and diverse body open to all of the garden members. Garden members should be encouraged to take a turn serving on the steering committee.

Amendment proposal to 5.4.2. (was 5.5.): [1/31]

5.4.2. Steering Committee Meetings Obligations. *(Originally III. ¶14)*

Option 1.: [2/7] Passes 10 to 1.

At a minimum, the Steering Committee agrees to meet as often as may be necessary throughout the season the entire year, and also in advance of (i.e., right before) the general garden meetings. If a steering committee member misses more than three meetings in a given season, that member is subject to be removal from the Steering Committee, according to the removal procedures in *(originally Item V below)* **Section 5.4.6.**

~~–or–~~

Option 2.: [2/7]

At a minimum, the Steering Committee agrees to meet *as often as may be necessary* throughout the season, and also ~~a half-hour~~ in advance of ~~(for example, right before)~~ the general garden meetings. If a steering committee member misses more than three meetings in a given season, that member is subject to be **removal** from the Steering Committee, according to the removal procedures in ~~(originally Item V below)~~ **Section 5.4.6.**

5.4.3. (*Originally IV.; 5.6.*) The responsibilities of the Steering Committee include, but are not limited to:

5.4.3-1. (*Originally IV.F.; 5.6.1.*) ~~Calling special meetings, and s~~Setting the date for the Annual Meeting. [*Note. special meetings, see 3.2. Special Meetings.*]

Amendment proposal to 5.4.3-2.:

5.4.3-2. **Responsibilities of Certain Garden Tasks** (*Originally IV. ¶2; 5.6.2.*) If a Garden member volunteers to take responsibility for a Steering Committee task or any other garden related tasks, as listed below (5.8.1 – 5.8.3.), the Steering Committee, with approval of the general Garden membership at a regular monthly meeting, may assign such task to such member-volunteer.

The Steering Committee is responsible for making sure that certain garden tasks that may be essential, necessary, or required by GreenThumb or otherwise, is taken on and done by someone, either a steering committee member, a garden member, or a volunteer.

See amendment proposal to 3.1. for the following:

5.6.-. (*Originally IV.E.*) ~~Organizing monthly Garden meetings and creating the meeting agendas.~~

See amendment proposal, section 6. for the following items:

5.6.-. (*Originally IV.J.*) ~~Adjudicating disputes between Garden members, after members have tried and can not come to a resolution. In addition, when a vote between members have been taken and there's a tie.~~

~~5.6. – Enforcing the Bylaws and Guidelines after members have tried.~~

~~5.6. – (Originally IV.I.) Issuing warnings and reviewing grounds for possible expulsion **violation procedures (Section 6.)** of Garden members, or members of the Steering Committee, who violate the Bylaws and Guidelines.~~

Amendment proposals to 5.4.4. (was 5.7. – 5.7.2.):

5.4.4. Steering Committee Meeting Contents. Agenda items of Steering Committee meetings.

5.4.4-1. The Steering Committee meetings are to discuss situations, details, and generally anything administrative that may be too long or too involved for the general garden meeting.

5.4.4-2. Any discussions done during a Steering Committee meeting that need to be mentioned during the general garden meeting, are to be summarized and reported at the general garden meeting.

~~(Originally IV.A.) Determining which of the two positions below a steering committee member may hold for either their full or part (rotating positions) of their steering committee tenure, and assign to those positions certain roles and responsibilities (listed below the positions), as well as, determining who of the other steering committee members will take on the other responsibilities.~~

~~—Positions:~~

Proposal to move 5.8.2. from the bylaws to the Guidelines C.1.:

~~5.8.2. (Originally IV.D.) Arranging general garden activities, including garden workdays, **organizing** clean-ups after meetings or social events.~~

Proposal to move 5.8.3. from the bylaws to the Guidelines A.4.:

~~5.8.3. (Originally IV.K.) Coordinating volunteers and volunteer groups.~~

Edits:

5.4.5. Tie Votes/Decisions by the Steering Committee. (*Originally V. ¶1; 5.9.*) The Steering Committee will consist of up to 8 community garden members. Tie votes on any given issue, or unresolved conflict, among the Steering Committee, will be decided by the general Garden membership in simple-majority voice vote at the next regularly scheduled ~~monthly~~ **general** garden meeting, or at a special ~~scheduled~~ garden meeting, if necessary.

Edits:

5.4.6. Removal of Steering Committee Members. (*Originally V. ¶2; 5.10.*) If any part of the general Garden membership feels that one Steering Committee member is not carrying out responsibilities adequately, the general Garden membership may choose to remove this Steering Committee member. The member or members moving to remove this Steering Committee member would have to make the case before the general Garden membership at a regular ~~monthly~~ Garden meeting, and the general Garden membership would then be allowed to ask questions. The Steering Committee member being challenged will be given time to respond. A vote for removal would take place at the next regularly scheduled ~~monthly~~ Garden meeting, or at a specially scheduled meeting, if necessary. Members may vote by proxy.

Edits:

5.4.7. Disbanding the Steering Committee. (*Originally V. ¶3; 5.11.*) If any part of the general Garden membership feels that the Steering Committee as a body is not carrying out responsibilities adequately, the general Garden membership may choose to disband the entire Steering Committee. The member or members moving to disband the Steering Committee would have to make the case before the general Garden membership at a regular ~~monthly~~ Garden meeting, and the general Garden membership would then be allowed to ask questions. The Steering Committee will be given time to respond. A vote to disband would take place at the next regularly scheduled ~~monthly~~ Garden meeting, or at a specially scheduled meeting, if necessary. Members may vote by proxy. Any member of a disbanded Steering Committee would be eligible to run again once three planting seasons, over the course of three years following the disbanding, had passed.

5.4.8. Emergency Decision-Making. (*Originally XII.; 5.12.*) In case of an emergency, the Steering Committee can make time-sensitive decisions, which are to be communicated to the general Garden membership as soon as possible.

3/18/2021 Thu 5:30 pm Annual Meeting Part 2 – Continuation of voting on the bylaws Sections 6, 7 and 8, and the Garden Guidelines.

Attendees total: 9 people.

Garden members participating: 8 members.

Proxies: 4.

Amendment proposal 6.: [2/20 entirety of section 6 through 6.3.1.d.]

6. BEHAVIOR RULES AND ACTIONS. [All amendments including additions/edits in Section 6 passes 12 to 0, except for options which are indicated individually.]

Actions may be proactive, remedial, or consequential, with the rules and actions categorized as follows:

Proactive (instructive, preventative, and self-regulatory):

Section 6.1. Rules of Conduct.

Section 6.1.1. Expected and Unacceptable Behavior Outline.

Section 6.1.2. Self-Regulation Guidelines.

Remedial (remediating/resolving mutually and/or amicably with or without mediation):

Section 6.2. Conflicts and Disputes.

Section 6.2.1. Mediation/Arbitration Measures.

Section 6.2.2. Grievances Guidelines.

Section 6.2.3. Resolution Options.

Consequential (resulting in censure and/or penalties):

Section 6.3. Violation Procedures.

Section 6.3.1. Consequences and Options.

6.1. Rules of Conduct. [2/20] The following is a combination of a general rules of conduct with guidance regarding empathy and relations to the community

garden:

- **Treat others as you would like to be treated. Be reciprocal/reciprocating.**
- **Laugh with anyone, but laugh at no one. Do not shame, ridicule, or blame.**
- **Do not make assumptions about others.**
- **Respect other people’s property and person (no hitting or stealing).**
- **Show respect and dignity toward others; listen more than talk.**
- **Respect the boundaries of others.**
- **Respect for the autonomy of others. Affirm the individual’s right to self-determination. It is only from oneself where self-regulation can manifest genuinely.**
- **Be responsible for your own awareness and learning: read and understand (research and/or ask if you don’t understand) at least, the Garden Bylaws and [Guidelines](#), the GreenThumb Gardener’s Handbook, and the guide specific to the [Garden Activities](#) for this Garden (vamosasembrar.org/garden-activities/).**
- **Be honest with others. Be honest with empathy (in consideration of other’s feelings); brutal honesty is mean and cruel.**
- **Keep your promises to others, but be honest when you can’t keep your promise and need to adjust.**
- **Do justice to others. Be fair. Never use a person as merely an unconsenting means to an end, even if the end benefits others.**
- **Maintain impartiality, objectivity, openness, and transparency.**
- **Maintain peace. Be peaceful. Do not provoke violence towards or on others. Prevent harm.**
- **Avoid expectations since it can lead to disappointment and therefore potential for arguments, conflicts and disputes.**
- **Avoid potential or apparent conflicts of interest. Avoid that which results in direct personal interest or personal gain that benefits only oneself.**
- **Accept a duty of care. Every garden task and activity may be both therapeutic and beneficial to the Garden.**
- **Reverence for place. Environmental stewardship.**
- **Leave a positive legacy to future generations.**

For sources and references, see vamosasembrar.org/garden-bylaws-records/

6.1.1. [2/20] Expected and Unacceptable Behavior Outline. (*Originally XIII; 19; 6.7.; 6.1.; A.7.*) When in the Garden (or communicating over email), all Garden members, ~~Board~~ Steering Committee members, **volunteers** and visitors must behave in a manner that is respectful toward adults and children. Disrespectful behavior that will not be tolerated includes spitting, yelling, pushing and hitting people, throwing things, or any behavior that reasonably constitutes verbal or physical abuse, (including written insults.) Should someone in the garden (or over email) be engaged in disrespectful behavior as defined here, they will be asked to leave the Garden (and stop communicating with members over email). A Garden member accused of disrespectful behavior is subject to ~~expulsion~~ **Violation Procedures (Section 6.3.)**.

6.1.2. [2/20] Self-Regulation Guidelines. An individual can only truly determine and manage their own behavior from within themselves, and not by external factors. While empathy is the ability to feel and understand what other people feel, empathy for self (or self-empathy) is the awareness and understanding of self, including that of one's own feelings, how those feelings occur (what triggers them), why those feelings may occur (for example, why one particular feeling occurs, instead of a different feeling, resulting in different behaviors), and how to deal with or manage such feelings. Self-empathy is a starting point from which ultimately self-regulation occurs. Garden members are encouraged to develop empathy for self (as well as, empathy for others and empathy for all else [nature, all other life, and all things] which is also important for members of a community garden) and should review the [Self-Regulation Guidelines \(vamosasembrar.org/self-regulation-guidelines/\)](http://vamosasembrar.org/self-regulation-guidelines/).

Amendment proposals to 6.: [2/11], [2/15]

6.2. Conflicts and Disputes. (*Originally X.*)

Option 1.: [2/7] Passes 12 to 0.

If any Garden member charges/accuses a fellow garden member with violating any part of the Bylaws and Guidelines, this member (**the Accuser**) would have to

make the case before the general garden membership at the next ~~regular monthly~~ **general** garden meeting, and the general garden membership would then be allowed to ask questions. The person charged (**the Accused**) with the violation will be given time to respond. *(The following sentence moved to 6.5. below.)* ~~A vote for expulsion would take place at the next regularly scheduled monthly Garden meeting, or at a specially scheduled meeting, if necessary.~~

~~–or–~~

Option 2.: [2/7]

~~If any Garden member accuses a fellow garden member with violating any part of the Bylaws and Guidelines, this member (the Accuser) would have to make the case before the *general garden membership* steering committee at the next *regular monthly general garden steering committee* meeting, and the general garden membership would then be allowed to ask questions. The person charged with the violation will be given time to respond.~~

6.2.1. Mediation/Arbitration Measures. Garden members are encouraged to resolve conflicts and disputes among themselves, and should review the following [Outside Mediation Resources](#) provided by GreenThumb, as well as, research various other resources that may be relevant, including conflict resolution, anger management, and empathy and self-empathy.

6.2.2. Grievances Guidelines. If any conflict or dispute cannot be resolved among the people involved, whether on their own and/or with mediation, and/or if the accusation requires the attention of the whole garden membership, then a formal grievance may be written by the Accuser.

Amendment proposal 6.2.2.a.:

6.2.2.a. Warnings Prior to Grievance Procedures.

Option 1.: Passes 11 to 1.

A formal grievance should be presented after two verbal and written warnings either by the fellow member or the Steering Committee, for any given violation. If any member is accused with violating the probation period of such grievance, then a motion to vote should be made for expulsion, or on the penalty determined by the Violation Procedures (Section 6.3.).

~~–or–~~

Option 2.: [2/7]

~~A grievance should be presented after two *verbal and* written warnings either by the fellow member or the Steering Committee, for any given violation. If any member is accused with violating the probation period of such grievance, then a motion to vote should be made for expulsion, or on the penalty determined by the Violation Procedures (Section 6.3.).~~

6.2.2.b. Grievances Details. A formal written document (letter or email) of grievance(s) or accusation(s) is to be sent to the person charged/accused and to [**option 1.**] the Steering Committee. [**option 2. Passes 12 to 0.**] the general garden membership. The document is to be written in as clear and concise, but non-inflammatory language as possible, and must contain in detail, as much as possible, the charges, the specific Section of the Bylaws that was violated, the circumstances, the date and time, any evidence, any witnesses, how long the accused has to respond, how they may respond (email, meeting), possible resolutions, and including, but optionally, possible penalty or penalties, as well as, the consequences for not responding and addressing the situation. See [Grievances Sample \(vamosasembrar.org/grievances-sample/\)](https://vamosasembrar.org/grievances-sample/).

Amendment proposal 6.2.2.c.:

6.2.2.c. Grievances Emailed To.

Option 1.: Passes 12 to 0.

The formal written grievance is to be emailed (or provide a print copy) to the general garden membership for review and discussion at the next general garden meeting, or if a special meeting has been called.

~~–or–~~

Option 2.:

~~The formal written grievance is to be emailed (or provide a print copy) to the steering committee for review and discussion at the next steering committee meeting. If the issue cannot be resolved by the steering committee, then the grievance(s) may be brought to the general garden membership at a general garden meeting.~~

6.2.2.d. **The person charged/accused would then be given time to respond (as stated in the above document).**

6.2.2.e. **After the allotted time to respond has passed, regardless of whether a response was made or not, the Steering Committee will coordinate a general garden meeting date, or a special garden meeting date, specifically to address this, or to add this to the agenda of the next meeting.**

6.2.3. Resolution Options.

Amendment proposal 6.2.3.a.:

6.2.3.a. **At a [option 1. Passes 12 to 0.] general garden meeting [or option 2.] steering committee meeting, the following procedure may take place:**

6.2.3.a-1. **The Accuser states their grievances and makes their case.**

6.2.3.a-2. **Attendees then asks questions to the Accuser, and the Accuser is to answer each of the questions.**

6.2.3.a-3. **Then the Accused is given the chance to make their statement and make their case.**

6.2.3.a-4. **Attendees then asks questions to the Accused, and the Accused is to answer each of the questions.**

6.2.3.a-5. **A motion is then made of any one or more of the following options, and if the motion is not seconded, then it fails and another motion need to be made:**

6.2.3.a-5.1. **Motion to discuss possible resolution options.**

6.2.3.a-5.2. **Motion to dismiss, with or without condition(s).**

6.2.3.a-5.3. **Motion to table the discussion until the next meeting.**

6.2.3.a-5.4. **Motion to move the discussion to outside the meeting, and for any results to be reported at the next meeting.**

6.2.3.a-5.5. **Motion to go into Violation Procedures (Section 6.3.) and state the motion that it be either at the present meeting or at the next meeting.**

Amendment proposal 6.2.3.b.:

6.2.3.b. **Absence of the Accused.**

Option 1.: Passes 7 to 5.

If the person accused misses more than 2 consecutive meetings to address the

violation, then a motion to vote should be made for expulsion or on the penalty determined by the Violation Procedures (Section 6.3.).

~~–or–~~

Option 2.:

~~From the third meeting on, if the person accused has missed all 3 or more meetings to address the violation, then a motion to determine a resolution may be made in the absence of the Accused.~~

Amendment proposal 6.2.3.c.:

6.2.3.c. Disallowed to Vote. By the question of or loss of one’s standing and/or by conflict of interest.

Option 1.: Passes 7 to 5.

Those who were accused in a grievance should not be able to vote, and those who made the grievance should be able to vote.

~~–or–~~

Option 2.:

~~The person accused with any violation should not be allow to vote for themselves, as well as, the person making the charges should also not be allowed to vote.~~

Amendment proposals 6.3.:

6.3. Violation Procedures. (Originally 6.2.) If a motion to go into Violation Procedures has been Seconded, garden member charges or accuses another garden member of violating the Garden Bylaws and Guidelines, then the procedures listed below, including determination of the Consequences (censure, probation, penalty or penalties), should be followed:

6.3.a. Degree of Violation. Determine the degree of the violation which would help to determine the type of Consequences (censure, probation, or penalty), as well as, the length of the consequences involved.

6.3.a-1. Censure Level – Lowest Degree of a Confirmed Violation.

6.3.a-2. Probationary Level – Middle Degree of a Confirmed Violation.

6.3.a-3. Penalty Level – Highest Degree of a Confirmed Violation.

Amendment proposal 6.3.1.:

6.3.1. Consequences and Options. The consequences may involve one or a combination of the different level of consequences (censure, probationary, and/or penalty); and within each level, there may be one or more stipulations. The options would include conditions, remedial efforts, and/or possibility of review at a future date for revisiting the consequences and/or cutting, adjusting, or prolonging the length of time involved.

Amendment proposal 6.3.1.a.:

6.3.1.a. At that next regular garden meeting, both sides are given the chance to state their case. Then the general garden membership may discuss and make a motion (to be voted on at the next meeting) as to a resolution and possible penalties Determine the consequences which may include one or a combination of the following, but not excluding other possible resolution(s) and/or penalties not shown here:

Suspension; censure; probation; expulsion; a mutual and amicable resolution; some way(s) for restoring trust; one or more specific penalties as agreed upon by the majority of vote by the garden members, such as: the loss of the key privilege for 6 months, 1 year, or longer, but keep their garden membership (which means can only be in the garden when another garden member with key is in the garden) and they no longer have their garden position(s), if applicable; or the person is expelled from the garden for a specified period of time: 1 year or 2 years, loss of key and membership; or the person is expelled and may not revisit for possible return as a member for no less than at least 4 years later or as may be determined by the garden membership.

Amendment proposal 6.3.1.b.:

6.3.1.b. Vote on the Consequences (Censure, Probation, and/or Penalty).

Option 1.: Passes 7 to 5.

~~A vote for expulsion~~ on the Consequences penalty determined by the Violation Procedures (Section 6.3.a?) would take place at the next regularly scheduled ~~monthly~~ general garden meeting, or at a special scheduled garden meeting, if necessary.

~~—or—~~

Option 2.:

At any point during the discussion on the Consequences and Options, a motion to vote may be made. If it is not seconded, then either the discussion is continued until another motion is made, or the discussion is tabled to the next meeting or the discussion is to be concluded outside the meeting and the results reported at the next meeting where a motion to vote may be made.

Amendment proposal 6.3.1.c.:**6.3.1.c. Probation or Penalty Period.**

~~Option 1.~~ Any outcome from violations or consequence, are to be starting from end of March through September.

~~—or—~~

Option 2. Passes 8 to 4. Any resulting consequences against the Accused that includes a timeframe penalty, that timeframe must occur during the Open Hours Season, between April 1 and October 31, and may span over two or more seasons. For example, if the timeframe is 6 months (180 days) for the length of the penalty starting from August 20, then the start and end dates would be from 8/20 to 10/31 (72 days) + 4/1 to 7/18 (108 days).

Amendment proposal 6.3.1.d.: [MISTAKENLY SKIPPED-OVER.]**6.3.1.d. Loss of Voting Privileges.****Option 1.:**

Any member that has been found to have violated the Bylaws and Guidelines, should not be allowed to vote for any future purpose for the time being, since they would be considered to not be in good standing.

~~—or—~~

Option 2.: Passes 5 to 4 (3/24/2021).

Garden members who have had their membership revoked either by expulsion or by suspension would have lost their privilege to vote and may not be able to vote again until they are reinstated (if expelled) or after their suspension has ended. Garden members who have had a penalty assessed against them, such as having their garden key(s) taken away, but still retains their membership, may continue to vote as long as the motion for a vote is not of direct personal interest or

personal gain that benefits only them.

Amendment proposal 7.: [All amendments including additions/edits in BOTH Section 7 AND Section 8 passes 12 to 0.]

7. FINANCES. This community garden does not currently have a bank account since the garden does not collect membership fees/dues, nor collects monetary donations. Most materials are provided by NYC Parks GreenThumb (garden tools and supplies), DSNY/Sanitation (e.g., compost), from other community gardens, and from individuals as donations. If in the case the Garden applies and receives a grant, the Garden will seek out an organization or another community garden that can act as a fiscal sponsor that would be satisfactory to the grant provider. The fiscal sponsor should allow the Garden to continue to function without having its own bank account nor a garden treasurer. The signers of such grants will be the Garden Chair and/or the Garden Secretary.

Amendment proposal 7.1.: [2/7]

7.1. Opening a Bank Account. The Garden can consider opening a bank account, if for example, the Garden can satisfy certain conditions and qualify with a grant provider that the Garden can receive grant money directly without the need for a fiscal sponsor. A temporary garden treasurer can be selected (see 7.2.a below). The initial responsibilities of the temporary garden treasurer will be to research all of the requirements for accepting money (see 7.2.1 to 7.2.4. below) and report it at a general garden meeting before voting on opening a bank account.

7.1.1 If the Garden votes to open a bank account, then the bank is to be a local community bank; and the co-signers are to be the treasurer and either the garden chair or the garden secretary. The garden membership may also vote on selecting a different co-signer, other than the chair or secretary, from among the steering committee, the primary contact, and the secondary contact.

Amendment proposal 7.2.: [2/7]

7.2. Garden Treasurer. The garden treasurer position may become necessary based on any one or more of the following:

7.2.1. Accepting Monetary Donations.

7.2.2. Garden Fundraising Efforts. If the Garden votes to hold fundraising events (GreenThumb allows for up to two fundraisers per year) where the purpose of raising money may include to fund a garden project (examples: build a garden shed), or to purchase additional garden tools, equipment, and/or materials (hardware fabric, mosquito netting, etc.).

7.2.3. Membership Fee. If the Garden votes to start collecting annual membership fees.

7.2.4. Grant Money.

7.2.a. Temporary Garden Treasurer. If a treasurer is needed before the garden election at the Annual Meeting, a temporary garden treasurer may be motioned for and voted on by a majority (of a 2/3 quorum present) at a general garden meeting.

7.2.b. Upon creation of a garden treasurer position, amendments for approval at the next Annual Meeting are to be made on Section 7. Finances, and the garden treasurer position is to be added to Section 5. Garden Positions.

Edits: [All amendments including additions/edits in BOTH Section 7 AND Section 8 passes 12 to 0.]

8. AMENDMENTS. (Originally VI.) Bylaws and Guidelines may only be changed at the Annual Meeting. The required quorum for purposes of voting to amend the Bylaws and Guidelines must be a minimum of two-thirds of the general garden membership. Results of this vote will be determined by a simple majority of those casting votes. Motions to amend the Bylaws and Guidelines must be made at the regular ~~monthly~~ **a general garden** meeting prior to the Annual Meeting. These proposed amendments will be posted in the Garden and will be announced in an email to all garden members at least ten days prior to the Annual Meeting. Members may cast votes via email or by proxy if they cannot attend the meeting. Additional information are detailed in the [Bylaws Amendment Process](#).

Amendment proposals 8.1 and 8.2:

8.1. Compliance with the Garden License. The Garden Bylaws and Guidelines and any and all amendments must be consistent with the rules and policies of the GreenThumb Garden License.

8.2. Compliance with the GreenThumb Gardener’s Handbook. The Garden Bylaws and Guidelines and any and all amendments must be consistent with the rules, policies, and guidelines in the GreenThumb Gardener’s Handbook. This handbook includes GreenThumb, NYC Parks, NYC, and NY State policies and laws that govern community gardens.

Amendment proposal to the Garden Guidelines is mainly the grouping into categories with some edits:

GARDEN GUIDELINES

- A. [Members, Volunteers, and Visitors Rules](#)
- B. [Planting Areas, Raised Beds, and Assigned Plots/Beds](#)
- C. [Garden Care and Maintenance](#)

All Garden members agree to abide by the following:

A. Members, Volunteers, and Visitors Rules. [All of section A passes 12 to 0, except for the subsections indicated.]

A.1. (Originally 12.) Public access to the Garden must be maintained, at the least, during the Garden’s official open hours.

Proposed amendment A.1.1., A.1.2, A.1.3., and A.1.4. [2/20]:

A.1.1. Open Hours Setting and Changing. The open hours should be at least 20 hours per week, of which minimum 5 hours should be over the weekends, and of which 10 hours are to be posted on the Garden fence and on the Garden website. The garden membership sets the 10 hours schedule for the open hours season, which is from April 1 to October 31. The open hours schedule may be changed occasionally as the garden membership may decide; if changes are made, the Primary or Secondary Contact is to update the GreenThumb Outreach

Coordinator, especially if the Garden also requests GreenThumb to provide the open hours sign to post on the Garden fence. Otherwise, the Garden is responsible for making the open hours sign and keeping it up-to-date as changes may occur.

A.1.2. Maintaining Open Hours. The garden membership is responsible for making sure that during the open hours schedule (the 10 hours posted on the fence) that the Garden is open to the public. In order to help make certain that the open hours are kept, the garden membership will maintain a system with methods for garden members to be able to mark when they will do the open hours both electronically and on paper (tracking sheet or calendar) which is to be made available in the Garden.

A.1.3. More Than One Member Doing Open Hours. Since the Garden should not be left unattended, in case one member has to step away (i.e., use the bathroom), as much as is possible there should ideally be at least two garden members, either concurrently or with overlapping hours, self-assigned to doing the open hours. Otherwise, if they are on their own and cannot get someone to watch the Garden, they should lock up if they have to step away.

[Fails 5 to 7] A.1.4. Open To The Public Whenever the Garden is Open. Since the Garden is to have at least 20 hours per week open to the public, this means that the Garden needs to be open to the public beyond the 10 hours posted on the fence. As a rule, any time the Garden is open, that is, a garden member with key is present, then the Garden must be open to the public. The posted hours is basically to provide the public with a schedule for them to know when the Garden is open for future visits.

[Fails 5 to 7] A.1.4.a. Conflict of Interest in the Use of a Community Garden, a Public Green Space. A garden member may not lock themselves in the Garden to use for their own personal purposes (as if it was their own private back yard). This constitutes a conflict of interest since it would then be of benefit only to oneself and is not in the interest of the public. The only time the Garden may be locked with people inside is if hazardous activity (repairs, construction) is occurring, or if Bylaws Section 1.4. above is in effect and garden members need to be inside in order to carry out maintenance tasks, but keep the Public out due to a crisis situation as per Bylaws Section 1.4. above.

[Renumber to A.1.4.] A.1.4.b. Closing When Visitors Are Still In The Garden. If a

garden member needs to close and lock the Garden, they should politely and simply tell the visitors, for example, “Sorry, but I have to lock up the Garden.” And if you have to be somewhere on time, then you should give yourself and the visitors ample time, for example, “Sorry, but I have to leave and lock up the Garden in about 15 minutes.”

A.2. (*Originally 3.*) Personal belonging may not be stored in the Garden during any season. Anything left in any communal area becomes community property.

A.3. (*Originally 11.*) Young children should be supervised so they don’t damage plants or get themselves hurt in the garden.

Proposed amendment to A.4.:

A.4. (*Originally IV.K.*) **Garden members must help in coordinating volunteers and volunteer groups, as much as possible.**

Proposed amendment to A.5.: [2/23]

A.5. (*Originally 10.*) If a member wants to have a party or a meeting in the Garden, **they are** required to post a notice with a contact name, **email address**, and/or telephone number a week before the planned date on the Garden bulletin board and via email to **the** garden membership. Parties and meetings must not restrict uninvited garden members’ use of the Garden, **nor restrict visitors from visiting the Garden.** All trash from the gathering must be disposed of, and noise should be kept to a minimum. **Any party or meeting should be brought up at a general garden meeting before posting the above notice; and any such party or meeting may be subject to GreenThumb rules and policies if they apply.** Events involving an open flame or heating element require a prior written approval from NYC Parks and the appropriate permit(s) from FDNY.

Proposed amendment to A.6.:

A.6. (*Originally 13.*) Dogs are not allowed in the garden, **unless it is a service animal according to the ADA (Americans with Disabilities Act), <https://adata.org/faq/how-can-i-tell-if-animal-really-service-animal-and-not-just-pet>.** For any other types of animals, see C.7.

Moved to bylaws section 6.1.1.:

A.7. (*Originally 19.*) When in the Garden, all garden members, steering committee members and visitors must behave in a manner that is respectful toward adults and children. Disrespectful behavior that will not be tolerated includes spitting at, yelling at, pushing and hitting people, or throwing things, or any behavior that reasonably constitutes verbal or physical abuse. Should someone in the garden be engaged in disrespectful behavior as defined here, they will be asked to leave the garden. A garden member accused of disrespectful behavior is subject to expulsion violation procedures (Section 6.).

Edit:

A.7. (*Originally 16.; A.8.*) No use of drugs or other illegal substances, or selling of drugs or other illegal substances, will be permitted in the garden. Any Garden member using or selling drugs, or other illegal substances, faces immediate expulsion through a vote by the general Garden membership. This vote can take place at a regular meeting or at an emergency meeting, if necessary. If a member is present for open hours, and there is drug use or drug selling in the Garden, the member should ask the ~~perp.~~ **offender(s)** to leave the garden and notify the steering committee.

B. Planting Areas, Raised Beds, and Assigned Plots/Beds. [In section B, each subsection were voted on separately; only B.2. and B.3. passes 12 to 0.]

Edit:

[Fails 1 to 11] B.1. (*Originally 1.*) In order to encourage as much participation in the Garden as possible, only one area for planting will be assigned per household. These will be assigned on a case by case basis and must be proposed and approved of at a garden meeting by a garden majority. Unassigned space will be treated as common area or community plot/bed.

[Passes 12 to 0; renumber to B.1.] B.2. (*Originally 4.*) Members should have their assigned areas planted by June 1st. The Steering Committee has the discretion to extend this date, due to personal-schedule or work hardship, or poor weather

conditions, for any given member. Members agree to keep their areas maintained throughout the season. If there is a waiting list for assigned areas, members who have not planted by June 1st, or who didn't maintain their assigned areas during the previous season, or who are not maintaining their assigned areas in the current season, may forfeit their assigned areas. Garden members on the waiting list have priority for assigned areas. Areas given up permanently by garden members revert to the Garden.

Proposed amendment to B.3.: [Passes 12 to 0; renumber to B.2.]

B.3. (*Originally 6.*) Members agree to decide collectively how communal areas of the garden are planted, how and which Garden structures are built and how the garden is designed, **in accordance to, or if approval is needed of, GreenThumb, and maintained in a safe and orderly condition.**

C. Garden Care and Maintenance. [All of section C passes 12 to 0]

Proposed amendment to C.1.:

C.1. (*Originally IV.D.*) **Garden Members are to help in** arranging general garden activities, including garden workdays, **organizing** clean-ups after meetings or social events. **The garden activities are to be announced to the garden membership by email and on the website.**

Proposed amendment to C.2.:

C.2. **Garden Members are to help in maintaining a list of assigned areas of the garden assignments (including who is assigned to which raised bed, garden plot, and the main member(s) overseeing which part of the common areas) by assisting in proper labeling and updating any assignments to the entire garden membership. The list may be maintained using either a sharable online document (such as, google docs) and/or the website.**

Proposed amendment C.3. through C.3.6.: [2/6, 2/7]

C.3. Watering Rules and Guidelines.

C.3.a. Common areas of the Garden. Consult other garden members where you

can water and to avoid over-watering areas where others may have already watered. There are some plants that require lots of water, while there are other plants that do not do well with regular watering and thrive with only occasional watering.

Refer to the webpage: Garden Activities on the Garden website, vamosasembrar.org, for additional details and updates.

C.3.b. Assigned plot or growing bed. Do not water other people's allotted/assigned areas (mainly, raised beds) without their instructions. You should mainly water your own assigned plot or growing bed, in addition to the common areas and street tree pits.

C.3.1. Rain Barrels. Use water from the rain barrels first. If the rain barrels are low in water, then refill with water from the hydrant (ask other garden members for help if you are not yet familiar with using the hydrant).

C.3.1.a. The rain barrels should always be covered with a mosquito net which allows rain in, but prevents debris from going in and mosquitos from festering. Make sure that the mosquito net is securely placed (a squirrel had been found drowned in a rain barrel due to a loose mosquito net and the squirrel unable to get out; birds have also been found dead where there was nothing for them to cling on to), if desired, place a long-enough tree branch that fits inside the rain barrel and goes up to near the barrel lip (but will not touch and therefore damage the mosquito net), just in case.

C.3.2. Hydrant Use. All garden members must go through at least one practice run with the help of their Guide (Section 2.2.2.). Make sure that the Garden has its Hydrant Use Permit updated for the year (the Primary or Secondary Contacts are responsible for maintaining the annual Permit with the DEP, NYC Dept of Environmental Protection). The Hydrant Use Permit and Instructions on Using the Hydrant should be posted inside the Garden.

C.3.2.a. Backflow Prevention Device. Do Not Lose This Device. Always use the backflow prevention device (a small 1-inch brass device that fits between the cap-hose connector that goes onto the hydrant and the garden hose). This device prevents water from going back into the hydrant which is water that goes to people's apartment (the typical garden hose is not consider acceptable for

drinking water due to how they are manufactured; also, they are not always cleaned out after every use, so in the water that stays in the hose grows mold, bacteria, and attracts other organisms [insects, spiders, slugs, etc.]).

C.3.2.b. Hydrant Key. Always secure the hydrant key during and after using the key. The hydrant key is used to open and shut off the water flow, and other gardens have been known to have their hydrant key stolen because they left it on the hydrant while they were watering the garden.

C.3.2.c. Do Not Over-tighten the hydrant when shutting off the water. Excessive force may break the pin inside the hydrant that opens and closes the valve inside.

C.3.3. Garden Hose. Properly stow away the garden hose so it does not tangle and kink (which shortens the life of the hose) which in the process also helps to remove most of the water in the hose.

To properly stow away the hose for the winter, remove the water inside as follows: first fill the rain barrels since water may be used during fall-winter; lay the hose unfurled and flat on the ground, lift one end high and as you walk to the other end of the hose, travel the hose by hand (hand over hand motion) which will empty out the hose of any remaining water; leave the hose on the ground for at least half the day to let it dry out as much as possible before properly stowing it away.

C.3.4. Watering Cans. After use, empty out the watering can (either use it all or put the remaining water back into the rain barrel – pour through the mosquito net). Place the watering can upside down in order to prevent rain water from collecting inside (may help to use a long-enough stick pushed into the ground and placing the watering can upside down on the stick). Water left in watering cans may result in mosquitoes and rats may also drink from it.

C.3.5. Ground Cover to Minimize Water Usage. Ground cover includes leaves, mulch, and ground cover plants (see C.3.5.a below). Ground cover prevents evaporation and loss of moisture that's important for soil life. Ground cover balances out wetness: exposed dirt can dry out quickly and cause dusty situation; and exposed dirt will also cause muddy situation with heavy rains. See also C.12. Autumn Leaves.

C.3.5.a. Ground Cover Plants. Allow certain beneficial ground cover plants to grow, as appropriate, including ground ivy (*Glechoma hederacea*), Wild Ginger (*Asarum canadense*), Bearberry (*Arctostaphylos uva-ursi*), Appalachian Barren Strawberry (*Waldsteinia fragarioides*), Pennsylvania Sedge (*Carex pensylvanica*), etc.

C.3.6. Street Tree Pit Watering. While different trees will require different watering frequency and amounts, generally, street trees are of the more hardy variety and can tolerate some draught levels. However, street trees should be watered whenever possible, especially during the hot summer months. The wilt of the plants growing in the tree pit is a first indication of likely need of watering (the importance of having compatible plants in tree pits). If the tree leaves show stress due to lack of water, especially before the fall, such as browning edges of the leaves, wilting leaves, or other factors (research the particular tree), then it is time to water the trees right away.

For watering trees in the Garden, see C.13.a. below.

C.4. (Originally 2.) Gardeners must maintain the walkways around the areas of planting, keeping them free of weeds (see C.14. Weeding Guide) and trash.

C.5. (Originally 5.) Garden members must not weed (see C.14. Weeding Guide), pick or harvest in anyone else's assigned areas without the permission of the Garden member assigned to that area.

C.6. (Originally 14.) Clippings and other plant matter including branches should be immediately be cut up and scattered on garden floor.

C.7. (Originally 8.) No worm should be removed from the soil at any time.

C.8. (Originally 9.) In good faith, Garden members agree to help with community work in the garden every year. This work can include building and repair, general cleaning and maintenance, or helping with social gatherings or other cultural events.

C.9. (*Originally 7.*) Should we construct a compost pile, only compostable items may be put inside. Bricks are not allowed. Meat and such are only allowed if bokashi composting is in effect. Private compost piles are not permitted. Use of the group compost is strongly encouraged.

Proposed amendment to C.10.:

C.10. Animals in the Garden. (*Originally 15.*) No animal of any kind may be brought into the garden to live, **except for certain animals as may be allowed according to GreenThumb and as may be determined by the entire Garden membership, such as, rabbits, hens, etc. Any plans must include contingencies for maintenance throughout the year, including during the winter.**

Proposed amendment C.11.: [2/7] [2/20]

C.11. Prohibition of Gardening/Agricultural Chemicals. Such chemicals (both liquid and solid forms) would include chemical fertilizers, pesticides, herbicides, and fungicides. These and other such chemicals or chemically treated substances are not only dangerous and toxic to humans, but can also be dangerous and toxic to other living organisms, from beneficial soil microorganisms, worms, and insects, to birds, squirrels, and any other living organisms that may be part of a healthy biodiverse garden ecosystem. The lasting negative effects of their use is to pollute and contaminate the soil and the environment.

C.11.1. Allowed Gardening Substances. Substances that are allowed may be a product or an item made in the garden or homemade, and they need to satisfy as much of the following as possible: safe and non-toxic, non-pathogenic, GRAS (generally recognized as safe) [certain ingredients may be on a publicly available GRAS List], OMRI Listed (Organics Material Review Institute, omri.org) [products that have the OMRI Listed mark on its label means that it can be used by certified organic operations, such as an organic farm], and it is encouraged to use materials that contribute to the biodiversity of the garden, including compost, mulch, and other plant matter (leaves, plant clippings and branches cut into small pieces).

C.11.2. Bioremediation of Poor or Contaminated Soil and Pro-Biodiversity Applications. Whenever possible and practicable, applications using Allowed Gardening Substances should be done to improve the health of the soil and to

increase the biodiversity of the Garden’s ecosystem, both within the Garden and in the street tree pits in front of the Garden.

Proposed amendment C.12.: [2/7]

C.12. Autumn Leaves. Do not throw away leaves; when sweeping leaves from the sidewalk into the Garden, the leaves only contaminated by dog waste should be disposed of properly into the corner public trash receptacle. Leaves are a critical part of a biodiverse and healthy garden environment. They help to replenish organic matter in the soil, as well as, help to retain moisture, which is important for soil microbial life, worms, and insects, as well as, helps to lessen the need to water. Other use guides for leaves, include the following:

C.12.a. Spread leaves over the garden ground; the thicker, the better; rain and snow will help to flatten it down which together with the moisture will help to quickly break down the leaves.

C.12.b. Cover exposed soil with leaves to prevent dusty conditions and to minimize evaporation and encourage soil life activity.

C.12.c. Sidewalk leaves should be put in the street tree pits first and any remaining leaves should be spread throughout the garden ground.

C.12.d. If by spring, the amount of leaves seems too much, then there might not have been enough rain and snowfall to flatten the leaves; therefore, use the watering hose, connect to the hydrant, to wet down all of the leaves. If after a few weeks, especially with people walking on it (which helps to pulverize the leaves), there still seems to be too much leaves, the excess can be dealt with by any of the following options:

C.12.d-1. If there’s a composting bin, use some of the leaves there.

C.12.d-2. Create an open air leaf bin using hardware fabric (‘chicken wire’) fashioned into a vertical cylinder (about 3-4 feet diameter) to store the leaves in (from which gardeners can use for their plot, beds, or common areas).

C.12.d-3. Take the excess leaves to the garden at the corner of 12th Street and Ave B, Down to Earth Garden (contact at downtoearthgarden.org), where they rely on lots of leaves for their gardening and composting (they are also connected with the other two gardens on that street: El Sol Brillante and El Sol Brillante, Jr.).

Proposed amendment C.13. to C.13.2.: [2/7]

C.13. Tree Care. Tree care involves watering; managing the ground under the tree (soil, mulch, ground cover, and plants compatible with the tree); if street tree pit, for watering see C.3.6. above, cleaning out trash from the tree pit, and managing the ground in the tree pit (same as above); and pruning where a garden member with a Citizen Pruner License should be present (see C.13.1. below, especially the Citizen Pruner Code of Conduct link at the end of C.13.1.).

C.13.a. Watering trees in the garden should also depend on the type of tree and age of the tree. Each tree type should be researched and the information shared, and should be posted to the Garden’s website for easy reference.

C.13.1 Citizen Pruner License. [Temporarily Suspended During the Pandemic]
Garden members are encouraged to take the Citizen Pruners Course, usually offered every spring (which trains volunteers in tree care, biology, identification and pruning in 8 hours of classroom training and 4 hours of hands-on experience in the field). After the course, a 5-year Citizen Pruner License is issued by NYC Parks; the course is offered by Trees New York (treesny.org), however, the course is free if registered through GreenThumb (Note that GreenThumb only has a limited number of seats for community gardeners to get certified as Citizen Pruners, when it is offered).

[For more information and to be notified when the course is offered by TreesNY.](#)
Code of Conduct: [All Citizen Pruners must follow the Trees New York Citizen Pruner Code of Conduct.](#)

C.13.2. See also, Pruning Trees and Shrubs – Guide with Illustrations: Oregon State University Extension Service, Oregon Master Gardener Association, 2-page PDF guide:

<https://extension.oregonstate.edu/sites/default/files/documents/12281/pruningtreesshrubs.pdf>

Proposed amendment C.14.: [2/7]

C.14. Weeding Guide.

C.14.1. Only paths (whether mulch-covered, gravel, or brick/paved paths) should be kept clear of weeds. Other areas, including common areas should be weeded on a case-by-case basis, either removed or just cut/pruned (consult with other garden members).

C.14.2. These cut weeds should be hand-mulched and left on the path as ground cover (can also use to cover bare soil in raised beds area and common areas).

C.14.3. Weeds in other areas:

C.14.3.a. If in garden plots and beds, it is the responsibility of the member assigned that plot or bed.

C.14.3.b. If in common areas, consult with other garden members since certain plants which may be considered as weeds are actually beneficial, for example, as ground cover (see C.3.5.a. Ground Cover Plants above); as nutrient source; and as balance for other plants that we do want; as well as, for other beneficial properties (some weeds are edible and/or attracts beneficial insects, etc.).

Note. Some native plants may be considered as weeds by some people. Native plants are important for a biodiverse ecosystem, and some native plants are symbiotic and therefore a vital part of other plants and trees (i.e., there are certain plants that will only thrive under certain trees; also certain plants will grow better with other plants: search for “companion planting”).
