

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: EXECUTIVE COMMITTEE

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained

RE: The By-Laws of Manhattan Community Board #1

BE IT
RESOLVED

THAT: CB #1 adopts the following revised by-laws to replace the existing by-laws governing CB #1:

The By-Laws of Community Board #1 shall conform to all New York City Charter provisions pertaining thereto. Nothing in these By-Laws shall be construed so as to change, modify or amend the New York City Charter.

I. MEMBERSHIP

- A. Community Board #1 shall consist of not more than fifty persons which shall be appointed by the Borough President, of which one-half shall be appointed from nominees of the Community Board's City Council Member(s). The Borough President and Council Member(s) shall give due regard to representation from the different geographic sections and neighborhoods within the community district. Not more than twenty percent of such appointments shall be city employees.
 - 1. Members of the Community Board shall be appointed for staggered terms of two years, one half of the membership being renewed each year. They may be reappointed; and shall be removable for cause by the Borough President and/or upon the recommendation of the Chairperson to the Borough President, after consultation with the Executive Committee.
 - 2. Three consecutive unexcused absences from regular meetings of the Board or unexcused absences from more than one-half of the regular meetings called in any one year (July 1-June 30) shall be a sufficient cause for removal. Board members are expected to attend all meetings of committees to which they are appointed. Three consecutive absences from committee meetings or absence from more that one half of assigned committee meetings during a year which is defined as July 1 to June 30 of the following year shall be sufficient cause for dismissal from the Board.

3. Vacancies shall be filled by the Borough President for the remainder of the unexpired term in the same manner as regular appointments.
4. Members of Community Board #1 shall serve as such without compensation.
5. Membership shall as much as possible have such diversity of interest as shall be representative of the community.
6. Members of the State Legislature and the U.S. House of Representatives whose districts include any part of the community district shall be ex-officio non-voting members of Community Board #1.
7. All members shall serve on the Board in their capacity as private citizens only. Their actions shall not be instructed by, or responsible to, any other organization with which they may be affiliated.
8. Any members participating in the Board's consideration of a matter which is self-serving or involves a conflict of interest shall state the nature of the conflict in speaking to the issue and shall not be entitled to vote on such matters. Such member shall be marked "present but not entitled to vote". This shall not adversely effect the quorum nor shall this be counted as an abstention.
9. Unless expressly designated to do so by the Board Chairperson, any member appearing before a governmental body, or otherwise making a public statement, shall not appear or speak in their capacity as a member of the Board. However, without express authorization, if the member states that he/she is a member of the Board, the member must also state that he/she is doing so for identification purposes only.

II. ELECTION OF OFFICERS

- A. Except as hereinafter set forth, at the Community Board's regular meeting in the month of March, the Chairperson shall appoint a nominating committee consisting of 5 members and shall designate one of their number to be the chairperson of said committee.
- B. If at least 10 members of the Board file a written request prior to the commencement of the March Board meeting for a nominating committee of five members to be elected by secret ballot of the Board, the Board Chairperson must accept this request. The five nominees receiving the highest number of votes shall constitute the nominating committee and the nominee amongst the five who receives the highest number of votes shall be the committee chairperson. Any tie or ties shall be resolved by lot.
- C. The nominating committee shall meet as often as necessary in order to report to the Board at

its May meeting one or more candidates for each of the offices of Chairperson, Vice Chairperson, Secretary and Assistant Secretary, Treasurer and Assistant Treasurer and such other offices as may be designated by the Board. The committee shall solicit Board members to become candidates and conduct interviews with potential candidates to determine those best qualified for office.

- D. The nominating committee shall make its report to the Community Board at the regular May meeting of the Board and shall suggest one or more members for each position. At such meeting, members of the Board may offer additional nominees from the floor. A written notice of all nominees suggested by the nominating committee as well as nominees offered from the floor for the Community Board offices shall be mailed to each member of the Board prior to the election of officers at the June meeting. There shall be no further nominations from the floor at the June meeting, unless there is no nominee for an office.
- E. At the June meeting of the Board, there shall be a separate election held for each of the offices of Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and such other officers as designated by the Board. A person receiving a majority of the votes cast for each office shall be elected. If no person receives a majority on the first ballot, the two candidates receiving the most votes shall have a runoff election at that time. In the event of a tie vote, further votes will be taken until a candidate is elected at said election meeting. If there is only a single candidate for a given office, the Board Chairperson may direct the Board Secretary to cast one vote in favor of the candidate.
- F. Voting for each office shall be by written paper ballot which shall be placed in an envelope identified with the member's name. Votes shall be tabulated by the nominating committee which shall maintain the confidentiality of a member's vote.

III. COMMUNITY BOARD OFFICERS

- A. The officers of the Community Board shall be a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and such other official positions as designated by the Board.
- B. The term of each office shall begin on July 1, following the election, and terminate on June 30th of the following year.
- C. Each officer shall perform such duties as are incident to the office in accordance with generally accepted rules of parliamentary procedure including:
 - 1. Duties of the Chairperson:
 - a. To perform all duties as prescribed in the City Charter and any other duties prescribed under law.

- b. To receive Calendars and notices of meetings of all City agencies required to refer matters to the Community Board pursuant to the City Charter and to inform the Board members of such Calendars and notices.
- c. To attend any meetings required by the Mayor and the Borough President pursuant to the City Charter or to designate his/her representative(s) to attend.
- d. To open regular monthly meetings at the time and date at which the Community Board is to meet by taking the chair and calling members to order.
- e. To announce all matters on the Board's agenda.
- f. To state and put to a vote all questions or resolutions which are to be moved which arise in the course of the Board's meeting and to announce the result of the vote.
- g. To interpret and enforce Robert's Rules of Order except as superseded by the By-Laws.
- h. To decide all questions of order.
- i. To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board, including communicating with government agencies and authorities. Such communications shall be sent directly to the appropriate government agency or authority with a copy of the same simultaneously forwarded to the Borough President's office.
- j. To authenticate all acts, orders and proceedings of the Board including the countersigning of all letters of whatever nature going out from the Board, except for correspondence and other actions handled by the District Manager.
- k. To be the sole spokesperson for the Board in relation to the news media, government agencies and authorities and the public at large, except as the Chairperson shall otherwise specifically authorize.
- l. To adjourn regular monthly meetings.
- m. To create standing committees of the Board as needed for the effective operation of the Board, as well as such special committees as may from time to time be deemed necessary.
- n. To appoint, suspend or remove chairpersons of committees of the Board. All committee chairpersons shall serve during the term of the Board Chairperson appointing such chairperson. The Board Chairperson shall be an ex-officio member

of each committee. The Board Chairperson shall appoint members of all committees.

- o. To prepare and deliver the Chairperson's report.
 - p. To keep the Vice Chairperson informed of all information, orders, directives and other matters coming to the chairperson's attention because of the possibility of the Vice Chairperson having to act in the absence of the Chairperson.
2. Duties of the Vice-Chairperson:
- a. The Vice Chairperson shall preside at the regular monthly meeting in the absence of the Chairperson.
 - b. The Vice Chairperson shall assist the Chairperson when necessary and required. If the Chairperson can no longer serve before his/her term has expired, the Vice Chairperson, or the First Vice Chairperson if there shall be more than one Vice Chairperson, shall succeed the Chairperson for the remainder of his/her term. If the Vice Chairperson, or the first Vice Chairperson if there shall be more than one Vice Chairperson, is unable to serve, then the Executive Committee shall appoint a temporary chairperson from the members of the Board for the remainder of the term.
3. Duties of the Secretary:
- a. The Secretary shall be the recording officer of the Board taking the minutes of the regular monthly meetings, special and emergency meetings, and shall be assisted in the compilation of such minutes by the Board staff. The final version of the minutes as approved by the Secretary and Chairperson shall be distributed to the members at the following monthly meeting and be available for review at the Community Board office not less than three business days prior to the next monthly or special meeting.
 - b. If both the Chairperson and Vice Chairperson (s) are absent from a meeting, then the Secretary shall assume the duties of Chairperson for that meeting only.
 - c. The Secretary shall keep the Assistant Secretary informed of all information, orders, directives and other matters coming to the Secretary's attention.
4. Duties of the Assistant Secretary:
- a. The Assistant Secretary shall act as Secretary in the absence of the Secretary.
5. Duties of the Treasurer and Assistant Treasurer
- a. The duties of the Treasurer and Assistant Treasurer are to be determined by the Board Chairperson at such Chairperson's discretion.

IV. EXECUTIVE COMMITTEE

- A. The Executive Committee shall consist of the officers of the Board and committee chairpersons. In the absence of a committee chairperson, the committee vice chairperson shall represent the committee chairperson.
- B. The Board Chairperson shall determine the agenda of the Executive Committee.
- C. Notice shall be given to all members of the Community Board of meetings of the Executive Committee.
- D. During those months when the Board does not meet, the Executive Committee may transact such business as necessary.
- E. When time is of the essence the Executive Committee may act on behalf of the Board providing any such action shall be ratified by the Board membership at the next regular monthly meeting. If not so ratified, there shall be no further implementation of the action after such meeting, and steps must be taken to withdraw the action.
- F. When time is of the essence and the Executive Committee must consider a resolution made by another committee, before ratification by the full Board, members of the originating committee should be specifically invited to attend the Executive Committee's deliberations and be given an opportunity to speak at the Executive Committee. If the Executive Committee revises another committee's resolution, any member of that committee may present the original committee resolution before the Board meeting during the Executive Committee's report.

V. BOARD MEETINGS

- A. There shall be at least one meeting of the Community Board per month, except that there shall be one meeting for July and August.
- B. The monthly Community Board meeting is open to the public.
- C. Meetings will be held in the district at such time (early evening) and place as shall be designated by the Chairperson in the meeting notice sent to the Community Board members as hereinafter provided.
 - 1. A quorum shall be a majority of the membership of the Community Board.
 - 2. All actions shall be decided by a majority vote of those members present and voting.
 - 3. A member who is present but not entitled to vote because of a conflict of interest or other self-serving matter is counted for purposes of a quorum, but not for purposes of

determining a majority whenever any act is to be authorized or a determination or decision is to be made by the Community Board.

D. The Board shall meet as required by the City Charter to hold hearings on the city budget or any other public matter.

E. Special and Emergency Meetings

1. A special meeting shall be a meeting other than the regular monthly meeting and shall be called by the Board Chairperson:
 - a. At the Board Chairperson's own volition.
 - b. At the Borough President's request.
 - c. Upon resolution adopted by the Board.
 - d. Upon written request of at least 1/3 of the Board's membership presented to the Board Chairperson.
2. A special meeting may be called upon five day's notice in writing, setting forth the purpose of the meeting and the agenda for the meeting. Such meeting shall be governed by the same procedures as a regular Board meeting.
3. An emergency meeting is a meeting where time is of the essence and decisions are required immediately. Notice for an emergency meeting may include telephonic, electronic or other rapid means of communication. Such meetings shall be governed by the same procedures as a regular Board meeting.

F. The following are the rules governing attendance and excused absences:

1. A Board member may be properly excused for the following reasons: military service; severe personal illness; severe illness or death in the family or other reasons accepted by the Board Chairperson.
2. A Board member shall not be deemed present at a meeting, unless such member is in attendance during substantially all of the meeting.

VI. COMMITTEE MEETINGS

- A. There shall be as many committee meetings as the Board Chairperson and/or committee chairpersons deem necessary.
- B. Committee meetings shall be open to the public.C.Members of the public may be appointed

by the Board Chairperson to serve on committees in an advisory but non-voting capacity.

- C. Committees shall keep attendance records and shall propose and adopt resolutions. All resolutions adopted must be reported to the Board in writing, together with the number of members voting yes, no, abstaining and present but not entitled to vote.
- D. Committee resolutions must be signed by the committee chairperson, or the vice-chairperson in the absence of the chairperson. Committee resolutions should be written at the time a vote is taken.
- E. Board members must serve on a minimum of two committees.

VII. AGENDA

- A. An agenda shall be drafted by the Chairperson of the Board at least 10 days before each regular meeting. This agenda, plus the notice of time and place of the meeting, shall be forwarded to reach each Board member at least three business days before the regular monthly meeting of the Board. Except in emergency situations, no matter of substantial public involvement shall be decided upon by the Board at a regular Board meeting without that matter having been placed upon the agenda forwarded to the Board members.
- B. The agenda shall consist of the following:
 - 1. Opening of the meeting and adoption of the agenda
 - 2. Public Session

There shall be a Public Session at each regular monthly Community Board meeting. In the interest of affording the maximum opportunity to all citizens to be heard, each speaker shall be limited to a period of no more than 3 minutes, unless otherwise permitted by the Board Chairperson. The Public Session shall consist of the following:

 - a. Items Listed on the Agenda - Time shall be made available to members of the public as well as government agencies who have requested a place on the agenda to express themselves to the Board on agenda items.
 - b. Items Not Listed on the Agenda - Time shall be made available to an individual who has a residence, a business or other significant interest in the district to bring to the attention of the Board any matter not listed on the agenda, which the speaker believes to be of general interest to the community and the Board. Public officials may address items of general interest during their report in 2. a) above.
 - 3. Business Session

During the Business Session only members of the Board may debate and vote on the issues. However, the public is invited to be present as observers of the Board's

proceedings. The proponent of an issue before the Board, who is not a Board member, upon request of the Chairperson may respond to questions in the Business Session. Business Session items on the agenda shall be limited to three minutes for each speaker except when otherwise permitted by the Chairperson.

The Business Session shall consist of the following items:

- a. Adoption of the minutes.
- b. The District Manager's report.
- c. The Community Board Chairperson's report.
- d. The Borough President's report.
- e. Public officials' reports.
- f. Committee chairpersons' reports.
- g. Old Business.
- h. New Business.
- i. Adjournment.

VIII. VOTING

- A. Voting shall be by roll call.
- B. The total votes for and against an issue, as well as abstentions and members present but not entitled to vote, must be publicly announced.
- C. If a matter before the Board requires further information or deliberation before a vote is taken, that matter may be tabled and referred back to the appropriate Board committee for further deliberations.
- D. All voting in Board meetings shall be in person only. No proxies will be accepted.

IX. INTERNAL OPERATIONS OF THE COMMUNITY BOARD

This Board may establish such additional rules of its own as are not specifically covered by the language of these By-Laws and the City Charter and which are not in contravention of these By-Laws and the City Charter.

X. AMENDMENTS

- A. Initiation - Amendments to these by-laws may be initiated by a majority vote of the members present and voting at a Board meeting or at the written request of the Borough President.
- B. Ratification - Amendments to these By-Laws shall be adopted by a majority vote of the members present and voting at a Board meeting.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: EXECUTIVE COMMITTEE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	26 In Favor	0 Opposed	4 Abstained

RE: Proposed privatization of Health and Hospitals Corporation (HHC) hospitals

WHEREAS: CB #1 seeks additional information regarding the Administration's possible privatization of at least four of the City's public hospitals; and

WHEREAS: The HHC network of hospitals and health centers provides essential services to NYC residents and visitors, including:

- delivery of one in four babies;
- 40% of hospital-based outpatient visits;
- nearly 40% of care for patients with HIV/AIDS, 40% of all TB cases and 44% of psychiatric cases;
- care for uniformed services (police, fire and others) prisoners and undocumented immigrants;
- outstanding emergency care; and

WHEREAS: In selling public hospitals to the private sector, there is a risk that the hospitals' services would be available only to those who can afford to pay and this could lead to fewer services for some patients who rely on HHC to provide for their health care needs; now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 urgently and immediately requests answers to all hospital privatization related issues and a cost-benefit analysis and invites City representatives and other parties to attend a Community Board #1 meeting to further discuss this critical issue; and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges that, in developing an operating policy for HHC hospitals, all steps be taken to insure that adequate services continue to be provided at these hospitals to all residents regardless of income.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA/WASHINGTON MARKET COMMITTEE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained

RE: 305 Church St., Burrito Bar, Application for a Sidewalk Cafe License

WHEREAS: In our recommendations to the Department of City Planning with respect to its "Lower Broadway/LMM Study" ("Tribeca/Rezoning"), CB #1 does not oppose the siting of sidewalk cafes in this part of Tribeca, and

WHEREAS: CB #1 has no record of complaints about the current operation of Burrito Bar, and

WHEREAS: Fliers announcing date, time and place that the committee would meet to consider this application were posted at residences in the immediate vicinity of 305 Church St., and no one appeared at the committee meeting to raise objection to the application, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that the Department of Consumer Affairs approve the application by Burrito Bar to operate (license would be valid through February 1995) a Sidewalk Cafe at 305 Church St.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained

RE: 35-37 N. Moore St. a/k/a 30 Ericsson Pl., application to the Landmarks Preservation Commission for a Certificate of Appropriateness

WHEREAS: The applicant proposes to restore the facades, to install new ground floor infill, barrier-free access ramp, new windows and to construct a 2 story rooftop addition, and

WHEREAS: CB #1 encourages the general concept of restoring the existing building on both streetfronts, and

WHEREAS: The new additions will be set back from the property line thus making them less visible, and

WHEREAS: The new addition will conform to the general look of the building without replicating the original architecture, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that LPC approve the application as submitted.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained

RE: 345-347 Greenwich St., application to the Landmarks Preservation Commission for a Certificate of Appropriateness

WHEREAS: The applicant proposes to install a new storefront, metal and glass canopy and new windows, remove fire escapes and construct a penthouse addition and new elevator bulkhead, and

WHEREAS: The applicant desires to replace the garage-type doors with appropriate wooden doors, keep a glass and metal canopy, and remove the fire escape and re-install it in the rear of the building and replace the windows with those of the same size and configuration, and

WHEREAS: The new addition will be set back and be harmonious with the original building, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that LPC approve the application as submitted.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	30 In Favor	1 Opposed	0 Abstained

RE: N/W/C of Broadway & White St. (380-382 Broadway), application to the Landmarks Preservation Commission for a Certificate of Appropriateness to construct a newsstand

WHEREAS: No one representing the application appeared before the committee thus members could not express their concerns about the appropriateness of the style of the newsstand, and

WHEREAS: CB #1 is on record opposing newsstands because they obstruct pedestrian traffic and become objects of graffiti, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that the newsstand not be approved.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	4 In Favor	2 Opposed	0 Abstained
BOARD VOTE:	27 In Favor	3 Opposed	1 Abstained

RE: 75 Leonard St., application to the Landmarks Preservation Commission for a Certificate of Appropriateness to install a flagpole and banner

WHEREAS: CB #1 does not think the proposed location of the flagpole, between the balustrades and off-center to be appropriate, and

WHEREAS: Large canvas banners tend to wear quickly and are not regularly maintained, and

WHEREAS: The Board does not want to set a precedent of large banners being attached to historic buildings, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that LPC disapprove the application as submitted.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	33 In Favor	0 Opposed	0 Abstained

RE: 56 Thomas St., application to the Landmarks Preservation Commission for a Certificate of Appropriateness to install a new wood and glass storefront and building entrance

WHEREAS: The applicant proposes to restore the ground floor to an appropriate design including wood infill and doors, and

WHEREAS: The metal gates will be removed and the applicant promises to keep the building free of graffiti, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 recommends that LPC approve the application as submitted.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA HISTORIC DISTRICTS COMMITTEE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained

RE: 331 Greenwich St., application to the Landmarks Preservation Commission for a Certificate of Appropriateness to legalize the installation of an awning, signage, lighting and storefront executed without Landmarks permits (Greenwich Dry Cleaners)

WHEREAS: Although CB #1 does not strongly object to the non-illuminated sign on the north side of the building, which type may have some historic precedent in the area, and however,

WHEREAS: CB #1 does strongly object to the newly installed green canvas awning and lights which cover the cast iron columns and ground floor cornice of the building, and considers them totally inappropriate, and

WHEREAS: The applicant promises to paint the existing gates and keep them graffiti-free, and

WHEREAS: The storefront, made of aluminum and glass, was pre-existing before the creation of the Tribeca West Historic District, according to the applicant, now

THEREFORE
BE IT
RESOLVED

THAT: CB #1 recommends that LPC disapprove the application as submitted.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: SOCIAL SERVICES COMMITTEE

COMMITTEE VOTE:	2 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	25 In Favor	0 Opposed	1 Abstained

RE: "AIDS Cure Act" (HR 3310)

WHEREAS: Drug companies have been allowed to control the pace and direction of all research into the drugs they own, stalling or even killing any needed research when a drug does not fit into the "corporate agenda" of its pharmaceutical company owners, and

WHEREAS: Pharmaceutical company self-interest has delayed research into numerous AIDS-related drugs, including Microgenesys' gp160, Abbot's HIVIG and Roche's "tat" inhibitor, and

WHEREAS: It is a reasonable supposition that science, not profits, should control the conduct of research into drugs and when the reverse is true, the lives of countless persons are put at risk for the sake of pharmaceutical company profits, and

WHEREAS: "The AIDS Cure Act" (ACA) (HR 3310) has been introduced in the US Congress by Representative Jerrold Nadler with a mandate to find a cure for AIDS; and that cure be defined to include "any and all approaches which will ensure a well-functioning immune system and a normal life span with a reasonable quality of life", and

WHEREAS: The Act would authorize an intense research effort, separate from the National Institutes for Health (NIH), and reporting to (although not directed by) the President of the United States through his or her "Special Assistant on AIDS", and

WHEREAS: The ACA would ensure that research proceeds quickly on all new drugs, whether or not the owner felt it was in their "best interest," and, further, would ensure honest research by requiring that all researchers involved suspend all conflicts of interest, and

WHEREAS: A team of diverse scientists would be brought together in one location to create a research environment that is financially, physically and scientifically designed to stimulate the creative research necessary to find a cure for AIDS; and drug companies would be advised to work with the ACA or risk losing their patents through the Act's power of "eminent domain", now

THEREFORE
BE IT
RESOLVED

THAT: The CB #1 strongly supports the AIDS Cure Act (HR 3310) in the desire to put an end to this world-wide pandemic, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 urges all elected officials to support the ACA in order that a cure for AIDS becomes a reality.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: PIER 25 AD-HOC COMMITTEE

COMMITTEE VOTE:	3 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	23 In Favor	0 Opposed	3 Abstained

RE: Pier 25 Auction

WHEREAS: The winning bidder at the lease auction for Pier 25 has presented a site plan which appears to center on food service and amusement-related activities, and

WHEREAS: The winning bidder's plans for water-related activities, which CB #1 requested be the sole permissible uses for Pier 25, are at this time unformed and vague, now

THEREFORE
BE IT
RESOLVED

THAT: The New York State Department of Transportation seriously reconsider the choice of the winning bidder and that individual not be deemed to be the winner unless and until the site plan reflects the water - related uses required by the bid proposal, and

BE IT
FURTHER
RESOLVED

THAT: CB #1 strongly urges NYS DOT not to enter into a lease until such time that Community Board #1's requests are satisfied.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: TRIBECA/WASHINGTON MARKET COMMITTEE

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained
BOARD VOTE:	28 In Favor	0 Opposed	0 Abstained

RE: Pier 34 Design Process

WHEREAS: Since November 1992 CB #1 and its representatives have participated in what was expected to be a design process for two Pier 34 access piers leading to the Port Authority's Holland Tunnel ventilation structure, and

WHEREAS: CB #1 made recommendations from the start (Resolution 12/15/92) and thereafter (6/15/93) as to the width of the piers, public access, security and safety, benches, design and employing an architectural consultant to help present the CB #1 point of view, and

WHEREAS: After nearly a year and a half of meetings and negotiations the Port Authority has stonewalled all changes to its original plan - which remains unchanged from that presented to CB #1 in November '92 - and has now received approval for access piers that are too narrow and which allow inadequate public access, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 decries the duplicity of the Port Authority in sitting with CB #1 representative over 1 1/2 years with no intention of changing its plans, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 puts the Port Authority and all other agencies on notice that the community design/negotiating process should not be abused, as it has been here; and that the time and effort of community volunteers should not be wasted by an agency seeking only to pay lip service to the community design/negotiating process.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: EXECUTIVE COMMITTEE

BOARD VOTE: Unanimously IN FAVOR

RE: State Senator Manfred Ohrenstein

WHEREAS: Today, State Senator Manfred Ohrenstein announced his decision to step down from the Senate after 33 years, and

WHEREAS: Senator Ohrenstein has served our community and much of the west side of Manhattan with great dedication and distinction, and

WHEREAS: Senator Ohrenstein was consistently supportive of our Community Board and played a major role in some of our most significant achievements including the construction of PS 234, the opening of the New Amsterdam Library, and the design and construction of Hudson River Park, and

WHEREAS: The Community Board is deeply grateful to Senator Ohrenstein and his staff for their diligent assistance on innumerable other issues large and small which impact the lives of our constituents, now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 salutes and thanks Senator Manfred Ohrenstein for his 33 years of effective and distinguished service on behalf of the residents of Lower Manhattan, and

BE IT

FURTHER

RESOLVED

THAT: CB #1 wishes Senator Ohrenstein all the best in his future endeavors.

COMMUNITY BOARD #1 MANHATTAN
RESOLUTION

DATE: APRIL 19, 1994

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT COMMITTEE

COMMITTEE VOTE: 8 In Favor 2 Opposed 0 Abstained

BOARD VOTE: WITHDRAWN BEFORE BOARD MEETING PER HH 4-18-94.

RE: Proposed "Downtown Lower Manhattan Business Improvement District" (BID)

THEREFORE

BE IT

RESOLVED

THAT: CB #1 supports the creation of the "Downtown Lower Manhattan Business Improvement District" (BID) subject to the following that the Chairperson of CB #1 or her/his designee be a voting member of the BID's District Management Association.

The By-Laws of Manhattan Community Board #1
As adopted April 19, 1994

The By-Laws of Community Board #1 shall conform to all New York City Charter provisions pertaining thereto. Nothing in these By-Laws shall be construed so as to change, modify or amend the New York City Charter.

I. MEMBERSHIP

- A. Community Board #1 shall consist of not more than fifty persons which shall be appointed by the Borough President, of which one-half shall be appointed from nominees of the Community Board's City Council Member(s). The Borough President and Council Member(s) shall give due regard to representation from the different geographic sections and neighborhoods within the community district. Not more than twenty percent of such appointments shall be city employees.
1. Members of the Community Board shall be appointed for staggered terms of two years, one half of the membership being renewed each year. They may be reappointed; and shall be removable for cause by the Borough President and/or upon the recommendation of the Chairperson to the Borough President, after consultation with the Executive Committee.
 2. Three consecutive unexcused absences from regular meetings of the Board or unexcused absences from more than one-half of the regular meetings called in any one year (July 1-June 30) shall be a sufficient cause for removal. Board members are expected to attend all meetings of committees to which they are appointed. Three consecutive absences from committee meetings or absence from more than one half of assigned committee meetings during a year which is defined as July 1 to June 30 of the following year shall be sufficient cause for dismissal from the Board.
 3. Vacancies shall be filled by the Borough President for the remainder of the unexpired term in the same manner as regular appointments.
 4. Members of Community Board #1 shall serve as such without compensation.
 5. Membership shall as much as possible have such diversity of interest as shall be representative of the community.
 6. Members of the State Legislature and the U.S. House of Representatives whose districts include any part of the community district shall be ex-officio non-voting members of Community Board #1.
 7. All members shall serve on the Board in their capacity as private citizens only. Their actions shall not be instructed by, or responsible to, any other organization with which they may be affiliated. Any members participating in the Board's consideration of a matter which is self-serving or involves a conflict of interest shall state the nature of the conflict in speaking to the issue and shall not be entitled to vote on such matters. Such member shall be marked "present but not entitled to vote". This shall not adversely effect the quorum nor shall this be counted as an abstention.
 8. Unless expressly designated to do so by the Board Chairperson, any member appearing before a governmental body, or otherwise making a public statement, shall not appear or

speak in their capacity as a member of the Board. However, without express authorization, if the member states that he/she is a member of the Board, the member must also state that he/she is doing so for identification purposes only.

II. ELECTION OF OFFICERS

- A. Except as hereinafter set forth, at the Community Board's regular meeting in the month of March, the Chairperson shall appoint a nominating committee consisting of 5 members and shall designate one of their number to be the chairperson of said committee.
- B. If at least 10 members of the Board file a written request prior to the commencement of the March Board meeting for a nominating committee of five members to be elected by secret ballot of the Board, the Board Chairperson must accept this request. The five nominees receiving the highest number of votes shall constitute the nominating committee and the nominee amongst the five who receives the highest number of votes shall be the committee chairperson. Any tie or ties shall be resolved by lot.
- C. The nominating committee shall meet as often as necessary in order to report to the Board at its May meeting one or more candidates for each of the offices of Chairperson, Vice Chairperson, Secretary and Assistant Secretary, Treasurer and Assistant Treasurer and such other offices as may be designated by the Board. The committee shall solicit Board members to become candidates and conduct interviews with potential candidates to determine those best qualified for office.
- D. The nominating committee shall make its report to the Community Board at the regular May meeting of the Board and shall suggest one or more members for each position. At such meeting, members of the Board may offer additional nominees from the floor. A written notice of all nominees suggested by the nominating committee as well as nominees offered from the floor for the Community Board offices shall be mailed to each member of the Board prior to the election of officers at the June meeting. There shall be no further nominations from the floor at the June meeting, unless there is no nominee for an office.
- E. At the June meeting of the Board, there shall be a separate election held for each of the offices of Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and such other officers as designated by the Board. A person receiving a majority of the votes cast for each office shall be elected. If no person receives a majority on the first ballot, the two candidates receiving the most votes shall have a runoff election at that time. In the event of a tie vote, further votes will be taken until a candidate is elected at said election meeting. If there is only a single candidate for a given office, the Board Chairperson may direct the Board Secretary to cast one vote in favor of the candidate.
- F. Voting for each office shall be by written paper ballot which shall be placed in an envelope identified with the member's name. Votes shall be tabulated by the nominating committee which shall maintain the confidentiality of a member's vote.

III. COMMUNITY BOARD OFFICERS

- A. The officers of the Community Board shall be a Chairperson, Vice-Chairperson, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and such other official positions as designated by the Board.
- B. The term of each office shall begin on July 1, following the election, and terminate on June 30th of the following year.

C. Each officer shall perform such duties as are incident to the office in accordance with generally accepted rules of parliamentary procedure including:

1. Duties of the Chairperson:

- a) To perform all duties as prescribed in the City Charter and any other duties prescribed under law.
- b) To receive Calendars and notices of meetings of all City agencies required to refer matters to the Community Board pursuant to the City Charter and to inform the Board members of such Calendars and notices.
- c) To attend any meetings required by the Mayor and the Borough President pursuant to the City Charter or to designate his/her representative(s) to attend.
- d) To open regular monthly meetings at the time and date at which the Community Board is to meet by taking the chair and calling members to order.
- e) To announce all matters on the Board's agenda.
- f) To state and put to a vote all questions or resolutions which are to be moved which arise in the course of the Board's meeting and to announce the result of the vote.
- g) To interpret and enforce Robert's Rules of Order except as superseded by the By-Laws.
- h) To decide all questions of order.
- i) To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board, including communicating with government agencies and authorities. Such communications shall be sent directly to the appropriate government agency or authority with a copy of the same simultaneously forwarded to the Borough President's office.
- j) To authenticate all acts, orders and proceedings of the Board including the countersigning of all letters of whatever nature going out from the Board, except for correspondence and other actions handled by the District Manager.
- k) To be the sole spokesperson for the Board in relation to the news media, government agencies and authorities and the public at large, except as the Chairperson shall otherwise specifically authorize.
- l) To adjourn regular monthly meetings.
- m) To create standing committees of the Board as needed for the effective operation of the Board, as well as such special committees as may from time to time be deemed necessary.
- n) To appoint, suspend or remove chairpersons of committees of the Board. All committee chairpersons shall serve during the term of the Board Chairperson appointing such chairperson. The Board Chairperson shall be an ex-officio member of each committee. The Board Chairperson shall appoint members of all committees.
- o) To prepare and deliver the Chairperson's report.
- p) To keep the Vice Chairperson informed of all information, orders, directives and other matters coming to the chairperson's attention because of the possibility of the Vice Chairperson having to act in the absence of the Chairperson.

2. Duties of the Vice-Chairperson:

- a) The Vice Chairperson shall preside at the regular monthly meeting in the absence of the Chairperson.

- b) The Vice Chairperson shall assist the Chairperson when necessary and required. If the Chairperson can no longer serve before his/her term has expired, the Vice Chairperson, or the First Vice Chairperson if there shall be more than one Vice Chairperson, shall succeed the Chairperson for the remainder of his/her term. If the Vice Chairperson, or the first Vice Chairperson if there shall be more than one Vice Chairperson, is unable to serve, then the Executive Committee shall appoint a temporary chairperson from the members of the Board for the remainder of the term.
3. Duties of the Secretary:
- a) The Secretary shall be the recording officer of the Board taking the minutes of the regular monthly meetings, special and emergency meetings, and shall be assisted in the compilation of such minutes by the Board staff. The final version of the minutes as approved by the Secretary and Chairperson shall be distributed to the members at the following monthly meeting and be available for review at the Community Board office not less than three business days prior to the next monthly or special meeting.
 - b) If both the Chairperson and Vice Chairperson (s) are absent from a meeting, then the Secretary shall assume the duties of Chairperson for that meeting only.
 - c) The Secretary shall keep the Assistant Secretary informed of all information, orders, directives and other matters coming to the Secretary's attention.
4. Duties of the Assistant Secretary:
- a) The Assistant Secretary shall act as Secretary in the absence of the Secretary.
5. Duties of the Treasurer and Assistant Treasurer
- a) The duties of the Treasurer and Assistant Treasurer are to be determined by the Board Chairperson at such Chairperson's discretion.

IV. EXECUTIVE COMMITTEE

- A. The Executive Committee shall consist of the officers of the Board and committee chairpersons. In the absence of a committee chairperson, the committee vice chairperson shall represent the committee chairperson.
- B. The Board Chairperson shall determine the agenda of the Executive Committee.
- C. Notice shall be given to all members of the Community Board of meetings of the Executive Committee.
- D. During those months when the Board does not meet, the Executive Committee may transact such business as necessary.
- E. When time is of the essence the Executive Committee may act on behalf of the Board providing any such action shall be ratified by the Board membership at the next regular monthly meeting. If not so ratified, there shall be no further implementation of the action after such meeting, and steps must be taken to withdraw the action.
- F. When time is of the essence and the Executive Committee must consider a resolution made by another committee, before ratification by the full Board, members of the originating committee should be specifically invited to attend the Executive Committee's deliberations and be given an opportunity to speak at the Executive Committee. If the Executive Committee revises another committee's resolution, any member of that committee may present the original committee resolution before the Board meeting during the Executive Committee's report.

V. BOARD MEETINGS

- A. There shall be at least one meeting of the Community Board per month, except that there shall be one meeting for July and August.
- B. The monthly Community Board meeting is open to the public.
- C. Meetings will be held in the district at such time (early evening) and place as shall be designated by the Chairperson in the meeting notice sent to the Community Board members as hereinafter provided.
 - 1. A quorum shall be a majority of the membership of the Community Board.
 - 2. All actions shall be decided by a majority vote of those members present and voting.
 - 3. A member who is present but not entitled to vote because of a conflict of interest or other self-serving matter is counted for purposes of a quorum, but not for purposes of determining a majority whenever any act is to be authorized or a determination or decision is to be made by the Community Board.
- D. The Board shall meet as required by the City Charter to hold hearings on the city budget or any other public matter.
- E. Special and Emergency Meetings
 - 1. A special meeting shall be a meeting other than the regular monthly meeting and shall be called by the Board Chairperson:
 - a) At the Board Chairperson's own volition.
 - b) At the Borough President's request.
 - c) Upon resolution adopted by the Board.
 - d) Upon written request of at least 1/3 of the Board's membership presented to the Board Chairperson.
 - 2. A special meeting may be called upon five day's notice in writing, setting forth the purpose of the meeting and the agenda for the meeting. Such meeting shall be governed by the same procedures as a regular Board meeting.
 - 3. An emergency meeting is a meeting where time is of the essence and decisions are required immediately. Notice for an emergency meeting may include telephonic, electronic or other rapid means of communication. Such meetings shall be governed by the same procedures as a regular Board meeting.
- F. The following are the rules governing attendance and excused absences:
 - 1. A Board member may be properly excused for the following reasons: military service; severe personal illness; severe illness or death in the family or other reasons accepted by the Board Chairperson.
 - 2. A Board member shall not be deemed present at a meeting, unless such member is in attendance during substantially all of the meeting.

VI. COMMITTEE MEETINGS

- A. There shall be as many committee meetings as the Board Chairperson and/or committee chairpersons deem necessary.
- B. Committee meetings shall be open to the public.
- C. Members of the public may be appointed by the Board Chairperson to serve on committees in an advisory but non-voting capacity.
- C. Committees shall keep attendance records and shall propose and adopt resolutions. All resolutions adopted must be reported to the Board in writing, together with the number of members voting yes, no, abstaining and present but not entitled to vote.
- D. Committee resolutions must be signed by the committee chairperson, or the vice-

chairperson in the absence of the chairperson. Committee resolutions should be written at the time a vote is taken.

E. Board members must serve on a minimum of two committees.

VII. AGENDA

A. An agenda shall be drafted by the Chairperson of the Board at least 10 days before each regular meeting. This agenda, plus the notice of time and place of the meeting, shall be forwarded to reach each Board member at least three business days before the regular monthly meeting of the Board. Except in emergency situations, no matter of substantial public involvement shall be decided upon by the Board at a regular Board meeting without that matter having been placed upon the agenda forwarded to the Board members.

B. The agenda shall consist of the following:

1. Opening of the meeting and adoption of the agenda
2. Public Session

There shall be a Public Session at each regular monthly Community Board meeting. In the interest of affording the maximum opportunity to all citizens to be heard, each speaker shall be limited to a period of no more than 3 minutes, unless otherwise permitted by the Board Chairperson. The Public Session shall consist of the following:

- a) Items Listed on the Agenda - Time shall be made available to members of the public as well as government agencies who have requested a place on the agenda to express themselves to the Board on agenda items.
- b) Items Not Listed on the Agenda - Time shall be made available to an individual who has a residence, a business or other significant interest in the district to bring to the attention of the Board any matter not listed on the agenda, which the speaker believes to be of general interest to the community and the Board. Public officials may address items of general interest during their report in 2. a) above.

3. Business Session

During the Business Session only members of the Board may debate and vote on the issues. However, the public is invited to be present as observers of the Board's proceedings. The proponent of an issue before the Board, who is not a Board member, upon request of the Chairperson may respond to questions in the Business Session. Business Session items on the agenda shall be limited to three minutes for each speaker except when otherwise permitted by the Chairperson.

The Business Session shall consist of the following items:

- a) Adoption of the minutes.
- b) The District Manager's report.
- c) The Community Board Chairperson's report.
- d) The Borough President's report.
- e) Public officials' reports.
- f) Committee chairpersons' reports.
- g) Old Business.
- h) New Business.
- i) Adjournment.

VIII. VOTING

- A. Voting shall be by roll call.
- B. The total votes for and against an issue, as well as abstentions and members present but not entitled to vote, must be publicly announced.
- C. If a matter before the Board requires further information or deliberation before a vote is taken, that matter may be tabled and referred back to the appropriate Board committee for further deliberations.
- D. All voting in Board meetings shall be in person only. No proxies will be accepted.

IX. INTERNAL OPERATIONS OF THE COMMUNITY BOARD

This Board may establish such additional rules of its own as are not specifically covered by the language of these By-Laws and the City Charter and which are not in contravention of these By-Laws and the City Charter.

X. AMENDMENTS

- A. Initiation - Amendments to these by-laws may be initiated by a majority vote of the members present and voting at a Board meeting or at the written request of the Borough President.
- B. Ratification - Amendments to these By-Laws shall be adopted by a majority vote of the members present and voting at a Board meeting.