



Hon. Vanessa L. Gibson  
Borough President

# BRONX COMMUNITY BOARD No. 10

3165 East Tremont Avenue • Bronx, New York 10461

Tel: (718) 892-1161 • Fax: (718) 863-6860

E-mail: [bx10@cb.nyc.gov](mailto:bx10@cb.nyc.gov)

Facebook.com/BronxCommunityBoard10

Website: [www.nyc.gov/bronxcb10](http://www.nyc.gov/bronxcb10)

Instagram & Twitter @BronxCB10



Joseph Russo  
Chairperson

Matthew Cruz  
District Manager

2023

## BY-LAWS of BRONX COMMUNITY BOARD #10

### ARTICLE I - EFFECT

These By-Laws, upon adoption, shall be the By-Laws of Community Board #10 (hereinafter referred to as “the Board”) of the Borough of the Bronx, and shall be the governing instrument of the Board, subject to the provisions of the New York City Charter (hereinafter referred to as “the Charter”) and the Uniform Land Use Review Procedure.

### ARTICLE II - POWERS

The Board shall exercise those powers and perform those functions set forth in the Charter and the Uniform Land Use Review Procedure regarding any matter concerning its community district. The boundaries of its district shall be as defined by the map adopted by the Board of Estimate pursuant to Section 2702.d of the Charter.

### ARTICLE III - MEMBERS

**Section I.** The Board shall consist of:

- A) As voting members, those individuals who shall have been appointed by the Borough President in accordance with Section 2800 of the Charter (hereinafter referred to as “appointed members”).
- B) As non-voting members, those are the public officials specified in Section 2800 of the Charter, i.e. Council members elected from any area which includes a part of the community district. The Board Chairperson may, at their discretion, appoint a non-voting community member for a committee and may also remove a member of that committee at their discretion.

**Section II.** An appointed member may resign at any time by submitting his resignation IN WRITING TO THE BOROUGH PRESIDENT, Chairperson of the Board and/or District Manager. Such resignation shall take effect at the time specified therein, or, if no time be specified, upon receipt by the Borough President. A resignation need not be accepted to become effective.

**Section III.** An appointed member may be removed for cause by the Borough President, or by a majority of the appointed members of the Board. Cause can include but not be limited to three consecutive absences from meetings, or the absence from more than one-half of the meetings in a period of any one year. Please see Method of Procedure in Grievance Policy.

**Section IV.** The Board establishes a grievance policy on all matters regarding personnel.

Bronx Community Board #10 Board Members and staff members are to adhere to the City of New York's Equal Employment Opportunity (EEO) guidelines.

1. Any form of verbal or physical abuse or personal confrontations between Board Members, staff members or members of the public are strictly prohibited. It is also prohibited to disclose or publish any board business on social media and e-mail board business to non-board members.

2. Any Board Member after fair warning by a fellow Board Member or the Chairperson, who refuses to follow parliamentary procedures or does not adhere to Bronx Community Board #10 By-Laws and, the City of New York's EEO guidelines and/or Code of Conduct described in the Community Board Parliamentary Procedure Book are subject to the following grievance policy.

3. Only after first reporting the complaint by e-mail, in writing or in person to the District Manager, Chair of the Board or Executive Board that a single Board Member is being disruptive in at least one-third of the standing committee's meetings then the standing committee for which he/she sits, can vote the Member off the committee. The standing committee must have a quorum to execute this vote.

All complaints, grievances, discussions, or proceedings are confidential and considered strictly board business. There shall be no discussion between Board Members or with any non-Board members on any matters with regard to a complaint or grievance.

Board Members or staff members may register complaints against a fellow Board Member or staff member in writing to the Chairperson, Executive Board and/or District Manager. All written complaints will be brought in front of the Executive Board during the Executive Session to be deemed as a legitimate complaint. Once substantiated the accused may choose an (independent) Oversight Committee or the Executive Board to handle the complaint going forward. The Oversight Committee shall consist of five (5) elected Board Members. If this is not possible, then the Chairperson reserves the right to appoint committee members. Since there are no recordings or minutes, it will depend upon the Oversight Committee for an accurate account. The Chairperson and/or District Manager will schedule any remediation necessary such as, but not limited to, a meeting of the Executive Board or Oversight Committee if requested or recommended within thirty (30) days of the received complaint.

All formal complaints must be made in writing. If the complaint cannot be corroborated (i.e. witnessed by a fellow Board Member, heard on audio or seen on video), the Chairperson and/or District Manager will hold a meeting with the affected parties and seek to resolve the matter. If any Executive Board Member is accused of a complaint, it is recommended that an Oversight Committee of Non-Executive Board Members be established to handle this complaint should the accused choose this option. If the accused does not have a problem with the Executive Board handling the complaint, then it may proceed. Once proceedings have begun then the selected adjudicator handling the complaint cannot be changed.

All proceedings shall be done in executive session and all matters, including verbal or written discussions, are confidential. Neither party shall interact with each other until the complaint has been resolved. Interaction is defined as any verbal or written communication.

No Board Member shall file a retaliatory complaint against another Board Member, while the original complaint is undergoing its "Due Process."

Any Board Member found to have filed a false complaint to either restrict or embarrass another Board Member at any time may be brought up on a complaint by the accused member, the Oversight Committee or Executive Board.

#### Due Process & Method of Procedure

When a complaint against a Board Member is received, the accused Member is entitled to a copy of the complaint within five (5) days in writing via personal delivery or e-mail and, if necessary, a phone call for verification. The Member must respond to the complaint within ten (10) days in writing to the Chairperson, District Manager and/or when necessary to the Executive Board. The affected Board Member may also be requested to attend a remediation session or Executive Board meeting. The grievance or complaint will be heard and adjudicated within sixty days.

Parties of opposing sides shall be brought in separately for discussion, either with the Executive Board or the Oversight Committee, so that it can be a hostile-free environment with open dialogue. The Executive Board or the Oversight Committee's main objective is to resolve the matter.

- A. Board Members that receive three (3) officially lodged non-physical complaints within a two (2) year period, are subject to removal by a majority vote of the Executive Board and, subsequently, by a majority vote of the Full Board. Furthermore, any member that receives three (3) officially lodged non-physical complaints within a two (2) year period will have such complaints forwarded to the Borough President and respective City Council Member.
- B. Board Members brought up on a complaint alleging physical contact or threatening such action shall be notified within forty-eight (48) hours. An immediate investigation shall be conducted, and proceedings held within ten (10) days of the alleged event. Removal of the Board Member is recommended by a majority vote of the Executive Board or Oversight Committee then the matter will be forwarded to the Full Board for its consideration and vote as soon as possible. The Board Member may only be removed by a majority vote.
- C. At no point shall any named or involved party in an officially lodged complaint discuss it with any other Board Member or non-Board Member outside of witnesses. All parties shall refrain from any interaction of any form with each other. If necessary, the Chairperson, District Manager or an agreed upon mediator may correspond between the affected parties.
- D. Once the Executive Board or the Oversight Committee has completed its investigation, the Executive Board or the Oversight Committee must determine whether the complaint has been substantiated or should be dismissed. If dismissed, the Executive Board or Oversight Committee must prepare a report and close out the matter. The file or report must be kept at the Board Office and a copy sent to the Borough President's office. If the complaint has been substantiated, then the Oversight Committee or the Executive Board must prepare its report, contacting the District Manager or Chairperson to set-up a Full Board meeting in Executive Session. When the complaint is substantiated and the Member has completed his/her Due Process and is found to be in violation of either the NYC EEO Policy, CB #10 By-Laws and/or the Borough President's Code of Conduct or Code of Conduct described in the Community Board Parliamentary Procedure book, the Executive Board or Oversight Committee can recommend, by resolution, one of the three (3) actions below:

1. A vote of removal from the Board;

2. The Board Member can be allowed to remain on the Board but shall be deemed “non-eligible” to run for or hold any elected position on the Board or serve as Chairperson of any Standing Committee for at least two (2) years.

- If the Board Member is an officer of the Board then their position will be vacated and the penalty of non-eligibility (as described above) will apply.

3. The Member has a formal warning issued to them, but no other repercussions.

#### Record Keeping

All documents, including written complaints, minutes or notes from proceedings, shall be filed and held by the District Manager. These files, immediately after final result has been determined, must be sent to the Borough President’s Office and are to be kept for the duration of one’s membership.

#### Staff Members

Any complaints from Board Members about staff members should be made in writing and given to the District Manager or Chairperson (if complaint/concern regards District Manager). The District Manager or Chairperson will take remedial action as deemed necessary.

### **ARTICLE IV – COMMITTEE, GENERAL AND SPECIAL GENERAL MEETINGS**

**Section I.** The Board shall hold a general meeting at least once each month, unless allowed to adjourn for July and August.

**Section II.** Special general meetings of the Board must be called by the Chairperson or at the request of one-third of the appointed members of the Board.

**Section III.** The Chairperson shall determine the date, time and place of meetings. Such meetings shall be held within the Board’s community district, except that if, in the Board’s judgement, no suitable and convenient place of public assembly within the community district to hold a meeting, such meeting shall be held at a generally located place of public assembly within the Borough of the Bronx.

**Section IV.** Written notice of each meeting of the Board, setting forth its time, place, and agenda, shall be sent to each member of the Board. Such notice shall be the responsibility of the Chairperson.

**Section V.** The general meetings of the Board are open to the public and due public notice of such meetings shall be given through the media and other appropriate avenues of communication. Provision is to be made for a limited portion of such meetings to be given over to presentations by the public.

**Section VI.** Each notice of hearing or meeting shall contain an agenda, as determined by the Chairperson. The Chairperson shall place on the agenda for a hearing every item referred to the Board pursuant to the Uniform Land Use Review Procedure. Such written request shall be filed with the District Manager by mail, or in person, and shall be deemed to have been submitted on receipt by the District Manager. No item may be voted upon or acted upon unless it appears on the agenda, or is added to the agenda.

**Section VII.** Notwithstanding the provisions of Section IV of this Article, an emergency meeting of the Board may be called whenever the Chairperson or one-third of the appointed Members of the Board determine that consideration of a matter does not allow for publication. When called in less than ten (10) calendar days' notice, the notice of such meeting to Board members shall be in writing and shall specify the matter requiring short notice. When called on less than five (5) calendar days' notice, the notice of such meeting to Board members shall be both in writing and by telephone and shall specify the matter requiring short notice. When called on two (2) or less calendar days' notice, the notice of such meetings to Board members shall be by telephone and shall specify the matter requiring short notice. At any such emergency meeting, only the matter specified may be acted upon.

**Section VIII.** Each notice of a meeting shall contain an agenda determined by the Chairperson. The Chairperson shall place on the agenda every item requested in writing by any member of the Board three (3) days prior to the date of publication of the notice of meeting. Such written request shall be filed with the District Manager by mail or in person, and shall be deemed to have been submitted upon receipt by the District Manager. No item may be acted upon unless it appears on the agenda, or is added to the agenda. Meetings to hear a grievance, complaint or the removal of a Board Officer need not have public notice or be calendared as the meeting is held entirely in Executive Session.

**Section IX.** The procedure followed at all meetings shall be in accordance with the requirements of the Charter, the Uniform Land Use Review Procedure, these By-Laws, and, when no contrary provision exists, "Roberts Rules of Order". The Board, however, shall have the power to adopt any rules of procedure not inconsistent with the Charter, the Uniform Land Use Review Procedure or these By-Laws.

**Section X.** Attendance shall be taken at every hearing and meeting. Each member shall be marked "present" or "absent." Other methods of communication such as conference or video calling do not constitute as being "present."

**Section XI.** Minutes shall be taken at all hearings and meetings and shall be a public record. The minutes shall contain an accurate record of the members present, all resolutions and motions brought before the Board, the results of all votes taken, and a summary of all reports presented to the Board, including majority and minority reports. Copies of all papers submitted at a hearing or meeting shall be annexed to the minutes and be part thereof.

**Section XII.** Any personal attacks against a Board Member, staff member, member of the public, and/or elected official or their representative will result in the individual being asked to leave the meeting or could result in a meeting's closure. Any outburst from the public after the public speaking portion of a meeting has been closed out, will result in the individual(s) being asked to leave the meeting. If outbursts or attacks continue, it will be considered disturbing the peace and the authorities shall be summoned. All members of the public and guest speakers must address and face the Board Members during the public speaking portion. During no meeting should there be any solicitation or electioneering. The Board reserves the right at any time during a Full Board or Public Hearing, even without it being placed on the agenda, to vote by a quorum of the Full Board to revoke the courtesy of publicly speaking during a public session to any member of the public for being a public nuisance. A "Public Nuisance" shall include but not be limited to continuously violating the Board standing rules within these By-laws and the Code of Conduct according to the City of New York Community Board handbook, which can include disturbing either committee or Full Board meetings and interfering in internal board business. The member of the public whom loses their privilege to speak during the

public session can only have it returned by a vote of the Full Board. If the same member of the public continues to violate the Standing Rules and/or the Code of Conduct according to New York City Community Board handbook, the Board shall ask the member to leave. If he/she refuses to adhere to the request, the proper authority shall be contacted to assist with the removal. A police report shall be filed against this member of the public. At the ensuing Full Board meeting, the Board may vote to ban the member of the public from attending any future Board meetings, whether it be at committee, public hearings or at the Full Board, for "Continuous Disturbance of the Peace."

## **ARTICLE V - U.L.U.R.P. PROCEDURES**

**Section I.** For hearings held pursuant to U.L.U.R.P., the Chairperson shall determine the date and time and shall initially determine the place of the hearing. Immediately prior to the start of such hearing, the Board shall determine by a vote of a majority of the appointed members present and voting whether to ratify the Chairperson's initial determination of the place of the hearing. Upon ratification, the hearing shall commence. If the Board fails to ratify the Chairperson's choice, a new hearing will be called at a place determined by the Board. Notice of a U.L.U.R.P. hearing may be issued based upon the Chairperson's initial determination of its location.

**Section II.** Notice of the time, place and subject of a public hearing to be held by a Community Board on an application shall be given as follows:

**(Cf. U.L.U.R.P., § 4.030)**

**Section III.** The Chairperson shall place on the agenda for a U.L.U.R.P. public hearing every item referred to for U.L.U.R.P. purposes and properly advertised in the City Record and Comprehensive City Planning Calendar.

**Section IV.** Whenever the Board considers an item referred under the U.L.U.R.P., the constitution of a quorum shall be determined by the New York City Charter, which states that at such hearings, the attendance of 20% of the Board's appointed members or seven members (whichever is greater), must be present for conduct of the hearing.

**Section V.** After the disposition of the Board of any U.L.U.R.P. item, the Chairperson of the Board shall be responsible for submission of the Board's recommendation and the record of the hearing pursuant to Section 4.064 of such procedure.

## **ARTICLE VI - OFFICERS**

**Section I.** The officers of the Board shall be a Chairperson, a 1<sup>st</sup> Vice-Chairperson, and a Secretary and such other officers as the Board may deem necessary or advisable. Each officer shall be an appointed member of the Board and must serve for one (1) full year before being nominated or serving as an officer of the Executive Board. Election of officers shall take place each year at a meeting of the Board held in the month of January. Each officer shall serve for a term of one (1) year, commencing on the first day of February 1 and terminating on the 31<sup>st</sup> day of January, and until a successor shall have been qualified.

**Section II.** Three months prior to the January election, the Board shall appoint a Nominating Committee of no less than three (3) or more than five (5) members. The committee shall present one or more candidates for

each office at the November meeting. The election will be held in January. Additional candidates may be nominated from the floor at the November meeting. A majority of the appointed members present and entitled to vote shall be required to elect a candidate to office. Should no candidate receive a majority on the first ballot, all the candidates except those two (2) receiving the largest number of votes, shall be dropped from the ballot and a second ballot shall take place.

The Nominations Committee will be responsible for determining the eligibility of each nominee. The committee will accept nominations for the Officers of the Board by e-mail, telephone and from the floor of a Full Board meeting. The eligibility requirements are that a candidate must be a member of this board for at least one year, or served as a member of a NYC Community Board for three years in the past decade. At each Full Board meeting, when the Nominations Committee is selected, its committee chairperson will report on all eligible candidates and ask for a second for each candidate. The chairperson of the committee will then ask if there are any nominations from the floor. Any floor nominations must also be seconded, if eligible, and willing to accept the nomination. If a nominee is not present, a member(s) of the committee is to be assigned to call each nominee to confirm if he or she is willing to serve if elected. A Board Member may nominate themselves as a candidate. A Board Member may decline their nomination during the nominating process. A Board Member serving on the Nominations Committee may, too, be nominated for an office. Nominations can be accepted up until the November Full Board meeting. There is no need for a motion to close nominations as the chairperson of the committee shall call for any further nominations and, if none exist, then the chairperson will announce that the nominating process is closed.

Elections will be held at the January Full Board meeting and should take place immediately following the close of public participation. The elections shall be conducted from the highest office to the lowest office. A quorum must be maintained throughout the election as a winner can only be declared by having a vote total of more than one-half of the quorum present. If members leave during the meeting and a quorum is not present, those offices not yet elected must be put off until the next meeting of the Full Board. If a candidate is not present and has not disclosed if he/she will accept the office if they were to win, then a member of Nominations Committee must contact the candidate by telephone and receive the candidate's decision. If there is no communication, the Board Members will have to conduct that election once more by a roll-call or voice vote. An election is not complete until a position is filled, and a position is never filled until a candidate receives the threshold number of votes required for election. If there are only two candidates and the vote is a tie, voting must continue until one candidate receives a majority. If there are more than two candidates in an election and a clear majority is not achieved by the highest vote recipient, the candidate that receives the lowest vote count will be eliminated. There will be no run-off elections. The election will continue until a winner is declared.

If a candidate is a candidate for multiple offices, his/her name shall be removed from any additional election when they win the first election for which they were a candidate. All Board Members have the right to vote and must be present at the January meeting during the election. Proxy votes are not permitted. The Nominations Committee Chairperson will announce the office and its candidates. At which point, voting will commence by either roll call, hybrid or paper ballot. The Full Board must decide what type of election system it will have in the November Full Board meeting. The Secretary of the Board is to conduct the roll call vote. The Nominations Committee Chairperson, along with a member of the committee and/or a staff member, will follow along and record votes. Once results are compared and there are no discrepancies, the Secretary will announce the winner and will then repeat the voting procedure for the next election.

**Section III.** Upon the death, resignation or removal of any officer, the vacancy created shall be filled by the Board. The election to fill such a vacancy shall take place no later than the second meeting following the creation of the vacancy and to be announced at the 1<sup>st</sup> monthly meeting immediately following the vacancy. The election procedure shall be the same as set forth in Section II of this Article, except no nominating committee shall be appointed and all candidates shall be nominated from the floor. Any officer elected to fill a vacancy shall hold office for the remainder of the unexpired term, and until his successor shall have been elected and qualified.

**Section IV.** An officer may resign at any time by submitting his resignation, in writing, to the Chairperson. Such resignation shall take effect at the time specified therein, or, if no time be specified, upon receipt by the Chairperson. A resignation need not be accepted to become effective.

**Section V.** An officer may be removed for cause by a majority of the appointed members of the Board. Cause shall include but not be limited to a grievance, violation of City of New York Equal Employment Opportunity policy, abuse of power as an officer or neglect to inform the Board of a particular matter. Please see Method of Procedure in Grievance Policy.

**Section VI.** The Chairperson shall preside at all hearings and meetings, file all reports for the Board, be a member of the District Service Cabinet, and the Borough Board, be an ex-officio member of all standing and special committees and exercise all those powers granted by the Charter. Community Boards are City agencies and as such, the chairperson is the agency head with full authority to represent the board. The District Manger reports directly and solely to the Chairperson. The Chairperson and the District Manager are partners in administering the District Office. The Chairperson does not have the sole authority to hire or dismiss any Board employee. All personnel actions must be approved by the Full Board. It is not the responsibility of the Chairperson to direct tasks to the Board staff. Any request should be given through the District Manager. The Chairperson directs any agency correspondence to the District Manager and, if necessary, brings it before the Executive Board as to not negotiate with any city official without the votes. Chairpersons, should he/she wish to write a letter to any agency, are to place the topic in front of the Executive Board and/or Full Board. Any governmental agency communication and/or correspondence is solely handled and transmitted by the District Manager. The Chairperson oversees the membership of the Board and can assign a task to any Board Member or committee as he/she fits in accordance with these By-Laws. The Chairperson shall allow the committees to work freely. The committee chairpersons may consult the Chairperson and/or District Manager on questions that arise from the committee meeting. Public Hearings are only called by the Chairperson. The Chairperson is to be mindful of Chapter 70 of Section 2801 of the Charter of the City of New York as any act, decision and determination must be done with a vote of the Full Board.

**Section VII.** The 1<sup>st</sup> Vice-Chairperson shall, in the absence of the Chairperson, have all of the powers and perform all of the duties of the Chairperson. Upon the occurrence of a vacancy in the office of the Chairperson, the 1<sup>st</sup> Vice-Chairperson shall assume the office of Acting Chairperson until such time as a new Chairperson shall have been elected and shall have qualified. The 1<sup>st</sup> Vice-Chairperson shall have such powers and perform such duties as shall be assigned to him/her by the Chairperson or the Board.

**Section IX.** The Secretary shall handle all correspondence as ordered by the Chairperson. The Secretary to the Board shall be responsible for the minutes of all Executive Board meetings. The Secretary shall oversee for accuracy the content of the minutes of the general meetings of the Board, U.L.U.R.P. hearings, public hearings and Executive Board meetings of the full Board. The Secretary shall be responsible for the taking of



attendance at the regular Board meetings and public hearings, and the taking and recording of roll call votes of the Board at such meetings. The Secretary shall monitor the presence of a quorum. Copies of all correspondence to and from the Board must be filed with the Secretary. In addition, the Secretary shall have such powers and perform such duties as shall be assigned to the Secretary by the Chairperson of the Board.

**Section XI.** Executive Board. There shall be an Executive Board which shall have as its members the officers of the Board and the Chairperson of each of the standing committees. The Chairperson serves as Chairperson of the Executive Board. The Executive Board shall meet at the call of the Chairperson, or upon the request of one-third of its members. It may consider such matters as it deems advisable and make recommendations to the Board. The Executive Board shall have the power to adopt its own rules of procedure. Committee Chairpersons, in their absence, may designate an alternate committee member to represent the committee at an Executive Board. Board Members may attend as observers. If a Board Member wishes to discuss a matter during a meeting of the Executive Board, the item must be placed on the agenda prior to the meeting. If the item is not placed on the agenda, the Board Member can attend by invitation from the Chairperson and/or District Manager. The Executive Board shall handle all personnel matters. Any grievance matters by the staff and/or Board Members will be solely heard by the Executive Board. At the recommendation of the District Manager and Chairperson, any hiring or removal of a staff member must be brought before the Executive Board. Regarding the administrative staff, the Executive Board will review any non-contractual salary increases only when recommended by the District Manager and/or Chairperson. The Executive Board will submit its decision to the Full Board for a vote. Upon reaching the Full Board, only an up or down vote is to occur as any discussion will require an Executive Session. The Executive Board oversees the Board's internal budget and must approve of any expenditures that may exceed one-thousand dollars.

**Section XII.** All other officers shall have such powers and perform such duties as may be assigned to them by the Chairperson.

## **ARTICLE VII - COMMITTEES**

**Section I.** The following standing committees shall be established:

1. Parks & Recreation
2. Municipal Services
3. Health & Human Services
4. Housing & Zoning
5. Youth & Education
6. Economic Development

1. Parks & Recreation Committee

“To monitor the policies of the New York City Department of Parks and Recreation, to investigate matters pertaining to recreation, and report to the Board. It shall be concerned with park maintenance, safety and the enactment of programs designed to benefit the Board's district.”

2. Municipal Services Committee

“To monitor and provide ongoing review of all transit facilities and routes serving the district. To recommend a course of action on traffic and highway needs as a result of committee inquiry and investigation. To monitor Police services and maintain a contact with the Police Department on all matters of concern. To work with the Fire Department in assuring maximum effectiveness to advance policies which maximize safety procedures in community Board #10. To monitor all municipal services matters on an as needed basis.”

3. Health & Human Services Committee

“All health and welfare services affecting Community Board #10 are to be monitored through this committee.”

4. Housing & Zoning Committee

“All items covered by the Charter of the City of New York under the Uniform Land Use and Review Procedure (U.L.U.R.P.) shall be referred to this committee for recommendation to the Board. The committee shall meet with civic organizations and individuals when such meetings deal with requested variances or zoning matters or other relevant items and shall meet with businesspeople within the district on matters of concern when appropriate. All items related to housing development will be reviewed on an as needed basis.”

5. Youth & Education Committee

“To develop goals and establish priorities to enhance the delivery of youth services in the district. Plan, implement, monitor and evaluate methods of service delivery. Disseminate information on programs and all funding sources. Provide a forum for public hearings on local youth issues. Establish local inter-agency coordinating councils for the purpose of exchanging information and cooperative planning. Follow guidelines set by the New York Department for Youth and Community Development.”

6. Economic Development Committee

“To serve as an informational clearing house and provide referral services to the business communities within Community Board #10. The committee will assist those businesses in facilitating improved relations among themselves and the global commercial community. Information concerning governmental assistance to business and licensing matters are monitored and disseminated through the committee.”

**Section II.** The Board, by resolution, may establish such special committees as it shall deem advisable. Any such committee shall have and may exercise such powers as may be granted to it by such resolution. The resolution may also provide for the composition of the committee, the method of appointment of its Chairperson, who shall be a member of the Board, and its members, its purpose, its length of existence, and any other matters concerning its operation. Any committee established by such a resolution may at any time be terminated by resolution of the Board.

**Section III.** Each standing committee shall consist of a committee Chairperson and such other members as may choose to serve. Community Board members must serve on at least one standing committee. Committee Chairpersons shall be members of the Board. No person may serve as Chairperson of more than one standing

committee, or hold an executive office simultaneously. Committee Chairpersons can be removed at a regular meeting of the Board by a majority vote of those voting, after written notice of the removal has been sent by registered mail, e-mail or by telephone call to the affected Chairperson. Committee's may elect their own Chairperson and Co-Chairperson at a committee meeting held in the month of March.

Committee members who miss a simple majority (one more than half) or three (3) consecutive monthly committee meetings within a calendar year, (September 1<sup>st</sup> to June 30<sup>th</sup>) can be considered for removal from that committee, at the discretion of the committee. Members cannot rejoin that committee until one (1) year has elapsed. Should a committee Chairperson vacate their position for any reason and there being no committee Co-Chair, the Chairperson of the Board shall appoint a Board member to complete the unexpired term.

**Section IV.** The Chairperson of each standing committee shall preside at committee meetings and at all public hearings conducted by the committee, and shall file all committee reports and minutes with the Board. Each standing committee shall have the power to adopt its own rules of procedure.

**Section VI.** Committee members can only be removed by a vote of the majority of the committee's members. This action must be sent to the District Manager and/or Chairperson so that the member is officially notified. Please see Board's grievance policy on removal of committee members.

### **ARTICLE VIII - PUBLIC HEARINGS**

**Section I.** The Chairperson shall call a public hearing whenever required by the Uniform Land Use Review Procedure. The Board may, by resolution, call additional public hearings on any matter before it for consideration, or on any matter of concern to its district. Notice of all hearings shall be given in the manner provided for in Article IV of these By-Laws. The Chairperson shall preside at all public hearings.

**Section II.** Prior to the start of every public hearing, each member of the public wishing to speak shall submit to the Chairperson, in writing, a request for speaking time. Such request shall set forth the speaker's name, any organization the speaker may represent, and whether they favor or oppose the proposition which is the subject of the hearing. Those opposed to the proposition shall be heard first, and those in favor shall follow. The Chairperson shall call only the names of those who submitted requests for speaking time. Each member of the public shall be entitled to speak for three (3) minutes. Any written statement or document offered by a speaker shall be placed into the record or minutes of the hearing.

**Section III.** Any provision of Section II of this Article may be modified by the Board at any public hearing, and the Board shall have the power to adopt additional rules with regard to the conduct of such hearing.

**Section IV.** After the conclusion of any public hearing held pursuant to the Uniform Land Use Review Procedure, the Chairperson shall be responsible for submission of the Board's recommendation and the record of the hearing pursuant to Section 4.064 of such procedure.

### **ARTICLE IX – THE DISTRICT MANAGER**

**Section I.** There shall be a District Manager appointed by the Community Board whose responsibilities are defined pursuant to Chapter 70 Section 2800 of the Charter of the City of New York. The District Manager has

the responsibility of processing service complaints, presiding over the District Service Cabinet and performing such duties as assigned by the Community Board in accordance with Section 2800 of the Charter.

### **ARTICLE X - RECORDS AND COMMUNICATIONS**

Except as provided in the Uniform Land Use Procedure, all hearing records, minutes, reports, communications and correspondence of the Board shall be kept at the office of the Board, or, if there is no such office, at the office of the Borough President. All such documents shall be public records. A copy of the minutes of each hearing and, including the record of attendance, shall be filed with the Borough President.

### **ARTICLE XI - AMENDMENTS**

Any member of the Board may propose an amendment to these By-Laws, standing rules, policies and procedures. A proposed amendment shall be submitted, in writing, to the Chairperson, who shall present it at the next meeting of the Board, but no vote shall be taken at that meeting. The proposed amendment shall then be placed on the agenda of the following meeting of the Board, and shall become an amendment to these By-Laws upon its approval by a majority of the appointed members of the Board present and entitled to vote.

### **ARTICLE XII - ADOPTION**

These By-Laws shall be adopted when approved by a majority of the appointed members present of the Board at a meeting of the Board, the agenda for which shall have included consideration of the By-Laws.

### **ARTICLE XIII - PUBLIC RELATIONS**

The Board's official spokesperson is the District Manager and all media-related inquiries are addressed by the District Manager. In the District Manager's absence the Chairperson will select another spokesperson. No statement, either oral or in writing, shall be issued by any member of the Board to any person not a member of the board, in which the Board member purports to speak on behalf of the Board or any committee thereof, unless such statement has previously been approved by the Board or the committee, or unless the member is reporting action taken by the Board or committee at an open meeting. In any report of action taken, the member shall succinctly state the vote for and against the proposal, if a vote was taken, and note the majority position and minority position, if any.

### **ARTICLE XIV - BINDING OPTIONS**

Each member of the Board shall be bound by and act in accordance with any opinion issued by either the Corporation Counsel or the Board of Ethics relating to him/her, or to the Board, or to all of the members of the Board.

CERTIFICATE

This is to certify that the foregoing is a true and correct copy of the revised By-Laws of Bronx Community Board #10 and such By-Laws were duly adopted by a majority of the appointed members present and entitled to vote on the date set forth below.

November 3, 2023



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Nancy Rosario  
Secretary, Bronx Community Board #10

This document supersedes the 2019 BY-LAWS OF BRONX COMMUNITY BOARD #10, approved on August 20, 2019.