

BY-LAWS

as amended December 18, 1997

ARTICLE I

EFFECT

SEC. I - These by-laws, upon adoption shall be the by-laws of Community Board #11 (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 (hereafter referred to as "the charter") and the Uniform Land Use Review Procedure.

ARTICLE II

POWERS

SEC. 1 - The Board shall exercise those powers and perform those functions set forth in the charter and the Uniform Land Use Procedure with regard to 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.

SEC. 2 - District Manager and District Office Staff: There shall be a District Manager employed by the Board, whose qualifications, duties and responsibilities shall be defined and adopted by the Board, pursuant to Section 2800 of the City Charter, and in compliance with regulations promulgated by the Civil Service Commission and Department of Personnel. Said qualifications, duties, and responsibilities once defined and adopted by the Board shall be attached to and become part of the By-Laws. The Board shall also be empowered to employ additional District Office staff to assist the District Manager. Any hiring of additional staff shall be within the budgetary appropriation of the Board and in compliance with regulation promulgated by the Civil Service Commission and the Department of Personnel. The District Manager, in addition to those duties specified within Section 2705 of the Charter, shall be responsible for administering Board policy with respect to District Office staff.

ARTICLE III

MEMBERS

SEC. 1 - The Board shall consists of:

A) As voting members, those individuals who shall have been appointed by the Borough President in accordance with the appropriate sections of the City Charter (hereinafter referred to as "appointed members")

B) As non-voting members, those public officials specified in the appropriate sections of the City Charter.

SEC. 2 - TERM OF OFFICE - Each appointed member shall serve for overlapping terms of two years pursuant to the appropriate provisions of the City Charter. Upon death, resignation or removal of an appointed member, the vacancy created may be filled from the list of the original nominator of that position for the remainder of the unexpired term in the same manner as a regular appointment.

SEC. 3 - RESIGNATION: An appointed member may resign at any time by submitting his/her resignation in writing to the Borough President. 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.

SEC.4 - REMOVAL: An appointed member may be removed for cause by the Borough President or a majority of the appointed members of the Board. Cause shall include absences from three (3) consecutive Community Board meetings (PUBLIC HEARINGS NOT INCLUDED) without good reason (to be determined by a majority of the Membership Committee), or the absence from five (5) regular monthly Board meetings between September 1st and June 31st of each year.

(a) The Borough President shall not remove a Board member unless he/she first notifies the member and the Board Chairperson in writing

of his/her intention to remove and the cause for the proposed removal. The member whose removal is proposed shall have 20 days from the date of said mailing of the Borough President's notice within which to respond in writing to such notice. Upon receipt of this response or upon the expiration of 20 days, whichever is earlier, the Borough President shall have the power to remove the member.

(b) The Board shall not remove a member except in accordance with the following procedures:

1. A motion to institute removal proceedings setting forth the cause for the proposed removal, shall be adopted by a majority of the appointed members of the Membership Committee present and voting at a meeting, the agenda for which shall have included consideration of removal of a member.

2. The member whose removal is proposed by the Committee shall be given the charges in writing and an opportunity to respond in person or in writing, to the Committee which shall have first sent notice to that member of its meeting by certified mail.

3. The Board shall receive the report of the Committee, including a minority report, if any, and the response, if any, of the member being considered for removal at the following meeting of the full Board.

4. A motion to remove the member shall be valid only if adopted by a majority of the appointed members of the Board present at a meeting, the agenda for which shall have included action on removal.

ARTICLE IV

OFFICERS

SEC. 1 - OFFICERS: The officers of the Board shall be a Chairperson, a 1st Vice-Chairperson, a 2nd Vice-Chairperson, a Secretary, a Treasurer, and such other officers as the Board may deem necessary or advis-

able. Each officer shall be an appointed member of the Board.

SEC. 2 - NOMINATIONS: The Chairperson shall appoint a nominating committee of not less than three or more than five appointed members at least four weeks prior to the nominating meeting. All nominees must have (2) two years of Board membership or related experience to be eligible. Nominations shall be presented in the month of April. Nominations may also be made by any member and must be seconded to be valid. The nominees must be notified, in writing, prior to the May meeting. The nominee need not be present. For a nominee to be eligible for election, acceptance must be in writing or in person at the May meeting. Additional nominations may be made at the May meeting provided the nominee is present to accept.

SEC. 3 - ELECTIONS: - Election of officers shall take place each year at a meeting of the Board held in the month of June.

A majority of the appointed members present and voting shall be required to elect a candidate to office. Should no candidate receive a majority on the first ballot, all of the candidates except those two receiving the largest number of votes shall be dropped from the ballot, and a second ballot shall take place. Voting will be by closed ballot, subject to interpretation of Article VII of the Public Officers Law, and later printed in the Minutes.

SEC. 4 - TERM OF OFFICE: Each officer shall serve a term of two years, commencing on the first day of July and terminating on the 30th day of June, two years hence and/or until a successor shall have been duly elected. All officers shall serve at the pleasure of the Board. There will be no term limitations.

SEC. 5 - VACANCIES: 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. The election procedure shall be the same as that set forth in Section 2 of this Article V, except that nominations and elections may be held at the same meeting. Any officer elected to fill a vacancy shall hold office for the remainder of the unexpired term, and/or until a successor shall have been elected.

SEC. 6 - RESIGNATIONS: An officer may resign at any time by submitting his/her 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.

SEC. 7 - REMOVAL: An officer may be removed by a majority of the appointed members of the Board, but only in accordance with the following procedure:

a) A motion to institute removal proceedings setting forth the cause for the proposed removal, shall be adopted by a majority of the appointed members of the Board present and voting at a meeting, the agenda for which shall have included consideration of removal of an officer.

b) Following the adoption of such a resolution, the highest ranking officer who is not the subject of removal proceeding shall appoint a committee of not less than three nor more than five members to investigate the matter and report to the Board.

c) The officer whose removal is proposed shall be given the opportunity to respond, in person or in writing, to such resolution, either before the committee or the full Board.

d) The Board shall receive the report of the committee, including a minority report, if any, and the response, if any, of the officer.

e) A motion to remove the officer shall be adopted by a majority of the appointed members of the Board at a meeting, the agenda for which shall have included action or removal.

SEC. 8 - CHAIRPERSON - The Chairperson shall preside at all hearing and meetings, file all reports for the Board, be a member of the District Service Cabinet and the Borough Board, appoint all committees, be an ex-officio member of all standing and special committees and exercise all those powers granted him by the Charter, the Uniform Land Use Review Procedure and these by-laws.

SEC. 9 - 1ST VICE CHAIRPERSON: The 1st 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 1st Vice Chairperson shall assume the office of Acting Chairperson until such time as a new Chairperson shall have been elected. The 1st Vice Chairperson shall have such powers and perform such duties as shall be assigned to said person by the Chairperson of the Board. The 1st Vice Chairperson shall chair all Executive Board meetings.

SEC. 10 - 2ND VICE-CHAIRPERSON: The 2nd Vice Chairperson shall in the absence of the Chairperson and the 1st Vice Chairperson have all the powers and perform all of the duties of the Chairperson. Upon the occurrence of a vacancy in the office of Acting Chairperson, or, upon the occurrence of a vacancy in the office of 1st Vice Chairperson, the 2nd Vice Chairperson shall assume the office of Acting 1st Vice Chairperson; in either case, said person shall continue to hold office as Acting Chairperson or Acting 1st Vice Chairperson until such time as a new Chairperson or 1st Vice Chairperson shall have been elected. The 2nd Vice Chairperson shall have such powers and perform such duties as shall be assigned to said person by the Chairperson of the Board.

SEC. 11 - TREASURER - The Treasurer shall be the fiscal officer of the Board. The Treasurer shall be responsible for all financial matters including all fund raising activities. The Treasurer's responsibility also includes the preparation of all financial accounts and records and the filling of all financial reports as directed by the Office of Management and Budget, the Office of the Comptroller, the General Services Administration and Financial Information Systems Agency. Specifically, the Treasurer shall be the Custodian of the Board's Petty Cash Imprest Account. In addition the Treasurer shall render a monthly financial report to the Board as well as retain such powers and perform such duties as shall be assigned said person by the Chairperson of the Board.

SEC. 12 - SECRETARY - The Secretary shall be responsible for the transcription, reproduction and dissemination of an accurate compilation of the acts and resolutions taken by the Board at each of its monthly meetings. This compilation, known as the Board's minutes need not be prepared directly by the Secretary, but may be coordinated with the District Office Staff.

SEC. 13 - All other officers, created under Section I of this article shall have such powers and perform such duties as may be assigned them by the Chairperson of the Board.

ARTICLE V
COMMITTEES

SEC. 1 - The following standing committees shall be established:

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| Community Development and Budget Priorities | Housing |
| Economic Development | Parks & Recreation (Playground |
| Education and Culture | Public Safety |
| Health and Social Services | Sanitation & Environ.Protectio |
| Highways, Traffic and Transportation | Youth Services |
| Land Use | |

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| By- Laws | Non-standing Committees |
| | Employee Relations |

A description of each of the standing committees outlining its general areas of concern is attached as an appendix to these by-laws. The Board, by a majority vote, may create such additional standing committees as it deems necessary or advisable.

SEC. 2 - Each standing committee shall consist of a committee chairperson, co-chairperson and such other members as may be appointed if the situation warrants. The committee chairperson, co-chairperson and all committee members shall be appointed by and serve at the pleasure of the Chairperson of the Board. Committee chairpersons and co-chairpersons shall be members of the Board, but other committee members need not be Board members.

SEC. 3 - The Chairperson of each standing committee shall preside at committee meetings and at public hearings conducted by the committee, and shall file all committee reports with the Board. Each standing committee shall have the power to adopt its own rules of procedure. Standing committees shall meet once a month each month the Board sits. If a committee cannot meet, the chair or co-chair must get permission from the Chair of the Board not to meet. All committee members are responsible for material presented to the Board. Each member is required to attend at least 5 committee meetings in a calendar year.

SEC. 4 - The Board may, by resolution, establish such special committees as it shall deem advisable. Any such committee shall have and may exercise such power 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, the 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.

SEC. 5 - EXECUTIVE COMMITTEE: There shall be an executive committee which shall have as its members the officers of the Board and the chairperson and co-chairperson of each of the standing committees. The executive committee shall meet once a month between September and June inclusive to set up the Agenda for the Board's meeting. It may consider and make recommendations in the name of the entire Board on such matters and in such instances where deadlines do not allow adequate time for the consideration by the entire Board. It may also consider such matters as it deems advisable, and make recommendations to the Board. The 1st Vice Chairperson shall serve as the Chairperson of the executive committee. The committee shall have the power to adopt its own rules of procedure.

ARTICLE VI

HEARINGS AND MEETINGS

SEC. 1 - MEETINGS: The Board shall hold a meeting at least once a month, except (at its option) during the months of July and August. A hearing or a meeting may be called at any time by the Chairperson, or shall be called at the request of one-third of the members of the Board. All Board meetings shall be open to the general public and shall be consistent with provisions of Article VII, Section 94 of Public Officers Law.

SEC. 2 - The executive committee shall determine the time, date, place and agenda of all meetings and hearings, except hearings held pursuant to the Uniform Land Use Review Procedure.

SEC. 3 - All meetings and hearing shall be held within the Board's community district except that if in the Board's judgment there is no suitable and convenient place of public assembly within the community district to hold a hearing, such hearing shall be held at a centrally located place of public assembly within the borough.

SECT. 4 - Written notice of each meeting setting forth its time, place and subjects shall be published in the local papers of record as determined by the Board. Notices of Public Hearings held pursuant to the Uniform Land Use Review Procedure shall be published in the Comprehensive City Planning Calendar and City Record subject to the publishing schedules of those publications, but not less than three (3) days prior to the date of the hearing. Notices of such hearings shall be placed in the papers of local record.

SEC. 5 - EMERGENCY MEETINGS: Notwithstanding the provisions of Section 4 of this Article VI, an emergency meeting may be called upon at least two days' where the Chairperson determines that consideration of a matter does not allow publication and ten days' notice. The notice of any meeting called on less than 10 days' notice shall, in addition to the requirements of Section 4, specify the matter requiring short notice and a written statement from the Chairperson that time does not allow for 10 days' notice. When a meeting is called on less than 5 days' notice, each member of the Board shall be notified in writing and an effort shall be made to notify each member by telephone and shall be consistent with Article VII, Section 94, of the Public Officers Law. At any meeting called on less than 10 days' notice, only the matter specified in the notice may be acted upon.

SEC. 6 - AGENDA: The Agenda of each meeting shall be determined by the executive committee. Any item not appearing on the agenda may be added to the agenda at the hearing or meeting by the approval of a majority vote of all of the appointed members present. No item may be voted upon or acted upon unless it appears on the agenda.

SEC. 7 - QUORUM: The presence of a majority of the appointed members of the Board shall constitute a quorum.

SEC. 8 - VOTING: Each appointed member present at a meeting shall be

entitled to one vote. Unless otherwise specified in the Charter, the Uniform Land Use Review Procedure, or these by-laws, all questions shall be decided by a majority of the appointed members present and voting. The Chairperson shall be entitled to vote in all situations.

SEC. 9 - PROCEDURE: 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, Article VII, Section 94 of the Public Officers Law.

SEC. 10 ATTENDANCE: Attendance shall be taken at every hearing and meeting. Each member shall be marked "present" or "absent", with the time of arrival and departure so noted. A record of each member's attendance shall be included in the minutes of each meeting.

SEC. 11 - MINUTES: 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 a part thereof. All meetings, except as prohibited by Article VII of the Public Officers Law shall be open to the public and as provided otherwise under the Uniform Land Use Review Procedure.

ARTICLE VII

SEC. 1 - The Chairperson shall call a public hearing whenever required. 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 in Article VI, Section 4 or these by-laws. The Chairperson or his/her designee shall preside at all public hearings.

SEC. 2 - 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 his/her name, the name of any organization he/she may represent and whether he/she favors or opposes 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.

SEC. 3 - Any provision of Section 2 of this Article VII 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 any such hearings.

ARTICLE VIII

AMENDMENTS

SEC. 1 - Any member of the Board may propose an amendment to these by-laws. 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 shall become an amendment to these by-laws upon its approval by a majority of the appointed members of the Board present and voting.

ARTICLE IX

RECORDS AND COMMUNICATIONS

SEC. 1 - Except as provided in the Uniform Land Use Review 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 documents. A copy of the minutes of each hearing and meeting, including the record of attendance, shall be filed with the borough president.

ARTICLE X

PUBLIC RELATIONS

SEC. 1 - 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 matter is reporting an action taken by the Board or a committee at an open meeting. In any report of an 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. Any statement issued by a member of the Board on his own behalf must be clearly identified as a personal viewpoint and not purporting to speak on behalf of the Board.

ARTICLE XI

BINDING OPINIONS

SEC. 1 - 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.

ARTICLE XII

ADOPTION

SEC. 1 - These by-laws shall be adopted when approved by a majority of the appointed members of the Board present and voting at a meeting of the Board, the agenda for which shall have included consideration of by-laws.