

COMMUNITY BOARD 11
BY-LAWS

JUNE 2006

ARTICLE I
EFFECT

SEC. 1 - These by-laws, upon adoption, shall be the by-laws of Community Board 11 (hereinafter referred to as "the Community Board") of the Borough of the Bronx, and shall be the governing instrument of the Community Board, subject to the provisions of the New York City Charter (hereinafter referred to as "the Charter") and the Uniform Land Use Review Procedure (hereinafter referred to as "ULURP").

ARTICLE II
POWERS

SEC. 1 - The Community Board shall exercise those powers and perform those functions set forth in the Charter and ULURP with regard to any matter concerning its community district. The boundaries of its district shall be as defined by the map adopted by the City Council pursuant to Section 2702.d of the Charter.

SEC. 2 - District Manager and the District Office Staff: There shall be a District Manager employed by the Community Board, whose qualifications, duties and responsibilities shall be defined and adopted by the Community Board, pursuant to Section 2800 of the 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 Community Board shall be attached to and become part of the By-Laws. The Community 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 Community 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 Community Board shall consist of:

- A) As voting members, those individuals who shall have been appointed by the Borough President in accordance with the appropriate sections of the Charter (hereinafter referred to as "appointed members").
- B) As non-voting members, those public officials specified in the appropriate sections of the Charter.

SEC. 2 - TERM OF OFFICE: Each appointed member shall serve for overlapping terms of two years pursuant to the appropriate provisions of the 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:

(a) An appointed member may be removed by the Borough President, at his or her discretion, or for cause by a majority of the appointed members of the Community Board. Cause may include, but is not limited to, three (3) non-excused consecutive absences from Community Board meetings or five (5) total absences from Community Board meetings, between September 1st and June 30th of each Board year. Excused absences may include, but is not limited to, personal illness to the member, or the illness/death of an immediate family/household member.

(b) Committee members will be subject to the same absence removal criteria as specified for the Community Board meetings above. An appointed member may be removed from the Board for cause, including three (3) non-excused consecutive absences from assigned committee meetings (including public hearings sponsored by such committee), or five (5) total absences from assigned committee meetings (including public hearings sponsored by such committee), between September 1st and June 30th of each Board year. Excused absences may include, but is not limited to, personal illness to the member, or the illness/death of an immediate family/household member.

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

1. After consultation and input from the Executive Committee, a motion to institute removal proceedings setting forth the cause for the proposed removal, shall be adopted by a majority of the Executive Board 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 Executive Board shall be given the charges in writing and an opportunity to respond in person or in writing, to the Executive Board which shall have first sent notice to that member of its meeting by certified mail.

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

4. A motion to remove the member shall be valid only if adopted by a majority of the appointed members of the Community 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 Community Board, herein known as the Executive Board, shall be a Chairperson, a 1st Vice-Chairperson, a 2nd Vice-Chairperson, a Secretary, a Treasurer, and such other officers as the Community Board may deem necessary or advisable. Each officer shall be elected by the appointed members of the Community Board.

SEC. 2 - EXECUTIVE BOARD: The Executive Board shall institute removal proceedings against an appointed member setting forth the cause for such removal. Said board shall oversee committee activity.

SEC. 3 - 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 presented by the nominating committee must have at least (2) two years of Board membership 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. 4 - ELECTIONS: Election of officers shall take place every 2 years at a meeting of the Community 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. 5 - 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 his successor shall have been duly elected. All officers serve at the pleasure of the Community Board. There will be no term limitations.

SEC. 6 - VACANCIES: Upon the death, resignation or removal of any officer, the vacancy created shall be filled by the Community 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 IV, 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 his successor shall have been elected.

SEC. 7 - 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. 8 - REMOVAL: An officer may be removed for cause by a majority of the appointed members of the Community 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 Community 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 proceedings shall appoint a committee of not less than three nor more than five members to investigate the matter and report to the Community Board.

c) The officer whose removal is proposed shall be given the opportunity to respond, within thirty days of the mailing of such a resolution, in person or in writing, either before the committee or the Community Board.

d) The Community Board shall receive the report of the appointed 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 Community Board at a meeting, the agenda for which shall have included action or removal.

SEC. 9 - CHAIRPERSON: The Chairperson shall preside at all hearings and meetings, file all reports for the Community 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, ULURP and these by-laws.

SEC. 10 - 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 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 Community Board. The 1st Vice-Chairperson shall chair all Executive Board meetings.

SEC. 11 - 2ND VICE-CHAIRPERSON: The 2nd Vice-Chairperson shall in the absence of the Chairperson and the 1st Vice-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 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 or the Community Board.

SEC. 12 - TREASURER: The Treasurer shall be the fiscal officer of the Community Board. The Treasurer shall be responsible for all financial matters, including all fund raising activities. The Treasurer's responsibilities also include the preparation of all financial accounts and records and the filing 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 Community Board's Petty Cash Imprest Account. In addition the Treasurer shall render a monthly financial report to the Community Board as well as retain such powers and perform such duties as shall be assigned said person by the Chairperson or the Community Board.

SEC. 13 - SECRETARY: The Secretary shall be responsible for the transcription, reproduction and dissemination of an accurate compilation of the acts and resolutions taken by the Community Board at each of its monthly meetings. This compilation, known as the Community Board's minutes need not be prepared directly by the Secretary, but may be coordinated with the District Office staff.

SEC. 14 - All other officers, created under Section 1 of this article shall have such powers and perform such duties as may be assigned to them by the Chairperson or the Community Board.

ARTICLE V
COMMITTEES

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

Community Development and Budget Priorities	Land Use
Economic Development	Parks and Recreation (Playgrounds)
Education and Culture	Public Safety
Executive Committee	Sanitation and Environmental Protection
Health and Social Services	Technology and Communication
Highways, Traffic and Transportation	Youth Services
Housing	

Non-standing Committees

By-Laws	Fundraising
Employee Relations	Nominating

A description of each of the standing committees outlining its general areas of concern is attached as an appendix to these by-laws. The Community 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, or Assistant Chairperson and such other members as may be appointed if the situation warrants. The committee Chairperson, Co-chairperson, Assistant Chairperson, and all committee members shall be appointed by and serve at the pleasure of the Chairperson of the Community Board. Committee chairpersons, co-chairpersons and assistant chairpersons shall be members of the Community Board, but other committee members need not be Board members.

SEC. 3 - The Chairperson, Co-chairperson, or Assistant Chairperson of each standing committee shall preside at committee meeting and at public hearings conducted by the committee, and shall file all committee reports with the Community 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 Community Board sits. If a committee cannot meet, the chair or co-chair must get permission from the Chair of the Community Board not to meet. All committee members are responsible for material presented to the Community Board.

SEC. 4 - The Community 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 Community 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 Community Board.

SEC. 5 - EXECUTIVE COMMITTEE: There shall be an executive committee, which shall have as its members the officers of the Community 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 Community 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 Community Board. The 1st Vice-Chairperson shall serve as the Chairperson of the Executive Committee. This committee shall have the power to adopt its own rules of procedure.

ARTICLE VI HEARINGS AND MEETINGS

SEC. 1 - MEETINGS: The Community 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 Community 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 Chairperson shall determine the date, time, place, and agenda of all hearings and meetings except hearings held pursuant to ULURP.

SEC. 3 - All meetings and hearings shall be held within the Community Board's community district except that if in the Community 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.

SEC. 4 - Written notice of each meeting, setting forth its time, place and subject, shall be published in the local papers of record as determined by the Community Board. Notices of public hearings held pursuant to ULURP 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 Community 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 of meeting may be acted upon.

SEC. 6 - AGENDA: The Agenda of each meeting shall be determined by the executive committee. An 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 Community 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 ULURP, 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 ULURP, these by-laws, and, when no contrary provision exists, "Roberts Rules of Order." The Community Board, however, shall have the power to adopt any rules of procedure not inconsistent with the Charter, the ULURP, 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," "absent" or "excused." 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 Community Board, the results of all votes taken and a summary of all reports presented to the Community 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 ULURP.

ARTICLE VII

SEC. 1 - The Chairperson shall call a public hearing whenever required. The Community 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 or 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 Community Board at any public hearing, and the Community 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 Community 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 Community 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 Community Board present and voting.

ARTICLE IX
RECORDS AND COMMUNICATIONS

SEC. 1 - Except as provided in ULURP, all hearing records, minutes, reports, communications and correspondence of the Community Board shall be kept at the office of the Community Board, or, if there is not 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 Community Board to any person not a member of the Community Board in which the Community Board member purports to speak on behalf of the Community Board or any committee thereof unless such statement has previously been approved by the Community Board or the committee or unless the matter is reporting an action taken by the Community 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 Community Board on his own behalf must be clearly identified as a personal viewpoint and not purporting to speak on behalf of the Community Board.

ARTICLE XI
BINDING OPINIONS

SEC. 1 - Each member of the Community Board shall be bound by and act in accordance with any opinion issued by either the Corporation Counsel or the Community Board of Ethics relating to him/her or to the Community Board or to all of the members of the Community Board.

ARTICLE XII

ADOPTION

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

COMMUNITY BOARD 11 COMMITTEE DESCRIPTIONS

COMMUNITY DEVELOPMENT AND BUDGET PRIORITIES: To review recommendations of other functional committees of the Board as well as the suggestions of the District Manager, City agencies, community groups and individuals for the Capital, Expense, and Community Development budgets; to coordinate the Planning Board's participation in the City's budget process, including the scheduling of budget consultation sessions, meetings and public hearings.

ECONOMIC DEVELOPMENT: To review plans relative to the economic development of the district as well as promote the economic development, to work with the existing merchant associations in the economic development matters, as appropriate; to review applications sent to the Planning Board by the Industrial and Commercial Incentive Board; to include in its purview matters related to job development and consumer affairs except as otherwise specified.

EDUCATION AND CULTURE: To consider all matters related to the educational advancement and enrichment of the community at large; paying special attention to the educational needs of youth and maintaining a liaison with the community's educational and cultural institutions.

HEALTH AND SOCIAL SERVICES: To consider all matters related to the physical, mental emotional and social well-being of the community, paying particular attention to community residences, the elderly, and health and hospital institutions.

HIGHWAYS, TRAFFIC AND TRANSPORTATION: To consider all matters related to conditions of the community's streets, highways and sidewalks, public and private mass transit in the area, and traffic flow in the area, to coordinate with appropriate Land Use and Sanitation and Environmental Committees.

HOUSING: To consider all matters related to conditions in the area, e.g., landlord-tenant relations, tenant information, landlord information, housing preservation and development, code enforcement, small home and multiple unit building improvement.

LAND USE: To review and report on all items referred to the Planning Board under U.L.U.R.P. Procedures: to coordinate with other functional committees as appropriate.

PARKS AND RECREATION: To consider all matters related to park and recreational facilities and services in the area.

PUBLIC SAFETY: To consider all matters related to crime and crime prevention and fire, and where appropriate the criminal justice system.

SANITATION AND ENVIRONMENT: To consider all matters related to removal of solid and nonsolid waste and drainage from the community's sidewalks and roadways and its unimproved lots, as well as the removal of snow and ice from sidewalks and roadways; to consider all matters dealing with toxic waste, sewage noise and fire pollution as they affect the community.

TECHNOLOGY AND COMMUNICATION: To consider matters relating to Technology and Communication. To coordinate with other board committees to disseminate information to the general public. To plan and implement the board's website.

YOUTH SERVICES: To consider all matters concerning the development of youth, 0-21, except as specifically designed to other committees, paying particular attention to youth employment and funded youth programs and facilities; to coordinate with other relative committees, e.g., Parks and Recreation, Education and Culture, Health and Social Services and Public Safety.