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# BROOKLYN COMMUNITY BOARD

## No.1 BY-LAWS

### I. Officers

A. The officers of the board shall be:

Chairperson, First Vice Chairperson, Second Vice Chairperson, Third Vice Chairperson, Financial Secretary, Recording Secretary, and Member-at-Large.

B. The duties of the officers shall be as follows:

1. Chairperson

a. The Chairperson shall be the chief executive officer of the board and shall be responsible for the overall Conduct of the affairs of the board.

b. Call and preside at all regular and public hearing meetings and special meetings of the board.

- c. Appoint and remove the Chairperson and members of all standing and special committees unless otherwise specified in these by-laws.
- d. Carry out the duties and serve on all committees and boards as prescribed by the city charter.
- e. Prepare an annual report at the end of each calendar year for the board, borough president, and city council members from the community district.
- f. Responsible, along with the financial secretary, for the administration of funds obtained from sources outside of the city government.

## 2. First Vice Chairperson

- a. Shall assist the Chairperson in carrying out the duties of the chair.
- b. Shall serve in the place of the chairperson when there is a vacancy in the office of Chairperson, or when the Chairperson is unable to perform his/her duties.
- c. Chair the committee on service delivery coordination which shall make regular monthly reports to the board on the work of the district manager, local district service cabinet and local service agencies.
- d. May attend all district service cabinet meetings and shall assist the Chairperson of the board in working with the district manager and the district service cabinet.
- e. Serve as an ex-officio member of all committees.

## 3. Second Vice Chairperson

- a. Shall preside at meetings in the absence of the Chairperson and the First Vice Chairperson.

- b. Chair the committee on uniform land use review procedures (ULURP) which shall be responsible for advising the Chairperson and the board of all actions necessary for the board to comply with the terms of the Uniform Land Use Review Procedure as to notification, calendaring of items, and holding public hearings.
  - c. Shall be responsible for the carrying out of procedures adopted by the board for the Uniform Land Use Review Procedure (ULURP).
  - d. Prepare reports for submission to appropriate city agencies on actions taken by the board under ULURP.
  - e. Together with the Third Vice Chairperson, conduct the board's annual public hearing on the citywide statement of need and submit joint recommendations to the board.
  - f. Perform such other duties concerning ULURP as the board or Chairperson direct.
4. Third Vice Chairperson
- a. Shall preside at meetings in the absence of the chair, and the First and Second Vice Chairperson.
  - b. Chair the committee on the expense, capital and community development budgets and be responsible for advising the Chairperson and the board of all actions necessary to comply with the requirements of the city and federal agencies relative to the preparation, approval and implementation of the expense, capital and community development budget including holding of public hearings, notification and calendaring.

- c. Shall prepare the reports for the board's approval on the expense, capital and community development budgets as the Chairperson or the board may direct for submission to the appropriate city agencies.
- d. Together with the Second Vice Chairperson, conduct the board's annual public hearing on the citywide statement of need and submit joint recommendations to the board.
- e. Perform such other duties concerning capital projects, expense items and community development as the board and Chair deem appropriate.

#### 5. Financial Secretary

- a. Shall be responsible for keeping a financial report for the board and for submitting monthly financial reports in writing to the board.
- b. Shall chair the budget committee which shall prepare the budget for submission to the board for approval.
- c. Make recommendations to the board for appropriate action or comments by the board.
- d. Shall along with the Chairperson, be the person designated by the board for the administration of accounts of funds obtained from sources outside city government.

#### 6. Recording Secretary

- a. Shall be responsible for keeping a clear, accurate and timely record of the proceedings of the board.
- b. Shall take minutes of all meetings of the board which reflect the substance of discussion of board members

along with the positions taken on each item; prepare the invites for inclusion in the notice of the meeting at which they are to be approved; ensure that amendments to the minutes are reflected in the original minutes.

- c. Shall keep an up to date file on minutes on record in the board's office.

## 7. Member at Large

## II. Executive Committee

- A. There shall be an executive committee which shall consist of the officers of the board as specified in the by-laws and one member elected at large which, will meet before each regular monthly meeting of the board to prepare an agenda for the regular board meeting and the public hearing meeting for each month.
- B. In case of the necessity for board action before a meeting can be held, the executive committee may meet and act on behalf of the board provided that such actions shall be subject to ratification by the board at the next regularly scheduled meeting.

## III. Meeting

- A. There shall be ten (10) scheduled meetings of the board in each calendar year. All meetings shall be opened by the chairperson at the appointed time indicated in the notice.
  1. Regular meetings shall be held each month (10).
  2. Public hearing meetings shall be held each month and combined with the regular meeting. If the board finds need

to schedule a separate hearing date it shall do so by a majority vote.

3. The executive committee shall establish a calendar of the dates for the ten (10) required meetings and public hearing meetings of the board, that would be held for the following year, for the board's approval at the regular December meeting. Once the calendar has been approved, a majority of the board shall be required to alter any date on the calendar. Once approved, the calendar shall be furnished in writing to each member of the board.
4. Notice of each individual meeting stating the date, time, place and agenda shall be furnished to each member of the board at least five days prior to each meeting.
5. Special meetings may be called by the executive committee or upon the request of ten members of the board.
6. When no substantial business is scheduled to be calendared for a public hearing meeting by the date of the most recent regular monthly meeting, the board can, by two-thirds vote, cancel the meeting.
7. At each public hearing meeting, time shall be set aside for a public session, during which time public remarks shall be received from the general public. Public remarks submitted at public sessions shall be limited to three minutes per speaker and may be extended by the chair. In addition, the Chairperson shall be authorized to impose such additional reasonable limitations upon the receipt of public session testimony, such as limiting the number of persons recognized to speak on a particular item or limiting the time allocated to

discuss a specific topic, in order to ensure that sufficient time is allocated to stated public hearing agenda items and that the board can conclude the public hearing at a reasonable hour.

## IV. Quorum

A quorum shall consist of a majority of the appointed members and shall be necessary to conduct business, except for public hearings conducted under the ULURP, when a quorum consisting of 20% of the appointed members of the board, but in no event fewer than seven such members, shall be required.

## V. Election of Officers

### A. Pre-Nomination procedures

1. At the regular April meeting of each year the Chairperson shall designate an elections committee composed of five members.
2. Prior to the May meeting, the elections committee shall canvass the board members by letter or phone to advise them of procedures to be followed for the election.
3. At the regular May meeting, the elections committee shall make a report to the board.

### B. Nominations

1. At the regular May meeting, nominations from the floor will be entertained. With the exception of the regular May 2020 meeting where instead at the December 2020 regular meeting, nominations from the floor will be entertained. All nominations from the floor must be made at the May

meeting only with the exception of the regular May 2020 meeting where instead all nominations from the floor must be made at the December 2020 meeting only. A member may nominate any valid member of the board, including himself or herself. Nominations will be closed by vote at the May meeting with the exception of the regular May 2020 meeting where instead nominations will be closed by a vote at the December 2020 meeting.

2. A member need not be present to be nominated.
3. Nominations need not be seconded.
4. A board member, who has been nominated, may decline the nomination at the regular May meeting, or in writing to the elections committee at least 10 days prior to the election. (With the exception of the regular May 2020 meeting where instead of a board member, who has been nominated, may decline the nomination at the December 2020 regular meeting, or in writing to the elections committee at least 10 days prior to the election). Unless a formal declaration of nomination is made in the aforementioned manner, the name of any person nominated at the regular May meeting will appear on the ballot. (With the exception of the regular May 2020 meeting where instead unless a formal declaration of nomination is made in the aforementioned manner, the name of any person nominated at the December 2020 regular meeting will appear on the ballot).

### C. Elections

1. The persons serving on the elections committee will assist the Chair in the conduct of the elections.



2. The election will be held at the regular meeting of the board in June with the exception of June 2020 where instead the election would be held at the regular meeting of the board in January 2021.
3. Time should be set aside at the June meeting (with the exception of June 2020 where instead time should be set aside at the January 2021 meeting) prior to the election for candidates who choose to address the board. (Remarks are to be limited to 5 minutes.) Any interested candidate should contact the elections committee in writing at least 20 days prior to the June board meeting to inform them of the candidate's intention to address the board (with the exception of June 2020 where instead interested candidates should contact the elections committee in writing at least 20 days prior to the January 2021 board meeting to inform them of the candidate's intention to address the board.)
4. The notice of the regular June meeting shall contain in addition to the date, time and place of the meetings, a list of offices and nominees for each office to be elected (with the exception of June 2020 where instead the notice of the regular January 2021 meeting shall contain in addition to the date, time and place of the meetings, a list of offices and nominees for each office to be elected).
5. Elections shall be conducted by electronic voting and held during a scheduled meeting of the board designated for elections. Each present member shall cast a vote for a declared candidate by use of voice vote (*viva voce*).

6. In order to be elected, a candidate must receive a majority of the votes cast. If no candidate receives a majority on the first ballot, the two leading vote getters shall oppose each other on a second, run-off, ballot.
7. The elections committee shall prepare the official ballot for use at the June meeting with the exception of Jun 2020 where instead the elections will be held by voice vote (vive voce) at the January 2021 meeting) that ballot shall not be distributed prior to the June meeting (with the exception of the June 2020 where instead the elections will be held by voice vote [vive voce] at the January 2021 meeting). That ballot shall not be distributed prior to the June meeting. Names shall appear on the ballot in alphabetical order by office.
8. The District Manager or Assistant District Manager shall tabulate the votes cast at these elections and provide the results to the board. The committee shall also prepare the official report of these elections that shall indicate the votes cast by each member. This report shall be part of the official record and be attached to the minutes of the board's June meeting (with the exception of the June 2020 meeting where instead this report shall be part of the official record and be attached to the minutes of the board's January 2021 meeting).
9. The terms of all officers elected at the board's election meeting shall commence on July 1st of that year, and expire on June 30th of the following year.
10. Special election(s)--in the event of an "in term" vacancy. A special election would be called with nominations and then

a special election to be held at the next available meeting of the full board following nominations.

## VI. Committee Membership

- A. In addition to these committees outlined in the by-laws, the Chairperson or the board may establish whatever committees are deemed necessary to carry out the functions of the board.
- B. Membership on committees shall be open to any residents of community district no. 1; however, the Chairperson of each committee must be a member of the board.
- C. Each member shall be assigned to at least one committee and shall take an active part in its work.
- D. Non-board members of the committees may vote in committee, but the committee Chairperson shall report the vote of board members and non-board members separately, along with the complete tally. Minority reports must be presented on the floor by a board member.
- E. Each standing committee of the board shall meet, at a minimum, four times a year, preferable at least once during each quarter.
- F. By the date of the board's December meeting each committee chairperson shall submit a projected committee schedule for the upcoming year to the board Chairperson. These submissions will be reviewed by the executive committee, which shall establish a comprehensive projected committee calendar. This will be mailed to each board member by December 31st and distributed at the January board meeting.
- G. A monthly calendar of all scheduled board and committee meetings including public hearings, shall be compiled by the

District Manager and mailed to each board member prior to the first of each calendar month. All meetings specified in the calendar shall be conducted, unless specifically canceled or rescheduled by the appropriate committee Chairperson. Notice of all such changes shall be sent to each board member and affected committee members. In addition, meeting notices and agenda of each scheduled committee meeting shall be sent by the district office to each committee member at least five days prior to the scheduled meeting date.

## VII. Declaration of Vacancy and Attendance Committee

- A. Since a quorum is necessary to do business, diligent attendance at meetings is a prerequisite to continued membership on the board. Since the City Charter permits the board to remove members, the following procedures for removal due to excessive absences shall be followed.
1. When a member fails to attend 5 of the combined regular/public hearings required by these by-laws during the course of the calendar year, they shall be subject to removal proceedings.
  2. There shall be an elected attendance committee of three members.
  3. The attendance committee shall keep a record of the attendance of each member of the board at all regular and public hearing meetings. In order to assist this effort, all attending members shall be required to sign a sign-in sheet at each meeting in order to document their presence.

All members, who do not sign this sheet before the adjournment of the meeting shall be listed as absent by the attendance committee, unless they can independently verify their presence to the committee's satisfaction. Any member, who knowingly participates in a forgery involving the sign-in sheet shall be subject to disciplinary procedures. The penalty for knowingly participating in such action shall be removal from this board.

4. Members who cannot be in attendance because they are on official board business elsewhere shall be deemed to be present. Absences due to death, illness, a family emergency, or for some other reasonable type of explanation are excusable if approved by the executive committee or, in the case of committee meetings, by a majority of the board members present at the meeting. The attendance committee shall monitor such absences. Members must notify the board's office prior to the meeting.
5. The attendance committee shall notify a board member, who has been absent from four meetings in writing, by phone or in person within five days of the last absence. The notification shall inform the member that one additional absence will be grounds for removal from the board. Such notice shall also consist of a record of the attendance of the member and notification of the next meeting date and place.
6. The attendance committee shall meet with the board member when the board member accumulates 5 absences. At that meeting the member shall be informed of their attendance record and be provided with an opportunity to

provide any justifications and/or excuses for said absences. After having heard the member's response, the committee will then vote on whether or not to recommend the member's removal. Should the committee recommend the member's removal, the attendance committee shall report said recommendation to the board at its next meeting, at which the board shall determine by majority vote whether or not to accept the recommendation to remove the member.

7. Notice of declaration of vacancy, along with copies of all related materials, shall be sent to the borough president and the members of City Council representing the area.
8. The member in question may appeal to the executive committee for review of the records of attendance.
9. The attendance committee shall issue a written quarterly report in April, July, October, and January listing the number of meetings held, meeting dates, and the attendance record of each member. The January report shall provide the final attendance records of all board members from the previous calendar year, and shall be forwarded to the borough president and the local council members. Committee attendance of board members shall be issued quarterly. Committee minutes shall show the board members present and absent from the committee meeting.

## VIII. Amendments

- A. Proposed amendments to these by-laws shall be submitted in writing to the Chair and referred to the by-laws committee.

- B. The by-laws committee shall report to the board at the next regular meeting of the board.
- C. The proposed amendment shall be mailed to each member of the board with the meeting notice for the next meeting.
- D. Amendments must be approved by a two-thirds majority of the members present and voting.

## IX. Robert's Rules of Order

*Robert's Rules of Order* shall govern the proceedings of the board in all cases except where other rules have been established by the City Charter, applicable city and state law or regulation, these by-laws, or other ruling established by the majority vote of the board.

## X. Voting

- A. All members who are present for purpose of attendance per Article VIII must vote on all motions, including questions of order. Votes shall be cast and recorded only as affirmative, negative, abstention or abstention for cause. Only members prevented from voting for reasons specified in article XI of these by-laws or *Robert's Rules of Order* can abstain for cause.
- B. Unless otherwise provided, all actions taken by the board shall require the majority of those members present and entitled to vote, a quorum being present, in order to be adopted. Members who abstain for cause shall not be considered as being entitled to vote, and all such votes shall be separately recorded and shall not affect the result of any vote.
- C. All actions taken by the board shall be made by open vote. A record of the position taken by each member shall be recorded and

maintained in the board's official files, and shall be available for public inspection. The by-laws committee shall recommend the appropriate mechanism through which this provision shall be implemented. On voice votes (viva voce), or a vote by a "show of hand," the secretary shall note all "negative" votes and abstention votes in the meeting minutes.

## XI. Conflict of Interest

- A. Before the board considers any item on which it intends to make a substantive recommendation, the Chairperson shall ask all members who possess a conflict of interest on this subject to identify themselves and specify the nature of the conflict. All such statements shall be included in the board's official minutes.
- B. All board members shall be responsible for familiarizing themselves with the relevant corporation counsel (letter of October 2, 1984) rulings on this subject and shall, furthermore, be responsible for informing the board of all conflicts that affect them.

To provide needed guidance, all board members shall receive copies of these documents, as well as all other relevant rulings made in the future, that concern this issue.

- C. All members who possess an interest on an item before this board on which they, or any persons associated with them, may realize a personal and direct economic gain cannot vote on that item but can participate in the discussion of that issue. In addition, all members employed by the city of New York cannot vote on items that involve the activities of the agency for whom they are employed. On issues not raising this specific variety of conflict, members can satisfy the



requirements of the by-laws by declaring their interest and, having done so, may vote and participate in the discussion of these issues.

- D. All members possessing an interest on an item that prevents them from voting shall not be considered entitled to vote on such item, and their abstentions shall not be tabulated in determining the result of any such vote.
- E. The votes of all members who abstain for conflict of interest related reasons shall be separately recorded from the votes of those members who abstain for other reasons in the board's official tabulations.
- F. No member shall appear, either directly or indirectly, on behalf of any private interests in matters involving this board, or before any public agency affecting matters involving this board.
- G. Members of this board shall not be prohibited from having an interest in a firm which may be affected by an action on a matter before the board. All members are however prohibited from having an interest in a firm doing business with the board itself, e.g., by contracting with or otherwise providing services to the board.

## XII. District Manager and Other Board Staff

- A. Within budgetary constraints, the board shall hire a District Manager and such other staff as may be required to serve its needs.
- B. The District Manager shall:
  - 1. Direct the operations of the board's district office;
  - 2. Chair meetings of the District Service Cabinet;
  - 3. Administer a system that processes service complaints affecting community district no.1;

4. Submit a monthly report regarding the activities of the other items that affect the community district to the board; and
5. Perform such other duties as are assigned by the board, the Chairperson, or the executive committee.
6. All persons, except consultants, hired by the board and reimbursed by its budget, are employees of the city of New York, and as such, shall serve pursuant to the applicable provisions of the civil service law. Beyond this, the board shall establish a personnel practice procedure governing its staff that is consistent with civil service policy and other applicable laws.
7. All board employees serve at the pleasure of the board and can be removed for cause, as detailed in the personnel practice procedure of community board no. 1 which provides the affected staff employee with due process of the law protection.

### XIII. Notification of New Members

When the Chairperson received notification of the appointment of a new member to community board no. 1, he/she shall see that that person is promptly contacted by certified mail and be informed of the date and time of the board's next regularly scheduled meeting or public hearing. Additionally, to be furnished a copy of the by-laws and a copy of the established calendar of required meeting dates. If neither of these contacts have been made by the date of the first regularly scheduled meeting or public hearing following appointment, the new member shall not be considered absent if he/she does not attend.

(revised 11/10/2020)

END OF BYLAWS