

BY-LAWS OF COMMUNITY BOARD 12
BOROUGH OF BROOKLYN

The By-Laws for Community Board 12 shall conform to all of the provisions of the New York City Charter. Nothing in these laws shall be construed as to change, modify or amend the Charter.

ARTICLE I - NAME

The name of this Board shall be Community Board 12, Borough of Brooklyn. "Community Board 12", "the Community Board", "the Board" and "CB 12" may be used in statements, resolutions or correspondence where use of such alternate names would not result in confusion with any other Community Board.

ARTICLE II – AREA

This Board shall serve the Community within the area designated Community Board 12 on the Community District Map.

ARTICLE III – PURPOSE

The purpose of Community Board 12 shall be to:

- a) Consider the needs of the district and develop plans for the district's welfare and orderly development.
- b) Advise the Mayor, Borough President, City Planning Commission and any other interested City Agency with respect to any matter relating to the welfare of the district and its residents.
- c) Assist City Departments and Agencies in making contact with and transmitting information to the people of the district and in other ways acting as a liaison between the Agencies and the residents of the community.
- d) Keep the public informed of relevant matters pertaining to the welfare and development of the Community.
- e) Such other purposes as may be set forth in the New York City Charter.

ARTICLE IV – MEMBERSHIP

Section 1 – Community Board 12 shall include any Councilpersons elected from any district which includes a part or all of such Community Board 12 District. Up to 50 Members shall be appointed by the Borough President with one-half selected from the nominees of the Council Members from the District. No person shall be appointed to or remain as a Member of the Board who does not have a residence, business, professional or other significant interest in the District. Only those who reside, own property or operate a business within the boundaries of Community Board 12 can serve as Officers, members of the Executive Committee or Committee Chairs.

Section 2 – Members of Community Board 12 shall serve for 2 years, beginning the 1st day of April, one-half of the membership being renewed each year. Members may be reappointed. A member shall be removable for cause. Vacancies shall be filled by the Borough President for the remainder of the unexpired term in the same manner as regular appointments.

ARTICLE IV – MEMBERSHIP (Continued)

Section 3 – Members shall serve as such without compensation.

Section 4 – Membership shall, as much as possible, have such diversity of interests as shall be representative of community.

Section 5 – Members of the Board who have served actively for more than four (4) years, but for reasons of disabling illness are unable to continue, will be considered for Associate Status. The Member will be notified of their impending change in status on the Board.

An Associate shall have all such privileges, duties and responsibilities, consistent with law, the New York City Charter and these By-Laws, except that an Associate shall not be counted towards a quorum and shall not vote at Board meetings.

A member of the Board who has served actively for more than five (5) years, but for reasons of disabling illness is unable to continue, may be considered for honorary status. The Chairperson shall notify the Member by mail of the impending change in status on the Board.

An Honorary Member shall not be counted towards a quorum and may not vote at any Board meetings.

ARTICLE V – RESPONSIBILITIES OF COMMUNITY BOARD MEMBERS

Section 1 – Shall attend all regularly scheduled meetings except for a legitimate excuse when the member shall notify the Board prior to the meeting.

Section 2 – Shall participate actively on at least one Committee.

Section 3 – Shall vote on all matters before the Board, except where there is a conflict of interest, e.g.

- a) City employees with respect to their agency.
- b) Any member with a financial interest in the result of the vote.
- c) Member of the Board related to any employees of the Board voting on internal budget matters.
- d) An Officer or Director of a non-profit organization which is proposed for a grant.

Section 4 – Shall not speak for the Board unless duly authorized by the Board or Chairperson to do so.

Section 5 – Shall vote in person and not by proxy on all matters that come before the Board.

Section 6 – It is the duty and responsibility of all members to inform the Board of any conflict of interest and also, when any matter before the Board affects a governmental agency with which such member is associated or employed.

Section 7 – Conduct which incites is divisive and counterproductive to the Board’s mission. Therefore, Board members shall not publicly denigrate, verbally assault or malign the Executive leadership or fellow Board members during an open session. Furthermore, Board members shall not deliberately incite public opinion against the Executive leadership or fellow Board members in an attempt to gain an advantage during any decision process. Board members engaging in such behavior shall be removed immediately from the session by the Sergeant-At-Arms and will be referred to the Executive Committee for further punitive action.

ARTICLE VI – OFFICERS

Section 1 – The Officers of the Board shall be:

- Chairperson**
- First Vice Chairperson**
- Second Vice Chairperson**
- Executive Secretary**

Section 2 – No member serving as an elected officer shall also serve as a Committee Chairperson or Committee Vice-Chairperson. Elected Officers shall serve as members of the Executive Committee. Members serving as elected officers may be removed from office for cause in accordance with Article XV of these By-Laws.

ARTICLE VII – OFFICERS ELIGIBILITY

To be eligible for any Office of the Board, a member must first have served on Community Board 12 for the prior calendar year.

ARTICLE VIII – NOMINATIONS AND ELECTIONS OF OFFICERS

Section 1 – Nominations shall be made by a Nominating Committee consisting of 3, 5 or 7 persons, appointed by the Chairperson of the Board no later than the January meeting preceding the election. The slate proposed by the Nominating Committee shall be entered in nomination at the February meeting preceding the elections. Nominations may also be made, but must be seconded from the floor by any member at said nomination meeting.

Section 2 – Officers shall be elected by ballot at the first duly constituted meeting in March of each year.

Section 3 – The candidate who receives a majority of the greatest number of votes cast for such Office shall be deemed elected. Voting shall be by written ballot with the name of the Board member and the vote noted therein. The ballots shall be counted by three members not on the ballot, or present Officers of the Board. In the event the slate or any candidate on the slate is unopposed, the Chairperson shall direct one vote to be cast to elect the unopposed slate or nominee.

Section 4 – Each member of the Board attending the meeting shall be entitled to one (1) vote to be cast in person.

Section 5 – The Election meeting shall be chaired by the highest ranking Officer of the outgoing Executive Board.

Section 6 – In the event of a vacancy in any position of elected Officers of the Board, the vacancy shall be filled by a vote of the Board at the next monthly Board meeting.

ARTICLE IX – DUTIES OF OFFICERS

Section 1 – Chairperson

- a) Shall be Chief Executive of the Board.
- b) Shall preside over all regular and special meetings of the Board.
- c) Shall have the authority to appoint all committees and appoint their Chairpersons and Vice Chairpersons.

ARTICLE IX – DUTIES OF OFFICERS (Continued)

- d) Shall have the power to decide all questions of Law and Procedures pursuant to these By-Laws. An appeal from the ruling of the Chair shall be decided by a majority of the quorum.
- e) Shall employ, with concurrence of the Board, a District Manager who is not a member of the Board, and whose activities he or she shall supervise. Such Manager shall not be related by blood or marriage to any member of the Board.
- f) Shall turn over all records to his or her successor.
- g) Shall send notice of time, place and subject of a Public Hearing for all actions, for publication in an issue of the Comprehensive City Planning Calendar to be distributed not less than ten (10) calendar days prior to the date of the hearing.
- h) Shall prepare and deliver Chairperson’s monthly report.
- i) Shall attend on a regular basis, the Borough Board meetings with the Chairperson’s of the other Community Boards in Brooklyn. Said meetings chaired by Borough President of Brooklyn.
- j) Shall serve in whatever capacity is required or mandated by law.
- k) Shall appoint three (3) members of the Board, other than the Officers, to serve on the Executive Committee for a period limited to one year in a five year period.
- l) Shall appoint one member to the position of Sergeant-at-Arms who shall serve at the pleasure of the Chairperson. The Sergeant-at-Arms shall assist the Chairperson in maintaining order and decorum at meetings and shall serve as a member of the Executive Committee.

Section 2 – First Vice Chairperson

- a) Shall have the same power, authority and duties as the Chairperson in the absence of the Chairperson.
- b) Shall be ex-officio member of all Committees appointed by the Chairperson.

Section 3 – Second Vice Chairperson

- a) Shall have the same power, authority and duties as the Chairperson in the absence of the Chairperson and First Vice Chairperson.

Section 4 – Executive Secretary

- a) The duties of the Executive Secretary shall be to perform all duties assigned by the Chairperson of the Board not in conflict with those duties of a paid secretary.
- b) Shall have the same power, authority and duties as the Chairperson in the absence of the Chairperson, First Vice Chairperson and Second Vice Chairperson.
- c) Shall be responsible to verify proper transmittal of meeting notices, agendas and minutes.

ARTICLE IX - DUTIES OF OFFICERS (Continued)

- d) Shall report to the Borough President violations of the City Charter and shall forward recommendations of Community Board 12 for appointments to the Board.

Section 5 – Sergeant-At-Arms

The duties of the Sergeant-At-Arms shall be to:

- a) Enforce order at meetings at the direction of the Chair.
- b) Shall have the same power, authority and duties as the Chairperson, First Vice Chairperson, Second Vice Chairperson and Executive Secretary, in the absence of all four.

ARTICLE X – DISTRICT MANAGER AND OTHER EMPLOYEES OF COMMUNITY BOARD

Section 1 – The Chairperson, upon recommendation of the Board, shall hire a District Manager and other employees, within budgetary constraints.

Section 2 – District Manager

- a) Shall have responsibilities for processing service complaints.
- b) Shall preside at meetings of the District Service Cabinet.
- c) Shall prepare and submit to the Mayor, on or before a date established by the Mayor, annual Statement of Community District Needs, including a brief description of the district, the Board's assessment of its' current and probable future needs, and its recommendations for programs, projects or activities to meet those needs; and shall be authorized to utilize the services of such other professional staff and consultants, including planners and other experts, as it may deem appropriate, all of whom shall serve at the pleasure of the Community Board and shall provide the Board with the staff support and technical assistance it requires to fulfill the duties assigned to it by this Charter or other law.
- d) Shall maintain logs of complaints received from residents and the follow up that was done.
- e) Shall maintain a copy of the District Cabinet meeting minutes as well as the minutes of Committee meetings.

Section 3 – Secretary

- a) Shall record minutes of regular and special meetings and shall transcribe such minutes.
- B) Shall send out minutes, meeting notices and agendas.
- c) Shall perform such other duties as are assigned by the Board.

Section 4 - The employees serve at the pleasure of the Board. An employee can be removed for cause upon recommendation of the Board.

ARTICLE XI – COMMITTEES

Section 1 – The Chairperson may appoint Committees including, but not limited to the following:

- a) Planning, Zoning, Variances and City Map Changes
- b) Fire, Safety and Police
- c) Environmental Protection, Sanitation and Sewers
- d) Parks and Recreation
- e) Transportation and Franchises
- f) Social Services and Health
- g) Housing and Buildings
- h) Education, Library and Cultural Affairs
- i) Legislation
- j) Civic and Consumer Affairs

The Chairperson may appoint to such Committees persons with a residence or significant interest in the community who are not members of the Board, but each such Committee shall have a member of the Board as its' Chairperson. However, such membership shall be limited to twenty percent (20%) of the total members of the Committee.

Section 2 – All resolutions from the Standing Committees must have a positive vote from the majority of the Board members present at that Committee meeting.

Section 3 – Continuous non-attendance and/or chronic lateness at scheduled Committee meetings during annual period beginning April 1st shall constitute cause for removal from the Board.

Section 4 – Each Committee Chairperson shall keep Minutes of Committee meetings and a record of attendance and shall deliver same to the Office Secretary.

ARTICLE XII - QUORUM

Section 1 - Public Hearing

- a) A Public Hearing shall require a quorum of 20% of the appointed members of the Board, but in no event, fewer than seven (7) members.
- b) The minutes of a meeting at which a Public Hearing was held shall record the individual members present.

Section 2 – Regular meetings shall require for voting purposes, a quorum of 50% plus 1 of the appointed members of the Board.

ARTICLE XIII – MEETINGS OF COMMUNITY BOARD

Section 1 – The Board shall meet the 4th Tuesday of each month, preferably, except during July and August; but meetings may be called by the Chairperson for these months.

Section 2 – The adoption of Community Board recommendation shall be by a public vote which results in approval by a majority of the appointed members present during the presence of a quorum at a duly called meeting.

ARTICLE XIII – MEETINGS OF COMMUNITY BOARD (Continued)

Section 3 – A Community Board recommendation shall be in writing and shall include a statement of proposal, the times and place of any public hearing on the application, the time and place of meeting at which the recommendation was adopted. Where the vote was taken by roll call, the report shall include the votes of the individual Community Board members.

Section 4 – All meetings shall be conducted in accordance with New York State Public Officers Law, Article 7, Section 100, otherwise known as “Open Meetings Law”.

Section 5 – Any person in attendance at public Board meetings engaging in disruptive behavior may be removed at the direction of the Chairperson. Disruptive behavior shall include, but not be limited to, verbal statement or physical actions that are insulting, threatening or intimidating, as well as any sounds, noises or actions that interfere with the orderly conduct of meetings.

ARTICLE XIV – MINUTES AND AGENDA

Section 1 – Minutes of each meeting shall be transmitted to each member of the Board, to the President of the Borough of Brooklyn and the City Planning Commission.

Section 2 – Minutes shall be kept available and copies shall be mailed to each member, Borough President, and City Planning Commission at least seven days prior to the meeting.

ARTICLE XV – REMOVAL OF OFFICER OR MEMBER

Any Officer or member of the Board may be removed for cause, by the Board in the following manner:

Section 1 – Motion made to institute removal proceedings can be made at any regular meeting of the Board.

Section 2 – Approval of such Motion must be made by a majority of the entire appointed membership of the Board.

Section 3 – Shall include non-attendance at 3 regularly scheduled Board meetings over a period of 6 consecutive months.

In the event that a member misses 3 consecutive meetings, the matter will be first reviewed by the Executive Committee and if there is reasonable cause, this will be referred back to the full Board.

The Chairperson **SHALL** make a Motion before the Board recommending the removal of the member. ((Notice of this provision would be included in the monthly notice of meeting sent to members.

At the monthly meeting where the Chairperson is requested to make the Motion to the Board, the member has a right to appear before the Board for a Hearing, as set forth in Article XV, Section 4.

The District Manager shall issue a warning letter to a member who misses two consecutive Board meetings.

Section 4 – The member in question may appear before the Board on his behalf.

ARTICLE XVI – AMENDMENT

These By-Laws may be amended by a two-thirds vote of the members present at any meeting of the Board provided that such amendment shall first have been proposed at a prior meeting of the Board or written petition of 15 members of the Board, and provided further, that written notice of such proposed amendment is given to the members of the Board in writing at least ten (10) days prior to the meeting in which such amendment shall be presented for adoption, which notice shall also set forth the amendment to be presented for adoption.

These By-Laws shall be reviewed by the Executive Committee at intervals not to exceed 2 years in order to conform and be current with New York City Charter Laws.

ARTICLE XVII – CONFORMITY WITH NEW YORK CITY CHARTER AND LAWS

Section 1 – Anything herein contained or in any amendment hereinafter adopted by the Board, which shall be in conflict with the New York City Charter or any applicable law, shall be null and void.

ARTICLE XV11 – CONFORMITY WITH NEW YORK CITY CHARTER AND LAWS (Continued)

Section 2 – In accordance with Chapter 52, Section 1150, Paragraph 2 of the New York City Charter, the Board is considered an agency of the City of New York. Therefore, all members of the Board are protected from individual liability in the course of performing their mandated duties.

Section 3 – Robert’s Rules of Order shall govern all matters pertaining to Parliamentary Procedures that are not covered by Standardized By-Laws and the New York City Charter.

These By-Laws are effective as of January 22, 2008 - includes revisions recommended to the Board Members at regularly scheduled Board meetings held on October 23rd, November 27th, and December 18th, 2007 and adopted by the full Board on January 22, 2008.