



# **BROOKLYN COMMUNITY BOARD 9**

# **BROOKLYN COMMUNITY BOARD 9 BYLAWS**

## **BOROUGH OF BROOKLYN**

### **Article I**

#### Name

- 1.1) The name of this organization shall be COMMUNITY BOARD NO. 9 OF THE BOROUGH OF BROOKLYN (hereinafter referred to as the "Board").

### **Article II**

#### Applicability

- 2.1) These By-Laws shall be the governing instrument of the Board and shall conform to the applicable provisions of the New York City Charter (hereinafter the "Charter") and other applicable provisions of the law. Nothing in these By-Laws shall be construed to change, modify or amend the Charter. In case of conflict between the provisions of the Charter or other applicable law and the By-Laws, the provisions of the Charter or other applicable law shall govern.

### **Article III**

#### Geographic Area of Jurisdiction

- 3.1) The geographic area of the Board's jurisdiction bounded by Eastern Parkway on the North, Clarkson Avenue on the South, Washington Avenue/Ocean Avenue on the West, Rochester, East New York Avenue, Utica Avenue on the East in the borough of Brooklyn, shall be specifically designated as Community District No. 9 in the Borough of Brooklyn on the Community District Map as adopted and, from time to time, as may be amended or modified.

# Article IV

## Purposes and Powers

- 4.1) The Board shall have those purposes and powers and perform those functions as specifically set forth in the Charter or other applicable provisions of law.

# Article V

## Membership

- 5.1) The Board shall consist of (a) not more than fifty members appointed by the President of the Borough of Brooklyn (hereinafter the "Borough President"), at least one-half of whom shall be appointed from nominees of the Council Members elected from Council Districts which include any part of the Community District, and (b) all such Council Members as non-voting members.
- 5.2) Members appointed by the Borough President (hereinafter sometimes referred to as "appointed member(s)" or "member(s)" shall serve for a two year term beginning on the first day of April, one-half in each odd-numbered year in which they take office and one-half in each even-numbered year in which they take office. Members shall serve until their successors are appointed but no member may serve for more than sixty days after the expiration of his or her original term unless reappointed by the Borough President.
- 5.3) Members shall serve without compensation.
- 5.4) Members shall diligently attend and participate in all meetings of the Board and shall serve on at least one committee and shall regularly attend and participate in such committee.

- 5.5) (a) An appointed member may be removed from the Board for cause, which shall include substantial nonattendance at Board or committee meetings.
- (b) Three consecutive absences, or more than fifty percent non-consecutive absences in eight (8) months may be considered substantial non-attendance at Board or committee meetings. The Chairperson may excuse an absence for cause, in case of illness or for other reason of weight.
- (c) An appointed member may only be removed after service of written charges and specifications made by the Executive Committee and at least 30 days prior to the presentation before the Board.
- (d) Members are limited to serve for four (4) consecutive terms (8 years). A member who has “termed out”, may reapply for membership after one (1) year from the date of their last term.
- 5.6) Any member appearing before a governmental agency, other entity or person making a public statement which is in conflict with a position adopted by the Board shall not identify himself as appearing and/or making said statement on behalf of the Board unless under compulsion of legal process. No member shall represent the Board before a governmental agency, other entity or person unless duly designated by the Chairperson.

# Article VI

## Officers and Election and Removal

- 6.1) (a) The officers of the Board shall be:
- (1) Chairperson
  - (2) First Vice Chairperson
  - (3) Second Vice Chairperson
  - (4) Executive Secretary
  - (5) Treasurer
  - (6) Members at Large (2)
- (b) Each officer shall be elected from the appointed members of the Board and shall serve for a one-year term commencing on July first and until a qualified successor is elected. A qualified successor shall be a member of the board who has served at least one full year on the board and is in compliance with Article V Section 5.4.
- 6.2) (a) At the regular meeting of the Board held in the month of April, a nomination committee consisting of an odd number of members of not less than five or more than seven appointed members shall be appointed by the Chairperson. The nomination committee shall elect its Chairperson and shall present one or more candidates for each office to be filled at the May meeting. Additional candidates may be nominated from the floor at the May meeting.
- (b) The election of officers shall take place each year at the regular meeting of the Board held in the month of June. The election of an officer shall be by a majority vote of members present and by signed paper ballot. Proxy votes are not permitted. If a candidate does not receive a majority vote, a run-off election shall be held immediately, at the same meeting, between the two candidates receiving the highest number of votes for that office.
- 6.3) Upon the death, resignation, termination of Board membership or removal of any officer the vacancy created shall be filled by the Board. The election to fill such a vacancy in office shall take place not later than the second regular meeting following the creation of

the vacancy. The election procedure shall be the same as that set forth in 6.2 of this Article. Any officer elected to fill a vacancy shall hold office for the remainder of the unexpired term, and until a qualified successor is elected.

- 6.4) An officer may resign at any time by submitting a resignation in writing to the Chairperson and the Board Secretary. Such resignation shall take effect at the time specified therein, or, if no time be specified, upon the date of submission thereof, but in no event any later than 30 days thereafter. A resignation need not be accepted to become effective.
  
- 6.5) An officer may be removed for cause by the Board after a hearing before the Board at a regular or special meeting and after written charges and specifications made by the Executive Committee shall have been served on such officer at least thirty (30) days prior to the hearing. The notice of the meeting shall include the hearing on its agenda. A proceeding to remove any officer shall be initiated by the Executive Committee without the participation of the charged officer, which shall make the charges and specifications and authorize their service upon the officer. The officer shall have a right to a hearing before the Board on such charges and specifications, the right to counsel and the right to produce witnesses or evidence on his or her behalf.

# Article VII

## Duties of Officers

- 7.1) The Chairperson shall be the chief executive officer of the Board. All reports required by the Charter shall be filed by the Chairperson. The Chairperson shall preside at all meetings of the Board and shall be an ex-officio member of all committees except the nominating committee.
- 7.2) The First Vice-Chairperson and the Second Vice-Chairperson, successively, shall have any of the powers and perform any of the duties of the Chairperson if the Chairperson so directs specifically in writing, or if the Chairperson shall be absent or incapacitated, or if there shall be a vacancy in the office of Chairperson until a qualified successor shall be elected.
- 7.3) The Board Secretary shall cause the minutes of meetings and public hearings of the Board to be recorded, including minutes and reports. In the absence of the Board Secretary, the Chairperson may designate any other member of the Board to act as secretary on a temporary basis.
- 7.4) The Treasurer shall cause the financial reports and records of the Board to be maintained, shall report thereon to the Board annually, together with the Chairperson, the District Manager or any other officer.

# Article VIII

## Committees

- 8.1) The following standing committees shall be established:
- (a) Education and Library Committee
  - (b) Health and Social Services
  - (c) Public Safety Committee
  - (d) Parks, Recreation and Cultural Affairs
  - (e) Transportation Committee
  - (f) Housing Committee
  - (g) Environmental Protection Committee
  - (h) Economic Development
  - (i) Youth Services Committee
  - (j) ULURP Committee
- 8.2) Each standing committee shall consist of a committee Chairperson, such other appointed members as volunteer and are appointed by the Chairperson of the Board. Non-board members shall be appointed to committees by the Chairperson of the Board and/or the committee Chairperson. The committee Chairpersons shall be appointed members, shall be appointed annually by the Chairperson of the Board and shall serve at the pleasure of the Chairperson of the Board. The Chairperson shall designate additional Committees as may be necessary with the advice and consent of the Board. Each committee may elect a Vice-Chairperson who shall be an appointed member of the Board. When there is a vacancy in committee Chairpersonship, or when the Chairperson, and the vice-Chairperson, if any, of a committee will be unavailable to conduct a meeting or hearing, the Chairperson of the Board, in his or her discretion, may appoint any member of such committee, or any member of the Board's Executive Committee, to conduct, on an ad hoc basis, a scheduled meeting of such committee.



- 8.3) 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, including records of the attendances of all committee members at such meetings and public hearings. Each committee shall act by a majority of members appointed by the board present. Appointed members may be appointed to committees at any time during the year, or transferred from one committee to another, by the Board Chairperson, the committee Chairperson and the member involved, as the needs of the various committees shall require.
- 8.4) An appointed member may be removed from a committee's rolls by the committee Chairperson, for missing three consecutive meetings of the committee, or failure to attend a majority of committee meetings in a period of any one year, or for other good cause, provided that the Board Chairperson approves such removal.
- 8.5) The Board may establish such special committees as it shall deem advisable, or upon the recommendation of a committee, may establish such subcommittees as it shall deem advisable. A special committee or subcommittee, without a specified term of existence, shall be deemed discontinued immediately following the annual Board elections next succeeding its creation.
- 8.6) There shall be an Executive Committee, which shall have as its members the officers of the Board. This committee shall meet prior to the meeting of the Board to set an agenda. The Chairperson shall serve as the Chairperson of the Executive Committee. This committee shall have the power to adopt its own rules of procedures consistent with the Charter and these Bylaws.
- 8.7) (a) After the Board Elections, prior to first board meeting the Chairperson shall poll each Board Member for the member's committee preferences.
- (b) By the September meeting the Chairperson shall organize the Board's committees giving consideration to the members' choices.

(c) Committees shall encourage the participation of non-Board members on committees including representatives of local interested organizations. Non-Board members shall be appointed to a committee by the Board Chairperson and/or the committee Chairperson.

(d) Committees shall meet at least five times per annum. At least one meeting shall be for the purpose of identifying the issues to be met by the committee.

(e) The committee Chairperson shall keep minutes of each committee meeting and shall deliver same to the Board Secretary.

# Article IX

## Meetings, Quorum and Voting

- 9.1) (a) Except during the months of July and August, the Board shall meet at least once each month and shall conduct any required public hearing at a public place within Community District No. 9 at such time and place as shall be designated by the Chairperson in the notice of the meeting sent to the Community Board and adequately disseminated throughout Community District No. 9.
- (b) At each meeting, the Board shall set aside time to hear from the public.
- 9.2) A special meeting of the Board shall be a meeting other than the regular monthly meeting and shall be called by the Chairperson (a) at his or her discretion; (b) at the Borough President's request; (c) upon resolution adopted by the Board or upon the written request of at least one-third of the appointed members. A special meeting shall be called upon at least five days prior written notice, specifying the purpose of the meeting, agenda, time and place. Only those matters specified in the notice may be considered.
- 9.3) Meetings and public hearings of the Board and committee meetings shall be conducted in accordance with the Open Meetings Law.
- 9.4) (a) A majority of the appointed members of the Board shall constitute a quorum of the Board.
- (b) Whenever any act is authorized to be done or any determination or decision is made by the Board, the act, determination or decision of the majority of the appointed members present entitled to vote during the presence of a quorum, shall be held to be the act, determination or decision of the Board.
- (c) All voting shall be in person and shall be conducted and recorded in accordance with the Open Meetings Law and the Freedom of Information Law.

- 9.5) (a) No appointed members may vote on any matter before the Board or any committee of the Board which may result in a personal and direct economic gain to the member or any person with whom the member is associated.
- (b) No appointed member who is an employee of the City of New York may vote on any matter before the Board or committee of the Board which has been or may be considered by the employee's agency.
- (c) No appointed member who serves on the board of directors of a not-for-profit organization may vote on Board matters recommending funding by City agencies for such organization.
- (d) If a member has a conflict of interest and is not entitled to vote on a particular Board matter, such member after disclosure of the fact and nature of the conflict of interest may thereupon participate in discussion of the matter.
- (e) If a member is not entitled to vote because of a conflict of interest, then, in such event, the number of members entitled to vote on that matter is reduced and the majority required for passage is reduced accordingly.
- 9.6) "Robert's Rules of Order" shall govern parliamentary procedure at meetings and public hearings of the Board and at committee meetings to the extent that "Robert's Rules of Order" does not conflict with these By-Laws, the Charter or other applicable law, rule or regulation.
- 9.7) If a matter before the Board requires further information or deliberation, that matter may be referred to the appropriate Board committee for a report of recommendations for decision by the entire Board at the next regular monthly meeting.

## **Article X**

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# Article XI

## District Manager and Board Office

- 11.1) (a) The Board shall appoint a district manager pursuant to the provisions of the Charter. Such district manager shall serve at the pleasure of the Board and shall be in charge of the operation of the Board office, shall be responsible for processing service complaints, shall preside over meetings of the District Service Cabinet and shall perform such other functions as are mandated by the Charter and as may be assigned to the district manager by the Chairperson and/or the Board. All matters of policy shall be subject to the action of the Community Board.
- (b) A district manager shall be appointed by the Board from candidates presented by a search committee which shall consist of not less than five nor more than seven appointed members appointed by the Chairperson. The Chairperson shall select the Chairperson and the search committee, to the extent possible, shall present at least three candidates for the position of district manager for consideration by the Board. The search committee and the Board shall comply with the rules and procedures of the New York City Department of Personnel in conducting the outreach and selection of a district manager. Public notice of the availability of the position of district manager shall be made in the local news media, by notification of community organizations and by other appropriate means. Such notice shall provide sufficient opportunity for interested persons to apply. The Board may reject the candidates submitted for consideration and direct the search committee to submit additional candidates. The Board may also direct the Chairperson to constitute a new search committee.
- (c) The district manager shall be paid such compensations as shall be determined by the Board or fixed by law.
- 11.2) The Board may employ such other staff as it may require within the budgeted

appropriations for such purposes. The District Manager shall hire such personnel as he/she is authorized by the Executive Committee to hire. The dismissal of the hired personnel shall be by the District Manager pursuant to the regulations of the City Department of Personnel.

- 11.3) The Board may remove a district manager upon the written recommendation of the Executive Committee specifying the reasons for such recommendation after serving a copy of the recommendation on the district manager, provided that the Board, at a regular or special meeting held upon at least ten days prior written notice, shall consider such recommendation after giving the district manager an opportunity to respond, and upon motion duly made, adopt a resolution removing the district manager.

## **Article XII**

### Amendments

- 12.1) These By-Laws may be amended by a majority vote of the members of the Board present and voting after at least ten (10) days written notice to the membership of the Board setting forth the proposed amendment(s).

**Amended: January 24<sup>th</sup>, 2023**

## Appendix

- 1.1) In contemplation of the possibility that Community Board 9 Brooklyn will not be able to meet in person as a result of the continued state of emergency due to COVID-19, the CB9 bylaws are hereby amended to allow for a remote meeting of the full Board in June 2021 pursuant to any requirements as set forth in the Governor's Executive Order 202.

Additionally, electronic balloting will be authorized for the election of its officers in the June 2021 meeting. The individual votes of all board members will be recorded and maintained in the District Office upon the conclusion of the election.

This amendment will be effective immediately upon adoption by the board.

**ADOPTED: May 25, 2021**

- 1.2) In contemplation of the possibility that Community Board 9 Brooklyn will not be able to meet in person as a result of the continued state of emergency due to COVID-19, the CB9 bylaws are hereby amended to allow for a remote meeting of the full Board in January 2022 pursuant to any requirements as set forth in Legislation S.50001/A.40001.

Additionally, electronic balloting will be authorized for the special election to fill the vacancy for the position of Executive Secretary in the January 2022 meeting. The individual votes of all board members will be recorded and maintained in the District Office upon the conclusion of the election.

This amendment will be effective immediately upon adoption by the board.

**ADOPTED: December 16, 2021**

- 1.3) Electronic balloting is authorized for use as a voting method for the general officer elections to be conducted at the June 2022 General Board Meeting. The individual votes of all board members will be recorded and maintained in the District Office upon the conclusion of the election.

This amendment will be effective immediately upon adoption by the board.

**ADOPTED: June 27, 2022**

- 1.4) To amend Section 6.1(a)(6) to read: Members at Large (2)

**ADOPTED: May 28, 2024**