



The City of New York

Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills
Little Neck and Oakland Gardens

Michael Budabin, Chair / Joseph Marziliano, District Manager

TO: All Board Members
FROM: George Mihaltses, By-Laws Committee
Committee Chair
RE: Revise and Update of the CB11 By-Laws
DATE: June 25, 2020

On June 22, 2020, the By-Laws Committee held a Zoom teleconference meeting to discuss revising the CB11 By-Laws. Present were George Mihaltses, Committee Chair, Michael Budabin, Board Chair, Christine Haider, 1st Vice, Victor Dadar's, 2nd Vice Chair, Henry Euler, 3rd Vice Chair and Committee Members Ocelia Claro, Paul DiBenedetto, Albert Galatan, Joan Garippa, Rosemarie Guidice, Laura James, John Kelly, Eileen Miller and Board Member Benjamin Turner. Also present were Joseph Marziliano, District Manager, Jane Bentivenga, Christina Coutinho, Staff Members and David Joel Schachner, CB11 resident.

The meeting started with Mr. Mihaltses and Mr. Budabin both acknowledge that this is a first step in the process to amend and update the CB11 By-Laws. The committee will require additional meetings before submitting its recommendations to the Full Board. At this meeting the committee would not take any binding vote, and that everything discussed were suggestions. They also said that prior to review of the Full Board, the Legal Counsel for the Queens Borough President's Office would have to examine and advise. This would ensure compliance with the City Charter.

Prior to the meeting, Committee Members received the current CB 11 By-Laws and sample By-Laws from various NYC Community Boards. Ms. James mentioned how CB10 Manhattan had a Table of Contents. She volunteered to create something similar once the By-Laws were completed. Majority of the Members present agreed.

The body of this report will be bullet points for each section with noted comments.

Article IV – Officers.

- Titles and roles should be reviewed and defined.
- Is a position for a Secretary and/or Treasurer warranted?

Mr. Marziliano stated that years ago there was a Secretary for the Board because the only staff member was the District Manager. Currently, only a NYC paid employee can sign off on payment vouchers. Mr. Budabin stated that with two staff members, a secretary may not be needed. He suggested a treasurer to act as a liaison between the office and the Board to deliver quarterly financial reports.

Article V – Officers’ Eligibility.

- Mr. Budabin asked for confirmation that a person must have one full year on the Board prior to assuming office. Mr. Marziliano will investigate this.

Article VI – Nomination and Election of Officers.

- There was a general feeling that the board should create more formality around the nomination and election process.
- Ms. James made a recommendation to create a Nomination and /or Election Committee to manage the process. The Committee would be responsible for announcing the candidates’ names to the Board but would not decide who would run. Majority of the Members agreed.
- Mrs. Haider made a recommendation of a proposed slate of officers. Some of the Members disagreed. Mrs. Haider said that a Nomination Committee would have to be an ad-hoc committee and dismantled after the elections.

Mrs. Garippa stated that at the election meeting nominations should be allowed from the floor.

Note from Article XI – Vacancies - Mr. Budabin stated that this Section would have to coordinate with the procedures of the Election of Officers Section.)

Mr. Mihaltses noted that this area needs further clarification and will be discussed further.

- Several Members brought up the limit of holding an executive position for five consecutive years. The Committee agreed to further discussion.
- Mr. Kelly recommended that board members be allowed to ask the candidates questions on election night. Discussion ensued that one of the roles of the Nomination Committee, could be to arrange a candidate’s night.
- Mr. Kelly also suggested that there could be one vote for the positions of 1st, 2nd and 3rd Vice Chairs. The most votes would go to 1st Vice Chair and second most to 2nd Vice Chair and so on.

Mr. Mihaltses said that this section will be reviewed and discussed with the BP’s Legal Counsel.

Article VII – The Roles of the Executive Committee.

- Mr. Mihaltses stated that Section E would be removed. (Paid Secretary)
- Mr. Budabin stated that he noticed in other By-Laws that the duties of the Executive Committee are more established and detailed. He suggested formalizing activities of the Executive Committee.

Mr. Mihaltses said there are a couple of different ways to go about revising this Section and they will be reviewed and discussed.

Article VIII – Committees.

- Mrs. Haider suggested that the committees have a small description.
- Mr. Euler suggested that the Aviation Committee be reinstated.

- Many Members suggested the updating of the list of Committees since some were not listed.

Mr. Mihaltses said that this section will be updated.

(Note from Article XIV Agenda - Mr. Budabin discussed that in the Committee Section of the By-Laws, there could be language to address agendas.)

Article IX – Responsibilities of Community Board Members.

- Mr. Budabin stated that with confirmation, a behavior guideline Section could be added. It's a gray area for removal but it is good for guidance.

Mr. Mihaltses noted the suggestion and said it will be discussed with BP's Legal Counsel. Removal of a Board Member is determined by the BP.

Article X – Quorum.

No Comments

Article XI – Vacancies.

- Mr. Budabin stated that this Section would have to coordinate with the procedures of the Election of Officers Section.
- Mrs. Claro stated that CB10 Manhattan By-Laws state that if the position of Chair was to become vacant midterm, the 1st Vice Chair would step in.
- Mrs. Miller said that CB10 Manhattan also has a section on cell phones.

Article XII – Meetings of the Board.

- Mr. Budabin asked for the requirements and flexibility in the City Charter regarding deadlines of meeting notices to the Board even for those who do not have email.

Mr. Mihaltses stated that he will verify the current requirements of the City Charter. We should also monitor how the covid crisis and the expanded use of technology for meetings and public information may impact meeting and notice requirements. The By-Laws need to reflect the circumstances we are currently facing.

- Ms. James suggested adding a statement that if a meeting had to be canceled due to weather that a virtual meeting could be set up.

(FYI – If there is a Public Hearing, the public needs to be informed of the change. Public Hearings are published into the City Record)

Mr. Marziliano stated that the BP's office advised him that votes taken by the Board cannot be done by proxy, they must be in person. Mr. Budabin stated that in other NYC Boards, their By-Laws' mention conducting a virtual meeting, but one person must be present in the office. Further information will be gathered from the BP's Office and review of the City Charter. Mr. Kelly stated that according to the Web Cast Law of 2014, all meetings should be video recorded and posted. He said that, in his opinion, CB11 was not in compliance. Mr. Marziliano stated that the Law also requires an earmark of funding.

Mr. Budabin and Mr. Mihaltses said that they will verify the requirements.

Article XIII – Public Hearings.

- Mr. Turner said that the language in this Section is very general. Mr. Budabin agreed that more descriptive language should be added.

Article XIV – Agenda.

- Mr. Kelly said currently meeting agendas' looks more like announcements. He requested that the By-Laws state that meeting notices are to be more clearly defined.
- Mr. Budabin said he agreed. This topic has been discussed with Mr. Marziliano. The agenda is a preview of the meeting and a notice for the Members to understand the importance of attending. Moving forward agendas will be more detailed. Mrs. Haider said this Section is for Board Meetings. Mr. Budabin discussed that in the Committee Section of the By-Laws, there could be language to address agendas. Majority of the Committee agreed to address Committee and Full Board meeting agendas.
- Mr. DiBenedetto stated that Section 2 needs clarity. There have been topics at a meeting that required a vote without the 15-day notice.

Mr. Mihaltses noted the suggestions and agreed to discuss further. Discussion ensued that flexibility is needed.

Article XV - Removal of Board Officers.

Article XVI - Removal of Board Members.

- This Section should follow the City Charter.

Article XVII – Severability.

No comments.

Article XVIII – Amendment.

- Language needs to be updated. A suggestion was made to add a requirement that the By-Laws are reviewed regularly i.e. every two years.

Mr. Mihaltses said this will be discussed further.

Article XIX – Parliamentary Procedure.

- The position of Parliamentarian should be written into this Section.

Mr. Mihaltses agreed. ***The meeting adjourned at 9:47 p.m.***