COMMUNITY BOARD 12

BY-LAWS

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ARTICLE I PURPOSE

The Community Board is mandated by the New York City Charter to review and consider all matters within its power and authority pertaining to the general welfare of the district, including zoning matters, Land-Use, delivery of city services, preparation of expense and capital budgets, and not excluding matters deemed significant by the Board within its authority as set forth under Chapter 70, Section 2800, and other relevant sections of the New York City Revised Charter of 1979.

The Community Board will make recommendations to the Borough President and all City Agencies to which such recommendations are relevant.

ARTICLE II NAME

The name of this board shall be known as: COMMUNITY BOARD #12, BOROUGH OF QUEENS.

ARTICLE III AREA SERVED

This board shall serve the community within the following areas as designated by the City Planning Commission and adopted by the Board of Estimate.

Van Wyck Expressway-West
Hillside Avenue-North
Francis Lewis Boulevard/Springfield Boulevard-East
North Conduit Avenue (Belt parkway)-South

ARTICLE IV OFFICERS

A. The Officers of the Board shall be the following:

1. Chairperson
2. 1st Vice Chairperson
3. 2nd vice Chairperson
4. 3rd Vice Chairperson
5. Secretary
6. Treasurer
7. Parliamentarian

B. Officers shall not serve as committee chairs.

ARTICLE V OFFICER ELIGIBILITY REQUIREMENTS

A. To be eligible for any office of the board, a member must first have been appointed to the Board by the President of the Borough of Queens.

B. A member must have served at least one year on the community board prior to running for elected office.

C. A member must be present at community board meetings at least 70 Percent of the time.

ARTICLE VI ELECTION OF OFFICERS

A. Election Process

1.. The Nominating Committee shall convene over the electoral process. The election of Officers is done following the roll call at the last duly constituted meeting in December of each year. All offices of the board shall be declared vacant.

2. The term of office shall be for a two-year term alternating positions as follows:

a. Chairperson, 2nd Vice Chairperson, Secretary and Parliamentarian shall be elected in even years.

b. 1st Vice Chairperson, 3rd Vice Chairperson and Treasurer shall be elected in odd years.

3. Nominations shall be made from the floor by any member, in the event There is no candidate identified for a vacant officer position, and the officer Shall be voted upon.

4. In the event that a candidate is not identified for a vacant position, the committee will re-open the nomination process and a special election will take place in January to fill the vacancy.

5. In the case of a tie for any position, a runoff shall be held immediately between the candidates who tied. If the runoff also results in a tie, a special election is conducted in January and majority vote wins.

6. A member must be present to vote.

B. Election Timeline

1. October – solicit letters of intent from individuals interested in running for office.
2. November- Interview candidates for office.
3. December- conduct elections by ballot at end of December meeting.
4. Board Members must be in attendance to vote.
5. Installation of officers shall commence immediately after elections

ARTICLE VII DUTIES OF OFFICERS

A. THE CHAIRPERSON

1. Shall be the Chief Executive of the board.

2. Shall preside at all regular and special meetings of the Board and the Executive Committee.
3. Shall have the right to call a Special Executive Session when deemed necessary or upon the written request of at least five (5) members of the Board, within a reasonable amount of time. If such a meeting is called...a ten (10) day advance notice shall be given to the members of the board, and the Borough President.

THE CHAIRPERSON (continued)
4. Shall have the authority to waive a Public Hearing after getting permission of a majority vote of a quorum of the Board members present.
5. Shall have the authority, with the consent of the Executive committee, to appoint standing and special committees.
6. Shall have the right, to invite a person to speak to the Board if he or she deems it necessary to the proper operation of the community Board.
7. Shall maintain and turn over all records to his or her successor. (This requirement applies to all officers of the Board).
8. Shall prepare an Agenda with input from Executive committee, Area Chairperson(s) and individual Board members for the board Meeting with sufficient time allotted for distribution ten (10) calendar days prior to the meeting.
9. Shall send a notice of the TIME, PLACE, and SUBJECT of a Public Hearing for ALL actions, for publication in the City Record to be distributed not less than fifteen (15) calendar days PRIOR to the date of the hearing. (As per directive dated July 13, 1981 CPC).
10. Shall attend on a regular basis, the Borough Board meeting of Queens and report to the Full Board at its next regular meeting.
11. Shall serve in whatever other capacity is required or mandated by law.
12. Shall, in the event the offices of the District manager or Assistance District Manager become vacant, within fourteen (14) days from a search committee.
B. THE 1ST VICE CHAIRPERSON
1. In the absence of the Chairperson, shall have all the powers and functions of the Chairperson and is a member of the Executive Committee.
2. Shall perform such other duties as prescribed including, but not limited to, chairing committees and supervising and delegating the work of the committees along with the Chairperson.
3. Will serve as executive to personnel, education, parks, transportation, and Good and Welfare committees.
4. Will call the first meeting of committees assigned to this position, if there is no Chairperson assigned to this committee.
5. Shall conduct the expense and capital budget hearings.
C. THE 2ND VICE CHAIRPERSON
1. In the absence of the Chairperson and 1st Vice Chairperson, shall have all the powers and functions of the Chairperson and is a member of the Executive Committee.
2. Shall perform such other duties as prescribed including, but not limited to, chairing committees and supervising and delegating the work of the committees along with the Chairperson.
3. Will serve as executive to health, environmental, public safety, economic development, and youth committees.
4. Will call the first meeting of committees assigned to this position, if there is no Chairperson assigned to this committee.

D. THE 3RD VICE CHAIRPERSON
1. In the absence of the Chairperson, 1st and 2nd Vice Chairperson shall have all the powers and functions of the Chairperson and is a member of the Executive Committee.
2. Shall perform such other duties as maybe prescribed including, but not limited to, chairing committees and supervising and delegating the work of

the committees along with the Chairperson.
3. Will serve as executive to urban renewal, sanitation, communications, senior citizens, and nominating committees.
4. Will call the first meeting of committees assigned to this position, if there is no Chairperson assigned to this committee.

E. THE SECRETARY

1. Shall be responsible for recording attendance of board members at each meeting.
2. Maintain accurate records of each board members vote.
3. Read all announcements.

F. TREASURER

1. Shall keep the books of Board's expenditures as it relates to the Good and Welfare Committee's Sunshine Fund and shall exhibit them at any reasonable time to any member of the board at the office of the board where such records shall be kept.
2. Shall render a quarterly report of any fiscal statements of finances of the Board to the community. Such statements shall also be rendered when requested, by the Chairperson or any member of the Board.
3. Shall attend and report on borough and citywide Preliminary Capital and Budget Hearings.
4. Shall be responsible for interpreting and reporting on the updates from the Office of Management and Budget (OMB) as it relates to the Community Board 12.
5. Shall perform such duties as may be assigned from time to time upon the board resolution.

G. PARLIAMENTARIAN

1. Shall advise the Chairperson on questions of parliamentary procedures and the by-laws.
2. Will be the interpreter of Robert's Rules of Order.
3. Will call the attention of the Chairperson to any error in the proceedings that may affect the substantive rights of any member.
4. Will maintain a position of impartiality.

ARTICLE VIII AREA CHAIRPERSON

1. Shall hold quarterly meetings as a committee and report at executive or board meetings.
2. Shall report to the District Manager any problems in their area that the staff of the board can act upon.
3. Shall keep in touch with all board members and civic associations in their area.

ARTICLE IX EXECUTIVE COMMITTEE

1. The Executive Committee shall consist of the Chairperson, the elected Officers of the board, the six area chairpersons, and chairperson of each committee.

ARTICLE X RESPONSIBILITIES OF COMMUNITY BOARD MEMBERS

1. Shall attend all Board meetings, Public Hearings and meeting of their committee.

a) The Chairperson shall notify the Borough President, in writing, of all Members who have three (3) consecutive unexcused absences from Board meetings.

2. Shall participate actively on at least one (1) committee.
3. Shall NOT PUBLICLY represent the Board either orally or in writing unless

duly authorized by the board or its Chairperson.
4. Shall vote in Person on all matters that come before the Board.

ARTICLE XI A. APPOINTMENT OF STANDING AND SPECIAL COMMITTEES

1. The Chairperson of the Board shall appoint standing and special committees to assist the Board in fulfilling its obligations to the community.
2. A Board Member must chair each committee.
3. Community residents living within the board's boundaries may serve on committees, with the exception of the executive committee.
4. Shall NOT PUBLICLY represent the Board either orally or in writing unless duly authorized by the board or its Chairperson.
5. Shall Vote in Person on all matters that come before the Board.

ARTICLE XI B. STANDING COMMITTEE

The Chairperson shall appoint a Standing committee to deal with issues deemed best to serve the needs of the community.

1. There shall be fifteen (15) standing committees.
2. Board Member must chair each committee.
3. A Non-Member Community resident may serve on Standing Committees appointed by the Chairperson.
4. Each standing committee shall familiarize it self with programs, plans and problems relative to its particular field of the boards city charter mandated functions; shall perform other functions included but not limited to convening regular scheduled meetings; assisting in the preparation of documents and testimony for appropriate hearings; assisting in the planning and evaluation of capital projects within the district; evaluating the quality and quantity of service provided by agencies.

5. Committees shall study, recommend, investigate, deliberate, and have oversight on matters under their jurisdiction. Recommendations of their findings shall be submitted to the board in writing. Final action on matters may only be taken by a vote of the board.
6. The Standing Committees Are:

- Personnel- shall be responsible for filling all staff vacancies of the community board office.
- Education- shall be responsible for matters relating to education within Community Board #12.
- Parks- shall be responsible for matters relating to the districts parks, facilities and trees.
- Senior Citizens- shall be responsible for matters relating to senior programs and services.
- Health- shall be responsible for matters relating to health services and social services programs.
- Environmental- shall be responsorial for matters related to air/noise, sewer, water, and soil pollution as well as other matters relating to environmental conservation and protection.
- Economic Development- shall be responsible for all economic development within the boundaries of Community Board #12, in an effort to develop stronger neighborhoods, stimulate employment growth and encourage investment.
- Youth Services- shall be responsible for community youth programs and services to youth. Shall identify critical elements essential to the healthy development of young people. Work closely with youth organizations in the community.
- Urban Renewal- land use; housing and related issues- shall be responsible for

zoning changes; zoning variances and special permits; franchises; reviews of proposed amendments to the Uniform Land Use; Review Procedures (ULURP); and street mapping and demapping when related to zoning changes or variances. It shall review neighborhood zoning and designations for appropriateness and recommend area-zoning changes that may be appropriate.

□ Transportation- shall be responsible for all transportation issues and franchises (such as community vans, taxis, etc.) as well as matters related to district streets, highways and bridges; parking operations; street maintenance/reconstruction; traffic control and enforcement, traffic signals and signs and renaming of streets.

□ Communications- shall be responsible for contacting local media when appropriate. Publicizing meetings of Community Board #12, public hearings and committee meetings.

□ Nominating- shall convene during the month of September for the purpose of completing an agenda and timetable for the nomination/election procedures.

□ Public Safety- shall be responsible for matters relating to the police and fire departments and other public safety related issues or agencies as they affect the district.

□ Sanitation- shall be responsible for matters relating to sanitation enforcement services, refuse collection, street cleaning, waste disposal, vacant lot cleaning, snow removal and monitoring of waste transfer service within Community Board 12.

□ Good and Welfare- shall maintain liaison contact with members who have limited communications with the board and those suffering from ailments by sending acknowledgements. Shall coordinate the annual holiday celebration and special board approved recognitions through the use of the Community Board 12 Sunshine Fund.

Article XI C. COMMITTEE REPORTS

1. Each standing committee shall submit a written report to the District Manager for the preparation of the monthly board meeting five days prior. A verbal report shall be given at the board meeting in the event there are issues to be voted on.

2. All such reports and recommendations shall concern subjects related to the committees' area of responsibility.

ARTICLE XII QUORUM

1. EXECUTIVE MEETINGS

Fifty percent (50%) plus one (1) of the total appointed membership of the Board shall constitute a quorum for the transaction of business by the Board.

2. PUBLIC HEARINGS

A quorum for a Public Hearing shall consist of at least seven (7) Board Members.

a) Taped-recorded minutes shall be taken at all Public Hearings, and a written record kept of all Board Members who were present.

ARTICLE XIII VACANCIES

1. In the event of the RESIGNATION, DISCAHRGE, DISABILITY or the DEATH, of any elected officer. A NEW ELECTION shall be held to fill each vacancy at the next regular meeting after such position becomes vacant, and the meeting notice shall so state.

2. Vacancies of Board Members shall be filled by the Borough President for the remainder of the unexplored term in the same manner as regular appointments.

ARTICLE XIV REMOVAL OF AN OFFICER FROM OFFICE

1. Any member of the Board may be removed from office for cause.
The Motion to institute removal proceedings may be made at Any REGULAR MEETING OF THE BOARD.
THE APPROVAL of such a motion MUST BE MADE BY A 2/3 majority of the ENTIRE MEMBERSHIP OF THE BOARD.
2. If the motion is approved, the presiding officer, who shall be the highest ranking officer, (not the subject of removal proceedings), shall designate a three (3) member committee to investigate allegations and report at the next meeting.
Members of this committee MUST consist of: (a) member chosen by presiding officer, (b) member selected by the person who is the subject of the removal proceedings, and (c) a member selected by BOTH JOINTLY.
3. Upon a written report of said committee, which MUST INCLUDE a minority report (if any) 3/4 of the entire appointed membership of the Board must APPROVE the action at a special meeting called for the purpose.

ARTICLE XV MEETING OF THE BOARD
1. The Board shall meet at least ONCE a month, EXCEPT DURING July and August when such a meeting shall be at the discretion of the Chairperson, and The Executive Committee.
2. All such meetings shall be OPEN to the PUBLIC with the exception of meetings regarding Personnel matters.
a) A Community board may close an Executive Session or meeting to the public by a ¾ vote of the appointed MEMBERS present...PROVIDED that no FINAL ACTION shall be taken at such meeting.
3. No Board Member may invite any person to address the Board without first having obtained such consent from the Chairperson.
4. ALL VOTES of members shall be RECORDED and be a matter of Public Record, i.e. Total for_____, Total Against_____, and Total Abstentions_____.

ARTICLE XVI PAID EMPLOYEES
HIRING OF STAFF
The Board shall hire a paid District Manager (herein referred to as DM). The Board may hire a paid Secretary/Office Aide, and other such salaried staff as deemed necessary to serve the Board in its functions. The DM shall be under the direct supervision of the Board Chairperson.
A. THE DISTRICT MANAGER
1. The DM shall perform duties as outlined in the City Charter, and as outlined in the memo of instruction.
MEMO OF INSTRUCTION
2. Is a set of instruction from the board through the Chairperson directing the District Manager to perform certain duties. Memo may be amended from time to time by mutual consent of the board and the District Manager.
The District Manager shall be hired after the following procedures have been followed: The Chairperson of the board shall appoint a screening, and search Committee, consisting of no less than seven (7) Board Members. The committee shall establish a criteria for the position as outlined in the City charter and advertise in the media, and shall receive, and review resumes and interview applicants. The committee shall within forty-five (45) days of its appointment report its recommendations for filling the position to the Full board. The Board, at its next regularly scheduled meeting or a special meeting called for that purpose shall select by a majority vote of a quorum,

the person to fill the position of District Manager.

B. THE PAID SECRETARY/OFFICE AIDE

Shall perform all duties as outlined in City Charter, and any other duties as outlined in personnel manual, and is supervised by the District Manager.

ARTICLE XVII PUBLIC HEARINGS

1. PUBLIC HEARINGS shall be held in accordance with Article 4. Section 4.030 of the Uniform Land Use Review Procedure.

2. At the conclusion of any Public Hearing, or at the next meeting, the board shall review the findings.

3. "Notice of the time, place and subject of a Public hearing to be held by a Community Board on an application shall be given as follows":

a) For all actions subject to this Land Use Review Procedure, by publication in the city Record for the ten (10) days changed to five (5) days* of publication immediately proceeding, and including the date of Hearing: (Approved amendment change, July 13, 1981 CPC).

b) For all actions, by publication in an issue of the comprehensive City Planning Calendar distributed not less than ten (10) calendar days prior to the date of hearing; (not responsibility of Board).

c) For actions that result in acquisition of property by City, whether by condemnation or otherwise, to the owners of the property in question mailed by registered mail (return receipt requested to the last know address of such owner or owners) as shown on the city's Tax records, not later than. (Not responsibility of Board).

4. The Open meetings Law requires that board Meeting be open to the public, and that minutes be taken, which shall include all matters formally votes upon, and the vote thereon. It does not however prohibit the election of officers by ballot.

5. The adoption of a recommendation shall be by PUBLIC VOTE of a written recommendation shall be submitted promptly AFTER ADOPTION in accordance with Article 4, Section 4.064 of the Uniformed Land Use Procedure.

Article 4, Section 4.064

Submission – A Community board submits its recommendation or waiver promptly after adoption to the City Planning commission and to the applicant referred to two or more community boards and a borough board, to such borough. In all cases, community boards shall send copies of their recommendations to the Borough President. In addition, the record of the hearing shall be submitted to the City Planning Commission via designated personnel of the department of City Planning. In the case of an application for a variance of the zoning Resolution or a special permit under the Jurisdiction of the Board of Standards and Appeals, the community board recommendation of waiver shall be referred to the Board of Standards and Appeals, the City Planning Commission and in the case of an application which was referred to two or more community boards and a borough board, to such borough board. Upon action by or expiration of time to act for each concerned community board and, when appropriate, action by or expiration of time to act for a concerned borough board, the Board of Standards and Appeals may proceed to review the application and to make a decision.

ARTICLE XVIII CONFLICT OF INTEREST

A board member may have an interest in , or a position with , a firm or entity that has matters before the board on which he or she serves: however Section 2604 (a)(1)(b) of the City Charter provides that no member may vote on any matter before the community board which may result in a personal and direct economic gain to the member or any person or firm with whom there member is associated (including family members, public or private employers, and not-for-profit organizations with which the member is involved). A board member may of course participate in any discussion of such matters prior to the vote, provided that the member has first disclosed his or her interest to the board.

The New York City Conflicts of Interest Law, in its Advisory Opinion No. 95-18, has also interpreted the relevant provision of the charter to prohibit community board members from chairing committees which are likely to have matters before them which concern the members' private interest or employment.

ARTICLE XIX AMENDMENTS OF THE BY-LAWS

1. A motion to AMEND these by-laws may be made at a meeting of the Board, called for that purpose.
2. In the absence of statutory instruction, Community Board #12 may adopt further rules for its own internal management organization and procedures in accordance with ROBERT RULES of Order, Revised Edition.
3. Amendments will be presented to the Board one month prior to voting, printed and distributed, and voted on the second month by a majority of a quorum.

ARTICLE XX RULES OF ORDER

1. Each Board may adopt such rules and regulations which it deems necessary to its individual operation, EXCEPT where it conflicts with these BY-LAWS or conflicts with the rules and regulations under the NEW YORK CITY CHARTER amended November 1975 and any further amendments.
2. ROBERT RULES OF ORDER Revised Edition shall govern all matters pertaining to Parliamentary Procedure that are not by Standardized by-laws and the New York City Charter.
3. Public Hearing and Sessions will be governed by and adhere to rules of procedure. The rules of procedure can be used to regulate the amount of time allotted to each speaker. (Board Members will refrain from making presentations during the Public Sessions). The rules of procedure can be amended on the night of the meeting by a majority vote of the quorum.