

BY-LAWS OF COMMUNITY BOARD NO. 16

BOROUGH OF BROOKLYN

Article I

Name

1.1. The name of this organization shall be COMMUNITY BOARD NO. 16 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 law. Nothing in these By-Laws shall be construed to change, modify or amend the Charter. In the 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

Geographical Area of Jurisdiction

3.1. The geographical area of the Board's jurisdiction, generally consisting of the Ocean Hill-Brownsville community in the Borough of Brooklyn, shall be as is specifically designated as Community District No. 16 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 over a period of six months, by the Borough President or by a majority vote of the Board.

(b) Three consecutive unexcused absences, or more than fifty percent non-consecutive unexcused absences in any one year, shall be considered substantial non-attendance at Board or committee meetings. The Chairperson may excuse an absence for cause.

(c) An appointed member may only be removed after service of written charges and specifications made by the Executive Committee and a hearing before the Board, or an administrative law judge of the Office of Administrative Trials and Hearings when warranted, at which the member shall have the right to respond to the charges and specifications, the right to counsel and the right to produce witnesses or evidence on his or her behalf.

5.6. Any member appearing before a governmental agency, other entity or person or making a public statement which is in conflict with a position adopted by the Board shall not identify himself as a member of the Board. 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) Secretary
- (5) Treasurer
- (6) Parliamentarian

(b) Each officer shall be elected from the appointed members of the Board and shall serve for a one year term commencing on the fourth Tuesday of June and until a qualified successor is elected.

(c) The Executive Committee shall consist of all of the elected officers of the Board who shall hold office until their successors are duly elected. The President of the Board shall serve as Chairperson of the Executive Committee. The Executive Committee shall exercise in the intervals between meetings of the Board all powers of the Board that may lawfully be delegated in the management of the affairs of the Board or such lesser powers as may be specified from time to time by the vote of the Board. It shall meet at the call of the Chairperson. A majority of the members of the Executive Committee shall constitute a quorum.

6.2. (a) At the regular meeting of the Board held in the month of April, a nominating committee

consisting of not less than three or more than five appointed members shall be named by the Chairperson of the Board. The nominating 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. 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 or elected committee chairperson, 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 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 an officer shall be initiated by the Executive Committee, 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 at which he or she shall have a right to respond to the 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 powers and perform any of the duties of the Chairperson if the Chairperson so directs, or if the Chairperson shall be incapacitated, or if there shall be a vacancy in the office of Chairperson until a qualified successor Chairperson shall be elected.

7.3. The Secretary shall cause the minutes of meetings and public hearings of the Board to be

recorded and the records of the Board, including minutes, notes, resolutions, reports, communications and correspondence to be maintained in an orderly manner. The Secretary shall cause records to be maintained showing the attendance of all members at meetings and the recording of all votes. In addition, the Secretary shall have such powers and perform such duties as shall be assigned to the Secretary by the Chairperson of the Board. In the absence of the Secretary, the Chairperson may designate any officer of the Board to act as secretary on a temporary basis.

7.4. The Treasurer shall cause the financial books and records of the Board to be maintained, shall report thereon to the Board and shall sign all checks, together with the Chairperson, the District Manager or any other officer. If the Treasurer is incapacitated, the Chairperson and any officer may sign instead.

7.5. The Parliamentarian shall maintain order at all meetings of the Board.

Article VIII

Committees

8.1. The following standing committees shall be established:

- (1) Economic Development
- (2) Environmental and Sanitation
- (3) Health and Human Services

- (4) Land Use, Planning and Zoning
- (5) Legislative
- (6) Parks and Recreation
- (7) Personnel, Budget and Finance
- (8) Public Safety (Police and Fire)
- (9) Senior Citizens Affairs
- (10) Transportation and Franchises
- (11) Youth Services Planning
- (12) Women's

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, and such other persons with a residence or significant interest in the community, who are not an appointed member of the Board, as are appointed by the Chairperson of the Board. 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 Board may create such additional standing committees to cover additional substantive areas of responsibility as it deems necessary or advisable. No person may serve as chairperson of more than one standing committee. Each committee may elect a vice chairperson who shall be an appointed member of the Board. When there is a vacancy in a 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 or public hearing of such committee, or any public hearing of such committee which is mandated by law.

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 attendance of all committee members at such meetings and public hearings. Each committee shall act only when a quorum is present. Such quorum shall consist of a majority of appointed members. Appointed members may be appointed to committees at any time during the year, or transferred from one committee to another, with the consent of the Chairperson and the committee chairperson 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 six or more committee meetings in a period of any one year, or for other good cause, provided that the Board Chairperson approves such removal. Members of a committee who are not appointed members shall be dropped automatically from the committee's roll after missing three consecutive meetings.

8.5. The Board may, by resolution, establish such special committee as it shall deem advisable, or, upon the recommendation of a committee, may establish such subcommittees as it shall deem advisable. Any such committee or subcommittee shall have and may exercise such powers as may be granted to it by such resolution. The resolution may also provide for the composition of the special committee or of the subcommittee, the method of selection of its chairperson and its

members, its purposes, its length of existence, and any other matters concerning its operation. Any committee or subcommittee established by such a resolution may at any time be terminated by resolution of the Board. A special committee or subcommittee, without a specified term existence, shall be deemed discontinued immediately following the annual Board elections next succeeding its creation, unless such special committee or subcommittee is specifically continued either by resolution of the Board or by public declaration of the newly elected Chairperson, which declaration shall be recorded by the minutes.

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 at least one public hearing each month within Community District No.

16.

(b) At each meeting, the Board shall set aside time to hear from the public.

(c) Regular monthly meetings of the Board shall be held on the fourth Tuesday of each month, except if such Tuesday is a holiday, then it shall be held the third Tuesday.

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 or (b) upon the written direction of at least one-third of the appointed members of the Board. 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 any 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 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.

Article X

Public Hearings

10.1. Public hearings of the Board shall be held on matters mandated by the Charter or by other provision of law, rule or regulation and on all such other matters as the Board may deem advisable.

10.2. Notification of the date and location of a public hearing and distribution of such notification shall be in accordance with the provisions of Section 4.030 of the "Uniform Land Use Review Procedures" for matters mandated thereby and by flyers and/or notice in the local press for other public hearings unless other notice is required by law, rule or regulation.

10.3. Public hearings shall be conducted in conformity with the provisions of Sections 4.040 and 4.050 of the "Uniform Land Use Review Procedures" when required, in all other cases the conduct of public hearings shall be determined by resolution of the Board.

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 the 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.

(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 elected by the Board. The search committee shall elect its chairperson and 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, notification of community organizations and other appropriate means. Such notice shall provide sufficient opportunity for interested persons to apply.

(c) The district manager shall be paid such compensation as shall be determined by the Board or fixed by law.

11.2. The Board may employ such other assistants as it may require within the budgeted appropriations for such purposes or funds contributed for such purpose. The Board, in the manner provided by law, may remove such other assistants as it may have required.

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

Article XII

Amendments

12.1. These By-Laws may be amended by resolution of the Board adopted after two consecutive regular meetings by a majority vote of the Board at the third consecutive meeting. The full text of the proposed amendment shall be included in the notice of each such meeting. Amendments shall take effect immediately.