

# The By-Laws of Brooklyn Community Board 6

Amended through January 14, 2009

## PREAMBLE

The By-Laws for the Brooklyn Community Boards shall conform to all New York City Charter provisions pertaining thereto, including Local Law 84 and Section 2800. Nothing in these By-Laws shall be construed as to change, modify, or amend the Charter of the City of New York.

The purpose of this organization shall be to exercise the powers and duties of Community Boards as set forth in Chapters 69 and 70 of the Charter of the City of New York, within the area designated by the Board of Estimate as Brooklyn Community District #6 on December 23, 1976.

Article I

Membership

*Ex-Officio Members of the Board*

New York City Council and New York State Legislature and United States Congress whose districts include any part of Community District #6 shall be ex-officio, non-voting members of the Community Board.

*Conflict of Interest*

2. All members shall serve on the board in their capacity as private citizens only. Their actions shall not be instructed by or responsible to, any other organizations with which they may be affiliated. Any member participating in the Board's consideration of a matter involving self serving or conflict of interest shall identify such interests prior to participating in the discussion and abstain from voting on such matters.

*Membership Public Activity*

3. Any member appearing before a governmental body or otherwise making a public statement which conflicts in any respect with positions adopted by the Board shall clearly state that such public statement is not the position adopted by the Board, and is the position of such a member. No member shall represent the Board's position before any governmental body, or agency, or otherwise make any public statement on behalf of the Board unless designated to do so by the Board Chairperson.

*Board Member Attendance Requirements*

4. Members of the Board shall make every effort to attend Board meetings. Removal for cause as outlined below shall include three (3) consecutive, unexcused absences or a total of five (5) excused or unexcused absences from regular Board meetings over any twelve (12) month period.

*Removal of Officer or Member*

5. Any officer or member of the Board may be removed from the Board for cause, defined as including, but not limited to the attendance requirements as stated above, as well as misconduct of a substantial nature, indicating some neglect of duty by the member, or something which materially affects his or her official acts or standing or reflects upon his or her character, by the Board in the following manner:

- a) Motion made to institute removal proceedings can be made at any regular meeting of the Board after the hearing required by subparagraph (c) below, which may be initiated

1. Members of the

Vice Chair as provided in these by-laws or otherwise.

b) Approval of such a motion must be made by a majority of the appointed membership of the Board present and entitled to vote.

c) The member in question must be afforded the right to a hearing upon due notice, before the Executive Committee of the Board. Where the cause is for a reason other than a failure to comply with the above attendance requirements, the hearing shall be conducted by an Administrative Law Judge supplied by the City of New York. The member in question shall have the right to due process, including receiving written charges, and responding in writing, and to counsel to be heard in his or her defense, and to call witnesses on his or her behalf. Such hearing shall be conducted no later than thirty (30) days, or any reasonable adjournment thereof, from the date on which the motion to institute removal proceedings of the officer or member was approved. At the next duly designated meeting of the Board, removal may be voted on by a majority of those members present and eligible to vote, as noted above. A finding of guilt must be based on substantial evidence.

by referral  
from the First

Article II

Officers and their duties

*Board Officers*

1. The Officers of the Community Board shall consist of a Chairperson, First Vice Chairperson, Second Vice Chairperson, Secretary and Treasurer. Each officer shall perform such duties as are incidental to their office as enumerated below and in accordance with generally accepted rules of parliamentary procedure.

*Terms of Office*

2. Terms. Each officer shall serve for the calendar year, with the term beginning on January 1 and terminating on December 31 of that year.

*Rotation of Board Officers*

3. Rotation of Board officers shall provide the greatest opportunity of service for each member. No Board officer shall serve more than four (4) consecutive terms in the same office. The Chairperson, after having completed a tenure of up to four (4) consecutive terms, will be prohibited from running for any officer position for a period of time equaling the number of years they had most recently served consecutively as Chairperson.

B) Duties of the Chairperson

*Chairperson's Duties*

1. To perform all duties as prescribed in the Charter of the City of New York and any other duties prescribed by law.

2. To receive calendars and notices of meetings of all City agencies which are required to refer matters to the Community Board pursuant to the Charter of the City of New York and to inform the members of such calendars and notices.

3. To attend any meetings required by the Mayor and Borough President pursuant to the Charter of the City of New York, or to designate their representative to attend.

4. The Chairperson shall serve in whatever capacity is required or mandated by law.

A) The Officers

all regular and special meetings of the Board.

5. To preside at
  6. To interpret and enforce Robert's Rules of Order except as otherwise provided by the By-Laws herein. and to perform all necessary functions according to the decision duly made by the Board, including communication with the governmental agencies. Such communication shall be through the Borough President's office or sent simultaneously forwarded to the Borough President's office.
  8. To authenticate all acts, orders and proceedings of this Board, including the countersigning of all letters or other correspondence going out from the Board and, to be the sole spokesperson for the Board in relation to the news media, agencies of government and the public at large except as he or she specifically authorizes.
  9. To appoint, suspend or remove Chairpersons and members of the standing and ad hoc Committees of the Board as may from time to time be deemed necessary for the best performance of the Board's functions. The Chairperson shall appoint co-chairs of a Committee as necessary. All such chairpersons and members shall serve until new appointments are made by the Board Chairperson. The Board Chairperson shall be an ex-officio member of each Committee.
  10. To prepare and deliver the Chairperson's annual report.
  11. To turn over all records to his or her successor.
  12. To send an agenda to the Borough President's office in sufficient time for designation of Borough President's liaison personnel to attend meetings.
  13. To send a notice of the time and 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) days prior to the date of the meeting.
  14. To represent the Board at all meetings of the Borough Board as provided in Section 85 of the Charter of the City of New York, or to designate his or her representative to attend any such meetings.
7. To represent a stand for the Board

orders, directives and other matters coming to the Chairperson's attention.

16. In the event a vacancy occurs for a position other than the Chairperson prior to the expiration of his or her term in office, the Chairperson with approval of the Executive Committee shall within thirty (30) days appoint a Board member to the vacant position until the next regular election.

*First Vice Chairperson's Duties*

C) Duties of the First Vice Chairperson

1. The First Vice Chairperson shall preside at the regular monthly Board meeting in the place of the Chairperson when the Chairperson is unable to attend.

2. The First Vice Chairperson shall assist the Chairperson when necessary and required. If the Chairperson can no longer serve, or is unable to serve as Chairperson before his or her term expires, the First Vice Chairperson shall succeed the Chairperson until the Board elects a new Chairperson at the next regularly scheduled election. If either the Chairperson or the First Vice Chairperson is unable to serve, the Second Vice Chairperson shall act as temporary Chairperson until the next regularly scheduled election. If the Chairperson, First and Second Vice Chairpersons are unable to serve, the Secretary shall act as temporary Chairperson until the next regularly scheduled election. If the Chairperson, First and Second Vice Chairperson and Secretary are unable to serve, the Treasurer shall act as temporary Chairperson until the next regularly scheduled election.

3. The First Vice Chairperson shall oversee the functioning and attendance of standing and special Committees. He or she shall report excessive absences of committee members to the Executive Committee for appropriate action.

*Second Vice Chairperson's Duties*

D) Duties of the Second Vice Chairperson

1. The duties shall be as assigned by the Chairperson or otherwise enumerated in these by-laws.

15. To advise the First Vice Chairperson of all information,

*Secretary's Duties*

1. The Secretary shall be the recording officer of the Board, taking minutes of the regular monthly meeting or special or emergency meetings and, shall be assisted in the compilation of such minutes by such secretarial assistance as shall be provided by the Borough President's office.

2. If the Chairperson and the First and Second Vice Chairpersons are unable to attend a regular monthly meeting, then the Secretary shall assume the duties of the Chairperson for that meeting only.

E) Duties of the Secretary

F) Duties of the Treasurer

*Treasurer's Duties*

1. The Treasurer shall have supervision according to the guidelines adopted by the City of New York of the financial records of the Board and its fiscal operations.

2. The Treasurer shall prepare a written operating budget for the Board.

3. The Treasurer shall be Chairperson of the Law, Finance and Personnel Committee.

4. If the Chairperson, First and Second Vice Chairpersons and Secretary are unable to attend a regular monthly meeting, then the Treasurer shall assume the duties of the Chairperson for that meeting only.



Article III

District Manager

shall:

*District Manager's  
Duties*

1. Have responsibility for processing service complaints.
2. Preside at meetings of the District Service Cabinet
3. Perform other such duties as are assigned by the Community Board.

The District Manager

## Article IV

### Committees

#### *Committee Appointments*

members of Committees shall be appointed by the Chairperson of the Board and shall serve until new appointments are made by the Chairperson. Applications for committee assignments shall be due at the district office by the end of June, on forms prepared by the district office, accompanied by a resume, curriculum vitae, or other summary of relevant qualifications for the committees requested.

#### *Standing Committees*

2. There shall be the following standing Committees, which may be combined by the Executive Committee after an annual review:

- a. Land Use
- b. Landmarks Preservation and Historic Districts
- c. Law, Finance and Personnel
- d. Parks, Recreation and Cultural Affairs
- e. Youth Services
- f. Education
- g. Transportation
- h. Human Services
- i. Budget
- j. Community Development
- k. Economic Development
- l. Waterfront Development
- m. Housing
- n. Environmental Protection
- o. Public Safety
- p. Permits/Licenses (sidewalk cafes, liquor licenses, etc.)
- q. Executive

#### *Non-Board Members on Committees*

3. 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 Committee shall have a member of the Board as its Chairperson.

1. All Board

Article V

Election of Officers

*Appointment of Election Committee*

Community Board's regular meeting in the month of September, the Chairperson shall appoint an Election Committee consisting of five Board members and shall designate one of their number to be Chairperson of said Committee.

*Written Nominations for Officers*

2. As promptly as possible after appointment, the Election Committee shall send notice to all Board members requesting nominations for Officers. All nominations must be signed by the member making the nomination and returned to the Board office no later than the first Friday in October of that year. The Election Committee shall ascertain from all nominees their willingness to run.

*Interim Report of Election Committee*

3. In October of each year the Election Committee shall give an interim report to the Board as to the status of nominations as of that date.

*Final Report of Election Committee*

4. At the November Board meeting the Election Committee shall give its final report which shall consist of all nominations for all offices that have been accepted by the candidates. At that time only, members of the Board may make additional nominations from the floor. The names of all nominees shall be sent to all Board members with the written Notice of Election for the December meeting. Nominations may be taken from the floor at the December meeting for any office for which there is no nominee.

*Separate Elections for each Office*

5. At the December Board meeting the Election Committee shall conduct a separate election for each office. Where there is only one candidate for a position, the Election Committee, without objection, shall declare that person elected.

*Provisions for Run Off Elections*

6. The person receiving the highest number of votes for each office shall be deemed elected. Where there are more than two candidates for a particular office, a candidate must receive a majority of all votes cast, excluding blanks, to be elected. Where no candidate receives a majority, a run off shall be held between the two persons receiving the two highest votes.

1. At the

*Provisions for a Tie*

that there is a tie in a race between two candidates for any specific office, there shall be a subsequent run off vote for the undetermined office. Prior to a run off vote, each candidate will be permitted an opportunity to address the Board, no longer than three (3) minutes per candidate. If after the subsequent run off vote the contest remains undecided, the Chairperson shall select one of the candidates to fill the position. If the contested position is the office of the Chairperson, and a run off vote does not result in a clear victor, the position of Chairperson will be decided by coin flip.

*Paper Ballot Voting*

7. In the event
8. Voting for office shall be by paper ballot which must be signed by the Board member voting. Members must be present to vote. No write-ins or proxy voting is allowed.

Article VI

Meetings

*Regular Meetings*

shall have one regular meeting each month, except during July and August. However, meetings during July and August may be held as provided for in Section 4 of this Article. There shall also be one Public Hearing each month. A quorum to convene any meeting shall be a majority of members appointed to the Board.

*Summer Action Needed*

2. The Executive Committee shall be empowered to meet and act on behalf of the full Community Board between the June and September regular monthly meetings should the need arise to respond to matters of a time-sensitive nature.

*Public Vote*

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

*Adopted Recommendations of the Board*

4. A Community Board recommendation shall be in writing and shall include a statement of the proposal, the time and place of a meeting at which the recommendation was adopted and the vote by which the recommendation was adopted.

*Meetings Called by Borough President*

5. The Board shall meet upon the request of the Borough President to hold hearing on the City Budget or any other public matter.

*Special Meetings*

6. There may be special and emergency meetings. A special meeting shall be a meeting other than the regular monthly meeting and shall be called by the Board Chairperson:

- a) At the Board Chairperson's volition
- b) At the Borough President's request
- c) Upon resolution adopted by a majority vote of the Board members present and entitled to vote at a Board meetings.
- d) Upon written notice of at least two-fifths of the Board members, computed without fractions, and presented to the Board Chairperson and the Borough President.

*Notice for Special Meetings*

1. The Board

7. A special meeting shall be called upon seven (7) days notice in writing, with a specification of the purpose of the meeting and

delineation of the

agenda of such meeting. Any decision at special meetings shall be made by a majority of those Board members in good standing, then present and eligible to vote. Only items shall be considered.

*Emergency Meetings*

8. An emergency meeting shall be a meeting in the manner of a special meeting, but in circumstances where time is of the essence and decisions are required immediately, the seven (7) days written notice cannot be given, notice of an emergency meeting may include telephonic and other rapid means of communications and must include reasonable notice to the parties directly concerned.

*Notice for Regular Meetings*

9. An agenda shall be drafted by the Chairperson of the Board at least ten (10) days before each regular monthly meeting. The agenda should outline the Board Chairperson's and the Borough President's suggestion of business to be transacted at the meeting. The agenda should also contain items suggested by the Board members, community organizations and other recognized parties in the community. The agenda plus the notice of time and place of the meeting, together with the minutes of the last meeting, shall be forwarded to each Board member at least seven (7) days before the regular monthly meeting of the Board.

*Public Notice*

No matter of substantial public interest and concern shall be decided by the Board (e.g., site selection, zoning changes, public project, park playground, etc.) at a regular Board meeting without that matter having been placed upon an agenda forwarded to the Board members. All matters of substantial public interest and concern (as described above) shall, whenever possible, when coming before the Board for the first time be assigned to a Committee for review before being acted upon, at a subsequent meeting, by the Board. The Board shall give notice to the affected communities in the local press and by other appropriate means.

*Meeting Agenda*

10. The agenda shall consist of the following:

- a) Opening of the meeting
- b) Adoption of minutes
- c) Chairperson's Report
- d) District Manager's Report
- e) Committee Chairperson's Reports
- f) Old Business
- g) New Business

specified on the notice

*Public Session*

nity Session. That period in which an individual who is not a member of the Board may address the Board for no more than three (3) minutes on any item the speaker believes to be interest to the community or the Board. No more than one hour shall be allotted for Community Session unless the majority of those Board members present and eligible to vote shall approve an extension of time. This session shall constitute the Board's required monthly Public Hearing pursuant to the Charter of the City of New York.

i) Adjournment

*Executive Session*

The public is always invited to be present as observers of the Board's proceedings except when the Board decides, upon a majority vote of the members present and eligible to vote, to go into Executive Session.

h)  
Commu

Article VII

Minutes

*Minutes*

each meeting shall be transmitted to the President of the Borough of Brooklyn and the City Planning Commission.

*Public Inspection*

2. Minutes shall be kept in the district office and forwarded to all public libraries within Community District #6 and shall be available to any person or organization requesting same.

1. Minutes of



## Article VIII

### Voting

#### *Open Voting*

public issues shall be through a show of hands, with total votes (those for, those against and abstentions) then being publicly announced and recorded, but the Chairperson may call for a roll call vote. All such votes must take place in open session.

#### *No Proxy Voting*

2. All voting at Board meetings shall be in person only. No proxies will be accepted.

1. Voting on

## Article IX

### Amendments

#### *Sponsorship of Proposed Amendments*

the By-Laws may be proposed by any member of the Board only at a regular or special Board meeting, or by the Mayor or the Borough President. However, a Board member's proposed amendment must be sponsored by at least twenty five (25) per cent of the total membership of the Board, in person, before it can be acted upon.

#### *Referral to Committee*

2. All proposed amendments shall be referred to the Law, Finance and Personnel Committee for a review of what impact, if any, the proposed amendment will have on Board operations or these By-Laws. The Committee will issue a report which shall neither change the text of the proposed amendment, nor include a recommendation to approve, disapprove or modify it. Said report will be presented at the second consecutive meeting on which the proposed amendment appears on the agenda.

#### *Procedures to Adopt Amendments*

3. A copy of the amendment will be mailed to all Board members with the meeting notice. No amendment shall be voted on unless the text of the amendment shall have been placed on the agenda of two successive regular meetings. The amendment will be voted on at the second meeting. To take effect, the amendment must be approved by a majority of members present and eligible to vote at a regular or special meeting of the Board.

#### 1. Amendments to

## Article X

### Community Board Actions - Public Hearings

The Community Board will adhere to the guidelines, minimum standards and procedural requirements set for Community Boards, Borough Boards and the City Planning Commission in the exercise of their duties pursuant to Section 197-c of the Charter of the City of New York.

Article XI

Executive Committee

- Composition* up of the Officers and Chairpersons of standing Committees.
- Function* 2. Shall facilitate the general administration of the Board, and to coordinate the activities of the District Manager, and to coordinate the activities of the standing and ad hoc Committees of the Board.
- Meeting Schedule* 3. Shall meet monthly, or more or less often as needed, at the discretion of the Chairperson.
- Presiding Officer* 4. The Chairperson of the Board shall preside over all Executive Committee meetings, and it shall be the Chairperson's responsibility to call such a meeting.
- Executive Committee Report* 5. The Chairperson shall render an Executive Committee report at every regular meeting of the Board and such report shall become a part of the minutes of the Board.
- Budget Timetables* 6. The Executive Committee shall be responsible for the preparation of a timetable for the consideration of the following years capital and expense budget, and to ensure that appropriate timetables and hearings are set for the Community Development Fund requests and other fund requests.
- Board Members' Committee Attendance* 7. The First Vice Chairperson of the Board, upon receipt of information indicating that a Board member has been absent from three (3) meetings, or absent during any 12-month period from more than half of the Committee meetings (whether excused or unexcused), of a Committee to which the member has been appointed, shall contact the Board member and request a written explanation of the specific circumstances of such absences. The explanation will be presented to the Executive Committee for appropriate action pursuant to Article II, B) Duties of the Chairperson, Section 9.

1. Shall be made

## Article XII

### Individual Responsibilities of Members

*Responsible for Board Meeting Attendance*

attendance at Board meetings is the responsibility of all Board members in order to allow the Board to function in an expeditious manner.

*Excused Absences*

2. A member seeking an excused absence must contact the district office no later than 5:00 pm on the day of the scheduled regular meeting of the Board. Such excused absence shall be subject to approval of the Chairperson.

*Requirement for Board Members to Serve on Committee*

3. Each member shall be a member of at least one standing Committee of the Board, and actively participate in the workings of such Committee. If a member's lack of committee attendance results in their removal from all of their committee assignments, and that member would subsequently be unable to fulfill the minimum requirements of this Article, the member may be considered for removal from the Board for cause, pursuant to Article I, Section 5.

1. Consistent

Article XIII

Committee Responsibilities

*Committee Chairs are Members of Executive Committee*

Chairperson of each standing Committee shall be a member of the Executive Committee and shall attend Executive meetings.

*Committee Rosters*

2. The Committee Chairperson shall maintain an up-to-date roster of Committee members, and shall notify the district office of any changes.

*Minimum Amount of Board Members*

3. Each standing Committee shall have not less than five (5) Board members.

*Recordkeeping at District Office*

4. Each standing Committee shall maintain attendance lists and minutes of its meetings, in the files of the district office.

*Meeting Notices*

5. The Committee Chairperson shall notify the district office in a timely manner of scheduled Committee meetings. If a mailing notice to Committee members is required, detailed instructions must be supplied to the district office (i.e., date, time, place, agenda, lists of guests, etc.).

*Participation of Non-Board Members*

6. Non-Board members shall be encouraged to participate on Committees with a vote and are invited to attend regular meetings and participate in Public Hearings of the Board, without vote.

*Quorum Requirements*

7. A majority of the Committee shall constitute a quorum, and the presence of a quorum is necessary to conduct a Committee meeting and to make recommendations to the Board.

*Board Chairperson as Ex-Officio Member*

8. The Chairperson of the Board shall be an ex-officio member of each standing and ad hoc Committee of the Board. The Chairperson shall not count toward the quorum and cannot vote at committee meetings, except at Executive Committee meetings.

*Committee Function*

9. Committees shall be expected to meet as necessary and function both to deal with immediate problems and to review and discuss comprehensive planning strategies relating to their respective Committees.

1. The

*Referral to Committee*

receipt of a proposal from any city agency requesting action by the Board, forward such proposal to the Chairperson of the appropriate Committee of the Board.

*Action of Committee*

Upon receipt of such a proposal, the Committee Chairperson shall initiate action. Such action shall include, but not be limited to:

- a) scheduling a Committee meeting
- b) requesting additional information
- c) obtaining a Committee recommendation to hold a Public Hearing.

*Committee Reports*

11. Final reports to the Board shall be in writing and shall contain a statement of findings, conclusions and recommendations. Such final report shall be distributed to all members of the Committee prior to delivery to the Chairperson of the Board.

*Committee Chairs  
Shall be Board  
Members*

12. Every meeting of a standing Committee or ad hoc Committee shall be chaired by the Committee Chairperson or such person designated by the Committee Chairperson or Board Chairperson; such designee shall be a member of the Community Board.

*Sub-Committees*

The Chairperson of each standing and special Committee shall be empowered to appoint from such Committee membership a Sub-Committee and a Sub-Committee Chairperson.

*Attendance Require-  
ments for Committee  
Meetings*

13. Upon three (3) consecutive unexcused absences from Committee meetings, or absences during any 12-month period from more than half of the Committee meetings (whether excused or unexcused), by members of the Board or Community members, the Chairperson of the Committee must report said circumstances to the First Vice Chairperson of the Board who will take appropriate action. For committee attendance issues involving members of the Board, such matters will be referred to the Executive Committee. For committee attendance issues involving non-Board members, such matters will be referred to the Chairperson for action to be taken in consultation with the respective Committee Chairperson(s).

*Committee Size and  
Composition*

14. Except as otherwise mandated, all standing Committees shall consist of not less than five (5) or more than twenty-one (21) members. Each standing Committee shall be composed of no less than a majority of Board members.

10. The Chairperson of the Board shall, upon

*Requests and Appointments to Committees*

the Board for each calendar year shall be received by the district office no later than June 30. The Chairperson of the Board and the Chairperson of each standing Committee shall thereafter review the Committee membership requests of both Board and Community members. Such appointments shall be made no later than the September 1 of each year.

*Selection Criteria*

16. In determining the selection of membership to standing Committees, the following criteria may be considered:

- a) the applicant's previous civic participation
- b) the applicant's expression of interest and specific qualifications
- c) representation from all neighborhoods
- d) diversity of perspectives and experience

*Alternate Members*

17. The Committee Chairperson shall maintain an alternate membership list and as vacancies occur on the Committee, alternates shall be appointed based upon Article XIII, Section 16.

*Majority Voting*

18. A quorum to convene any Committee meeting of the Board shall be a majority of the members of the Committee. All actions of a Committee shall be decided by a majority vote of those members present and entitled to vote.

15. Requests for membership to a standing Committee of