



BROOKLYN COMMUNITY BOARD 13

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Community Board #13 By-Laws

The By-Laws for the Brooklyn Borough President's Community Boards shall conform to all New York City Charter provisions pertaining thereto. Nothing in these By-Laws shall be construed as to change, modify, or amend the New York City Charter.

ARTICLE I – TERRITORIAL LIMITS

This Board shall serve the community within the area designated on the Community District Map adopted by the Board of Estimate on December 23, 1976, and shall be known as Community Board #13.

ARTICLE II – MEMBERSHIP

§ 1. The Board shall consist of:

- a. Not more than fifty persons appointed by the Borough President one-half of whom shall be appointed from nominees of the District Council members from the borough who have a *residence or business or professional or other significant interest in the district.*
- b. Not more than twenty-five (25) per cent of all such appointments shall be employees of the City of New York.
- c. The local Council members whose districts include any part of the Community District shall be ex-officio, non-voting members of the Board.

§ 2. Members of the Board shall serve for overlapping terms of two years, one-half of the membership being renewed each year. Members of the Board shall serve without compensation.

§ 3. Responsibilities of Members:

- a. Members shall attend all meetings except for a legitimate excuse when the members shall notify the Board Chair prior to the meeting (See Article IV, § 1)
 1. To be considered present at a Board Meeting, a member must be part of the first Roll call of the evening, which is the Vote on Acceptance of the Minutes
 2. Must sit in the area designated by the Chair, and be present for the business portion of the agenda, which shall include all matters to be voted upon, unless there are extenuating circumstances of which the Chair shall be notified.
 3. Be present for the Final Roll Call which shall take place after the Good and Welfare portion of the meeting.
 4. Members arriving late and/or leaving early must sign in and/or out, and designate the time which shall be recorded as part of the minutes. Said sign-in sheets shall be included in the minutes subsequently sent just to Board members.

- b. A board member shall not be deemed present at a meeting unless such member is in attendance during substantially all of the meeting, which is defined as arrival within one-half hour of the scheduled beginning of the meeting and remaining until the last roll call. Any member who missed three consecutive meetings shall be removed from the Board; or excused at the discretion of the Chair.
- c. A board member will be excused from Board or committee meetings for the following reasons: military service; jury duty; illness; death in the family or household; attending to Board business at the request of the Chair; or by the discretion of the chair.
- d. 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 organization with which they may be affiliated.
- e. Members shall participate on at least one Standing Committee. Any committee member who misses two (2) consecutive committee meetings shall automatically be removed from that committee. The only exception shall be for medical reasons which must be substantiated by documentation from a doctor or by extenuating circumstances as to be determined at the discretion of the Chair.
- f. Members must vote on all matters before the Board. However, where a conflict of interest exists, Board members shall abide by the New York City Conflict of Interest Regulations.
- g. No member or staff shall represent the Board's position or speak for the Board on any matter unless duly authorized by the Board or the Chair to do so.

ARTICLE III – OFFICERS

§ 1. The officers of the Community Board shall be Chair, 1st Vice Chair, 2nd Vice Chair, Treasurer, and Secretary. Each officer shall perform such duties as hereinafter set forth and enumerated in accordance with these By-Laws and accepted rules of parliamentary procedure.

§ 2. Election of officers shall take place every other year, at a General Board Meeting, to be held in June. The term of office for each officer shall be for a period of two years commencing on July 1st and ending on June 30th of the second year.

§3. The term of office for all officers shall be limited to two consecutive terms.

§4. Duties of Chair:

- a. To perform all duties as prescribed in the City Charter and any other duties as prescribed under law.
- b. To receive Calendars and notices of meetings of all City Agencies required to refer matters to the Community Boards pursuant to the City Charter and to inform the Board members of such Calendars and notices.
- c. To attend any meetings required by the Mayor and the Borough President pursuant to the City Charter or to designate a representative or representatives to attend.
- d. To open regular monthly meetings at the time and date at which the board is to meet by taking the chair, and calling the meeting to order.
- e. To announce the business before the Board according to the Agenda.
- f. To state and put to a vote all questions which are to be moved or necessarily arise in the course of the board's business and announce the result of the vote.

- g. To interpret and enforce along with the Parliamentary Robert's Rules of Order except as otherwise provided by the By-Laws herein.
- h. To decide all questions of order.
- i. To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board including the communications of said decisions to the proper governmental agencies. Such communication shall be through the office of the Borough President or sent directly to the appropriate governmental agency with a copy of same forwarded simultaneously to the Office of the Borough President.
- j. To authenticate all acts orders and proceedings of the Board including the countersigning of all letters of whatever nature going out from the Board.
- k. To be sole spokesperson for the Board in relation to the news media, agencies of the government and the public-at-large, except, as s/he shall otherwise specifically authorize.
- l. To adjourn regular monthly meetings in accordance with Robert's Rules of Order.
- m. To appoint and/or remove Chairs and/or Co-Chairs of the Standing Committees of the board and to establish and appoint and/or remove Chairs and/or Co-Chairs and members of such committees or such special committees as may from time to time be deemed necessary for the best performance of the Board's function. Appointments to committees shall be made for one year commencing on September 1st and the members thereof shall serve until June 30th of the following year.
- n. To prepare and deliver the Chair's annual report.
- o. To keep the Vice-Chairs informed of all information, orders, directives and other matters coming to the Chair's attention.

§5. Duties of Vice-Chairs:

- a. The 1st Vice Chair shall preside at the regular monthly meeting in the place of the Chair when the Chair is absent.
- b. The Vice Chairs shall assist the Chair when required.

§6. The Chair and Vice-Chairs shall be ex-officio members of all committees of the Board.

§7. Duties of the Treasurer:

- a. The Treasurer shall be the fiscal officer of the Board and shall monitor the financial affairs of the Board.
- b. She/he shall render a Financial Statement to the Board at least once, per year, listing the financial transactions of the board (for such physical year).
- c. Perform such other duties as provided by these By-Laws or delegated to him/her by the Chair or Board.

§8. Duties of the Secretary:

- a. The Secretary shall be the recording officer of the Board taking the minutes of the regular monthly meetings and the minutes of such special or emergency meetings as may be called. The Secretary shall be assisted in the compilation and distribution of such minutes to the members by the District Manager and board office staff.
- b. The Secretary shall furnish a copy of said minutes to the Borough President with concurrence

of the Chair.

- c. The Secretary shall be responsible for the distribution of the minutes and agenda not less than 7 days prior to each meeting.

§9. Vacancy of Office:

- a. If the Chair can no longer serve or is unable to serve as Chair before the term of office has expired, the 1st Vice-Chair shall succeed to Chair until the next regular election.
- b. If neither the Chair nor the 1st Vice Chair is able to serve, they shall be succeeded by the 2nd Vice-Chair, the Secretary, and, if the latter is unable to serve, they shall be succeeded by the Treasurer.
- c. In the event the offices Vice Chairs, Treasurer or Secretary become vacant, the Chair shall appoint a replacement until a special election which shall be held within 60 days of the vacancy.

ARTICLE IV – REMOVAL OF MEMBER OR OFFICER

§1. Removal of a Board Member:

- a. A member will be removed the Board for cause:
 1. Three consecutive unexcused absences, or more than 25 percent non-consecutive unexcused absences or lateness's in one year, unless notification has been received by the Board office prior to the scheduled meeting (s), or at the discretion of the Chair of the Board.
 2. Failure to adhere to these by-laws and their provisions.
 3. Failure to declare a conflict of interest;
 4. Soliciting, receiving or accepting any remuneration, exchange for a vote and/or favorable or unfavorable disposition on any item under consideration by the Board;
 5. Any form of Board representation not authorized by the Chair or the full Board in violation of Section 1 (a) above;
 6. Felony conviction during term of service on the Board;
 7. A consistent pattern of behavior unbecoming a Board member.
- b. The process of removing a member from the Board will be initiated by the Chair and/or by the order of succession of officers.
 1. He/she will be notified in writing by Registered/Return Requested mail, or by other communiques, e.g. email, et al. The member shall then have the right to appeal in writing.
 2. If, after thirty (30) days from the day of receipt of the notification of removal, the member does not respond, he/she shall be removed without any further action of the Board;
 3. If a member wishes to appeal his/her proposed removal from the Board, he/she shall have the right to respond to the charges and specification, the right of counsel, and the right to produce witnesses and evidence on his/her behalf;
 4. The appeal will be heard by the Executive Committee of the Community Board. Such hearing must take place within sixty (60) calendar days of the notification of the

proposed removal. After such hearing, removal shall be voted upon and such removal shall require a majority vote of the Board.

ARTICLE V – EXECUTIVE COMMITTEE:

§1. The Board shall have an Executive Committee consisting of the Chair, Vice-Chairs, Treasurer, Secretary of the Board, and the Chairmen of the Standing Committees; and shall adopt its own rules for the conduct of its business not in conflict or inconsistent with these By-Laws.

§2. Any member of the Board may attend any meeting of the Executive Committee to observe.

ARTICLE VI – STANDING COMMITTEES:

§1. There shall be the following Standing Committees:

- a. Economic Development – Fostering economic growth and developing programs that help businesses and entire business sectors achieve success, helps create jobs and positions.
- b. Education, Library and Youth Services – All issues related to Department of Education, School Construction Authority, high-quality youth, family programming and community development programs. Building and expanding on partnerships that generate innovative and practical programs for youth, their families and communities.
- c. Environment and Sanitation – Environment, air quality, hazardous waste, critical quality of life issues, including noise. Waste reduction programs; including recycling, street sweeping, clearing snow from our roadways, littering and illegal dumping.
- d. Health, Aging and Social Services - All Federal, State and Municipal programs pertinent to senior citizens and Emergency Medical Service - health related issues for general public and issues and initiatives impacting the veteran and military community.
- e. Housing – Homeowners, residential and tenants’ issues, construction permits, properties inspections, licensing, place of assembly permits with focus on safety, service and integrity. Affordable housing in a safe and secure living, quality of life at NYCHA.
- f. Land Use (Zoning, Landmarks and Planning) – Strategic growth, transit-oriented development. Sustainable community, consensus-based planning and zoning changes, community facilities, demography, waterfront and public space, land use and landmarks review.
- g. Parks and Recreation – Park land and individual properties ranging from Coney Island Beach to community gardens and Greenstreets, athletic fields, playgrounds, tennis courts, public pools, recreational facilities, nature centers, monuments, historic house museums, street trees. Recreational and athletic facilities and programs, free concerts, world-class sports events, and cultural festivals. Supporting and strengthening vibrant cultural life, including theater, dance, music, visual arts and film.
- h. Public Safety and Fire – All issues related to – Police Department, Fire Department , Courts, District Attorneys, Special Narcotics Prosecutor, Civilian Complaint Review Board (CCRB), Criminal Justice Coordinator, Emergency Management Department (OEM), Community Emergency Response Team (CERT), and homeless.
- i. Transportation – Mass transportation agencies and facilities, provide for the safe, efficient and environmentally responsible movement of people and goods and maintain and enhance the transportation infrastructure crucial to the economic vitality and quality of life.

§2. Each Committee shall have no less than 5 members and no more than 11, all of whom must be members of Community Board 13.

§3. The Chair shall appoint ad hoc committees as the need arises.

ARTICLE VII – DISTRICT MANAGER:

§1. Appoint:

1. The Chair shall appoint a screening committee to review applicants and submit their recommendations to the Board.
2. Any applicant should not be a member of the committee.
3. The recommendations of the committee shall not be binding on the Board, and nominations may be made from the floor.
4. A District Manager shall be hired on obtaining a majority vote of the Board present.
5. The District Manager shall serve at the pleasure of the Board and may only be suspended or discharged in accordance with the provision of §2 and/or §3 of this Article.

§2. Suspension:

- a. The District Manager may be suspended with or without pay by a simple majority of the entire Board at any regular meeting.
- b. Upon such suspension and at the same meeting voting such suspension, the Chair shall appoint a committee consisting of not less than five members to review the reasons for said suspension. Such review shall be made within ten days following the appointment of said committee and must report its findings at the next regular meeting of the Board.
- c. The District Manager and the office staff must cooperate with the committee to review and shall be afforded the right to present witnesses or other evidence to the committee
- d. The Committee shall give the person suspended notice in writing of the committee's meeting by registered or certified mail, return receipt requested, and failure to attend at such meeting shall be considered sufficient cause for discharge.

§3. Discharge:

- a. After hearing the report of the committee to review together with any statement the District Manager or member of the office staff wishes to make, the Board shall determine if the suspension of the person involved is to be lifted or whether the person or persons involved are to be discharged. Such vote to discharge shall be by a vote of the majority of the Board present.

§4. Facilities:

- a. The Board shall provide the District Manager and the office staff with a suitable office, supplies and equipment.

§5. Duties of the District Manager:

- a. He/she shall be responsible for the performances of his/her staff.
- b. The District Manager and the Chair shall be responsible for the hiring and firing of the Community Board Staff.
- c. Preside at meetings of the District Cabinet.
- d. Process service complaints.

- e. Perform such duties as are assigned to him/her by the Board, the Chair and Executive Committee.
- f. Attend all meetings of the Board and to respond to all questions of the Board concerning the Board's business and functions.

ARTICLE VIII – MEETINGS

§1. Regular meetings.

- a. There shall be at least one regular monthly meeting of the Board per month except during the months of July and August at such time and place as shall be designated by the Chair in the notice of the meeting sent to the Board members as hereinafter provided.
- b. A quorum to convene any meeting shall be a majority of members of the Board.
- c. All action shall be decided by a majority vote of those members present.
- d. All meetings of the Board shall be open to the general public. The Board may close such sessions to the public by a majority vote of the Board.
- e. The board shall be guided by the City Charter.
- f. In acting on Uniform Land Use Review Procedures, the Board shall be guided by the procedures outlined in Article 4 of the U.L.U.R.P.

§2. Special Meetings:

- a. A special meeting shall be a meeting other than the regular monthly meeting and shall be called by the Chair
 - 1. at his or her discretion or
 - 2. upon the written direction of at least one-third of the appointed members of the Board.
- b. A special meeting shall be called upon at least five days prior by written notice, specifying the purpose of the meeting, agenda, time, and place. Only those matters specified in the notice may be considered.

§3. Emergency Meetings.

- a. 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 and five days notice cannot be given.
- b. At least forty-eight (48) hours' notice must be given for an emergency meeting and may include telephone, email or other rapid means of communication.

§4. Committee Meetings;

- a. There shall be as many Committee meetings as the Chair of the Board and/or the Chair of the Committee may deem necessary and proper in the carrying out of its duties and functions.
- b. All Committee meetings are open to the General Public.

ARTICLE IX – AGENDA

§1. An agenda shall be drafted by the Chair of the Board who may request the assistance of the Community Board Coordinator (District Manager) at least seven days before each regular monthly meeting. The Agenda shall outline the Board Chairman's and Borough President's suggestion of

business to be transacted at the meeting. This Agenda, together with the minutes of the last meeting, shall be mailed at least seven days before the next regular meeting by First Class Mail or sent via email. No matter of substantial public interest or involvement shall be decided upon by the Board without that matter having been placed on the Agenda that was sent to members in advance of the meeting and pursuant to the notice as described above without the consent of those members in attendance at the affective board meeting.

§2. The Agenda shall consist of the following:

a. Public Hearing.

1. In the event a Public Hearing is required or requested by the Board Chair or a Committee Chair, said public hearing will be held prior to a Committee making its recommendation or resolution. This will afford the public the opportunity to be heard prior to a committee making its recommendations to the entire board. §4.040 of the Department of City Planning shall govern the conduct of all public hearings. In the interests of affording the maximum opportunity of all citizens to be heard, the Chair shall limit the period allotted speaking time to three minutes for each speaker. A member of the Board may ask questions but may not, at this time, state an opinion without relinquishing his/her right to vote.
2. All members of the public that wish to be heard must register prior to the opening of the meeting.

b. Presentations/Speakers:

c. Business Session -- General Board Meeting: the Business Session shall be that portion of the Board meeting where only members of the Board may debate the issue and vote thereon. Prior to the commencement of discussion upon an issue presented to the Board, it shall be understood that Board members shall be limited to a three-minute time limit. The public is invited to be present as observers of the Board's proceedings.

1. Public Session – open to all registered speakers, with time of three minutes; or at the discretion of the Chairman.
2. Elected Officials and/or Representatives
3. Adoption of Minutes of last meeting
4. Board Chair's report
5. District Manager's report
6. Communications and Correspondence
7. Reports of Committees
 1. Old Business
 2. New Business
8. Good and Welfare (as defined by Robert's Rules of Order)
9. Roll Call
10. Adjournment

The order can be changed at the discretion of the Chair.

ARTICLE X – VOTING

§1. Voting:

- a. Voting shall be by roll call vote, unless the vote is a unanimous vote in which case the Secretary will cast one ballot upon behalf of all voting members.
- b. All voting at the Board meetings shall be in person only.
- c. No proxy vote is permitted.

ARTICLE XI – AMENDMENTS

§1. Initiation:

- 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. Changes in these by-Laws may be suggested by any member by submitting to the Legal Committee the proposed change in writing.

ARTICLE XII -- RULES OF ORDER

§1. The Board may adopt such rules and regulations which it deems necessary to its individual operations not in conflict with the New York City Charter.

§2. Robert's Rules of Order shall govern all matters pertaining to Parliamentary procedure that are not covered by these By-Laws. The Chair shall appoint a Parliamentarian who shall possess the most recent edition of Robert's Rules of Order at Board meetings and who shall decide questions regarding rules or order.

§3. The Chair shall appoint a Sergeant-At-Arms to assist the Chair in maintaining the decorum of Board members at Community Board meetings.