

BY-LAWS OF COMMUNITY BOARD NO. 11

BOROUGH OF QUEENS

ADOPTED JANUARY 6, 1997

ARTICLE I.

PURPOSE. The purpose of the Community Board is to perform the duties and responsibilities required of a community board as set forth in the New York City Charter and any revisions or amendments thereto.

ARTICLE II.

NAME. The name of this Board shall be Community Board No. 11, Borough of Queens.

ARTICLE III.

AREA SERVED. This Board shall serve the community in the geographical area designated by the City Planning Commission or such City agency as hereafter may be designated by the City Charter.

ARTICLE IV.

OFFICERS. The officers of the Board shall be:

1. Chairperson
2. 1st Vice Chairperson
3. 2nd Vice Chairperson
4. 3rd Vice Chairperson

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ARTICLE V.

OFFICERS' ELIGIBILITY. To be eligible for any office of the Board, a person must first have been appointed to the Board pursuant to the provisions of the New York City Charter and be a member of the Board in good standing for a minimum period of one year prior to the date of assuming office.

ARTICLE VI.

NOMINATION AND ELECTION OF OFFICERS.

1. A notice of upcoming election procedures is to be mailed to each Board Member in February. Officers shall be elected by open ballot at the first regularly scheduled meeting in March of each year. If there is more than one candidate, each member of the Board present at said meeting shall designate his/her vote upon a written voting form supplied to each member which form shall contain the member's name and space for his/her vote. The minutes of the meeting shall report the name of each member voting and the person for whom each member voted.

2. After nominations from the floor, every member of the Board attending the meeting shall be entitled to one vote in person. No proxies will be honored. There shall be a separate election and ballot for each office.

3. The candidate who receives the greatest number of votes cast for each office shall be deemed elected. However, in the event that no candidate receives a minimum of forty percent of the votes cast, then in such event there shall be a run-off election in which the two candidates with the greatest number of votes previously cast shall be the sole candidates for office.

4. The one year term of each elected officer shall commence on the first day of the month following the month of the election. No board Officer shall retain the same position for more than five consecutive years, commencing in March 1997.

ARTICLE VII.

(a) THE CHAIRPERSON

1. Shall be the chief executive of the Board.
2. Shall preside at all regular and special meetings of the Board.
3. Shall have the right to call a special executive session or public hearing when deemed necessary by him/her or within a reasonable time after receiving the written request of five or more members of the Board. If such a meeting is called, ten days advance notice in writing shall be given to the members of the Board, to each City Council Member representing all or any part of the area served by the Board, and to the Borough President.
4. Shall have the authority to waive a public hearing as permitted by law with the permission of a majority of the appointed members present during the presence of a quorum, as defined in Article X, Section 1, of these By-Laws.
5. Shall have the authority to appoint all committees and their chairpersons.
6. Shall have the power to decide all questions of law and procedure in accordance with these By-Laws, including Article XIX, and applicable rules of law.
7. Shall have the right, at his/her discretion, to invite any person to speak at an executive session, if he/she deems it necessary to the proper operation of the Board.
8. May employ a paid secretary who is not a member of the Board, and whose activities the Chairperson shall supervise.
9. Shall employ and supervise such additional employees as the Board may authorize, subject to such budgetary restrictions as the Board may impose: Provided, however, that the Board shall select, employ and fix the terms of employment of the District Manager.

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10. Shall act for the Board in supervising the district office, including the work of the District Manager, and shall sign vouchers for payment and approve time sheets of the staff of the district office.

11. Shall turn over all records and other property of the Board to his/her successor.

12. Shall determine the agenda of each meeting of the Board and shall cause it to be distributed by mail ten days before the meeting.

13. Shall send a notice of the time, place and subject of each public hearing for publication in an issue of the City Record not less than ten days prior to the date of the scheduled hearing and shall likewise send such notice to all members of the Board and to the public not less than ten days before the date of the scheduled hearing.

14. Shall meet regularly with the Chairpersons of all Community Boards in Queens.

15. Shall perform whatever acts are required by law or by a proper resolution of the Board.

16. Shall be a member of each Board Committee.

(b) THE FIRST VICE CHAIRPERSON

1. Shall have, in the absence of the Chairperson the same power, authority and duties as the Chairperson.

2. Shall be a member of each committee appointed by the Chairperson.

(c) THE SECOND VICE CHAIRPERSON

1. Shall have the same power, authority and duties as the Chairperson and First Vice Chairperson in the absence of both.

2. Shall be a member of each committee appointed by the Chairperson.

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(d) THE THIRD VICE CHAIRPERSON

1. Shall have the same power, authority and duties as the Chairperson, the First Vice Chairperson and the Second Vice Chairperson in the absence of all three.
2. Shall be a member of each committee appointed by the Chairperson.

(e) THE PAID SECRETARY

1. Shall keep complete, accurate minutes of every Board meeting and public hearing and a tape recording of every public hearing of the Board.
2. Shall mail minutes to the District Manager of the Board and to the Chairperson of the Board no later than seven days after each meeting.
3. Shall keep a record of the members of the Board who attend each meeting, as well as of those who are absent.

ARTICLE VIII.

COMMITTEES.

1. The Chairperson shall appoint committees dealing with the following subjects: Aviation; Parks; Youth Services; Public Safety; Transportation; Health and Human Services; Environmental Protection; Economic Development; Capital and Expense Budget; Zoning and Variance Committee for each community served by the Board and such other committees as the Chairperson may from time to time deem necessary and advisable.
2. The Chairperson may appoint to any committee persons with a residence, business, professional 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.
3. Each committee shall consist of at least three persons and shall meet at least twice annually.

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4. Each committee shall carry out such instructions as the Chairperson of the Board may give to it and make such investigations as it deems necessary and report its findings and recommendations orally, and/or in writing to the members of the Board.

5. All committees shall serve for one year or at the pleasure of the Chairperson of the Board.

ARTICLE IX.

RESPONSIBILITIES OF COMMUNITY BOARD MEMBERS.

1. Each member of the Board shall attend all meetings, both executive and public, read all written communications referred to the Board member by the Chairperson and be knowledgeable concerning civic and public issues affecting the communities served by the Board. The Chairperson shall notify the Borough President in writing if any member has missed three consecutive meetings.

2. Shall serve actively on at least one committee in addition to the Zoning and Variance Committee for his or her community.

3. Shall not vote on any matter before the Board which may result in a personal and direct economic gain to the member or any person with whom the member is associated. A person associated with a Board member includes his or her spouse, child, parent or sibling, a person with whom the member has a business or financial relationship, and any firm in which the member has an interest.

4. Shall not speak for the Board unless duly authorized by the Board or by the Chairperson.

ARTICLE X.

QUORUM.

1. EXECUTIVE AND PUBLIC MEETINGS. One more than fifty percent of the total membership of the Board shall constitute a quorum for the transaction of business at executive and public meetings of the Board.

2. PUBLIC HEARINGS. A quorum to hold a public hearing shall consist of twenty percent of the members of the Board, but in no event fewer than seven such members. However, no act, determination or decision shall be performed by the Board without the presence of a quorum as defined in Article X, Section 1, of these By-Laws.

ARTICLE XI.

VACANCIES.

1. In the event of the death, resignation, discharge, or inability to serve of any officer, a new election to fill each vacancy shall be held at the next regular meeting after fifteen days written notice shall be given to the members of the Board of such position becoming vacant.

ARTICLE XII.

MEETINGS OF THE BOARD.

1. The Board shall meet at least once each month within the community district and conduct at least one public hearing except for the months of July and August. Meetings during July and August shall be held at the discretion of the Chairperson.

2. All such meetings shall be open to the public. In addition, such meetings shall be attended by the members of the Board, the District Manager, the Community Board Coordinator,

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the City Councilmember representing all or any part of the area served by the Board and such other persons as the Board or the Chairperson may invite.

3. To the extent authorized by law, the Board may exclude the public from an executive session by a majority vote of the members present, but no final action shall be taken at such meeting during the period of such exclusion.

4. All votes of the Board shall be recorded and shall remain a matter of public record in this form: Total for\_\_\_\_, Total against\_\_\_\_, Total abstentions\_\_\_\_, Total present\_\_\_\_. To the extent required by law, the individual vote of each Board member shall be recorded and identified in the minutes of each Board meeting.

5. If a member of the Board has a conflict of interest, they shall vote "present". The vote shall not be counted in the total votes cast, nor shall it be considered in determining the outcome of the vote.

6. There must be more "yes" votes than the total of "no" votes and "abstentions" combined in order for a motion to carry.

ARTICLE XIII.

PUBLIC HEARINGS.

1. Public hearings shall be held in accordance with applicable law and may be called by the Chairperson or by the Board to discuss issues of importance to the Community.

2. At the conclusion of any public hearing, or at the next regularly scheduled meeting, the Board shall review and resolve any issues still outstanding.

3. The adoption of a recommendation concerning the subject matter of a public hearing shall be by public vote by a majority of the members present during the presence of a



quorum, as defined in Article X, Section 1, of these By-Laws.

4. A written recommendation shall be submitted promptly after adoption. Land use matters shall be reported in accordance with the Uniform Land Use Review Procedure and such other laws as may from time to time be applicable.

5. A member of the Board shall not make a formal statement expressing an opinion on a matter during the time allotted for the public's presentation.

#### ARTICLE XIV.

##### AGENDA.

1. An agenda for each Board meeting shall be prepared by the Chairperson. Copies shall be distributed before the meeting to each Board member, civic group, elected official, local press, and others who may request notification of the agenda.

2. Any Board member desiring to have the Board consider a subject shall, at least fifteen (15) days prior to the meeting, notify the Chairman who may place the subject on the agenda.

3. The Board, by a majority vote of the members present during the presence of a quorum, as defined by Article X, Section 1 of these By-Laws, will decide what course of action will be taken on matters on the agenda.

#### ARTICLE XV.

##### REMOVAL OF BOARD OFFICERS.

1. Any officer of the Board may be removed from office by the Board. A motion to institute removal proceedings may be made at any regular meeting of the Board. Approval of such motion must be made by a majority vote of the entire membership of the Board.

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2. If the motion to institute removal proceedings is approved the presiding officer, who shall be the highest ranking officer not the subject of removal proceedings, shall appoint a three-member committee to investigate all allegations concerning the contemplated removal and deliver a report at the next meeting. Members of this committee shall include one Board member chosen by the presiding officer, one Board member selected by the person who is the subject of the removal proceedings, and one person selected jointly by the two Board members so selected which third committee person need not be a member of the Board.

3. Upon delivery of the report of said committee, including any minority or dissenting report, the officer who is the subject of the removal proceedings may be removed by a majority vote of the entire membership of the Board at a special meeting called for that purpose.

ARTICLE XVI.

REMOVAL OF BOARD MEMBERS.

1. In accordance with the New York City Charter, a 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. Removal may be made by the Borough President or by a majority vote of the community board.

2. The method for such removal shall be the procedural device set forth in Article XV of these By-Laws.

ARTICLE XVII.

SEVERABILITY.

1. If any provision or clause of these By-Laws or application thereof to any person or circumstance is invalid as being in violation of the New York City Charter or other applicable

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law, such invalidity shall not affect other provisions or applications of these By-Laws which can be given affect without the invalid provision or application, and to this end the provisions of these By-Laws are declared to be severable and shall be interpreted in a reasonable manner to be consistent with the Laws of the State of New York and the City Charter and any amendments thereto.

#### ARTICLE XVIII.

##### AMENDMENT.

1. The Board may amend these By-Laws by a majority vote of the members of the Board present in the presence of a quorum at an executive meeting of the Board provided written notice of such action and a copy of the proposed amendment shall have been mailed to all Board members no less than thirty days in advance of said meeting.

#### ARTICLE XIX.

##### PARLIAMENTARY PROCEDURE.

All matters pertaining to parliamentary procedure shall be governed by the latest revised edition of Roberts Rules of Order provided such Rules are not inconsistent with these By-Laws or the New York City Charter, or the Laws of the State of New York.

