

COMMUNITY BOARD 3 OF STATEN ISLAND

RULES OF PROCEDURE

December 2022

RULES OF PROCEDURE

ARTICLE 1

NAME, FUNCTION AND OBJECTIVES

- Section 1. This organization shall be known as COMMUNITY BOARD #3 with boundary lines defined by the Charter of the City of New York.
- Section 2. The function of this Board is specified in those provisions of the City Charter dealing with Community Boards. These rules are a supplement to the City Charter and are to be consistent with such Charter.
- Section 3. The object of this Board is to encourage and promote community participation in all Governmental functions, thereby making government more responsive to the needs of the people for the good and welfare of the community as a whole.

ARTICLE II

The officers of the Board shall be:

Chairperson
First Vice Chairperson
Second Vice Chairperson
Third Vice Chairperson
Secretary
Treasurer

ARTICLE III

- Section 1. OFFICERS DUTIES: All officers are requested to attend the Land Use Committee meeting. Any Board member may attend and vote at the Land Use Committee.
- Section 2. THE DUTIES OF CHAIRPERSON SHALL BE:
- a. to perform all duties as prescribed in the City Charter and any other duties prescribed under law.
 - b. To receive calendars and notices of meetings of all City agencies required to refer matters to the Community Board 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 his/her representative or representatives to attend.
- d. To open regular monthly meetings at the time and date at which the Community Board is to meet by taking the chair and calling members to order.
- e. Community Board 3 shall have the option to opt for Teleconference/ Virtual meetings in lieu of in-person meetings.
- f. To announce the business before the Board according to the agenda.
- g. To state and put to a vote all questions or resolutions which are to be moved or necessarily arise in the course of the Board's business and announce the result of the vote.
- h. To interpret and enforce ROBERTS RULES OF ORDER except as otherwise provided by the rules herein.
- i. To decide all questions or order except as otherwise provided herein.
- j. To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board, including communicating with governmental agencies. Such communications shall be through the Borough President's office or sent directly to the appropriate governmental agency with a copy of the same simultaneously forwarded to the Borough President's office.
- k. To authenticate all acts, order and proceedings OF THE BOARD including the countersigning of all letters of whatever nature going out from the Board, and to be the sole spokesman FOR THE BOARD in relation to the news media, agencies of government and the public at large, except whomever he/she shall otherwise specifically authorize.
- l. To adjourn regular monthly meetings upon a properly made motion which has been seconded.
- m. To appoint, subject to the ratification of the majority of the Board members present, suspend or remove Chairpersons of the Standing Committees of the Board and to establish and appoint, subject to the ratification of the majority of the Board members present, suspend or remove Chairpersons of such special committees as may from time to time be deemed necessary for the best performance of the Board's function. All such Chairpersons shall serve only during the term of the Board Chairperson appointing him/her. The Board Chairperson shall be

an ex-officio member of each committee, with the exception of the Nominating Committee. The Chairperson of the Board shall appoint members of all committees with the exception of the Nominating Committee.

- n. To prepare and deliver the Chairperson's Report.
- o. Because of the possibility of the Vice Chairpersons having to act in the absence of the Chairperson as hereinafter provided, to keep the Vice Chairpersons informed of all information, orders, directives, and other matters coming to the Chairperson's attention.
- p. Approve all Board expenditures subject to the New York City Charter and rules adopted by the Board.
- q. The term "Chairperson" is used in these Rules to describe the presiding officer of the Board. Any individual elected to that office shall have the right to style himself/herself chairman, chairwoman, or chairperson, as he/she prefers. The title he/she chooses shall be used by and for him/her on forms and correspondence and in direct address. This rule shall also apply to Vice Chairpersons.
- r. To uphold any and all covenants, restrictions and conditions agreed upon between Community Board #3 (and any predecessors or successors) and any and all parties, applications, the Chairperson, acting with the majority support of the Executive Committee shall initiate appropriate corrective, restrictions and conditions through the appropriate City, State and Federal agency or agencies.
- s. To enforce the rules governing public contact session as set up by Community Board #3.

Section 3. THE DUTIES OF FIRST VICE CHAIRPERSON SHALL BE:

- a. The First Vice Chairperson shall preside at the regular monthly meeting in the place of the Chairperson when the Chairperson is absent.
- b. He/she shall be charged with the supervision of such standing committees as assigned by the Chairperson except the Nominating Committee.
- c. He/she shall be ex officio member of all standing committees under his/her supervision.
- d. 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 term is expired, the First Chairperson shall succeed the Chairperson until the 31st day of December of the year.

Section 4. THE DUTIES OF SECOND VICE CHAIRPERSON SHALL BE:

- a. It shall be the duty of the Second Vice Chairperson to assist the Chairperson and the First Vice Chairperson in the discharge of their duties and to officiate in their absence.
- b. The Second Vice Chairperson shall be charged with the supervision of such standing committees as assigned by Chairperson, except the Nominating Committee.
- c. He/she shall be ex-officio member of all standing committees under his/her supervision.

Section 5. THE DUTIES OF THIRD VICE CHAIRPERSON SHALL BE:

- a. It shall be the duty of the Third Vice Chairperson to assist the Chairperson and the First and Second Vice Chairpersons in the discharge of their duties and to officiate in their absence.
- b. The Third Vice Chairperson shall be charged with the supervision of such standing committees as assigned by Chairperson, except the Nominating Committee.
- c. He/she shall be ex officio member of all standing committees under his/her supervision.

Section 6. THE DUTIES OF THE SECRETARY SHALL BE:

To keep the minutes of all meetings of the Board in a book or file provided for that purpose, and to have custody of all reports and documents connected with the proceedings of the Board, keep a correct roll of members and their attendance, to conduct the correspondence of the Board, to give notice of all meetings, nominations, and elections of officers.

Section 7. THE DUTIES OF THE TREASURER SHALL BE:

To certify all bills approved by the Board upon vouchers signed and properly approved by the Chairperson, to present at each regular meeting and whenever so directed a detailed account showing the financial condition of the Board including statements of all transactions since the last meeting.

ARTICLE IV

ELECTION OF OFFICERS

- Section 1. Election of Officers shall be conducted at the General Board meeting in June of each year.
- Section 2. Elections will be conducted by the Chairman of the Ethics, Rules & By-laws Committee. In case of conflict of Interest, the senior board member of the Ethics, Rules & By-laws committee will conduct the elections of officers.
- Section 3. Nominations for Board officers will be taken from the floor at the May and June General board meetings.
- Section 4. Any Community Board member who has had at least one year tenure and with no unexcused absences from Committee and General Board meetings may run for office.

ARTICLE V

- Section 1. Election of Officers shall be conducted at the regular Board meeting in June of each year. Prior to election, the Chair of the Ethics, Rules and Bylaws Committee shall entertain floor nominations and election for each elective office separately. In the event of two or more persons being nominated for the same office, the election shall be by written ballot signed by the Board members for that office. These ballots shall be kept on file at the Board office for two (2) years and be made available to any Board members and/or the public.
- Section 2. The term of office shall be one year.
- Section 3. All newly elected officers shall assume the duties of their respective office immediately after election.
- Section 4. All vacancies in elective office shall be filled for any unexpired term by floor nomination. Nominations shall be made under the proper order of business, at the same meeting wherein the resignation is received. Elections shall take place at the next general meeting. Nominations from the floor may also be made during this meeting.
- Section 5. In the event that the elected offices of Chairperson, First Vice Chairperson, and Second Vice Chairperson shall become vacant, the Borough President shall notify all members of the Board of a special meeting. At this meeting nominations shall be made from the floor for

the filling of the designated offices. A temporary Chairperson shall be appointed by the Borough President from the members of the Board to call the special meeting to order and preside over it up to the night of the election.

ARTICLE VI

AMENDMENTS

Section 1.

- a. Initiation. An amendment of these rules may be initiated by a vote of 5 members of the Board present and voting, or at the written request of the Borough President if same has been circulated to all members of the Board, after at least ten days written notice to the membership of the Board.
- b. Ratification of an amendment shall be by adoption of the amendment by majority vote of the members of the Board present and voting. A vote is to be taken at the next General membership meeting succeeding the initiation of the amendment. (Whenever percentages are required, they shall be computed without fractions.)

ARTICLE VII

EXECUTIVE COMMITTEE

Section 1.

- a. The Executive Committee shall consist of all officers and chairpersons of standing committees. A majority of the members of the Executive Committee constitutes a quorum for an executive meeting. They shall meet at the discretion of three or more members of the Executive Committee to discuss internal affairs of the Board and shall take no formal action except as provided in Section 2 hereunder.
- b. A report is to be submitted of each Executive Committee meeting at the next regular Board meeting.

Section 2.

- a. Should an urgent problem or Board business require action during the months of JULY and AUGUST, the Executive Committee shall be empowered to act provided the full membership of the Board is notified of the date of the meeting, and the urgent matter to be resolved. Only this business is to be transacted.

- b. Any Board member may attend the Executive Committee meeting under this section and shall have an equal vote.
- c. Any resolutions under this section must be sustained by a vote of the majority of the members present.

ARTICLE VIII

STANDING COMMITTEES

Section 1. The Standing Committees shall consist of:

- A) Budget Committee**
- B) Community Alliance Committee**
- C) Environmental Protection & Parks and Recreation Committee**
- D) Ethics, Rules, By-laws Committee**
- E) Land Use Committee**
- F) Traffic & Transportation Committee**
- G) Health & Human Services Committee**

Section 2. Chairpersons of Standing Committees shall have at least a tenure of six months on the Board and be appointed by the Chairperson subject to the provisions of Article III, Section II (L) of these rules.

Section 3. Special meetings shall be held at the discretion of the Chairperson or upon the written request of 25 percent of the membership. No other business than that for which the meeting shall be called as shown in the written notice of the members shall be transacted.

Section 4.

- a. Closed business sessions may be held at all meetings of the Board provided the motion is sustained by a three-fourths (3/4) vote of the members present and voting except as provided in Uniform Land Use Review Procedure.
- b. In closed Business Session, no Board business shall be Finalized, except as provided in Article IX, Section 2.

Section 5. Notices of meetings shall be mailed at least 5 (five) days prior to meetings to all members.

Section 6. A majority of the membership of a Committee constitutes a quorum.

ARTICLE IX

RECALL OF OFFICERS

- Section 1. Charges of misconduct and/or neglect of duty may be preferred against any Officer of the Board in writing by 5 (five) or more members and notices of such charges shall be referred to the Ethics, Rules, By-Laws and Regulations Committee.
- Section 2. In case of charges being sustained by a majority of the Ethics, Rules, By-Laws and Regulation Committee, the matter shall be presented to the membership at closed Business Session. In case of charges being sustained by a vote of majority of the members present and voting, the office in question shall be declared vacant and filled in accordance with these rules.

ARTICLE X

ORDER OF BUSINESS

Section 1.

At a regular Board meeting, the following order of business shall be observed:

- a. Roll call of members
- b. Approval of minutes of the previous meeting
- c. Reading of correspondence
- d. Report of Officers
- e. District Manager's Report
- f. Report of Committees
- g. Old business
- h. New business
- i. Election of Officers
- j. Adjournment

Section 2. No motion to be entertained until it is seconded.

Section 3. Voting shall be by a roll call or a show of hands.

- a. Voting Rights. Once appointed to the Community Board, a Board Member shall not be permitted to vote in any matter whatsoever, including, but not limited to an application before the Board, a motion before the Board, any administrative or procedural votes, and any elections, until they have been a member for three (3) months, or have attended three (3) consecutive meetings, whichever is earlier. For the

purposes of this subsection, a meeting shall include both appointed committee meetings as well as general board meeting; and

- Section 4. Any member may appeal to this Board concerning a decision to sustain the decision of the Chair.
- Section 5. Any question of order not herein specified shall be determined in accordance with ROBERTS RULES OF ORDER.
- Section 6. Abstention is not considered a vote.

ARTICLE XI

REMOVAL OF MEMBERS FOR CAUSE

Other than as outlined by the New York City Charter, this Community Board may take the following action to police itself from non-participating members.

- Section 1. An inactive member is defined for purpose of this Article as a member who:
 - a. Is absent from more than three regular meetings of the Board in any Calendar year (for the purpose of computing attendance, the calendar year will be from April 1st to March 31st); or
 - b. is absent from more than three (3) regularly called Committee meetings, in any calendar year, except July and August.
 - c. Any board member who calls out for two consecutive meetings, full board or committee, shall be reviewed by the Board Chairman and District Manager.
 - d. Any board member, who calls out for three consecutive, full board or committee meetings, shall be given a dismissal letter. The board will then apply to the Borough President or District Councilman for a replacement.
- Section 2. The Chairperson shall advise any member, in writing, after that member has missed two regular meetings of the Board, or two regularly called meetings of that member's Committee in any calendar year. The written notice shall apprise the member(s) of the provisions of this Article.
- Section 3. After a member(s) has become inactive as defined above, the Ethics, Rules, Bylaws and Regulations Committee shall review his/her record including, but not limited to, his/her attendance at other meetings or functions of the Board. The Executive Board shall review the recommendation of the Ethics Committee. The Chairperson of the Ethics Committee will inform all inactive member(s) by telephone, or in writing, that his/her name has been brought up for review.

- Section 4. After a recommendation by the Executive Board recommending removal of the inactive member(s), the Chairman of the Ethics, Rules and bylaws committee will notify said inactive member(s) by writing of the member(s) dismissal from Community Board #3.
- Section 5. All members of the Board shall adhere to the Code of Ethics as outlined by the Board of Ethics of the City of New York.
- Section 6. Board Members are required to hear and consider each application before this board without any preconceived decisions, notions or bias. As such, any discussion of, or dissemination of information related to, any upcoming applications before this board, including, but not limited to social media posts, shall be limited to informational statements for the public's use as to when said application shall be before this board. Any statements regarding the board members intention to vote a particular way prior to the application being presented shall not be permitted. Any statements, either positive or negative, or in any way disparaging, regarding upcoming applications and/or votes, shall not be permitted. Violations of this section may result in the immediate dismissal of the board member.

ARTICLE XII

PUBLIC HEARINGS

- Section 1. Public Hearings on matters covered by the Uniform Land Use Review Procedure shall be legislative type hearings, without sworn testimony or strict rules of evidence.
- Section 2. All persons appearing at a hearing of Community Board #3 shall be allowed to speak for a period of approximately three (3) minutes. Anyone wishing to speak must address the scheduled item(s) only and shall complete and submit a speaker's form provided by the Board beforehand. Speakers shall be called by the Hearing Chairperson in the order which the speaker's form have been submitted, with the exception that the sponsor of the proposal and/or his/her representative shall be allowed to speak first. Only one person may speak at a time. All persons who address the Board must do so from the front of the hearing room. Each speaker shall have a maximum of five (5) minutes to present views and/or raise questions. Written statements may be submitted for the record by those unable to attend the meeting but must be done so by the time of the hearing itself. Board members may question a speaker at the end of his/her allotted time. Non-Board members may submit questions from the floor, in writing, to members of the Board to be used at the appropriate time. Persons, other than the proponent of the proposal, may not speak more than once until all speakers have been heard,

unless otherwise determined by the Hearing Chairperson. Yielding of time by persons who have not spoken, to those persons who have already addressed the Board, shall not be allowed.

- Section 3. The Chairperson of the Committee involved shall serve as Hearing Chairperson at the pleasure of the Chairman of the Board. In the absence of the Chairperson of that Committee, the Chairperson of the Board shall delegate another member of the Committee to preside at the hearing.

ARTICLE XIV

PERSONNEL RECOMMENDATION FOR DISTRICT MANAGER

Section 1. If a specific name is put forward:

- a. Chairperson instructs Executive Committee. Committee is to review resumes, interview the candidates, and to do such at a meeting where all executive board members may ask questions. The Executive Committee will then forward its recommendation to the full Board.
- b. At the full Board meeting, recommendation of the Committee is made. Business Session is called to discuss particulars. Then, the full Board vote is taken in public session.