

**By-Laws
Of
Community Board #3
Borough of Brooklyn**

The By-Laws for the Brooklyn Community Board No.3 (the “By-Laws”) shall confirm to all the New York City Charter (“the Charter”) provisions pertaining thereto. Nothing in these By-Laws shall be confused as to change modify or amend the Charter. In case of conflict between the provisions of the Charter and the By-Laws, the provisions of the Charter shall govern.

I. Name

The name of this Board shall be known as Community Board No. 3, Borough of Brooklyn.

II. Area

This Board shall serve the community within the area designated on the Community District Map as Community District Three, or as such may be hereafter duly amended or revised.

III. Purposes

The purpose of the Board shall be to perform those functions, duties and obligations mandated by the voters of New York City and vested in Community boards by the New York City Charter and all applicable laws.

IV. Officers

The officers of the Board Shall be:

Chairperson
First Vice-Chairperson
Second Vice-Chairperson
Treasurer
Executive Secretary

V. Officers’ Eligibility

1. To be eligible for any office of the Board, a member first must have been appointed to the Board by the President of the Borough of Brooklyn.
2. The member should also have served a minimum of one year on the Board and be currently active on at least one **Board** committee.

¹ By-Laws of Community Planning Board No. 3, Brooklyn, New York, as amended, as of February 5, 1979, February 4, 1980, March 5, 1990, June 6, 1994 and June 5, 2000, December 1, 2008, April 6, 2009, November 2, 2009, December 2, 2013

VI. A. Selection of Nominating Committee

- i. At the Community Board's regular monthly business meeting in the month of October, the first order of business shall be that the Community Board shall form a Nominating committee consisting of seven members from Community Board No. 3.
- ii. The Chairperson of the Community Board shall appoint the Chairperson of the Nominating Committee and the remaining six members shall be volunteers from the floor.

B. Election Process

1. The Nominating Committee shall meet as often as necessary in order to provide a written report to the Board at its November business meeting. The written report must contain:
 - (a) Qualified candidates, pursuant to Article V (Officers' Eligibility).
 - (b) An outline of the qualifications of each nominee.
2. At the December regular business meeting of the Board, pursuant to the written notice sent to each member, there shall be a separate election administered by the Nominating Committee held for each of the offices of Chairperson, First Vice Chairperson, Second Vice-Chairperson, Treasurer, and Executive Secretary. At the December meeting, members of the Board may offer additional nominations from the floor. Each person nominated from the floor must make a statement as to his/her qualifications for the respective position
3. Voting for each office shall be by signed paper ballots. In order to be successful, a candidate must poll a majority of the votes of the members in the presence of a quorum. Nominees shall not be permitted to speak at this meeting during the vote.
4. The tenure of all elected officials shall be for no longer than four consecutive one-year terms, except by a majority vote of the seated quorum of the Board Members. Voting shall be signed paper ballots.
5. The new administration shall take office as of January 1st.

6. There shall be a transition from the former administration to the new administration.

VII. Duties of Officers

A. Duties of the Chairperson shall be:

1. To perform all duties set forth in the City Charter
2. To call and preside over Executive Committee meetings
3. To supervise the District Manager and all members of the staff in the absence of the District Manager
4. To receive all calendars and notices from all City agencies which are required to be referred to the Community Board pursuant to the City Charter and to refer matters to standing Committee for investigating reports and/or hearing.
5. To attend meetings of the Borough Board, City Planning Commission, City Council, District Service Cabinet or such other meetings called for under the New York City Charter or applicable law or rule or to designate his/her representative to attend (Board member or staff).
6. To open and preside over regular monthly meetings of the Board.
7. 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 to announce the result of the vote.
8. To appoint a Parliamentarian to advise the Chairperson on all questions of parliamentary procedure.
9. Except as he/she shall otherwise author, the Chairperson shall authenticate all acts, orders and proceedings of the Board including the signing of all letters going out from the Board and shall be the sole spokesperson for the Board before news media, agencies of government and the public at a large.
10. To call for and entertain motions to adjourn meetings.
11. According to the provisions of these By-Laws, to appoint, suspend or remove Chairpersons of all Committees of the Board, to establish special Task Forces, committees and sub-committees, and from time to time may be deemed necessary for the best performance of the Board's functions and to appoint, suspend or remove the Chairperson of such special task forces, committees and sub-committees. All Committee 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 except the nominating committee. The Chairperson shall report at the earliest Board meeting any new appointments or removals.
12. To prepare and deliver the Board Chairperson's monthly report.

13. To notify the Board of all matters brought before the committees and presently pending and of all communications to the Board so that Board members may perform their duties.
14. To preside over and coordinate public hearings and public informational meetings involving more than one standing committee to effect the most efficient disposition of the Board's duties to the widest public audience.
15. To appoint the Budget Coordinator
16. To chair the Personnel Committee

B. Duties of the First Vice Chairperson shall be:

1. To assist the Chairperson in carrying out the duties of the Chairperson.
2. To serve in place of the Chairperson when there is a vacancy in the office of Chairperson, or when the Chairperson is unable to perform his/her duties.
3. To attend all District Service Cabinet meetings and shall assist the Chairperson of the Board in working with the District Manager and the District Service Cabinet.

C. Duties of the Second Vice Chairperson shall be:

1. To assist the Chairperson and the First Vice-Chairperson in carrying out the duties of the Chairperson
2. To serve in place of the Chairperson and/or the First Vice-Chairperson when there is a vacancy and/or absence in the office of Chairperson and/or the First Vice-Chairperson when the Chairperson is unable to perform his/her duties.
3. To serve as an ex-officio member of the committees designated by the Chairperson

D. Duties of the Treasurer shall be:

1. In consultation with the District Manager, to prepare an annual Community Board budget and such periodic modifications as may be necessary for the approval of the Community Board.
2. In consultation with the District Manager, develop and administer a management system for monitoring **all of the financial affairs** of the Community board.
3. To report, in writing, to the **Community board monthly** on the financial condition of the Community board including expenditures, monies owed, cash on hand or available, and projections of future commitments.
4. Chair the Internal Budget Committee

E. Duties of the Executive Secretary shall be:

1. Keeping a clear, accurate and timely record of the proceedings of the Board
 - (a) Validating the minutes of all the meetings of the Board to ensure that they reflect the substance of discussion of Board members and Board actions, Ensure that amendments to the minutes are reflected in the original minutes
 - (b) Keeping an up to date file of all minutes on record in the Board's office and at Borough Hall
 2. Developing and maintaining a listing of Board members, including committee assignments, in consultations with the District Manager
 3. Monitoring the attendance of Board members, to include attendance at the monthly public meetings and at committee meetings, and taking appropriate action as delineated in the City Charter and in the by-laws of Community board 3, in consultation with the District manager.
- F. Duties of the Budget Coordinator shall be:**
1. Coordinating the implementation of the CB3 capital and expense budget timeline to ensure adherence to the timeline of the New York City Office of Management and Budget, in collaboration with the District Manager
 2. Developing the annual District Needs Statement, in collaboration with the Capital & Expense Budget Committee and the District Manager
 3. Conduct public hearings on capital and expense budget priorities.

VIII. Committees

- A. Committee Functions**
1. Committees of the Board shall consist of standing committees as specified in Section B of this Article and such other special committees as the Chairperson or the Board shall establish to transact the board's business
 2. Chairpersons of all committees shall be members of the Board and shall be appointed by the Chairperson of the Board.
 3. Committee membership shall be designated by the Board Chairperson. Each committee shall govern its internal functioning, consistent with these by-laws and the City Charter. Except as otherwise provided by law, committee meetings shall be open to the public.
 4. Each committee shall maintain attendance lists, minutes of each meeting (written or tape recorded), and the vote shall be recorded in the minutes.
 5. Membership on a committee is open to any person who is a resident or who has a business or professional interest in the community. These non-Board members may vote only as committee members at a committee meeting. Non Board members shall be subject to the attendance guidelines as noted in Article IX of these by-laws

6. Upon receipt of a request for investigation and report on a matter from the Chairperson, the appropriate committee shall take action. This may include but is not limited to interviews, requests for information, and public hearings and meetings which shall be coordinated with the chairperson. Except in emergencies, the committee reports requiring Board action shall be mailed to Board members in the regular monthly mailing from the Board Office
7. If a committee chairperson, in order to facilitate the committee's work, wishes to contact any City representative or elected official, he or she shall do so in consultation with the Board Chairperson. In addition, a committee chairperson who wishes to request the attendance of agency representatives at meetings of the Community board must do so in consultation with the Board Chairperson. 8. A service delivery issue of a committee shall, in consultation with the Chairperson of the Board and the District Manager of the Board, be placed on the agenda of the District Service Cabinet Meeting
9. Each committee shall be responsible for submitting a written plan of projects and activities at the beginning of each new session of the Board
10. Each committee shall be responsible for reporting to the Board on activities on a monthly basis. This shall include, but is not limited to, a report in writing to the Chairperson to be submitted no later than the evening of the Executive Committee meeting on the status of all matters under consideration
11. The Chairperson of the Board shall resolve any questions regarding a committee's jurisdiction to entertain a matter
12. The Committee Chairperson, in consultation with the Board Chairperson, may create such sub-committees as necessary. The sub-committee shall make recommendations to the committee only

B. Standing Committees

1. Executive

- a. There shall be an Executive Committee consisting of the elected officers and appointed chairperson of the standing committees.
- b. The Executive Committee shall:
 - i. Meet approximately 10 days prior to the regular monthly business meeting;
 - ii. Provide continuity in the operations of the Board;
 - i. Call for special meetings of the Board;
 - iv. Review and correct Board Action and Committee reports for conflict;
 - v. Prepare agenda for the forthcoming regular monthly business meeting.
- c. The Executive Committee shall function as the Capital and Expense Budget Committee. It shall be responsible for the coordination and development of the

district needs statement and the preparation and submission of the capital and expense budget

2. Internal Budget

- a. The Internal Budget Committee shall be comprised of the Board Chairperson, the Treasurer, and the District Manager. The Board Chairperson has the discretion to appoint other members
- b. Responsible for:
 1. Developing the Community Board's internal budget
 2. Monitoring the expenditures of the Community Board's internal budget
 3. Presenting the Community board's proposed and final budget within the appropriate time frame for board approval
 4. Adhering to all city purchasing procedures, and submitting all required purchasing documents and reports to city agencies within the required timeframes
 5. Monitoring the inventory of all equipment and supplies purchased with city funds, according to city guidelines

3. Personnel

The Personnel Committee shall be comprised of the elected officers and two Board members selected by the Chairperson of the Board

Responsible for:

- a. Developing and monitoring all office procedures and personnel practices
- b. Monitoring all employees' time sheets, including the District Manager's;
- c. Reviewing all staff evaluations, including the District Manager's;
- d. Presenting qualified candidates for employment to the Board for approval
- e. Recommending salary increases

4. Civic and Public Safety *Responsible*

for:

- a. All matters concerning public safety, civic/block/tenant associations and faith based institutions
- b. Planning/co-sponsoring activities that will strengthen block and tenant associations
- c. Interacting with public safety agencies and precinct councils
- d. Reviewing and reporting to the Board on public safety issues
- e. Identifying opportunities for collaborative efforts and mutual advocacy within the faith-based community
- f. Maintaining a data base of all public safety, civic/block/tenant associations and faith-based institutions

- g. Making recommendations for capital and expense budget matters concerning public safety services and services to civic/block/tenant associations within the district

5. Economic Development Responsible

for:

- a. Creating and recommending plans for the economic development of the District
- b. Collaborating with local development corporations, on all economic development issues
- c. Monitoring all projects of the New York City Economic Development Corporation, the New York city Department of Small Business Services, the Brooklyn Chamber of Commerce, and all other city agencies that relate to economic development
- d. Monitoring issues pertaining to the approval of licensing of alcoholic beverage establishments and making appropriate recommendations
- e. Monitoring issues pertaining to the approval and licensing of all other businesses requiring licensing
- f. Keeping abreast and informing the community of topics that relate to local businesses, quality of service, deceptive advertising, consumer fraud, and home improvement abuses
- g. Monitoring enforcement of all regulations regarding signage, facades, and illegal merchandising and selling
- h. Making recommendations for capital and expense budget matters which deal with service delivery issues affecting economic development and consumer services.

Education and Youth Service Responsible for:

- a. Establishing liaison linkages with school personnel, school boards, and parent associations in order to improve school operations and support educational programs
- b. Establishing linkages with organizations that provide youth services
- c. Disseminating information about education and youth services, including training and employment programs
- d. Conducting annual needs assessment of education and youth services within the district
- e. Reviewing requests for letters of support for education and youth services programs and making recommendations to the Community Board
- f. Making recommendations for capital and expense budget matters concerning education and youth services within the district.

7. Health and Social Services Responsible

for:

- a. All matters concerning health and social services
 - b. Monitoring and evaluating the district's public and private health and social services programs
 - c. Reviewing requests for letters of support for health and social services programs and making recommendations to the Community board
 - d. Disseminating information about health and social services programs and emergency issues
 - e. Making recommendations for capital and expense budget matters concerning health and social services within the district.
- 7. Transportation/Sanitation/Environment Responsible for:**
- f. All matters concerning highway maintenance and street repair, traffic control, safety, and public transportation
 - g. Monitoring issues pertaining to the approval and licensing of transportation franchises and making recommendations to the Community Board
 - h. All matters pertaining to environmental issues, including sanitation and refuse collection; water metering, and sewer/catch basin maintenance and repair
 - i. Providing information about and advocating for projects that invest in environmental protection, energy conservation, and emerging environmental initiatives
 - j. In collaboration with the Civic and Public Safety Committee, disseminating information about and advocating for emergency preparedness plans within the district
 - k. Making recommendations for capital and expense budget matters concerning infrastructure and environmental services within the district.
- 8. Recreation, Arts and Culture Responsible for:**
- a. All matters relating to local recreation areas and arts and cultural activities
 - b. Reviewing proposals and conduct public hearings regarding facility and street name changes
 - c. Reviewing requests for letters of support for arts/cultural and recreational programs and making recommendations to the Community Board
 - d. Interfacing with, and disseminating information about public and private agencies/institutions that will benefit the community
 - e. Making recommendations for capital and expense budget matters concerning arts and cultural and recreational activities within the district.
- 9. Senior Citizens' Services Responsible for:**
- a. All matters concerning senior citizens, and the special problems of seniors, including health, social security, and senior housing

- b. Dealing specifically with service delivery issues
- c. Acting as an advocate for increased services and programs
- d. Disseminating information about senior citizens' rights and entitlements
- e. Interfacing with public and private agencies that provide services to seniors
- f. Maintaining a data base of senior facilities and services within the district
- g. Making recommendations for capital and expense budget matters concerning services to seniors within the district.

10. ULURP, Housing, Zoning, and City Property Responsible for:

- a. Consideration, in accordance with the Uniform Land Use Review Procedure, of all matters relating to urban Renewal Districts, map changes, subdivision and planning, zoning map changes, special permits, all minor changes, variance applications and revocable consents;
- b. All matters concerning public and private housing within the District;
- c. Monitoring all projects of HPD, City Planning, the Board of Standards and Appeals and the buildings Department
- d. Making recommendations for capital and expense budget matters which deal with service delivery issues affecting land use and housing within the district.

12. Ad Hoc Committees

Ad Hoc Committees may be established by the Chairperson or the Board as necessary from time to time to consider matters coming under the jurisdiction of any standing committee or any other matter which the Chairperson or the Board shall designate. When a special committee is established to consider matters covered by two or more standing committees, the membership must include but need not be limited to the Chairs of the relevant standing committees.

IX. Responsibilities of Community Board members

Community Board member shall:

1. Attend and diligently participate in all meetings of the Board.
2. Membership must regularly attend and participate actively on at least one committee of the Board
3. Vote on all matters before the Board, except where there is a conflict of interest.
4. Vote in person and not by proxy on all matters that come before the Board.
5. Not speak for the Board unless duly authorized by the Board Chairperson to do so.
6. A member seeking an excused absence must contact the board office no later than 5 p.m. on the day of the scheduled regular meeting of the Board. A member seeking an excused

absence from his or her committee meeting should contact the board office no later than

an hour before the scheduled committee meeting. Such excused absence shall be subject

to approval of the Chairperson.

7. Any of the following shall constitute an excused absence:
 - a. Serious Medical Condition (e.g. surgery or hospitalization)
 - b. Death in the family
 - c. Accident
 - d. Religious "Holy" day of obligation

X. Meetings of Community Board

A. The Board shall meet at least once a month, but additional meetings may be called by the Chairperson for these months. At least **two** of the regular monthly meetings per year shall be held in different geographical sections and neighborhoods around the District.

1. A majority of the appointed members of the Board shall constitute a quorum.
2. Whenever any act is authorized to be done or any determination or decision made by the Board, the act, determination or decision of the majority of the members present entitled to vote during the presence of a quorum, shall be held to be the act, determination or decision of the Board.
3. All matters requiring Board action shall 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.

B. Special Meetings:

A special meeting shall be called upon seven days notice, in writing specifying the purpose of the meeting and a delineation of such meeting. A special meeting may be called by the Chairperson or at least ten members of the Board. The names and the signatures of the ten board members requesting the special meeting must appear on the notice. Only matters on the agenda as specified in the notice shall be considered.

C. Emergency Meetings:

An emergency meeting shall be a meeting called under those circumstances as determined by the Chairperson where time is of the essence and decisions are required immediately. At least forty-eight hours notice of such meeting must be given.

XI. Voting and Conflict of Interest Rules

- A. Before the Board considers any item on which it intends to vote or make recommendation, the Chairperson shall ask all members who possess a conflict of interest on this subject to identify themselves and specify the nature of the conflict. All such statements shall be including in the Board's official minutes.
- B. All appointed members are deemed "entitled to vote" on matters before the Board or committee unless specifically excluded by provision if law, City regulation, etc. As unpaid servants, Board members are governed by the City's Conflicts of Interest Law (City Charter 68). All members shall be responsible for familiarizing themselves with the relevant Corporation Counsel Opinions and/or Conflicts Board Advisory Opinions on this subject and shall, furthermore, provide needed guidance, all Board members shall receive copies of these documents, as well, all other relevant rulings made in the future that concern this issue.
- C. A community Board member is not entitled to vote on any matter that may result in a personal and direct gain to the member or any person or firm with whom the member is "Associated". (Charter Section 2604-b-1-b).
- D. A Community Board member who is a City employee is not entitled to vote on any matters pertaining to the member's agency. This pertains to employees of all mayoral agencies and non-mayoral agencies subject to the Conflicts of interest Law (Board of Education, Community School Boards, School Construction Authority, Health and Hospitals Corporation, NYC Housing Authority) (Corporation Counsel Advisory Opinion 91-3)
- E. A Community Board member who serves on the Board of Directors of a not-for-profit organization is not entitled to vote on Board resolution recommending funding by City agencies for that organization; voting would be "taking a direct or indirect part" in the organization's business dealing with the city. (Charter Section 2604-c-6)
- F. If a Board member is not entitled to vote on a matter as a result of complying with the restrictions concerning conflicts of interest, then the number of members entitled to vote on the matter is reduced, and the majority required for passage is reduced accordingly. When a vote is taken, a member not entitled to vote due to a conflict of interest is not counted as abstaining. However, such a member is counted as present for the purpose of maintaining a quorum. Such members are recorded as "present but not entitled to vote" rather than "abstaining for cause" to ensure that votes are properly tabulated.
- G. No Member shall appear, either directly or indirectly, on behalf of any private interest in matters involving this Board, or before any public agent affecting matters involving this Board.

XII. REMOVAL

Any officer or member of the Board may be removed from the Board for cause, by the Board in the following manner.

1. Motion to institute removal proceedings can be made at any regular meeting of the Board and shall specify the cause for such removal.
2. Approval of such motion must be made by majority of the appointed membership of the Board.
3. The member in question has the right to a hearing upon due notice, before the Board. At such hearing he or she shall have the right to counsel, to be heard in his or her own defense and to call witnesses on his or her behalf.
4. Three (3) absences from meetings of the Board called in any six (6) month period during which the Community Board is in session shall be sufficient cause for removal. In addition three (3) absences from a member's appointed committee meeting of the board in any six (6) months period shall be sufficient cause for removal. Only attendance at the member's primary committee will be under judgment.
5. Non-Board members shall be subject to the attendance guidelines as noted in Article IX, and in clause four (4) of this Article (XII).

XIII. DISTRICT MANAGER

A. Eligibility

The person shall meet the requirements for the position of District Manager as established by the New York City Department of personnel and any other eligibility requirements in the written job description prepared by the Personnel Committee.

B. Supervision

The District Manager shall be under the supervision of the Chairperson of the Board who shall prepare an annual written evaluation of the District Manager's performance. This evaluation shall be submitted to the Personnel Committee of the Board for review. A copy of the evaluation shall be placed in the District Manager's personnel file.

C. Duties of the District Manager

The District Manager shall have the following duties and responsibilities.

1. Manage the business of the Board
2. Supervise and evaluate office personnel
3. Process service complaints;
4. Preside at meetings of the District Service Cabinet;
5. Attend regular monthly business meetings and Executive Committee meetings;
6. Attend budget consultations and participate in the preparation of the New York City fiscal budget;
7. Attend the meetings of the Internal Budget Committee, and manage the internal budget, including purchasing and inventory
8. Represent the Board at meetings and events, as directed by the Board Chairperson

9. Perform other duties as shall be assigned by the Chairperson and the Board;
10. Perform duties in accordance with the personnel policy procedures of the Board and the City of New York

D. Appointment

1. Upon the existence of a vacancy in the position of District manager, the Chairperson shall notify the Personnel Committee Board in writing of the effective date of the vacancy.
2. The Personnel Committee and the Board shall comply with the relevant rules and procedures of the New York City Department of Personnel in conducting the outreach and selection of a district manager. There shall be public notices of the availability of the position of District Manager through advertisement in the local press, notification to community organizations and other additional appropriate means. This notice shall provide for ample time for the interested candidates to respond.
3. A minimum of three candidates for District Manager shall be presented to the Board for Consideration.
4. There shall be ten days written notice to each board member as to the date, time and place of the meeting to vote upon the selection of a District Manager. Included in this notice shall be each candidate's resume. All other information on file concerning each candidate shall be available to each Board member at the Community Board Office prior to the election and at the Board meeting at the time of election.

E. Removal

1. The District Manager serves at the pleasure of the Board
2. The District Manager may be removed for cause upon recommendation of the Executive Committee.
 - a. A special meeting of the Board shall be called for consideration and vote of the removal.
 - b. Written charges for the removal of the District Manager shall be presented to the Board at the Special meeting.
 - c. Ten days written notice to each Board member as to the date, time and place of the special meeting to vote upon the removal of the District Manager shall be required. Included in this notice shall be the written charges stating the cause for the removal.
 - d. Ten days written notice to the District Manager as to the date, time and place of the Board's Special meeting, to consider the removal shall be required. Included in this notice shall be a copy of the written charges stating the cause for removal and an invitation to appear at the Board meeting to answer these charges.
 - e. At the Special Meeting, removal of a District Manager shall require a majority vote of the Board, by signed paper ballot with each member's vote recorded and listed in the meeting minutes.

- a. A copy of the written charges shall be forwarded to the Borough President's Office

XIV. Amendment of By-Laws

- A. Amendments to these by-laws may be proposed by any member of the Board. A copy of the text of the proposed amendment shall be mailed to all Board members with the regular monthly business meeting notice.
- B. Amendments shall be voted upon unless the text of the amendment shall have been placed on the agenda of two successive meetings. The vote on the proposed amendment shall take place at the second meeting or thereafter.

XV. Rules of Order

- A. The Board may adopt such rules of order which it deems necessary to its individual operation which is not in conflict with the City Charter and other applicable law and regulation.
- B. Robert's Rules of Order shall govern all matters pertaining to Parliamentary procedure that are not covered by these By-Laws. The Chairperson shall appoint a parliamentarian who shall possess the most recent edition of Robert's Rules of Order at Board Meetings and who shall advise the Chairperson and the Board on rules of order and questions of Parliamentary procedure.
- C. A majority of the members present and voting shall be required to amend these By-Laws