

August 1995

BY LAWS OF COMMUNITY BOARDS  
BOROUGH OF QUEENS

**ARTICLE I - PURPOSE**

The Community Planning Board is mandated by the City Charter to deal with:

**ZONING MATTERS:** Any change in or variance from the zoning resolution must come before the Board for its opinion and that opinion must be considered in any decision on a higher level.

**LAND USE MATTERS:** Community Boards must be consulted on placement of most municipal facilities in the community and on other land use issues. They also initiate plans for the growth and well being of their communities.

**CITY BUDGET:** Community Boards assess the needs of their own neighborhoods and make recommendations in the City's budget process to address them.

**OTHER COMMUNITY MATTERS:** Community Boards are responsible for making recommendations regarding the planning and development, the delivery of city services and will include any matter deemed significant by the Community Board, e.g. traffic problems to deteriorating housing is a proper concern of a Community Board. Community Boards make such recommendations to the Borough President and all city agencies to which such recommendations are relevant.

**ARTICLE II - NAME**

The name of this Board shall be known as Community Board No. 1, Borough of Queens.

**ARTICLE III - AREAS SERVED**

This Board shall serve the community within the areas as designated by the City Planning Commission, and adopted by the Board of Estimate by January 1, 1977.

**ARTICLE IV - OFFICERS**

The Officers of the Board shall be the following:

1. CHAIRPERSON
2. 1st VICE CHAIRPERSON
3. 2nd VICE CHAIRPERSON
4. 3rd VICE CHAIRPERSON
5. EXECUTIVE SECRETARY
6. SERGEANT OF ARMS - (Appointed by Chairperson of Community Board)

**ARTICLE V - OFFICERS ELIGIBILITY**

To be eligible for any office of the board, a member must first have been appointed to the Board by the President of the Borough of Queens.

**ARTICLE VI - NOMINATIONS AND ELECTIONS OF OFFICERS**

1. Officers shall be elected by a Roll Call Vote at the first duly constituted meeting in January of each year. Nominations shall be made from the floor by any member at said meeting and the office shall be voted upon.
2. The candidate who receives the greatest number of votes cast for such office shall be deemed elected.
3. Every member of the Board attending the meeting shall be entitled to (1) vote, in person.

## **ARTICLE VII - DUTIES OF OFFICERS**

### **(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 upon a majority vote only when deemed permissible under NYS Open Meetings Law.
4. Shall have the authority to waive a public hearing after getting permission of a quorum of a majority of the appointed members of the Board.
5. Shall have the authority to appoint all committees and their chairpersons. Such committees as appointed by the Chairperson, shall serve at the pleasure of the Chairperson.
6. Shall have the power to decide all questions of Law and Procedures pursuant to these By-Laws.
7. Shall have the right, at his/her discretion to invite a person to speak at a Business Session, if he/she deems it necessary to the proper operation of the Community Board.
8. Shall employ a secretary who is NOT a member of the Board, and whose activities he/she shall Supervise.
9. Shall turn over all records to his/her successor.
10. Shall send an agenda to the Borough President's office with sufficient time allotted for distribution (10) ten calendar days PRIOR to the meeting.
11. Shall send a notice of the TIME, 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 (10) ten days PRIOR to the date hearing.
12. Shall meet on a regular basis with the CHAIRPERSONS of ALL Boards in Queens.
13. The Chairperson is mandated to review all letters on Community Board letter heard for his/her approval and the necessary signatures which must include the Chairperson and Co-Chairperson or Board Member.

### **(B) The First Vice Chairman**

1. Shall have the SAME power, authority and duties of the Chairperson in the absence of the Chairperson.
2. Shall be EX-OFFICIO member of the committees appointed by the Chairperson.

### **(C) The 2nd Vice Chairperson**

1. Shall have the SAME power, authority and duties of the Chairperson and 1st Vice Chairperson in the absence of both.
2. Shall be EX-OFFICIO member of committees appointed by the Chairperson.

### **(D) The 3rd Vice Chairperson**

1. Shall have the SAME power, authority and duties of the Chairperson and 1st and 2nd Vice Chairpersons in the ABSENCE of the three.
2. Shall be EX-OFFICIO member of committees appointed by the Chairperson.

### **(E) The Executive Secretary**

1. The duties of the Executive Secretary shall be to perform ALL DUTIES, assigned by the Chairperson of the Board, NOT in conflict with those duties of the Paid Secretary.

(F) SERGEANT OF ARMS:

1. Shall be responsible for taking attendance and keeping order at meetings. Appointed by Chairperson.

(G) The Paid Secretary

1. Shall keep COMPLETE and ACCURATE minutes of every Executive meeting and tapes of every Public Hearing of the Board.
2. Shall MAIL minutes to the Director of Community Boards and Chairperson of Board to be POSTMARKED not later than (7) days AFTER each meeting.
3. Shall keep a record of all members attending such meetings.
4. Shall read the minutes of the previous meeting and the written reports of any and all committees and ALL correspondence unless dictated by the Chairperson.
5. Shall conduct all official correspondence of the Board at the discretion of the Chairperson.
6. Shall send copies of ALL CORRESPONDENCE to the Director of Community Boards.

**ARTICLE VII - COMMITTEES**

1. The Chairperson shall APPOINT committees, dealing with following subjects:  
Capital, Expense & Community Development (Budget & Planning), Consumer Affairs, Cultural Services, Education, Environmental Protection, Health, Hospitals & Social Services, Housing, Industrial Commercial, Cable T.V., Communications (Economic Development), Parks & Recreation, Public Safety, Senior/Special Citizens, Transportation, Youth, Zoning & Variance, Awards, Budget & Personnel (Office Staff), Homeless, Library, Legal, Legislation & Parliamentary Procedures, OTB, Public Relations, Newsletters & Press and Street Festivals.
2. The Chairperson may appoint such other committees as he/she deems necessary. He/she may include on 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.
3. Each committee shall consist of a minimum of (3) three members.
4. The committee shall make such investigation as it may deem necessary and report its findings and recommendations, in writing, to the members of the board.
5. All committees shall serve for one (1) year at the pleasure of the Chairperson.
6. It is incumbent upon each member to participate actively on at least one committee.

**ARTICLE IX - RESPONSIBILITIES OF COMMUNITY BOARD MEMBERS**

1. Shall attend ALL meetings, both executive and public, except for a legitimate excuse when the member shall NOTIFY the Chairperson PRIOR to the meeting.
  - a. The Chairperson shall notify the Borough President, in writing, of all members who have MISSED THREE (3) consecutive unexcused meetings.
2. Shall participate actively on at least one committee.
3. Shall VOTE on ALL matters before the Board, EXCEPT where there is a conflict of interest.
4. Shall NOT SPEAK for the Board UNLESS duly authorized by the Board of the Chairperson to do so.

5. Shall VOTE IN PERSON and NOT BY PROXY, on ALL matters that come before the Board.

## **ARTICLE X - QUORUM**

1. Business/Voting Session

A majority of the total appointed membership of the Board shall constitute a quorum for the transaction of business at meetings of the Board and shall be entitled to vote upon any measure which may come before it.

2. Public Hearings

A quorum for a Public Hearing shall consist of 20% appointed members of the Board, but in no event fewer than seven (7) such members.

- a. The MINUTES of a meeting at which a Public Hearing was held shall RECORD the individual members present.

## **ARTICLE XI - VACANCIES**

1. In the event of the DEATH, RESIGNATION, DISCHARGE or the INABILITY of any officer, a NEW ELECTION shall be held to fill each vacancy at the next regular meeting after such position becomes vacant.
2. Vacancies shall be filled by the Borough President for the remainder of the unexpired term of a Board member in the same manner as regular appointments.

## **ARTICLE XII - MEETINGS OF THE BOARD**

1. The Board shall meet at least once a month EXCEPT during JULY and AUGUST, which shall be at the discretion of the Chairperson.
2. All such Business meetings shall be OPEN to the PUBLIC for OBSERVATION ONLY. In addition, such meetings shall be attended by duly appointed members of the Board, the District Manager, a representative of the Department of City Planning and/or Community Board Director Borough President's Office, and Councilperson. A Community Board may close Business Session of meeting to the public by a majority vote of the appointed members present and may conduct an Executive Session for the purposes authorized by an in accordance with the procedures set forth in the Open Meeting Law...PROVIDED that NO FINAL ACTION shall be taken unless it is reopened for public observation.
3. No Board member may invite any person to address the Board without first having obtained such consent from the Chairperson or passed upon the Board.
4. All VOTES of members shall be RECORDED and be a matter of PUBLIC RECORD i.e. Total for \_ Total Against \_ Total Abstentions \_ Roll call for ULURP and BSA.

## **ARTICLE XIII - PUBLIC HEARINGS**

1. Public Hearings shall be held in accordance with Article IV, Section 4.030 of the Uniform Land Use Procedure.  
At the conclusion of any Public Hearing, or at the next meeting, the Board shall review and discuss the agenda.  
The adoption of a recommendation shall be by PUBLIC VOTE by a majority of the appointed members present during the presence of a quorum.  
A written recommendation shall be submitted promptly after ADOPTION in accordance with Article IV, Sec. 4.064 of the Uniform Land Use Procedure.
2. Members of Community Boards, who are involved in Public Hearings, MAY NOT PARTICIPATE in public debate other than to ask questions when recognized by persons chairing the public hearing.

#### **ARTICLE XIV - AGENDA**

1. An AGENDA for the meeting shall be prepared by the Chairperson, a copy of which shall be forwarded to the Director of Community Boards, each Board member, civic groups, elected officials, local press, etc., PRIOR to the meeting.
2. Any Board member desiring to have the board consider a subject, shall advise the Chairperson and said subject shall be placed on the agenda.
3. The members of the Board, by a MAJORITY VOTE of the MEMBERS PRESENT, will decide what course of action will be taken on matters on the agenda. ALL VOTES shall be RECORDED and made a matter of public record.

#### **ARTICLE XV - REMOVAL OF OFFICERS**

Any officer of the board may be removed from office for cause by the Board in the following manner:

1. MOTION made to institute removal proceedings can be made at ANY REGULAR MEETING of the Board APPROVAL of such motion MUST be made 2/3 majority of the ENTIRE APPOINTED MEMBERSHIP of the Board.
2. If the motion is approved, the presiding officer, who shall be the highest ranking (not the subject of removal proceedings), shall designate a three (3) member committee to investigate allegations and report at the next meeting. Members of this committee MUST be one (1) member chosen by presiding officer, the second selected by the person who is the subject of the removal proceedings, and third selected by BOTH JOINTLY. Members of the committee NEED NOT be members of the board.
3. Upon report of said committee, which MUST INCLUDE a Minority Report, 3/4 of the entire appointed membership of the Board must APPROVE action at the meeting called for that purpose.

#### **ARTICLE XVI - AMMENDMENTS TO THE BY-LAWS**

MOTION to AMEND these By-Laws may be duly made at any meeting of the Board and APPROVED by a quorum of a majority of the appointed members of the Board.

#### **ARTICLE XVII - RULES OF ORDER**

1. Each Board may adopt such rules and regulations which it deems necessary to its individual operation EXCEPT where it conflicts with the Rules and Regulations under the New York City Charter.
2. ROBERT RULES OF ORDER shall govern all matters pertaining to Parliamentary Procedure that are not covered by Standardized By-Laws and New York City Charter.