



BRONX COMMUNITY BOARD NO. 8
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Honorable Ruben Diaz, Jr.
Bronx Borough President

Daniel Padernacht, Chairperson

***REVISED**

NOTICE OF BOARD MEETING

The regular Board Meeting of Community Board No. 8 Bronx will be held on **Tuesday, May 12, 2015**, at Manhattan College, School of Engineering, 3825 Corlear Avenue, Fischbach Room, 4th Floor, at 7:30 PM.

AGENDA

1. Public Gallery Session
2. Report from the Bronx Borough President's Office
3. Chairman's Report
4. Treasurer's Report
5. Board Office Report
6. Report from the Department of City Planning
7. Presentation of Community Service Awards – Marvin Goodman
8. Motion to Approve Recommendations of Law, Rules & Ethics Committee Amendments to Bylaws
(See end of agenda for proposed amended Bylaws)
1. Committee Reports:
 - a. Public Safety
 - b. Traffic & Transportation
 - c. Youth
 - d. Aging
 - e. Budget
 - f. Economic Development
 - g. Education
 - h. Environment & Sanitation
 - i. Health, Hospitals & Social Services
 - j. Housing
 - k. Land Use
 - l. Special Committee on Greenway
 - m. Law, Rules & Ethics
 - n. Libraries & Cultural Affairs
 - o. Parks & Recreation

2. *Report of District Manager Search Committee
3. Approval of Board Meeting Minutes of April 14, 2015
4. Discussion of Executive Committee Meeting Minutes of May 6th, 2015
5. Miscellaneous Business

PROPOSED AMENDED BYLAWS

Brackets indicate deletions. Underlining indicates additions.

Bylaws

ARTICLE I

NAME

*Sec. 1 – These Bylaws, upon adoption, shall be the Bylaws of Community Board No. 8 (the "Board"), and shall be the governing instrument of said Board, subject only to the provisions of the amended New York City Charter (the "Charter"), the Open Meetings Law (OML), the Freedom of Information Law (FOIL) and other applicable provisions of law
[Amended 5/xx/15]*

ARTICLE II

POWERS

Sec. 1 – The Board shall exercise those powers and perform those functions set forth in the Charter. The boundaries of its district shall be as approved pursuant to the Charter. The Board may exercise its powers either separately or jointly with one or more other Community Boards with regard to any matter which concerns its district and one or more other districts.

ARTICLE III

Sec. 1 – The Community Board shall consist of:

A. Those public officials specified in the Charter.

B. Members who shall have been appointed in accordance with the Charter (the "Appointed Members").

Sec. 2 – Each Appointed Member shall serve for a term of two (2) years. Vacancies in the membership of the Board shall be filled by appointment made in accordance with the Charter for the remainder of the unexpired terms.

Sec. 3 – Each Appointed Member shall be required to serve on two committees of the Board, which the Member shall designate, subject to approval by the Chairperson of the Board, as the Member's "Areas of Responsibility." The Member may also serve on additional committees, but each Member shall be responsible for assuring that such additional service does not interfere with the Member's obligations to those committees which constitute the Member's Areas of Responsibility.

*Sec. 4 - An appointed Member may be removed by the Board for failure to comply with section 3 of this Article; for three consecutive absences from meetings of the Board; for failure to attend six or more meetings of the Board in a period of any one year; or for other good cause. A proceeding to remove an Appointed Member shall be initiated by the Board's Executive Committee, by serving written notice on such Member, specifying the grounds for the proposed removal. The Member shall have thirty (30) days in which to respond to the notice. Removal by the Board shall require a majority vote of the Appointed Members present at the regular meeting next succeeding the aforesaid 30 day period. The notice for such meeting shall include the proposed action in its agenda.
[Amended 5/xx/15]*

Sec. 5 – Any member may resign at any time by submitting a resignation in writing to the Chairperson of the Board and the Borough President. Such resignation shall take effect at the time specified therein, or, if no time be specified, upon the date of the submission thereof, but in no event any later than 30 days thereafter. A resignation need not be accepted to become effective.

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ARTICLE IV
MEETINGS

- Sec. 1 – *The Board shall hold a regular meeting at least once each month, except during the months of July and August. Special meetings shall be called on the request of the Borough President, or on the request of one-third of the Appointed Members of the Board, or at such time as the Chairperson, in his or her discretion, may determine.*
- Sec. 2 – *All meetings shall be held within the Board's community district, and shall be open public meetings unless otherwise stated in the notice of meeting. The Board and all of its committees and subcommittees shall be subject to New York State's Open Meetings Law (OML). No final vote or action may be taken at any Board Meeting closed to the public.*
[Amended 5/xx/15]
- Sec. 3 – *Written notice of each Board or committee meeting, stating the place, date and time of the meeting, shall be mailed by the Chairperson or the secretary to each member of the Board and to every elected member of the Federal, State and Municipal Legislature whose district is, in whole or in part, included within the Board's community district, not less than ten (10) days prior to the date of the meeting except that a special, or emergency, meeting may be called upon at least 72 hours notice. The notice of any meeting called on less than ten (10) days' notice shall, in addition to the above requirements, specify the matter requiring short notice and a written statement from the Chairperson that time does not allow for ten (10) days' notice; at any such meeting, only the matter specified in the notice of meeting may be acted upon. Notice of meetings to be held within 72-hours must be emailed to the persons noted above and the Board's email list, noted on the Board's website and posted on the Board's established place for such notices.*
[Amended 5/xx/15]
- Sec. 4 – *Each notice of meeting shall contain an agenda, as determined by the Chairperson of the Board, except that the Chairperson shall be required to place on the agenda any item requested by a member of the Board prior to the mailing of the notice of meeting. Any item not on the written agenda as contained in the notice of meeting, may be added to the agenda at the meeting provided a majority of the members of the Board present vote to add such item. No item may be acted or voted upon unless said item appears on the agenda, or has been added thereto as herein provided. For the purposes of this section, a resolution included in a committee report which has been mailed with a notice of meeting shall be deemed to be included in the agenda of the meeting.*
- Sec. 5 – *The presence of more than 50% of the Appointed Members shall constitute a quorum. [except that no action may be taken by the Board that requires the presence of a different number of Appointed Members unless such number is present]. No Appointed Member may be present by proxy. All appointed members who are part of the quorum must be present.*
[Amended 5/xx/15]
- Sec. 6 – *Each Appointed Member shall be entitled to one vote. Unless otherwise specified in the Charter or these Bylaws, all questions shall be decided by a majority of those present and entitled to vote.*
- Sec. 7 – *The procedure followed at all meetings shall be in accordance with the requirements of the Charter, these Bylaws, and, when no contrary provision exists, "Roberts Rules of Order." The Board, however, shall have the power to adopt any rules of procedure not inconsistent with the Charter or these Bylaws.*
- Sec. 8 – *Attendance shall be taken at every meeting. Each Appointed Member shall be marked "present" or "absent."*
- Sec. 9 – *Minutes shall be taken at all meetings, shall be a public record, and shall be available for inspection on request at the office of the Board. Copies of minutes shall be forwarded to all persons to whom notice of meetings shall have been sent. The minutes shall contain all resolutions and motions brought before the Board, the results of all votes taken and a summary of all reports presented to the Board, including majority and minority reports. Copies of all reports shall, when submitted to the Board in writing, be annexed to the minutes. Minutes shall be posted on the Board's website.*
[Amended 5/xx/15]

ARTICLE V
OFFICERS AND COMMITTEE CHAIRS

- Sec. 1 – *The Officers of the Board shall be a Chairperson, a Vice-Chairperson, a treasurer, and a secretary. Each officer shall be an Appointed Member of the Board. Election of officers and committee chairs shall take place each year at the regular meeting of the Board held in the month of June. Each officer and committee chair shall serve for a term of one (1) year, commencing on the first day of July and until a successor shall have been elected and shall have qualified.*

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[Amended 5/xx/15]

Notwithstanding the foregoing, the June election may be postponed, and the term of incumbent officeholders automatically extended when the nominating committee, elected under the provisions of Section 2 of this Article, reports to the Board that:

- A. Its desired nominee for one or more positions is unable to accept or decline for good and sufficient reasons; and*
- B. Such nominees acceptance may reasonably be anticipated at a time subsequent to the June meeting; and*
- C. The nominee or nominees in question may be important to the continued efficient functioning of the Board; and*
- D. It therefore recommends that the election be postponed to the September meeting of the Board.*

The Board may respond to such report by voting to postpone such election to the September meeting, which meeting shall then constitute an election meeting under Section 2 of this Article, at which time, the nominating committee shall render its completed report and the election(s) shall go forward. The vote required for postponement shall be by a [2/3] majority of Appointed Members present and entitled to vote. In the event the election is postponed, persons holding an affected office at the time of such vote shall have their terms extended until the September meeting, and newly elected individuals shall commence their service upon election. Persons elected at a September election meeting shall have a term running until the following June 30th.

[Added 4/27/95] [Amended 5/xx/15]

Sec. 2 – At the regular meeting of the Board held in the month of April, a nominating committee consisting of not less than three (3) nor more than five (5) Appointed Members shall be elected by the Board. This committee shall designate its chairperson and shall present candidates for the officers and committee chairs to be filled at the election meeting. Additional candidates may be nominated from the floor at the election meeting. A majority of the Board members present and entitled to vote shall be required to elect a candidate to office. Should no candidate receive a majority on the first ballot, all of the candidates, except those two receiving the largest number of votes, shall be dropped from the ballot, and a second ballot shall take place.

[Added 3/9/04]

WORKING GROUP RECOMMENDS REVIEW OF THE FUTURE OF A NOMINATING COMMITTEE AFTER THE 2015 EXPERIENCE

[Amended 5/xx/15]

Sec. 3 – Upon the death, resignation, termination of Board membership or removal of any officer or elected Committee Chairperson, the vacancy created shall be filled by the Board. Notwithstanding the provisions of this Section, upon the occurrence of a vacancy in the position of Chairperson, the Vice-Chairperson shall assume the position of the Chairperson for the remainder of the term. The election to fill any vacancy shall take place upon written notice not later than the second regular meeting following the creation of the vacancy. The election procedure shall be the same as that set forth in Section 2 of this Article V, except that no nominating committee shall be elected and all candidates shall be nominated from the floor. Any officer elected to fill a vacancy shall hold office for the remainder of the unexpired term, and until a successor shall have been elected and shall have qualified.

[Added 3/9/04]

Sec. 4 – An officer may resign at any time by submitting a resignation in writing to the Chairperson. Such resignation shall take effect at the time specified therein, or, if no time be specified, upon the date of submission thereof, but in no event any later than 30 days thereafter. A resignation need not be accepted to become effective.

Sec. 5 – An officer may be removed for cause by the affirmative vote of a majority of the Appointed Members present at a regular meeting, or a special meeting called on not less than ten (10) days' notice, provided that written notice of the proposed removal shall have been served on such officer at least thirty (30) days prior to the meeting, specifying the grounds for such proposed action in its agenda. A proceeding to remove an officer shall be initiated by the Board's Executive Committee, which shall authorize service of the notice upon the officer.

[Amended 5/xx/15]

Sec. 6 – The Chairperson shall be the chief executive officer of the Board. All reports required by the Charter shall be filed by the Chairperson. In addition, the Chairperson shall preside at all meetings of the Board and shall be an ex-officio member of all committees except the nominating committee.

Sec. 7 – The Vice-Chairperson shall have any of the powers and perform any of the duties of the Chairperson if the Chairperson so directs, or if the Chairperson shall be incapacitated.

[Revised 3/9/04]

Sec. 8 – The treasurer shall cause the financial records of the Board to be maintained, shall report thereon to the Board.

Sec. 9 – The secretary shall cause the minutes of meetings of the Board to be recorded and the records of the Board, including minutes, reports, communications and correspondence to be maintained in an orderly manner. The secretary shall cause records to be maintained showing the attendance of all members at meetings. In addition,

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the secretary shall have such powers and perform such duties as shall be assigned to the secretary by the Chairperson of the Board. In the absence of the secretary, the Chairperson may designate any other officer of the Board to act as secretary on a temporary basis.

Sec. 10 – The Chairperson of the Law, Rules and Ethics Committee shall act as Parliamentarian and shall advise the Board members and officers on all matters of procedure and all matters pertaining to the Bylaws and Charter. In the event the Parliamentarian is absent or has a conflict of interest, the Chairperson or the Board may appoint any other Board member to act in place of the Parliamentarian.
[Amended 5/xx/15]

ARTICLE VI COMMITTEES

Sec. 1 – The following standing committees shall be established:

*Aging
 Budget
 Economic Development
 Education
 Environment and Sanitation
 Health, Hospitals and Social Services
 Housing
 Land Use
 Law, Rules and Ethics
 Libraries and Cultural Affairs
 Parks and Recreation
 Public Safety
 Traffic and Transportation
 Youth*

[Amended 5/xx/15]

Sec. 2 – Each standing committee shall consist of a committee Chairperson, such other Appointed Members as volunteer and are approved by the Chairperson of the Board and such other members of the Community nominated by the Chairperson of the committee and appointed by the Chairperson of the Board. The committee chairpersons in consultation with the Chairperson of the Board shall determine the size and membership for each committee. Community committee members shall serve through the next June meeting, subject to reappointment, unless removed by the Board Chairperson in consultation with the Committee Chairperson

[Amended 5/xx/15]

*The Board may create such additional standing committees to cover additional substantive areas of responsibility, as it deems necessary or advisable. No person may serve as Chairperson of more than one standing committee. Each committee *Chairperson shall select a Vice-Chairperson who shall be an Appointed Member of the Board. When there is a vacancy in a committee chair, or when the Chairperson, and the Vice-Chairperson if any, of a committee will be unavailable to conduct a meeting or hearing, the Chairperson of the Board, in his or her discretion, may appoint any appointed member of such committee, or any member of the Board's Executive Committee, to conduct, on an ad hoc basis, a scheduled meeting or public hearing of such committee, or any public hearing of such committee which is mandated by law.*

**[Added 5/1/96]*

Sec. 3 – The Chairperson of each standing committee shall preside at committee meetings and at public hearings conducted by the committee, and shall file all committee reports with the Board, including records of attendance of all committee members at such meetings and public hearings. Each committee shall act only when a quorum is present. Such quorum shall consist of a majority of its appointed Community Board members. Appointed Board Members may be appointed to committees at any point during the year, or transferred from one committee to another, with the consent of the Chairperson and the committee chairs involved, as the needs of the various committees shall require.

[Amended 5/xx/15]

Sec. 4 – An Appointed Member may be removed from a committee's rolls by the Committee Chairperson for missing three consecutive meetings of the committee; or for failure to attend six or more committee meetings in a period of any one year; or for other good cause, provided that the Board Chairperson approves such removal. An Appointed Member who is removed from two or more committees for poor attendance or other cause may, in the discretion of the Board Chairperson, be refused appointment to another Board committee. Members of a committee who

are not Appointed Board Members shall be dropped automatically from the committee's rolls after missing three consecutive meetings.

- Sec. 5 – The Board may, by resolution, establish such special committees as it shall deem advisable, or, upon the recommendation of a committee, may establish such subcommittees as it shall deem advisable. Any such committee or subcommittee shall have and may exercise such powers as may be granted to it by such resolution. The resolution may also provide for the composition of the committee or subcommittee, the method of selection of its Chairperson and its members, its purposes, its length of existence, and any other matters concerning its operation. Any committee or subcommittee established by such a resolution may at any time be terminated by resolution of the Board. A special committee or subcommittee, without a specified term of existence, shall be deemed discontinued immediately following the annual Board elections next succeeding its creation, unless such committee or subcommittee is specifically continued either by resolution of the Board or by public declaration of the newly elected Chairperson, which declaration shall be recorded in the minutes.
- Sec. 6 – There shall be an Executive Committee, which shall have as its members the officers of the Board, the immediate past Chairperson of the Board and the Chairperson of each of the standing and special committees. This committee shall meet at the call of the Chairperson or upon the request of one-third of its members. It may consider such matters as it deems advisable, and may make recommendations to the Board. The Chairperson shall serve as Chair of the Executive Committee. This committee shall have the power to adopt its own rules of procedure consistent with the Charter and these Bylaws. Officers and Committee Chairs who are automatically members of the Executive Committee, shall count such Committee as one of the two in their Area of Responsibility.
- Sec. 7 – The following provisions shall apply to specific committees:
- A. Budget Committee – The membership of the Budget Committee shall be limited to the elected Chairperson of the committee, those officers of the Board designated by the Board Chairperson to sit on the committee, and the Chairpersons of the following committees: Aging; Economic Development; Education; Environment and Sanitation; Health, Hospitals and Social Services; Housing; Libraries and Cultural Affairs; Parks and Recreation; Public Safety; Traffic and Transportation; and Youth Services. Membership on the Budget Committee, other than that of the elected Chairperson, shall not constitute committee participation for the purpose of fulfilling an Appointed Member's obligation to serve on two committees.
- B. Land Use Committee – The membership of the Land Use Committee shall be limited to Appointed Board Members. Those Board Members who join the Committee shall be subject to the rules which require regular attendance at meetings as a basis for continuing membership. Nevertheless, any member of the Board shall have the right to participate in a vote held by the Land Use Committee, provided such a vote is held on a substantive matter following a hearing at which members of the public have spoken, and provided further that such Board Members were present at the hearing.

To the extent permitted by the City Charter and other applicable laws, the Land Use Committee shall be authorized to speak for and on behalf of the full Board, following, and pursuant to, a Land Use Committee vote on an issue as to which there is a time limit for Board response to a City agency, providing the following conditions have been met:

- (i) All Board Members have received notice of the Land Use Committee meeting and such notice has included language indicating that the full Board may not have an opportunity to timely vote on the issue and that the Committee decision may therefore constitute the Board's position;
 - (ii) The mandated time limit for Board input to the relevant City agency will expire between the date of the Land Use Committee vote and the date of the next regularly scheduled Board meeting; and
 - (iii) The Board Chairperson has informed the Land Use Committee Chair, by the date of the Land Use Committee vote, that no special Board meeting will be called to consider the issue, and the participants in the Committee meeting are made aware of this information prior to the Committee vote.
- C. Law, Rules and Ethics Committee – Membership on the Law, Rules and Ethics Committee shall consist of those Appointed Board Members who are attorneys at law and other interested Appointed Board Members. When an issue arises requiring an ethics opinion, an ad hoc committee shall be constituted as follows: The Board Chairperson shall appoint two (2) officers of the Board; the Chairperson of the Law Committee shall appoint a Law Committee member as counsel/voting member. Nothing herein shall prevent the Board Chairperson or the Law, Rules and Ethics Chairperson from designating themselves, except that the following criteria shall be used: If issues arise requiring convening of the ad hoc ethics committee more than once between July 1 of any year and June 30 of the ensuing year, the appointees shall be rotated, so that no

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person serves twice; and the appointees shall have no interest, financial or otherwise, which would create a conflict, or the appearance of a conflict, in carrying out their function. Participation in the ethics committee on an ad hoc basis shall not constitute Committee membership for the purpose of fulfilling each Member's obligation to join two committees. Membership on this Committee shall contribute toward fulfillment of a Board member's obligation to join two committees.

[Added 4/11/07] [Amended 5/xx/15]

Sec. 8 – The Chairperson of each Committee when reporting to the full Community Board the vote of his or her Committee with regard to an expression of preference or support for the granting of funding to any group or combination of groups, shall report the vote of the total Committee; and, where the resolution of preference or support would have been changed by consideration of only the votes of Appointed Board Members of the Committee, the Chairperson of the Committee shall supplement the report with a statement of what the vote totals would have been if only the votes of Appointed Board Members had been counted.

ARTICLE VII

PUBLIC HEARINGS

Sec. 1 – Public Hearings of the Board shall be held on matters mandated by the Charter and on all such other matters as the Board may deem advisable.

Sec. 2 – The Board may by resolution designate Committees of the Board to hold public hearings.

Sec. 3 – Notification of the date and location of a public hearing and distribution of such notification shall be in accordance with the provisions of Section 4.030 of the "Uniform Land Use Review Procedures" for matters mandated thereby and by flyers and/or notice in the local press for such other matters as the Board may deem advisable to hold hearings on.

Sec. 4 – Public Hearings shall be conducted in conformity with the provisions of Section 4.040 of the "Uniform Land Use Review Procedures" when required; in all other cases the conduct of public hearings shall be determined by resolution of the Board.

ARTICLE VIII

GALLERY SESSION

Sec. 1 – Pursuant to the requirements of the City Charter, there shall be Gallery Sessions at each monthly meeting of the Board, at which members of the public may be heard, subject to the rules set forth hereinafter.

Sec. 2 – The first portion of each Board meeting, not to exceed thirty (30) minutes, shall be devoted to the Gallery Session. No more than five speakers will be permitted at each Gallery Session and each speaker will be limited to three (3) minutes.

Sec. 3 – Anyone wishing to speak must call the Board Office in advance, and state the topic to be covered. If the topic would ordinarily be handled by a committee of the Board, the Board Office will so advise the caller and recommend that the caller proceed instead to the next meeting of the relevant committee. A speaker insisting to be heard, despite the above advice, will be scheduled to speak but the matter raised may be immediately referred to committee by the Board.

Sec. 4 – Speakers will be placed on a list, on a first-come first-served basis. Persons calling the Board Office to seek speaking time on behalf of another, must be able to answer inquiries concerning the topic to be covered by the speaker, and may only reserve time for one such speaker.

Sec. 5 – Presentations should cover only matters of general interest, and not a personal problem (i.e., difficulties between an individual and a City agency) which is better resolved at the Board Office. Presentations should not be ad hominem, and rules of decorum will be enforced by the Chair.

Sec. 6 – The Board reserves the right, through its chair, to decide when an excessive number of speakers has signed up on a single topic, and to cancel (upon advance notice) the later speakers signed up on such topic, in order to reach other speakers who will allow for a variety of topics.

Sec. 7 – Board Members may ask questions of speakers, (during which time the 3 minute clock is stopped) but may not engage in discussions or statements during the time reserved for the gallery session.

Sec. 8 – If there are fewer than 5 speakers signed up for any gallery session, or if persons have signed up to speak but do not show up, the Chair may, in its discretion, depending on the length of the evening's agenda, permit sign-ups just before or during the time reserved for the gallery session.

ARTICLE IX

PUBLIC RELATIONS

Sec. 1 – The Chairperson of the Board or the Chairperson's designee shall be the only authorized spokesperson for the Board.

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ARTICLE X

DISTRICT MANAGER AND BOARD OFFICE

Sec. 1 – *The Board shall appoint a District Manager pursuant to the provisions of the Charter. Such District Manager shall serve at the pleasure of the Board and shall be in charge of the operation of the Board Office, preside over the meetings of the District Cabinet and shall perform such other functions as are mandated by the Charter and as may be assigned to the District Manager by the Chairperson and the Board.*

Sec. 2 – *The District Manager shall be paid such compensation as shall be determined by the Board or fixed by law.*

Sec. 3 – *The Board may employ such other personnel as it may deem necessary.*

ARTICLE XI

AMENDMENTS

Sec. 1 – *These Bylaws may be amended by resolution of the Board adopted at two (2) consecutive regular meetings by a majority of Appointed Members present and entitled to vote at each meeting. The full text of the proposed amendment shall be included in the notice of each such meeting.*

[Amended 5/xx/15]

ARTICLE XII

EFFECTIVE DATE

These Bylaws shall take effect immediately.