

Manhattan Borough Board Bylaws
July 28, 2022

The by laws of the Manhattan Borough Board (hereinafter referred to as the Board) shall conform to all of the provisions of the New York City Charter. Nothing in these bylaws shall be construed so as to change, modify or amend the Charter.

ARTICLE I MEMBERSHIP

Section 1. The Board shall consist of the Borough President, the district councilmembers from the borough of Manhattan, and the chairperson of each community board in the borough. A member may attend and vote by proxy when extenuating circumstances prevent attendance. In the case of a community board chair, the designated proxy should be a member of the respective community board's executive committee.

ARTICLE II. MEETINGS

Section 2. All meetings of the Board shall be held at the offices of the Manhattan Borough President, Municipal Building, 1 Centre Street, New York, New York, unless the Borough President of the Board otherwise directs.

Section 3. The Borough President, or in his/her absence, his/her duly designated representative shall preside at all meetings of the Boards; shall call the Board to order and preside over the meeting.

Section 4. Regular public meetings shall be held at least once each month. No formal action of the Board shall be taken except at a meeting open to the public.

Section 5. Special meetings shall be held on the call of the Borough President or a majority of the members. Notice of such meetings may be either in writing, telephonic, or other rapid means of communication not less than 24 hours in advance of such meetings. The matters to be considered at such meetings shall be stated in the notice of meeting.

Section 6. A majority of the members of the Board entitled to vote on any matter, or their designated proxy, shall constitute a quorum for that matter. A small number may call the roll, record the names of those present and those absent and adjourn.

Section 7. At least 72 hours prior to each regular meeting, the Director shall prepare and distribute agenda for the meeting.

Section 8. The presiding officer shall decide all questions of order, subject to an appeal to the entire Board.

Section 9. The order of business at every meeting shall be as follows:

- A. Opening of the meeting and adoption of the Agenda.
- B. Consideration of minutes of previous meeting.
- C. Report by the borough president.
- D. Communications and reports.
- E. Such other matters as may properly come before meeting.
- F. Consideration of matter laid over from previous meetings.
- G. Adjournment.

Section 10. Where practicable, resolutions shall be presented in writing.

Section 11. Except as otherwise specifically provided by law, all Board meetings, including committee meetings, shall be open to the public.

Section 12. Except as otherwise specifically provided by the New York City Charter, all actions shall be taken by a majority vote of the members present and entitled to vote during the presence of quorum.

A chairperson from a community board shall be entitled to vote on issues that directly affect the community district represented by such member.

All community board chairpersons may cast a vote at Board meetings on borough-wide issues.

Vote shall be by a vote either through show of hands or upon request of any member of the Board, by roll call vote with total votes both for and against the issue then being announced and recorded.

ARTICLE III CHAIRPERSON - THE BOROUGH PRESIDENT

Section 13. The duties of the chairperson shall be:

- a. To perform all duties as prescribed in City Charter and any other duties prescribed under law.
- b. To open regular monthly meetings at the time and date at which the Board is to meet, by taking the chair and calling members to order.
- c. To announce the business before the Board according to the Agenda.
- d. 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.
- e. To interpret and enforce Robert's Rules of Order except as otherwise provided under the bylaws herein.
- f. To decide all questions of order.
- g. To represent and stand for the Board and perform all necessary functions according to the decisions duly made by the Board.
- h. To authenticate all acts, orders and proceedings of the Board.
- i. To adjourn regular monthly meetings.

- j. To appoint, suspend or remove chairperson of the Standing Committees of the Board and the establish, and appoint, suspend or remove the chairpersons of such special committees as may from time to time be deemed necessary for the best performance of the Board's function. The Borough President shall be a member of each committee, and entitled to vote. All such chairpersons shall serve at the discretion of the Borough President.

ARTICLE IV COMMITTEES

Section 14. The standing committees of the Board shall be established at the discretion of the Borough President.

Section 15. The Borough President shall from time to time appoint such special committee as he/she deems appropriate.

Section 16. Committee meetings shall be conducted under the same procedures as Board meetings. Committee meetings shall be open to the public.

ARTICLE V HEARINGS

Section 17. Notice of the time, place and subject of a public hearing to be held by the Board shall be given as follows:

- a. For all subject matter including actions subject to land use review procedure, by publication in The City Record for 5 days of publication immediately preceding and including the date of the hearing
- b. For all action, by publication in the Comprehensive City Planning Calendar distributed not less than 5 calendar days prior to the date of hearing.
- c. For all actions resulting in acquisition of property by the city, whether by condemnation or otherwise, to the owner or owners of the property in question mailed to the last known address of such owner or owners, as shown in the City's tax records, not later than 5 days prior to the date of hearing.

Section 18. All public hearings shall be held at a convenient place of public assembly chosen by the Board and located within the borough.

Section 19. Hearing shall be legislative type hearings, without sworn testimony or strict rules of evidence. Only members of the Board or person expressly authorized by the Borough President may question a speaker. All persons appearing and wishing to speak shall be given the opportunity to speak.

Section 20. Public hearings shall require a quorum of a majority of the Board's members who are entitled to vote on the subject matter in question. The minutes of the meeting at which the public hearing was held shall record the individual members present.

Section 21. The record of a public hearing shall consist of a tape record of the proceedings, a list of speakers' name and affiliations if any, a notation of each speaker's own induction, on a form provided for that purpose of support or opposition to the subject matter and any exhibits or written statement offered by speakers.

Section 22. Adoption of Board recommendations or the waiver of a public hearing and recommendations by the Board shall require a quorum of a majority of the Board's members entitled to vote on the application in question. The minutes of a meeting at which a recommendation or waiver was adopted shall record the individual members present.

Section 23. Adoption of a recommendation shall be by a public roll call vote which results in approval by a majority of the members entitled to vote on the subject matter in question present during the presence of a quorum, at a duly called meeting.

Section 24. Board recommendations shall be in writing and shall include a statement of the proposal, the time and place of public hearing, the time and place of the meeting at which the recommendation was adopted and the votes of individual Board members.

Section 25. The Board shall submit its land use recommendation or waiver promptly after adoption to the City planning Commission and to the applicant.

In the case of an application for a variance of the Zoning Resolution or a special permit under the jurisdiction of the Board of Standards and Appeals, the Board recommendation or waiver also shall be referred to the Board of Standards and Appeals.

ARTICLE VI AMENDMENTS

Section 26. The by-laws herein may be amended by a three-fourth ($\frac{3}{4}$) vote at any meetings provided that a copy of such proposed amendment shall have been mailed or emailed to all members at least thirty (30) days prior to the vote to amend.