

# **CAYUGA COUNTY COMMUNITY SERVICES BOARD**

## **BY LAWS**

### **INTRODUCTION**

Cayuga County is a non-chartered County, as such the Community Services Board is a policy making Board. These rules and regulations are derived from and in accord with the New York State Mental Health Hygiene Law Article 41.11 – Composition of Boards and M.H.L. Article 41.13 – Powers and Duties of Local Governmental units.

This Board, as established by NY State Mental Hygiene Law in accordance with the provision of Article 41.05 of Mental Hygiene Law, shall operate under the provisions of said articles and such policies as may be adopted by the Community Services Board.

### **ARTICLE I - NAME**

This organization shall be known as the CAYUGA COUNTY COMMUNITY SERVICES BOARD, hereinafter referred to as the Board.

### **ARTICLE II - PURPOSE**

The purpose and aim of this Board shall be to establish and maintain a program of comprehensive Mental Hygiene Services required for the treatment and support of Cayuga County residents requiring such assistance.

Mental Hygiene Services shall include the treatment and prevention of mental illness, mental health education, developmental disabilities, alcoholism and substance abuse. The board shall strive to ensure the integration of physical, behavioral and developmental disability services.

The purpose and aims of the Board shall be identical and consistent with the aims and purposes of the NYS Mental Hygiene Law. Nothing herein contained is to be construed, assumed to be or is intended to be in violation of the New York Mental Health Services Act and/or such applicable present or future Federal, State or Local rules and regulations. If any section of these bylaws shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder.

### **ARTICLE III - MEMBERSHIP**

Section a           The Board shall consist of fifteen (15) members all of whom shall be residents of Cayuga County, appointed by the Cayuga County Legislature pursuant to Article 41.11 of the Mental Hygiene Law of New York State. In accordance with Mental Hygiene Law 41.11 when possible one board member shall be a physician and one a psychologist or otherwise two physicians shall serve. The residency requirements for these two positions only, may be waived if the practitioner is currently providing or has previously provided services to Cayuga County residents through their practice/employment in Cayuga County. Board members and community members will serve on a voluntary basis.

The Board shall have separate subcommittees for each specialization areas; mental health, developmental disabilities, and alcoholism and substance abuse. Three members of each subcommittee shall be members of the Board.

The Director of Community Services, hereafter referred to as the DCS, shall serve as the Chief Executive Officer of the Cayuga County Community Services Board and *shall have a seat on the Board albeit not voting*. The Community Services Board is the Local Governmental Unit and will hereafter be referred to as the LGU as designated by Article 41.13 of the Mental Hygiene Law.

- Section b Members of this Board shall be recommended by the Community Services Board and appointed by the County Legislature. The legislature shall establish the term of office of each appointee, subject to the provision of Article 41.11 of the Mental Hygiene Law of New York State.
- Section c It is the policy of the Board that voting members of the Board shall be active members who shall participate continuously in its activities, subject to necessary absence from meetings. Membership shall be terminated at the expiration of the term, or upon voluntary resignation to the Community Services Board. Vacancies shall be filled for the unexpired term by recommendation of the CSB.
- Section d Pursuant to 41.11 (f) of the Mental Hygiene Law, the LGU may remove a Board or subcommittee member for cause, after written notice of charges are presented to the member and an opportunity for the member to be heard. Membership shall be terminated when a member has a total of 3 absences within a calendar year, which shall be considered as a voluntary resignation by the Board.
- Section e Article 41 of the Mental Health Law of the State of New York shall govern all matters, qualifications and procedures relating to eligibility appointment and terms of office of Board members.
- Section f Board and subcommittee members shall be appointed for a four-year term. Each term shall run from the first day of the year of the appointment, except for persons that are appointed to fill unexpired terms. Vacancies shall be filled for unexpired terms. No person may serve as a member of the Board or a subcommittee for more than two terms consecutively unless otherwise provided by local law.
- Section g The Board shall be authorized to annually review the local services plan with input from each Subcommittee, and shall be authorized to report on the consistency of such plans with the needs of persons with serious mental illness, including children and adolescents with serious emotional disturbances.
- Section h Members must declare their affiliations with public or private voluntary hospital, clinic, laboratory, health, welfare or mental hygiene agency or other similar institution, as a member of said Board or staff member of such agency, at the annual meeting, or by written notice if not present at the meeting or at the time of appointment.

## **ARTICLE V - RESPONSIBILITIES**

### **The Community Services Board**

- Section a        The Board shall work with the DCS (Director of Community Services) in planning and oversight of an annual comprehensive plan of services defining and establishing policies, which will be implemented by the Mental Health program in the county. The annual County Plan shall be made available for public inspection and comment pursuant to Article 41.31 of the NYS Mental Hygiene Law.
- Section b        The Board shall maintain on-going communications with the Health and Human Services Committee of the Cayuga County Legislature.
- Section c        The Board has the primary responsibility and authority for the recruitment and selection of the Director of Community Services (DCS), allowing opportunity for citizens input.
- Section d        The Board shall work cooperatively with existing voluntary service and civic organizations whose aims are related to the aims of this organization.
- Section e        The Board shall evaluate the Director of Community Services on an annual basis.

### **The LGU**

- Section a        The Local Government Unit (LGU) is the full Community Services Board .The LGU shall direct and administer the development of a comprehensive plan for all services, as defined by Article 41.03 of the Mental Hygiene Law of the State of New York, and within the standards therein established, to the needs of the agencies and citizenry of the County.
- Section b        The LGU shall translate and interpret the program and its progress at a minimum of annual intervals to the public officials and citizens of the County. Any modification of the annual plan must be published for public inspection and comment with prompt notification of staff prior to implementation.
- Section c        The LGU shall promulgate such rules and regulations it deems necessary to insure administrative and program effectiveness.
- Section d        The LGU shall prepare and present the annual budget to the County Legislature.
- Section e        The LGU shall be responsible for the proposal of all contractual agreements to the County Legislature for its review and acceptance or rejection.

### **Subcommittees of the CSB**

- Section a        Each subcommittee will be an advisory committee and not a policy making committee. Each subcommittee will report to the full Board at the monthly CSB meeting.

## ARTICLE VI - OFFICERS

- Section a Officers of this Board shall consist of a Chairperson and a Vice Chairperson.
- Section b The Board Chairperson and Vice Chairperson shall be elected by a majority of the Board members present at the Board's annual meeting, annual meeting to be held in February. The term of each officer shall be for a period of two years.
- Section c Officers shall be nominated by a majority of the nominating committee. Nominations must be presented at the regular CSB meeting preceding the annual meeting at which the officers are to be elected. Nominations from the floor may be made for any office during the time of elections.
- If the Chair is unable to serve, the Vice Chair shall assume the duties until the Chair is again available or until a new Chair is elected by the Board.
- If the Vice Chair is unable to serve, the position shall remain vacant until a new Vice Chair can be voted upon at the next regularly scheduled meeting.
- Section e The DCS shall designate appropriate support staff, from the clinic, to the full CSB and each subcommittee to ensure the flow of business.

## ARTICLE VII - DUTIES OF OFFICERS

- Section a The Chairperson shall preside at all meetings of the Board and shall appoint all ad hoc committees. The Chairperson shall be an ex-officio member, without voting privileges, of all committees. The Chairperson is the official spokesperson for the Board. The Chairperson of the Board may not serve as Chairperson of a subcommittee.
- The Chairperson is charged with keeping order at CSB meetings
- Section b The Vice-Chairperson shall perform all the duties of the Chairperson whenever the Chairperson is unable to perform them, and in addition, shall perform such other duties as the Board may decide.
- Section c A designated secretary (by the chairperson) shall record the minutes of all Board meetings, and shall be in charge of the Board's records and correspondence. Also, the Secretary shall notify the membership of all Board meetings within the time limits designated herein; Article IX. The Secretary does not have to be a Board member.
- Section d The Director, as Chief Executive Officer of the LGU, shall hold the primary responsibility for executing the policy and regulations of the New York State Department of Mental Hygiene the policy and procedures of the Cayuga County Legislature, those policies and procedures set down by this Board, and such responsibilities as contained in Article 41.19 of the Mental Hygiene Law. Please refer to 14 NYCRR 102.7 for a detailed listing of powers and duties of the director.

Section e The Director shall make a monthly report to the Board of the activities of the Mental Health Program.

#### ARTICLE VIII – COMMITTEES

Section a The Chairperson of the Community Services (CSB) may appoint a Professional Advisory Committee composed of professional individuals in the fields of Mental Health and other related human services to cooperate with and advise the Board from time to time as may be requested by the Board. The Professional Advisory Committee may include representatives of the agency's staff and representatives of contract agency staff.

Section b The Chairperson may appoint a Community Advisory Committee composed of representative individuals of various organized groups, members of the contractual agencies board of directors, and other concerned individuals who are providers or consumers of the Community Mental Health Services, to cooperate with and advise the Board from time to time as may be requested by the Board.

Section c The Nominating Committee and By Laws committees will consist of the Chairperson of each subcommittee, the Vice Chairperson of the Board, and one at large member appointed by the Chairperson of the Board. Duties of the Nominating Committee will consist of compiling a slate of Board and Subcommittee nominees to be presented to the Community Services Board for approval. The list of nominees will then be sent by the Community Services Board to the Chairperson of the Cayuga County Legislature for his/her review. The Nominating Committee will also compile a slate of proposed officer nominees to be presented to the Community Services Board for approval.

Section d Subcommittees of the CSB will be composed of interested individuals for each specialization area; mental health, developmental disabilities, and alcoholism and substance abuse. Each subcommittee shall be composed of persons who have demonstrated an interest in the field of services for the particular class of mentally disabled and shall include consumers, former consumers, parents, or relatives of such mentally disabled persons and community agencies serving the particular class of mentally disabled, provided that the subcommittee for mental health shall include at least two members who are or former consumers of mental health services, and two members who are parents or relatives of persons with mental illness. Each separate subcommittee shall have no more than nine members appointed by the Local Government. Three members of each such subcommittee shall be members of the Board pursuant to Section a under Article III-Membership.

(1) Proposed subcommittee members are presented to the Nominating Committee then proposed to the CSB for approval. When this is achieved, the names are then forwarded to the Cayuga County Legislature for appointment. Three members of each subcommittee shall be members of the Board.

- (2) Each subcommittee shall have nine (9) members. The Chairperson of each subcommittee shall be nominated and elected by the members of their respective subcommittee for a term of 2 years. If no one comes forth for the respective position of chairperson of any subcommittee, the chairperson of the CSB shall make that appointment.
- (3) Each subcommittee will be an advisory committee and not a policy making committee. Each subcommittee chairperson (or his or her designated representative) will report to the full CSB at the monthly meeting.
- (4) Subcommittee members shall be appointed for a four-year term. Each term shall run from the first day of the year of the appointment, except for persons that are appointed to fill unexpired terms. Vacancies shall be filled for unexpired terms. No person may serve as a member of the Board or a subcommittee for more than two terms consecutively unless otherwise provided by local law.
- (5) A quorum of five (5) people is needed to conduct business at any Subcommittee meeting.

#### ARTICLE IX – MEETINGS

- Section a Meetings of the Cayuga County Community Services Board are declared to be “Open Meeting” (Article 7, section 103 of Public Officers Law). Every meeting of a public body shall be open to the general public, except that an executive session of such body may be called and business transacted thereat in accordance with section ninety-five of this article.
- Section b The Board and Subcommittees shall hold regular meetings once a month, at a place and time to be decided upon by the Board or Subcommittees, unless changed by Board action. Notification shall be made to Board members of a minimum of five (5) days prior to the meeting.
- The Calendar is set at the beginning of the year, typically being the Alcohol and Substance Abuse subcommittee meeting on the first Wednesday of the month, the People With Developmental Disabilities subcommittee meeting on the first Thursday of the month, Mental Health subcommittee meeting on the third Thursday of the month and the full Community Services Board meeting on the last Thursday of the month. (All subject to change as determined by committee).
- Section c Special meetings may be called by the Chairperson of the Board and must be called upon the written request of two or more of the Board members. Board members will be given a 5-day’s notice and will be notified by email/phone.
- Section d The order of business, Article X of the Bylaws, at any regular meeting may be waived or altered by the Chairperson of the Board and/or Subcommittee(s) in the interest of any program, provided however, that a proposal to restore the order of business may be made by motion of any member and seconded by two (2) other members.

Section e A quorum shall be present at any meeting for conducting official business of the Board. At any meeting, eight (8) members of the Board shall constitute a quorum.

#### ARTICLE X -ORDER OF BUSINESS

Section a The order of business at all regular meetings of the Board shall be as follows:

- 1 - Role Call
- 2 - Public to be Heard (Member of the Public must sign in with the Secretary of the Board prior to each meeting and supply their name, and topic to be discussed.) The Secretary will read the following paragraph at the beginning of each Board meeting: *Each speaker will be allowed up to 3 minutes for his/her presentation. A total of up to 10 minutes will be allowed for "Public to be Heard" section of the meeting. Exception may be made to this rule at the discretion of the Chairperson.*
- 3 - Reading and approval of the minutes of the preceding meeting.
- 4 - Financial reports necessary to conduct business.
- 5 - Reports of Sub-committee(s), or designated spokesperson of each subcommittee and other committees.
- 6 - Report of Director of Community Services.
- 7 - Unfinished business.
- 8 - New business.
- 9 - Adjournment

Section b The reading of the minutes may be dispensed with, provided each member of the Board has been provided with a copy of the minutes (to be approved) at least three (3) days prior to the next regularly scheduled meeting.

Section c The business at any Special Meeting of the Board shall be limited to matters stated in the notice of that meeting.

#### ARTICLE XI - AMENDMENT

Section a Amendments to these Bylaws may be proposed at any regular meeting and voted upon at the next regular meeting of the Board. A two thirds majority of those voting shall be sufficient for the adoption of the amendment.

Section b All amendments, unless specifically stating otherwise, shall be effective upon approval.

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