

**CONSTITUTION  
and  
BYLAWS  
of the  
NEW YORK STATE  
HARBORMASTER  
AND  
BAY CONSTABLE  
ASSOCIATION,  
INCORPORATED**

**( Revised 1998 )**

**COMMITTEE:**  
Ed "Skip" Meinhold (Chairman)  
Joseph DeMiceli  
Rick Rollins

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## **ARTICLE I - NAME**

The name of this organization shall be known as the New York State Harbor Master and Bay Constable Association, Inc.

## **ARTICLE II - PURPOSE**

The purposes for which this Association has been formed are as follows:

a. to encourage a cooperative feeling among members of this and similar organizations for the promotion of Boating Safety and Marine Environmental Protection.

b. to promote and develop a friendly and fraternal spirit among its members, to educate its members through an exchange of ideas and to develop a higher degree of professionalism.

## ARTICLE III - MEMBERSHIP

There shall be three (3) classes of membership: active, associate and honorary.

a. **ACTIVE MEMBERSHIP:** to qualify for active membership, an applicant must be a Harbormaster, Bay Constable, Police Officer, or any other active or retired personnel from marine/law enforcement, to include but not limited to the US Coast Guard and the DEC and make application to the Board of Directors of this Association. The Board of Directors shall review all applications and approve, or disapprove, for membership all applications. Active members shall be entitled to all benefits of the association and shall comply with all provision of the by-laws.

b. **ASSOCIATE MEMBERSHIP:** to qualify for associate membership, an applicant must apply to the Board of Directors. The Board of Directors shall review all applications and approve, or disapprove, for membership, all applications. Associate members shall not be entitled to vote, but shall be entitled to all other benefits of the association and shall comply with all provisions of the by-laws.

c. **HONORARY MEMBERSHIP:** honorary membership shall be granted to a person by an act of the Board of Directors and a majority of the Board of Directors present shall approve, or disapprove, for membership, all applicants. Honorary members shall be exempt from paying dues.

Application for membership in this association shall be made in writing on a form furnished by the Secretary. The application for membership must be accompanied by a ten dollar (\$10.00) fee.

## ARTICLE IV - DIRECTORS

a. **MANAGEMENT OF THE ASSOCIATION:** the Association shall be managed by the officers and Board of Directors. The Board of Directors shall be comprised of not less than one (1) nor more than three (3) directors from each county represented in the Association, except in the case of Suffolk County.

1. Suffolk County, by its large size, shall be represented by not less than one (1) nor more than three (3) directors each from a Western District and an Eastern District.

2. The Western District shall be comprised of the Townships of Babylon, Brookhaven, Huntington, Islip and Smithtown. The Eastern District shall be comprised of the Townships of East Hampton, Riverhead, Shelter Island, Southampton and Southhold.

The Immediate Past President shall serve on the Board of Directors for a period of one (1) - two (2) year term, with full voting rights. A Past President may hold a voting seat on the Board of Directors any time after his/her previous term of office upon being elected to that position by the rank and file of the Association, except in the positions of President, First Vice President or Second Vice President.

b. **ELECTION AND TERM OF DIRECTORS:** at each March meeting of the membership, the members shall elect a Board of Directors (half of the directors shall be elected for alternating 2 year terms). The President, who shall serve as the Chairman of the Board, shall be elected biennially (every two (2) years). A President may not be elected to more than one (1) consecutive two (2) year term of office.

c. **VACANCIES:** vacancies occurring in the Board of Directors shall be filled by a majority vote of the membership at a regular meeting of the Association.

d. **QUORUM OF DIRECTORS:** five (5) members of the entire Board shall constitute a quorum for the transaction of business, or any specified item of business.

e. **ACTION OF THE BOARD:** the vote of a majority of the directors present at the time of the vote, if a quorum is present as such time, shall be the act of the Board. Each member of the board shall have one (1) vote.

f. **BOARD MEETINGS:** Board of Directors meetings shall be held on the first (1st) Monday of alternating months beginning in June. The President (or 1st Vice President in his absence) shall preside at all meetings.

1. it shall be the duty of each elected Board member to attend at least one (1) out of every two (2) consecutive meetings, unless formal written or oral excuse is given to the President at least 24 hours in advance of that meeting.

2. if there are two (2) or more consecutive unexcused absences from meetings, by action of a majority of the Directors present at the second (2nd) meeting, that director will be removed from the Board. A letter will then be sent to that director, by the Secretary, informing him/her of the action of the Board of Directors.

## ARTICLE V - OFFICERS AND DUTIES

a. The officers of the Association shall consist of a President, 1st Vice President, 2nd Vice President, Secretary and Treasurer.

1. **PRESIDENT:** the President shall be the chief executive officer of the Association and shall preside at all meetings of the Board of Directors; shall have the general management of the affairs of the Association and shall see that all orders and resolutions of the Board are carried into effect. The President shall have the inherent authority to create the committees of choice and appoint a committee chairman from the rolls of the general membership. Said committee chairman shall be required to report to the membership at regular meetings and to such meetings of the Board of Directors as requested by the President.

2. **1st VICE PRESIDENT:** during the absence or disability of the President, the 1st Vice President shall have all the powers and functions of the President.

3. **2nd VICE PRESIDENT:** in the absence or disability of both the President and 1st Vice President, the 2nd Vice President shall have all of the powers and functions of the President and/or 1st Vice President.

4. **SECRETARY:** the Secretary shall:

- a. attend all meetings (unless 48 hours notice is given to the President either verbally or in writing) and keep the records and minutes of the Association.
- b. at the direction of the President, send out notices for regular and special meetings.
- c. notify all members in writing of elections and proposed by-law amendments.
- d. attend to such correspondence as may be assigned and perform all the duties incidental to the office.
- e. have the custody of the seal of the Association and affix and attest the same to documents when duly authorized by the Board of Directors.
- f. keep a membership roll containing the names of all persons who are members of the Association showing their places of residence and the date they became members.
- g. send out the annual membership cards no later than 30 days following the payments of the annual dues.

5. **TREASURER:** the Treasurer shall:

- a. have the care and custody of all funds and securities of the Association and deposit said funds in the name of the Association in such bank and trust company as the Directors may elect.
- b. sign all checks, drafts, notes and orders for the payment of money when duly authorized by the Board of directors and countersigned by the President.

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c. at all reasonable times, exhibit the books and accounts to any member or director of the Association at the end of each fiscal year.

d. have an audit of the accounts of the Association made by a committee appointed by the President and present such audit in writing at the annual meeting of the members.

e. present an annual report setting forth in full, the financial condition of the Association.

f. report to the Board of Directors any, or all members in arrears in dues.

g. send out the annual dues notices to all current members prior to the November general membership meeting.

## ARTICLE VI - NOMINATION AND ELECTION OF OFFICERS

### a. GENERAL:

1. Nominations of officers shall be made by an active member, in good standing, at a regular meeting in January.
2. Elections shall take place at the regular meeting held in March.
3. Any active member, in good standing, in this Association shall be eligible to hold office.
4. The installation of officers of the Association shall take place at the annual meeting in May.

### b. ELECTIONS: elections shall take place in the following manner:

1. Only active members, in good standing, shall have the privilege of casting a vote.
2. Where there is only one (1) candidate for one particular office, the Secretary, upon a motion from the floor being duly made, seconded and carried, shall cast one (1) ballot for said candidate and said candidate shall be elected.
3. When an office becomes vacant for any reason whatsoever, the President (upon the approval of the Board of Directors) shall appoint a member in good standing to fill the vacancy until the next election of officers.
4. When there are two (2) or more candidates for the same office, the President shall appoint two (2) tellers who will distribute ballots containing the names of all candidates nominated for said office. The tellers shall collect said ballots after each member has voted his choice by placing an (X) in front of the candidates name for whom the vote is for. The votes shall then be counted and the result made known to the membership. The candidate receiving the most votes shall be elected to the respective office for which nominated.
5. In the event of a tie vote, ballots shall continue to be taken immediately until the tie is broken.



## ARTICLE VII - MEETINGS

a. Regular meetings of the general membership of the Association shall be held in January, March, May and November on dates set by the President a full year in advance. The annual installation meeting shall be held in the month of May.

b. The President shall have the power to call a special meeting at any time he feels it is necessary for the good and welfare of the Association.

c. Six (6) active members in good standing shall constitute a quorum.

## ARTICLE VIII - AMENDMENTS

a. This constitution and its by-laws may be amended by presenting an amendment at a regular meeting, or at a special meeting. A majority vote at a meeting, or special meeting, is required to ratify a proposed amendment.

b. The Secretary shall notify all members, in writing, of the proposed amendment.

## ARTICLE IX - RULES OF ORDER

a. **Robert's Rules of Order for Parliamentary Proceedings** shall be used as a guide to the governing of a meeting debate, except when the **Rules** conflict with the Constitution and By-Laws of this Association.

## ARTICLE X - DUES

a. The annual dues for this Association shall be twenty (\$20) dollars for active members and fifteen (\$15) dollars for associate members.

b. Non-payment of dues, after January 30, shall result in that members loss of voting power until the dues are paid in full.

c. Any active member of this Association who goes into active military services, shall be considered a member in good standing during the time of that member's military service and the dues of that member shall be paid by this Association.

d. If a member's dues are not paid in one (1) year or less after notification, then that member shall be dropped from membership in the Association for "non-payment of dues", after a majority vote of the Association voting members present.

## **ARTICLE XI - CONDUCT**

a. A member in good standing is a member whose dues are paid in full, all outstanding obligations have been satisfied and who attends meetings on a regular basis.

## **ARTICLE XII - ORDER OF BUSINESS**

1. Call to Order
2. Pledge to the Flag
3. Roll call of officers and directors
4. Reading of the minutes from the previous meeting (for informational purposes only)
5. Reports of the officers
6. Application and admission of new members
7. Bills and Communication
8. Committee Reports
9. Unfinished Business
10. Election of Officers
11. New Business
12. Roll Call of members present
13. Adjournment - motion to and second

## **ARTICLE XIII - ACCEPTANCE**

a. The Constitution and By-Laws and any amendments to it, shall become effective upon acceptance by the membership.

## PAST ASSOCIATION PRESIDENTS

RICHARD ROLLINS	May 1999 - May 2001
ROGER BALDUCCI	May 1997 - May 1999
ROBERT CHITTENDEN	May 1995 - May 1997
HARRY ACKER	May 1993 - May 1995
RON TOLKIN	May 1991 - May 1993
JAMES AVONDET	May 1989 - May 1991
JAMES MANCUSI	May 1987 - May 1989
STEVEN RESLER	May 1985 - May 1987
JOHN MULLIGAN	May 1984 - May 1985
JOSEPH FEMINELLA	May 1982 - May 1984
ROBERT CHITTENDEN	May 1980 - May 1982
JAMES AVONDET	May 1978 - May 1980
CLINT SMITH	February 1976 - May 1978