

**CONSTITUTION AND BY-LAWS
OF THE
NEW YORK STATE ASSOCIATION
OF
TRANSPORTATION ENGINEERS**

**** SECTION TWO ***

Founded January 9, 1926

**Formerly
NEW YORK STATE ASSOCIATION
Of
HIGHWAY ENGINEERS
AMENDED OCTOBER 2017**

PREAMBLE

The members of this association shall uphold and advance the honor and dignity of the transportation engineering profession and in keeping with high standards and ethical conduct:

1. Will be honest and impartial, and will serve with devotion his/her employer and the public.
2. Will strive to increase the competence of the engineering profession.
3. Will use his/her knowledge and skill for the advancement of human welfare.

CONSTITUTION

ARTICLE I Name

The name of this Association shall be the “New York State Association of Transportation Engineers, Inc.” (hereafter referenced as the “Association.”)

ARTICLE II Objects

The objects of this Association shall be the advancement of the science and profession of engineering and related fields as they pertain to Transportation.

ARTICLE III Membership

SECTION 1:

This Association shall consist of Active Members, Associate Members, and Life Members. Members shall have the rights and privileges as provided in this Article. Questions of eligibility for Membership shall be judged by the State Board of Directors.

SECTION 2:

Active Members shall be designated as follows:

All public-sector employees who work within the State of New York and whose duties are directly involved in the planning, design, acquisition, construction or maintenance of transportation facilities and related projects

SECTION 3:

Associate members shall be designated as follows:

All private sector employees whose duties are directly involved in the planning, design, acquisition, construction or maintenance of transportation facilities or related public projects.

SECTION 4:

Life members shall be designated as follows:

Upon retirement, an Active or Associate member that has remained in good standing for the previous 5 consecutive years is eligible for life membership.

SECTION 5:

Membership Rights and Privileges

All members in good standing shall share all the privileges and rights of this Association, except as outlined below:

- a) The voting power of this Association shall be all Active and Associate members in good standing.
- b) Only Active members may hold the office of State Director. The term for retired Active Member who is currently holding the position as State Director can be extended upon the approval of the board.
- c) Life members may hold office within the Local Section.

**ARTICLE IV
Officers**

SECTION 1:

The officers of this Section shall be a President, Vice-President, Secretary-Treasurer, State Director and one Local Director.

**ARTICLE V
Government**

SECTION 1:

The government of this Section shall be vested in the Executive Board composed of all the Officers of this Section plus the immediate Past President and immediate Past Local Director(s).

SECTION 2:

If the immediate Past President or Local Director is elected to another office entitling him/her to serve on this Board, their alternates on the Executive Board shall be Active Members appointed by the President with the approval of at least two-thirds of the officers of the Section.

ARTICLE VI Representation, Nominations, Elections, Term of Office and Vacancies

SECTION 1: Representation

The President, Vice-President, Sec'y-Treasurer, State Director and Local Director shall be members in good standing and shall be elected by vote cast by members in good standing only.

SECTION 2: Nominations

(a) The President prior to September 1 shall appoint a Nominating Committee Chairperson.

(b) Nominations for office shall be made as follows:

1. By the nominating Committee with the approval of the Executive Board.

2. By Nominating Petition signed by a minimum of five members in good standing and bearing a statement to the effect, that if elected the nominee will accept the office to which he or she is duly elected.

(c) Nominations for office will close prior to October 15th. The Nominating Committee shall designate the date and time that nominations will close. At least two full weeks shall be given to the Members from the date that nominations are opened to the date nominations are closed. Petitions received after the date and time of the closing will be disqualified and not counted.

(d) The results of the nominations shall be posted on the NYSATE webpage and in appropriate and visible locations in the Regional office and made a part of the permanent records of this Section.

(e) No person shall be a candidate for more than one office.

SECTION 3: Elections

(a) If no Nominating Petitions are received by the Nominating Committee in accordance with Section 2(b) 2 of this Article and Section 2(c) of this Article, the candidates as proposed by the Nominating Committee shall be accepted as approved by the membership as no contest exists.

(b) If there are two or more Nominees for any office, elections shall be held by official ballot under the supervision of an Election Committee.

(c) The Official Ballot shall be posted on the NYSATE webpage before the tenth (10th) day of November. All ballots shall be returned to the Election Committee.

The closing date of the polls shall be not less than two weeks after the issuing of the ballots and in no case later than the fourth (4th) Tuesday of November. All ballots received after the designated date and time will be disqualified.

(d) The Election Committee will be charged with counting the ballots and certifying the successful candidates.

(e) The duly-nominated candidate receiving the highest number of votes for President, Vice-President, Sec'y.-Treasurer, State Director and the Local Director shall be declared elected.

SECTION 4: Term of Office

(a) The President, Vice-President, Sec'y-Treasurer, and the Local Director shall take office on the first (1st) day of January and shall serve for two (2) years.

(b) The State Director shall take office on the first (1st) day of January following his or her election and shall serve two years or until his or her successor is duly elected or appointed. The election of a State Director shall be in even-numbered years as provided in the State Constitution.

SECTION 5: Vacancies

Vacancies due to (a) resignations (b) death or (c) other causes as defined in Article VII, Section 6 shall be filled by an Active Member appointed by the Executive Board.

ARTICLE VII Duties of Officers

SECTION 1: The President shall:

(a) preside at all meetings of this Association and act as Chairman of the Executive Board, and perform such duties as commonly belong to such office.

(b) act as Alternate State Director in the absence of the State Director.

(c) appoint all committees and act as an ex-officio member of each Committee. He/She notify the members of their appointment. He/She file with the Secretary a list of all committees giving names of Chairmen and member of each Committee.

(d) have prepared a realistic budget and present it to the Executive Board for approval within ten (10) days after the beginning of the fiscal year. He/She shall present the budget to the membership for approval within 30 days after approval by the Executive Board.

SECTION 2: The Vice-President shall:

(a) perform all the duties of the President in the absence of such officer.

(b) be charged with the duty of soliciting membership.

(c) be charged with planning all business meetings of the Association and for the issuing due and proper notices of such meetings.

(d) **act as Chairman** of at least one major committee when so directed by the Executive Board.

SECTION 3: The Secretary-Treasurer shall:

- (a) **carry out the instructions** of the Executive Board.
- (b) **supervise the recording of the minutes** of all regular meetings of the Association and of all meetings of the Executive Board.
- (c) **be the custodian of all records and equipment** of the Association.
- (d) **be the custodian of all funds** of the Association.
- (e) **notify all officers and members** of the Executive Board of their elections and appointments.
- (f) **keep a complete and up-to-date record** of all members and issue all official membership cards.
- (g) **receive all money due** the Association and keep a true record of all receipts and disbursements in books provided for that purpose. He/She shall deposit all moneys to the credit of the Association in bank or banks approved by the Executive Board.
- (h) **segregate all moneys by funds** as provided in the by-Laws.
- (i) **assume such bond** as may be required by the Executive Board. The cost of the bond shall be included in the annual budget and payment made from the General Fund.
- (j) **submit an annual financial report** giving a true, clear and detailed account of all moneys received and disbursed by the Association. This report shall be presented at the first business meeting of the fiscal year.
- (k) **submit to the State Secretary such data and reports** as required in the rules and regulations adopted by the State Board of Directors and as provided in the State Constitution and By-Laws.
- (l) **receive and examine all bills** against the Association and if found proper shall make the necessary payment.
- (m) **not expend funds** of the Association for any purpose not clearly and authorized in the current budget or by Special Appropriation.
- (n) **prepare a budget** in accordance with Section 1(d) of this Article.

SECTION 4: The State Director shall:

- (a) **represent this Section** on the State Board of Directors in accordance with the State Constitution.
- (b) **be named General Chairman** or Treasurer of the Convention Committee when the Local Chapter is host.
- (c) **conduct all business** between this Section and the State organization.
- (d) **vote on the State Board of Directors** as mandated by the local Section except on issues which arise spontaneously at the Director's Meetings. In this instance he/she shall be vested with powers to vote in the best interests of the local Section to the best of his/her ability.
- (e) **present grievances** to the State Board and Department officials as he/she deems necessary or as directed by the Executive Board.
- (f) **submit a full written report** of all State Director's meetings to the local Section within 60 days.

SECTION 5: The Executive Board shall:

- (a) **designate the time and place** for the Annual Meeting.
- (b) **prepare an Annual Report** and make recommendations.
- (c) **audit** the Secretary-Treasurer's financial records and report; and submit a report on said audit at the Annual Meeting or at the first regular business meeting of the fiscal year.
- (d) **be empowered** to declare an office vacant subject to the vote of the Section, if for any reason the officer shall not perform his/her duties or should the officer become physically unable to perform his/her duties.
- (e) **examine the recommendations** of the Nominating Committee to determine the validity of any suggested nomination and the eligibility of persons nominated for office or as delegates to State Convention.
- (f) **approve expenditures** from General Fund for funds by various committees and officers.
- (g) **be vested with all the powers** of the members when said members are not in session, except that the Executive Board shall not approve the appropriation or expenditures of funds other than normal expenses as stated.
- (h) **five members** shall constitute a quorum for the transaction of business.
- (i) **two-thirds of those present** shall constitute a majority of the Executive Board.

SECTION 6: The Local Director shall:

- (a) **assist the Vice-President** with planning for all meetings of the Association, and for issuing due and proper notices of such meetings.
- (b) **handle preparation** of Convention Delegate lists.
- (c) **investigate possibilities** of more and better discounts.

**ARTICLE VIII
Committees**

SECTION 1:

The Chairman of each Committee shall be a member of the Association.

SECTION 2: Consolation/Bereavement Committee

A Consolation/Bereavement Committee shall be appointed by the President and shall operate under the rules as outlined in Article IX of the By-Laws.

SECTION 3: Social Committee

The President shall appoint a Chairperson to this Committee. This committee shall be charged with the planning of dances, dinners, outings, picnics, banquets and other social activities of the Association. No expenditure of Association funds shall be incurred by this Committee without prior approval of the Executive Board, unless specifically included in the current budget. All surplus funds remaining from

entertainment shall revert to the General Fund in the treasury of this Section. Three committee members shall constitute a quorum.

SECTION 4: Educational/Scholarship Committee

The President shall appoint a Chairperson to the Educational/Scholarship Committee. It shall be the duties of this Committee to provide lectures, formulate educational, instructional and training programs, and to attend to the various details connected therewith.

SECTION 5: Communications Committee

The President shall appoint a Chairperson to this Committee. It shall be the duty of this Committee to prepare and distribute notices related to the Association and maintain updates to the webpage, as well as other matters of publicity whenever such action is deemed advisable by the Executive Board or a majority of the Members of this Section.

SECTION 6: Membership and Grievance Committee

The Vice-President shall be the Chairman of this Committee. It shall be the duty of this Committee to solicit new members and to renew old or delinquent memberships. It shall also be the duty of the committee to record member's grievances and bring the same to the attention of the Executive Board if they are unable to settle the grievance.

SECTION 7: Nominating Committee

The President shall appoint a Chairperson to this Committee. The members of this Committee shall be Members with at least five years of good standing.

SECTION 8: Finance and Fundraising Committee

The President shall appoint a chairperson for this committee who shall assist the Secretary-Treasurer with the financial report and propose fundraising opportunities for consideration to the Executive Committee.

SECTION 9: Engineer of the Year Committee

Chairperson shall be the State Board Director and members shall consist of past recipients if possible.

SECTION 10:

The President may form any additional committees which he/she deems necessary to provide adequate function of the Association.

**ARTICLE IX
Amendments**

SECTION 1:

This constitution may be amended at any meeting by two-thirds affirmative vote of all Members voting. The said amendment must be submitted to the members in

writing at least one month in advance of voting, subject to the approval of the State Board of Directors.

SECTION 2:

Amendments shall be submitted to the Members of the Association by the Executive Board upon:

- (a) **Recommendation of the Executive Board.**
- (b) **Recommendation by two-thirds affirmative vote** of Members present at a Section Meeting.

**ARTICLE X
Fees**

SECTION 1:

- (a) **The Secretary-Treasurer** shall be paid an **annual fee** of two-hundred (\$200) per annum.
- (b) **The annual fee** paid the Secretary-Treasurer shall be made in quarterly payments. If the Secretary-Treasurer's term of office shall for any reason be terminated prior to the end of the fiscal year, he/she shall be paid based on 1/12 of annual fee per full month served in the quarter that his/her services are terminated.
- (c) **The annual fee** paid the Secretary-Treasurer shall exclude the cost of typing services required by him/her during the year.

**ARTICLE XI
Parliamentary Procedure**

SECTION 1:

All meetings shall be conducted under Roberts' Rules of Order.

SECTION 2:

The President or his/her designee shall act as parliamentarian.

SECTION 3:

All meetings shall be conducted in the following manner, except under extraordinary conditions as the presiding officer shall determine:

- (a) **Call the meeting to order.**
- (b) **Determine if a quorum is present.**
- (c) **Read minutes of previous meeting.**
- (d) **Officer's report.**
- (e) **Read correspondence.**
- (f) **Committees Report.**
- (g) **Old Business.**
- (h) **New Business.**
- (i) **Adjournment.**

SECTION 4:

A Quorum shall consist of at least 20% of the Active and Associate members present.

SECTION 5:

Expenditure of moneys proposed at any meeting shall require approval by 2/3 of members present.

SECTION 6:

A Sergeant-at-Arms may be appointed at each meeting who shall preserve order at the discretion of the presiding officer.

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BY-LAWS
ARTICLE 1
Meetings

SECTION 1:

There shall be a minimum of three business meetings during the fiscal year to be held as follows:

1. One meeting, to select delegates to the Annual Conference will be held prior to Conference.

2. Two (2) other meetings shall be held, at a time and place designated by the Executive Board.

SECTION 3:

Special Meetings shall be called by a three-fifths majority of the Executive Board or upon receipt by the President of a written petition signed by at least thirty Members in good standing. Such a petition shall clearly state the business to be considered at such a meeting.

ARTICLE II
Quorum

SECTION 1:

Four members of the Executive Board shall constitute a quorum at a meeting of the Executive Board.

SECTION 2:

Twenty percent of Members in good standing shall constitute a quorum at a meeting of the Section.

ARTICLE III
Fiscal Year

The Fiscal Year of this Section shall be from January 1st thru December 31st inclusive.

ARTICLE IV
Dues

The Annual Dues shall be \$39.00. Each member may pay their Annual Dues by authorizing the Comptroller of the State of N.Y. to deduct dues for this Association from their bi-weekly check (allowed by the State of N.Y.) or pay cash.

SECTION V Funds

SECTION 1:

The funds of this Association shall be divided, classified and maintained in three parts, namely:

1. General Fund.
2. Reserve Fund.
3. Conference Fund.

SECTION 2: General Fund

The General Fund shall consist of moneys received for per capita dues, fundraising events, interest from interest bearing accounts or securities, regular business meetings, social and sport activities and other miscellaneous moneys as directed by the Executive Board.

SECTION 3: Reserve Fund

This Association shall maintain a balance of one-thousand (\$1000.00) dollars at the beginning of the fiscal year to be designated as Reserve Funds. The Reserve Fund shall be deposited in an interest-bearing account and such interest may be transferred to the General Fund.

SECTION 4:

Moneys of the Reserve Fund shall not be obligated, appropriated or expended except as provided for in Section 6 of this Article.

SECTION 5: Conference Fund

(a) The Conference Fund of this Association shall consist of all moneys appropriated for and receipts in connection with a State Conference of this Association at which this Section is the Host Section.

(b) All disbursements made by this Association because of a State Conference of the Association where this Section is the Host Section shall be made from the Conference Fund.

(c) All surplus and profits remaining from a State Conference at which this section is host shall be distributed in accordance with Article VII, Section 8 of the State By-Laws.

(d) All surplus and profits, remaining as this Section's share, from a State Conference at which this Section is the Host Section, shall revert to and become a part of the General Fund of this Section on or before December 1st following the Conference.

SECTION 6: Transfer of Funds

Funds not to exceed 50 percent of the reserve funds may be transferred to the General Fund of this Section with the unanimous vote of the Executive Boards. Funds

may be transferred from the General Fund of this Section to the Reserve Fund by a majority vote of the Executive Board.

ARTICLE VI Amendments

Section 1:

These By-Laws may be amended in the same manner as the Constitution of this Section, except that the approval of the State Board of Directors is not required.

ARTICLE VII Qualified Members

A member is in good standing either by dues having been paid via payroll deduction each pay period for the prior three-month period or cash dues having been paid three months prior to the current date of the current calendar year.

ARTICLE IX Rules for Consolation Committee

All members shall be entitled to the following:

SECTION 1: Deaths

(a) **Member:** Fifty (\$50.00) dollars at the discretion of the Committee.

SECTION 2: Extended Sickness:

(a) **Extended Member Sickness:** Twenty-Five (\$25.00) dollars to be given at the discretion of the Committee and approval of section President.

ARTICLE X Conference Delegates

SECTION 1:

(a) **Only Dues Paying Members in good standing** at the time of the drawing of the names for the delegates shall be eligible to represent this Section at State Conference as Official Delegate.

(b) **The names and the designated number of Conference delegates** as well as a double number of alternates, shall be chosen by lot under the supervision of the Executive Board not less than one month preceding the date of the convention.

(c) **The President, Vice-President, Secretary-Treasurer and Local Director** shall be ex-officio delegates and shall constitute four of the delegates to represent Section 2 at the convention.

(d) Fifty (50%) percent of the remaining delegates allowed will be selected from those Dues Paying Members having the greatest number of years of continuous membership since last having been chosen a delegate.

(e) The remaining number of delegates to be selected by lot.

SECTION 2: Procedure for selection of Delegates

(a) Delegates with continuous Membership.

1. In cases where members have the same number of years of continuous membership the names shall be arranged alphabetically.

2. Delegate credit for a year membership shall be given on December 31 of the year preceding the Conference.

3. Beginning with the member having the greatest number of years of continuous membership and continuing in the order of decreasing years of continuous membership, each member shall be contacted in turn, until the proper number have signified that they will attend the Conference as a delegate.

(b) Drawing Delegates by Lot

1. The names of all members shall be placed in a box with the following exception of:

a. Those who have been an official delegate within a period of three (3) years (Conference Speakers are not deemed official delegates).

2. Names shall be drawn from the box equal to the number of remaining delegates to be chosen.