

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

New York Association of Transportation Engineers – Section 5

PREAMBLE

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

- 1.) Will be honest and impartial and will serve with devotion their employer and the public.
- 2.) Will strive to increase the competence and prestige of the engineering profession.
- 3.) Will use their 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, Section 5" (hereafter referenced as the Section).

ARTICLE II

OBJECT

The object of this ~~Association-Section~~ shall be the advancement of the science and profession of engineering as it pertains to Transportation and related subjects.

ARTICLE III

MEMBERSHIP

SECTION 1:

This ~~Association-Section~~ shall consist of Active Members, Associate Members, ~~Affiliate Members, Special~~

New York Association of Transportation Engineers – Section 5

~~Members, Honorary Members,~~ and Life Members.

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, construction or maintenance of transportation facilities and related projects. An Active Member may maintain good standing following retirement from public sector employment through continued payment of dues.

~~Active Members shall be designated as follows: All employees of the State of New York, its Departments, Authorities and Agencies, who possess an engineering, technical, or planning title and whose duties are directly involved in the planning, design, construction or maintenance of Transportation facilities and related projects. Eligibility for Active Membership shall be judged by the State Board of Directors.~~

SECTION 3:

Associate Members shall be designated as follows: All private sector employees whose duties are related to planning, design, construction or maintenance of transportation facilities and related public projects, or who are interested in furthering the objects of the Section. An Associate Member may maintain good standing following retirement from private sector employment through continued payment of dues.

~~Affiliate Members shall be designated as follows: These employees of the State of New York who do not necessarily possess an engineering or technical title but whose duties are related to planning, design, construction or maintenance of Transportation facilities or related Public projects. Eligibility for the Affiliate Membership shall be judged by the State Board of Directors.~~

SECTION 4:

~~All former Active Members of the Association who are still interested in furthering its objects shall be eligible for Associate Membership. Affiliate members have no voting rights and cannot serve on the executive board. Affiliate members are subject to the same events, training and social activities payment structure as active members.~~

~~Affiliate Members shall be designated as follows: These employees of the State of New York who do not~~

New York Association of Transportation Engineers – Section 5

~~necessarily possess an engineering or technical title but whose duties are related to planning, design, construction or maintenance of Transportation facilities or related Public projects. Eligibility for the Affiliate Membership shall be judged by the State ~~Section Executive~~ Board of Directors.~~

SECTION 5:

~~Special Members shall be admitted on the Decision of the Section Executive State Board.~~

SECTION 6:

~~An **Honorary Member** shall be a person nominated by a Local Section and elected by unanimous vote of the State Board of Directors for one or both of the following reasons:~~

- ~~(a) Outstanding achievement in the Association's field of engineering;~~
- ~~(b) Extraordinary meritorious service to the Association.~~

SECTION 74:

A **Life Member** shall be any retired Member as provided in the State Constitution and By-Laws.

SECTION 85:

~~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 Section shall be all Active and Associate Members in good standing.~~
- ~~b) Active, Associate and Life Members of the Section may hold office within the Section, except that the Office of State Director may only be held by an Active Member.~~

~~All Members in good standing shall share all the privileges and rights of this Association, except Active Members only may hold office.~~

New York Association of Transportation Engineers – Section 5

SECTION 96:

All Members in good standing who are called up for military service, for period in excess of five months, shall be issued a military membership for the duration of service without payment of per capita dues.

ARTICLE IV

OFFICERS

SECTION 1:

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

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 immediate Past President and two Active or Associate Members appointed by the President with approval of at least two-thirds of the Officers of the Section.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

New York Association of Transportation Engineers – Section 5

ARTICLE VI

REPRESENTATION, NOMINATIONS, ELECTIONS, TERM OF OFFICE AND VACANCIES

SECTION 1:

Representation: The President, Vice-President, Secretary-Treasurer, State Director and two Local Directors shall be Active or Associate Members in good standing and shall be elected by vote only cast by Members in good standing.

SECTION 2: Nominations

(a) The President prior to September 1 shall appoint a Nominating Committee who shall appoint additional committee members.

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

1.) By Nomination Ballots issued by the Secretary, under the direction of the Nominating Committee, Prior to October 1. Nominating ballots shall be made available [via the website, email or](#) upon request of the Nomination Committee to any active member in good standing.

2.) By Nominating Petition signed by a minimum of fifteen 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 Nomination 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 nominations are opened to date nominations are closed. All ballots and petitions received after the date and time of the closing will be disqualified and not counted.

(d) The final nominees for office shall be the two candidates receiving the highest number of ballots cast for each office on the prepared nomination ballots who are willing to accept the office to which they are duly nominated

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

New York Association of Transportation Engineers – Section 5
plus the candidates nominated by petition. No person shall be a candidate for more than one office.

(e) The results of the nominations shall be posted ~~in appropriate locations in the Region~~ on the website and made part of the permanent records of this Section.

SECTION 3: Elections

(a) Elections shall be held by official ballot issued by the Secretary under supervision of the Nominating Committee.

(b) The Official Ballot shall be mailed or emailed or posted on the website ~~for delivered to~~ all Members in good standing before the tenth (10th) day of November. All ballots shall be returned to the Nominating Committee. The closing date of the polls shall be not less than two week 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.

(c) The Nominating Committee will be charged with counting the ballots and certifying the successful candidates. All active or Associate members in good standing shall be eligible to observe this ballot count.

(d) The duly-nominated candidate receiving the highest number of votes for President, Vice President, Secretary-Treasurer, State Director and the two Local Directors shall be declared elected.

SECTION 4: Term of Office

(a) The President, Vice President, Secretary-Treasurer, and the two Local Directors shall take office on the first (1st) day of January following their election and shall serve two years or until their successors have been duly elected or appointed. The election of these officers shall be in odd numbered 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 odd-numbered years as provided in the State Constitution.

New York Association of Transportation Engineers – Section 5

SECTION 5: Vacancies

Vacancies due to (a) resignations (b) death or (c) other causes as defined in Article VII, Section 8(d) shall be filled by an eligible member appointed by the Executive Board.

ARTICLE VII

Duties of Office

SECTION 1: The President shall:

(a) Preside at all meetings of this ~~Association-Section~~ and act as Chairperson 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, notify the members of their appointment, and file with the Secretary a list of all committees giving names of Chairperson and members of each committee.

(d) Prepare a realistic budget and present it to the executive Board for approval ten (10) days after the beginning of the fiscal year and 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 of the duties of the President in the absence of such officer.

(b) Be charged with making arrangements for all regular business meetings of the ~~Association-Section~~ and for the issuing due and proper notices of such meetings.

New York Association of Transportation Engineers – Section 5

(c) He/She shall be charged with making arrangements for all regular Executive Board meetings of the ~~Association-Section~~ and for the issuing due and proper notices of such meetings.

(d) He/She shall act as Chairperson of at least one major committee when so directed by 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-Section~~ and of all meetings of the Executive Board.

(c) Be custodian of all records of the ~~Association-Section~~ deemed necessary by the Executive Board.

(d) Be the custodian of all Funds of the ~~SectionAssociation~~.

(e) Notify all officers and members of the Executive Board of their election and appointments.

(f) Keep a complete and up to date record of all members.

(g) Receive all money due the ~~association-Section~~ 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-Section~~ in the -bank or banks approved by the Executive Board.

(h) Segregate all moneys by fund 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.

New York Association of Transportation Engineers – Section 5

1 (j) Submit an annual financial report giving a true, clear and detailed account of all moneys received and
2 disbursed by the ~~Association~~Section. This report shall be presented at the Annual Meeting or at the first
3 business meeting of the fiscal year.

4
5 (k) Submit to the State secretary such data and reports as required in the rules and regulations adopted by
6 the State Board of Directors and as provided in the State Constitution and By-Laws.

7
8 (l) Receive and examine all bills against the ~~Section~~Association and if proper shall make necessary payment.

9
10 (m) Not expend funds of the ~~Association~~Section for any purposes not clearly and definitely authorized in the
11 current budget or Special Appropriation.

12 13 **SECTION 4: State Director**

14
15 (a) The State Director's duties shall be as designed in the State Constitution

16
17 (b) On issues aeffecting the membership of this Section, the State Director shall not cast their ballot contrary
18 to the wishes of the Executive Board and/or a majority of the members of the ~~this~~ Section. If necessary,
19 special meetings of either the Executive Board or members of the ~~Association~~Section shall be called to
20 properly instruct the State Director on the issue.

21 22 **SECTION 5: The Local Directors shall:**

23
24 (a) Be charged with the duty of soliciting membership.

25
26 (b) Act as Chairperson of at least one major committee and other duties when so directed by Executive
27 Board.

28 29 **SECTION 6: The Appointed Members shall:**

New York Association of Transportation Engineers – Section 5

(a) Act as Chairperson of at least one major committee when so directed by Executive Board and other duties as deemed by Executive Board.

SECTION 7: The Past President shall:

(a) Co-chair Annual Picnic Committee and other duties as deemed by the Executive Board.

SECTION 8: The Executive Board shall:

(a) Designate the time and place for the Annual meeting.

(b) Prepare an Annual Report and make recommendations.

(c) Request an audit of 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 becomes 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 Conference.

(f) Review request for expenditures of funds by various committees and officers and submit all requests in excess of \$100 to the membership for approval at a meeting of the Section prior to the incurrence of such expenditures.

(g) Not have the power to levy assessments except as outlined in Article III, Section 2 of the By-Laws, or act for the Members of the Association in matters of Statewide interest or matters of direct interest to Members of this Section. A vote by mail or email- or text or web-base platforms shall be taken by the President, within

New York Association of Transportation Engineers – Section 5

ten days, for any proposed measure provided the assent, in writing or electronically, of a majority of the members of the Executive Board is secured. Such action shall have the same force and effect as given by vote in person at a meeting of the Association.

(h) Six members shall constitute a quorum for the transaction of business.

(i) Two-thirds of those present (including web-base platforms) voting, shall constitute a majority of the Executive Board.

ARTICLE VIII

Committees

SECTION 1:

The Chairperson of each of the following Committees shall be appointed by the President:

(a) **Sunshine Committee** - The Sunshine Committee shall operate under the rules established by the participating members.

(b) **Social Committee** - This committee shall be charged with the planning of dances, dinners, outings, picnic, banquets and social activities of the Association. All surplus funds remaining as a result of entertainment shall revert to the General Fund in the treasury of this Section.

(c) **Educational Committee** - It shall be the duties of this committee to provide lectures, formulate educational, instructional and training program and to attend to the various details connected therewith.

(d) **~~Publicity Communication~~ Committee** - It shall be the duty of this Committee to distribute information to the Section Members via mail, email or posting it on the Section's website~~prepare copies of papers and lectures presented before this Section for distribution among the members.~~ Review ~~Edit~~ local bulletins and

New York Association of Transportation Engineers – Section 5

1 notices ~~for newspapers~~, and attend to other matters of ~~communication publicity~~ whenever such action is
2 deemed advisable by the Executive Board or a majority of the Members of this Section.

3 4 (e) Scholarship Committee:

- 5 • The Scholarship Committee shall consist of three (3) Section Members not on the Executive Committee.

6 The Chairperson shall be the Secretary/Treasurer.

- 7 • This committee shall solicit applications, evaluate applications and award Section
8 scholarships.

9 ~~(e) Athletic Committee – It shall be the duty of this committee to plan all athletic activities of this Section.~~
10 ~~This committee shall not expend funds of the association except as authorized in the current Budget or~~
11 ~~approved by the executive Board in accordance with the Constitution. All surplus funds shall revert to the~~
12 ~~General Fund.~~

13
14 (f) **Membership Committee** - It shall be the duty of this committee to solicit new members and to renew old
15 or delinquent members.

16
17 (g) **Grievance Committee** - It shall be the duty of the Committee to record the grievances of members of this
18 section and bring the same to the attention of the Executive Board if they are unable to settle the grievance.

19
20 (h) **Nominating Committee** - The members of this Committee shall be Members with at least five years of
21 good standing. This Committee will operate in accordance with Article VI.

22 23 (i) Statewide Conference Committee:

- 24 • The Statewide Conference Committee shall consist of the Chairperson and at least two (2) Members of
25 the Section not on the Executive Committee. The Chairperson shall be the State Director.

- 26 • The duties of the Statewide Conference Committee shall be to coordinate the activities of this Section
27 for the Annual Statewide Conference, including the selection of Delegates.
- 28

New York Association of Transportation Engineers – Section 5

1 (j) Transportation Professional of the Year (TPOY) Committee:

- 2 • The Transportation Professional of the Year Committee shall consist of the President, State Director
3 and two previous Transportation Professional/Engineer of the Year winners or, if not available, two
4 Aactive or aAssociate members in good standing. The Chairperson shall be the State Director.
- 5 • This committee shall solicit nominations, evaluate applications and choose the Transportation
6 Professional of the Year for ~~this~~the section.

7

8 (k) Additional committees shall be formed as needed as approved by the Executive Committee.

9 The duties of such committees will be defined by the Executive Committee.

10

11 (l) The President or the President's designee shall be an ex-officio member of all committees.

12

13

14 ~~Other committees as deemed necessary.~~

15 **ARTICLE IX**

16 **AMENDMENTS**

17

18 **SECTION 1:**

19

20 This constitution may be amended at any meeting by two-third affirmative vote of all Members voting. The

21 said amendment having been submitted to the members in writing at least one month in advance of voting.

22 (Subject to the approval of the State Board of Directors.)

23

24 **SECTION 2:**

25

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

- 27 (a) Recommendation of the Executive Board.
- 28 (b) Recommendation by two-thirds affirmative vote of members present at a Section Meeting.
- 29

New York Association of Transportation Engineers – Section 5

ARTICLE X

FEES

SECTION 1:

(a) The secretary-treasurer shall be paid an annual fee in an amount as determined by the Executive Board.

1.) when not in excess of one-hundred (\$100) per annum with two-third affirmative vote of Executive Board.

2.) when in excess of one-hundred (\$100) per annum with two-third affirmative vote of Members resent at a Section Meeting.

(b) The annual fee paid the Secretary-Treasurer shall be made in quarterly payments. In the event that 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 on a pro-rata basis for each full month served in the quarter that his/her services are terminated.

New York Association of Transportation Engineers – Section 5

ARTICLE I

BY-LAWS

SECTION 1:

The Annual meeting shall be held at the time and place designed by the Executive Board.

SECTION 2:

(a) Regular Meetings shall be called by President or by a majority vote of the Executive Board, at a time and place designated in the call.

(b) Special Meetings shall be called by a unanimous vote of the Executive Board or upon receipt of the President of a written petition signed by a least ten percent (10%) of the Members in good standing. Such a petition shall clearly state the business to be considered at such a meeting.

ARTICLE II

QUORUM

SECTION 1:

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

SECTION 2:

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

New York Association of Transportation Engineers – Section 5

ARTICLE III

DUES AND ASSESSMENTS

SECTION 1:

The Annual Dues shall be determined by the State Board. Each member may have the option of paying their Annual Dues in cash at the beginning of the fiscal year, or may authorize the Comptroller of the State of New York to deduct dues for the Association from their bi-weekly check.

SECTION 2:

To meet ordinary current expenses, the Executive Board may by a unanimous vote increase for a period of one year the amount stated in Section 1, provided that such increase shall not exceed twenty-five percent of annual dues.

ARTICLE IV

FUNDS

SECTION 1:

The funds of this ~~Association-Section~~ shall be divided, classified, and maintained as follows:

1.) General Fund 2.) Sunshine Fund 3.) Conference Fund

(1) General Fund

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

(2) Sunshine Fund

New York Association of Transportation Engineers – Section 5

(a) The Sunshine Fund shall consist of voluntary contributions from Members of the Section for flowers, cards, memorials or general welfare and turned over to the Secretary-treasurer to hold in escrow or for payment of bills in connection therewith, as specified by the contributors.

(3) Conference Fund

(a) The Conference Fund of this ~~Association-Section~~ shall consist of all moneys appropriated for and receipts in connection with a State Conference of this Association.

(b) All disbursements made by this ~~Association-Section~~ on account of a State Conference of the Association shall be made from Conference Funds.

(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 ~~convention-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 ~~Conventionconference~~.

SECTION 2: Transfer of Funds

Funds not to exceed 25 per cent of the reserve funds may be transferred to the General Funds of this Section with the unanimous vote of the Executive Board. Funds may be transfer from the General Fund of this section to the Conference Fund by a majority vote of the Executive Board.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

New York Association of Transportation Engineers – Section 5

ARTICLE V AMENDMENTS

SECTION 1:

These By-Laws may be amended in the same manner as the Constitution of this section.

ARTICLE VI QUALIFIED MEMBERS

SECTION 1:

A Member is considered to be in good standing upon:

- (a) If elected to pay annual per capita dues in cash and in advance, has paid the annual per capita dues for the current fiscal year.
- (b) Has per capita dues deducted from paychecks on bi-weekly basis.

ARTICLE VII CONFERENCE DELEGATES

SECTION 1:

- (a) Only Active and Associate Members in good standing at the time of the drawing of the names for the delegates and in good standing for a period of one year immediately preceding such drawing shall be eligible to represent this section at State Conference as Official Delegates.

New York Association of Transportation Engineers – Section 5

(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 conference.

(c) The President, Vice President, and Secretary-Treasurer or their authorized representatives elected from the Executive Board by vote of the Board, shall be ex-officio delegates and shall constitute three of the delegates to represent Section 5 at the conference.

(d) Any member of this section who has attended a State Conference of the New York State Association of Transportation Engineers as an Official Conference Delegate, representing this section, shall not be eligible to attend another State Conference as an Official Conference Delegate representing this Section, for the four years immediately following (unless no other delegates are available). ~~;- except that~~ this provision shall not apply to Officers or their authorized representative attending a conference as ex-officio delegates.

Voted & Passed 02/23/05

Final 03/10/05

Revised For SW Review 11/06/2020