

# Constitution and Bylaws of the New Hamburg Yacht Club

As Amended on April 24, 2024

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## **Article I: Name**

The Corporation shall be known as the New Hamburg Yacht Club, hereinafter referred to as “The Club”.

## **Article II: Object**

The object of the Club shall be to associate its members in the advancement, promotion and encouragement of recreational boating, marine environment, safety and education. The Club shall be empowered to erect and maintain mooring and dock facilities for the boating use of its members and a clubhouse for the general social use of its members.

In accordance with Federal and State laws, New Hamburg Yacht Club and New Hamburg Yacht Club Properties, Inc. and its members shall not discriminate against any member or guest of a member based on race, religion, ethnicity, gender status, military status, sexual orientation, physical and mental disability. Any such discrimination shall be subject to appropriate disciplinary action by the Board of Directors.

## **Article III: Signal and Seal**

*Section 1.* The distinguishing signal of the Club shall be a red, triangular swallow tail burgee with a diagonal white stripe upon which appears the blue letters “NHYC”.

*Section 2.* The burgee shall be displayed only by members in good standing and its display is also subject to restrictions set forth in the Club Bylaws

*Section 3.* A line drawing of this burgee shall serve as the Corporate seal.

## **Article IV: Membership**

*Section 1.* Any person 18 years of age and older, having been nominated for membership by an active member in good standing, shall be considered for membership.

*Section 2.* Candidates for admission into the Club shall be approved for membership by a majority vote of the active members present at a meeting, following procedures set in the Bylaws.

*Section 3.* There shall be three types of membership: active, honorary and inactive, defined as follows:

- a. Active members, consist of:
  - i. Regular members who have been elected to membership according to Club procedures, and have all the rights, privileges and obligations pertaining to full membership.
  - ii. Life members who are regular members and meet the following criteria: Age plus consecutive years of service must equal 80 and at least 10 consecutive years of service as a regular member for members joining the Club prior to December 31, 2012. The criteria for members joining the Club after January 1, 2013, shall be: Age plus consecutive years of service must equal 90 and at least 15 consecutive years of services as a Regular member. Life membership status is automatically conferred when the member meets the stated requirements.

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b. Honorary membership may be granted for outstanding service to the Club or in recognition of accomplishments outside of the Club, according to procedures defined in the Club Bylaws. An Honorary Member shall be exempt from all the dues, fees and assessments. An Honorary Member shall be allowed all the privileges of the Club except Marina privileges and shall not vote or hold office nor has any right to or title to or interest in the property or assets of the Club. An Honorary Member need not be a member of the Club at the time of his/her nomination.

c. Inactive members are persons who have been active members, who have, while still possessing active member status, applied for inactive status and moved their permanent residence outside a 50-mile radius from the Clubhouse. They have the same rights and privileges as active members except the rights to vote or hold Club office. Return of their permanent residence to within a 50-mile radius from the Clubhouse requires return to active status.

*Section 4.* There shall be a maximum number of regular members fixed in the Club Bylaws. Any person desiring membership, when the membership rolls are full, shall be placed on a waiting list. Maintenance of this list shall be the duty of the Vice Commodore and shall be according to procedures set forth in the Bylaws.

*Section 5.* Conditions for voluntary and involuntary termination of membership are set forth in the Club Bylaws.

*Section 6.* If a member is a co-owner of a vessel with a non-member, the non-member must be accompanied by the member co-owner in the operation of the vessel at the Club facilities.

*Section 7.* A recognized spouse of a member may enjoy all Club privileges except the right to vote at a meeting or to hold Club office or to be assigned a marina slip.

*Section 8.* Club Members are responsible for the actions of their immediate family members and their accompanied guests while on the Club premises.

## ***Article V: Rights and Privileges of Membership***

*Section 1.* The Clubhouse and grounds of the Club are reserved for the use of Regular, Life, Honorary and Inactive Club members, members of the New Hamburg Yacht Club Ladies Auxiliary, and their accompanied guests.

*Section 2.* Usage exceptions to *Section 1* above may be made on the recommendation of the Board of Directors and by vote of the membership following procedures set forth in the Bylaws.

*Section 3.* The Marina facilities of the Club are reserved for the use of Regular and Life Club members and their accompanied guests.

## ***Article VI: Officers and their Election***

*Section 1.* The officers of the Club shall be and rank as: Commodore, Vice Commodore, Secretary, Financial Secretary, Treasurer, and Fleet Captain.

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*Section 2:* The officers shall be elected by secret ballot at the Annual Meeting. The Board of Directors shall ensure that each member be provided with the confidential means to vote either electronically, or by mail through which voting must be done. All votes must be received electronically, in person, or by mail to the Club prior to the Annual Meeting. A majority of the votes cast shall be necessary for election. Officers shall hold office for a one-year term. The number of electronic and paper ballots cast shall be recorded in the minutes of the Annual Meeting.

*Section 3.* Candidates for Club office shall be placed in nomination by a nominating committee appointed by the Commodore. These nominations shall be made at the regular meeting just prior to the Annual Meeting. Nominations may also be made at this same meeting by any active member. Nominations shall be closed at the end of this meeting, and the list of nominees shall be included with the meeting notice for the Annual Meeting. Votes cast for members who have not been nominated for office shall not be counted.

*Section 4.* Any officer can be recommended for removal from office by a  $\frac{2}{3}$  majority vote of the Board of Directors. A  $\frac{2}{3}$  majority vote of the active members present at a subsequent meeting shall result in the removal of the officer.

*Section 5.* If any office, except that of the Commodore, becomes vacant before the end of the term of that office, the vacancy shall be filled by appointment by the Commodore with the approval of the majority of the Board of Directors. If the office of Commodore becomes vacant, the post shall be automatically filled by the Vice Commodore.

## ***Article VII: Duties of Club Officers***

*Section 1.* The duties of the Commodore shall be:

- a. To be the chief executive officer of the Club, to take command of the squadron and to preside at regular and special meetings and at meetings of the Board of Directors.
- b. To represent the Club at public functions.
- c. To enforce all rules and regulations.
- d. To call special meetings of the Club.
- e. To appoint committees.
- f. To carry out disciplinary actions recommended by the Board of Directors.

*Section 2.* The duties of the Vice Commodore shall be:

- a. To assist the Commodore in the discharge of his/her duties and, in the absence of the Commodore, to officiate in his/her stead.
- b. To assume the office of Commodore in the event that the Commodore is unable or unwilling to continue his/her duties as Commodore.
- c. To maintain the membership waiting list mentioned in Article IV, Section 4, according to procedures set forth in the Club Bylaws.
- d. To notify every member - elect of his/her election to the Club.
- e. To maintain a list of the time to be credited to each member's annual work hour requirement.

*Section 3.* The duties of the Secretary shall be:

- a. To keep a record of the proceedings of all Club meetings.
- b. To keep a record of the names of members present at all meetings of the Club.
- c. To keep a list of all committees, their chairmen and their members.
- d. To make available up - to - date copies of

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the Club Constitution, Bylaws and House Rules.

- e. To file all documents, records, reports, and communications connected with the business of the Club.
- f. To notify Club members of every regular and special meeting at least 48 hours prior thereto.
- g. To keep a record of all resolutions made at meetings of the Board of Directors.

*Section 4.* The duties of the Financial Secretary shall be:

- a. To collect all dues, fees, and assessments.
- b. To keep a correct roll of all members and assure that only eligible members cast votes at meetings.
- c. To notify the Secretary of all members in arrears for dues, fees, or assessments.
- d. To assist the Commodore in the administration of the Club's financial obligations.
- e. To collect all money from committees running Club functions.
- f. To prepare the Club's tax returns.
- g. To transfer all collected funds to the Club Treasurer.

*Section 5.* The duties of the Treasurer shall be:

- a. To pay all bills which have been approved by the Club.
- b. To report, in writing at each regular meeting, all receipts and disbursements made during the previous month, as well as the amount of money in the Club accounts.
- c. To make an annual report in writing at the Annual Meeting, reporting the years total receipts and disbursements and the total of money in Club accounts.

*Section 6.* The duties of the Fleet Captain shall be:

- a. To manage the maintenance, placement and removal of floats, moorings, docks and their supporting structures.
- b. To assign all docking and mooring spaces and to maintain a list of these assignments. A copy of this list shall be on display at all times at the Clubhouse.
- c. To recommend usage rules and fees for the use of docking and mooring spaces to the Board of Directors.
- d. To act as Master-at-Arms at Club functions.

*Section 7.* In addition to these specific duties, each officer shall perform any additional duties described or implied in this Constitution or in the Bylaws. Questions arising about these duties shall be settled by a  $\frac{2}{3}$  majority vote of the Board of Directors.

*Section 8.* Each officer may request the Commodore to appoint a committee to assist in performing the duties of his/her office.

## ***Article VIII: The Board of Directors***

*Section 1.* The Board of Directors shall consist of all the Club officers plus three Trustees. Each Trustee shall be elected for a three-year term. One Trustee shall be elected each year. The nominations, election and removal from office of the Trustees shall follow the same procedures set forth in *Article VI* for the Club officers. Vacancies shall be filled by appointment by the Commodore with the approval of the majority of the Board of Directors. These appointments run only until the following annual meeting when the post shall be filled by membership vote.

*Section 2.* Meetings of the Board of Directors can be called by the Commodore or by any three Board of Directors members.

*Section 3.* The duties of the Board of Directors

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shall be:

- a. To advise the Commodore on all Club matters.
- b. To maintain a check on powers assumed by any officer or committee.
- c. To establish and update the Club House Rules as necessary for efficient operations, subject to approval by the Club membership.
- d. To manage Club property in areas not specifically covered herein or in the Bylaws.
- e. To impose disciplinary actions on Club members.
- f. To initiate the removal of Club officers.
- g. To set rules and fees for the use of Club property. Rules and fees set by the Board of Directors may be overruled by the Club membership by motion made at any regular meeting, with a subsequent majority vote. Notification of the vote shall be made to the membership and the vote itself shall be held at the next meeting.

*Section 4.* At the pleasure of the members, the Club, through its Board of Directors, is authorized and empowered to obtain, renew, and maintain any permits, licenses, or authorizations required for the operation and maintenance of the Clubhouse and Marina facility for the benefit of the Club and its members.

*Section 5.* At the pleasure of the members, the Club, through its Board of Directors, is authorized and empowered to obtain, renew and maintain a Limited Use Liquor License for the benefit of the Club and its members.

*Section 1.* There shall be an annual Meeting of the Club on the first Wednesday in December. At this meeting, election of officers shall be held, and Club Officers shall give their annual reports. The last order of business at the Annual Meeting shall be the installation of the newly elected officers. In all other respects, this Annual Meeting shall be a regular meeting.

*Section 2.* Regular meetings shall be scheduled on the last Wednesday of each month except in the month of November and December. Advance notice of the time and place of the meetings shall be given to the Club members not less than 48 hours nor more than 25 days before each scheduled meeting.

*Section 2a.* Board of Directors Meetings shall be held the Wednesday before the regular meeting. There will be an open session, where members may present or address their concerns to the Board, after which the Board may retire to a closed session. Minutes of the board meeting will be posted before the general membership meeting.

*Section 3.* The order of meeting, as well as the rules of order to be followed, shall be set forth in the Bylaws.

*Section 4.* Special meetings may be called by the Commodore for any specific purpose. This purpose shall be the only business considered at a special meeting. Notification of the special meeting shall be made to the membership not less than 48 hours nor more than 15 days prior to the meeting, and shall include time, place and purpose of the meeting.

## **Article IX: Meetings**

*Section 5.* A quorum shall consist of ten percent of the allowable active membership. No meeting may

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be held without a quorum in attendance.

*Section 6.* There shall be no political or sectarian discussions allowed at any Club meetings. Members so doing will subject themselves to expulsion from the meeting place by a majority vote of the members present. All discussions are restricted to members only.

## ***Article X. Disciplinary Action***

*Section 1.* Any member shall have the power to ask the Board of Directors to recommend disciplinary action against any member breaking rules and regulations of the Club or destroying Club property. Disciplinary actions shall be initiated by the Board of Directors by majority vote. The member or members against whom the disciplinary action is proposed as well as the member or members proposing that the action be taken, shall appear before the Board of Directors and present arguments either for or against the action. The time and place of this meeting shall be set by the Board of Directors and the members involved shall be so notified. A majority of the Board of Directors must be present at this meeting. Refusal of one or both parties to attend this meeting shall not prevent the Board of Directors from taking a disciplinary action.

*Section 2.* The nature of the disciplinary action is at the discretion of the Board of Directors and may range from a reprimand to involuntary termination of membership with forfeiture of dues. A majority vote of the Board of Directors is sufficient to determine the action taken.

*Section 3.* A member may appeal a disciplinary action, in which case, a Disciplinary Committee

shall be appointed to consider the case. The committee shall consist of nine members, including the Commodore as Chairman. The member making the appeal shall appoint four members to this committee and the Board of Directors shall appoint the other four. After hearing arguments, the Committee shall have the power to change, remove or leave stand the disciplinary action by a majority vote. A member at their discretion can appeal the ruling of the Disciplinary Committee, one time only, by presenting their position to the membership at a subsequent Regular Meeting. By a  $\frac{2}{3}$  majority vote by those members present and voting at the Regular Meeting the membership can either leave stand the Disciplinary Committee recommendation, cancel the disciplinary action completely, or refer back to the Disciplinary Committee for reconsideration of the disciplinary action.

## ***Article XI: Amendments***

*Section 1.* No Amendment or alteration of this Constitution may be made except by a majority vote of the members present at any regular meeting, except that amendment to or alterations of the dollar amount of dues or fees may only be made at the Annual Meeting. The amendment or alteration of dues or fees must be proposed in writing and seconded at a previous meeting and all members must be notified of the proposed change with the notice for the Annual Meeting. All proposed amendments must be reviewed by the Constitution and Bylaws committee and by the Board of Directors before presentation at a regular meeting.

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## **BYLAWS OF THE NEW HAMBURG YACHT CLUB**

### **Chapter 1: Burgee**

1. Display of the club burgee shall conform to nautical custom and good taste. Offensive display of the burgee shall be cause for disciplinary action.
2. Display of the burgee from the Club flagstaff shall conform to customary flag etiquette.

### **Chapter 2: Waiting List, Election to Membership and Membership**

#### **A. Regular Membership**

1. The Maximum number of regular members in the club is fixed at 150. At no time should the club admit new members such that this limit is exceeded, except in the case when an inactive member requests active status. This request may be granted, and the number of members will temporarily be above 150.
2. Persons desiring membership in the Club, who meet the requirements for membership set forth in *Article IV, Section 1* of the Club Constitution shall submit their name, address, telephone number and email address, if any, to any active member in good standing. If this member accepts the application, he or she becomes the sponsor of the individual seeking membership.
3. After accepting a request for membership, the sponsor shall inform the prospective member that all dealings with the club shall be made through the sponsor. If the sponsor ceases to be a member of the Club, the individual whom he or she is sponsoring must obtain another sponsor if they wish to continue to be considered for the membership.

4. The Vice Commodore shall be responsible for receiving all membership applications and may ask the Commodore to appoint a committee to assist him/ her with this duty.
5. The sponsor shall give the name, address telephone number and e-mail address, if any, of the applicant to the Vice Commodore or to a member of his or her committee. The Vice Commodore shall record the information from the sponsor as well as the date on which the information was submitted by the sponsor. The Vice Commodore may also require additional information to ensure adequate communication with the person making the application.
6. The Vice Commodore shall place the applicant's name on a waiting list. This order in which names are added to this list shall be according to the date the Vice Commodore accepts the application, except in the instances specifically excepted below. Applicants shall be placed on the list in alphabetical order on any day more than one application is received. A copy of this list will be displayed at the Clubhouse at all times.
7. When an inactive member requests reinstatement to active status, he or she will be placed on active status upon receipt of the balance of the yearly dues, fees and assessments paid by active members.
8. Persons who have resigned from or have been read out of the Club or have been terminated forfeit all rights, privileges and accrued status.
9. The surviving spouse of a deceased member may assume the active membership status of the late member. All financial and work assessments discharged by the late active member will be credited to the spouse.
10. The name of a qualified son or daughter of

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- a member that has been a member in good standing for at least 10 consecutive years, upon application for membership, shall be placed at the top of the waiting list.
11. A registration fee of \$50 will be required from all prospective members at the time their application is submitted the registration fee is nonrefundable.
  12. When openings exist in the Club membership roll, the names of prospective applicants shall be read to the membership at any regular meeting. The names will also be published in the meeting notice for the next regular meeting. The Vice Commodore shall inform the sponsors of the applicants read to the membership that they may be eligible to be voted into the Club at the next meeting. The sponsor must be notified by electronic delivery or by word of mouth no later than 20 days prior to the meeting. The sponsor will advise the applicant to pay the Vice Commodore one year's dues years and any initiation fees before the next regular meeting. If the applicant fails to pay the dues and fees before the next regular meeting, the Vice Commodore shall either drop the applicants name from the waiting list or, at the applicants to request, one time only, place the applicants name at the bottom of the waiting list.
  13. Applicants whose names have been read at a regular meeting, have had their names published in a meeting notice, and have furnished the required dues and fees will be voted into membership as openings occur. Election to the Club shall require a majority vote of the active members present.
  14. Dues and fees collected from applicants
- who are not subsequently elected to membership shall be returned to the applicant. Checks for dues and fees collected from applicants will be deposited after they are voted into membership.
15. There shall be no announcements of candidacy for membership made in the month of September or October.
  16. Each member shall be supplied with a membership card, signed by the Commodore and Financial Secretary, at such times as the annual dues are paid in full. New members shall receive the membership cards upon election to the Club. Each card so issued shall remain in force for the current year. At any time while within the property limits of the Club, any member shall be required to show their membership card upon request by any member of the Club.
  17. Regular members are required to inform the Club Secretary of their birth year upon election to the club for the sole purpose of determining eligibility for life membership status, as defined in the Constitution, *Article IV, Section 3, a, ii*. A member will have the year that he or she joins counted as a full year of active membership.



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## B. Honorary Membership

1. A person, meeting the qualifications for Honorary Membership set forth in the Club Constitution, *Article IV: Membership, Section 3 (b)*, may be nominated as a candidate for honorary membership in the Club by any Active Member, or by the Board of Directors at any regular meeting except in the month of September or October.
2. The candidate's name and qualifications will be included in the Newsletter for a subsequent regular meeting to honorary membership in  $\frac{3}{4}$  majority of those active members present and voting is necessary for election if elected the candidate will be notified, in writing, by the Commodore.
3. All honorary membership shall be renewed by the Board of Directors annually and the results announced at the March Regular meeting.
4. Any person having served five years as an Honorary Member who wishes to become an Active Member may apply for Active Membership as stated in the Club Bylaws but will be placed at the top of the waiting list behind relatives of members.

## **Chapter 3. Reinstatement**

1. Former Club members who have resigned from the Club with a letter of resignation and with payment of all owed dues, fees and assessments and whose letter of resignation was accepted by the Board of Directors may reapply for membership following the procedure in *Chapter 2 Waiting List, Election to Membership, and Membership* of the bylaws with the following exceptions or conditions:

*Membership* of the bylaws with the following exceptions or conditions:

- a. Their name will be placed at the end of the waiting list.
  - b. The initiation fee will be waived.
2. Former Club members who were read out of Club membership as a result of failure to pay dues, fees, assessments or fines may apply for membership following the procedure in *Chapter 2 Waiting List, Election to Membership, and Membership* of the bylaws with the following exceptions or conditions:
    - a. Their name will be placed at the end of the waiting list.
    - b. They must pay the initiation fee, and any dues, fees, assessments and fines owed to the Club at the time they were read out of Club membership.
  3. Former Club members whose Club membership was terminated as a result of disciplinary action may reapply for membership following the procedure in *Chapter 2: Waiting List, Election to Membership, and Membership* of the Bylaws with the following exceptions or conditions:
    - a. They may not submit an Application for Membership within 12 months of the date of termination.
    - b. Their name will be placed at the end of the waiting list.
    - c. They must pay the initiation fee and any dues, fees, assessments and fines that were owed to the Club at the time of their termination.

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- d. Election to the Club shall require a  $\frac{2}{3}$  majority vote of the active members present and voting.

## ***Chapter 4: Use of Club Facilities***

1. The sale and consumption of alcoholic beverages at the Club shall be at all times, in accordance with the existing laws of the State of New York and the Rules and Regulations of the Club. Alcoholic beverages may be sold or served only to members of the Club, members of the Ladies Auxiliary of the New Hamburg Yacht Club, and their accompanied guests for consumption within the Club's Clubhouse.
2. Each member desiring to purchase alcoholic beverages at the Club shall be required to produce a membership card evidencing that that person is a member in good standing of the Club, or such other identification required to establish the identity of the member relative to the current roster of members in good standing. Members desiring to purchase alcoholic beverages for consumption by a guest shall produce identification evidencing that each such guest is the required age to consume alcoholic beverages in accordance with the laws of the State of New York and the rules of the Club. A current Club roster shall be available at the bar any time the bar is open.
3. Any member permitting a nonmember to make use of the Club facilities, to use the member's ID card, to sign the member's name, or to purchase or consume alcoholic beverages on Club property while unescorted shall be subject to disciplinary action.

4. There may be an auxiliary known as the Ladies Auxiliary of the New Hamburg Yacht Club to be governed by the rules and regulations of the Club. Only Active Club members, their spouse and children are eligible for membership in the Ladies Auxiliary. The question of elections, meetings, dues, membership, etc., of the Auxiliary shall be decided by its membership. Applications for membership in the Ladies Auxiliary must be reviewed for their eligibility by the Club Board of Directors.
5. The Club may sponsor a Sea Explorer Post to be governed by the rules of the Club and Boy Scouts of America, Inc.

## ***Chapter 5: Dues, Fees and Assessments***

1. Dues:
  - a. Dues shall be paid by all regular members and inactive members. The amount shall be \$335 in 2021 and increasing 3% per year from 2022 - 2024 thereafter for Regular members. Dues for 2023 are \$355.40, dues for 2024 are \$366.06. Dues for inactive members shall be \$15 per year. Payment shall be made to the Financial Secretary.
  - b. Dues are payable any time after the Annual Meeting and shall be paid no later than the beginning of the February Regular Meeting. Any member owing dues after the beginning of the February meeting will be read out of the Club with the provision that if they pay their dues plus a fifty dollar (\$50.00) late fee within one week of the February meeting, they will be reinstated to membership.
  - c. Active Members serving on the Board of Directors, defined in *Article VIII: Section 1*

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of the Constitution, are exempted from paying dues.

- d. Life members are exempted from work hour requirements. Mooring and docking fees, and fines arising from disciplinary action are not included in this exemption.
- e. An active member who fulfills the position of Bar Chairman is also exempted from dues.

## 2. Initiation Fees:

- a. Initiation fees shall be \$1,000.00, including 2 fobs at no additional cost.
- b. These fees are to be paid to the Vice Commodore by all prospective members before their names can be announced as candidates for membership.
- c. Former members who have resigned in good standing with a letter of resignation and payment of any outstanding dues, fees or assessments are exempted from payment of any initiation fees when being readmitted to club membership.
- d. Payment of the Initiation Fees and acceptance to membership shall entitle the new member to receive up to two fobs at no additional cost.

## 3. Work Hour Requirement:

- a. Every regular member shall be required to perform 30 hours of work per year except that new members, during their year of joining the Club, shall be required to perform total annual work hours at the rate of two and one - half hours per month beginning the month following their acceptance.
- b. Any member may elect to pay the required work hours at the rate of \$25 per hour rather than working the required hours.
- c. The Board of Directors shall determine

what constitutes work. In general, any

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work done on Club property involving improvement, repair or maintenance of club facilities, as well as installation or removal of floats, etc. shall qualify as work. In addition, work done while on Club Committees or Club projects shall be applicable to the work required regardless of where the work is performed.

- d. Every member is responsible for recording the number of hours worked on Club property in such a manner as prescribed by the Vice Commodore. Committee chairmen are responsible for reporting time worked by committee members to the Vice Commodore.
- e. Work required shall be performed during the calendar year, from January 1 to December 31.
- f. Members not meeting the January 1 to December 31 work hour requirement will be notified by electronic delivery before the regular January meeting. Appeals will be heard at the February Board of Directors meeting. All work hour requirement changes made at the appeal meeting will be documented, signed by the Commodore or his/her designee, a copy given to the member, and reported on at the February regular meeting. Any member in arrears after the February meeting will have until the start of the March meeting to pay their remaining required work hours plus a \$50 late payment penalty to the Financial Secretary or his/her designee. Members not meeting the above requirements will be removed from membership at the March regular meeting at the pleasure of the membership.
- g. In case a member is incapacitated in such a manner as to prevent the required Hours and suitable committee work is unavailable the Board of Directors shall be authorized

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to excuse the member from the work hour requirement. This relief from the work hour requirement shall be granted for the year in which application is made and accepted if conditions warrant extension of this privilege, re-application must be made in each year in which it is desired.

- h. Members of the Board of Directors and committee chair-people are exempted from the work hour requirement.
- i. Members can claim hours worked directly to the Vice Commodore for any other functions so designated by the Board of Directors.
- j. Regular members may claim one work hour per calendar quarter for any meeting regular or annual attended during that quarter hours of claim to may not exceed four in a calendar year.

#### 4. Marina Fees:

- a. Marina fees for all boats **are** per foot and **are** restructured from formula driven charging to a flat fee rate as follows (**jet ski flat rates are per unit/dock space per season**):

	2022	2023	2024
Boats	\$15.25	\$16.25	\$18.00
Jet Skis	\$250.00	\$275.00	\$275.00

- b. Marina fees are payable annually and shall be paid no later than the beginning of the regular March meeting. The names of all slip owners in arrears will be read into the March meeting minutes.
- c. The member will have 10 days following the March regular meeting to pay the Marina Fees plus a \$50 penalty.

- d. Failure to pay the Marina Fees and penalty after notification of the 10-day period will cause the loss of slip ownership.

#### 5. Life Member Dues:

- a. Life Member Dues shall be paid by all life members. The amount shall be fifty dollars (\$50.00) per year. Payment shall be made to the Financial Secretary.
- b. Life Member Dues are payable any time after the Annual Meeting and shall be paid no later than the beginning of the February Regular Meeting. Any member owing Life Member Dues after the beginning of the February meeting will be read out of the Club with the provision that if they pay their Life Member Dues plus a ten dollar (\$10.00) late fee within one week of the February meeting, they will be reinstated to membership.
- c. All Life Member dues payments shall be deposited into the Club Emergency Fund.

#### 6. Assessments:

- a. A one-time per incident assessment may be presented by the Club Board of Directors as a resolution for adoption at any  $\frac{2}{3}$  majority of all Members present and voting provided that the resolution has been published in the notifications for that meeting. The resolutions shall state the reason for the assessment, the Members subject to the assessment, the dollar amount assessed per member and the due date of the assessment.
- b. Any Member may appeal the assessment at the next Board of Directors meeting following the adoption of the resolution.
- c. Any Member failing to pay the assessment by the due date may be subject to a penalty or other action as determined by the Club Board of Directors.

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7. Sales Tax:
    - a. All dues, fees and assessments are subject to New York Sales Tax. Such tax shall be paid by the Club members.
  8. Emergency Fund Transfer:
    - a. In any year that the Club membership is at its authorized maximum, five thousand dollars (\$5,000.00) shall be transferred into the Club Emergency Fund from the Club checking account. The amount shall be capped at one hundred thousand dollars (\$100,000.00).
- d. Report of committees.
  - e. Reading of communications and bills.
  - f. Election of members.
  - g. Applications for membership.
  - h. Unfinished business.
  - i. New business.
  - j. Installation of newly elected officers.
  - k. Appointment of committees.
  - l. Adjournment.

## 3. The Rules of Order shall be as follows:

- a. Any member wishing to speak shall rise and address the chair. If two or more members claim the floor at the same time, the chair shall decide who is entitled to it.
- b. No motion may be entertained by the chair until seconded, and until decided, no other motion shall be in order, except to table, amend, recommit the pending motion, or to adjourn.
- c. All motions and resolutions must be reduced to writing if required by a majority of the members present.
- d. Any member may be called to order while speaking and shall take his/her seat until the question or order is decided.
- e. Any amendment to an amendment is in order, but not further.
- f. When a question is put, every member present shall vote unless excused by the chair.
- g. Any member may appeal to the Club the decision of the chair, and if seconded, the question shall be, "Shall the decision of the chair be sustained?"
- h. When the floor is not occupied, a motion to adjourn is always in order and not debatable.

## Chapter 6: Meetings

1. Club meetings shall be held as provided in *Article IX* of the Constitution. It is the duty of the Club Secretary to notify each member of the time and place of every regular meeting. This notification shall ordinarily consist of electronic delivery. A written notice may be mailed to the postal address of those members not having an e-mail address. It shall be the duty of every member to inform the Financial Secretary of any address changes.
2. Order of meetings. At the time specified in the meeting notice, the Commodore, or in his/her absence, the officer of the next higher rank present, shall take the chair and call the meeting to order. A quorum being present, the order of business shall be as follows:
  - a. Reading of the minutes of the last regular or special meeting.
  - b. Report of Officers (as per rank).
  - c. Election of officers.

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- i. Any two members may call for the yeas and nays upon any debatable motion, and the Secretary shall call the names of the members present and enroll the vote.
- j. Any of the foregoing rules of order may be suspended at any meeting by a  $\frac{2}{3}$  majority vote of the members present.
- k. Rules for governing the conduct of the meetings and debate except as herein specified shall be those of Robert's Rules of Order.

## Chapter 7: Committees

1. Committee chairmen shall hold their positions for a period specified by the Commodore at the time the committee is formed. This period shall not extend beyond the Annual Meeting. The newly elected Commodore shall appoint chairmen of committees that are to continue in existence at the Annual Meeting. Members may be renamed to the post of Committee Chair any number of times.
2. Committee chairmen are required to furnish the Board of Directors with a list of committee members and to amend this list whenever committee membership changes.

## Chapter 8: Disciplinary Action

1. A member appealing a disciplinary action taken under *Article X, Sections 1 and 2* of the Constitution, has 2 weeks from the time the Board notifies him/her of this action to file his/her appeal with the Board of Directors. Failure to appeal the Board decision in this time shall be taken as agreement with the decision.
2. Failure to pay disciplinary fines within one month after their imposition and without

appeal shall be cause for termination of membership.

3. The disciplinary committee in *Article X, Section 3* of the Constitution shall be appointed and meet within 4 weeks of the date of the appeal filed with the Board of Directors.
4. The disciplinary committee shall hold its final vote on the disciplinary action within 2 weeks of its first meeting. There shall be no abstentions from this vote.

## Chapter 9: Financial Reporting

1. The Commodore shall present a preliminary Club budget for one year to the Club membership at the January regular meeting. This budget shall be drawn up by the Board of Directors and presented to the membership for their information. The final budget shall be published in the meeting notice for February. The following financial reports shall be given in addition to the Treasurer's Reports:
  - a. Committee chairmen or officers who have been given approval to spend money for a specific project or function shall report the amount spent, in writing, at a regular meeting as soon as possible after the expenditure.
  - b. Committee chairmen or officers regularly spending and/or collecting Club money during the year for approved services or goods shall give a written account of the amounts spent, received, goods purchased, and goods on hand at the April regular meeting.
  - c. If the chairmen or officers cannot be present at the meeting when the

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financial reports are due, they shall deliver their written report to a member of the Board of Directors prior to the meeting. This Board member shall then present the report to the membership at the meeting.

## *Chapter 10: Amendments*

1. No amendments to or alterations of these Bylaws may be made except by a  $\frac{2}{3}$  majority vote of the members present at any regular meeting except that amendment to or alterations of the dollar amount of dues or fees may be made only at the Annual Meeting. The amendment or alteration must be proposed in writing and seconded at a meeting prior to the one when the vote is to be taken, and all members must be notified of the proposed change with the notice for the meeting at which the vote is scheduled. Proposed amendments must be reviewed by the Constitution and Bylaw Committee and the Board of Directors before the presentation at a regular or annual meetings.