

CONSTITUTION AND BY-LAWS
of the
ITALIAN MUTUAL BENEFIT ASSOCIATION
Of
SENECA FALLS, NEW YORK
FOUNDED NOVEMBER 6, 1904

*

Incorporated under the laws of the
State of New York
With the name of S.M.S.

ITALIAN MUTUAL BENEFIT ASSOCIATION
95 OVID STREET
SENECA FALLS, NEW YORK

For brevity within this document the following abbreviations will be used:

GA - refers to the Assembly or General Assembly (the meeting of the full membership)

AC - refers to the Administration Council or Consiglio. (The elected officers)

Approved -- JUNE 26, 2019

SECTION 1

CONSTITUTION AND BY - LAWS

ARTICLE 1. - The Italian Mutual Benefit Association of Seneca Falls, more commonly known as the S.M.S., is incorporated by Charter under the laws of the State of New York.

ARTICLE 2. - The Society is formed to promote the mutual welfare of the members; to encourage the moral and material progress of those of Italian descent.

ARTICLE 3. - Membership in the Society shall be restricted to men of good character of Italian descent.

ARTICLE 4. - The general meeting of the members shall be called the General Assembly (GA) and it shall elect as its officers:

President	Vice –President	Seven Trustees
Treasurer	Two Censors	Two Auditors
Steward	Custodian	
Corresponding Secretary	Financial Secretary	

ARTICLE 5. - The GA shall have the right of increasing or decreasing the number of officers.

ARTICLE 6. - A secret ballot must be used in the voting for officers.

ARTICLE 7. - The office of Treasurer shall be held only by a person who is considered solvent.

ARTICLE 8. - The deliberative power is exercised by the GA. The Council of the Society (AC) shall conduct the ordinary administration of the society. The president shall represent the society.. The censors shall invoke the rules of the constitution and by-laws.

ARTICLE 9. - The GA shall decide the number of paid officers and their salaries at the meeting immediately prior to the election meeting.

ARTICLE 10. - Regular Business meetings shall be held on the Second Wednesday of each month beginning at 7:00pm. The AC meeting shall be held on the Second Wednesday of each month beginning at 6:00pm.

SECTION 2

Specific by-laws pertaining to the conduct of general meetings

ARTICLE 1. - The general meeting of the members is convened and presided over by the president, or by the vice-president in the event of his absence. The trustee with the longest seniority of service will preside if both president and vice-president are absent.

ARTICLE 2. - Regular business meetings of GA and of the AC shall be held at least once a month on the day decided by the GA. No advance notice to the members will be necessary for such meetings, but any member has the right to request from the secretary the order of business of the meeting up to three days prior to the meeting.

ARTICLE 3. - The presence of at least 10 members shall be considered a quorum.

ARTICLE 4. - Legal quorum shall be required to convene and conduct a meeting.

ARTICLE 5. - Whenever necessary, the president may call special meetings. The entire membership must be so advised of such meetings at least twenty – four hours prior to said meeting. In such case, a legal quorum is not required.

ARTICLE 6. - The president may delay the meeting for thirty minutes before postponement for lack of a quorum. He shall then set a date for another meeting.

ARTICLE 7. - Members may not leave the meeting chamber while the meeting is in progress without permission from the president.

ARTICLE 8. - The president shall see to it that the meetings are conducted in good order. He gives the floor when it is properly requested and takes it away or refuses it whenever the discussion threatens to become troublesome bickering.

ARTICLE 9. - No members may speak without permission of the floor from the presiding officer.

ARTICLE 10. - Every member will have the right to speak three times on the same item of discussion. The president shall have the right to waive this rule if it will be useful in reaching a decision.

ARTICLE 11 - No business conducted at a general meeting shall be considered valid unless the legal quorum is present.

ARTICLE 12 - The minutes of the previous meeting must be approved by the assembly at each meeting

ARTICLE 13 - Legal quorum is not required at such meetings that have been called because of a postponement of a regular meeting at which a quorum was not present. All business will be conducted at these second meetings that normally would have been discussed at the postponed meeting, plus any business considered necessary by the Administration. All members must be notified of such meetings.

ARTICLE 14 - The decisions of the GA and the AC shall be decided by secret ballot when the question involves personalities. In all other cases an open roll call vote or show of hands are all that is required.

ARTICLE 15 - A Plurality of the votes is necessary to amend or change the constitution of the society or to pledge the finances of our organization .

ARTICLE 16 - A plurality vote of the GA at which a quorum is present is necessary for conducting the normal order of business regarding finances, appointment of committees, or matters of similar importance.

ARTICLE 17 - The use of profane or abusive language is strictly prohibited in discussions during meetings. The president shall refuse the floor to any member who violates this rule. Neither will any member who is under the influence of alcoholic beverage be allowed to remain at the meetings.

ARTICLE 18 - Whenever at least 10 members request it, the president must order the voting to be by secret ballot, whatever the subject under discussion.

ARTICLE 19 - Discussions at the meetings shall be restricted to the items designated by the order of business.

ARTICLE 20 - Once a motion has been made and carried, it cannot be overruled, unless 2/3 of the members present vote to rescind the motion in question.

ARTICLE 21 - No decision shall be considered legal unless the motion received a plurality vote of the members present at the meeting.

ARTICLE 22 - Any member with a grievance against the society must present such grievance to the AC.

ARTICLE 23 - It is the duty of members to attend meetings frequently and with harmony.

ARTICLE 24 - Every member has a right to vote, except in cases where he is personally involved, or whenever it concerns the office which he holds.

ARTICLE 25 - It is the concern of the GA to determine the use to be made of the monies of the society, and to decide on donations that shall be made.

ARTICLE 26 - It will be the duty of the president to call to order any member who persists in using profane and abusive language during a meeting. A member who so persists will be denied the floor for the remainder of the meeting and may be asked to leave the meeting.

ARTICLE 27 - In the event of an emergency, and if approved by the AC, the GA may vote to spend any amount up to \$750. A special meeting is required for sums larger than \$750.

ARTICLE 28 - The president can refuse to put to discussion a proposal which is contrary to the interest of the society or foreign to the purpose for which it was instituted.

ARTICLE 29 - At the general meeting the members have the right to accept or reject any motion Provided said motion does not violate the present regulations.

ARTICLE 30 - In the interest of correctly administering the society's affairs, there will a complete copy of these regulations in such a place so as to available to any member during the meeting.

SECTION 3

ADMINISTRATION COUNCIL (AC) - (CONSIGLIO)

ARTICLE 1. - Every motion which entail changes or additions to the present rules or concerns the society's interest in any way, must first be discussed by the AC before being presented to the GA.

ARTICLE 2. - The administration council is presided over by the President and includes:

Vice –President	Seven Trustees	Treasurer
Two Censors	Two Auditors	Steward
Custodian	Corresponding Secretary	Financial Secretary

ARTICLE 3. - To make valid the deliberations of the AC at least 3 trustees will be needed. In case of a tie, the president has the deciding vote.

ARTICLE 4. - The petitions of the members are examined by the AC, and if it sees the need, may present them to the GA.

ARTICLE 5. - When a member considers himself injured in his rights by some deliberation of the AC, he may appeal to the GA. In such a case, he makes a petition to the president, who, if he finds it necessary, may immediately convoke the GA, or reserve the discussion to the first regular meeting.

ARTICLE 6. - The decisions made by the AC and edited by the secretary, must be read at the meeting of the GA and it is the duty of the GA to reject, approve or modify such decisions.

ARTICLE 7. - Minutes will be taken of every deliberation of the AC and read at the next meeting of the GA.

ARTICLE 8. - At the meeting of the AC only those officers composing the AC itself may attend.

ARTICLE 9. - The President will dispense keys to the building to members as he deems necessary and shall keep a record of those who received these keys..

ARTICLE 10 - The AC, in the case of an emergency will have the right to spend the sum of \$1000 for the needs of the society. A report must then be made to the GA of the expenditures.

ARTICLE 11. - At the installation of a new president, the ex-president will automatically serve at trustee for the duration of his successor.

SECTION 4

APPOINTMENT OF OFFICERS

ARTICLE 1. - The appointment of the officers is made by secret ballot, with the exception of the secretaries, who are appointed by the president with the approval of the GA.

ARTICLE 2. - No one may run for or hold more than one office at a time. Should there be an insufficient number of candidates to fill all of the offices listed in Section 1, Article 4, then the positions of censor, auditor and custodian may be held by a member who holds another office.

ARTICLE 3. - All officers will remain in office for one year with the exception of two trustees who shall be elected for a period of two years. In case of resignation or death of an officer, the person chosen to fill the office will remain in office until the next general election.

ARTICLE 4. - For posts made vacant by death or resignation, appointment will be made within one month.

ARTICLE 5. - An officer can be removed from his office if he should be guilty of some serious negligence and abuse of power and has been so judged by the GA.

ARTICLE 6. - In all matters considered in the preceding article as well as the following one, both the AC and GA will make their decision by secret ballot.

ARTICLE 7. - A complaint against the president must be made to the vice-president, who will act as president until the solution of the incident.

ARTICLE 8. - An officer who, for three consecutive times is absent from either AC or GA meetings may be dismissed and will not be able to re-enter office unless he presents a just motive for his absences.

ARTICLE 9. - The censor who refuses to fulfill the commissions entrusted to him by the present rules will be held guilty of serious fault whenever the refusal is not based on good reasons.

ARTICLE 10. - A member in order to be elected to an office must be at least 18 years of age; The president must be at least 25 years of age.

ARTICLE 11. - Only the trustees will have the right to vote at an AC meeting; all other members of the AC will act as an advisory group. The president will only vote to break a tie.

SECTION 5

ADMISSION AND EXCLUSION OF MEMBERS

ARTICLE 1. - To belong to the society, one must, in addition to the qualities of Section 1, Art. 3 of the present rules, be at least 16 years of age.

ARTICLE 2. - Whoever contributes to the benefit of the Society may be named an honorary member.

ARTICLE 3. - The request for admission must be addressed to the president.

ARTICLE 4. - The president will present the request to the AC which will then vote to accept or refuse the application. If the application is accepted by the AC, it will then be submitted to the GA for their acceptance or refusal.

ARTICLE 5. - Having been accepted by the AC and the GA, the candidate will be advised by the corresponding secretary the date that he is to be present to be admitted as a member

ARTICLE 6. - The AC will advise its accepting or refusing a candidate; and the president will, at the first GA meeting announce the names of the candidates who have been accepted or refused

ARTICLE 7. - Within a month after refusal of admission by the AC either the rejected candidate, The president or 10 members can appeal against the action of the AC to the GA.

ARTICLE 8 . - Those who render themselves guilty of a felony may be expelled from the society

ARTICLE 9 - A member who is expelled from the Society, dismissed because of non-payment of dues or resigned, will not have the right to indemnity or reimbursement of any sort for the contributions paid in.

ARTICLE 10. - Social members may participate at business meetings but may not vote.

ARTICLE 11. - Social members shall pay an annual fee as established by the GA.

SECTION 6

Rights and Duties of Members

ARTICLE 1. - The members, upon being admitted into the association, are obligated, on their honor, to observe the present regulations. :

ARTICLE 2. - The admission fee for a new member shall be the amount of the annual dues as set by the AC and GA. Should a new member be admitted after September 1 of a calendar year, the admission fee will be applied to the following year's dues.

ARTICLE 3. - Every member is entitled to have a copy of the constitution and by-laws. A person is not considered a member until such time his dues have been paid.

ARTICLE 4. - All members must pay the annual dues, the amount of which will be established by the GA, to the Treasurer of the Society. The dues shall be due on April 1 of each calendar year. In January of each year, the financial Secretary shall send a written notice to each member notifying him that his annual dues must be submitted by April 1st. If the dues are not paid by April 1st, a \$10 late fee will be added to the annual dues to be collected

ARTICLE 5. - In early October a newsletter shall be sent to all members advising them of upcoming social events such as the annual Turkey raffle, annual member's dinner, etc. In this letter a dues notice shall be sent to each member whose dues have not been received yet reminding them to pay the amount owed as soon as possible. The following January, when the new dues notices are sent out, the notices to the members who are in arrears will include the amount that is past due as well as the amount due for the current year. A note will also be included in this notice that should the

amount due not be paid by April 1st, then the member will be dismissed from the society for being in arrears. When a member has been dismissed for being in arrears, or for other reasons, it is the duty of the Financial Secretary to so notify him.

ARTICLE 6. - A member who has been dismissed of being in arrears may enter a request for re-admission to the Society. A request for reinstatement, in order to be taken into consideration, must be accompanied by a sum equal to his arrears. Every request for reinstatement must be approved by the AC.

ARTICLE 7. - A member who is re-admitted re-acquires all of the rights of a member.

ARTICLE 8. - A member who has a complaint to make against the Society, must present his complaint before the AC.

ARTICLE 9. - It is the duty of the members to attend meetings frequently and in harmony.

ARTICLE 10 - Each member may vote except when it concerns him personally or is in reference to the office he holds.

ARTICLE 11 - An honorary member will not pay monthly dues and will not have the right to any benefits. He may take part at meetings and will have a consultive but not a deliberative vote.

ARTICLE 12. - To be in good standing, a member must be paid up in regards to dues or any other debt to the organization

SECTION 7

General Duties of Officers

ARTICLE 1. - The President is the representative of the Society; he presides at the meetings of the GA and AC, maintaining order; he submits matters to discussion and to voting and proclaims the results; he fulfills all that is required of him under the present regulations.

ARTICLE 2. - At meetings lacking good order, the president may dismiss all boisterous members and those who are the cause of such disturbances will be punished according to the regulations

ARTICLE 3 - It is the duty of the censors to see that the present regulations are observed and must inform the AC and GA of any disorders that arise in the Society's administration; they also will inform the GA of any infractions by the AC.

ARTICLE 4 - The secretary takes care of the correspondence previously agreed on by the AC and holds the following files:

1. A list of all members
2. A file of minutes of the GA indicating briefly the matters presented and the decisions voted upon.
3. The file of monthly contributions in which are registered the quotas.

ARTICLE 5. - The treasurer will have custody of the money of the Society. He will keep in order a record of expenditures; will not pay any sum which has not been approved by the AC or GA or unless he has an order from the president or from the Secretary of Finance acting in his place.

ARTICLE 6. - The president shall have the power to name a committee for any investigations considered necessary.

ARTICLE 7. - All dues or contributions paid by the members must be deposited in the treasury.

ARTICLE 8. - The Financial Secretary is responsible for keeping records of the financial affairs of the Society. He shall work with in conjunction with Treasurer to insure that these records are accurate. It is the duty of the financial secretary to present a financial statement quarterly and a yearly statement at the regular meeting of December.

ARTICLE 9. -It is the duty of the auditors to verify any book or records that concerns the interests of the Society. They will also check the results of the committees of social functions and to report such findings to the GA.

ARTICLE 10. - All members at general meetings will salute the Society Standard which will be placed in front of the presiding officer prior to the opening of the meeting.

ARTICLE 11. - It is the duty of the custodian to open and close the doors of the hall at all meetings. Also to keep the place clean and in order and also to keep the outside of the residence clean.

SECTION 8

Funeral of a Member

ARTICLE 1 --- If the family or relatives request it, the Society must attempt to send the requested number of honorary bearers.

ARTICLE 2. - At the request of the family or relative of the deceased member, the president must donate the hall free of charge for the funeral, placing the hall in mourning. Should the hall be rented on the date of the members funeral, the president may deny the request for the use of the hall.

ARTICLE 3. - It is the duty of the president or vice-president to order a floral arrangement at the death of the member, father, mother or wife or child of a member.

ARTICLE 4. - After the death of a member, the mourning banner will be exposed in the hall for one week.

ARTICLE 5. -The mourning banner will be exposed outside the front door during the funeral of a member.

SECTION 9

Standard Meeting Procedure

- ARTICLE 1. - At the opening of the meeting the president will ask the officers to take their places in the following order: The president in the center of the room. On the right of the president is the Secretary of correspondence. On the left is the Secretary of finance and the Treasurer.
- ARTICLE 2. - The president will ask the secretary of correspondence to call the roll of the officers.
- ARTICLE 3. - The president will ask for the following to be read:
- (a) The minutes of the preceding GA meeting and AC meeting.
 - (b) Correspondence.
 - (c) Committee affairs
 - (d) Requests for admission to the Society.
 - (e) Motions for discussions.
 - (f) Cancellation of members in arrears.
 - (g) New motions to be presented.
- ARTICLE 4. - No motion will be considered unless seconded by another member. The member making the motion must be present in order to start discussion and give summary to the GA.
- ARTICLE 5. - A member may speak for or against a proposal but must not wander off the subject.
- ARTICLE 6. - If a member is called to order for the second time by the president or censured and disobeys the order, he shall be refused the floor for the remaining duration of the meeting and may be asked to leave the meeting.
- ARTICLE 7. - It shall be the power of the president and vice-president to donate the use of the hall for charitable purposes or other occasions which will benefit the community, on any hour and date of which the hall is not being used by the Society.
- ARTICLE 8. - All the sums received by the secretary of finance must be consigned to the treasurer within twenty-four hours. Likewise all committees must consign money to the secretary of finance within seven days.
- ARTICLE 9. - All meetings of commissions or committees, as well as affairs of the Society, must be held at the Society's hall.
- ARTICLE 10. - The president, as he enters office, will take possession of the entire inventory of the Society. At the end of the year, he will turn over all that was consigned to him, giving account of anything missing.
- ARTICLE 11. - It is the duty of the president to name committees for all social functions.
- ARTICLE 12. - Any deliberation accepted by the GA may not be re-opened for discussion for at least six months.

SECTION 10

Procedures for General Elections

ARTICLE 1. - The election of officers will take place within the first two weeks of December and the officers will be installed at a special meeting in January.

ARTICLE 2. - Each year at the November meeting, a committee of five members shall be named to nominate the new officers and to present the names for approval at a special meeting. The members, however, shall have the right to nominate members from the floor for office in addition to the candidates chosen by the committee.

ARTICLE 3. - The nominating committee will chose a chairman, secretary and three tellers. The senior teller will present the list of candidates which the chairman shall read. The remaining tellers will count the ballots, after which the chairman will announce the candidate having received the plurality vote.

ARTICLE 4. - The secretary must count the votes received by each candidate; then read the results before the elected candidates

ARTICLE 5. - In case of a tie the presiding officers at the election will decide, by vote, who will be elected. Except, in the case of the president, who must receive a plurality of the vote.

ARTICLE 6. - A member who wishes to nominate a candidate, must rise and give the name of the person; such nomination must be seconded in order to be accepted by the secretary of the presiding group.

ARTICLE 7. - The president will ask the nominee if he accepts, before asking for a vote on the office.

ARTICLE 8. - To be elected to the office of president or treasurer a member must have served a minimum of one year on the AC and must have belonged to the society for at least three years.

ARTICLE 9. - A president may not hold office for more than three consecutive years.

ARTICLE 10. - A secret ballot will be used in election of all officers unless the candidate for office does not have any opposition. The secretaries of finance and correspondence are appointed by the president with the approval of the GA.

ARTICLE 11. - A member, in order to be elected to an office, must be at least 18 years of age and the president must be 25 years of age.

ARTICLE 12. - No one may run for or hold more than one office at a time. Should there be an insufficient number of candidates to fill all of the offices listed in Section 1, Article 4, then the positions of censor, auditor and custodian may be held by a member who holds another office.

SECTION 11

Procedure of the Bar

ARTICLE 1 - The steward shall have the power to purchase all needs of the bar and to schedule bartenders as needed.

ARTICLE 2. - Once a month, the auditors and steward shall take inventory of the bar and shall present the results to the AC and the GA for approval.

ARTICLE 3. - All bar expenses will be paid by check.

ARTICLE 4. - Minors will not be admitted to the social bar, unless accompanied by their parents.

ARTICLE 5. - No pets are allowed in the bar room. Service Animals are excluded from this provision,

ARTICLE 6. - The door to the bar shall always remain closed; a member will be admitted on being recognized in a manner decided upon by the GA.

ARTICLE 7 - The bar steward will appoint a member(s) to administer one or all of the following:

Bell jar account

Payment of state sales tax relating to alcohol purchases for the bar

Payment of vendor bills relating to the operation of the bar

1. Responsible individual for the Bell jar account will meet with the bar steward and another officer of the club to review and record the necessary paperwork to submit to the state. He shall prepare a monthly report, determine the required donation amount for the month and present donation requests at the monthly meeting for approval and amount determination. Maintain the bell jar checking account and write checks associated with the account.
2. Responsible individual for the payment of sales tax will record all monthly alcohol purchases by the bar, prepare the necessary paperwork and determine the quarterly amount owed to the State and submit that information to the state along with payment.
3. Responsible individual will prepare a monthly report to be submitted at the monthly meeting which includes that months bar deposits and debits, beginning and ending balance in the bar checking account. Maintain the bar checking account and write checks associated with the account.

SECTION 12

Auxiliary

- ARTICLE 1. - The Auxiliary will be composed of women of good character of Italian descent.
- ARTICLE 2. - The Auxiliary will have the right to name as honorary members, women who have worked for the good of the Society itself, or for the good of the Italian Community.
- ARTICLE 3. - The Auxiliary shall be self sufficient; they will administer their own social and financial affairs.
- ARTICLE 4. - The Auxiliary has the right to deliberate any proposal, if the proposal does not conflict with the interests of the men's Society.
- ARTICLE 5. - It will be the duty of the S.M.S. to help the Auxiliary on every occasion when requested, as it is for the Auxiliary to do the same.
- ARTICLE 6. - The Auxiliary will have the right to use the hall for meetings of the council and assembly or for other social activities.
- ARTICLE 7. - The Auxiliary will have the use of the hall the first Wednesday and last Wednesday of each month of their meetings.
- ARTICLE 8. - For all other occasions, the Auxiliary must request the use of the hall to the president or whoever is in charge.
- ARTICLE 9. - It is the duty of the men's society to support the advancement of Auxiliary and to take the proper provisions when the case warrants.

SECTION 13

Military Service

- ARTICLE 1. - While in Military Service, a member shall not pay annual dues
- ARTICLE 2. - A member who leaves for Military Service must notify the financial Secretary that he is no longer in the military and will resume paying the annual dues.
- ARTICLE 3. - A member who is in active military service will be reimbursed for all annual dues paid in advance.

SECTION 14

Social Functions

ARTICLE 1. - The Initiation of Officers

ARTICLE 2. - It will be the obligation of the society to celebrate Columbus Day each year in the manner and date chosen by the GA.

ARTICLE 3. - The annual banquet celebrating the foundation of the Society on November 6 shall be held each year on the night before Thanksgiving.

ARTICLE 4. - Each year a Christmas tree celebration will be held together with the women's Auxiliary for the amusement of the children of the members.

SECTION 15

Amending the Constitution and By-laws of the Society

ARTICLE 1. - The by-laws of this Society may be changed at a special meeting of the SMS membership. The presence of at least 30 paid up members of the Society shall constitute a legal quorum. A plurality vote of those present shall be necessary to change a By-Law of the Society. All paid up members of the society shall receive a notice of the proposed changes to be voted on at the meeting at least two weeks prior to the meeting date. These changes will be the only business conducted at this meeting.

ARTICLE 2. - Should the Special Meeting to revise the By-Laws be called and fewer than 30 paid up members attend, then ballots shall be sent to each paid up member. A plurality of the ballots returned by the due date will determine whether the proposed revision to the Constitution and By-laws of the SMS has been approved or disapproved.

Prices for Renting the Hall – Upstairs or the Pavilion shall be established by the GA.

These rules and by-laws have been read, discussed and approved at the Special Meeting of – JUNE 26, 2019 No changes to these rules and by-laws will be permitted until one year from this date.

The President -----

The Secretary -----