# The Constitution and By-Laws of Patchogue Post No. 269, Inc.

# American Legion Department of New York

Revised: February 2019

February 2019 Page 1 of 26

## Table of Contents

Constitution	3
ARTICLE I – Name	3
ARTICLE II – Objectives and Purpose	3
ARTICLE III – Nature	
ARTICLE IV – Membership	4
ARTICLE V – Officers	6
ARTICLE VI – Finance	7
ARTICLE VII – Charter Members	8
ARTICLE VIII – American Legion Auxiliary	8
ARTICLE IX – Sons of the American Legion	9
ARTICLE X – Constitution	9
By-Laws	10
ARTICLE I – Name	10
ARTICLE II – Management	10
ARTICLE III – Executive Board	12
ARTICLE IV – Duties	
ARTICLE V – Committees	
ARTICLE VI – Resolutions	16
ARTICLE VII – Post Meetings	16
ARTICLE VIII – Dues	17
ARTICLE IX – Notices	18
ARTICLE X – Rules of Order	18
ARTICLE XI – Limitations and Liabilities	19
ARTICLE XII – Amendments	19
ARTICLE XIII - Protocol	
ARTICLE XIV – Goals and Objectives	21
ARTICLE XV – Charity Efforts	
ARTICLE XVI – Miscellaneous	22
ARTICLE XVII – Trustees	23
Certification	24
Post Commander Sign-Off	24
Suffolk County Sign-Off	
New York Department Sign-Off	26

## **Constitution**

Patchogue Post No. 269, Inc.

American Legion
Department of New York

Revised: February 2019

### **ARTICLE I – Name**

#### Section 1

The name of this organization shall be Patchogue Post No. 269, Inc., American Legion, Suffolk County, Department of New York.

#### Section 2

The headquarters of this organization shall be at the southeast corner of South Ocean Avenue and Baker Street, Patchogue, NY.

## **ARTICLE II – Objectives and Purpose**

#### Section 1

The objectives and purpose of this Post shall be to promote the principles and policies set forth in the preamble of the National Department Constitution of the American Legion.

## **ARTICLE III – Nature**

#### Section 1

The Post is a civilian organization and membership therein does not affect or increase liability for police or military action.

February 2019 Page 3 of 26

The Post shall be absolutely non-political and non-sectarian and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

#### **Section 3**

Rank or rate does not exist in the American Legion. No member shall be addressed by their military title in any meeting of the Post.

## <u>ARTICLE IV – Membership</u>

#### Section 1

Eligibility for membership in this Post shall be as prescribed by the National Constitution of the American Legion. Membership shall not be refused for discriminatory reasons based on ethnic background, race, religion, gender, or any other reason that would constitute a violation of either federal or state anti-discrimination laws.

#### **Section 2**

There shall be no form or class of membership except an active membership as herein above provided. Booster, Contributor, Auxiliary or any other type of membership is not authorized. "Class of Membership" is understood as equivalent to "kind" or "variety" of membership and the effect of the forgoing clause is specifically to prohibit conferring any type of membership in the American Legion upon any person not falling within the eligibility provisions of the above article. Honorary or Life membership in Patchogue Post No. 269, Inc., American Legion, Department of New York shall only be conferred on active Post members.

#### **Section 3**

Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Board. All applications for membership shall be certified by the Post Commander, a Vice-Commander or Membership Officer.

February 2019 Page 4 of 26

All certified applications for membership shall be voted upon at the next regular Post meeting following the making of such application and certification.

If rejected, the application is to be referred to the Executive Board for further consideration. If a majority of the Executive Board cast their vote for the acceptance of said application, then such application shall be recorded as approved.

If the majority of the Executive Board accept the applicant's application, it returns to the floor for another membership vote. This vote by the membership is final.

If rejected, such application shall not again be considered by the Post until after the expiration of six months from the date of rejection.

#### **Section 5**

Any person who has been expelled or suspended by another Post shall not be admitted to this Post without the consent of the expelling Post. The applicant may then appeal to the New York Department Executive Committee for permission to be admitted membership in this Post but shall remain ineligible for membership at this Post until such permission is granted by the New York Department Executive Committee.

#### **Section 6**

Members may be suspended or expelled from this Post of the American Legion only upon proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty or other conduct unbecoming a member of the American Legion. All charges must be made under oath in writing by the accusers and no member in good standing shall lose his membership until given a fair trial in such manner and form as the New York Department Executive Committee shall prescribe. This action shall govern procedure whenever such charges are brought against any person at any time appearing upon the rolls of this Post as a member upon the grounds of his eligibility to membership in the Post.

#### **Section 7**

Any member who has been suspended or expelled from this Post has the right of appeal to the Department Executive Committee in the manner prescribed by said Committee. The decision of the department shall be final.

February 2019 Page 5 of 26

A member who has been expelled or suspended from this Post for any cause may be reinstated to membership by official action of the New York Department Executive Committee provided, however, that they shall make payment for any arrears in dues at the time of expulsion, and also other regular dues which have been payable in the interval between expulsion and reinstatement.

#### **Section 9**

A member who has been expelled or suspended from this Post for any cause other than non-payment of dues may be reinstated to membership by a two-thirds vote of the Executive Board and a majority vote of the Post; provided, however, that he shall make payment of any arrears in his dues from the time of the expulsion or suspension, and also other regular dues which have been payable in the interval between his expulsion or suspension and his reinstatement.

#### Section 10

Any member in good standing desiring to transfer from this Post to another Post is entitled to a certificate from this Post stating his membership, the duration thereof, and the date to which his dues are paid.

#### Section 11

Visiting members of the other American Legion Posts may be admitted to the regular meeting of the Post but shall not be permitted to vote.

## <u>ARTICLE V – Officers</u>

#### Section 1

The Executive Board shall consist of the Post Commander, the First Vice-Commander, the Second Vice-Commander, the Adjutant, the Finance Officer, the immediate Past Post Commander, and two members at large who will be elected by the membership.

#### **Section 2**

Elected officers of the Post shall be Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Adjutant, Finance Officer, Post Chaplain, and Sergeant-at-Arms.

February 2019 Page 6 of 26

Appointed Officers should consist of Judge Advocate, Post Historian, Service Officer, Membership Officer, Public Relations Officer, and any other Officers as may be deemed necessary by this Post.

#### **Section 4**

The administrative affairs of this Post shall be handled by the Executive Board, except as otherwise provided by the By-Laws and by the membership.

#### **Section 5**

All Officers shall be determined annually, and they shall hold office until their successors are duly installed or as otherwise provided.

#### Section 6

Every member of this Post in good standing shall be eligible to hold office in this Post unless otherwise provided herein.

#### Section 7

The duties of officers and the Executive Board shall be those usually pertaining to such officers or committees and as further provided in the By-Laws.

## **ARTICLE VI – Finance**

#### Section 1

The revenues of this Post shall be derived from the membership dues and such other sources as may be approved by the Post membership.

#### **Section 2**

The amount of such annual Post membership dues shall be fixed and determined by this Post.

February 2019 Page 7 of 26

This Post shall pay annually to the Suffolk County organization as shall be required for each of its individual members, an amount deemed necessary by a regularly convened County Convention, to operate its organization in addition to whatever amount is required by the Department and National organizations. A similar payment shall be made each month for all members who have joined or renewed membership in the Post since the previous payment.

## **ARTICLE VII – Charter Members**

#### **Section 1**

Members who joined this Post prior to the issuance of a charter shall be known as Charter Members.

## **ARTICLE VIII – American Legion Auxiliary**

#### **Section 1**

This Post recognizes an Auxiliary organization to be known as the Auxiliary Unit of the Patchogue Post No. 269, The American Legion.

#### **Section 2**

Membership in the Auxiliary shall be as prescribed in the National Constitution of the American Legion Auxiliary.

#### **Section 3**

The Auxiliary shall be governed by such rules and regulations as may be prescribed by the National Executive Committee and the New York Department, The American Legion, and the National American Legion Auxiliary.

February 2019 Page 8 of 26

## **ARTICLE IX – Sons of the American Legion**

#### **Section 1**

The Post recognizes the Sons of the American Legion to be known as Patchogue Squadron No. 269 of the Sons of the American Legion.

#### **Section 2**

Membership shall be as prescribed in the National Constitution of the Sons of the American Legion.

#### Section 3

The Sons of the American Legion shall be governed by such rules and regulations as may be prescribed by the National Executive Committee, the Department Sons of the American Legion of New York, the American Legion, and the National Sons of the American Legion.

## <u>ARTICLE X – Constitution</u>

#### **Section 1**

The Constitution and By-Laws of Patchogue Post No. 269, Inc. are adopted subject to the provisions of the National Constitution of the American Legion and the Department Constitution of the New York Department, the American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

#### **Section 2**

This Constitution may be amended at any regular Post meeting by an affirmative vote of twothirds of the members of said Post attending such meeting, provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post, and further provided that notice shall have been given to all members ten days in advance of the date when such amendment is to be voted upon, and notifying said members that at such meeting a proposal to amend the Constitution is to be voted upon. Changes to the Constitution will become effective upon approval by the County Organization and the Department Executive Committee.

February 2019 Page 9 of 26

## By-Laws

Patchogue Post No. 269, Inc.

American Legion
Department of New York

Revised: February 2019

## **ARTICLE I – Name**

#### Section 1

The Post existing under these By-Laws is to be known as Patchogue Post No. 269, Inc., American Legion, Department of New York, County of Suffolk.

#### **Section 2**

The goals and objectives of this Post are set forth in the Constitution and By-Laws.

## **ARTICLE II – Management**

#### **Section 1**

The government and management of this Post shall rest with its assembled membership, its elected officers, and its Executive Board.

#### **Section 2**

A vacancy shall exist when an Officer or Board member is absent from this Post for a continuous period of three meetings without notification to the chain of command and a reasonable explanation. A vacancy may also exist when a board member or officer is absent from the Post for a continuous period considered detrimental to the interest of the Post by the Executive Board. All vacancies existing in the Executive Board or in any office of the Post from any cause other than the expiration of the term shall be filled by a majority vote of the Membership, and a person so appointed shall hold office for the unexpired term of the member of the Board or officer who is succeeded.

February 2019 Page 10 of 26

The Finance Officer shall be bonded in the amount of \$20,000.00. The Executive Board, at their discretion, should require bonding of other committee chair who handles substantial funds such as the Membership Officer.

#### **Section 4**

In accordance with Article IV, Section 6 of the Constitution, Officers of this Post may be relieved of duties for cause. Notification to the County American Legion shall be made upon such action.

#### Section 5

Election of Post 269 Officers and "At-Large" Board members shall be by ballot at the "annual" Membership meeting. The nomination and election process will be as specified in the "Rules, Regulations, and Procedures". All elected officers shall assume office on June 1st after installation by Suffolk County Ceremony.

#### **Section 6**

When the installation of officers by Suffolk County Ceremony cannot be completed before the Executive Board meeting on the first Tuesday of June, the newly elected Officers and At-Large Board members will serve in a temporary capacity with all rights, privileges, and responsibilities until such time as they can be formally installed.

#### Section 7

The Commander, upon taking office each year, should appoint the following: Judge Advocate, Post Historian, Membership Officer, Service Officer, and Public Relations Officer. The Commander shall present the names of those appointed at the first Executive Board meeting on or after June 1st.

#### **Section 8**

The Executive Board will be responsible for the creation and documentation of "Rules, Regulations, and Procedures" to govern the normal operation of the Post. The "Rules, Regulations, and Procedures" will be approved by the membership.

February 2019 Page 11 of 26

## **ARTICLE III – Executive Board**

#### **Section 1**

The government and management of the Post is entrusted to the Executive Board of Post 269.

#### Section 2

The Executive Board shall consist as specified in Article V Section 1 of the Constitution. The Post Commander will be designated as the Chairman of the Executive Board. The Adjutant will be designated as the Secretary of the Executive Board.

#### Section 3

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

#### **Section 4**

Any charitable appropriation, donation, gift or any other expense that exceeds the sum of \$50.00 shall be approved by the general membership at a regular or special meeting of the Post. Any charitable appropriation, donation, gift or any other expense that is equal or less than \$50.00 may be approved by the Executive Board but must be identified to the membership at the next regular membership meeting. Expenditures for general operating expenses, administrative expenses, and building maintenance are exempt from membership approval but must have appropriate documentation. Large expenditures over \$500 should be identified to the membership at the next regular membership meeting.

#### **Section 5**

The minutes of any Executive Board meeting should be placed into the Post record at the next regular membership meeting.

#### **Section 6**

The Executive Board as herein before referred to shall meet and organize immediately following the installation of the officers of the Post each year. Said Board shall be subject to the control and direction of the Post, have control of the funds, investments, and property of the Post, real or personal, and shall perform such other duties as may be required by the Post. They shall, at the call of the Chairman of the Executive Board or the direction of the Post Commander, hold such meetings as may be required for the fulfillment of their duties, keeping correct minutes thereof

February 2019 Page 12 of 26

and they shall keep a separate record of such investments as they may from time to time make under the direction of the Post, which shall clearly show the cost of such investments, the dates and amounts, and the dates and amounts of bank deposits made by them, and the dates and the amounts of such drafts as may from time to time be made from the bank, by order of the Post. Whenever they become aware that the amount of unappropriated cash in the hands of the Finance Officer exceeds the sum of \$2000.00, the Executive Board may demand and receive from said Finance Officer all unappropriated moneys in excess of \$2000.00, giving their receipt thereof, and shall deposit the same in one of the banks selected for deposit purposes by vote of the Post, or they shall invest the same in such manner as the Post may direct. They shall present a written report of their transactions at the "annual" meeting in May of each year.

## **ARTICLE IV – Duties**

#### Section 1

DUTIES OF THE COMMANDER: It shall be the duty of the Commander to preside at all meetings of the Post and manage the business affairs of the Post. The Commander or designee shall attest all official communications sent out by Post Officers or committees and shall make an annual report covering the business of the Post for the previous year, which shall be read at the "annual" meeting. All duties shall be performed as delegated in the job description for the office of Commander in the "Rules, Regulations, and Procedures".

#### **Section 2**

DUTIES OF VICE-COMMANDERS: The Vice-Commanders shall assume and discharge the duties of the office of Commander in the absence or disability of, or in when called upon by the Commander, and shall serve in the order of their numerical positions. All duties shall be performed as delegated in the job description for Vice-Commander in the "Rules, Regulations, and Procedures".

#### **Section 3**

DUTIES OF THE ADJUTANT: Shall perform all duties as delegated in the job description for the Post Adjutant in the "Rules, Regulations, and Procedures".

#### **Section 4**

DUTIES OF THE FINANCE OFFICER: The Finance Officer of the Post shall have charge of all finances except the Dugout Fund which is under the control of the Dugout Chair. Shall report once a month to the Post the condition of the finances of the Post with such recommendations he

February 2019 Page 13 of 26

may deem expedient or necessary for raising funds with which to carry on the activities of the Post. Shall be bonded with a good and solvent bonding and surety company in the amount of \$20,000.00 in a single year. Shall perform all duties as delegated in the job description for the Finance Officer in the "Rules, Regulations, and Procedures".

#### **Section 5**

DUTIES OF HISTORIAN: Shall perform all duties as delegated in the job description for the Historian in the "Rules, Regulations, and Procedures".

#### Section 6

DUTIES OF CHAPLAIN: Shall perform all duties as delegated in the job description for the Chaplain in the "Rules, Regulations, and Procedures".

#### **Section 7**

DUTIES OF THE SERGEANT-AT-ARMS: Shall perform all duties as delegated in the job description for the Sergeant-at-Arms in the "Rules, Regulations, and Procedures".

#### **Section 8**

DUTIES OF THE SERVICE OFFICER: Shall perform all duties as delegated in the job description for the Service Officer in the "Rules, Regulations, and Procedures".

#### **Section 9**

DUTIES OF THE MEMBERSHIP OFFICER: Shall perform all duties as delegated in the job description for the Membership Officer in the "Rules, Regulations, and Procedures".

#### Section 10

DUTIES OF THE JUDGE ADVOCATE: Shall perform all duties as delegated in the job description for the Judge Advocate in the "Rules, Regulations, and Procedures".

February 2019 Page 14 of 26

DUTIES OF THE PUBLIC RELATIONS OFFICER: Shall perform all duties as delegated in the job description for the Public Relations Officer in the "Rules, Regulations, and Procedures".

#### **Section 12**

Job descriptions shall be developed for all elected and appointed Offices and Chairs. These shall establish their Roles, Responsibilities, Authority, and Accountability (R2A2). Job descriptions should be reviewed for adequacy annually and updated as appropriate. Job descriptions shall be approved by the membership. The job descriptions shall be a part of the "Rules, Regulations, and Procedures"

## <u>ARTICLE V – Committees</u>

#### Section 1

The Commander may, by virtue of his position, serve on all committees in an ex-officio capacity, and shall not serve as a committee chair.

#### **Section 2**

The Commander shall appoint or have established those committees or chairs as may be deemed necessary to fulfill the needs of the Post. It is foreseen that the following be established at appropriate times: Fund Raising, Finance audit, and Nominating. The duties or purpose of committees or chairs shall be described or delegated in writing and approved by the Executive Board.

#### **Section 3**

Committee reports shall be given at the monthly meeting of the Post membership. The reports should reflect the purpose, progress or other specifics as indicated.

February 2019 Page 15 of 26

## <u>ARTICLE VI – Resolutions</u>

#### Section 1

All resolutions of a County, State, or National scope presented to this Post by a member or reported to this Post by a committee, shall merely embody the opinion of this Post on the subject and a copy of the same shall be forwarded to the County Commander for its approval before any publicity is given, or action other than mere passage by the Post is taken.

#### **Section 2**

The Post should follow the lead of the American Legion hierarchy with respect to promoting recognition of special activities, causes, processes, individuals, groups, events, or issues.

## <u>ARTICLE VII – Post Meetings</u>

#### Section 1

The regular meeting of the Post shall be held on the 2<sup>nd</sup> Monday of each month starting at 8pm and concluding by 10:30pm, at which time all business properly brought up and appropriate action taken, unless declared an emergency session by the Commander or by motion from the floor, duly seconded and carried.

#### **Section 2**

The Commander or majority of the Executive Board shall have the power to call a special meeting of the Post at any time.

#### **Section 3**

Upon written request by seven members, the Commander shall call a special meeting of the Post.

#### **Section 4**

Nine members shall constitute a quorum at a regular or special meeting.

February 2019 Page 16 of 26

The "annual" meeting shall be held at a regular meeting in May.

#### Section 6

All members attending regular or special meetings shall adhere to the protocols of Article XIII and record their attendance by signing the register maintained by the Sergeant-at-Arms.

#### **Section 7**

The Adjutant shall notify all members of the annual election, to be given in writing at least two weeks prior thereto. The manner of notification shall be as defined in Article IX of these By-Laws.

## **ARTICLE VIII – Dues**

#### **Section 1**

The dues of this Post shall be determined by the Executive Board and as ratified by the general membership. Dues should reflect the needs of the American Legion hierarchy and the projected needs and budget of the Post, so as to allow the Post to operate effectively, efficiently, and in the "black."

#### **Section 2**

Dues are payable between July 1 and December 31 of each year for the following calendar year. Any member whose dues are not paid in this period is delinquent and is no longer a member of good standing.

#### **Section 3**

No member of this Post whose dues are not paid by the first regular meeting in January shall be eligible for office or allowed to vote at any regular or special meeting of the Post.

February 2019 Page 17 of 26

Any member in arrears for a period of one year is automatically suspended from membership at this Post and forfeits all rights of membership until reinstated. Reinstatement requires recorded proof of prior membership and payment of current dues.

## **ARTICLE IX – Notices**

#### Section 1

For the Officers and Chairs to better serve the membership, every member shall furnish the Membership Officer with their current address for postal purposes, phone numbers, and electronic mail addresses (email).

#### **Section 2**

Notification shall be considered as given by sending the notification via U.S. mail or electronic mail. A copy of the letter and/or email sent to the membership shall be kept on file as proof of notification.

## **ARTICLE X – Rules of Order**

#### Section 1

All proceedings of this Post shall be conducted under and pursuant to Roberts Rules of Order Newly Revised, except as herein otherwise provided.

#### **Section 2**

The Commander shall act as Presiding Officer at all Post meetings and be recognized as having the final say for all matters not otherwise covered by the Post's Constitution, By-Laws, Roberts Rules of Order Newly Revised, or other policy and processes.

February 2019 Page 18 of 26

## **ARTICLE XI – Limitations and Liabilities**

#### Section 1

The Post shall not incur, or cause to be incurred, any liability or obligation which shall be subject to liability of any other Post, sub-division, group of members of the American Legion, or of other individuals, corporations, or organizations.

#### **Section 2**

Post property with the exception of the building, which is under the jurisdiction of the membership assembled, shall be used exclusively for and by the American Legion and the American Legion Auxiliary or sponsored groups unless authorized by the House Chairman, and with concurrence of the responsible Vice-Commander.

## **ARTICLE XII – Amendments**

#### **Section 1**

These By-Laws may be amended at any regular Post meeting by an affirmative vote of two-thirds of the members of said Post attending such meeting, provided that the proposed amendment shall have been submitted in writing and read at the preceding regular meeting of said Post, and further provided that notice shall have been given to all members ten days in advance of the date when such amendment is to be voted upon, and notifying said members that at such meeting a proposal to amend the By-Laws is to be voted upon. Changes to the By-Laws will become effective upon approval by the County Organization and the Department Executive Committee.

#### **Section 2**

The Post Constitution and By-Laws should be reviewed annually to ensure the following: they reflect the provisions of the American Legion hierarchy; changes to the methodologies of the Post policy or process; enhancements or deficiency of content; or adjustments to the guiding principles of operation and culture. The Post Constitution and By-Laws shall be reviewed and updated as appropriate but not to exceed three years.

February 2019 Page 19 of 26

## **ARTICLE XIII – Protocol**

#### **Section 1**

Protocol shall be in accordance with the National, State, and County requirements.

#### Section 2

A list of protocol shall be developed and posted or distributed as appropriate. This document should be reviewed for adequacy annually and updated as appropriate. The list of protocol shall be approved the Executive Board.

#### Section 3

An orientation document for new members should be compiled to familiarize the new member with the activity and processes of the Post. This document should be reviewed for adequacy annually and updated as appropriate. The orientation documents shall be approved by the Executive Board.

#### **Section 4**

The format for conducting Post meetings shall be developed. The format should be reviewed for adequacy annually and updated as appropriate. The format for conducting Post meetings shall be approved by the Executive Board.

#### Section 5

An internal notification protocol shall be established and maintained. This should address the methodology for smooth and efficient communication needs between Officers and Chairs and reflecting a Chain-of-Command approach. This process should be updated as circumstances change or are dictated. The Commander is responsible for ensuring the correctness and implementation of this endeavor.

#### Section 6

A plaque listing the Charter Members shall be prominently displayed. Additional "plaques" should be displayed as appropriate and approved by affirmative vote at a regular Post meeting.

February 2019 Page 20 of 26

## **ARTICLE XIV – Goals and Objectives**

#### **Section 1**

The Post shall align our Goals and Objectives with the mission and expectations of the American Legion hierarchy, our membership, and the community.

#### **Section 2**

The Post should be recognized as an asset by all stakeholders by means of communication and trust. This should be accomplished by enhanced responsiveness, creating opportunities for involvement and participation in decision-making processes, achieving better understanding between internal and external stakeholders, and being recognized as a community asset by providing increased awareness of Post activity and processes.

#### Section 3

The Post shall conduct its business operations with distinction and full integration of the American Legion hierarchy needs and expectations.

#### **Section 4**

The Post shall strive to be recognized by all stakeholders as having the highest quality leaders and the most effective and efficient management.

#### Section 5

The Post supports the concepts of Environmental Stewardship. In so doing, the Post should contribute by means available to it, such as planting flora and fauna; recycling; purchasing "Green" products and patronize those vendors, suppliers, and contractors who do; and perpetuate the life of existing landscape.

## <u>ARTICLE XV – Charity Efforts</u>

#### Section 1

The Post should designate specific Charities which it wishes to support or sponsor. Details or specifics should be established by the Executive Board or committee assigned for such a purpose

February 2019 Page 21 of 26

and approved by majority vote at a regular meeting. Reports of status should be read into the regular meeting minutes at least quarterly.

#### **Section 2**

Charity selection should reflect the Goals and Objectives of the Post. There should be no expectation of accolades but done for the "Good of the Post" and those it is intended to help out.

## <u>ARTICLE XVI – Miscellaneous</u>

#### Section 1

All payment for services, products, or goods shall be by check. Checks shall be signed by the Finance Officer, Commander, or other authorized signatory as approved by the Executive Board. Electronic Funds Transfers (EFT) and Electronic Debit Transactions (EDT) shall be considered as satisfying this requirement. Electronic Bill Payment is authorized as a valid payment method.

#### **Section 2**

All contracts shall be presented to the Executive Board for approval.

#### Section 3

All necessary reference material and books required by Officer or Chair job descriptions shall be on-hand.

#### Section 4

Documentation is the primary and fundamental means that demonstrate an activity, process, or event did take place. Lack of documentation should be constituted as having no proof or evidence of an activity, process, or event.

#### **Section 5**

Numerous special events and occasions important to or supporting the American Legion mission are observed throughout the year. The Post should prepare a list of such special events and occasions, and communicate these to the membership by appropriate means.

February 2019 Page 22 of 26

## <u>ARTICLE XVII – Trustees</u>

#### Section 1

The post may elect three Trustees from the members of the Executive Board to serve in accordance with the provisions of the Benevolent Orders Law and who shall have the care, management, and Control of the Benevolent Orders Law. After the Trustees are first elected they shall, by lot, be assigned a term of one, two, or three years and thereafter all Trustees shall be elected for terms of three years. The election of Trustees will be held during the first Membership meeting following the annual meeting.

#### Section 2

The Trustees shall not sell, convey, mortgage or dispose of any of the temporalities and property of the Post except by and under its direction duly had or given at a regular meeting thereof, according to Constitution and By-laws, and the said Trustees shall at all times obey and abide by the directions, orders, and resolutions of the Post.

#### **Section 3**

That in the event the Charter of the Post is suspended, cancelled or revoked by The Executive Committee of the Department of New York, the Trustees then in office shall transfer all of the temporalities and property of the Post to The Department of New York, in accordance with Article III, Section 3 of the National Constitution of The American Legion.

#### **Section 4**

In the event that the Charter of the Post is cancelled, revoked, or surrendered by or to The Executive Committee of the Department of New York, the Trustees then in office shall notify the Village of Patchogue and surrender in accordance with the terms of Lease and Occupancy the building located in the Harry T. Hanson Veterans Memorial Park at 215 South Ocean Avenue in the Village of Patchogue.

#### **Section 5**

That the Trustees elected may file, in the office of the Secretary of State, a Certificate of such election, signed and acknowledged by the Commander, 1<sup>st</sup> Vice Commander, and 2<sup>nd</sup> Vice Commander of the Post, stating the time and place of such election and that the same was regular, the names of such Trustees and the term of which they are elected to serve and the name of the Post.

February 2019 Page 23 of 26

## **Certification**

## **Post Commander Sign-Off**

The Membership of American Legion Patchogue Post 269 has voted and approved this Constitution and By-Laws during the regular Membership meeting held on April 8, 2019.

#### Signed:

Jonathon Ralph – Commander American Legion Patchogue Post 269

Image below taken from signed page 24 of Constitution and By-Laws: Full sign off page included as separate document.

Certification		
Post Comman	der Sign-Off	
The Membership of American Legion Patchogue Post 269 has voted and approved this Constitution and By-Laws during the regular Membership meeting held on April 8, 2019		
Signed: Jonathon Ralph – Co	the Rolph	
Jonathon Ralph – Co American Legion Pa	ommander atchogue Post 269	
Image below taken f included as separate	from signed page 24 of Con- document.	stitution and By-Laws: Full sign off p

February 2019 Page 24 of 26

## **Suffolk County Sign-Off**

Si	gned	•
ŊΙ	gneu	

Tom Wagner – Judge Advocate Suffolk County American Legion

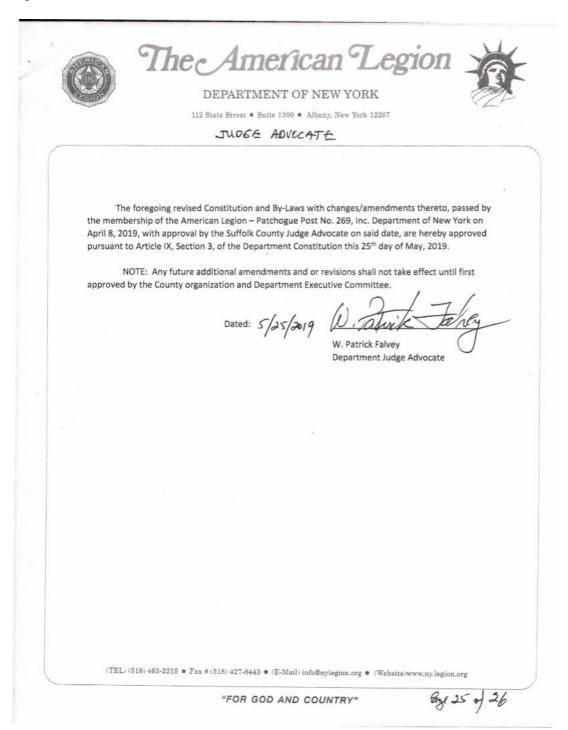
Image below taken from signed page 25 of Constitution and By-Laws: Full sign off page included as separate document.

Constitution and By-Laws	American Legion Patchogue Post 269
Suffolk County Sign-Off	
Signed: Thomas Wagner Tom Wagner – Judge Advocate Suffolk County American Legion	
Image below taken from signed page 25 of Conincluded as separate document.	nstitution and By-Laws: Full sign off page
	D05 000
February 2019	Page 25 of 26

February 2019 Page 25 of 26

## **New York Department Sign-Off**

Image below taken from sign off by Department of New York. Full sign off page included as separate document.



February 2019 Page 26 of 26