

**THE CONSTITUTION AND BYLAWS  
of the  
NEW YORK STATE  
ASSESSORS ASSOCIATION INCORPORATED**



Original - 1940

Reprint With Amendments - 1956, 1964, 1979, 1984, 1996, 1998, 1999, 2002,  
2005, 2007, 2008, 2010, 2012, 2016, 2018, 2021

New York State Assessors Association, Inc.  
Warren J. Wheeler, IAO, Executive Director  
116 Salina St., Suite 8  
Liverpool, NY 13088  
(315) 706-3424  
[www.nyassessor.org](http://www.nyassessor.org)

## **TABLE OF CONTENTS**

<b>ARTICLE I NAME AND OBJECTIVES</b>	<b>Page 3</b>
<b>ARTICLE II MEMBERSHIP</b>	<b>Page 3</b>
<b>ARTICLE III OFFICERS</b>	<b>Page 6</b>
<b>ARTICLE IV EXECUTIVE BOARD</b>	<b>Page 6</b>
<b>ARTICLE V ELECTIONS</b>	<b>Page 8</b>
<b>ARTICLE VI DUTIES OF OFFICERS</b>	<b>Page 9</b>
<b>ARTICLE VII FUNDS</b>	<b>Page 10</b>
<b>ARTICLE VIII PARLIAMENTARY AUTHORITY</b>	<b>Page 11</b>
<b>ARTICLE IX COMMITTEES</b>	<b>Page 11</b>
<b>ARTICLE X ANNUAL MEETINGS</b>	<b>Page 13</b>
<b>ARTICLE XI AMENDMENTS</b>	<b>Page 14</b>
<b>ARTICLE XII MISCELLANEOUS PROVISIONS</b>	<b>Page 14</b>
<b>ARTICLE XIII CODE OF ETHICS AND STANDARDS OF PRACTICE</b>	<b>Page 15</b>
<b>ARTICLE XIV DISTRICT REPRESENTATIVES</b>	<b>Page 17</b>
<b>RULES AND REGULATIONS Governing the Organization of Chapters of the NEW YORK STATE ASSESSORS' ASSOCIATION, INC.</b>	<b>Page 17</b>

## **ARTICLE I - NAME AND OBJECTIVES**

### Section 1.

This organization shall be known as the NEW YORK STATE ASSESSORS ASSOCIATION, INC.

### Section 2.

Its objectives shall be to improve the standards of assessment practice; to promote professionalism; to provide a clearing house for the collection and distribution of useful information relating to the assessment of real property; to educate the taxpaying public on the nature and importance of the work performed by assessing officers; to engage in research and improve assessment technique and practice; to sponsor legislative proposals relating to assessing and taxation; to cooperate with other agencies interested in the improvement of tax administration; and to promote equity in the distribution of the real property tax.

### Section 3.

The Association authorizes a professional subsidiary known as the Institute of Assessing Officers to be governed by separate Bylaws as adopted on April 14, 1954, and may be amended by the I.A.O. membership.

### Section 4.

The Association shall maintain an office, as per the approval of the Executive Board of said Association.

## **ARTICLE II - MEMBERSHIP**

### Section 1. Member Categories:

#### A. Regular Members

Assessors and assessment staff within the local and countywide assessor's offices. Those responsible for valuation of real property for assessments rolls. It includes government appointed or elected assessors, their staff and retired assessors still active in the assessment field. Every Regular member in good standing shall have the right to hold office as prescribed in Article IV, Section 2 of these bylaws. Only Regular members may serve as officers or members of the Executive Board. Regular members shall have the full voting rights of the Association. Annual dues shall be set and assessed by the Executive Board.

#### B. Associate Members

Any individual other than a Regular member with an interest in supporting the avowed purpose and successful operation of the Association. Board of assessment review members, county

directors, and employees of county or state government, both elected and appointed, are considered in this category. These members shall not serve as officers or members of the Executive Board and do not have voting rights in the association, with the exception of Real Property Tax Directors who shall have full voting rights. Annual dues shall be set and assessed by the Executive Board.

#### C. Life Members

Shall be members of the Association from the assessing profession who have rendered distinctive and valuable service to the association and who, in the judgment of the Executive Board, merit special recognition. Past Presidents of the Association shall become life members at the end of their term as president. No annual dues shall be assessed and voting rights are the same as regular members.

#### D. Honorary Members

Shall include persons of distinction who, in the opinion of the Executive Board, have made a major contribution to the advancement of the assessing profession, or who have performed an unusual and valuable service for the Association. No annual dues shall be assessed and no voting rights are included with this membership.

#### E. Affiliate Members

Any individual other than a Regular member or an Associate member with an interest in supporting the avowed purpose and successful operation of the Association. Fee appraisers, tax representatives, and media personnel are considered in this category. These members shall not serve as officers or members of the Executive Board and do not have voting rights in the Association. Annual dues shall be set and assessed by the Executive Board.

#### F. Retired Members

Any individual formerly qualified as a Regular or Associate member and has officially retired from such position. These members shall not serve as officers or members of the Executive Board. Any regular Retired member in good standing shall retain full voting rights. Annual dues shall be set and assessed by the Executive Board.

#### Section 2.

Every member upon admission to the Association agrees to conduct himself or herself in a manner that shall reflect credit upon the profession of assessing; to protect that profession from any form of activity found to be unjust, unethical or detrimental to the public or to the profession; to give strict adherence to the Code of Ethics of the Association; and to consent to the discipline of the Association.

### Section 3. Suspension or Termination

A. The Executive Board may suspend or terminate the membership of any member by unanimous vote or, after the recommendation of the Ethics Committee for such suspension or termination, by majority vote. If said member is an officer, executive board member, committee chair or committee member, that member will have no voting privilege in determining their own suspension or termination.

B. Any member delinquent in the payment of dues for a period of six months shall be suspended from membership.

### Section 4.

Members, except honorary members, upon their admission into the Association, shall be deemed to have agreed to abide by the Constitution and Bylaws.

### Section 5. Dues

A. All dues shall be payable annually in advance.

B. Dues for all members' categories will be set by the Executive Board as needed by a 2/3 majority vote of the total Board.

C. Dues of a retired regular member shall be fixed at an annual fee of \$50.00.

### Section 6. Voting Rights

Each member eligible to vote as authorized in Article II, Section 1 of these bylaws shall have the right to one vote.

### Section 7. Application for Membership

Applications for membership shall be made on forms furnished by the Director to the applicant, giving the necessary information with reference to the applicant's qualifications. The right to reject any application for membership is hereby reserved to the Executive Board.

### Section 8. Associations and Local Chapters

Associations and Local Chapters of this Association may be organized under such conditions and according to such terms as the Executive Board may provide by resolution or bylaw.

## **ARTICLE III - OFFICERS**

### Section 1.

The officers of the Association shall be the following: President, First Vice President, Second Vice President, Executive Director, and Treasurer. Those officers to be elected by a plurality vote of the members shall be: President, First Vice President, and Second Vice President. The Executive Director and Treasurer shall be appointed by the Executive Board and serve at its pleasure. Such officers shall hold the same offices on the Executive Board.

### Section 2.

The President may not succeed himself or herself in the office of President, nor are they eligible to be elected to more than one full term as President.

## **ARTICLE IV - EXECUTIVE BOARD**

### Section 1. Governing Body

The governing body of the Association shall be the Executive Board which shall have the power to pass any resolution it may deem necessary to accomplish the purposes of the Association, and which is not in conflict with any of the provisions of this Constitution.

### Section 2. Board Members

The Executive Board shall consist of the President, First Vice President, Second Vice President, Treasurer, Executive Director, and seven other members. Six members of the Executive Board shall be elected for a period of two years. The seventh member shall be the immediate past President who shall serve for a one-year term and whose position as such member shall be automatic. At each annual election three members in good standing shall be elected for two year terms and such other members in good standing shall be elected as may be necessary to fill unexpired terms of vacancies. No member shall serve more than (3) three consecutive (2) two year terms as regular board members. The five officers and seven members of the Executive Board shall include representatives from cities, towns, and to the extent practicable, from village, county, and state government agencies. Any regular member in good standing may be elected to the Executive Board. However, only regular members who are active assessors can be line officers (President, First Vice President, Second Vice President). If during the year a line officer changes his or her job from Assessor, he or she shall complete that term only.

### Section 3. Quorum

For the purpose of transacting official business, a quorum shall consist of not less than five members including at least one elected officer.

#### Section 4. Employees

The Executive Board may appoint such employees as it may believe necessary for the proper functioning of the Association.

#### Section 5. Declaration of Vacancy—Executive Board

In the event a member of the Executive Board fails to attend two consecutive regular board meetings, or fails to perform the duties of his or her office, in either case without offering a reason acceptable to the President as good and sufficient, the office of such board member may be declared vacant by an affirmative vote of six or more members of the Executive Board including at least one officer. The Vacant seat of such member may be filled until the next regular election by an appointment made by the Executive Board. Alternatively, the Executive Board may at its discretion, make an appointment to fill the unexpired term of such member. If a member of the Executive Board resigns creating a vacancy, the vacancy may be filled in accordance with the aforementioned options.

Executive Board Member-elect: The seat of a newly elected member of the Executive Board is vacated if he/she does not attend the Annual Conference to be installed as a member of the Executive Board and perform their duties without offering a reason acceptable to the President as good and sufficient.

#### Section 6. Filling a Vacancy—Line Officers

In the event of a vacancy for any reason, of the President or First Vice President positions, the Line Officers currently holding office will immediately assume the next Line Officer position. In the event of a vacancy of the Second Vice President position, the Executive Board may appoint a replacement.

#### Section 7. Meetings

Regular meetings of the Executive Board shall be scheduled by the President. Special meetings of the Executive Board shall be held on the call of the President or upon request in writing by any five members of the Board. At least ten days' notice of the time, place, and purpose of all special meetings of the Executive Board shall be given all members of the Board by the Executive Director. Such notice may be given in person, by telephone, by mail, or electronic mail sent to the member's last known address.

Executive Board Member-elect: A newly elected member of the Executive Board must attend the Annual Conference at his/her own expense to be installed as a member of the Executive Board and perform Annual Conference duties as directed by the President. They shall also adhere to the procedures and protocol detailed in the NYSAA Executive Board Operation Guide.

## Section 8. Remote Voting

If called for by the President and facilitated by the Association's Executive Director, the Executive Board may conduct business at other than its regular scheduled, in person, meetings by email (a/k/a electronic mail), fax, telephone conference call, video conferencing, Skype or similar service, or electronic transmission. The term "electronic transmission" shall be defined as any form of communication that meets the following criteria: 1) it does not involve the physical transmission of paper; 2) it creates a record that may be retained and retrieved; and 3) it may be directly reproduced in paper form by the recipient through an automated process such as printing. When notice is required or permitted to be in writing, electronic transmission is considered to be written notice. When conducting business involving remote voting, the Executive Board shall apply the same standards for voting as it does in person. A quorum for remote voting purposes shall be as defined in Article IV, Section 3. The President shall confirm in writing to the Executive Board and Executive Director the results of all remote votes within seven (7) days after the vote. Under any of the aforementioned remote voting methods, plus any method not listed herein, the motion, who seconded the motion, and the results of the vote shall be read into the minutes of the next scheduled Executive Board meeting by the President or, if so designated, the Executive Director.

## **ARTICLE V - ELECTIONS**

### Section 1.

The election process shall be by secret ballot. The membership shall be notified as soon as possible of the members of the nominating committee. Members of the nominating committee shall not be eligible for nomination to the Executive Board.

### Section 2.1.

Any regular member seeking nomination to serve on the Executive Board must submit an application to the Nominating Committee. The application is available from the Executive Director, to be nominated to serve on the Executive Board. The Executive Director and /or Nominating Committee shall provide the applicant a copy of the NYSAA Executive Board Operation Guide with the application. All applications must be received by the nominating committee with a postmark or email date stamp no later than March 1st of each year.

### Section 2.2.

To be a candidate for the position of Second Vice President a Regular Member must be a current Executive Board Member having completed at least one term. Any current Executive Board Member, having completed at least one term, may submit a letter of intent for the position of Second Vice President. All letters of intent must be received by the nominating committee with a postmark no later than March 1st of each year.

### Section 3.

The nominating committee shall notify the membership by April 15th of each year of a proposed ballot of candidates.



#### Section 4.

Any regular or Executive Board member not on the proposed ballot may file a petition to be added to the ballot. A petition, available from the Executive Director, signed by at least 25 current regular members must be submitted to the Nominating Committee by June 1st of each year. Petitions will be accepted only after the Nominating Committee has notified the membership of the proposed ballot of candidates. Any petition filed before said notification is invalid. A maximum of ten signatures can come from a single county. The positions of President and First Vice President are not available by petition. The Nominating Committee will review petitions for validity and notify petitioners of its decision after June 1st.

#### Section 5.

Ballots will be distributed to voting paid members on July 1st of each year. Rules to ensure a timely secret ballot shall be developed and adopted by the Executive Board. Balloting will be done by any means, including electronically, that provides for a secret ballot with security, audit trail and no duplication of votes. Ballots must be returned by August 1st of each year. The President with Executive Board approval will appoint a third party of 2 to 5 tellers to count the ballots and report the results to the Executive Director.

#### Section 6.

In the event of a tie vote, the current Line Officers, within 20 days shall cast written ballots for the candidates who have received equal votes. The candidate receiving a majority of votes shall be declared elected.

#### Section 7.

The Executive Director will notify the membership as soon as all ballots are counted and verified. Membership shall receive notification within 20 days of the verified results.

### **ARTICLE VI - DUTIES OF OFFICERS**

#### Section 1. President

The President shall preside at all meetings of the Association, shall cast the deciding vote in case of a tie, shall appoint all committees, either on his or her own initiative or at the request of the Executive Board, and unless otherwise provided, shall be a member of all committees ex-officio except for the Nominating Committee. The President shall issue a call for a special meeting whenever in his or her judgment or that of the Executive Board it may deem necessary, or upon the written request of thirty members, and in general perform all duties pertaining to the office, or that may be assigned to him or her by the Executive Board. The President shall prepare an annual budget for the Association for the consideration of the Executive Board and submit same for adoption by the membership at the annual meeting.

## Section 2. First Vice President

The First Vice President shall, in the absence of the President, or at the President's request, assume all the powers and perform all the duties of the President, and shall perform such other duties as may be assigned to him or her by the Executive Board.

## Section 3. Second Vice President

The Second Vice President shall have such duties as may be assigned to him or her by the Executive Board. In the event of a vacancy of the First Vice President position, the Second Vice President will assume the duties of First Vice President.

## Section 4. Executive Director

The Executive Director shall keep a roll of the members of the Association, shall notify all members of all meetings in advance of the date fixed, shall keep the minutes of all meetings and perform all duties which may be assigned to him or her by the President or the Executive Board, shall collect all monies due to the Association from any source, giving his or her receipt therefore, shall act as registrar at all meetings and conferences of the Association, unless otherwise provided, shall be *ex-officio* member of all committees, except nominating, audit and employee. The Executive Director shall submit at the annual meeting of the Association an annual report of the meetings, activities, and membership of the Association. The Executive Director shall have no voting rights.

## Section 5. Treasurer

The Treasurer shall receive all monies due to the Association, shall pay all bills of the Association, duly authorized, taking proper vouchers for such payments and shall submit a report at the annual meeting of the Association which shall include an itemized statement of receipts, disbursements and balances during the fiscal year, shall submit the books and accounts to the auditing committee whenever requested to do so, and shall deposit monies of the Association in a bank selected by the Executive Board. All checks for disbursements will be signed by the Treasurer and Executive Director or other designated officer appointed by the Executive Board. The Treasurer shall perform such other duties as may be assigned to him or her by the Executive Board. The Treasurer shall have no voting rights. The Treasurer shall not be a member of the audit, employee or nominating committees.

# **ARTICLE VII – FUNDS**

## Section 1. Disbursements

It shall be the duty of the Executive Board to prescribe by resolution or Bylaws a method for handling the receipts and disbursing the funds of the Association.

## Section 2. Bonds

The Treasurer, and any other officer, agent, or employee of the Association who may be designated by the Executive Board, shall furnish a bond in such amount and with such sureties as the Executive Board shall approve. The cost of said bonds shall be paid by the Association, and they shall be deposited and kept as the Executive Board may direct.

## Section 3. Compensation

Any person serving the Association as a Director, Treasurer, or employee may be paid compensation for services rendered as prescribed by the Executive Board. Upon suspension and/or termination of employment, compensation for services rendered will terminate.

## Section 4. Reimbursement

Any person may be reimbursed for any expense, disbursements, or liabilities made or incurred by such person for or on account of the Association if approved by the Executive Board or Executive Director.

# **ARTICLE VIII - PARLIAMENTARY AUTHORITY**

## Section 1.

The rules contained in the latest version of Roberts Rules of Order shall govern the New York State Assessors' Association in all cases to which they are applicable and in which they are not inconsistent with this Constitution and Bylaws.

# **ARTICLE IX - COMMITTEES**

## Section 1.

All committees shall be appointed by the President.

## Section 2.

The President shall appoint an Auditing Committee of three regular members in good standing, none of whom are members of the Executive Board, at the first meeting of each fiscal year, who shall audit all books, accounts, and vouchers of the Treasurer for the last preceding fiscal year, making a report to the Association as soon as practicable, but no later than the annual meeting.

## Section 3.

The President shall appoint each year a nominating committee consisting of not less than three or more than five regular members in good standing. No two committee members shall be from the same county. Responsibilities of the Nominating Committee are outlined in Article V.

#### Section 4.

The Standing Committees of the Association shall consist of not less than three members in good standing, and their duties shall be as follows:

A. Education and Assessment Technique: Responsible for providing the members of this Association with opportunities to extend their assessing education through the presentation of the Association courses, and the organization of seminars, workshops, coordinating programs, and other such regular instruction programs that may be to the benefit of the membership.

B. Legislative: Responsible for the research and distribution of proposed legislative changes in the Real Property Tax Law.

C. Membership: Responsible for maintaining and increasing the membership of the Association through active efforts to induce all who work in the assessment field to become active members in the New York State Assessors Association.

D. Public Relations: Responsible for preparing news releases about Association activities and feature articles about assessors and assessing for local papers, and engaging in such other activities as deemed useful and constructive by the committee.

E. Ethics: Responsible for maintaining the standards of office prescribed in Article XIII of the Constitution and Bylaws, and for investigation and report to the Executive Board of infractions by members of the Association.

F. Awards and Recognition: Responsible for recommending to the Executive Board any awards in recognition for outstanding achievements in the assessing profession and/or exemplary service to the Association.

G. Constitution and Bylaws: Responsible for reviewing and possibly improving the Constitution and Bylaws annually.

H. Memorial: Responsible for collecting reports from county organization presidents regarding information about members who have passed away. These reports should include a brief history of his or her service and a black and white photograph. Each report should be sent to the Executive Director for publication in the Bulletin. That publication is to be placed in the record book by the Committee Chair as a permanent memorial.

I. Employee: Responsible to work on issues regarding employee matters and report its findings and recommendations to the Executive Board for action.

J. Mentoring: Responsible for identifying all newly appointed and elected Assessors and offering one-on-one professional assistance and moral support, as requested, on an as needed basis.

Section 5.

A majority of each committee shall constitute a quorum thereof. The chairperson of each committee shall be appointed by the President. Each committee shall keep a record of the attendance and proceedings at its meetings. All vacancies in a committee may be filled by the President for the balance of the term. The chairperson of each committee shall report to the Executive Board after each meeting the proceedings of such committee and shall lay before the Executive Board any recommendations which the said committee may make.

Section 6. No communication in the name or on behalf of this Association, relating in any way to its official actions or to matters of its general policies, shall be sent by any officer, committee or member to any other organization, municipality, public official, newspaper, or to the public, unless such communication has been authorized by the Executive Board or by the Association at an annual or a special meeting or is first approved by the President or Executive Director and copies immediately thereafter sent to each member of the Executive Board. A local Association or Chapter may issue communications in its name on matters which are purely local in nature and which do not conflict with intent of these Bylaws or the policies of the Association. Any publication by an Association or Chapter shall clearly indicate that it emanates from that Association or Chapter and a copy shall be immediately furnished to the President and Executive Director of the Association.

## **ARTICLE X - ANNUAL MEETINGS**

Section 1. ANNUAL MEMBERSHIP MEETING:

A. Annual Membership Meeting

The annual meeting of the members shall be held at such time and place as may be determined by the Executive Board.

B. Quorum

Fifty regular members shall constitute a quorum at an annual or special meeting. In case a quorum shall not be present, the meeting may be adjourned by those present to a future date, of which notice shall be given to all members by the Executive Director.

Section 2. ANNUAL EXECUTIVE BOARD MEETING:

A. Annual Executive Board Meeting

The Executive Board shall have its annual meeting following the annual meeting of the members.

## **ARTICLE XI - AMENDMENTS**

These Bylaws shall not be amended, altered, or repealed except in the following manner:

Five regular members, in good standing of the Association, may submit in writing to the President proposed amendments with the reasons for the same. The Executive Board shall then act and report thereupon. The President shall then submit the amendment to the members for their consideration and vote. All members shall be notified by at least ten days' notice that such proposed amendments will be voted on at the next meeting of the members. Amendments may also be proposed by resolution of the Executive Board for action by the members.

## **ARTICLE XII - MISCELLANEOUS PROVISIONS**

### Section 1. Waiver of Notice

Any person entitled to vote at any meeting of members or of the Executive Board may waive notice of such meeting and any action taken thereat shall, upon such waiver, be as valid as though notice had been given.

### Section 2. Interim Action

Any action, bylaw, or resolution which might be taken or adopted at any meeting of the members or Executive Board shall be valid if written memorandum of such action, bylaw, or resolution is served upon all persons entitled to vote thereon and approved in writing by majority of such persons. For this purpose, mailing such memorandum to the last known address of members shall be deemed sufficient service.

### Section 3. Fiscal Year

The fiscal year of the Association shall be from January 1st to December 31st.

### Section 4. Indemnification

- A. Every person who is or shall have been an Executive Board member, officer, or employee of the Association shall be indemnified against all costs and expenses reasonably incurred or imposed upon him or her in connection with, resulting from, any action, suit, proceeding to which he or she may be made a party by reason of his or her being or having been such an Executive Board member, officer, employee, except as to such matters as to which he or she shall finally be adjudicated in such action, suit, proceedings, to have acted in bad faith and to have been liable by reason of willful misconduct in the performance of his or her duty.
- B. The Executive Board is compelled to maintain a Directors & Officers insurance policy, having no less than \$2,000,000.00 per incident coverage.

## Section 5. Saving Clause

Any resolution or bylaw heretofore passed which is not in conflict with any provisions of this Constitution shall remain in effect until amended or repealed.

## Section 6. Official Publication

The Official Publication of the New York State Assessors Association shall be the "Bulletin."

### **ARTICLE XIII - CODE OF ETHICS AND STANDARDS OF PRACTICE**

It shall be the obligation of each member of this Association:

#### Section 1. Code of Ethics

1. To respect and fulfill his or her obligations as a citizen and officer, and to give full faith and allegiance to his or her oath of office.
2. To protect the public, in his or her professional capacity, from any activity which is unjust, unethical or detrimental to its best interest.
3. To avoid any activity, business or transaction which legally or morally involves a conflict of interest with his or her official duties. Any member who is actively serving in the title of Assessor or Director of Real Property Tax Services in New York State shall disclose that position (s) in any contract or proposal to perform valuation services or consultation to any municipality within New York State, which disclosure may be within a resume or listing of qualifications.
4. To avoid unnecessary censure of those engaged in the assessing profession.
5. To hold as confidential any information received as an officer of the government which could be used for personal gain, unless such information is or should be public information, is required to be public pursuant to law or the requirements of official business.
6. To act for his or her government unit or supervisor as a faithful agent or trustee and never accept any remuneration or thing of value other than his or her salary for services rendered.
7. To assist his or her colleagues in every practicable manner and to provide information helpful to fellow assessing officers.
8. Not to act in any manner or engage in any practice which will tend to bring discredit upon the honor and dignity of the assessing profession.

9. Procedures for filing of complaints and hearings.

- A. Complaints for alleged violations of the Code of Ethics and Standard of Practice shall be filed within one year of the alleged violation. Complaints must be filed on an approved “NYSAA Ethics Complaint Form” and shall be submitted to the Chair of the NYSAA Ethics Committee. Supporting documentation should accompany the complaint.
- B. The Ethics Committee shall review the complaint within 45 days of receipt. The Committee has the authority to send the complaint back to the complainant if it is not in proper form, with or without suggestions for change, and with the notification that if the complaint is not amended to correct deficiencies within 45 days, the Committee may dismiss all charges.
- C. Upon receipt of a completed complaint, the Ethics Committee shall notify, by Certified Return Receipt Requested, the accused within 45 days of the receipt of a properly filed complaint. The accused will be informed in that notification that a written reply within 45 days of the date of their posting receipt of the complaint must be received by the Committee. The notice shall also state that failure to receive a reply within the defined timeframe may be considered by the Committee as an admission to the charges. Copies of all communications from the complainant will be included with this notification.
- D. Hearings may be held by the full Ethics Committee or the Chair may designate one or more members of the Committee to serve as lead investigator for the purpose of making a report to the full Ethics Committee. The full Ethics Committee can accept the report or call for a full hearing. The time and place of the hearing shall be at the discretion of the Ethics Committee. The hearing will be closed to all but the complainant, accused, the Ethics Committee, their legal counsel and witnesses. Oaths will be administered by the Chair of the Committee. The Chair will preside at the hearing and have full authority to control the procedures of the hearing and the conduct of the parties and their representatives. The proceedings will be recorded or transcribed. The hearings may be recessed and resumed at the discretion of the Chair. Failure of the accused member to participate in the hearing process will result in the automatic removal of the member from the Association.
- E. Upon completion of the review of all documents and testimony, the Ethics Committee shall make a report to the Executive Board at that Board’s next regularly scheduled meeting. The Board shall review the report, request any additional information and formulate a decision. That decision will be communicated by Certified mail from the Board, or at their direction, the Ethics committee to both parties within 30 days of the Board’s final decision.
- F. Within 30 days of receipt of the final decision of the Board, either party may write to the President of the Board to appeal that decision. The Board will use its discretion in response to the appeal. The President will respond in writing within 30 days of the Board’s determination of the appeal to both parties.
- G. If the final decision of the Executive Board is to dismiss the charge, a letter to both the complainant and accused will be sent instructing both parties of the decision. If the final decision of the Executive Board is to uphold the charge, a letter to both the complainant and



guilty party will be sent instructing both parties of the decision and advising both of the action to be taken against the guilty party. The final decision will be published in sufficient detail in the next edition of the NYSAA Bulletin.

## Section 2. Standards of Practice

1. To the best of his or her ability, to perform the members duties so as to assure an equal distribution of the real property tax.
2. To develop and maintain a system of valuation based upon the best standards of assessing practice.
3. To serve the public with courtesy and fairness, and to provide adequate public information.
4. To assist and train personnel engaged in assessing or work relating to assessing, in order to develop and strengthen the profession.
5. To cooperate with other public officials to improve the efficiency and economy of public administration.
6. To uphold the laws governing the assessment of property.
7. To be completely objective in the discharge of his or her duties.

## **ARTICLE XIV - DISTRICT REPRESENTATIVES**

District representatives can be appointed by the President with the approval of the Executive Board to perform services as required by the President.

## **RULES AND REGULATIONS Governing the Organization of Chapters of the NEW YORK STATE ASSESSORS' ASSOCIATION, INC.**

Section 1. Definitions: "Association" means the New York State Assessors Association, Inc. "Executive Board" means the Executive Board of the New York State Assessors Association, Inc. In all cases, titles of officers, such as President, Executive Director, etc., refer to officers of the Association, unless the contrary is clearly indicated.

Section 2. Declaration of Policy - Purpose of Chapters: It shall be the policy of the Association to encourage the organization of local Chapters whenever the stated objectives of the Association will be advanced thereby. The Association is a state organization of individual members, and a grant of authority to organize Chapters shall not affect the relationship existing between the Association and its members. Chapters shall have the right to undertake a program of activity for the benefit of Chapters members, but any such program shall always be subordinate to, and not in conflict with, the program and activities of the Association.

Section 3. Where Chapters May Be Formed: Chapters may be organized in any city, county or metropolitan area. When the organization of any such Chapter is approved, a jurisdictional area shall be assigned to it, and thereafter no authority shall be granted to any other group of members to organize a Chapter within said area, unless and until the first Chapter is revoked by action of the Executive Board.

Section 4. How Organized: Chapters shall be organized in the following manner, to wit:

- A. A petition, requesting authority to organize a Chapter, shall be prepared and signed by not less than eight regular members of the Association in good standing on the date of signing. This petition shall contain a statement outlining the justification for the Chapter, the type of activity in which it intends to engage, the potential membership in the jurisdiction covered, and a description of the way in which the objectives of the Association will be advanced by the granting of a charter.
- B. Petitions shall be addressed to the Executive Board and mailed to the Executive Director of the Association, who shall forthwith notify each member of the Executive Board of the receipt thereof.
- C. Within thirty days thereafter, the Executive Board shall either grant or deny authority to form a Chapter and the Executive Director shall immediately notify the petitioners of the action taken. If no action is taken by the Executive Board within the time prescribed, the petition shall be considered approved.
- D. If the petition is approved, the petitioner shall have the right to draft a set of Bylaws to govern the operation of the Chapter. Such Bylaws shall be in conformity with the provisions contained herein and shall be submitted to the Executive Board for approval. No Chapter shall be considered organized or its Bylaws effective, until said Bylaws have been approved by the Executive Board. Such approval shall be evidenced by the granting of a charter to the Chapter, issued under the hand and seal of the President and Executive Director of the Association.

Section 5. Chapter Bylaws Shall Provide:

- A. For an official name of the Chapter, which shall be in the following form to wit: (name of jurisdictional area) Chapter of the New York State Assessors Association.
- B. A definition of its jurisdictional area.
- C. That the purpose of the Chapter is the advancement of objectives of the Association in the jurisdictional area of the Chapter.
- D. That active membership in the Chapter is restricted to members in good standing of the Association.

E. For a governing body of the Chapter (preferably to be called an Executive Committee), defining the eligibility of candidates for election thereon, and its powers and duties.

F. For Chapter Officers, including a President, Secretary, and Treasurer, and a definition of the responsibilities assigned to each.

G. A method for the nomination and election of officers and members of the governing body which shall reasonably assure proper representation of the membership of the Chapter.

H. For calling regular and special meetings of the Chapter and its governing body.

I. A method for amending Bylaws.

J. A method for the receipt and disbursement of Chapter funds, the keeping of accounting records, and the auditing thereof.

K. For the preparation and adoption of an annual budget to cover the activities of the Chapter.

Section 6. Chapter Bylaws May Provide:

A. For purpose in addition to that mentioned in Paragraph C of Section 5, if not inconsistent with the objectives of the Association.

B. For a schedule of Chapter membership dues independent of Association dues.

Section 7. Chapters Bylaws Shall Not Provide: for any test of eligibility to activate charter membership beyond that prescribed by the Association.

Section 8. Amendments: Amendments to Chapter Bylaws, after adoption by the Chapter membership, shall be submitted to the Executive Board for approval and shall not become effective until such approval is obtained. Upon receipt of a copy of any amendment, duly certified by the Secretary of the Chapter, it shall be the duty of the Executive Director of the Association to immediately advise the Executive Board of the contents thereof. Within thirty days thereafter, the Executive Director of the Association shall certify to the Chapter the action taken by the Executive Board. If no action is taken by the Executive Board within the time prescribed, the amendment shall be considered approved.

Section 9. Official Recognition of Members: Members of the Association shall be considered members of the Chapter organized for the jurisdiction in which they reside.

Section 10. Meetings: Regular meetings of Chapters shall be at least four times each year. A regular meeting of the governing body of the Chapter shall be held at least once each year.

Section 11. Suspension of Chapter Members: Suspension of any member of the Association shall suspend his or her membership in the Chapter. It shall be the duty of the Executive Director of the

Association to forthwith notify the Secretary of the Chapter to which the member belonged to the fact of suspension.

Section 12. Minimum Membership: Whenever the membership of any Chapter falls below eight in number, the charter of the Chapter shall be automatically suspended. Unless membership is again increased to eight or more within sixty days the charter shall be revoked.

Section 13. Minutes of Meetings: It shall be the duty of the Secretary of the Chapter to keep minutes of each regular and special meeting held by the Chapter or its governing body. Said minutes shall be made available at any time upon request by the Executive Board.

Section 14. Chapter Publications: No published material shall be prepared and issued by any Chapter unless:

- A. It clearly shows on its face that it was prepared by the Chapter and not by the Association.
- B. The name of the editor or author is stated thereon.
- C. It contains no libelous matter.

Section 15. Annual Reports: Each Chapter shall annually, on or before January 31st, submit to the Executive Board a report of its meetings, activities, membership, and finances during the year ending on the previous December 31st. Included in this report shall be an itemized statement of receipts, disbursements, and balances.

Section 16. Financial Support: The Executive Board of the Association, at its discretion, may make funds available to Chapters to finance or assist in financing a minimum program of Chapter activity. The basis of computation of the amount of this Chapter financing will be as determined from time to time by the Executive Board.

Section 17. Revocation of charter: The charter of any Chapter may be revoked by the Executive Board at any time if, in its judgment:

- A. The Chapter has violated any of the provisions of the Constitution of the Association or the regulations herein before set forth, or which may hereafter be adopted.
- B. The best interests of the Association will be served thereby.

Section 18. Contracts: No Chapter shall have authority to enter into any contract which imposes any liability whatever on the New York State Assessors Association.