

CONSTITUTION ORIGINAL HOBO BAND, INC.

THE PREAMBLE

The purpose of this Association, as outlined in the Certificate of Incorporation filed in the Office of the Secretary of State of the State of New Jersey, on the fourth day of March, 1953, is to promote good band music in and about Pitman, New Jersey; to provide year round training and direction to students of local and nearby high and grammar schools and an outlet for musical expression for all graduates; to aid any local or supporting organization in any musical way possible at reasonable arrangements; and to provide social life for members of the Association.

ARTICLE I - NAME

The name of this Association is Original Hobo Band, Inc., Pitman, New Jersey, with the principal place of business at 690 Lambs Road in the Township of Mantua, in the County of Gloucester, New Jersey. The Association qualified as a Section 501(c)4 exempt corporation on April 3, 1998.

ARTICLE II - MEMBERSHIP

Section 1. Membership in this Association shall be without regard to race, color, religion, sex or national origin.

Section 2. There shall be five classes of membership in this Association:

- a. Voting member - A member who is entitled to vote and has all the rights, privileges and obligations of the Association.
- b. Associate member - A new member of the Association who has not yet qualified as a voting member, or a member who no longer qualifies as a voting member. An associate member may not vote or hold office in the Association.
- c. Honorary member - A membership granted for special service to the Association. An honorary member may not vote or hold office in the Association.
- d. Life member - A membership granted for length of service to the Association. Life membership grants no special rights, privileges or obligations to the Association except those which may be detailed in the By-laws.
- e. Inactive member - A member who has no rights, privileges or obligations to the Association.

Section 3. Specific qualifications for the various categories of membership are found in Article I of the By-Laws.

Section 4. Any member who has proven to be a detriment to the Association may be reprimanded, suspended or expelled from membership as detailed in Article IV of the By-Laws.

ARTICLE III - OFFICERS

Section 1. The officers of this Association shall consist of a president, vice president, recording secretary, corresponding secretary, treasurer, concert director, parade director, two assistant directors, business agent, assistant business agent, librarian, two assistant librarians, and four trustees. They shall be elected annually by a majority of voting members present and absentee ballots.

Section 2. The duties of the officers are detailed in the By-Laws of this Association.

Section 3. Candidates shall be nominated at the January meeting in order to have their names appear on the ballot. Candidates may also be nominated from the floor on the day of election. Candidates for the offices of president, vice president, treasurer, business agent, assistant business agent, concert director and parade director shall be restricted to voting members who are 21 years of age or older at the time they are to be installed in office. All candidates must have been voting members of the Association for at least four consecutive quarters.

Section 4. Election of officers shall be held at the February meeting. Absentee ballots for the election will be available upon written request to the Recording Secretary by the voting member. All absentee ballots must be received by the night of the election to be counted. Election shall be by written ballot and the candidates receiving the largest number of votes are elected. A list of nominees shall be mailed out prior to the election.

Section 5. Each elected officer shall assume office on the first day of the month following the elections and serves until a successor is installed.

Section 6. The President shall appoint a voting member to any vacated office within one month of the vacancy.

ARTICLE IV – EXECUTIVE COMMITTEE

Section 1. The officers described in Article III, together with the immediate past president, shall constitute the Executive Committee. The President shall be Chair of the Executive Committee.

Section 2. The Executive Committee shall have the responsibility of the Association in the interval between general meetings and shall be responsible for all the financial and real assets of the Association.

Section 3. The Committee shall meet at least once every three months on the date specified by the Chair and shall report on all recommendations at a general meeting. Special meetings of the Executive Committee may be called upon request of three members of the Committee.

Section 4. A quorum for an Executive Committee meeting shall be nine members.

ARTICLE V - MEETINGS

Section 1. At least twelve monthly general meetings shall be held during each year. With the exception of January and February, the meetings shall be held the Thursday following the third

Wednesday of each month unless an Association engagement requires an extension of the date. The January and February meetings shall be held on the fourth Thursday of the month.

Section 2. A quorum for the transaction of business shall consist of fifteen voting members.

Section 3. Special meetings shall be held on the call of the President or, in absence of the President, the next ranking officer.

Section 4. Any twenty voting members may, by signed petition, instruct the President to call a special meeting, indicating in the petition the reasons therefore.

ARTICLE VI - BY-LAWS

Section 1. This Association may adopt new by-laws by affirmative vote thereon, provided that no by-law is in effect until passed after the third reading. The procedure is detailed in Article VII of the By-Laws.

Section 2. A by-law may be repealed by passing a by-law to that effect.

Section 3. A by-law once defeated shall not be reintroduced for six months.

ARTICLE VII - AMENDMENTS

This Constitution may be amended by the affirmative vote of two-thirds of the voting members in attendance at a meeting, provided that all voting members have been notified by mail after the second reading of the proposed amendment(s). The vote on the amendment(s) will take place at the third reading, which will follow the second reading by not less than four weeks.

ARTICLE VIII - DISSOLUTION

Upon the dissolution of the Corporation, the Executive Committee shall, after paying or making provisions for the payment of all of the liabilities of the Corporation, dispose of all of the assets of the Corporation exclusively for the purpose of the Corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall, at the time, qualify as an exempt organization or organizations under Section 501(c)3 of the Internal Revenue Code of 1954 or corresponding provisions of any future United States Internal Revenue law as the Executive Committee shall determine. Any of such assets not so disposed of shall be disposed of by the Court of Common Pleas of the County in which the principal office of the Corporation is then located, exclusively for such purposes or to such organizations as said court shall determine which are organized and operated exclusively for such purposes.

Ratified 1946

Amended 1950, 1951, 1953, 1964, 1973, 1981, June 17, 1992 and June 17, 1999.

ORIGINAL HOBO BAND, INC. BY-LAWS

ARTICLE 1 - CRITERIA FOR MEMBERSHIP

1. **Associate member** - Anyone who attends at least five rehearsals within a ninety day period shall automatically become an associate member.
2. **Voting member** -
 - a. An associate member who attends at least 50% of all jobs and at least 50% of all rehearsals during a six-month period shall be eligible to become a voting member.
 - b. The name of an associate member will be presented at a general meeting when that member becomes eligible for voting membership. Upon recommendation of two voting members of the candidate's section and a majority of the voting members present, the candidate will become a voting member of the Association.
 - c. Voting membership will be retained for a calendar quarter by attending at least 40% of all jobs and at least 40% of all rehearsals during the preceding calendar quarter. A list of voting members shall be posted by the recording secretary prior to the general meeting in January, April, July and October.
 - d. A voting member will become an associate member when that member has attended less than 40% of all jobs or less than 40% of all rehearsals for the preceding year. When that member has attended at least 40% of all jobs and at least 40% of all rehearsals during a subsequent calendar quarter, voting membership shall be restored.
 - e. A voting member under the age of seventeen may vote only for jobs and the election of officers.
 - f. A voting member who is unable to march for medical reasons may not vote on marching jobs. Marching jobs will not be included in that member's attendance requirement.
 - g. Members shall rehearse for at least one hour to be counted as present at a rehearsal.
3. **Honorary member** - Anyone who has performed special services for the Association may be elected as an honorary member by a majority of voting members present at a general meeting.
4. **Life member** - Life membership shall be conferred on a member who has accumulated twenty years (eighty calendar quarters) as a voting member.
5. **Inactive member** -
 - a. A former voting member who has not attended any rehearsals or jobs during four consecutive quarters shall become an inactive member.
 - b. An inactive member will regain associate member status upon attendance at a rehearsal. Voting membership will be restored by attending at least 40% of all rehearsals and at least 40% of all jobs during a subsequent calendar quarter.

ARTICLE II - GENERAL MEETING ORDER OF BUSINESS

- a. Roll call of Officers
- b. Reading of minutes of previous meeting
- c. Treasurer's report
- d. Reading of Executive Committee's report
- e. Applications for membership
- f. Balloting on membership
- g. Communications
- h. Committee reports
- i. Unfinished business

- j. New business
- k. Good and welfare
- l. Adjournment (Meetings may be adjourned immediately upon the call to order if there is no business of importance in order to facilitate longer rehearsals or social engagements.)

ARTICLE III - DUTIES OF OFFICERS

1. President. The President shall preside over all meetings of the Association and the Executive Committee; call meetings when lawfully requested; sign all authorized checks; and appoint all committees necessary to provide assistance in the proper functions of the Association.

2. Vice President. The Vice President shall act as presiding officer in the absence of the President; assume the office of President in case of vacancy; assist the President in such duties as are required; and receive all vouchers from members and certify their correctness prior to submission to the treasurer.

3. Recording Secretary. The Recording Secretary shall record, read, and submit for approval the minutes of all general and Executive Committee meetings; and record attendance at rehearsals and jobs.

4. Corresponding Secretary. The Corresponding Secretary shall handle all communications and correspondence as directed by the Association; and record minutes of meetings and attendance in the absence of the recording secretary.

5. Treasurer. The Treasurer shall receive and take charge of all funds received by the Association; be responsible to disburse funds upon approval of the Association; furnish a financial statement to the Executive Committee and to voting members of the Association at any authorized meeting; make available for inspection the books and records of the Association at Executive Committee meetings; and submit all books and records yearly to the Auditing Committee or as requested by the Executive Committee.

6. Business Agent. The Business Agent shall negotiate all contracts for presentation to the Association.

7. Assistant Business Agent. The Assistant Business Agent shall assist and work in coordination with the Business Agent; and in the absence of the Business Agent assume full responsibilities of that office.

8. Music Directors.

A Concert Director. The Concert Director shall conduct all rehearsals; develop musicianship; conduct at concerts; select music played at concerts; and work out routines, gags, etc., for use at concerts.

b. Parade Director. The Parade Director shall have full charge at parades; select music played and work out routines, gags, etc., for use at parades in coordination with the drum major.

c. Assistant Directors. The First and Second Assistant Directors shall assist the Concert and

Parade Directors and assume leadership of the band in their absence or at the discretion of either Director.

9. Librarian. The Librarian shall be responsible for the music of the Association; and have available and distribute music at concerts, parades and rehearsals.

10. Assistant Librarians. The Assistant Librarians shall assist and work in coordination with the Librarian; and in the absence of the Librarian assume full responsibilities of that office.

11. Trustees. The Trustees shall perform such duties as may be requested by the President or the Executive Committee.

12. Officers must maintain voting membership. Officers who miss three consecutive Executive Committee meetings shall submit a letter of resignation to the Executive Committee.

ARTICLE IV - COMMITTEES

1. The President shall appoint the following standing committees and shall be an ex-officio member of all committees:

- a. Building and Properties Committee
- b. Auditing Committee
- c. Welfare Committee
- d. Banquet Committee
- e. Awards Committee
- f. Recreation Committee
- g. Planning Committee
- h. Finance Committee
- i. Music Committee

2. Each committee shall have the authority to manage its budget allocation and shall report its activities to the Executive Committee.

3. The President shall appoint other committees as may prove necessary, always considering the wishes of the Association at large.

4. The Finance Committee shall consist of the Treasurer (chair), Vice President, and three voting members of the Association not holding an elected office. The Committee shall propose a yearly budget, review Association expenditures and recommend to the Executive Committee any requests for expenditures exceeding the budgeted amount.

5. The Music Committee shall consist of the Concert and Parade Directors, the assistant directors, the Librarian, the Assistant Librarians, the business manager, the assistant business manager and up to three voting members elected by the membership at the time of the annual election.. It shall be responsible for the acquisition, purchase and maintenance of music and instruments and for the development and implementation of a musical plan for the association based on member input and post-performance evaluations.

The Music Committee shall meet at least once every three months. A quorum for this committee shall be the Concert Director, another director, a business manager, a librarian and one elected member.

ARTICLE V- DUES AND ASSESSMENTS

1. There shall be no annual membership dues.
2. Special assessments for members participating in a particular event may be made upon a majority vote of the voting members present at a general meeting, provided that all members were notified of the proposed assessment one month in advance.

ARTICLE VI - CONDUCT

1. A disciplinary procedure shall be initiated against any member who may be accused of any of the following infractions while participating in an Association activity:
 - a. Physical assault;
 - b. Making false or unfounded statements which are slanderous or defamatory;
 - c. Malicious property damage;
 - d. Actual or attempted theft of property;
 - e. Disrespectful conduct or the use of insulting, abusive or obscene language.
2. The president, upon receiving allegations that any of the above infractions have occurred, shall immediately appoint an ad hoc committee of not less than three voting members to determine all the facts and recommend appropriate action to the Executive Committee.
3. The Executive Committee, following a hearing at which the accused member is invited to attend, may by a majority vote reprimand, suspend, or expel the member from the Association.

ARTICLE VII - AMENDMENTS

These By-Laws may be amended by the affirmative vote of the majority of the voting members in attendance at a meeting, provided that all voting members have been notified by mail after the second reading of the proposed amendment(s). The vote on the amendment(s) will take place at the third reading, which will follow the second reading by not less than four weeks.

Revised on June 17, 1992, January 19, 1995 and June 17, 1999.