



Smithtown Kickers Inc.
Club Constitution

By-Laws and Regulations of the
Smithtown Kickers Soccer Club
Member - Long Island Junior Soccer League | Organized - 1979

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Smithtown Kickers Inc. – Club Constitution

Club Founders

John Feduniec, John Friedrichs, Tom Harris, Vito Iaia, Stan Meyers, Julio Mattei, Frank Morin, Andy Ross, Frank Braider

Past Presidents

Frank Morin, Vito Iaia, John Feduniec, John Friedrichs, Frank Parini, Brian Roethgen, Paul Schmitt, Buddy Mayer, Bob Smith, Pasquale Lamanna

Constitution

Article I- Name

The name of this Corporation shall be the Smithtown Kickers, Inc., herein referred to as the Club.

Article II- Purpose

The Corporation has not been formed for pecuniary profit or financial gain, and no parts of the assets, income, or profit of the Corporation is distributable to, or ensures to the benefit of, its members, directors, or officers, except to the extent permitted under the Not-For-Profit Corporation law. The purpose for which the corporation is formed is to foster and promote the sport of recreational youth soccer; to introduce the sport of soccer to the youth of the community, to maintain and sponsor youth soccer leagues for the recreation, physical, moral, social and emotional well-being of the youth of the community; to evolve as an organization to field the strongest competitive traveling teams in any and all ages; and such other and necessary acts as may be permitted by the laws of the State of New York.

Article III- Location

The corporation is a type A corporation. The city, town or village and county in which its office is to be located are Smithtown, County of Suffolk, State of New York. The territory in which the

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corporation's activities are principally to be conducted are Nassau and Suffolk Counties, State of New York.

Article IV- Membership

There shall be three classes of membership in the Club.

Section 1- Members

Any dues paying person, 18 years and older shall be considered as a club member. Membership dues are as defined in the Club's By-Laws.

Section 2- Staff Members

Any dues paying person serving in the capacity of officer, head coach and authorized assistants, permanent committee (as defined in the By- Laws) chairperson, any member serving in a recognized administrative (as defined in the By-Laws), function shall be considered a staff member from the time of assumption of the position to the nearest December 31 after leaving that position. A dues paying ex-officer or ex-permanent committee chairperson is considered a staff member from the time the individual steps down until the nearest December 31. Any resigning staff member will forfeit their status of that position.

Section 3 – Participants

Any individual whose age is within the confines of the Club's Athletic Activities and who competes on a Club's team. Participants fees shall be established by the Board of Officers.

Article V- Rights of Membership

Section 1- Members

A member in good standing has the right to vote in the Club's annual election of nominated officers and on constitutional amendments and attend all General Meetings.

Section 2- Staff Members

Staff members in good standing have the rights of a member and the additional rights to vote on general business matters that are not considered the sole responsibility of the Board of Officers as defined in the By-Laws.

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Section 3- Participants

A participant in good standing, as defined in the By-Laws, has the right to compete for the Club.

Article VI- Board of Officers

Section 1- Positions

The officers of this club shall consist of a President, First Vice President, Second Vice President, Secretary, Treasurer and Four Trustees and shall constitute the Board of Officers. They will conduct club business and make appointments. The position of each officer-elect and incumbent will be decided by the Board of Officers at the first regular meeting following the annual meeting.

The ranking seniority of officers shall be as follows:

1. President
2. First Vice President
3. Second Vice President
4. Secretary
5. Treasurer
- 6-9. First through Fourth Trustees

During the absence or disability of the most senior officer, the next ranking officer shall have the powers and functions of the President.

Section 2- Duties

President – The President shall be the Executive Officer of the club, preside over all meetings defined in Article IX and shall be ex-officio member of all committees except the Nominating Committee.

Secretary - The Secretary shall record all minutes of all meetings, attend to all official correspondence, and keep all records of the club.

Treasurer - The Treasurer shall receive and funds for this organization, maintain an accurate record of funds, maintain bank accounts, inventory club assets, co-sign checks with the President, prepare a monthly financial report to be available at all meetings, and shall be responsible to oversee the activities of the Fund Raising Committee.

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The designation of the other duties of each officer shall be determined by the board of officers.

Article VII- Executive Board

The Executive Board consist of:

All club officers, head coaches, permanent committee chairpersons, recognized administrative members, ex-officers and permanent committee chairpersons as described in Article IV Section 2.

Article VIII- Election of Officers

Section 1- Term

Five officers shall be elected for a two-year term at the annual meeting in December in even years and four elected in odd years.

Section 2- Eligibility for Office

To be eligible for office, a nominee must be in good standing and must be or have been a staff member within the two-month period preceding the nomination.

Section 3- Nomination

A Nominating Committee shall be appointed no later than the third week of September of each year. The Committee shall meet and establish a slate of officers that meet the eligibility requirements of this article, Section 3. The nominees shall be presented to the club membership via an executive board meeting by October 21st each year. All incumbents declaring their intentions to run will be automatically nominated by the Nominating Committee. Other nominations for office shall be submitted in writing to the Secretary no later than November 7th of each year. To be valid, these written nominations must be signed by five club members in good standing. The Secretary shall notify the club membership of all nominees at least two weeks prior to the annual election.

Section 4- Elections

The nominees presented to the club membership in accordance with this article, section 3, shall be voted on at the club's General Meeting. The new officers shall assume their positions as of January 1st of each year. The Club's General Meeting is in December of each year.

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Section 5- Vacancies

A) In the event of a Presidential vacancy, the order of succession shall be First Vice President, Second Vice President, Secretary, Treasurer, First, Second, Third and Fourth Trustees.

B) In the event of other vacancies, the office shall be filled by the President with the approval of the Board of Officers. The appointed term shall exist until the next December General meeting, at which time nominees shall be presented as defined in this article section 3, to complete the un-expired term.

Article IX- Meetings

Section 1- Board of Officers

Held prior to the Executive Board and General Meetings for the purpose of setting the agenda of the Executive Board and General Meetings and conducting any and all business authorized under this Constitution and Associated By- Laws.

Section 2- Executive Board Meetings

There shall be a minimum of six regularly scheduled meetings of the Board of Officers and Staff Members per fiscal year. The Executive Board will normally meet on a monthly basis as scheduled by the Board of Officers. The purpose of these meetings is to conduct the ordinary and necessary business of the Club. Only the Executive Board Members are eligible to vote at these meetings.

Section 3- Special Meetings

These meetings may be called by the President at his discretion or upon written request of five (5) staff member for the purpose of conducting pressing business issues. The Secretary shall notify all Executive Members of the date, time and place of the meeting. All Executive Board Members in attendance shall have voting privileges at these meetings.

Section 4- General Meetings

There shall be one General Meeting for the electing of Officers. This meeting will be held in December of each year. A second General Meeting will be held in June. Notification of General Meetings must be made one month in advance. A published calendar will be considered notification. A reminder will be sent whenever possible two weeks prior to General Meetings. Members in good standing shall have the right to vote on matters presented to them at these meetings. Each member shall have one vote. Additional General Meetings may be called at the discretion of the president or upon written request of fifteen or more members.

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Section 5 – Quorum

The following quorums apply:

The quorum for a Board of Officers meetings = Majority of Officers.

The quorum for Executive Board Meetings, Special Meetings and General meetings = Majority of Officers and executive Board members.

Article X- Voting

Section 1- Board of Officers Meetings

A simple majority of the Officers present shall be required in order to ratify a legally accepted and recorded motion.

Section 2- Executive and Special Meetings

A simple majority vote of the Executive Board Members present shall be required in order to ratify a legally accepted and recorded motion.

Section 3- Elections

A simple majority vote of all voting members shall be required in order to elect properly nominated persons.

Section 4- Constitutional Amendments

This Constitution may be amended only at a General Meeting with a proper quorum. Constitutional Amendments require a 2/3 vote of the majority voting members present.

Section 5- Write-in-Ballot

A Write-in-Ballot may be submitted to the Secretary and will be accepted if the reason for the non-attendance is a legitimate hardship and approved by the Board of Officers.

Section 6- Veto

The Board of Officers may reverse decisions passed by the Executive Board. The veto power shall be used to ensure overall operation of the Club. An 8/9 vote of the Board of Officers shall be required to veto. The vote must be held at an Executive Board, Special, or General Meeting. A single member may request deferment of the vote to the next meeting.

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Section 7- Meetings

Meetings shall be conducted in accordance with Robert's Rules of Parliamentary Procedure.

Article XI- By-Laws

By-Laws to this Constitution may be written by the Board of Officers and submitted to the Executive Board Members for voted approval at a proper meeting.

Approved as of this date, October 30th, 1979.

By-Laws

Approved by-laws to the Constitution

1) Team Participation in Tournaments / Festivals

Team participation in tournaments and/or festivals must be approved by the Board of Officers in order to maintain fairness with regard to all teams participation. No team can go to a tournament or festival without Board approval. When applying and accepted to a tournament or festival, all obligations must be fulfilled by that team.

2) Telephone Voting

Telephone voting of Board Officers may be made in time of emergency. These votes (or vote) will be recorded at the next Board of Officers meeting.

3) Tournament Journal

The Journal, because it is a fund raiser, will be under the Treasurer and not the Tournament Chairperson.

4) Accepting Meeting Minutes

A unanimous vote is necessary by the Executive Board, in order to accept the minutes of a previous Executive Board meeting.

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5) Team Activities on Days of the General Meeting

No practice or team meeting, of any sort, of the Smithtown Kickers, Inc., will be held on any scheduled General Meeting date of the Club.

6) Grievances

All grievances must be submitted in writing to the Secretary of the Smithtown Kickers, Inc., before any action can be initiated by the Grievance Committee subject to their approved guidelines.

7) Committee Budgets

All Committee Chairpersons must submit their proposed budgets for approval by the Board of Officers, including the projected income and expense budget.

8) Article IV- Section 2- Staff Members

A head coach and authorized assistant coach (1) is any member selected and approved by the Board of Officers. A permanent committee chairperson is any member appointed by the President of the Club shall be in charge of an authorized committee approved by the Board of Officers. A recognized administrative person is any member appointed by the Board of Officers to assist the Club to carry out the record keeping, typing, filing and other necessary functions of the Club's business.

9) Article V- Rights of Membership- Section 3- Participants

A participant in good standing is any player who has not been suspended and is duly registered with the Club and is assigned to a team for specific season and conducts themselves in a sportsman-like manner as set forth within the Club's Philosophy.

10) Article V- Section 2- Board of Officers Responsibilities

The responsibility of the Board of Officers shall be the setting of the agenda of the Executive Board and General Meetings. In addition, the Board of Officers shall prepare the annual budget for the Club, review and approve all fund raising budgets, review and approve all teams entering outside tournaments, review and approve all names for head coach and assistant coach, authorize expenditures for uniforms, equipment and other material necessary, oversee all Committees, including the International Tournament, appoint a nominating Committee to establish a slate of Officers for elections, authorize and appoint members of the standing and Special Committees, approve or disapprove recommendations received from the Grievance committee, maintain bank accounts, prepare monthly financial report to be made available at all meetings, appoint an officer other than the President in the event of a vacancy, prepare and present By-Laws as necessary for approval by the Executive Board, prepare and present amendments to the

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Constitution as necessary to the Club's membership for approval, and any other responsibility as defined in the By-Laws of the Club.

11) Uniforms

Players will purchase authorized uniforms from distributors approved by the Board of Officers. It is the responsibility of each coach to ensure proper team appearance becoming the Smithtown Kickers Organization. If the coach is aware of a player of his family being unable to purchase a Smithtown Kickers uniform, he should notify the Secretary immediately for Board's consideration.

12) Playing Up in Older Age Group (Replaces BY-LAW #9)

Playing up will be considered if a player shows ability that he/she could compete in the older age group within the level of competition of that age group, provided that it will be a greater personal challenge and that it will enhance his/her soccer ability.

Any request in accordance with this by-law must be presented to the Head Coach and his/her Staff for review and approval.

(Please refer to Coaches Guide page 25 for Board Recommendations)

13) Article IV and V – Membership

Membership dues shall be established by the Board of Officers. For the purpose of this By-Law, a membership year will consist of that period beginning November 1st and ending the following October 31st. Membership will be available throughout the year, however, the expiration date will remain October 31st, despite the purchase date. Each person paying his/her dues will be given a membership card and will be entitled to all rights of membership under Article V of the Constitution. To qualify and be able to vote at a general meeting, NEW membership must be in effect for no less than 30 days prior to the voting date and old members must present a renewal of the previous years membership.

All Coaches, Assistant Coaches and Committee Chairpersons must be paid up members of the club.

14) Method of Player Selection

Article II of the Constitution of the Smithtown Kickers mandates...."The Organization to field the strongest competitive traveling teams in any and all age groups." Therefore, the below outlined pooling of players and method or selection will be instituted at all levels of travel to acclimate players, parents and coaches to this concept.

- A) Each November, every team will be totally dissolved and all players enter a common pool.

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B) The "A" Team coach picks 16 players (IN ALL AGE GROUPS).

then the "B" Team coach picks 16 players (IN ALL AGE GROUPS).

Lastly, the "C" Team coach picks 16 players (IN ALL AGE GROUPS).

The remaining players are selected as needed.

C) If a player has been playing up in an older age group and is dropped, he/she must try out for his/her proper age group.

D) Player transference can occur between seasons (i.e. Spring to fall) but only on agreement of three parties. These parties are the two team head coaches and player/parent. Whenever a new player for travel play comes to the Club, the Registrar must notify all coaches in that age group.

E) Between seasons all new players should be given a tryout, to be observed by all team head coaches within an age group.

F) The Team Head Coach has the option of dropping a player at any time.

G) If a team is disbanded between seasons (i.e. Spring and Fall), the present coaches of that age group may elect to have a tryout pending present coaches of that age group may elect to have a tryout pending Board approval.

H) All procedures and guidelines as states in Coaches Guide 1-B Procedures for Selection and Announcement of Teams shall be adhered to.

15) Player Evaluations

All Team Head Coaches must complete a player evaluation form by November 1st and/or June 1st (through the seventh seasonal game) and submit a copy to all coaches in their age group and the Club Head Coach. (See Coaches Guide page 56)

16) Dropping Players (Replaces the old #14)

If a players is dropped from any team in between seasons, that team coach must notify all other coaches in that age group and try to place that player. If the player has been playing up in an older group and is dropped, he/she should be considered for play in his/her proper age group.

17) Smithtown Tournament Participation

Participating players of the Spring Season are entitled to play in the Smithtown Tournament.

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18) Articles IV and V- Membership

Membership is established by the Board of Officers. Both parents or guardians are members by virtue of the player registration fee. People who wish to become members that have not paid a registration may purchase a membership card at the established rate of dues. The membership year is defined as the calendar year January 1st to December 31st. Membership cards may be purchased at any meeting. To qualify to vote, a person must be a member for not less than thirty days prior to the election date.

19) Club Representation

A commitment representing the Club, cannot be made by any one individual without prior Board of Officers approval.

Amendments

1) Article II- Purpose- Approved on 4/24/80 at General Meeting

The corporation has not been formed for pecuniary profit or financial gain and no part of the assets, income, or profit of the corporation is distributable to, or ensures to the benefit of, its members, directors, or officers. The purpose for which the corporation is formed is to foster and promote the sport of recreational youth soccer; to teach the sport of soccer to the youth of the community, to maintain and sponsor youth soccer leagues for the recreation, physical, moral, social and emotional well-being of the youth of the community; to evolve as an organization to field the strongest competitive traveling teams in any and all ages; and such other and necessary acts as may be permitted by the laws of the State of New York.

2) Article IV- Membership

Update Section 1 - Members – Remove term “dues paying” from entire section

3) Article X- Voting- Section 4

Delete Section 4 - Amendments and replace with the following.

Proposition to alter, amend, or repeal the foregoing Constitution or any other part thereof, shall be submitted in writing to the Club's Secretary, signed by five (5) members in good standing and presented at a General and/or Special General Meeting of the Club, at which meeting there shall be required a 2/3 vote of the members present. The notice of meeting to consider such proposition shall include a copy of the proposal.

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4) Article VI – Board of Officers – Approved on 12/27/2023 at General Meeting

Delete Section 1 and replace with the following...

Section 1 – Positions

The officers of this club shall consist of a President, First Vice President, Second Vice President, Secretary, Treasurer, and Six Trustees and shall constitute the Board of Officers. They will conduct club business and make appointments. The position of each officer-elect and incumbent will be decided by the Board of Officers at the first regular meeting following the annual meeting.

The ranking seniority of officers shall be as follows:

1. President
2. First Vice President
3. Second Vice President
4. Secretary
5. Treasurer
- 6-11. First through Sixth Trustees

During the absence or disability of the most senior officer, the next ranking officer shall have the powers and functions of the President. The seniority of the Trustees is determined by the length of service on the Board.

5) Article VIII – Elections of Officers – Approved on 12/27/2023 at General Meeting

Update Section 1 – Term – Six officers shall be elected for a two-year term at the annual meeting in December in even years and five elected in odd years.

Delete Section 5 – Vacancies and replace with the following...

Section 5 - Vacancies:

In the event of a Presidential vacancy, the order of succession shall be

1. First Vice President

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2. Second Vice President

3. Secretary

4. Treasurer

5-10. First through Sixth Trustees, by order defined in Article VI

In the event of other vacancies, the office shall be filled by the President with the approval of the Board of Officers. The appointed term shall exist until the next December General meeting, at which time nominees shall be presented as defined in this article Section 3, to complete the un-expired term.

6) Article IX – Meetings – Approved on 12/27/2023 at General Meeting

Update Section 1 – Board of Officers to read...

Board of Officers meetings are held on a regular basis (generally monthly or bi-monthly) to conduct any and all business authorized under this Constitution and Associated By- Laws.

Update Section 2 – Executive Board Meetings to read...

There shall be a regularly scheduled meetings of the Board of Officers and Staff Members per fiscal year. The purpose of these meetings is to conduct the ordinary and necessary business of the Club.

Update Section 4 – General Meetings to replace “A second General Meeting will be held in June.” with “A second General Meeting to be held in May, no later than end of June,”

7) Article X – Voting – Approved on 12/27/2023 at General Meeting

Update Section 6 – Veto to require a 9/11 vote of the Board of Officers shall be required to override a veto, rather than 8/9.

8) By-Law 2 – Approved on 12/27/2023 at General Meeting

Update By-Law 2 to read...

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Telephone, text, email, or online meeting voting of Board Officers may be made in time of emergency. These votes (or vote) will be recorded as part of the official meeting minutes or as part of the next Board of Officers meeting.

9) By-Law 9 – Approved on 12/27/2023 at General Meeting

Replaces the phrase “is assigned to a team for a specific season” to “assigned to a team for a specific year (Fall / Spring seasons).

Add to the By-Law...

A participant can only be moved to another team or removed from the Club with the approval of the Board of Directors.

10) By-Law 11 – Approved on 12/27/2023 at General Meeting

Update the By-Law to indicate to notify a Board Member should a family be unable to purchase a Smithtown Kickers uniform.

Add to the By-Law...

Uniforms for the Special Soccer (TOP) program will be provided free of charge to all participants.

11) By-Law 12 – Approved on 12/27/2023 at General Meeting

Update the By-Law to remove the override of By-Law 9 and to replace the By-Law with the following...

Playing up will be considered if a player shows ability that he/she could compete in the older age group within the level of competition of that age group, provided that it will be a greater personal challenge and that it will enhance his/her soccer ability. This By-Law can be relaxed when age groups are in need of players, given it is not to the detriment of the age group below.

Any request in accordance with this by-law must have the approval of the Board of Directors.

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12) By-Law 13 – Approved on 12/27/2023 at General Meeting

Update the membership period to be from August 1 to July 31.

13) By-Law 14 – Method of Player Selection – Approved on 12/27/2023 at General Meeting

Replace the following Sections A-H

- A) At the end of each regular season (usually by mid-June timeframe), every team will be dissolved and all players enter a common pool. For teams that are continuing to play (Regionals, Nationals, etc.) past the regular season, the players will finish with their team until the Spring events conclude.
- B) Tryouts will be conducted during the May and June months. For age groups up through U14, teams **MUST** conduct an age group tryout, meaning all players attend each tryout session and players are selected using the guidelines below. Any exceptions to the tryout rules require Board of Directors approval. For age groups U15-U19, age group tryouts can be conducted or individual teams may host tryouts.
- C) The selection of players process is to be conducted by the Professional Training organization. Team administrators will assist with scheduling but will not conduct the tryouts themselves. Player selections will be made by the Professional Training organization. Exceptions to the selection of players process must be approved by the Board of Directors.

The following guidelines should be followed in player selection:

Guidelines for Number of Players			
Field Players	7v7	9v9	11v11
Minimum ¹	7 / 9	9 / 11	11/14
Maximum ²	14	18	22
Recommended ³	12	14	16

¹ = If the league allows for player sharing among teams in an age group or club, use the lower number, otherwise the higher number is the guideline

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² = Usually dictated by the league. This number can be exceeded (especially for 11v11), however a plan must be presented to the Board of Directors to allow every player to be able to participate in meaningful game playing time.

³ = The recommended number is average. An A team can sometimes carry less players generally because the A teams players tend to be more committed. Conversely, a C team may carry more players because there tends to be less of a commitment to the team.

- D) The Club's commitment to a player is for one year (August-June). A player may not be moved to another team without the agreement of the team trainers, parents, player, and the Board of Directors. A player cannot be dropped from a team unless the player or parent has violated a club policy and is the sole decision of the Board of Directors.
- E) Any new players must be observed by the trainers in the age group and be placed on a team where there is space and does not displace another player.
- F) When a player is able to play for multiple teams within the Club, the player must primarily engage in their team that they were originally rostered to.
- G) A player may not play for another club other than the Smithtown Kickers unless approved by the Board of Directors.

14) By-Law 15 – Player Evaluations – Approved on 12/27/2023 at General Meeting

This By-Law is no longer appropriate and should be removed.

15) By-Law 16 – Players Dropped Between Seasons – Approved on 12/27/2023 at General Meeting

This By-Law is no longer appropriate and should be removed.

16) By-Law 17 – Smithtown Tournament Participation – Approved on 12/27/2023 at General Meeting

This By-Law is no longer appropriate and should be removed.

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17) By-Law 18 – Membership – Approved on 12/27/2023 at General Meeting

Update the By-Law to include...

Membership year to be August 1 through July 31.

End Of Constitution