



## BYLAWS, POLICIES & PROCEDURES

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## **ANIMALS ON VCA PROPERTY**

Purpose: To ensure safety of users of VCA facilities while allowing for interactions with animals for educational and entertainment purposes.

Service animals: Seeing eye and other service animals are welcome on VCA property with their owner or other responsible handler. This applies to all parts of the VCA property and facilities EXCEPT the kitchen.

Domestic animals: Pets and farm animals may be on VCA property, both outside and inside the Varna Community Center, as long as the following rules are followed –

1. For animals to enter the Varna Community Center building, prior permission must have been granted by an officer of the VCA
2. Owners/responsible handlers must be always in direct control of the animal(s) whether by hands-on, voice command, leash, harness, or other means
3. Owners/responsible handlers must be at least 14 years old
4. Animals must be in good health
5. Dogs over 4 months of age must be licensed
6. Dogs must be vaccinated against rabies
7. Animal noise must not disturb neighbors
8. Animal feces and other debris (e.g., urine, toys, food, leads) must be cleaned up and disposed of appropriately by the owner/responsible handler

Wild animals: All of the above rules apply to wild animals (e.g., exotic birds, raptors, snakes) AND these additional rules also apply –

1. Animals are caged when arriving at, and when departing from, VCA property
2. Only the owner/responsible handler may remove an animal from its cage

Approved 03-07-2022

## **ANTI-NEPOTISM POLICY**

No candidate shall be hired for a position where they may report to, or supervise a member of their immediate family. Immediate family is defined as: parent(s); step parent(s); foster parent(s); sibling(s); children; grandparent(s); grandchildren; spouse or life partner; grandparent, parent, child, grandchild, or sibling of spouse or life partner.

Prior to accepting any offer of employment potential employees are required to disclose personal relationships with other VCA employees or members of the VCA Board of Directors. Failure to do so will be grounds for termination of employment.

APPROVED 09-10-17

REVIEWED & APPROVED 04-01-24

# Benefit Fundraiser Policy

In partial fulfillment of its purpose as a charitable organization, the Varna Community Association, Inc. (VCA) may, from time to time, host events or sponsor activities that raise funds to be donated to deserving individuals, families or organizations. Such events or activities are hereinafter referred to as "Benefits."

Any Benefit to be hosted or sponsored by the VCA must be approved by the VCA Board of Directors.

Benefits must meet the following criteria in order to receive approval from the Board of Directors:

1. Benefits for VCA members:
  - a. Funds from the Benefit will go to a VCA member or family who is known to have experienced significant hardship (e.g., loss of property, income, or health), AND
  - b. The VCA member or family needs assistance to meet extraordinary expenses for necessary items (e.g. health care, housing, food, clothing, child care, transportation, education, legal fees), AND
  - c. The individual or family has received funds from no more than one previous VCA Benefit, AND
  - d. The individual or family to receive funds is willing to have his or her name and basic information about his or her need used in publicity and media coverage related to the Benefit.
  - e. Note: If it is the best judgment of the VCA Board of Directors that such a Benefit should not or cannot be held, the VCA Board of Directors reserves the right to deny hosting or sponsoring a Benefit even if a person or family meets the above criteria.
  
2. Benefits for non-members:
  - a. Funds from the Benefit will go to a non-member individual or family who is known to have experienced significant hardship (e.g., loss of property, income, or health), AND
  - b. The individual or family needs assistance to meet extraordinary expenses for necessary items (e.g., health care, housing, food, clothing, child care, transportation, education, legal fees), AND
  - c. The individual or family has contributed at least 20 volunteer hours, or \$200, or an equivalent combination of hours and dollars to the VCA during the previous five years, AND

- d. The individual or family has received funds from no more than one previous VCA Benefit, AND
- e. The individual or family to receive funds is willing to have his or her name and basic information about his or her need used in publicity and media coverage related to the Benefit.
- f. Note: If it is the best judgment of the VCA Board of Directors that such a Benefit should not or cannot be held, the VCA Board of Directors reserves the right to deny hosting or sponsoring a Benefit even if a person or family meets the above criteria.
- g. Note: A benefit may also be held if the VCA Board of Directors believes that residents of Varna need a mechanism for channeling charitable giving to a local, state, national or international group. Criterion (g) will be particularly relevant in the event of a disaster.

Normally, at most only one Benefit will be held per fiscal year (not including small donations that might be collected at other VCA events – e.g., a donation jar at a Pancake Breakfast).

Currently serving Directors and their family members are not eligible to receive Benefit funds.

Rental of VCA facilities for benefits sponsored by outside groups must have Board approval.

Whenever possible, Benefits will contain an educational component to raise public awareness and understanding of health, safety, and relevant resources.

Approved by VCA Board of Directors 1-14-07

**Bylaws of the Varna Community Association, Inc.**

**as amended and adopted at the Special Member Meeting held 25 November 1997**

**and further amended at annual meetings held 5/21/1999, 5/30/2001, 5/18/2002, 5/10/2009,  
5/23/2011, 1/18/2014, 1/20/2018**

**PREAMBLE:** The Varna Community Association, Inc. is organized exclusively for charitable and educational purposes, which include enhancing the quality of life in and around the community of Varna, NY and providing for wholesome recreational and educational activities and a gathering place for the youth, senior citizens, other charitable organizations, and other members of the community of Varna, NY and neighboring communities.

**ARTICLE I: Meetings**

Section I.

An annual meeting of the members of this corporation shall be held at the Varna Community Center each year at the time designated by the Board of Directors. In the event at the time of any annual meeting the Varna Community Center is not available, the annual meeting shall be held at a place designated by the Board of Directors.

Notice of the time and place of the annual meeting as designated by the Board of Directors shall be posted in at least three conspicuous public places in the community at least fifteen days prior to the said meeting.

In the event that any special business aside from the election of directors and other general business is to be taken up at the annual meeting, such special business shall be particularly designated in the notice.

Section II.

Special meetings of the members of the Corporation may be called at any time by a vote of a majority of the Board of Directors. A notice of every special meeting stating the time, place and object thereof, shall be given by posting the same in at least three conspicuous public places in the community at least fifteen days before such a meeting.

Section III.

At any annual or special meeting of the members of the Corporation each member shall be entitled to cast one vote. A quorum for the conduct of business at such meetings shall be comprised of either one tenth of the members of the Corporation or one hundred members of the Corporation, whichever is lesser. A simple majority of votes cast shall govern, except as noted in Article I, Section IV.

Section IV.

The Board of Directors shall not sell, exchange, mortgage or purchase any real estate or interest therein without the approval of the members of the Corporation. Such approval must be by the affirmative vote of at least two-thirds of the members present at any annual or special meeting of the members of the Corporation.

## Section V.

At the annual meeting of the Corporation, the following shall be the order of the business. All reports shall be submitted in writing.

- a) Roll call of officers
- b) Reading of the minutes of the last annual meeting
- c) Reading of the minutes of any special meeting of the Corporation held in the past year
- d) Report of Chair
- e) Report of Treasurer, including reading and discussion of proposed budget & status of endowment
- f) Report of Secretary, including reading and discussion of communications
- g) Reports of standing committees
- h) Reports of special committees (e.g., Nominating, Bylaws)
- i) Unfinished business
- j) New business
- k) Suggestions for betterment and advancement of the general welfare of the community
- l) Election of Directors

## **ARTICLE II: Directors**

### Section I.

The Directors of this Corporation shall be elected at the annual meeting of the members of this Corporation except as whenever otherwise provided for filling vacancies. The majority vote of the members present at such annual meeting shall be sufficient to elect any Director. The vote may be taken by ballot or popular vote, whichever the members at the annual meeting desire.

Each year, the Chair of the Board of Directors shall appoint a nominating committee to assemble a slate of candidates to fill open positions on the Board of Directors. This committee shall consist of at least 3 members of the Corporation, only one of whom shall be a current member of the Board of Directors.

The nominating committee's slate of candidates shall be published with the notice of the annual meeting. Nominations for Directors shall also be taken from the floor at annual meetings.

Candidates for election to the Board of Directors shall disclose their membership on the boards of other organizations and offices held in other organizations.

### Section II.

The Board of Directors shall consist of a minimum of six and a maximum of fifteen. Each Director shall be appointed for a term of three years, but exceptions for terms of one or two years are allowed as long as terms of approximately one third of the Directors expire each year.

- a. A minimum of two-thirds of the Directors of the Corporation shall be persons who have been members of the Corporation for at least twelve months preceding their being seated on the Board.
- b. It is desirable that only one person per household and/or family be on the VCA Board of Directors at any given time.

### Section III.

For vacancies occurring on the Board of Directors during the year, the board will attempt to find a replacement for the balance of the year by two thirds vote of the remaining members of the Board, at any special meeting called for that purpose or at any regular meeting of the Board. The unexpired term, if any, of said vacancy, shall be filled by vote of the members of the Corporation at the next annual meeting thereof.

### Section IV.

In case the entire Board of Directors shall resign, or in case all the memberships of the Board of Directors shall become vacant at any time, the Chair shall call a special meeting of the members of the Corporation, and at that meeting new Directors shall be elected.

### Section V.

The Board of Directors may adopt such rules and regulations for the conduct of their meetings and management of the affairs of the Corporation as they may deem proper, not inconsistent of the laws of the state of New York or these bylaws. An up-to-date policy manual will be kept at the Varna Community Center for reference.

### Section VI.

The Board of Directors shall meet at least four times per year and whenever called together by the Chair.

### Section VII.

For the purpose of doing business within the Board of Directors a majority of members present is necessary to carry any resolution or amendment thereto.

### Section VIII.

One-half of the members of the Board of Directors shall constitute a quorum for doing business.

### Section IX.

It shall be the duty of the Board of Directors to designate the time and place of the annual meeting of the members of this Corporation, but such designation shall not be inconsistent with another provision of these bylaws.

### Section X.

It shall be the duty of the Board of Directors to designate the time and place of the special meetings of the Board of Directors of this Corporation, but such designation shall not be inconsistent with any other provision of these bylaws.

### Section XI.

Each year, following the annual meeting of the Corporation, it shall be the duty of the Board of Directors to elect the following officers:



- a) A Chair to be elected for a term of one year
- b) A Vice Chair to be elected for a term of one year
- c) A Secretary to be elected for a term of one year
- d) A Treasurer to be elected for a term of one year

The above officers shall act as such officers both of the Board of Directors and of the Corporation.

#### Section XII.

In the event of a vacancy in any of the above named offices, the vacancy shall be filled as soon as possible by a vote of the Board of Directors.

#### Section XIII.

Such officers elected by the Board of Directors as hereinbefore set out, shall be elected from the membership of the Board of Directors.

Section XIV. Any member of the Board of Directors who fails to attend three regular meetings of the Board of Directors within a fiscal year shall be considered to have resigned from that position. The Board of Directors shall immediately proceed to either reinstate the director or attempt to fill the then vacant position as set out in above Sections III and IV.

Section XV. If a member of the VCA Board of Directors becomes a member of another organization's board and/or becomes an officer of another organization, he or she is required to disclose this information at the next regular meeting of the VCA Board of Directors.

### **ARTICLE III: Officers**

#### Section I.

The Chair shall preside at all meetings of the Board of Directors and of members of the Corporation. In addition, unless otherwise directed by a vote of the Board or unless otherwise determined by these bylaws, the Chair shall:

- a) call all meetings,
- b) appoint all committees,
- c) provide general supervision of the Varna Community Center buildings and grounds,
- d) sign and execute all contracts in the name of the Corporation, and
- e) perform all duties necessary and incidental to the office.

#### Section II.

The Vice Chair shall, in the absence or incapacity of the Chair, perform all duties of that office. The Vice Chair shall also:

- a) ensure that an up-to-date policy manual is available at the Community Center; and
- b) ensure that the Corporation's membership roster is updated at least annually.

### Section III.

The Treasurer shall have care and custody of funds and securities of the Corporation and deposit the same in the name of the Corporation in such bank or trust company as the Board of Directors may select. The Treasurer shall also:

- a) pay all bills and all items approved by the Board of Directors or provided for by the budget;
- b) exhibit the books and the accounts of the Corporation to any member of the Board of Directors or member of the Corporation upon request, at reasonable times;
- c) ensure that a budget is prepared prior to the start of each fiscal year;
- d) ensure that all federal and state forms (e.g., IRS 990; NYS CHAR500) are submitted as needed;
- e) serve as a member of the Finance Committee; and
- f) perform all duties necessary and incidental to the office.

### Section IV.

The Secretary shall:

- a) keep minutes of all meetings of the Board of Directors,
- b) keep minutes of annual and special meetings of the members of the Corporation,
- c) give, serve, publish and post notices required to be given under these bylaws,
- d) correspond with other parties on behalf of the Corporation as directed by the Board of Directors,
- e) perform all duties necessary and incidental to the office.

### Section V.

Any officer of this Corporation who shall fail in the performance of any significant part of his or her duties, as outlined above, may be immediately removed from his or her office by a two-thirds vote of the Board of Directors taken at any regular or special meeting of the Board of Directors. Immediately after any such removal from office, the Board of Directors shall proceed to appoint, through majority vote, another member of the Board of Directors to fill the remaining term of the removed officer.

## **ARTICLE IV: COMMITTEES**

### Section I.

Standing Committees. Four standing committees shall exist for the purpose of running the ordinary business of the corporation. A member of the Board of Directors shall serve on each Standing Committee.

- a) Program Committee: This committee shall be charged with planning and supervising an overall program of activities that promotes the charitable purposes of the corporation. New activities and significant changes in existing activities sponsored by the Corporation are subject to approval by the Board of Directors.
- b) Property Maintenance Committee: This committee shall be charged with maintaining the buildings, grounds and equipment of the Varna Community Center in safe, working

order. Significant projects for the alteration or repair of Corporation properties shall be subject to prior approval by the Board of Directors.

c) Fundraising Committee: The fundraising committee is responsible for planning and carrying out activities to support the continued existence of the Corporation and its real properties. Fundraising activities are subject to approval by the Board of Directors.

d) Finance Committee: This committee shall be charged with monitoring the financial health of the Corporation. Its duties shall include preparing and presenting an annual budget to the Board of Directors and monitoring the investments of the corporation. The budget for the upcoming year shall be presented to the Board of Directors no later than October each year. The committee shall consist of at least the chair of each standing committee, the Treasurer, and the Chair of the Board of Directors.

## Section II.

Nominating Committee. A nominating committee shall be appointed on an annual basis as previously provided for in Article II, Section 1.

## Section III.

Special Committees. The Chair of the Board of Directors shall appoint special committees as needed to conduct special business of the Corporation. The Board of Directors shall provide a written statement of general objectives to any such special committee.

In the event that the Corporation undertakes fundraising for the purposes of acquiring real estate and/or making capital improvements to the Corporation's assets, the Chair, at the direction of the Board of Directors, shall be empowered to appoint a special committee to organize and coordinate all operations necessary to such fundraising efforts. This may include receipt and disposition of funds necessary to carry out the objectives of the special committee as designated by the Board of Directors. Such funds shall be held in accounts established exclusively for the purpose of managing funds connected to the objectives of the special committee and clearly separated from the normal operating funds of the corporation. Said special committee shall be accountable to the Treasurer.

## **ARTICLE V: Members**

### Section I.

All persons at least 18 years of age residing within the geographic area of Varna, are members of the corporation. Anyone residing along the following roads or within the area bounded by these roads is a member: NY Route 366 between Game Farm Road to the west and the intersection of Route 366 and NY Route 13 to the east; Forest Home Drive from NY Route 366 to the Town line, Freese Road, Monkey Run, and Forest Lane to the north and; and on the south along Baker Hill Road, across to Mt. Pleasant Road to the intersection of Turkey Hill Road, Turkey Hill Road to Stevenson Road, and Stevenson Road to Game Farm Road.

### Section II.

Any person at least 18 years of age who does not reside in the geographic area of Varna (as defined in Section I above) but whose interest lies therein, is eligible for membership in the Corporation. Membership requests from persons outside Varna require approval by the Board of Directors. The Board of Directors shall consider and vote on membership applications from persons residing outside of Varna at any regular meeting or any special meeting.

### Section III.

Membership in the Corporation shall be retained for life unless membership is revoked as described in Section IV. Charter members (those who joined in 1951) shall retain membership for life regardless of where they reside.

### Section IV.

The Board of Directors shall have the power to revoke the membership of any member of this corporation upon good and satisfactory evidence that such a member is and has been conducting him- or herself in such a manner unbecoming his or her duties as a citizen of the community and his or her obligations as a member of the Corporation. For example, a member who has vandalized corporation property, defrauded the Corporation or who has consistently and frequently made public, derogatory comments concerning the Corporation, its purposes, officers and/or activities may be dismissed from membership. Any member who is liable to be dismissed or has been dismissed may appear personally before the Board of Directors in a special meeting called for that purpose or in the next regular meeting to present any argument that he or she may have or any evidence that he or she may desire to present as to why he or she should not be dismissed or as to why his or her dismissal should be revoked.

## **ARTICLE VI: Seal**

### Section I.

The seal of the Corporation shall be in the form of a circle and shall bear the name of the Corporation and the year of its incorporation.

## **ARTICLE VII: Amendments**

### Section I.

These bylaws may be amended by majority vote at any regular or special meeting of the members of this Corporation, provided that an announcement of consideration of proposed amendments to the bylaws is inserted in the notice of such meeting.

## **ARTICLE VII: Insurance**

### Section I.

The Corporation shall carry proper insurance to cover fire, theft and extended coverage, liability, and bonding of at least the Chair and Treasurer.

### Section II.

It shall be the duty of the Board of Directors to see that adequate insurance is maintained by the Corporation.

### Section III.

The Corporation is authorized to purchase insurance for the indemnification of all Directors and officers

## Conflict of Interest Policy

**Purpose:** This policy is to protect the Varna Community Association's (VCA) interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of a VCA Board member. This policy does not replace any applicable laws governing conflict of interest for non-profits.

### Definitions:

- Interested Person – any member of the Board of Directors who has a direct or indirect financial interest (as defined below) is an interested person
- Financial Interest – A person has a financial interest if the person, directly or indirectly, through business, investment, or family, has:
  - An ownership or investment interest in any entity with which the VCA has a transaction or arrangement
  - A compensation arrangement with the VCA or with any entity with which the VCA has a transaction or arrangement
  - A potential ownership or investment interest in, or compensation arrangement with, any entity with which the VCA has a transaction or arrangement

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest (see 2<sup>nd</sup> bullet under Procedures, below)

### Procedures:

- Duty to Disclose – In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board of Directors (Board).
- Determining Whether a Conflict of Interest Exists – After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the remaining Board members shall decide if a conflict of interest exists.
- Procedures for Addressing the Conflict of Interest –
  - An interested person may make a presentation at a Board meeting, but after the presentation, he or she shall leave the meeting during the discussion of, and vote on, the transaction or arrangement involving the possible conflict of interest.
  - The Chair of the Board shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
  - After exercising due diligence, the Board, shall determine whether the VCA can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
  - If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board shall determine by a majority vote of disinterested directors whether the transaction or arrangement is in the VCA's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination the Board shall decide as to whether to enter into the transaction or arrangement.

**Violations of the Conflicts of Interest Policy:**

- If the Board has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate corrective action.

**Records of Proceedings:** The minutes of the Board shall contain—

- Names of persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's decision as to whether a conflict of interest in fact existed.
- Names of the persons who were present for discussions and votes; the content of discussion, including any alternatives to the proposed transaction or arrangement; and a record of any votes taken.

**Compensation:**

- A member of the Board who receives compensation, directly or indirectly, from the VCA is precluded from voting on matters pertaining to that member's compensation.
- No member of the Board who receives compensation from the VCA is prohibited from providing information regarding compensation

**Annual Statements:** Each Board member shall annually sign a statement that affirms that he or she:

- Has received a copy of the conflict of interest policy
- Has read and understands the policy, and
- Has agreed to comply with the policy

APPROVED by VCA board: 04-13-2014

Reviewed and APPROVED 06-03-2024

## **DIVERSITY POLICY**

The Varna Community Association believes in treating all people with respect and dignity. We strive to create and foster a supportive and understanding environment in which all individuals realize their maximum potential regardless of their differences.

When recruiting volunteers and employees, we are committed to finding the best people to do the best job possible. We recognize the importance of reflecting the diversity of our community in our staff and in key volunteer positions.

Our diversity encompasses differences in ethnicity, gender, language, age, sexual orientation, religion, socio-economic status, physical and mental ability, thinking styles, experience, education, kind of residence, and length of time in Varna. We believe that the wide array of perspectives that results from such diversity promotes innovation and success.

Approved 09-10-17  
Reviewed and Approved: 05/06/2024

**Procedures for:  
The VCA Board's Annual Reorganization Meeting  
and  
Election of Officers**

The following procedures for selecting a date for the VCA Board's annual Reorganizational Meeting and for election of officers are being implemented for the purposes of allowing the Board members an opportunity to evaluate candidates' background information and motivation for running for a position. These procedures are intended to allow Board members to review the qualifications of potential officers and be able to make informed votes based on candidates' abilities

**Annual Reorganization Meeting**

1. Following and Annual Meeting of the Corporation, the first regular meeting of the VCA Board shall be known as the VCA's Annual Reorganization Meeting.
2. The date of the next Annual Reorganization Meeting shall be set each year by the VCA Board at one of its regular meetings. The date selected for the Annual Reorganization Meeting shall be at least 30 days in the future and shall be on or after the date of the Annual Meeting of the Corporation.

**Election of Officers**

1. At least 30 days prior to the Annual Reorganization Meeting, current officers must announce whether they desire, or do NOT desire, to stand for reelection to their current officer position.
2. Any current, non-officer, board member considering running for an Officer position must notify the VCA Board of their intention to seek and accept nomination for a specific officer's position. Such notification must occur at least 14 days prior to the Reorganization Meeting.
3. If, prior to the Reorganization Meeting, no one gives notice of interest in serving in a particular position, then during the Reorganization meeting, nominations from the floor will be accepted for that position.

**Approved by the VCA Board of Directors 01-10-2011  
Reviewed and re-approved 10-26-2014, 02-04-2024**



## ***Suggested Qualifications for VCA Board Officers***

### **Chair**

Member of the VCA Board of Directors for a minimum of one (1) year.  
Experience chairing a committee.  
Distinguished leadership and communication skills.  
Proven ability to work effectively with individuals and groups to accomplish goals.  
General knowledge and good sense of finance and business judgment.  
Must be able to keep confidentiality.  
Strong ties to Varna and desire to keep the hamlet's best interests.  
Must be able to make unpopular decisions in times of conflict.  
Good organizational skills.  
Knowledge Robert's Rules of Order  
Familiarity with NYS law governing non-profit corporations and IRS regulations for  
501(c)3 organizations  
Experience with contract negotiation

### **Vice Chair**

Member of the VCA Board of Directors for a minimum of one (1) year.  
Same as above, including  
Be able to work effectively with other officers.  
Must be able to keep VCA Policy Manual updated.

### **Secretary**

Strong organizational and communication skills.  
Experience taking minutes at meetings.  
Keep minutes during meetings and process for distribution within timely manner.  
Strong ties to Varna and desire to keep the hamlet's best interests.  
Be able to work effectively with other officers.  
Must be able to keep confidentiality.

### **Treasurer**

Strong organizational and communication skills.  
Good financial and banking skills.  
Knowledge of budget preparation and management.  
Knowledge of NYS law governing non-profit corporations and IRS regulations for 501(c)3 organizations.  
Able to conduct computerized financial bookkeeping.  
Knowledge of QuickBooks helpful.  
Strong ties to Varna and desire to keep the hamlet's best interests.  
Be able to work effectively with other officers.  
Must be able to keep confidentiality.

01/10/11

## **EMPLOYEE EVALUATION POLICY**

Evaluation of the VASP Director's work performance will be carried out as specified in the Director's annual employment contract. The Director's performance will be reviewed and evaluated at least once per contract year.

Evaluation of other VASP employees will be carried out by the VASP Director as specified in the VASP Employee Handbook.

APPROVED 09-0-17

## VCA Finance Procedures

The following procedures have been developed in order to:

1. comply with federal and state laws and regulations related to not-for-profit corporations and NY tax-exempt entities.
2. comply with banking practices related to commercial accounts.
3. define expectations and responsibilities of board members and members of the Varna Community Association (VCA).
4. clearly separate VCA and private funds.
5. provide for prompt acknowledgment of donations.

### **General Procedures (Approved 09-07-2014; Revised 10-02-2023)**

1. All checks received should be made out to the Varna Community Association. Third-party checks are discouraged. (Note that the VCA can provide a receipt for a charitable contribution made by check only when the check is made payable directly to the VCA).
2. All checks received must include the full name and street address of the check writer. A phone number is also desirable.
3. VCA checks for amounts equal to or greater than \$300 require two authorized signatures.
4. VCA funds (check, debit card, charge account, or petty cash) should be used for purchases on behalf of the VCA whenever possible.
5. A NY tax-exempt form must be used for purchases made with VCA funds.
6. If personal funds are used to make a purchase, the vendor's receipt must be provided in order to obtain reimbursement. Any sales tax paid will NOT be reimbursed.
7. A NY tax-exempt form must not be used for purchases made with personal funds (e.g., a personal check, credit card, cash).
8. All funds for deposit should be clearly identified as to source and purpose.
9. A draft budget for the upcoming year shall be prepared by the Finance Committee each year and presented to the board in October for approval.
10. Federal Tax form(s) shall be filed each year. The deadline for filing the return or extension is May 15<sup>th</sup>. The NYS equivalent (CHAR 500) shall also be filed.

**Returned checks (Approved 9-7-2014) (Reviewed and approved 12-04-23)**

1. Any check returned by the VCA's bank for any reason shall incur a VCA fee of \$25.00 in addition to the amount charged by the bank.
2. For any check returned to the VCA by the bank, a representative of the VCA will call the check writer and request that the check amount plus fees be paid in cash within ten business days. (See #1 above regarding fees.)
3. If the check writer cannot be reached by phone, a VCA representative will send a certified letter requesting payment within ten business days of the postmark on the letter.
4. If the check amount plus fees is not paid in cash within ten business days, a representative of the VCA will contact the Tompkins County District Attorney's office to request assistance.
5. Renters with long-term leases are subject to any additional terms concerning returned checks included in their leases.
6. If a 2<sup>nd</sup> check from a check writer is returned by the VCA's bank, the VCA will follow the above procedure and stop accepting checks from that check writer.

**Invested Funds (Approved 01-03-2016; Reviewed and approved 01-03-24)**

1. Invested funds include all funds held in accounts (e.g., CDs, mutual funds) other than local bank checking and savings accounts.
2. Withdrawals from invested funds require pre-approval of the Board of Directors.
3. Any change in the distribution of invested funds requires pre-approval of the Board of Directors.

**Charge Account Procedures (Approved 10-26-14; Reviewed, revised & approved 01-03-24)**

1. All charge accounts must be approved by the Board of Directors.
2. Use of charge accounts is limited to purchases made on behalf of the VCA in accordance with New York State sales tax exemption law.
3. Individuals authorized to make charge account purchases shall include the Chair, Treasurer, Chairs of standing committees, and others as approved by the Board.

4. The Treasurer shall maintain a current list of all approved accounts and individuals authorized to use such accounts.
5. At least once per year, the Finance Committee shall review the list of approved and authorized individuals and present recommended changes (if any) to the Board for approval.
6. Receipts for charge account purchases must be submitted to the Treasurer within 10 days to allow for the prompt remittance of account bills.
7. At least once a year, businesses with which a charge account is held shall be notified of the persons authorized to use said charge account. Notification will be by letter. Businesses will also be asked to require a photo identification of individuals using the VCA charge account.
8. The Treasurer and/or the Chair may authorize (in writing) persons to use a given charge account on a temporary or emergency basis.

**Debit and Credit Card Procedures** (Approved 10-26-14; Reviewed & approved 1-3-24)

1. All Debit and credit card accounts must be approved by the Board of Directors.
2. Use of debit and credit cards is limited to purchases made on behalf of the VCA in accordance with New York State sales tax exemption law.
3. Individuals authorized to make purchases via debit or credit card shall include the Chair, Treasurer, and others approved by the Board.
4. The Treasurer shall maintain a current list of all approved debit and credit card accounts and individuals authorized to use such accounts.
5. At least once per year, the Finance Committee shall review use of debit and credit cards and make recommendations (if any) to the Board for approval.
6. Receipts for debit or credit card purchases must be turned in to the Treasurer within 10 days to allow for accurate tracking of account balances and payments due.
7. The Treasurer and/or the Chair may authorize (in writing) persons to use a given debit or credit card on a temporary or emergency basis.

### **Financial Procedures for Donations (Approved 10-26-14)**

1. Undesignated donations will be deposited in the general operating budget (unrestricted cash donations budget line).
2. Designated donations will be allocated for the purpose specified. Funds not expended in a fiscal year will be carried forward as an encumbrance until fully expended.
3. All donations shall be acknowledged. When required, documentation needed for tax purposes shall be provided by the Treasurer.

### **Financial Procedures for VCA Events (Approved 10-26-14)**

1. All banks for VCA events shall be drawn by the Treasurer from VCA funds and made accessible to the Event Chair (in a mutually determined manner) before the start of the event.
2. The Event Chair for a particular event is responsible for collection and security of funds associated with the event.
3. At the end of an event that takes place at the Varna Community Center, the Event Chair must turn over the bank to the Treasurer (or the Treasurer's designee) in a manner that has been mutually determined. Such transfer of funds shall take place within the Community Center facility.
4. For a VCA event that does not take place at the Varna Community Center, the Event Chair must turn over the event funds to the Treasurer (or the Treasurer's designee) in a manner that has been mutually determined. Such transfer of funds must take place within 7 days of the event.
5. Upon receiving funds from an event, the Treasurer shall secure the funds within the Community Center facility until the Treasurer has recorded and appropriately disbursed the funds.

## KEY POLICY

Purpose: To facilitate access to the Varna Community Center by authorized users and to prevent access to the Center by non-authorized persons or groups.

Implementation:

1. Each key to the Varna Community Center will be numbered.
2. All keys will be labeled “do not duplicate” EXCEPT for the following keys to the building which may be duplicated as needed:
  - a. 1 key for the Chair,
  - b. 1 key for the calendar manager,
  - c. 1 key for the office.
3. The Chair, or designee may distribute keys at their sole discretion.
4. The calendar manager, after consultation with the Chair or Treasurer, may distribute keys to individuals or groups.
5. Groups that are sponsored by the VCA (e.g., Board of Elections, Card Club) will not be required to pay a key deposit.
6. Groups that rent the building on an on-going basis (e.g., NYS Home Bureau, martial arts classes) will be required to pay a \$10 deposit per key.
7. Each actively serving Board member shall have the option of having a key to the building without paying a deposit. If a Board member’s key is lost, it will be replaced when the Board member provides a donation to cover the cost of key replacement.
8. Persons who leave the Board for any reason will be encouraged (by the Chair or designee) to return any key(s) in their possession.
9. Any person or group who has a key but who is no longer authorized access to the Center, will be requested (by the Chair or designee) to return any key(s) in their possession.
10. To encourage the return of keys by short-term renters, the VCA’s *Facility Use Agreement* (rental contract) will clearly indicate that a fee of at least \$20 per key will be deducted from the damage/cleaning/key deposit if keys are not returned immediately on completion of the rental period.
11. To encourage the return of keys by long-term leasers, each lease will clearly indicate that a fee of at least \$20 per key will be deducted from the key/cleaning/damage deposit if a key is not returned at the end of the lease period.
12. A record, to include each key number, holder’s name, and contact information, will be kept by the Chair or designee.

Approved by VCA Board 6-15-2009  
Revised and approved 5-5-14

## **MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISES (M/WBE)**

### **POLICY**

The Varna Community Association is committed to adhering to ethical, unbiased and legal standards in all of its activities. Therefore, the VCA endorses and adheres to NYS legislation on M/WBE by:

- (1) Actively soliciting bids for contracts and subcontracts from qualified NYS certified MBEs or WBEs for NYS funded projects,
- (2) Documenting and maintaining records of bid solicitation, including those to M/WBEs and the results thereof.
- (3) Ensuring that progress payments to M/WBEs are made on a timely basis so that undue financial hardship is avoided, and that bonding and other credit requirements are waived or appropriate alternatives developed to encourage M/WBE participation.

APPROVED 09-10-17



## **NON-DISCRIMINATION POLICY**

The Varna Community Association, Inc. (VCA) seeks to enhance the quality of life for all residents of Varna as our hamlet develops and changes.

The VCA recognizes that the future strength of Varna rests firmly on a commitment to value, respect and embrace the richness of a diverse population within the hamlet.

The VCA shall not discriminate in its activities on the basis of race, ethnicity, creed, political or religious belief, color, gender, national origin, age, sexual orientation, marital status, disability, sexual identity, domestic violence victim status, predisposing genetic characteristics, military or veteran status, or status in any group protected by federal, state, and local law. These activities include, but are not limited to, provision of services; selection and management of vendors and contractors; and dealings with the general public.

APPROVED: 09-10-2017

Reviewed & approved: 06-30-2023

Reviewed, revised and approved: 08-07-2023

## **Phone, Email, etc. Decision-making**

The VCA Board of Directors may conduct business and make decisions via non-face-to-face communications (e.g., phone, email) if a quorum is met (as specified in Article II, Section VIII of the VCA Bylaws) and if all Directors participating in the discussion are in agreement on the issue(s) under consideration. However, if any participating Director is not in agreement on the issues(s) under consideration, then a decision may NOT be made via non-face-to-face communications.

When conducting business via non-face-to-face communications, the Chair must ensure that all members of the Board have the opportunity to take part in discussions and decisions.

Approved: 03-16-2014  
Reviewed and approved: 9-11-23

## Sexual Misconduct Policy

The Varna Community Association prohibits and does not tolerate any form of sexual misconduct in the workplace, or during any organization-sponsored activity, or during any other use of Varna Community Association facilities. The Varna Community Association provides procedures for employees, volunteers, board members or any other victims of sexual misconduct to report such acts. Those reasonably suspected or believed to have committed abuse or misconduct will be appropriately disciplined, up to and including termination of employment or membership, as well as criminally prosecuted. No employee, volunteer, board member or other person, regardless of his or her title or position has the authority to commit or allow sexual misconduct of any kind.

**Definitions:** The following definitions and examples apply to any and all Varna Community Association members, employees, volunteers, or other third parties:

Sexual misconduct is a type of violence that uses power, control and/or intimidation to harm another person. It includes sexual abuse, sexual molestation, sexual harassment, and the creation of a sexually hostile environment. It occurs when there is an absence of consent.

Sexual abuse is the infliction of sexual contact upon a person by forcible compulsion. It includes engaging in sexual contact with a person who is below age 18 or who is incapable of giving consent because of age or mental or physical incapacity. Sexual abuse includes rape/sexual assault and sexual battery.

Sexual molestation is any willful and lewd act, other than the crime of sexual assault, on a child under the age of 14 with the intent of arousing, appealing to, or gratifying the sexual desires of the perpetrator or of the child. Examples of molestation include unwanted and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, or massaging.

Sexual harassment is behavior characterized by the making of unwelcome and inappropriate comments or physical advancements. Examples include sexual

remarks made in any communication format, request for sexual favors, bullying, jokes, gestures, social media posts, exposure, exploitation, leering, stalking, invasion of sexual privacy, sharing of pornographic or sexually explicit images, posters, calendars or objects.

Sexually hostile environment is one in which comments or conduct unreasonably interferes with one's work performance or creates an intimidating, hostile or offensive environment. For example: direct or implied threats that submission to sexual advances will be a condition of employment or affiliation.

**Reporting Procedure** [Note: The following paragraph uses the term 'the harasser' to refer to someone engaged in any type of sexual misconduct.]

Anyone perceiving that they are being subjected to sexual misconduct may immediately inform the harasser that the conduct is unwelcome and needs to stop. If the inappropriate conduct does not cease, or if the person is unable to or uncomfortable with addressing the alleged harasser directly, they should report the incident to:

- their supervisor,
- the Chair of the Varna Community Association Board, or
- another member of the Varna Community Association Board of Directors.

Contact information for these individuals will be available at all times in several places at Varna Community Association facilities. Contact information for emergency services, Tompkins County Sheriff Department, and New York State Police will also be prominently displayed in several places on Varna Community Association property.

It is important to report all concerns of sexual harassment or inappropriate sexual conduct to one of the individuals listed above as soon as possible. It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and names of any witnesses.

Persons in authority within the Varna Community Association must be made aware of the situation so an immediate and impartial investigation can be initiated

and appropriate action can be taken to remediate or prevent the prohibited conduct from continuing. Supervisors and board members who knowingly allow or tolerate sexual misconduct or retaliation, including the failure to immediately act, are in violation of this policy and subject to discipline which may include dismissal from employment, dismissal from the board, dismissal from membership.

It is the policy of the Varna Community Association not to attempt to investigate or assess the validity or credibility of an allegation of sexual or physical abuse as a condition before reporting the allegation to proper law enforcement authorities or protective services organizations. The Varna Community Association is committed to following state and federal legal requirements for reporting allegations or incidents of sexual abuse or misconduct to appropriate law enforcement and child or adult protective services organizations.

When made aware of a complaint of sexual misconduct of any kind, supervisors and board members must:

- Take all complaints or concerns of alleged or possible misconduct seriously no matter how minor or who is involved.
- Immediately alert external authorities if the complaint involves behaviors suggestive of sexual abuse or sexual molestation.
- Conduct an investigation for complaints that do not suggest sexual abuse or molestation by gathering the information in the numbered list below.
- Take appropriate action to prevent retaliation or prohibited conduct from recurring during and after any investigations or complaints.

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Varna Community Association will take every reasonable measure to ensure that those named in the complaint, or who are too closely associated with those involved in the complaint, will not be investigating the complaint. The Varna Community Association will cooperate fully with any investigation conducted by law enforcement or other regulatory/protective services agencies. If law enforcement or protective services personnel are not conducting an investigation and if no one within the Varna Community Association

is available or able to follow through with an investigation, an outside third party, such as the Community Dispute Resolution Center in Ithaca, may be engaged to conduct an investigation.

To ensure the prompt and thorough investigation of a sexual harassment complaint, the complainant should provide as much of the following information as is possible:

1. The name and position of the person or persons allegedly committing sexual misconduct.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or participate in volunteer or member activities.
4. The names of other individuals who might have been subject to the same or similar sexual misconduct.
5. What, if any, steps the complainant has taken to try to stop the misconduct.
6. Any other information the complainant believes to be relevant to the complaint.

### **Discipline**

Anyone violating this policy is subject to appropriate discipline. If an investigation results in a finding that this policy has been violated, the mandatory minimum discipline is a written reprimand. The discipline for very serious or repeat violations is termination of employment, removal from the board of directors, expulsion from membership, and/or prohibition from participation in Varna Community Association activities or the use of its facilities. Persons who violate this policy may also be subject to civil damages or criminal penalties.

### **Confidentiality**

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation

and the person conducting the investigation takes adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a sexual misconduct complaint or investigation is maintained in secure files in the Varna Community Association office safe.

### **Other Available Procedures**

The procedures available under this policy do not preempt or supersede any legal procedures or remedies otherwise available to a victim of sexual misconduct under local, state or federal law.

Approved by VCA Board of Directors: 09/13/22