

New Hampshire Arborists Association

Constitution and Bi-Laws

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CONSTITUTION

Article I:

Name

The name of the organization shall be, "The New Hampshire Arborists Association". *Hereafter referred to as "NHAA" or "the Association".*

Article II:

Purpose

The New Hampshire Arborists Association is established for the following purposes: to bring together persons and/or firms engaged in the profession of arboriculture as a livelihood and by which recognized methods of tree Integrated Pest Management (*IPM*), *Integrated Vegetation Management (IVM)*, pruning, spraying, fertilizing, transplanting, kindred arboriculture and horticultural activities and diagnosis are practiced; to promote good fellowship and understanding to advance the interests of the tree care industry; to collect, preserve and disseminate valuable and useful information relating to the profession of arboriculture; to encourage sound and useful legislation and to oppose legislation which is harmful or unfair to the arborist's profession; to foster and promote research for the improvement of arboricultural practices; to maintain good ethics, integrity, good faith, good will and just and equitable principles of business in the industry; and to strive in every practical way to promote the best interest of the members.

Article III:

Members

- A. Certified Membership shall be limited to individuals who are actively engaged in arboriculture, in the state of New Hampshire and others, who have met the certification requirements of the New Hampshire Arborists' Association. (see by-laws for explanation of requirements)
- B. Associate Membership shall be limited to non-certified individuals engaged in allied trades, including educators, *students*, scientists and others interested in trees of shade and ornamental value. They shall have no voting privileges, but will be invited to all functions, receive all pertinent information, newsletters, etc.
- C. Honorary Lifetime Membership shall be for any person who has distinguished him or herself in the field of arboriculture. The person, upon recommendation of the *Board of Directors*, shall be presented with an honorary lifetime membership by the

membership at a regular meeting and be entitled to all privileges and voting rights.

Article IV:

Dues and Privileges *of Membership-*

- A. Certified Members shall have voting power on all matters coming before the Association and all social, educational, and other privileges as defined by the Executive Committee.
- B. Associate Members shall have all social, educational, and other privileges as defined by the Executive Committee. Associate Members may not have any voting power on any matters coming before the Association, nor serve as officers or members of the Board of Directors.
- C. Honorary Lifetime Members shall have all social, educational, voting, and other privileges as defined by the Board of Directors. Honorary Lifetime Members may serve on the Board of Directors at the discretion of the Board of Directors.
- D. Dues structure shall be determined by the Board of Directors with the approval by the Membership, by majority vote. Any member failing to pay dues on or before January 31 of the current year, *may* be denied the privilege of membership including *revocation* of certification, and *may* be required to retake the NHAA certification exam. *Delinquent members will be reviewed by the Board of Directors; these members may be allowed to pay the back dues for up to two consecutive years with a late fee to reinstate their membership privileges.*
- E. All individuals holding membership in the New Hampshire Arborists Association at the time of adoption of this constitution and by-laws shall constitute the membership of this organization. Thereafter, any individual shall be eligible to membership under this constitution.
- F. Termination of Membership. Any membership may be terminated for just cause. Sufficient cause for such termination shall be (1) non-payment of dues *for two consecutive years*, (2) Violation of any of the provisions of the constitution and by-laws or any agreement, rule or practice properly adopted by the New Hampshire Arborists' Association or any such conduct prejudicial to the interest of the Association. Such termination shall be by a two-thirds vote of the Board of Directors after due notice for a hearing.

Article V:

Officers and the Board of Directors

A. The officers of the Association shall be president, president elect, vice president and immediate past president. These officers shall be chosen from, and elected by, the membership of the Association for a term of one year.

B. The Board of Directors shall consist of the president, president-elect, vice-president, secretary, treasurer, immediate past president, the *Regulatory* representative and the chairperson of the NHAA Certification Program, as well as five directors and one alternate member at large.

Article VI:

Duties and Powers of the Officers and Board of Directors

A. Officers

1. The President shall act as presiding officer for all NHAA business and affairs and preside over all meetings of the Association and Board of Directors. The President shall convene the Board of Directors whenever the affairs of the Association and Board of Directors demand or on the written request of any three members of the Board of Directors.
2. The President-elect shall assist the President and in the event of the President's absence, disability, or negligence shall perform the President's regular duties. The President-elect shall assume the presidency in case the President resigns.
3. The Vice-president shall assist the President-elect and in the event of the President-elect's absence or disability, shall perform the President-elect's regular duties. The Vice-president shall assume the President- elect in case the President-elect resigns.
4. The immediate past president shall act as chairperson of the Nominating Committee appointing a committee of two to nominate officers for the ensuing year, at least one month before the annual meeting.
5. The president and Board of Directors may appoint such stand and or ad-hoc committees as are

necessary for the successful operation of the association.

B. Board of Directors

The Board of Directors shall act on all matters of interest to the Association, between the annual meetings, reporting such action to the members through the secretary. *The Board of Directors shall be responsible for arranging the program for the annual meeting.* The Board of Directors shall meet no fewer than four times per year.

C. Financial Expenditures

All expenditures of Association funds shall be approved by a Board of Directors motion voted on, and approved by, a quorum plus one. No individual is authorized to spend Association funds, or enter into any contract agreement, without prior Board approval. Association Treasurer is authorized to distribute funds that are recurring and authorized by the Board of Directors, related to regular business expenses up to \$500.00. The Treasurer must report all planned expenditures at each Board meeting for Board of Director approval.

Article VII:

Election of Officers and Board of Directors

A. The president, president-elect, vice-president, secretary, and treasurer shall be elected by ballot at the annual meeting of the Association and shall hold office for a term of one year. The president shall be limited to two one year consecutive terms. The secretary *and* treasurer shall hold office for a term of three years and may hold two terms.

B. The Board of Directors shall be elected at the annual meeting by the members of the Association in the following manner. At the first annual meeting after the adoption of the Constitution, the five *Directors* shall be elected. *Directors will serve a two year term and may serve two consecutive terms.*

Article VIII:

Meetings

There shall be an annual meeting of the Association at such time and place as may be designated by action of the Board of Directors. Other meetings may be scheduled by the Board of Directors as necessary. Notices of all annual meetings shall be sent to each member at least four weeks prior

to the meeting.

Article IX:

Quorum

One-fourth of the Certified Members shall constitute a quorum for the transaction of business except the amendment of the Constitution. *One-half plus one of active Board of Directors constitutes quorum for Board meetings.*

Article X:

Nominating Committee

The immediate past president shall act as chairperson of the Nominating Committee appointing a committee of two to nominate officers for the ensuing year.

Article XI:

Amendments

The Constitution and/or by-laws may be altered or amended by the *Board of Directors using the* following procedure: the proposed change shall be *made available* to the membership *prior* to the annual meeting. It shall be read and voted upon at the *annual* meeting, a three-fourths vote of quorum present being required for passage.

Article XII:

By-Laws

There shall be adopted as required such by-laws as are deemed essential to the development of good procedure by the Association, they shall not be at variance with the Constitution, but shall be subordinate to it and shall be altered and amended as to accord therein.

Article XIII:

Dissolution

The Association shall use its funds only to accomplish the objectives and purposes specified in this Constitution, and no part of said funds shall inure or be distributed to the members of the association. On dissolution of the association, any funds remaining shall be distributed to one or more regularly organized and qualified arboricultural organizations to be selected by the Board of Directors.

Article XIV:

Conflict of Interest

Any possible conflict of interest on the part of any member of the

Board of Directors or employee of the Association shall be disclosed in writing to the Board of Directors and made a matter of record *annually* and also when the interest involves a specific issue of the Board. The minutes of the meeting shall reflect that a disclosure was made, the abstention from voting, and the actual vote itself. Every new member of the Board will be advised of this policy upon entering the duties of his or her office. The Board of Directors will comply with all the requirements of New Hampshire law in this area and New Hampshire requirements are incorporated into and made part of this policy statement.

BY-LAWS

Section I:

Certification Program

New Hampshire Arborists Association Arborists Certification Program

In 1982, the New Hampshire Arborists Association took on a new role formerly filled by the State of New Hampshire. The State Arborists Control Board was the body which tested and licensed arborists but this Board was eliminated by sunset legislation in 1981. Today the Association tests and certifies arborists in New Hampshire [see Qualifications and Exam below].

Qualifications and Exam

To qualify as a New Hampshire Arborists Association Certified Arborist, an experienced tree care professional must pass a comprehensive, written examination developed by a committee of tree care experts in industry, research, and government. The certification exam includes the following *domains*: tree identification; insect and disease identification and life cycles; tree function and tree biology; general practices and procedures of arboriculture; soil structure; and safety. The New Hampshire Arborists Association maintains this voluntary certification program.

To qualify for the exam, applicants must meet the following requirements:

- 1. Candidates must have a minimum of Two Years of Full-Time Experience in Professional Arboriculture.*
- 2. Acceptable Experience includes the practical use of knowledge involved in pruning, fertilization, installation and establishment, diagnosis and treatment of tree problems, cabling and bracing, climbing, or other services that directly relate to professional arboriculture. Examples of experience sources include, but are not limited to tree care companies, nursery personnel, landscape personnel, municipalities, state and federal forestry personnel, instructors of arboriculture/horticulture, consulting arborists, and pest control advisors/applicators.*
- 3. The eligibility requirement may also be satisfied in one of the following ways:*
 - 1. a Two-Year Degree in Arboriculture and One Year of Practical Experience*
 - 2. a Four-Year Degree in a Related Field and One Year of Practical Experience*
- 4. If you are self-employed or own your own company, you will also be required to submit Three Professional Letters of Reference (i.e., professional references of your qualifications as a professional arborist) with your application.*

Experience statement verification must accompany a formal application for the certification exam along with the exam fee. The NH Arborists Association Certification Committee Chairperson must receive all requirements no later than March 1 for the April exam and September 1 for the October exam.

The non-refundable application fee will include membership in the New Hampshire

Arborists Association for the remainder of the year the examination is passed. A passing grade of *75%* in *each domain* must be scored to successfully pass the certification exam. If the applicant fails the certification exam on two consecutive exam dates, there will be a waiting period of one year before **re-examination**. The certification examination is administered two times a year, the first Tuesday in April and the first Tuesday in October. Pre-registration *by March 1 and September 1* is required.

Once certified, any NHAA Certified Arborist failing to pay recertification fees *within two consecutive years* shall be denied the privilege of membership, including arborist certification, and shall be required to retake the certification exam, and pay all associated fees and meet all certification requirements. Failure to pay recertification fees as required will result in the lapse of the NHAA Certification and removal of the individual's name from the NHAA List of Certified Arborists. Retake of the NHAA Certification Exam will be required for recertification as stated per the New Hampshire Arborists Association Constitution and By-Laws.

New Hampshire Arborist Association Annual Meeting, 2018
Kevin T. Smith, PhD. USDA Forest Service, Durham, NH

Brief bio:

Dr. Kevin T. Smith is Supervisory Plant Physiologist for the US Forest Service and Affiliate Professor of Biology at the University of New Hampshire, Durham. Smith began his research work in tree biology with Dr. Alex Shigo in 1977. A plant pathologist and mycologist, Smith investigates the growth and defense processes of compartmentalization in living trees and the long-term relationships of trees and forests with decay fungi. Smith has published more than 125 research and educational articles and has received awards for research and science delivery from the US Forest Service and the International Society of Arboriculture. Smith is an Honorary Lifetime Member of the New Hampshire Arborist Association. More details are available at: <https://www.nrs.fs.fed.us/people/ktsmith>.

Presentation title: Wood decay fungi, tree disease, and forest health.

Presentation abstract:

Fungi that decay wood are a natural part of the urban tree system. Many produce mushrooms or brackets that may be easy to see but hard to identify. Clients, customers, and people in day-to-day life expect arborists to know a little about the broad categories of what we see in nature. Desirable skills for the practicing arborist include (1) the ability to recognize the top handful of species that cause most of the problems, (2) understanding the strategies that decay fungi use to enter and spread in the living tree, and (3) the realization that most fungi seen on wood, bark, and soil are at worst neutral and may be beneficial to the tree and urban forest system.

"Neil's degrees are in forestry: a BS from Cook College/Rutgers University, an MS from the University of New Hampshire, and a PhD from Yale University School of Forestry and Environmental Studies. He spent several years on the faculty of natural resources at Simon Fraser University, British Columbia, and for more than thirty years since has been a practicing arborist. At the R.A. Bartlett Tree Research Laboratory since 2000, he conducts research, provides technical support, and does numerous lectures and workshops. He is a Certified Arborist, NJ Licensed Tree Expert, ISA Certified Tree Risk Assessor and a member of the Society of American Foresters".

Speaker Information Form

Contact Information:

Name: Keith D Pancake

Company: ACRT Inc

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Title of your Discussion or Presentation(s): Going out on a limb: Sharing my story about the accident that almost ended my career

Brief Summary of Topic (80 words or less): Keith Pancake was a certified arborist, competitive climber, and a father and husband to a growing family. The story will be a first-person account in which Keith reflects on performing recovery work in the wake of an extreme New England winter storm, and the incident that would lead to the loss of his arm, including the events that led to it—discussing the small, intangible things that can mean the difference between life-altering injury and going home safely each day.

Please attach a brief professional bio of 80 words or less as well

Keith Pancake is an Operations Manager for ACRT incorporated in the New England region servicing several utilities. He's an ISA Certified Arborist, ISA Utility Specialist, and Licensed Supervisory Pesticide Applicator. As a New Hampshire Certified Arborist, he serves on the Board of Directors for the NHAA (NH Arborist Association) He has volunteered for and competed in the Southern and NE Chapter ISA Tree Climbing Competition and served as Head Judge. Keith holds Bachelor Degrees in Wildlife and Fisheries as well as Geography