



PALICA-NEWS YOU CAN USE!

Pennsylvania Land Improvement Contractors of America

Winter 2018-19 Member Edition

**IF YOU AND/OR YOUR EMPLOYEES NEED THE 10 HOUR
OSHA CERTIFICATION, THIS IS THE TIME TO GET IT AT
LITTLE OR NO COST!**



Register now to take the class at our 2019 Winter Meeting/Convention—there will be other great classes and speakers throughout the weekend even if you don't need the certification, so mark your calendars now and plan to attend. Tentative agenda inside on page 3.

(Registration info sheet is inside this newsletter and on our website.)

A representative from United Fire Group will hold the class over 2 days in Harrisburg – there is no cost if you are registered for the convention, BUT you can attend this OSHA class exclusively at a cost of \$55/per person --to cover the cost of meals for both days--

****OSHA requires at least one OSHA certified worker on each job site, so you can't afford not to take advantage of this opportunity!**

PALICA
775 Mercer Road
Greenville, PA 16125

UPCOMING EVENTS

EROSION CONTROL WORKSHOP-

February 14, 2019

Get an overview of PADEP Chapter 102 regulations and detailed information on erosion and sediment control measures in PA. Workshop participants will also receive a field guide to better understand the inspection process.

Call Melinda Muehlbronner from the Allegheny Conservation District for more info at 412-241-7645

**2019 National LICA Winter Convention
El Conquistador, Tucson, AZ February 26th -
March 2nd**

Call: 1-888-370-0980

Group Code: LICA

Rate: \$179/night, plus taxes

Reservations must be made by 1/28/19

Click Link for Hotel Reservations:

https://secure.hilton.com/en/hi/res/choose_dates.jhtml?hotel=TUSHTHH&spec_plan=LICA



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Pennsylvania LICA By-Laws are changing.....

The proposed changes have been submitted, reviewed and are enclosed within this publication in the form of the entire set of By-Laws. If you'd like to see and compare them to the current By-Laws, you can find those on our website. The changes will be presented and voted on at the Annual Meeting in Harrisburg in March. If you have any questions or comments, feel free to submit them to the board of directors.

We hope many of you will be attending the meeting to vote on them and to become a bigger part of our amazing association! If you're interested in serving on our board of directors, let us know right away so we can add you to the nomination list.

IF YOU'RE NOT SURE THAT ATTENDING THE PALICA ANNUAL MEETING/CONVENTION IS WORTH YOUR TIME, READ WHAT OTHERS HAVE SAID ABOUT THEIR EXPERIENCES AND WHAT THEY'VE GOTTEN OUT OF THEIR INVESTMENT.....A PICTURE IS WORTH A LOT AS WELL!



"I wasn't sure what to expect but I thought the lineup of speakers looked very interesting and beneficial to me as a business owner. I ended up meeting some of the nicest people in many different types of businesses, and I learned so much. On top of that, they made it so much fun and it was time and money well spent! Everyone was very welcoming and I can't wait to go back this year and hopefully bring my wife.".....D. Phillis -



"My company employees are in need of the OSHA training and we haven't found anything that even comes close to location or pricing so we'll be attending for sure!".....

J.M. Smith



"We really enjoyed our time there. The location was very accommodating. The classes were valuable and we were able to see new ways to utilize our membership as well as meet very nice likeminded business owners." ...

.Mor Outdoor Rejuvenation Inc.-new member in 2017

TENTATIVE CONVENTION AGENDA AND SPEAKER INFO--there may be a few changes (added classes)-- those listed in black are currently booked

Friday – March 15, 2019

9:00 am – 12:00 pm Start of OSHA Class
(split over 2 days)

General Session for non-OSHA attendees

9:00 - 10:30 am

DOT Officers present information on the latest regulations within the state of PA followed by a Q&A

10:30 am – 12:00 pm



One of our newest associates will be doing a presentation on their Erosion Control Sock - "BEG Group Biopreferred Erosion/Filtration Sock, a PA DEP/PennDOT statewide approved Alternative Best Management Practice".

12:00 pm – LUNCH for both groups

1:15 – 3:00 pm OSHA class resumes

1:15 pm Trench Safety Class –Presenter Carl Lamb from Trench Tech – will cover all aspects of working in safe trenches, what OSHA looks for and the cost and danger to you and your employees by not complying with regulations

3:00 pm – BREAK

3:15 pm –National LICA CEO Jerry Buiso – update on newest LICA benefits/answer questions you may have about your membership benefits

3:45 pm – Best practices in Debt Collection for your business - (TBA)

5:30 pm – Associates' Night Event- Come meet many of our newer associates as well as our very loyal ones and talk one-on-one with them and view their products and services.....**ENJOY Complimentary beverages, heavy hors d'oeuvres, desserts and our scholarship Silent Auction begins**
(con't on next pg)

7:00 pm – Auction Winners Announced

7:15 pm – Scavenger Hunt in ballroom

7:45 pm – Comedian Chris Coccia – returns for a command performance!

9:00 pm – Hotel Lounge –open for all interested

SATURDAY, March 16, 2019

8:30 am – 1:00 pm - Part 2 of OSHA Class

8:30 am – PALICA Board Meeting

10:00 am – PALICA Annual Meeting (all convention attendees are welcome to join us for the meetings)

12:00 pm -- Don Paddock, Pow-r Mole --presentation on trenchless solution: *directional drilling accessories, auger boring machines and much more.....*

1:00pm – 3:00pm -- Awards Luncheon

3:00pm - 4:15pm – Free time til we depart for activity

5:00 pm Harrisburg Escape Room adventure

(we have room for up to 30 people to split up over 3 differently themed rooms.)

Here's how it works:

You're locked in a room with your group and debriefed of a mission. You have 60 minutes to escape & there is only one way out – find clues, solve puzzles and crack codes before your time runs out!

(Cost is \$25/pp and can be added to your registration sheet...IF all 30 slots don't fill up prior to event, and you decide you want to join us, you can pay at the door.) There is also bowling available if you aren't interested in the Escape Rooms but want to come along.

****We will enjoy dinner following the "Great Escape" to end our weekend.**

2019 WINTER PALICA MEETING/CONVENTION – MARCH 15 – 16, 2019

REGISTRATION—Best Western Central Premier, Harrisburg PA

CONVENTION CATAGORIES BROKEN OUT	CONTRACTOR MEMBER		SPOUSE/EMPLOYEES /KIDS OVER 12		KIDS UNDER 12	
Full Convention (includes OSHA 10 Hour Certification if needed)	#	\$200.00 EA	#	\$125.00 EA	#	\$50.00 EA
PALICA MEMBER OSHA 10 Hour CERTIFICATION CLASS ONLY	#	\$55.00 EA	#	\$55.00 EA	N/A	
NON MEMBER OSHA 10 HOUR CERTIFICATION CLASS <u>ONLY</u>	#	\$125.00 EA	#	\$125.00 EA	N/A	
FRIDAY CLASSES ONLY	#	\$100.00 EA	#	\$75.00 EA	N/A	
ASSOCIATES' NIGHT EVENT ONLY	#	\$75.00 EA	#	\$75.00 EA	#	\$20.00 EA
ESCAPE ROOM ADVENTURE (see agenda info sheet)	#	\$25.00 EA	#	\$25.00 EA	N/A	N/A
TOTAL OF EACH CATAGORY:	#	\$	#	\$	#	\$
**MAKE CHECKS PAYABLE TO: PALICA c/o Joanie Micsky 775 Mercer Road Greenville, PA 16125	(*see below for credit card info):			TOTAL # ATTENDING: _____	TOTAL COST OF CONVENTION \$_____	
COMPANY NAME: _____	EMAIL ADDRESS: _____			PHONE #: _____		
NAME TAGS FOR ATTENDEES: Please Print Clearly	CONTRACTOR NAME	SPOUSE/EMPLOYEE NAME(S)		KIDS NAMES		

***PAYMENT CAN BE MADE BY CREDIT CARD- **MUST RSVP ATTENDEES BY 3/1/19**

(*AN ADDITIONAL 4% FEE WILL BE ADDED TO COVER PROCESSING FEES)

CARD # _____ EXP DATE _____ CVC _____

TRENCH SAFETY

A copyright credit to Equipment World, a publication of Randall-Reilly.

SLOPE IT



With little fanfare, OSHA has made available new free “Slope It. Shore It. Shield It.” stickers that can be attached to [equipment](#) and other items on the jobsite.

Available in [both English and Spanish](#), the triangular decals feature the outline of a trench using both sloping and shoring, along with OSHA’s National Contact Center phone number, 800-321-6742. This number can be used by workers to contact OSHA regarding workplace safety issues.

The OSHA information page did not list the size of the sticker. Up to five stickers can be ordered at one time; for orders above five stickers, call (202) 693-2498.

[Fifty-one men died in a trench collapse](#) in 2016-2017, according to *Equipment World* research. Contractors have access to a [wealth of information](#) to both learn OSHA trench safety regulations and teach them to their personnel.

Pennsylvania LICA participates in a local Christmas Tractor Parade in Linesville, PA



PALICA Members Ron Roncaglione, Gary Theuret, Rodney Bates and Dennis Archacki all participated in this Christmas parade – with their LICA stickers to represent us! Even with the terrible weather, they had a great turnout! This parade has a great following!!

PRESIDENT
Evelyn Cottrell

CHAIRMAN OF THE BOARD
Dan Micsky

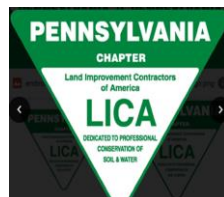
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James E. Borst & Assoc.

2 Leather Street • Sheffield PA
(814) 968-3219

McKean Insurance

600 Chestnut Street • Bradford, PA
(814) 362-9840

Eight Locations for Your Convenience!

Around PALICA.....

- ❖ Member dues for the 2019 year were due in November. Happy to report we've received 95% of them back. Any others that aren't paid by 1/31/19 will be dropped from the membership list effective 2/1/19.
- ❖ We're working on another Field Day for this coming summer so if you have any ideas or would like to be a part of it, call Joanie at the main office number.
- ❖ A POLICY & PROCEDURE Manual has been created to serve our Board of Directors in addition to the revised By-Laws. They will be listed on the website in the near future.

The Evolving Compact Excavator: Operators, OEMs getting inventive with tilt-rotators & attachments

A copyright credit to Equipment World, a publication of Randall-Reilly.

Though still used for just excavating, compact excavators are being deployed on a variety of tasks, as owners seek greater value from these versatile machines.

And some compact excavator owners are getting inventive. “I never thought you could put a shear on a 2-ton machine,” says John Comrie, Volvo Construction Equipment product manager. “But that’s exactly what one of our customers did on a recent demolition job.”

OEMs are getting inventive, too. Volvo offers a Steelwrist tiltrotator, with plus-and-minus 45 degrees of tilt and 360 degrees of rotation, on excavators of 3.5 tons and over.

Comrie says many Volvo customers find “they can do a lot more with a combination of a skid steer or mini track loader paired with a mini excavator, than with one mid-sized backhoe.”

The ability to rotate 360 degrees gives compact excavators greater versatility than backhoe loaders while offering comparable digging and lifting performance and the ability to use a full range of tools and attachments, he says. Backhoes have enjoyed the advantage of higher travel speed, but Comrie points out the Volvo EW60E wheeled compact excavator can now reach 19 mph.

“In the smaller size class, it’s rare to see just a machine and a bucket,” says Todd Dohnal, dealer development manager for Kobelco USA. “Typically, the unit will have an array of attachments.” “Excavators do not just dig holes these days,” he adds. “They have become one of the most versatile pieces of equipment on the jobsite.”

A plethora of attachments

Dohnal says the challenge for manufacturers will be to keep up with hydraulic requirements of this expanding catalog of tools and attachments.

It appears, though, that OEMs are up to the task. For example, most Kubota models allow programming of up to five hydraulic flow rates for specific attachments. The operator can select a rate by pushing a button. Load-sensing hydraulics and hydraulic regeneration circuitry further improve speed, power and precision.



The John Deere 60G features a wide door for easier cab access and improved visibility to the left side. A third service door provides easier access to the cooling core. An optional hydraulic blade offers 25 degrees of angle adjustment left and right for faster backfilling.



With a 23.3-horsepower Yanmar engine, the ZX35U-5 occupies the middle of Hitachi's compact excavator lineup. Standard rubber tracks provide minimal disturbance to surfaces; options include steel tracks, steel tracks with rubber pads and rubber grousers.



Hyundai introduced a number of upgrades to the R35Z-9A compact excavator in October. Among them are a standard Werk Brau-compatible thumb bracket and a diverter valve for simpler switching between a thumb and attachment.



Kubota's U27-4 boasts a reach of 15 feet 4 inches and dig depth of 9 feet 3.6 inches. An enclosed, heated cab is an available option. A third-line hydraulic return system provides greater efficiency, reduced backpressure and less heat for one-way attachments.



The cab on the Link-Belt 80X3 is Level 1 ROPS and FOPS certified and 8 percent bigger than the X2 series cab. The high-definition 7-inch LCD monitor provides a color display of the rear-view and optional side-view cameras on the same screen.



The Komatsu PC88MR-10 is powered by a four-valve-per-cylinder Komatsu engine rated at 65.5 horsepower. The standard 33-gallon-per-minute auxiliary hydraulic flow can be easily changed from single direction to bidirectional for a range of tools and attachments.

"Over 95 percent of compact excavators are purchased with thumbs, breakers, mowers, augers, tilt buckets or trench compactors," says Jeff Jacobsmeyer, Kubota product manager. The Link-Belt 80 X3 SA is available with several auxiliary hydraulic options including single-acting with pedal or proportional joystick control, multifunction with proportional joystick or combination hydraulics with proportional joysticks. The latter option provides multifunction and rotate auxiliary hydraulics and can be configured to adjust pressure settings from inside the cab.

Hydraulic quick-connects are options on most models and standard equipment on some. Up to four hydraulic circuits are available.

Tom Connor, product specialist at Bobcat, says they now offer a thumb, also known as a clamp, on their 2-ton E20 to meet demand. Thumbs have been available on larger models for some time.

Conner says Bobcat is also seeing demand for flail mowers for compact excavators. Bobcat offers two mowers: a 30-inch model for excavators of 3 to 4 tons and a 40-inch model for the 4- through 8.5-ton classes. The same ballast counterweights offered with the long-arm option on their compact excavators are available for use with flail mowers.

Justin Lantin, product marketing manager at Komatsu, says operators are also getting more use out of blades. They're still vital for stabilizing while digging and for backfilling, but they are also being used for grading and cleanup, bringing more efficiency to the jobsite.

Komatsu partners with attachments manufacturer Werk Brau. This streamlines the spec'ing process for customers and reduces freight costs compared to buying the machine from one source and the tools and attachments from another, he says.

Lantin also notes that some compact excavators possess a special feature that gives them further versatility. They can work indoors.

"There's always demand for more power and more breakout force in those applications, but our machines are also rigged and ready for essentially any tools and attachments, including those in demand for indoor use," he says.

Warranty war

Along with becoming more inventive, OEMs are getting more competitive, especially when it comes to warranties for compact excavators.

One of the first things you'll notice about the current crop of compact excavators is that there is no "standard" standard warranty. They come in a variety of combinations: one year, two years, three years; 1,800 hours, 2,000 hours, 3,000 hours, 10,000 hours, unlimited hours.

Extended warranties are also available, and several manufacturers offer custom warranties covering specific systems or components for a certain number of months or hours, as requested by the customer. Some OEMs offer the same warranty they have for years, while others changed their warranties just this year. Still others say they're considering making changes soon.

It's crucial that customers negotiate the best warranty value for their needs. You don't know until you ask what's on the table. You should also closely inspect warranty terms on the sales agreement. Make sure it says you're getting what you think you're getting. The warranty that's enforceable is not based on conversations you had with the dealer's representative but on what's written in the sales agreement.

So why all the different warranty offers?

Manufacturers that have recently increased coverage say this better reflects the reliability and durability of current models.

"Compact excavators typically stay healthier longer than other types of compact equipment," says Chris Ballentine with New Holland. "While compact track loaders and skid-steer loaders see use that borders on abuse, compact excavators are used more conservatively."

Modern designs and materials have further enhanced their durability.



At 12,940 pounds, the CX60C is the largest compact excavator in the Case lineup. It features a short-radius tailswing design, 9,190 pounds of bucket digging forces and a 64.7-horsepower engine.



The 9035EZTS is the first zero-tailswing model from LiuGong in the 3.5-metric-ton class. Operating weight is 8,510 pounds, and power comes from a 24.4-horsepower Yanmar engine. A mechanical quick-coupler and 0.14-cubic-yard bucket are standard.



The Takeuchi TB235-2 has a heavy-duty dozer blade with float as standard, and a power angle blade with bolt-on cutting edge is optional. Maximum bucket breakout force is 9,127 pounds, and maximum arm digging force is 3,889 pounds.



With an operating weight of 10,300 pounds, the SK455-RX-6E from Kobelco has a maximum reach of 18 feet 8 inches at ground level and a maximum dig depth of 11 feet 3 inches. It runs on a 37.4-horsepower Yanmar engine.

But another reason for all the action stems from a warranty war in compact equipment. In a crowded, noisy marketplace full of seemingly similar machines, OEMs are struggling to differentiate their offerings. Tweaking warranties is one way to do that.

Telematics are often part of the warranty package. System costs have dropped and the technology is scalable, so lower-cost telematics can be included in the price of lower-cost equipment.

Link-Belt offers RemoteCARE GPS-enabled telematics subscriptions free for the life of their machines. RemoteCARE has all the aspects of a basic telematics package, including PM tracking, machine health reports and machine location.

Takeuchi added two years of Takeuchi Fleet Management telematics to their warranty package in August 2016. Coverage is free for all current excavators.

The goal is to “increase uptime by better scheduling service and improve utilization by understanding how the machine is being used in the field,” says Lee Padgett, product manager at Takeuchi. “TFM also helps protect assets from misuse and theft through the use of geofencing.”

Strong demand in good times and bad

Worldwide demand for compact equipment of all types is growing, and compact excavators are no exception.

“China is a very hot market for excavators,” says Dohnal. “Many manufacturers, including Kobelco, produce units specifically for the Chinese market since it’s among the big markets outside the emissions regulations that have dramatically influenced North America, Europe and Oceania.”

How does that affect the U.S. market?

“This puts a heavy demand on components,” says Dohnal. “It’s a challenge for manufacturers to keep pace with demand, to manage the cycle. Lead times have increased.” Connor, with Bobcat, says the biggest influence on compact excavators is the housing market. That’s good news because it adds stability.



A top speed of 19 mph and 4-wheel drive separate the wheeled Volvo EW60E from tracked excavators. A Volvo D2.6H provides 60.6 net horsepower at 2,400 rpm. Reach at ground level is 19 feet 1 inch, and vertical wall dig depth is 7 feet 9 inches.



Cat’s 301.7 CR is among 10 new compact excavators the company unveiled in October at the Green Industry & Equipment Expo in Louisville. The 301.7 CR, in the 1.7-ton class, has a canopy and a compact tailswing. It features a dig depth of 7 feet 8 inches.



Like all of the seven-model C Series, the new Holland E57C has a dozer blade and auxiliary hydraulics as standard. Power comes from a 66.9-horsepower Yanmar engine. Dig depth is 12 feet 6 inches, and vertical wall dig depth is 10 feet 6 inches.

“With housing, as it relates to compact excavators, there is no bad time,” he says. “When the market is strong, new construction creates demand. When the market is soft, remodeling and landscaping drive sales.” He says commercial construction such as strip malls also puts a lot of compact excavators to work.

And with a recent tumultuous ride in the stock market, customers are a bit uneasy, which could also make compact excavators more popular.

“An uncertain economic climate means businesses need to do more with less,” says Ballentine, with New Holland. “Their equipment needs to do the same.”

The rental market also continues to gobble up a large percentage of the compact excavators produced, as it always has. The traits that make compact excavators ideal for rental are also finding favor with owner-operators: low initial and ongoing costs and ease of transport, says Jonny Spendlove, product marketing manager for Hitachi and John Deere.

Spendlove says that in the United States there’s a trend away from rental toward owning. He’s also seeing a move toward the larger end of the compact spectrum. Some of this is the result of jobsite demands and some the result of a desire to run larger or more resource-hungry attachments. But for the most part, it’s just a desire to move more dirt more efficiently.

He notes that despite their versatility, compact excavators’ usage rates are lower than other compact machinery. They’re often on trailers between jobs or working in lower-hour applications such as landscaping.

But Spendlove says it’s important that customers take advantage of the attachment offerings for compact excavators.

“While compact excavators might not always have the same utilization rates as larger equipment,” he says, “their versatility and ability to use a wide range of attachments make them valuable on a jobsite.”

EAST COAST STATE LICA INSURANCE PROGRAM UPDATE

235 TOTAL NUMBER OF MEMBERS

INSURED IN THE PROGRAM

The East Coast State LICA program will encompass 4 states:

- ♦ New Jersey
- ♦ Ohio
- ♦ Pennsylvania
- ♦ Kentucky

**\$10,656.560 is the amount of
written premium in the
books**

Number of members by state

New Jersey	105 members
Ohio	97 members
Pennsylvania	33 members
Kentucky	0 members

Premiums by state:

New Jersey	\$5,575,909
Ohio	\$1,711,559
Pennsylvania	\$3,369,092
Kentucky	\$0

**If you’re interested in getting
more information about this
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NOMINATION GUIDELINES FOR
PENNSYLVANIA LICA CONTRACTOR OF THE YEAR AWARD

Please submit the name of your nominee for PALICA Contractor of the Year. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in Harrisburg.

Nominee for Contractor of the Year: _____

Nominator: _____

Why you feel they deserve this award: _____

The following information **could be used** in your submission, but it is not mandatory.

- 1) A brief description of the contractors business
- 2) Contributions to the PALICA chapter
- 3) Participation in PALICA functions
- 4) Community involvement
- 5) Involvement in other associations

**PLEASE RETURN THESE FORMS WITH YOUR CONVENTION REGISTRATION FORM. IF NOT ATTENDING, PLEASE SEND
BY ITSELF, BY 2/20/19**

Mail to: PALICA
775 Mercer Road, Greenville, PA 16125



NOMINATION GUIDELINES FOR PALICA LADY OF THE YEAR AWARD

Please submit the name of your nominee for PALICA Lady of the Year. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in Harrisburg.

Nominee for PA Lady LICA: _____

Nominator: _____

Please write below why you feel this lady should receive the recognition.

The following information could be used in your submission but it is not mandatory.

- 1) A brief description of this nominee's family and hobbies?
- 2) What community or civic projects or activities make her outstanding?
- 3) How has she been active as a LICA supporter in your state?

**PLEASE RETURN THESE FORMS WITH YOUR CONVENTION REGISTRATION FORM. IF NOT ATTENDING, PLEASE SEND
BY ITSELF, BY 2/20/19.**

**Mail to: PALICA
775 Mercer Road
Greenville, PA 16125**



Corky Miles Award

Please submit the name of your nominee for the Corky Miles Award. The winner of this category, based on submissions, will be announced at the PALICA Winter Convention in Harrisburg.

Nominee: _____

Nominator: _____

****Candidate must exhibit exemplary effort and dedication towards the growth and sustainability of PALICA.**

In a few sentences, please indicate why you feel the individual you nominated should receive this prestigious award.

(use back of sheet if more room is needed)

PLEASE RETURN THESE FORMS WITH YOUR CONVENTION REGISTRATION FORM. IF NOT ATTENDING, PLEASE SEND BY ITSELF, BY 2/20/19.

**Mail to: PALICA
775 Mercer Road
Greenville, PA 16125**

ARTICLES OF INCORPORATION AND BY-LAWS of the Pennsylvania Land Improvement Contractors of America

As amended November, 2018

ARTICLE I

Name, Location and Purpose

Section 1:

The name of this Association shall be Pennsylvania Land Improvement Contractors of America, here-in-after called PALICA.

Section II:

The principal office for the transaction of business is the office of the designated Executive Director.

Section III:

The purpose or purposes for which the Corporation has been organized are to promote private free enterprise in the field of land improvement contracting and related industries. To make the general public aware of the need as well as to encourage the development of high standards of workmanship among the land improvement contractors in Pennsylvania in cooperation with such local, county, state and federal agencies that have mutual interests. In addition, members can learn to become better contractors and be compensated for a high standard of quality workmanship as well as develop a feeling of unity and harmony among the Corporation, as a business league under Section 501(c)(6) of the Internal Revenue Code.

ARTICLE II

Policies

Section I:

PALICA shall be non-sectarian, non-partisan and for non-profit. PALICA shall sponsor only high quality work and workmanship of the individual companies and quality work governed by proper specifications and proper installations.

ARTICLE III

Memberships

Section I: Types

There shall be four classes of membership known as:

Active Members: Any individual Contractor, Partnership or Corporation who have a definite and ascertainable interest in Soil, Water, and Natural Resources Conservation. Each dues paying member holds one vote.

Associate Member: Any individual Contractor, Partnership or Corporation actively engaged in manufacturing or selling materials, equipment, supplies, services or related items pertaining to land improvement – with one (1) vote per entire associates group, to be appointed by all associates.

Affiliate Members: Any person or persons or firms interested in furthering the purpose of PALICA - without a vote.

Honorary Member: Previous members retired from active contracting business or other person or persons nominated by the Board of Directors – without a vote.

Section 2 - Qualification:

Membership is open to all Persons, Firms, Corporations and Associations that are engaged in Land Improvement, and other contracting that perform work to promote Soil, Natural Resource Conservation and Rehabilitation and Water Conservation, and to control and prevent Soil Erosion, depletion and misuse of Natural Resources and Soil and Water Contamination and Pollution, and are residents or work within the Commonwealth of Pennsylvania.

Section 3 - Resignation, Termination, Reinstatement:

Resignation: Upon written request, a member may submit a letter of resignation from the membership of PALICA.

Termination: By 2/3 vote of the PALICA Board of Directors present, they may suspend or expel a member for cause after a hearing.

Reinstatement: Upon written request, filed with the Executive Director of PALICA, Board of Directors present and voting may, by a 2/3 vote, reinstate a member to active membership, upon such terms as appropriate.

ARTICLE IV

Section 4 - Dues

Section 1:

Annual Dues are payable in advance annually. Written notices shall be, as agreed to by the Board of Directors, mailed and/or emailed by October 1st of each year and payment is to be received by December 31st of each year. (Fiscal Year for PALICA runs November 1st through October 31st)

ARTICLE V

Officers and Elections

Section 1: Name

The officers and PALICA shall be a President, Vice President, Treasurer, Chairman of the Board of Directors and such other officers or assistant officers as may be required by PALICA.

Section 2: Eligibility

Each officer shall be an Active Member of PALICA in good standing.

Section 3: Term

Each officer shall serve for a term of one (1) year or until a successor is elected. He/She may serve for more than one (1) term.

Section 4: Nominations

Each officer shall be nominated by the Nominating Committee or at the State Annual Convention. Nominations may be made from the floor, providing the member holds an active membership and has consented to be a candidate.

Section 5: Elections

The election of officers shall be held at the Annual Meeting of PALICA. One of three needed candidates may be appointed by the President prior to the election. Voting may be secret ballot or voice ballot. Any three (3) members may call for a secret ballot.

Section 6: Vacancies

Vacancies shall be filled by the Board of Directors or the Executive Committee.

ARTICLE VI

Duties of Officers

Section 1: President

The President shall be the Chief Executive of PALICA, shall preside at all PALICA meetings, and meeting of the Executive Committee. He/She shall serve as Ex-Officio of all Committees, with vote, except the Nominating Committee. He/She shall have general and active management of the affairs of PALICA and approve all programs of work. (Responsibilities are listed in the Policy and Procedure Manual)

Section 2: Vice President

The Vice President shall perform all duties of the President if he/she is incapable. (Responsibilities listed in the Policy & Procedure Manual)

Section 3: Treasurer

(Responsibilities listed in the Policy & Procedure Manual)

Section 4: Chairman of the Board of Directors:

The Chairman of the Board is the immediate Past President - (Responsibilities listed in the Policy & Procedure Manual)

ARTICLE VII

Annual Meetings

Section 1: The Annual Meeting of PALICA

Shall be held during the first quarter of the calendar year. Special meetings may be called by the President, Board of Directors, or by 10 members. Notices shall be sent out twenty one (21) days prior to the meeting. For a Special Meeting, only that business stated in the call may be taken up and no other items will be on the agenda.

Section 2: Quorum:

The Quorum for the meeting shall be determined by a 2/3 vote of those present at the Annual Meeting.

Section 3: Voting:

Only Active Contractor Members and one (1) Associate Member or person representing that membership shall be entitled to one (1) vote on all matters that may properly come before a meeting.

ARTICLE VIII

Board of Directors Meetings

Section 1: Composition

The members of the board of directors shall be:

- e) Officers of PALICA
- f) Chairmen of Committees
- g) Immediate Past Chairman of Board of Directors (with vote)
- h) Those appointed by the President

Section 2: Authority

The Board of Directors shall have authority over the business affairs of PALICA within the By-Laws adopted by PALICA.

Section 3: Duties

The Board of Directors shall:

- g) Conduct all business of PALICA between the Annual Meetings
- h) Adopt all standing rules necessary for the transaction of business provided they do not conflict with the By-Laws.
- i) **Create a Policy & Procedures Manual defining specific Roles and Responsibilities of the entire board. The ability to make changes is held by the Board of Directors as needed.**
- j) Delegate authority to the Executive Committee between Board of Directors meetings
- k) Appoint CPA to audit the books at the close of business, October 31st and present report for review to the Board of Directors.
- l) Appoint replacements to the Board of Directors upon recommendations of the President

Section 4: Meetings:

There will be a minimum of two (2) meetings a year – with a maximum of five (5), unless additional meetings are necessary. Meetings can be held in the form of a conference call or by proxy if deemed necessary.

Section 5: Quorum –

The Quorum for meetings shall be five (5) members or 2/3 of Board of Directors. A quorum cannot consist of the majority of members coming from any one (1) business.

Section 6: Voting: -

All members of the Board of Directors shall be entitled to one (1) vote. Associate member representative shall have one (1) vote.

ARTICLE IX

Executive Committee

Section 1: Composition –

The composition of the Executive Committee shall be the elected officers of PALICA (President, Vice President, Treasurer) as well as the Chairman of the Board

Section 2: Authority -

The Executive Committee shall transact all business of PALICA between Board of Directors meetings. (See Policy & Procedure Manual for Duties)

ARTICLE X

Formal Committees

Section 1: Finance & Budget –

Shall consist of President, Vice President, Treasurer, Chairman of the Board (Executive Committee). Committee shall set guidelines for:

- d. Review of all budget and financial statements
- e. Set Travel Reimbursement and related expenses for Executive Director and Board Members
- f. Maintain awareness of all tax returns, bonding and year-end balance sheets

Section 2: Governance/Nominating –

Governance of association will consist of the Executive Committee as well as Past Presidents if available. The Chairman of the Board is the lead body regarding nominations of vacant or upcoming board positions.

ARTICLE XI

Special Committees

Section 1:

Special Committees may be appointed by the President as needed with the approval of the Board of Directors or the Executive Committee.

ARTICLE XII

PALICA Headquarters

Section 1:

The headquarters office of PALICA shall be under the supervision of the President. PALICA may also have offices at multiple locations as designated by the President and the Board of Directors

ARTICLE XIII

Parliamentary Authority

Section 1:

The rules contained in the recent copy of Robert's Rules Revised shall govern in all cases which are applicable and not in conflict with the By-Laws.

ARTICLE XIV

Amendments

Section 1:

The By-Laws may be amended by a 2/3 vote of those present at the Annual Meeting of PALICA, provided a copy of the Amendments has been sent to each member of PALICA twenty one (21) days prior to the meeting.

Article XV

Limitations of Liability of, Indemnification of, and Purchase of Insurance Covering Corporation Directors, Officers, Employees, and Agents

Section 1. Limitation of Director's Liability for Monetary Damages. A Director shall not be personally liable for monetary damages for any action taken as a Director, or any failure to take any action, unless:

The Director has breached or failed to perform his/her duty to act with due diligence as a director of the Corporation; and The Director's breach or failure to perform constitutes self-dealing, willful misconduct or recklessness, violation of a local, state or federal law or regulations imposing taxes.

Section 2. Indemnification of Authorized Representatives. The corporation shall indemnify to the fullest extent now or hereafter permitted by law any person who was or is an authorized representative of the Corporation and who was or is a party to any proceedings because such person was or is an authorized representative of the Corporation, against any expenses actually and reasonably incurred by such person in connection with such proceeding.

Section 3. Advancing Expenses. The Corporation shall pay any expenses incurred by an authorized representative in advance of the final disposition of any proceeding, upon agreement by the authorized representative to repay such amount if such person is ultimately not entitled to be indemnified by the Corporation.

Section 4. Scope of Article. The indemnification of authorized representatives or advancement of their expenses, as authorized by this Article, shall (1) not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled other than under that office, (2) continue as to a person who has ceased to be an authorized representative, and (3) insure to the benefit of the heirs and personal representative of such a person.

Section 5. The Corporation shall have authority to purchase and maintain insurance on behalf of any authorized representative against any liability asserted against him and incurred by him in any such capacity, or arising out of his status as such, whether or not the Corporation would have the power to indemnify him against such liability under the provision of the Article.

Section 6. Definitions. As used in this Article: "Authorized Representative" shall mean a director, officer, employee or agent of the Corporation, or a person serving at the request of the Corporation as a director, officer, employee or agent of another affiliated corporation, partnership, joint venture, trust, or other enterprise. "Proceeding" or derivative shall mean any threatened, pending or completed third party or derivative action, suit or proceeding, whether civil, criminal, administrative or investigative, or any threatened, pending or completed action or suit or in the right of the Corporation to procure a judgment in its favor; "Liability" shall mean any judgment, amount paid in settlement, fine, penalty, or expense of any nature including attorneys' fees; and "Expenses" as used in Section 3 of this Article shall mean the costs of defending a civil or criminal action, suit or proceeding.

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