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State of New Jersey

Department of Military
And Veterans Affairs

Division of Veterans Healthcare Services

BYLAWS

VETERANS ADVISORY COUNCIL

State of New Jersey
Chair: ___________________________ Date: __________
Vice Chair: ______________________ Date: __________

Approved: ________________________ Date: __________

MICHAEL L. CUNNIFF
Brigadier General, NJARNG
The Adjutant General
Glossary

“The Adjutant General” means The Adjutant General of the Department of Military and Veterans Affairs, also known as the Commissioner.

“Advisory Council” means the appointment of individuals recommended by The Adjutant General and approved by the Governor to serve as Advisory Council members for the New Jersey Veterans Memorial Homes located at Menlo Park, Paramus, and Vineland.

“Division of Veterans Administrative Services” also known as the Division of Veterans Healthcare Services.

“Resident” or “Veterans’ Facility Resident” means an individual residing in a New Jersey Veterans Memorial facility.

“Veteran” means a person who has been other than dishonorably discharged from the active military service of the United States, and has been a resident of the State of New Jersey for at least two years.

“Veterans Facility” means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the Department of Military and Veterans Affairs, being the facilities at Menlo Park, Paramus, Vineland, and such other veterans’ facilities as may be developed.

“Liaison” is a member of the Facility Veterans Advisory Council who provides information regarding the coordination of activities and intercommunications between: The Adjutant General, the Deputy Commissioner of Veterans Affairs, the Director, Division of Veterans Healthcare Services, the facility administrators, Veterans Services Council, and the facility Veterans Advisory Councils.
ARTICLE I

NAME

Section 101. A Veterans’ Advisory Council shall be appointed by The Adjutant General for the New Jersey Department of Military and Veterans Affairs, to manage the general welfare of the resident population residing in each of the three New Jersey Veterans’ Memorial Homes.

a. The New Jersey Veterans Memorial Home Veterans Advisory Council – Menlo Park;
b. The New Jersey Veterans Memorial Home Veterans Advisory Council – Paramus; and
c. The New Jersey Veterans Memorial Home Veterans Advisory Council – Vineland.

ARTICLE II

PURPOSE

Section 201. The New Jersey Veterans Memorial Home Veterans Advisory Council has as its main purpose the general welfare of the resident population in the three long-term care nursing facilities.

Section 202. The Veterans Advisory Council periodically meets with the facility’s administration to discuss and resolve matters of mutual concern.

Section 203. The Veterans Advisory Council shall discuss, evaluate, and prepare recommendations dealing with standards and procedures for admission, care, treatment, payment for services, disposal of unclaimed property, oversees the management of the facilities’ Welfare Funds, and negotiates agreements or contracts with U.S. Department of Veterans Affairs and state/federal agencies in accordance with N.J.A.C. 38A.

ARTICLE III

MEMBERSHIP

Section 301. The Veterans Advisory Council shall consist of a seven member advisory council for the three veterans nursing facilities.

Section 302. Appointment shall be made by The Adjutant General of the Department of Military and Veterans Affairs with the approval of the Governor.

Section 303. At least five of the seven Council members shall be veterans.
Section 304. The term of service for Veterans Advisory Council members shall be three years commencing on 1 July and ending on 30 June of the third year, pursuant to N.J.A.C. 38A:3-6.13. Reappointment may be made at the recommendation of The Adjutant General with approval of the Governor. Any vacancy shall be filled for the unexpired term only. Additional and subsequent appointments shall be made in such a manner that the terms of either two or three of the members of the Veterans Advisory Council shall expire on 31 May of each year.

Section 305. Members of the Veterans Advisory Council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of duty.

Section 306. Veteran’s Advisory Council members are subject to removal by The Adjutant General at any time for good and sufficient cause.

ARTICLE IV
ORGANIZATIONAL STRUCTURE

Section 401. The entire compliment of duly appointed members shall constitute the New Jersey Veterans Memorial Homes’ Advisory Council.

Section 402. The Veterans Advisory Council shall consist of three separate committees, one at each long term care facility.

Section 403. Officers of the Veterans Advisory Council shall consist of a Chairperson and Vice Chairperson, elected annually by majority vote at the organizational meeting. The Vice Chairperson shall serve as a Chairperson for any established special committees.

Section 404. Special Committees – may be established at the discretion of the Chairperson, any member of the Veterans Advisory Council may be requested to serve on “Special Committees” by majority vote of the Veterans Advisory Council:

The Chairperson and members appointed to special committees are required to serve until the duty assigned is accomplished or the committee is excused.

Section 405. The Liaison shall provide the following functions:

(1) Advise the facility Veterans Advisory Council on issues from the U.S. Department of Veterans Administration on matters of mutual concern;

(2) Advise the facility Veterans Advisory Council on issues from the State of New Jersey and the Department of Military and Veterans Affairs regarding long term care and veteran entitlements;
(3) Bring forth concerns of the facility Veterans Advisory Council to the attention of the Veterans Services Council and Deputy Commissioner of Veterans Affairs/designee.

(4) As a non-voting participant.

 ARTICLE V

MEETINGS

Section 501. The New Jersey Veterans Memorial Homes’ Advisory Council meetings shall be held during the months of September through May.

Section 502. The December meeting serves as an organizational meeting. These meetings shall be held at a time and place designated by the respective Veterans Advisory Council.

Section 503. Special emergency or Executive Veterans Advisory Council meetings may be called at any time at the discretion of the Chairperson of the Council or the Chief Executive Officer. Special meetings may also be held:

* At the call of three members by signed written notice to The Adjutant General/designee/facility Chief Executive Officer; and
* By vote of the membership at a stated or special meeting.

Section 504. The Chairperson on the Veterans Advisory Council shall perform the duties which usually devolve under such positions as generally defined in Robert’s Rules of Order Newly Revised.

Section 505. The notice of meetings shall be a written notice for each meeting and shall be provided to anticipate staff participants. The notice shall reach each Council member and participant not less than seventy-two (72) hours prior to the meeting. The meeting notice shall include the date, time, location, and agenda items.

Section 506. A majority of fifty percent (50%) of the full Council membership shall constitute a quorum.

Section 507. Anticipated staff participation shall be in accordance with meetings of the following entities:

a. Council – The Chief Executive Office of each facility as stated in Article V, Section 505.

b. Special committees/emergency meetings as stated in Article V, Section 503 with the Chief Executive Officer of each facility.

c. The attendance of a secretary shall be the responsibility of Chief Executive Officer having jurisdiction for the meeting location.
d. The Chief Executive Officer may invite departmental staff to participate.

e. Public attendance shall not be permitted. When information is requested, the Chief Executive Officer will have jurisdiction over disseminating information.

Section 508. The agenda shall be prepared by the Chief Executive Officer having jurisdiction for the meeting location, in consultation with the Council Chairperson. The order of business shall be as follows:

a. Call to order
b. Pledge of Allegiance
c. Roll call
d. Election of officers (where applicable)
e. Reading of minutes
f. Reading of communications
g. Minutes of previous council meetings
h. Reports of special committee meetings
i. Report of the Chief Executive Officer
j. Unfinished business
k. New business
l. Salute to the flag
m. Adjournment

Section 509. Special meeting agendas shall contain only those items for which the meeting was convened. The order of business shall be as follows:

a. Call to order
b. Pledge of Allegiance
c. Roll call
d. Stated agenda
e. Salute to the flag
f. Adjournment

Section 510. In anticipation of an absence from a designated Veterans Advisory Council meeting, the council member or participant is to inform the Council Chairperson or the Chief Executive Officer of their intended absence. A council member absent for three (3) consecutive months without being excused by the majority of the membership may be subject to removal.

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ARTICLE VI

VOTING

Section 601. Voting shall be permitted to members of the Veterans Advisory Council only, and shall be required on all matters coming before the Council or any special subcommittee, unless otherwise noted in the Bylaws.
Section 602. Anticipated or other staff participants are not afforded voting privileges.

ARTICLE VII

MOTIONS

Section 701. Motions shall introduce business for consideration and possible action by the Advisory Council membership.

Section 702. Motions shall have precedence in the following order:

a. To table the motion
b. To close debate
c. To limit or extend time for debate
d. To postpone to a definite time
e. To refer to a committee
f. To amend
g. To postpone indefinitely
h. To maintain motion

ARTICLE VIII

POWERS AND DUTIES

Section 801. The powers and duties subject to the provisions of State Statutes N.J.A.C. 38A:3-6.14; 6.16 et al, and under general policies established by The Adjutant General, the Veterans Advisory Council shall:

a. Be advised of the standards and procedures for application and determination of eligibility for admission to a veterans facility;

b. Be advised of the standards and methods for designating the veterans facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

c. Be advised of the standards of care, treatment, and discipline governing the relationships between the veterans facilities and persons admitted thereto;

d. Be advised of the standards and procedures for determination and payment of amounts which members may be required to contribute toward the cost of care and treatment in accordance with their financial ability;

e. Comply with the legislative intent of N.J.S.A. 38A:3-6.3 – 6.18 in the establishment of, and adherence to policies for the specific purpose of
establishing a Welfare Fund for accepting monies that will be spent for and on behalf of resident programs, special events, and services for the resident population of the veterans facilities;

f. Negotiate and enter into agreements or contracts with the U.S. Department of Veterans Affairs or any other appropriate state or federal agency, and to organize the work of the veterans facilities, giving due regard to the opinion of the Council, in any manner consistent with law to comply with reasonable requirements of such state and federal agencies, in order to secure to the maximum financial assistance and services for carrying out the purposes of this Act;

g. Recommend the disposition of unclaimed property of deceased intestate members of veterans facilities, disposition of property, and payment to claimant:

(1) Monies, choices in actions and effects deposited by a member in trust with the veterans facility and unclaimed at the time of death of the member, dying intestate, shall be deemed to be the property of the veterans facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the Council of the veterans facility and The Adjutant General may deem most advisable;

(2) Upon claim made within three years following the death of the depositor and sustained by legal proof, the sufficiency of which shall be determined by the Veterans Advisory Council and The Adjutant General, such property shall be paid to the entitled claimant upon acknowledgment, executing and delivering a proper release and discharge;

(3) Such property remaining unclaimed three years after the death of its depositor shall be deemed to be the property of and subject to the absolute control and disposal of the veterans’ facility to be used for such purposes as the Veterans Advisory Council and The Adjutant General may deem most advisable.

ARTICLE IX

AMENDMENTS

Section 901. These Bylaws shall require re-adoption annually at the first organizational meeting.

Section 902. The Bylaws shall take effect immediately upon formal adoption by a majority vote of the full membership at a Veterans Advisory Council meeting.
Section 903. Amendments to the Bylaws may be proposed at a stated or special meeting of the Veterans Advisory Council, provided that each Council member is furnished a written copy of the proposed amendments at least seventy-two (72) hours prior to the scheduled meeting. A vote for action may be taken at that meeting or the subsequent meeting.

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ARTICLE X

PARLIAMENTARY AUTHORITY

Section 1001. The rules contained in Robert’s Rules of Order, Revised shall govern the Veterans Advisory Council meetings in all cases to which they are applicable, and in which they are not inconsistent with these Bylaws and New Jersey Statutes.

Section 1002 The list of Veterans Advisory Council members is not available for distribution to others except by special vote of the Veterans Advisory Council members.