

**CONSTITUTION
of the
NORTH SHORE BEACH PROPERTY OWNERS' ASSOCIATION, INC.**

ARTICLE I Name

Section 1 The Corporation shall be known as the North Shore Beach Property Owners' Association, Inc.

ARTICLE II Object

Section 1 The object of this Corporation is to maintain and improve the beach and other properties of the Association and to further the betterment of this community, and to promote good fellowship amongst its members and the community at large.

ARTICLE III Membership

Section 1

1.1 Qualifications - Any individual shall be eligible for membership (proprietary or special) in this corporation, subject to the provisions of its' Constitution and Bylaws. Only individuals owning a real property interest, either fee simple or life estate, within the section of Rocky Point, Town of Brookhaven, Suffolk County, N.Y. known as North Shore Beach, shall be eligible for Proprietary Membership. A partner ownership of property shall be classified as one. Special Membership and the qualifications thereof will be established by the Board of Directors in accordance to Article II Section 1 of this Constitution. No membership shall be divided, or the annual dues of the Corporation apportioned among more than one membership family.

1.2 Qualification Definitions - Real Property Interest: Land, and generally whatever is erected or growing upon or affixed to land. Also rights issuing out of, annexed to, and exercisable within or about land, which includes.

(i) Fee Simple - A fee simple absolute is an estate limited absolutely to a person and their heirs and assigns forever without limitation or condition. An absolute or fee simple estate is one in which the owner is entitled to the entire property, with unconditional power of disposition during their life, and descending to their heirs and legal representatives upon their death intestate; and

ii) Life Estate - An estate whose duration is limited to the life of the party holding it, or some other person. A legal arrangement whereby the beneficiary (i.e., the life tenant), is entitled to the exclusive use, possession and control of the property for his or her life. Upon the death of the life tenant, the property will go to the holder of the remainder interest. A life estate can be created by deed or by creating a trust which provides for specific life estate language.

Section 2 Privileges - All Members in good standing shall be entitled to all privileges of membership in this Corporation subject to the provisions of its' Constitution and Bylaws. Only Proprietary Members may hold office and/or vote on any matter which directly governs and effects the actions or property of the North Shore Beach Property Owners' Association, Inc. Proprietary members in good standing for a period of at least the current year and the year preceding shall be eligible for election to the Board of Directors.

Section 3 Rights and Privileges of Non-Members - All privileges and benefits derived from

membership in the Corporation shall be confined to the members' immediate family and household, their invited guests, or to the general public, subject to the Constitution and Bylaws, Rules and Regulations of this Corporation

Section 4 Dues - The annual dues of the Corporation shall be payable as of January 1st. The dues structure and annual dues to meet the cost of operations shall be determined by the Board of Directors.

Section 5 Fiscal Year – The fiscal year for the NSBPOA will run concurrent with the calendar year.

ARTICLE IV Funds

Section 1 General Fund - The funds of the Corporation derived from dues shall be deposited in a account(s) to be known as the General Fund and shall be used to pay all bills and claims against the Corporation arising out of the control, regulation, maintenance and improvements of the parks, beaches, clubhouse, roads, streets, drives, avenues and parking areas of North Shore Beach, including, but not limited thereto, any insurance taxes, and assessments as may be levied thereon, and the costs, expenses and disbursements of administering this Corporation and policing and protecting persons and the property of the Corporation and of its' members at North Shore Beach. At all times sufficient money shall be retained in the Treasury to pay the estimated taxes on the property and buildings of the Corporation.

Section 2 Special Funds - All other funds received from any source other than the annual membership dues shall be known as the Special Funds which shall be used for the payment of any proper bills and claims against the Corporation, not chargeable against the General Fund.

ARTICLE V Officers and Board of Directors

Section 1 Officers - The officers of this Corporation shall be President, Vice President, Secretary and Treasurer to be elected for a two (2) year term. No person shall hold an elected office for more than four consecutive years. However such person shall be eligible for election to an office they have previously held after a waiting period of six (6) years. No two officers, elected or acting, shall be related by marriage, co-habitation, consanguinity, affinity or any other such family arrangement within the third degree.

Section 2 Directors - The Directors of the Corporation shall consist of nine (9) to be elected in three (3) year terms to serve in staggered terms so that three (3) new Board Members are elected to regular office each year at the Annual Meeting.

Section 3 Board of Directors - All Directors and Officers shall constitute the Board of Directors thereof.

Section 4 Election and Removal from Office - All Officers and Directors must be elected by ballot at the annual Meeting of this Corporation and shall hold office for their respective term, unless removed as provided for in the Constitution and Bylaws of this Corporation, or until their successor has been legally elected and installed as provided herein.

ARTICLE VI Address of the Corporation

Section 1 - The official address of the Corporation shall be Post Office Box, as assigned by the Rocky Point Post Office; also known as, 55 Clubhouse Drive, Rocky Point, NY 11778.

ARTICLE VII Seal

Section 1 - This Corporation shall have a seal which shall be in the form of a circle, with the following words thereon: "North Shore Beach Property Owners' Association, Inc., 1929 New York." Said seal shall be held by the Secretary.

ARTICLE VIII Meetings

Section 1 Annual Meeting - The Annual Meeting of this Corporation shall be held in August.

Section 2 Budget Meeting - The Budget Meeting shall be held in May at which the Board will present to the membership all regular expenditures, to be defined as those exceeding \$5000 and not in a regularly scheduled budgeted category.

Section 3 Regular Meetings - Regular (General Membership) Meetings of the Corporation shall be held at the Corporations' Clubhouse at North Shore Beach, Suffolk County, NY or as provided by the Board of Directors, from ten-thirty A.M. (10:30 A.M.) until adjourned. The dates for the regular meetings, one (1) to be held in the first quarter of the year, one (1) each in the months of May (Budget Meeting), June, July, August (Annual Meeting), and one (1) in the last quarter of the year, shall be scheduled by the Board of Directors and published in the last newsletter of the preceding year.

Section 4 Special Meetings

(A) Time, Place and Notice thereof - Special meetings shall be held at such a place and time as the President may direct, upon notice in writing and signed by an executive officer. Such notice shall state the purpose or purposes for which the meeting is called, the time when, and place where it is to be held, and shall be served personally or by mail upon each member residing within the United States, entitled to vote at such meeting. If mailed, it shall be mailed at least ten (10) days before such special meeting and directed to each member entitled to notice at his address as it appears on the books or records of the Corporation. In addition, if such meeting is being held, notice shall be posted at least five (5) days before such meeting on the Bulletin Board at the Corporations' Clubhouse, North Shore Beach.

(B) Who May Call - Special meetings may be called by the President or at the direction of the Board of Directors, or the President shall, upon presentation to him/her of a petition containing the specific purpose for which such a meeting is to be called, signed by twenty-five (25) members in good standing of the Corporation, call such special meeting.

Section 5 Quorum – Twenty-five (25) proprietary memberships including at least seven (7) board members of the Corporation in good standing, shall constitute a quorum at any meeting of the Corporation except as specified in By-Laws, Article V, Section 4. In the absence a quorum, the meeting shall be adjourned to a time and place fixed by the presiding officer and from time to time until a quorum is present. The Secretary shall post notice of the adjournment on the Bulletin Board at the Corporations' Clubhouse, North Shore Beach.

Section 6 Voting Proviso - No real property of this Association may be sold or conveyed without the approval of three-fourths (%) vote of the qualified membership, voting at a regular or a special meeting properly called, with no less than one hundred (100) recorded votes.

Section 7 Majority Vote - Unless otherwise specifically required, a majority vote of those members present at the meeting and in good standing and entitled to vote, shall control and be sufficient.

ARTICLE IX Amendments

Section 1 Process of Amendment - If an amendment to this Constitution should be proposed at any Regular meeting of the Corporation, it may be made, if carried by a three-fourths (%) vote of those voting, who are entitled to vote thereon, and provided, however, that notice of the proposed amendment has been mailed to each member at least five (5) days before said meeting and provided further, however, that the proposed amendment has been presented to the Board of Directors, and its recommendation thereon has been presented to the members of the Corporation at such meeting before the vote thereon is taken.

ARTICLE X Ancillary Organizations

Section 1 Role - A subsidiary of the Corporation, heretofore established as the Auxiliary of the North Shore Beach Property Owners' Association, Inc., has been instituted for the following purposes: to provide fellowship and good will amongst its' members; to aid the North Shore Beach Property Owners' Association, Inc., in obtaining funds through social and other activities; to further the advancement of North Shore Beach.

Section 2 Governance - The management of this Auxiliary, and the establishment of its operating guidelines, is entrusted to the Officers of the said Auxiliary, subject to the Constitution and Bylaws, Rules and Regulations of this Corporation. Such guidelines shall be subject to the approval of the Association's Board of Directors.

Section 3 Functions and Duties - Control over the operation, activities and organizational structure of the Auxiliary is to be the provenance of the said Auxiliary. All executive, administrative and pecuniary powers of the North Shore Beach Property Owners' Association, Inc., as stated in the Corporation's Constitution and Bylaws, Rules and Regulations, and the exercise thereof, remain the jurisdiction of the Board of Directors of the North Shore Beach Property Owners' Association, Inc.

Revised 2013-08-25