

**BAY PARK CIVIC AND PROPERTY OWNERS
ASSOCIATION, INC.
CONSTITUTION AND BY-LAWS
Adopted July 1, 2004**

ARTICLE 1 – NAME

This organization shall be known as the Bay Park Civic and Property Owner's Association Inc. For the purpose of this organization, the area herein after referred to as Bay Park shall be defined to include the area defined as the village of Bay Park within the Town of Hempstead.

ARTICLE II – OBJECT

The objects of this organization are to promote the interests of the property owners and residents of Bay Park in the conservation and betterment of the community and environment and the enhancement of recreational facilities and further promote mutual acquaintance and sociability among its residents and those of surrounding communities.

ARTICLE III – MEMBERSHIP

Any resident or individual property owner of Bay Park whose application for membership has been proposed at a board meeting and approved at same may become a member. Membership is limited to related members of a single family dwelling unit.

ARTICLE IV – MEETINGS

Section 1 – General Meetings

The General Meetings of the organization shall be held on the third business Tuesday each month at a location to be announced in the Bay Parker unless otherwise ordered by the President or Board of Directors. The third Tuesday in January of each year shall be designated as the annual meeting.

Section 2 - Special Meetings

Special Meetings may be called by the President or upon a petition signed by 15 members in good standing. It shall be the duty of the corresponding secretary to notify the membership of this special meeting three days in advance. The object of the special meeting must be stated in the notice and only such business may be transacted.

Section 3 – Board Meetings

Meetings of the Board of Directors shall be regularly held the first business Wednesday of each month at 8:00 P.M. A meeting may be changed to an alternate date if necessary upon notification by the President or his designee upon notification of each Board Member.

Section 4 – Special Board Meetings

Special Board Meetings may be called by the president or by 3 members of the board in good standing. It shall be the responsibility of the secretary to notify all board members by mail or telephone within 2 days of the proposed meeting. The purpose of the special Board Meeting shall be stated in such notice. Only the business stated in the notice may be conducted.

ARTICLE V – QUORUM

Section 1 – General Meeting Quorum

A General Meeting Quorum shall consist of 15 members in good standing for purposes of approving Contracts or changes to the Constitution. For purposes of holding a General Meeting a Quorum shall consist of 10 members in good standing

Section 2 – Board of Directors Meeting Quorum

A Board of Directors Meeting Quorum At a directors meeting 7 members shall constitute a quorum.

ARTICLE VI – DUES

Membership Dues and Term of Membership

The Membership Dues shall be due in January of each year. All Memberships expire December 31. Any changes in Membership Dues shall be voted upon at any regular meeting prior to the annual meeting.

ARTICLE VII – EXPENDITURES AND APPROPRIATIONS

Section 1 – Fixed Expenses

1. Fixed expenses are such items as rent, salaries for lifeguards, telephones and utilities (gas, water, electric), insurance and taxes.

2. Checks to be signed by the President and Treasurer. All business of the Association is to be conducted via check, money order or similar instrument. Cash is not an acceptable form of payment other than reimbursement of petty cash items such as postage and in no case shall such reimbursement exceed \$25.00 in cash. Such transactions must be accompanied by original receipts. All other transactions must be received by check.

Section 2 – Incidental Expenses

Incidental expenses not to exceed \$100.00 per item unless approved by the president and the treasurer. Expenditures up to \$500.00 may be made upon the approval of the president and treasurer and passed by the board at regular meetings or special meeting if called. All expenditures must be accompanied by original receipt or invoice which must be noted with purpose or location of use of items or services purchased.

Section 3 – Extraordinary Expenditures

Expenditures or appropriations, other than fixed expenses, that exceed \$500.00 cannot be made unless voted upon at a regular meeting and passed by a majority of those present. All expenditures in excess of \$500.00 must be subject to competitive bidding with at least 3 bids presented at the time of request for appropriation. This requirement may be waived in the event of emergency conditions on approval of board of directors at either special meeting or other communication as detailed elsewhere in this document.

Section 4 – Emergency Expenses

In the event of an emergency in excess of \$500.00 a special meeting of the board of directors is to be called. Provision for telephone approval by at least 5 board members should be allowed with proviso that such action is reported on and accounted for at the next board meeting.

In the event of an expected large expense, capital improvement or building project the following steps will be conformed to:

1. the board of directors, working closely with the treasurer, will appropriate a budget amount for said project.
2. upon approval by the board, the budget amount will be presented to the membership at a general meeting for approval.
3. upon approval by the membership, the project will be begun with a separate budget report presented at each subsequent board and general meeting until project is completed.

Section 5 – Safe Deposit Box

A Safe deposit box is to be maintained at an institution determined by the president and treasurer. Documents to be stored in such box include but are not limited to original insurance policies, copy of certificate of incorporation, constitution and by-laws, copies of all tax returns and financial statements for 7 years (or as required by statute), savings passbooks, certificates of deposit, etc. as the board may direct to ensure the safety of the records and continuity from administration to administration.

Section 6– Tax Returns

The association must retain a certified public accountant to prepare all tax returns for the association. Such accountant will be designated by the president and treasurer on approval by the board of directors. Expenses for annual return preparation will be considered a “fixed expense.” The association must maintain property and liability insurance and all other insurance required by law.

ARTICLE VIII – USE OF ASSOCIATION PROPERTY

No association property will be sold, leased or otherwise used by any party without the express consent of the board of directors. Requests for such use must be presented at the regular board meetings or as otherwise provided for in this document. All fees for such use must be paid by check and deposited with the treasurer.

ARTICLE IX – OFFICERS

Section 1 – Officers

The officers of the association shall consist of a president, vice president, treasurer, recording secretary, corresponding secretary and financial secretary. The recording and corresponding secretary may be two positions or filled by one person as circumstances dictate.

Section 2 – Board of Directors

The board of directors shall consist of the six officers, dock masters, editor(s) of Bay Parker, 5 members at large and the past president who should serve as chairman of the board. In the event the past president is unable to serve in that capacity, a chairman will be selected by the board members. The chairman will have no vote except in the event of a tie.

Section 3 – Standing committees:

The president must appoint chairpersons and committees for the following purposes:

- a. Dock Masters Committee for oversight and maintenance of the Grand Canal, its bulkheads, fixtures and environs and oversight and maintenance of any other properties owned, leased or otherwise in the care and custody of the association.
- b. Veterans Memorial Committee for oversight and maintenance of the Head of the Canal and Memorial
- c. Beach House and Community Center Committee for rental, oversight and maintenance of beach property, Beach House and Community Center.
- d. Events Committee for the planning and promotion of all events specified in the annual Calendar of Events adopted by the Board each annum.
- e. Sewer Plant Committee for the maintenance of communication channels with the Plant Manager and Staff and the monitoring of conditions and construction at the Plant.
- f. Public Relations Committee for the promotion of Bay Park and the Civic Association and its membership.
- g. Park Committee for the monitoring of conditions in the Park and the promotion of the interest of the Association with the Department of Parks.
- e. Other committees as designated by the board to ensure the betterment of the community and its residents.

BY-LAWS

Section 1 – Duties of the Officers

- a. The president shall preside at all meetings and shall see that the rules and regulations are strictly enforced. He shall be a member ex-official of all committees and shall have general supervision over the affairs of the organization. He shall appoint all the standing and special committees.
- b. The vice president shall perform the duties of the president in the absence of the president or at the request of the president.
- c. The recording secretary shall keep all the minutes of all meetings and have custody of all records turned over to him by the previous recording secretary and he shall also take the attendance record of officers and board of directors.
- d. The corresponding secretary shall attend to all the correspondence of the organization.
- e. The financial secretary shall collect all membership dues and keep a list of the names of the members. All moneys shall be accounted by him to the treasurer. The financial secretary will collect all slip rental moneys for footage, dues and security deposits. All moneys shall be accounted by him to the treasurer.
- f. The treasurer shall be responsible for all moneys received by him and keep a correct account of all financial affairs of the organization. He shall submit a report at each regular meeting showing receipts and disbursements and cash balance at hand. He shall deposit all funds of the organization as the board of directors may require. He shall pay all bills out of funds of the organization. Checks to be signed jointly by 2 of the following 3: president, treasurer, and or vice president. All back accounts shall be designated by joint controlled signature authorization. The treasurer will collect rent and pay bills for property owned.

Section II – Duties of the Board of Directors

The board of directors shall act on all matters referred to it by the organization and have vested in it the power to adjust and settle any question of importance requiring immediate attention. The actions of the board of directors must be reported to the organization at the next regular meeting.

The board of directors shall be responsible to establish and enforce all rules and regulations regarding the operation and control of those properties owned, leased or maintained by the organization and carried out by the officer or committee in charge of the operation of the particular property.

The standing and special committees shall keep a record of their proceedings and make reports to the organization at its regular meetings.

Section III – Vacancies

Any officer or member of the board of directors who shall fail to attend 6 meetings without reasonable excuse shall be deemed to have tendered his resignation from office. Written notice from the organization must be mailed to him. Vacancies in any office shall be filled by electing at the next regular meeting. Vacancies on committees shall be filled by appointment by the president.

Section IV – Election of Officers

The officers of the association shall be installed at the annual meeting on the third business Tuesday in January, every second year beginning January 1963 and shall serve for the term of 2 years. A slate of officers will be presented at the October meeting for vote in November and installation at the January meeting. In the event of a vacancy, the succeeding officer shall fill the unexpired term of office.

Section V – Board Elections and Term of Service

5 members at large are selected by the Board Members and voted upon by the General Membership. Members of the Board of Directors of the association shall serve for a period of two years or until notice of resignation is served at a regular Board Meeting.

Section – VI Arrears

Only members in good standing shall be eligible for office or vote. Vote shall be limited to 2 votes from each membership household.

Section VII – Amendments

The constitution and by-laws of the association may be revised or amended at any regular meeting of the association or at a special meeting called for this purpose provided notice of such revision or amendment has been presented to the association at a previous meeting and that notice has been sent to each member not less than 7 days prior to the date of voting and provided also that two-thirds of the members present at such meeting shall vote in favor of such amendments or revision. All revisions or amendments must be presented to the association in writing. Notice may also be given in the Bay Parker provided that the 7 day notice period is observed.

Section VIII – Meeting Agendas

Board Meeting Agenda

1. Pledge of Allegence
2. Reading of minutes of previous meeting
3. Treasurer’s report
4. Committee reports
5. Unfinished business
6. New business
7. Remarks for the benefit of association
8. Adjournment

General Meeting Agenda

1. Welcome new members
2. Reading of minutes of previous meeting
3. Treasurer’s report
4. Communications
5. Committee reports
6. Report of board of directors
7. Unfinished business
8. New business
9. Remarks for the benefit of association
10. Adjournment

Section IX – Conflicts of Interest

Paid services are not to be provided to the association by any Officer, Board member or family thereof if such service may be readily obtained in the business community. Officers and Board members shall notify the Board of any conflict of interest were to arise in carrying out their duties which may arise in the course of the Civic Association’s business and shall reclude themselves from any vote regarding such business. Family members shall not be permitted to serve as Officers or on the Board of Directors concurrently.

Section X – Officer Consecutive Terms

Officers shall not be permitted to serve more than two consecutive terms in office. Officers that shall not be permitted to serve two consecutive terms in positions that have signatory authority.

Section XI – Nominating Committee

Candidates for Office are to be selected by a Nominating Committee. The nominating Committee shall be comprised of 2 members of Board of Directors and 3 members in good standing of the Civic Association. Appointments to the Nominating Committee shall be made by the Board of Director. The Committee shall present its slate of Candidates for to the Board of Directors in September of an election year for presentation to the membership at large in October. No Member of the Nominating Committee may submit their own name for candidacy.

BOAT REGULATIONS AND REQUIREMENTS

1. All boats must be registered with and approved by the Bay Park Civic Association, Inc. The Association will designate and assign all slips on the East side and two slips on the West side of the Grand Canal. Substitution of boats, relocation or removal of davits, or exchanging of slips is not permitted. Only davits supplied through boat owner's fund and weights approved by the Dockmaster's Committee of the Board of Directors may be used for mooring.
2. BAY PARK STICKERS ARE TO BE PROMINENTLY DISPLAYED ON THE BULKHEAD SIDE OF EACH BOAT.
2. A boat slip is not transferable with the sale of a house; however all resident Bay Park Civic Association members have priority to a slip upon availability. Resident members and guest members must have the approved boat in the assigned slip within one year of registration. The association reserves the right to sublet empty slips at its discretion.
4. The fee for each slip shall consist of a \$180.00 deposit, refundable upon return and inspection of davits; plus a yearly dues and the yearly footage rate per slip as set by the board of directors and committee. Resident rates shall apply to only one boat registered to a Bay Park resident or tenant. Additional boat slips shall be let at the nonresident rate.
5. All applications for a slip must be submitted to the Board of Directors for their approval along with the following:
 - A photograph clearly depicting the boat,
 - Boat registration
6. Boat owners shall provide their own liability and salvage insurance for their boats and any private property therein. The Bay Park Civic Association assumes no liability for any boat, the equipment or personal property therein, the activities of the Boaters, their families or activities of their guests.
7. Boat owners are responsible for the cleaning up of their slip and adjacent grass area. All waste and refuse shall be removed and disposed of properly when departing from boat. UNDER NO CIRCUMSTANCES SHALL REFUSE BE DISCARDED IN WATERWAY. FLOAT RAMP IS FOR LOADING AND UNLOADING PASSENGERS ONLY. BOATS SHALL NOT BE LEFT UNATTENDED: nor shall they remain at the float more than thirty minutes. Water for washing REGISTERED BOATS is available along the Grand Canal closes to your slip.
8. Remember that these slips are in a residential community. OFFENSIVE OR RAUCOUS BEHAVIOR IS NOT PERMITTED. Unnecessary idling of engines,

particularly for early departures and late arrivals or for charging batteries should be avoided. Other than for emergency conditions, engine repairs are not permitted at moorings. Sanding and/or painting of hulls and topsides must be done at boatyard and are not permitted at slip.

9. NO FUELING IN CANAL.
10. In addition to the attachment to the davit lines, all boats should have two springer lines as per enclosed diagram. Larger boats also safety line secured.
11. Boats or motors are not to be put in or out over the guardrails.
12. BOATS CAN BE PUT IN ON MARCH 15. ALL BOATS MUST BE OUT OF THE WATER BY NOVEMBER 30 OF EACH YEAR. A FINE OF \$10.00 PER DAY WILL BE IMPOSED IF THIS RULE IS NOT HONORED. Weights are to be removed and lines secured by wrapping around the base of the Davit at the end of the boating season or upon permanent removal of the vessel during the boating season. Weights shall not be fastened or lines connected in any manner so as to damage or otherwise bend the Davits
13. ABSOLUTELY NO WAKE IS PERMITTED IN THE GRAND CANAL.
14. Boats sunk over 48 hours will be removed at owner's expense.
15. FAILURE TO ADHERE TO THESE RULES AND REGULATIONS WILL RESULT IN REMOVAL OF YOUR BOAT, LOSS OF YOUR RIGHTS TO THE SLIP AND LOSS OF REFUNDABLE DEPOSIT.

These rules apply to all Bay Park Boat Owners and the outside boat owners who apply every year on a one-season basis.

These rules have been implemented for the safety and happiness of the boat owners.

