

COMMUNITY ASSOCIATION OF PROSPECT POINT

By-Laws

Article I. NAME

Section 1. The name of this non-profit association shall be COMMUNITY ASSOCIATION OF PROSPECT POINT, INC., herein after referred to as CAPP.

Section 2. The term PROSPECT POINT shall refer to that geographical area as outlined on the Jefferson Township tax maps, copies of which are in the possession of the Membership chair of CAPP are available online thru Jefferson Township website. CAPP shall recognize Prospect Point to include Block 18-Lot 10.A thru Block 80 Lot-9 and (by 1980 Executive Board vote) Block 93 Lot-4B, 4C-1, 4C-2 and 4C-3. (Excluding) Block 42 Lot-1 thru Lot-22, Block 42-A Lot-2 thru 35 and Block 52 Lot-1 thru 21.

Article II. PURPOSES

Section 1. The purposes for which CAPP was formed are:

- A. To develop and maintain social and recreational activities.
- B. To promote health, welfare, pleasure, congenial sociability and good fellowship among the members of CAPP.
- C. To provide and maintain an adequate system of administration.
- D. To provide for the care and maintenance of all CAPP properties, now or hereafter owned, leased, or otherwise acquired.
- E. To formulate rules and regulations and to provide for the enforcement thereof.
- F. To make use of all CAPP properties and facilities, now or hereafter owned, leased, or otherwise acquired.

Section 2. Said corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes the making of the distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Article III. MEMBERSHIP LIMITS

Section 1. Membership in CAPP shall be limited to such persons who are residents of Prospect Point. Membership to non-residents of Prospect Point shall be made available only if the Executive Board deems it financially necessary to the "PURPOSES" of CAPP as defined above.

Section 2. CAPP Beach is deeply committed to providing an environment that is free of discrimination. CAPP Beach strictly prohibits any form of discrimination based upon sex, race, color, religion, age, national origin, disability, sexual orientation, gender identity or expression, or any other protected category by law.

Section 3. There shall only be two (2) classes of membership: Resident and Non-Resident.

Article IV. MEMBERS DEFINED

Section 2. HOUSEHOLD: Those members of a family who dwell under one roof.

Section 3. RESIDENT MEMBER: A member of any household as defined herein, located physically in Prospect Point which purchases membership in CAPP. There shall be no differentiation between owners of summer homes, year-round tenants or summer tenants.

Section 4. NON-RESIDENT MEMBER: Any member not included as a Resident Member. Any resident member of CAPP, who moves way from Prospect Point as defined herein, has the privilege to continue membership with CAPP as a Non-resident member, provided said membership continues without lapse.

Section 5. MEMBERSHIP YEAR: May 15th to May 14th.

Section 6. COMMUNICATION: All communications between members and CAPP beach board can include any and all of the following: electronic communications – email or website posting; written; and/or posting notice on CAPP Beach property.

Article V. APPLICATION FOR MEMBERSHIP

Section 1. Each household wishing to acquire a membership in CAPP and make use of membership privileges, must submit an application annually, on or before opening day each year. Forms will be available through the Membership Committee. Each household will be classified as resident or non-resident and the owner of the house must be listed on the application.

Section 2. Resident and Non-resident memberships in CAPP are only transferable from the old residents of a household to the new residents of the same household. Such transfers must be conducted by the Executive Board members to be recognized as valid. There are no transfer fees between old and new residents.

Article VI. PRIVILEGES OF MEMBERS

Section 1. Only MEMBERS in good standing shall be entitled to vote. Each Member household shall have one (1) vote. Should members of said household not agree on said vote, their vote shall be discarded.

Section 2. All members in good standing, regardless of residency are eligible to hold positions on the Executive Board. CAPP Executive Board may consist of no more than 49 percent non-members. Treasurer and President positions must be filled by resident members.

Section 3. CAPP members shall be entitled to such privileges upon such terms and conditions as may be determined from time to time by the Executive Board.

Section 4. The privilege of using CAPP facilities and properties shall not be extended to any person or persons residing within Prospect Point whose household is not a member of CAPP.

Article VII. MEMBERSHIP DUES

Section 1. Each member household should pay CAPP annually, on or before opening day of each year, membership dues in the amount set by the Executive Board for that year.

Section 2. The Executive Board may fix the yearly dues in such an amount so as to provide adequate funds for the operations of CAPP, and to carry out its purposes and meet its obligations.

Section 3. The Executive Board, in addition to dues, may fix a reasonable charge to be paid as an initiation fee by applicants for resident or non-resident memberships. The amount of the initiation fee may be changed by the Executive Board.

Section 4. The Executive Board may levy from time to time a special assessment which in its opinion is for the mutual benefit of the Members of CAPP, however, and such assessment shall be in effect for one calendar year only.

Section 5. All dues, assessments and initiation fees, as provided in the preceding paragraphs, shall be expressly subject to approval by a two-thirds (2/3) vote of the Members present at an annual or special meeting of the Members, after notification as provided in these By-Laws.

Section 6. If fees and assessments are not paid when due, the Executive Board may take such action as it deems necessary for the collection thereof.

Article VIII. BADGES

Section 1. Each person over the age of 13, residing in a resident or non-resident household, shall be issued a badge which must be produced for examination upon the request of a member or employee of CAPP. The badges of any member or member household not in good standing

with CAPP, by reason of suspension, expulsion or otherwise, shall be void and surrendered to CAPP.

Section 2. A fee, as fixed by the Executive Board, shall be charged to replace lost badges.

Article IX. RULES AND REGULATIONS

Section 1. The Executive Board may from time to time formulate and prescribe rules and regulations, and the manner of enforcement thereof, with respect to all CAPP properties, facilities, and activities. Each CAPP member shall be bound by and conform to and abide by the By-Laws, the amendments and supplements thereto, and all rules and regulations.

Section 2. Amendments or supplements to these By-Laws may be proposed at any meeting of the Members. Approval of said proposal shall be by (2/3) vote of those Members present at the next meeting of the Members. Approved amendments or supplements shall become effective at noon following the day of said approval.

Section 3. ROBERT'S RULES OF ORDER, when not in conflict with these By-Laws, shall govern the proceedings of CAPP.

Article X. TERMINATION OF MEMBERSHIP

Section 1. Membership in CAPP may be suspended or terminated for any of the following reasons:

- A. Failure to pay yearly dues, assessments or other charges as provided by these By-Laws.
- B. For conduct by a member, or member's guests, deemed injurious or detrimental to the order, peace, interest or welfare of CAPP, or conduct which is in violation of the By-Laws, rules or regulations of CAPP.
- C. By voluntary resignation, tendered in writing and delivered to the Secretary of CAPP. No refunds will be given.

Section 2. Any charge against a member as set forth in A. and B. above, shall be made in writing to the Executive Board of CAPP. The Executive Board, upon receipt of such charge or charges, shall notify, in writing the member so charged and allow that person five (5) days to reply to the charges. The Executive Board shall thereafter, conduct a hearing with respect to the charges and allow the person charged to be heard. If after such hearing, the Executive Board determines that the member has in fact committed the alleged violations, the Executive Board shall take such action as it deems appropriate under the circumstances. Such action may include

ensorship of the member, suspension or termination of his or her membership, or suspension or termination of the membership of the household where the member resides.

Section 3. Any member or household terminated or suspended, as provided in the preceding paragraphs, shall forthwith surrender his or her badges and/or Members privileges and shall be thereafter precluded from any of the rights and privileges incidental to CAPP membership.

Article XI. GUESTS

Guest privileges may be extended on a limited basis to persons, other than residents of Prospect Point, and shall be subject to such rules and regulations as the Executive Board may from time to time prescribe. Members accept full responsibility for the conduct of their guests.

Article XII. RECORDS

Section 1. The Treasurer shall keep and maintain a record of all member households, subject to rules fixed by the Executive Board. The Treasurer, having charge of such records, shall inform any person making inquiry and having proper interest therein the amount owed by a member.

Section 2. CAPP shall provide an annual review of the books by three (3) or more Members appointed by the newly elected president. CAPP shall maintain Checking and Savings accounts. A petty cash fund may be maintained with receipts for incidental expenses. All other disbursements on behalf of CAPP shall be made by check. All checks shall be signed by the Treasurer and any of the other three (3) officers.

Section 3. Any loan on behalf of CAPP shall be obtained only after written approval of at least two-thirds (2/3) of the Executive Board.

Section 4. The fiscal year of CAPP shall be from June 1st to May 31st.

Article XIII. EXECUTIVE BOARD

Section 1. The Executive Board of CAPP shall consist of four (4) officers, six (6) trustees and one (1) or two (2) members of the CAPP membership committee.

Section 2. Candidates for the Executive Board shall be nominated from the floor with the consent of the nominee.

Section 3. Members of the Executive Board shall begin their terms at noon following the day of their elections.

Section 4. Meetings of the Executive Board shall be held on the 3rd Thursday of every month. Minutes of any Executive Board meeting will be provided to any member upon written request made to the Secretary of CAPP. Notice shall be given of time and place of said meetings at least two (2) weeks prior thereto.

Section 5. Special meetings of the Executive Board may be called by the President, the Secretary, or by any two (2) other officers or trustees on five (5) days' notice.

Section 6. A majority of the Executive Board shall constitute a quorum of all meetings of the Executive Board.

Section 7. A majority vote, at any meetings of the Executive Board, shall be sufficient for all purposes, except as otherwise herein provided.

Article XIV. OFFICERS

Section 1. The officers of CAPP shall be President, Vice-President, Secretary, and Treasurer. Officers shall be elected by plurality vote of those Members present at the annual meeting of the Members, for a term of one (1) year. The outgoing President will serve as Chairman of the Board for the period of one (1) year.

Section 2. The President shall preside over and conduct all meetings of the Members, shall appoint all committees (except the membership committee) and be ex officio member thereof, shall impartially enforce these by-laws and see that all officers and committees perform their duties.

Section 3. The Vice-President shall preside over and conduct all meetings of the Executive Board and perform the duties of the President in the absence of the President.

Section 4. The Treasurer shall have custody of all funds of CAPP and shall disburse same according to the directions of the Executive Board. The Treasurer shall keep and maintain the financial records of CAPP and shall be ex officio member of the Ways and Means Committee.

Section 5. The Secretary shall record attendance at all meetings of the Executive Board or Members, shall take minutes of said meetings, shall send out notification of time and place of said meetings and shall conduct the correspondence of CAPP. The CAPP seal will be kept in the safety deposit box and the seal shall be affixed to any documents whenever required by law or by order of the Executive Board.

Section 6. The Executive Board shall appoint a temporary replacement for any officer when said officer is unable to perform his or her duties, unless otherwise herein provided.

Section 7. All mail correspondence must be directed to the CAPP Beach PO Box in Lake Hopatcong, NJ Post Office.

Article XV. TRUSTEES

Section 1. The Trustees of CAPP shall exercise supervision over the property of CAPP and shall keep account of the same and shall make such investments, additions, improvements or alterations from time to time as CAPP may order.

Section 2. Trustees shall be elected by plurality vote of those Members present at the annual meeting of Members for a term of (3) years, with two (2) of the six (6) trustees to be elected each year. In order to establish or maintain such pattern, other trustees may be elected for one (1) or (2) year terms, provided, however, the length of term for each trustee be clearly designated prior to the election of trustees.

Article XVI. MEMBERSHIP COMMITTEE

Section 1. The Membership Committee shall maintain and keep a list of all residents of Prospect Point, shall maintain and keep a list of all CAPP resident and non-resident members, shall maintain and keep a list of all CAPP Members, shall prepare and distribute application forms for membership, shall prepare and distribute badges as herein provided and shall serve as welcoming committee to new residents of Prospect Point. There shall be one (1) two (2) persons on the Membership Committee.

Article XVII. STANDING COMMITTEES

Section 1. The standing committees of CAPP shall be the Social Committee, the Ways and Means Steering Committee, and the By-Laws committee.

Section 2. The Chairperson of the Social Committee and the Members of the Ways and Means and By-Laws Committees shall be appointed by the President of CAPP from a list of Members in good standing. The later committees shall appoint a chairperson who shall maintain and keep records of committee business.

Section 3. The Ways and Means Steering Committee shall consider, plan and report on CAPP policies and goals, membership fees, initiation fees, special assessments, loans, and all other methods of revenue raising.

Section 4. The By-Laws Committee shall consider and report on these By-Laws, the execution thereof and any violation thereof.

Section 5. The Social Committee shall plan and run all CAPP sponsored functions. Members shall meet and plan activities providing the Executive Board dates in March and propose a budget request for consideration at the June Executive Board Meeting.

Article XVIII. TEMPORARY COMMITTEES

Section 1. The President of CAPP may, from time to time, appoint from the CAPP Membership, such temporary committees as may be deemed advisable or desirable for administrative purposes or for the welfare of CAPP.

Section 2. Each temporary committee shall have a chairman who shall report to the Executive Board when asked and a clerk who shall maintain and keep records of committee business.

Article XIX. MEETINGS OF THE MEMBERS

Section 1. The annual meeting of the Members shall be held on a date during the months of August or September as determined by the Executive Board. No person not a Member shall be present unless approved by the Executive Board. Members shall be notified by all communication avenues at least two (2) weeks prior to the date of said meeting.

Section 2. A quorum of ten (10) Members must be present to conduct any meeting of the Members.

Section 3. Votes at any meeting of the Members may be cast in person only by Members in good standing. A majority vote shall be sufficient for any business except as otherwise herein provided.

Section 4. The order of business for the annual meeting shall be:

- A. Opening statement by the President of CAPP.
- B. Minutes of previous annual meeting.
- C. Reports of Executive Board and committees.
- D. Unfinished business.
- E. New business.
- F. Nominations from the floor and Nominating Committee.
- G. Election by written ballot of officers, trustees and Membership Committee as herein provided.

- H. Statement from newly elected President of CAPP.
- I. Adjournment by majority of vote of those Members present.

Section 5. A special meeting of CAPP Members may be called, at any time, by the Executive Board, after giving notice as provided for the annual meeting, and noting the reason for which the special meeting is being called.

Article XX. AMENDMENT APPROVAL

Section 1. Any amendments or alterations to these By-Laws shall be dated and stamped with the official CAPP seal. The official copy of the By-Laws shall be signed by the current officers of CAPP and filed in CAPP’s Safe Deposit Box. The date of Membership approval shall be noted.

Article XXI. DISSOLUTION

Section 1. Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(C)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the Federal Government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Date of Membership Approval: June 7, 2014

President: _____ << AFFIX

Vice President: _____ << CAPP

Secretary: _____ << SEAL

Treasurer: _____ << HERE