



Lake Lucille Property Owners Association

Bylaws

And

Constitution

as last adopted July 30, 2023

# BYLAWS OF THE LAKE LUCILLE PROPERTY OWNERS ASSOCIATION, INC.

As amended by  $\frac{2}{3}$  majority 7-2023 (the community well and amendments)

As amended by  $\frac{2}{3}$  majority 12-2021 (roads and trespassing).

Includes Previous Amendments from 8/22/2020

Previous revision approved on Dec. 11, 2018.

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BYLAW I MEMBERSHIP

Section I.

a) Owners of real property in the Lake Lucille community (Lake Lucille) shall be Active Members (Members), as defined in the Constitution of the Lake Lucille Property Owners Association, Inc. (LLPOA), entitled to all privileges and subject to all obligations of LLPOA membership.

b) Social Members, in addition to the Constitutional definition of that term, are resident tenants who are entitled to all the privileges except voting, making nominations, and service on the board of LLPOA; and are subject to all of the obligations of membership.

c) Active and Social Members are bound by these Bylaws and regulations.

Section II.

Active Members maintain their good standing by paying all dues and assessments, including applicable water dues, court costs and attorneys' fees, and any other costs related to the well being of the LLPOA, that may be owed. Active Members are expected to participate in the affairs of LLPOA within their abilities and capabilities.

## BYLAW II DUES

### Section I.

- a) Dues shall be paid by all owners of Lake Lucille real property except those described in Bylaw II, Section I, clause (b) below.
- b) Dues shall not be levied upon Members whose dues have been waived by the Board of Trustees as allowed in Bylaw II Section II of these Bylaws. Dues shall be adjusted when the Board of Trustees has granted a partial dues waiver to a Member.
- c) The amount of Members' dues shall be determined by the Board of Trustees in accordance with Bylaw IV, Section III (a), and shall be presented and voted on at the annual meeting as part of the proposed budget, as described in Bylaw IV, Section III (c).

### Section II.

The Board of Trustees may waive all or part of a Member's dues, at its discretion, upon written application by that Member, made prior to the annual meeting. Such waiver or reduction shall apply only to the year following the year in which the application is made. Members seeking continuation of a waiver must re-apply each succeeding year.

### Section III.

- a) Dues shall be paid on or before the first day of April of each year.
- b) The Treasurer is granted authority to agree to scheduled payments of dues owed on terms that he or she determines to be in the best interest of LLPOA.
- c) A Member who has not paid dues on time shall be notified in writing (via email and/or USPS) by the Treasurer that he or she is delinquent. Receipt of this notice will advise the delinquent Member that failure to pay the dues or to establish a payment schedule within 30 days of the due date may result in LLPOA's initiating an action in the appropriate court, seeking a judgment for the full amount owed, together with legal fees and court costs.

## BYLAW III DUTIES OF THE OFFICERS

### Section I. The President shall:

- a) Preside at all meetings of LLPOA and the Board of Trustees, where the business of the LLPOA shall be conducted, and shall perform all other duties usually associated with this office.
- b) Cast the deciding vote if there is a tie vote at general, committee and Board meetings.

c) Appoint the chairperson of all standing committees, and shall appoint other committees as may be necessary to carry on the activities of LLPOA.

d) Be an ex-officio member of each committee.

Section II. The Vice-President shall:

a) Assist the President in the discharge of his or her presidential duties, and shall perform all other duties usually associated with this office.

b) Officiate at the President's request or when the President is absent.

c) Upon the death, resignation, removal or disqualification of the President, succeed to the presidency for the unexpired portion of the President's term.

Section III. The Secretary shall:

a) Attend all meetings of LLPOA and keep a written record of them.

b) Collect and have custody of LLPOA's legal documents such as the Constitution and Bylaws, meeting minutes, insurance policies and all other papers and records.

c) Keep an accurate record of all equipment and property of LLPOA.

d) Oversee the archiving and proper storage of LLPOA documents and ensure that there are copies.

e) Assume any other duties authorized by the President.

f) Be responsible for the preparation and distribution of the LLPOA newsletter.

Section IV. The Treasurer shall:

a) Receive all LLPOA funds and keep a record of money received.

b) Control and record disbursements.

c) Send each Member a bill for dues at least 30 days before the date on which they are due.

d) Give notice to delinquent members as provided in Bylaw II, Section III (c).

e) Keep separate records of the dues and water funds.

f) Prepare a summary of income, expenses and outstanding debts, if any, for each meeting of the Board.

g) Ensure that all LLPOA taxes and fees are paid on time, and that corporation forms are filed when due.

h) Make all records in his or her possession available to a certified public accountant selected by the Board of Trustees for a LLPOA audit.

i) Make all records in his or her possession available to Active Members upon request, excluding the identities of members who have been granted dues waivers or payment plans.

j) Oversee the archiving and proper storage of the financial records and ensure that there are copies.

k) Assume any other duties authorized by the President.

## BYLAW IV POWERS AND DUTIES OF THE BOARD OF TRUSTEES

### Section I.

a) The business of LLPOA shall be conducted by the Board of Trustees.

b) The Board shall have the power to regulate and conserve the property interests of LLPOA.

c) The Board may conduct any LLPOA business not otherwise provided for in the Bylaws concerning:

Organization and operation of LLPOA

The lake

The shoreline

The dam

The baby lake

The field

The community well and its distribution system serving certain properties on the north side of the lake (The Water Utility).

The roads

All other structures, property (including trees, shrubs, etc.) and equipment owned by LLPOA.

d) The Board shall have the power to remove any committee chairperson or member by majority vote, for good cause shown.

### Section II.

In addition to the power to initiate legal action for the collection of dues described in Bylaw II, Section III, the Board shall have the power to take legal action to achieve the purposes stated or implied in the LLPOA Constitution, and to preserve and protect its property.

### Section III. Budget

a) The Board shall prepare a schedule of anticipated expenses for the coming year. It shall establish the proposed dues for the coming year by dividing anticipated expenses by the number of properties in Lake Lucille, giving consideration to any waivers or reductions of dues granted by the Board pursuant to Bylaw II, Section II, and shall include a contingency fund in the budget. The anticipated income and expenses, including the contingency fund, shall become the proposed budget.

b) Active Members shall receive notice of the proposed budget ten days before the Annual Meeting.

c) Active Members shall vote on the proposed budget at the Annual Meeting, Approval will be by majority vote of Members present once a quorum is present.

d) If the Active Members do not approve the proposed budget, the current year's budget shall remain in effect, and the Board shall prepare a new budget to be presented to the Active Members for approval at a special general meeting to be held within 30 days.

e) The new proposed special budget and dues (described in (d) above) shall be sent to all Active Members at least ten days before the special general meeting.

### Section IV. Finances

a) The Board shall oversee and be responsible for all finances.

b) Two officers' signatures shall be required to validate any LLPOA check larger than an amount set by the board. The Treasurer may co-sign with the President, Vice President or Secretary.

c) Board liability insurance must cover any fiscal impropriety that might be committed by a member or members of the Board. If it does not, officers who are allowed to sign checks will be bonded.

### BYLAW V RULES AND REGULATIONS

The rules and regulations for the governing of the community as a whole and responsibilities of the membership are listed below. In rare cases of a national, state, or local declared emergency, or urgent issue of the community, when it is impractical to have a community-wide vote to amend this list, the Board of Trustees is empowered to make/modify these rules and regulations for the safety and well being of the entire community as a whole. Such new rules shall remain in effect until a time that the membership can be convened to approve them. If passed,

(according to the amendment procedure VI below) they will become part of these bylaws. If not passed, the board can not then again impose a similar rule, except in the case of a subsequent national, state, or local declared emergency.

### Section I. Tenants and Guests

Members shall be responsible for their own behavior as well as the behavior of their tenants and guests. Members are expected to maintain the privacy of our private community.

### Section II. The Lake

(a) Anyone who uses the Lake for recreational or sports activities such as swimming, wading, boating, skating, fishing, etc., does so at his or her own risk.

b) Children must be accompanied by a person who is responsible for them on the beach, the dock and other potentially dangerous areas in all seasons.

c) No pets are allowed in the sandy areas of the Lakeshore.

d) Rowboats, kayaks and boats powered by electric trolling motors may be used in the Lake. Fuel powered water craft may not be used in the Lake, except by a work-party while maintaining the Lake.

e) All fishing in the Lake must be done in accordance with the rules and regulations of the State of New York governing that sport and the rules and regulations governing land use.

f) Wild birds that use the Lake (Canadian geese, ducks, swans and others) may not be fed.

g) Leaves, branches, brush, bottles, cans, chemicals, pet excreta and other debris should not be deposited in the Lake, the Baby Lake, the streams, on LLPOA-owned property or on Active Members' private property.

h) No glass containers are allowed at the beach.

### Section III. The Lake Shoreline

a) The Lake shore, except where an owner's property or exclusive rights extends to the water, belongs to LLPOA and shall be used only by LLPOA members and their guests.

b) No one shall erect or maintain a boat dock or landing on the Lake shore unless authorized by the Board of Trustees. If a Member is given permission to build a dock or landing, it may be used by any Member of LLPOA.

c) The conduct of Members and their guests using the Lake shore fronting the lot(s) of a property owner shall be in keeping with the spirit and privacy of the community, and with respect for the rights of the property owner.

d) Beach rules should be honored.

e) Boats shall not be beached in the sandy or grassy areas of the Lake shore. All boats will be registered with LLPOA.

#### Section IV. The Roads

a) Maintenance and repairs of the roads in Lake Lucille shall be the responsibility of LLPOA.

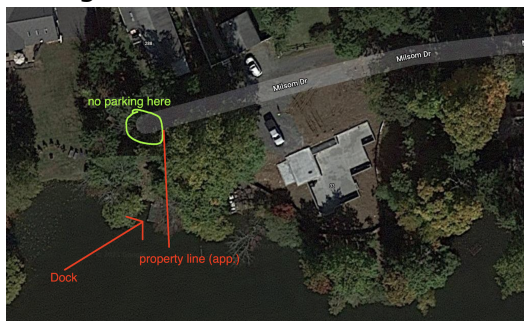
b) No one shall make repairs or improvements, plant or remove trees or shrubs, erect fences or railings on the roads owned by LLPOA without authorization by the Board of Trustees.

c) Leaves and brush shall not be dumped on LLPOA property unless it is a Town of Clarkstown designated pickup area.

d) Snow removed from private property shall not be deposited on LLPOA roads.

e) If not in their personal driveways, all vehicles must be parked on each owner's personal property frontage. No vehicles may be left on the roads overnight from November 1 – April 15. If they are on the roads during the day, and snow starts, they must be removed from the roads. Residents who do not have driveways are exempt from this bylaw; however, they should put their vehicles as far out of the way of the snowplow as possible, leaving enough room on the roads for vehicles as wide as a fire engine to pass.

There shall be no parking on Lake Road, Shore Road, the bridge, that portion of Brook Lane (on the baby lake side) which is owned by LLPOA, and the small section of far west Milsom that abuts the lake (NOTE: see map that follows this paragraph.) There shall be no parking on the side of the roads abutting Larry's Field. Guests shall park their cars on the property of the property owner who issues them the invitation; if there is not enough room, they may park on Lake roads, leaving enough room on the roads for vehicles as wide as a fire engine to pass.





In the interests of safety or other reasons, the LLPOA Board will have the power to prevent or allow parking on any other parts of the roads, either temporarily or permanently.

f) Unauthorized persons are considered to be those who enter Lake Lucille without an invitation from a Member. Authorized persons include mail and other delivery carriers; emergency responders; utility workers; federal, state, county or town representatives; ambulance, fire and police departments. These people must have an identifiable reason for being here.

The roads in the Lake Lucille community are private property, owned by LLPOA. Any member has a right to ask loiterers to leave our property, and to call the police if such loiterers remain. Unauthorized people who are walking, bicycling, or jogging through, and who are not loitering in any way, will be allowed to continue, provided they leave in short order. If they do not leave in short order they will be considered loiterers.

g) To protect the private status of our roads, each road in Lake Lucille shall be closed one day during each LLPOA year, except for emergency vehicles and residents of that road. The date of each closing shall be determined by the Board of Trustees in consultation with the residents of that road, and shall be published in the LLPOA newsletter and on its web site.

h) Motor vehicles, as defined by the Vehicle and Traffic Law of the State of New York, may not be operated on LLPOA roads unless the driver possesses a valid government-issued operator's license and the vehicle is registered with a State Department of Motor Vehicles or by the United States government, and is insured. An exception is when the vehicle is being delivered to or removed from a property. Recreational vehicles, whether gas- or electric-powered, registered or unregistered, may not be used on LLPOA property. This includes, but is not limited to, ATVs, snowmobiles, and unlicensed motorcycles and motorized scooters.

i) The bridge road over the dam is a public road.

j) No member or other person shall block, by any manner, any foot or car entrance to the Lake Lucille property, without authorization from the board.

#### Section V. The Dam and Bridge

a) Maintaining and repairing the dam and bridge shall be the responsibility of LLPOA.

b) No one shall make repairs or improvements to the dam or bridge without authorization of the Board of Trustees.

c) No one shall climb on or pass through the railings on the bridge, or walk on any part of the spillway or dam, unless authorized by the Board of Trustees.

d) Motor vehicles shall not be parked on the bridge. The New City Fire Department may use the bridge for staff training.

## Section VI. The Community Well

a) Each year, when the budget for the coming year is being prepared, the Board shall earmark an amount for maintaining the LLPOA community well during the coming year. That amount shall be a separate line item in the budget.

b) Each property that uses the LLPOA community well shall share equally the cost of maintaining it. Those properties will be billed for water use as a separate item in their bill for LLPOA dues.

c) The provisions of Bylaw II, Section III shall apply to the water use payment as well as to LLPOA dues.

d) Money earmarked for community well maintenance shall be kept separate from other LLPOA funds, and shall be used only for the well. If the cost of maintenance exceeds the funds in the well account, the properties that use the well shall be billed equally for the overage.

e) If the well is shut down permanently, all money in the well fund shall be divided among the lots served by the water system. If any Member whose property uses the community well is delinquent in water dues, the portion of the well funds that is owed to that Member shall be used to reduce that person's water dues arrears; if the money owed to that Member exceeds the water dues arrears, the balance shall be refunded to the Member.

### f) Pressure Boosters:

In order to ensure the pressure in our water system remains as high as possible for all houses on the system, we must restrict the installation of water booster pumps that draw directly from the main water supply. If you want to install a booster pump you must notify the LLPOA board for approval and also agree to install a static storage tank/non-pressurized vessel of at least 65 gallons, which will minimize the pump's effect on the overall system's pressure.

### g) Water service-line repairs:

The LLPOA is responsible for maintaining the pumping system, water mains, and service lines on association property. Participating home owners are responsible for repairs on a house's service lines on their property. The LLPOA will also cover repairs on a house's service line that runs through a neighbor's property.

Turning off the community water pump creates problems for all houses on the system. Therefore, if a house with a non-functioning turn-off valve in its service line requires a repair that necessitates the community's water pump being turned

off, the resident must install a functioning turn-off valve as part of the repair. (Ideally, every house should have a turn-off valve to facilitate repairs without disrupting their neighbors' activities.)

## Section VII. Machines

Lawn mowers, leaf blowers, chain saws and other gasoline-powered machines are noisy. No noisy machines shall be used in Lake Lucille on Saturday and Sunday mornings before 10 am or after 6:00 pm.

## Section VIII. Pets

Pets shall not be allowed to run at-large in Lake Lucille. Owners are responsible for ensuring that their pets are leashed or otherwise kept under the control of a person at all times, and for ensuring that their pets' excreta, uneaten food and toys are removed from the roads and from residents' property.

## Section IX. LLPOA common property

a) Larry's Field is the common property of LLPOA and shall be used only by Members and their guests. Anyone using common property shall keep it in good repair and free of debris; and shall be responsible for any damage done to the property and its appurtenances as a result of that use.

b) Any organized activity on common property shall require authorization by the Board of Trustees.

## Section X. Community meetings

a) All questions put forward by the board for membership vote must be submitted to the membership 10 days before the meeting it will be voted upon. Any amendments upon these questions, or new motions that come from the floor at any meeting will be circulated to the entire membership before being voted on, so that all members can be informed, and therefore cannot be voted upon until the next membership meeting. The only exception to this shall be matters of emergency that the board itself cannot resolve.

b) Any member that makes a motion or suggestion on new business that will entail research, exploration, or a sub-committee formation is strongly encouraged to involve themselves in such work, to the extent that he or she is capable.

## BYLAW VI AMENDMENTS

a) These Bylaws may be amended in whole or part by a two-thirds vote of members at any regular LLPOA meeting at which there is a quorum, provided that all

Members have received notice of the proposed amendment(s) at least ten days before the meeting.

b) Any proposed amendment that deals solely with issues regarding the Lake Lucille Water system will be discussed and voted on only by those members served by the system. A quorum in this regard will be 6 well members. A two-thirds affirmative vote of all well members voting is required to adopt such amendment.

#### BYLAW VII REPEAL OF PREVIOUS BY-LAWS, MOTIONS AND RULES

##### Section I

Upon adoption of these Bylaws, the following are repealed:

- a) Bylaws in effect prior to the effective date of these Bylaws.
- b) All rules, regulations, and resolutions inconsistent with these Bylaws.

##### Section II

All officers, trustees, and committee members in office shall remain in office until their successors are elected or appointed as provided here.

#### BYLAW VIII BYLAWS & CONSTITUTION

If any article, clause, or section in these Bylaws conflicts with any article, clause, or section of the Constitution, the language in the Constitution shall take precedence.

CONSTITUTION OF THE LAKE LUCILLE PROPERTY OWNERS ASSOCIATION, INC.

As amended 9-16-2014

As further amended 8-22-2020

As further amended 7-30-2023 (changing amendment procedure for water system business.)

Submitted by the amendment subcommittee:

2014 committee: Ron Wasserman, chair, Barbara Kamali, Debi Albeyta, Jimmy McDonald, Pamela Hudson, Judy Anderson.

## **PREAMBLE**

We, the people of Lake Lucille, as property owners recognize that we do not live alone and that we share common interests and concerns.

We agree that we must contribute time, effort, and money to preserve, protect, and improve the land and structures we own in common.

We recognize that the world changes and that our stated aims can only be achieved by our concerted and organized efforts, reflecting those changes.

We, therefore, in order to live by appropriate standards and principles do hereby adopt this constitution as one that we will live by, and which will benefit not only us but the people who will inhabit the Lake Lucille Community after we are gone.

## **CONSTITUTION**

### **ARTICLE I - NAME**

Section I. The name of this organization shall be the Lake Lucille Property Owners Association, Inc., hereinafter referred to as the Association, or as LLPOA.

### **ARTICLE II - PURPOSE**

Section I: This Association shall be a not-for-profit corporation the purpose of which is to preserve, protect, and improve property values and living conditions of the community. It shall adopt measures to assure the accomplishment of its stated aims and purposes.

Section II: Specific Objectives:

(a) To encourage property owners to work together to conserve sound dwellings, to protect property values, and to rehabilitate and prevent the deterioration of the Lake, Lake Shoreline, Dam, Baby Lake, Roads, Field, and all other structures and property.

(b) To develop resources among the membership for the continued maintenance and improvement of the Lake, Lake Shoreline, Dam, Baby Lake, Roads, Field, and all other structures and property.

(c) To insure continuance of the enjoyment and benefit from participation in Lake privileges to Active and Social Members of the Association and their guests.

(d) To patrol, supervise, maintain, and manage that body of water known as Lake Lucille, the properties adjacent thereto and referred to as the Lake Shoreline, Dam, Baby Lake, and Roads within the Lake Lucille Community, for the mutual benefits of the members of the Association.

(e) To maintain and manage the community well (water utility) serving those members whose lots are serviced by the Association's well and who shall bear the cost of its maintenance and repairs, it being understood that 35 lots are so served.

### ARTICLE III - MEMBERSHIP

Section I. The Association shall consist of:

(a) Resident Active Members

(b) Non-resident Active Members

(c) Social Members

Section II. Qualifications.

(a) Resident Active Member - A Resident Active Member shall be the resident deeded owners of real property shown on a map entitled "Map #100," formerly "Map 1 of the land of Lake Lucille Realty Co. Inc.," dated September 17, 1928 and filed June 7, 1929 in the Office of the County Clerk of Rockland County, New York as Map No. 100.

Everything within the outside boundaries shown on such map, shall be referred to herein as the "Lake Lucille Community."

1. Over the years, many of the parcels on Map 100 have been combined and/or divided. Therefore the delineation of parcels on Map 100 does not correspond to the actual number of parcels assessed for dues. The membership shall be one dues unit, with two votes per single-family house, no matter the size of the house or parcel, as kept by the treasurer in a master list compiled on the date of the ratification of this amended clause and annexed to this constitution.

2. The board will have the power to modify this list based on future combining and/or dividing of parcels, and subsequent building, if any. Small apartments over detached garages, owned by the same owner as the related house will not count as additional single-family houses. Future additional, complete, freestanding houses on an existing or divided parcel, or detached garages that are turned into complete houses and/or sold as separate properties, may, in the future, be considered as separate, newly assessed membership units.

3. It is the obligation of every member to inform the board of any plans they may have to divide, combine, or build on their property that could potentially affect the master list.

4. The property on said map marked "Guild Home," on the corner of South Mountain and Zukor Roads, is not included. The board has the authority to grant membership to this or other property, subject to board review and future amendment to this constitution. (see article IX below).

(b) Non-resident Active Members are those deeded owners as described in (a) above, who reside outside the Lake Lucille Community.

(c) Social Member - A Social Member shall be a tenant of a property owned by an Active Member in the Lake Lucille Community. Tenants are defined as those people who are actual signatory parties to a legally enforceable lease subject to all Clarkstown occupancy regulations. It is the responsibility of all active members with tenants to inform the board of the names and terms of all leaseholders and other occupants.

### Section III. Privileges.

(a) Resident Active Members shall be entitled to all the rights, benefits, and privileges of the Association, including the right to:

1. Vote in person or by written proxy, with the understanding that there shall be two votes for each lot which is assessed for dues.
2. Make nominations.
3. Hold office.
4. Attend and participate in general meetings.
5. Receive a copy of the Association's Newsletter as issued.
6. Have full use of all property owned by the Association as defined by the rules and regulations of the Constitution and Bylaws.

Only Resident Active Members in good standing shall be entitled to the rights in Section III (a), 1, 2, and 3 above.

If a member is given board approval for a waiver of dues in any year, or a member is given permission to pay on an alternate payment schedule and such member is current with such schedule, then such member shall be considered in good standing.

(b) Non-resident Active Members in good standing shall be entitled to all rights, benefits, and privileges as set forth under Section III (a) above except as to section III (a):

III (a), 3. Hold office. Non-resident Active Members shall not be entitled to hold office (officer or otherwise).

(c) Social Members shall be entitled to all rights, benefits, and privileges as set forth under Section III (a) except as to section III (a):

1. Vote. Social Members shall not be entitled to vote.
2. Make nominations. Social Members shall not be entitled to make nominations.
3. Hold office. Social Members shall NOT be entitled to hold office.

#### ARTICLE IV - COMMUNITY FUNDS

Section I. The Association funds shall be collected as dues from each Active Member, as well as from:

- (a). Other fund-raising events decided upon by the Board of Trustees and/or the membership.
- (b). Special assessments fixed by the general membership to fulfill specific needs of the Association.
- (c). Endowments, gifts, grants, and bequests to the Association.

#### ARTICLE V - MEETINGS

Section I. General Membership Meetings.

There shall be at least two (2) general membership meetings each year, to be called by the President, one of which shall be held in the last quarter of the year on a date set by the board, and shall be the Annual Meeting. At least ten (10) days advance written notification of all general membership meetings shall be sent by the Secretary to every member. For the conduct of business, a quorum of the general membership shall consist of twelve Active Members. For water system business, the quorum shall be 6. Wherever, in this Constitution and in the Bylaws of the Association reference is made to action at a meeting of members by "Majority Vote" or "Two-thirds Vote," such vote shall require the action to be taken by such proportion of the votes cast at such meeting, provided that the affirmative votes cast in favor of any such action shall be at least equal to the quorum, except where otherwise proscribed below, such as in Article VI, Section II, Paragraph (b). Blank votes or abstentions shall not be counted in the number of votes cast.

Section II. Annual Work-Day Projects.

The Association shall conduct at least two annual Work-Day Projects, one during the spring and the other in autumn for the purpose of preparing and maintaining or repairing the properties and possessions of the Association.

- (a). Arrangements for the annual Work-Day Projects shall be made by a standing committee appointed by the President.



2(b). Participation in the annual Work-Day Projects shall be encouraged for all Active Members of the Association, but in the event insufficient members are available to accomplish the work, the President and/or Committee chairpersons shall have the authority to hire appropriate help.

## ARTICLE VI - OFFICERS

Section I. The officers shall be President, Vice President, Treasurer, and Secretary, each of whom shall serve two (2) year terms. Any Active Member in good standing may nominate any other Resident Active Member in good standing, or themselves if they are Resident Active Members, for any office. Nominations do not need a second. The officers shall be elected in the following manner: The election shall occur biennially in Even Numbered Years immediately after the opening procedures of the Annual General Membership meeting of the Association in the last quarter of the year. The candidates receiving the most votes shall be elected to the office, provided that the number of votes said candidate receives is at least equal to the quorum as in Article V, Section I. If there are more than two candidates for any particular office, and no candidate receives 50% of the votes, there will then immediately be a run-off between the two candidates receiving the highest number of votes.

Section II (a). Officers shall be eligible for more than one (1) term but not more than three (3) successive terms. The officers shall assume their duties the first day of January following the election and shall serve until their successors take office, or until removed or suspended for good cause shown by a two-thirds (2/3) affirmative vote of the Board of Trustees. Officers who have served their maximum three full terms are still eligible to be nominated to be elected as regular members of the board, and after one term has passed may again be nominated to be elected an officer.

(b). Any Active Member may initiate a motion to remove an officer for good cause, but only after the board has been petitioned for or considered the same action and has failed to remove said officer. Such a motion shall need five signatures to convene a special membership meeting called only for that purpose. There will be a minimum of ten days advance notice of such a meeting. Those members initiating the motion must, with notice of the meeting, distribute to the membership written, specific charges against the officer to be discussed at that meeting. A 2/3 affirmative vote of the entire eligible, in-good-standing membership will remove said officer effective immediately. Proxy votes will count towards this motion.

## ARTICLE VII - BOARD OF TRUSTEES

Section I. There shall be a Board of Trustees, which shall consist of the four officers, in addition to a minimum of six Active Members and a maximum of ten members. The Board of Trustees shall consist of members from each side of the Lake, to include at least two lots served by the well. The immediate past president can be a member of the Board of Trustees.

Section II. Each term of office for members of the Board of Trustees shall be two (2) years. They shall be elected in the following manner: Any Active Member may nominate any other Resident Active Member in good standing, or themselves if they are Resident Active Members in good standing, for any seat on the board. Nominations do not need a second. There will be six to ten positions on the board in addition to the four officers. These board members will be

elected with the officers at the biennial elections in even-numbered years. If there are more than ten candidates running for these non-officer board seats, the candidates who receive the most votes shall be elected to the seats, provided that the number of votes said candidates receive is at least equal to the quorum as in Article V, Section 1.

There will be no limitation to the number of terms an eligible member may serve as a regular (non-officer) board member.

Section III. Members of the Board shall serve until their successors are chosen, or they resign in writing or are removed, for good cause shown, by the same procedures used to remove officers above in Article V, Section II.

Section IV. There shall be at least six (6) regular meetings of the Board during each year. The Board shall meet at the call of the President. Additional meetings may be called by the President, as required, or by the written request of at least two Trustees.

Section V. A majority of the Board shall constitute a quorum for the conduct of business, except that for the purposes of removal of a Board member, pursuant to Article VII, Section III, two-thirds of the Board membership shall constitute a quorum.

Section VI. The President shall be the Chairperson of the Board of Trustees and shall vote only in the event of a tie. The other officers shall have the same regular vote as any member of the Board of Trustees.

Section VII. All decisions of the Board relative to changing rules of conduct within the community shall be subject to the approval of the general voting membership, except for certain temporary emergency situations. (see bylaws for further clarification on this subject)

Section VIII. The Board of Trustees shall be limited, with respect to expenditures, to improvements and maintenance of Association property to the maximum amount permitted by the budget. Any expenditures which result in going over the total annual budget must be approved by the general membership.

Section IX: The Board shall be empowered to temporarily fill all vacancies on the Board [as it sees fit] that shall occur for any reason, until such time as there can reasonably be called a special or regular election where such vacancies will be filled by those elected to fill out the remainder of the term that was vacated.

Section X: If there are two or more Active Members that jointly own any property or properties, only one such person shall be eligible to serve on the board (as either an officer or regular member) at the same time.

Section XI: The board shall designate certain expenditures as "Large Expenditures." Such expenditures shall only be by purchase order approved by the board and signed by a minimum of two officers.

## ARTICLE VIII - COMMITTEES

Section I. The committees of the Association shall be;

(a) Maintenance Committee,

(b) Special Events Committee,

(c) Election Committee, whose responsibility it shall be to organize elections, keep track of candidates and terms of office, design and hold official proxies and ballots where appropriate, and other tasks to ensure the fairness and objectivity of all elections.

(d) Well Committee.

(e) Other Committees as designated by the President

Section II. The members of all committees, who have been asked to serve by the President, shall serve until their successors are appointed or have given thirty days notice that they are resigning, or until the committee is abolished.

Section III. Members of ad hoc committees shall hold office until the accomplishment of the purpose for which they were appointed.

Section IV. All committees shall consist of a minimum of three (3) Active Members of the Association who shall be appointed by the President, one (1) of whom is to be designated by the President as "Chairperson."

Section V. Committee Chairpersons shall report, when requested, at general meetings and at meetings of the Board of Trustees.

Section VI. The President shall be an ex-officio member of all committees.

## ARTICLE IX - AMENDMENTS

Section I. Amendments to this Constitution may be proposed by:

(a) Any Active Member of the Association in good standing at a general meeting when supported by the signature of at least five (5) other Active Members in good standing.

(b) The Board of Trustees, after the proposal has been duly voted upon affirmatively by a majority of the members present at a Board meeting, provided that the affirmative votes shall be at least equal to a quorum.

Section II. A copy of amendments to be proposed at a general meeting, or to be proposed by the Board of Trustees, shall be sent to each Active Member in good standing at least ten (10) days prior to such meeting.

Section III. A two-thirds (2/3) affirmative vote of those voting at a general meeting in person or by proxy shall be required to adopt an amendment. Amendments so adopted shall take effect immediately, unless otherwise stated within the proposed amendment.

#### ARTICLE X - DISSOLUTION

Section I. If necessary, the Board shall adopt a plan for the dissolution of the corporation and the distribution of its assets. Such plan shall implement the provisions of the Certificate of Incorporation prescribing the distributive rights, if any, of members.

Section II. Upon adopting a plan of dissolution and distribution of assets, the Board shall submit the same to a vote of the members entitled to vote. Such plan shall be at a meeting of members entitled to vote by a two-thirds vote pursuant to §613 of the Not-For-Profit Corporation Law of the State of New York and Article V, Section I of this Constitution.

Section III. In all other respects, the procedure to be followed in dissolving the Corporation, and after dissolution, shall be as provided in Article 10 of the Not-For-Profit Corporation Law of the State of New York, as the same may be amended or succeeded at the time of the dissolution of the Corporation.

#### ARTICLE XI - ASSOCIATION YEAR

Section I. For all purposes, the Association year shall be the period each year from the first day of January to the last day of December in the same year.

#### ARTICLE XII - RULES OF ORDER

Robert's Rule of Order (Revised) shall govern the proceedings of the Association and the Board of Trustees, except where otherwise specified in the Constitution or Bylaws.

Article XIII. If any article, clause, or section in this Constitution conflicts with any article, clause, or section of the Bylaws, the language in this Constitution shall take precedence.

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Attachments.

Scan of official Map 100.

2014 uncertified copy of Clarkstown Tax map. Not an official part of this Constitution, but provided here for reference.

34" 22" 17" 11" 8.5" 11" 17" 22" 34"



MAP NO. 1 OF LAND OF THE  
 LAKE LUCILLE REALTY CO. INC.  
 NORTH OF NEW CITY, ROCKLAND CO. N.Y.  
 SCALE: 1/2" = 100' 189 Lots E.W. Chute in Survey State, N.Y.  
 Sept. 12, 1928

ROCKLAND COUNTY CLERK  
 27 NEW HAVEN ROAD  
 NEW HAVEN, CONNECTICUT

I hereby certify that this map is a true copy of the original now on file in my office.  
 Dated this 11 day of \_\_\_\_\_ 19

100  
 100

The date of 1928  
 Jim Handy Clerk  
 By E.W. Chute  
 Surveyor



2014 uncertified copy of Clarkstown Tax map provided for reference