

**BY-LAWS**

**MANHASSET BAY ESTATES ASSOCIATION, INC.**

SECTION I

Membership

1. Except as hereinafter provided, all owners of real property specified in Article I, paragraph 1 of the Constitution are Members of the Association.

Associate Membership

2. Any tenant of a member who is fully paid and in good standing, as defined in Article I, paragraph 1 shall be eligible to become an Associate Member at no additional cost. Such tenant may pay all dues and arrearages on behalf of any Member who is delinquent, or any non-member eligible for membership, in order to be eligible.

SECTION II

Dues and Assessments

1. Each Member of the Association has a legal, equitable and moral obligation to pay their share of the direct and indirect costs and expenses of the Association, including, but not limited to costs and expenses associated with its waterfront property and facilities, taxes, maintenance, working capital, repairs, insurance, personnel and security services, governmental fees and assessments, and other such costs. Dues shall be determined annually by the Board and approved by the Associations Members at the Annual Meeting, and shall be payable on the first day of May in each year or within 30 days from receipt of invoice.

2. Dues shall be assessed against each of the Association's Members. In the event that any Member fails to pay any dues assessments, it shall constitute a lien upon such Member's property within the boundaries of the Association and such Member's privileges of Membership shall be subject to suspension as provided further herein.

3. Dues shall be cumulative against each of the Member's property within the Association. Association Members, present or future, shall be responsible for their current dues assessment, as well as all arrears in any dues assessments made on or after May 1, 1980.

4. The Board may, in its discretion, request any Committee or other professional retained by the Board, to collect any delinquent dues and assessments by any legal means available to the Board.

5. The Association shall assess interest against the unpaid arrears at a rate equal to twelve percent (12%) per annum or as otherwise determined by the Board. Interest shall be assessed from the original due date of such dues.

6. Upon request, the Board may, in its sole discretion, make provision for reduction in dues and/or other assessments for any Member 65 years of age or older, or any person suffering financial hardship.

7. No Member who is in arrears beyond such Member's Suspension Date shall be permitted to use the facilities or participate in the activities of the Association until such arrears have been satisfied.

8. Members who shall be in arrears in the payment of dues for one month or more may be suspended from membership upon fifteen days' notice to such Members. Such action may be taken by the Board after the Treasurer shall have certified that such persons are in arrears.

9. Any person delinquent in the payment of their dues, who shall have been suspended, may be reinstated upon such terms as the Council may deem proper. The Board may also reduce or adjust the amount of arrearage with respect to property acquired by a new resident. The Board may also provide for a reinstatement of all delinquent persons for a short period when in the opinion of the Board sufficient cause therefore appears, and upon such terms and conditions as it may deem advisable.

10. 10. MBEA members not in arrears may store dinghies, kayaks or other acceptable watercraft on the racks or designated property area belonging to the Association subject to the following conditions: A fee for annual storage of watercraft shall be charged to those MBEA members who desire to store watercraft on the storage racks maintained by the MBEA. Rules for registration of watercraft, including assessment of annual fees for storage, shall be determined by the Board. Watercraft size restrictions may be imposed as necessary and when determined by the Board or Boating Chairperson. Any unattended watercraft located at beach, whether stored on the

racks or otherwise, that is not registered with the MBEA may be deemed abandoned by the MBEA and thereafter disposed of at the discretion of the Board with the recommendation of the Boating Chairperson. No liability shall attach to MBEA for such watercraft disposal. Other rules applying to registration shall be detailed on the annual watercraft registration form.

### SECTION III

#### Other Officers

1. There shall be eight standing committees as follows: Waterfront Committee, Boating Committee, Community Affairs Committee, Entertainment Committee, Legal Committee, Youth Committee, Environmental Committee and Manhasset Bay Park District Liaison Committee. The chairperson of each committee elected to fill an unexpired term, as provided, shall be a Director of the Board.

2. The number in each Committee shall be fixed by the Board from time to time.

3. The membership of committees shall be appointed by the President with the advice of the Board.

4. The waterfront Committee shall have the care of the waterfront property and maintain the floats and dock and other structures belonging to the Association erected thereon, and shall provide the lock and keys for the gate. The Waterfront Committee, when so authorized by the Board, may employ personnel and security services, and such other labor as may be necessary to keep the property in proper condition. It shall deal with the proper authorities to obtain such permits as may be required.

5. The Boating Committee shall have as its charge the coordination of boating activities of the Association. It shall arrange with the proper authorities for the assignment of mooring spaces, shall assign spaces on the Association's dinghy racks, and see to their maintenance.

6. The Community Affairs Committee shall work for the best interests of the Association and its members both within and outside the Association's geographic boundaries. It shall represent the Association in community efforts to maintain and improve the quality of life in Port Washington.

It shall investigate all complaints of nuisances in the Manhasset Bay Estates area, and shall endeavor to obtain the cooperation of the members for the abatement of such nuisances. It shall endeavor to prevent the dumping of refuse on vacant lots, and do such other things as may tend to improve the appearance of property within Manhasset Bay Estates.

7. The Entertainment Committee shall arrange for the serving of refreshments at such meetings of the Association as the Board may direct, and also provide entertainment and social activities from time to time during the year.

8. The Legal Committee shall advise the Board on all legal questions arising in connection with the restrictions on property in Manhasset Bay Estates and on the waterfront property, and of such other matters as may be appropriate.

9. The Youth Committee shall represent the young people of the Association area on the Board, and shall recommend appropriate activities of interest to them.

10. The Environmental Committee shall be concerned with all matters affecting the environment of owners and/or residents within the Association boundaries as well as such matters affecting all of the Port Washington area, including but not limited to water, air, noise, open space, garbage, sewage disposal, etc.

11. Manhasset Bay Park District Liaison Committee shall represent those members of the Association living within the Park District's boundaries in all dealings with the Town of North Hempstead and other governmental authorities. This committee will assist in the orderly maintenance and operation of the Park.

12. Members-at-Large may be elected by the Board at the Annual Meeting and shall perform such duties and functions as may be assigned to them from time to time by the Board.

#### SECTION IV

##### Expenditures of Money

1. The Treasurer shall pay all bills for expenditures previously authorized by Board and/or the President as set forth in this paragraph. Prior to March 31 each year, the Treasurer shall provide the Board with a budget forecast or estimate of routine expenses likely to be incurred during the calendar year and the Board shall review and approve some or all of the expenditures (the "Budget"). For

bills or expenditures not approved in accordance with the Budget, the Treasurer, with prior notice to and consent of the President, may pay any bill or expenditure of the Association in an amount not greater than \$500. Any bill or expenditure not approved within the Budget for greater than \$500 must be approved for payment by the Board.

The President may appoint an Auditing Committee of one or more members to audit the books of the Treasurer at the end of each fiscal year.

## MANHASSET BAY ESTATES ASSOCIATION

### Use of the Beach Premises and Beach Facilities by Guest Groups

- i. Any use of the beach premises by groups other than MBEA ("Guest Groups") must be sponsored by an MBEA member who will be in attendance and who agrees to be responsible for any damages. Prior approval for use of the beach premises must be obtained from either the President of MBEA, or the Beach Chairman.
2. Any use of the beach premises by Guest Groups must be as non-intrusive as possible to MBEA members' prior rights to use and enjoy the beach. Since MBEA members will have available to them the shed, the table and surrounding shade and terrace areas (including the portion of the parking lot abutting such areas), activities of Guest Groups, other than use of the grill, are to be centered and conducted north of the children's swing area reserved for these purposes (i.e., well away from the shed). Please note that MBEA's beach extends hundreds of feet beyond the swing area. (Basically, our property extends to a line in the sand which would be formed if the split rail fence, bounding the south side of that portion of Secor Drive which runs into the beach north of the pond, were continued to Manhasset Bay.)
3. On weekends and holidays especially, any use of the beach by a Guest Group of more than 10 persons is on the following terms and conditions:
  - a. Other than use of the grill, activities are to be centered as far north of the shed as possible, and in no case closer than the children's swings. As noted above, our nearly 600 feet of beach provides ample space for recreational activities such as volleyball, sunbathing, luncheon, etc., without interfering with the use of the beach and facilities by MBEA members.
  - b. MBEA members (as well as our Gulls Cove and Secor Drive neighbors) are at the beach for the peace and quiet available there. Therefore, please: NO LOUD MUSIC.
  - c. If barbecuing is contemplated, using the MBEA grill next to the shed may facilitate it. However, meals should be consumed in the area north of the swings.
  - d. All refuse created by a Guest Group should be taken away at the conclusion of the event and the beach left in a clean condition.
  - e. If the restrooms are used, they should be cleaned at the conclusion of the event.
  - f. No swimming is permitted.
  - g. Everyone at the beach enters at his or her own risk.
4. Except for sports activities and games which are always to be conducted north of the children's swing area

reserved for Guest Groups, during certain periods or for Guest Groups of a certain size, use of the beach premises south of the children's swings as well as use of the MBEA grill, table and terrace may be allowed. These exceptional times or circumstances are as follows:

- a. Non-holiday weekdays; or
- b. Before Memorial Day; or
- c. After Labor Day; or
- d. Use by a Guest Group of 10 or less.

The terms and conditions outlined in paragraphs 1, 3(b), and 3(d) - (g) apply with equal force to this paragraph 4.

*Beach permits are issued to members whose dues are current. Confirmation must be received from the membership chairperson prior to issuance of permits.*