

# The Bylaws of the Asbury Park Homeowner Association

## Article 1 - Membership

- A. Membership in the Asbury Park Homeowners Association (herein referred to as the Association) is open to any resident owning a residential house, co-op or condominium in Asbury Park. A person “owns” a house, co-op or condominium if his or her name appears on the Title or Deed.
- B. A member (herein and also referred to as member/household) is defined as a household consisting of either an individual or any adult living in that household.
- C. A member/household has one vote per household and may be assigned to any adult in the household.
- D. Membership is on a yearly calendar basis.
- E. Upon acceptance of the membership application and payment of dues, the applicant becomes a member in good standing and will enjoy the full rights and privileges of membership.
- F. Any member delinquent in payment of dues shall not be considered as a member in good standing and will no longer be accorded the rights and privileges of membership.

## Article 2 - Board of Trustees and Officers

- A. There shall be a Board of Trustees consisting of five to fifteen elected members who are made up of five officers and up to ten non-officers.
- B. Among these Board of Trustees will be the following officers:
  - 1. President
  - 2. Vice President
  - 3. Secretary
  - 4. Treasurer
  - 5. Membership Officer
- C. Each Board of Trustees member shall serve a two-year term effective upon the date of the election.
- D. Elections will be held at the November General Membership Meeting.
- E. The President and Vice President shall not exceed 3 consecutive terms (six consecutive years).
- F. No person elected to the Board of Trustees of the Association shall hold any elected office of any governmental entity.
- G. If a vacancy occurs in the office of the Vice President, Secretary, Treasurer, or Membership Chairperson; the President shall appoint a temporary replacement, with the approval of the Board of Trustees. If a vacancy occurs in the Office of the President, the Vice President shall serve for the remainder of the term.
- H. If a vacancy occurs in a Trustee seat, that position shall remain unfilled until the next general election cycle.
- I. A Trustee may resign at any time by submitting written notice to the Board of Trustees.
- J. A trustee may request a leave of absence if they determine they may not be able to meet the duties expected of a trustee. This leave must be for a specified time and must be approved in advance by the board.

## Article 3 - Duties

- A. Trustees are expected to attend at least 70% of all Board and General meetings. A Trustee may be subject to termination by vote of the Board if he/she has missed three consecutive meetings..
- B. The Board of Trustees shall see that the duties of all the Trustees are observed. They have the power to request the resignation and/or termination of any Trustee, providing such action is approved by a majority vote of the general membership.
- C. The Board of Trustees shall also be responsible for all property of the Association and submit a yearly report to the membership at the end of the fiscal year.

- D. The President using Roberts Rules of Order as a guide will preside over both the Board and the General Meetings. The President in consultation with his/her Officers shall set the agenda for Board Meetings one week in advance and for General Meetings two weeks in advance and send this agenda to the Secretary.
- E. The Vice President shall assume the duties of the President in his or her absence and shall assist in every way including coordinating committees, developing community relationships and projects etc.
- F. The President and Vice President will be the only persons that automatically have the right to speak as the representative of the Association at public forums and publications. The President can grant this right to other Trustees and Committee Chairpersons on limited topics and limited engagements.
- G. The Secretary will take the minutes during each Board and General Meeting. The Secretary will send to Board Members notice of upcoming Board Meetings to include time & place, agenda, and past minutes at least one week in advance. The Secretary will send General Members notice of upcoming General Meeting to include time & place, and agenda and least two weeks in advance. Past minutes of General Meetings shall be posted on the Association's Website and be made available at General Meetings. The Secretary shall also have the power to appoint an assistant.
- H. The Treasurer under the direction of the President and Board of Trustees, shall have, unless otherwise provided for, general custody of the funds, securities, and other valuable assets of the Association. All of the Treasurer's books, accounts, and records shall be the property of the Association. The Treasurer is authorized to open such accounts in a bank or depository as the Board of Trustees may direct. The Treasurer shall keep permanent records of monies received and disbursed. At each General Meeting the Treasurer will present a report of current account balances. At each Board Meeting the Treasurer will present a detailed written report.
- I. The Membership Officer shall keep the names, addresses, emails and telephone numbers of all members, receive all dues and turn monies over to the Treasurer. The Membership Officer shall send dues reminders to all dues in arrears. Any member/household 90 days delinquent in the payment of their dues shall be placed in delinquent status and no longer enjoy the rights and privileges of membership. The Membership Officer shall be active in maintaining and increasing membership rolls.
- J. In the event that any Officer is temporarily unable to perform his/her duties the President can call upon any Trustee to perform those duties, until such time that the Officer of Record can either resume his/her duties or be replaced.

#### **Article 4 – Committees**

- A. The President may appoint the following Standing Committees:
  - (1) Fundraising and Projects
  - (2) Publicity Committee
  - (3) Social Media Committee
  - (4) Political Awareness Committee
  - (5) Business Committee
  - (6) Educational Committee
  - (7) Social Committee
- B. The Fundraising and Projects Committee shall develop programs and organize events in order to generate funding to support both the Association in general and those programs and events designed to advance the Associations mission.
- C. The Publicity Committee shall provide the community with information of ongoing concerns, activities and events in order to create public awareness of the Association and to help increase membership and prominence in the town.
- D. The Social Media Committee shall keep informed of the online communications within the community, and report back issues concerning the quality of life of Asbury Park to the general membership. They should stay abreast of social media and determine how to utilize it to the Association's benefit, as well as update and maintain the Association's Website.
- E. The Political Awareness Committee shall attend City Council meetings, and other meetings of a political nature in the city and the county. They will read about and otherwise keep informed about all the political news which may impact upon the quality of life in the City of Asbury Park. They will report their findings to the Board and the general memberships at periodic meetings.

- F. The Business Committee shall attend Chamber of Commerce meetings, and other meetings concerning the Businesses in the city. They will read about and otherwise keep informed about all the Business news which may impact upon the quality of life in the City of Asbury Park. They will report their findings to the Board and general memberships at periodic meetings.
- G. The Educational Committee shall attend Board of Education meetings, and other meetings concerning the schools in the city. They will read about and otherwise keep informed about all the school news which may impact upon the quality of life in the City of Asbury Park. They will report their findings to the Board and general memberships at periodic meetings.
- H. The Social Committee shall organize events which afford Association members and City residents an opportunity to interact socially.
- I. The Board can create Special Committees when deemed necessary. The President shall appoint a temporary chairperson to organize each Special Committee. Once the committee has been organized the committee shall choose their own chairperson by majority vote.
- J. Each committee chairperson shall call regular meetings of his/her committee. The committee chairperson shall provide regular progress reports to the Board and general membership at both Board and General meetings. The chairperson can prepare and submit a budget or detailed expenses for approval by the Board of Trustees in accordance with the Policies and Procedures.

## **Article 5 – Meetings**

- A. Other than Committee Meetings there are three types of meetings:
  - (1) Board of Trustees Meetings (herein and also referred to as Board Meetings)
  - (2) General Membership Meetings (herein and also referred to as General Meetings)
  - (3) Special Meetings
- B. Notice of all meetings will be posted on the Association’s website and be sent out via email.
- C. The Board of Trustees shall meet in advance of each General Meeting. At these Board Meetings the Board of Trustees will discuss various plans and business items as well as plans for the upcoming General Membership Meetings.
- D. The general membership and invited guests of the Board may attend Board meetings, but they will not be allowed to vote and may be subject to limited participation.
- E. The Board will strive to have monthly Board Meetings. The Board will hold no less than four General Membership meetings each year. All of these meetings will be announced at least two weeks in advance.
- F. Special meetings of the general membership may be called by the President or the Board of Trustees with a seven day notice to the membership.
- G. A quorum for the Board Meetings shall be 50% of the Board of Trustees in good standing.
- H. A quorum for the General Membership meeting shall consist of fifteen members in good standing.
- I. Robert Rules of Order shall be the authority for parliamentary procedure in all matters.
- J. The President shall appoint a Parliamentarian for Board and General Membership Meetings.
- K. Committee chairs may appoint a Parliamentarian if deemed necessary.

## **Article 6 - Elections**

### Elections of Trustees:

- A. Election of Trustees shall be by majority vote of the general membership at a General Membership Meeting to be held in November.
- B. Nominations for Board of Trustees will be made from the floor by the general membership at a General Meeting held not more than two months prior to the November General Meeting.
- C. The Board of Trustees has the right to nominate a slate or individuals for consideration.
- D. All newly elected Trustees will take office immediately after votes are tabulated.
- E. Trustees are elected for a two-year term and are not bound to term limits.
- F. All member/households in good standing and present are eligible to vote.

### Elections for Officers

- A. Voting for Officers shall be by majority vote of the general membership at a General Membership Meeting to be held in November. The election for the offices of President, Vice President, and Secretary shall occur on odd number years, and the election for the offices of Membership Officer and Treasurer shall occur on even number years.
- B. Nominations for Officers will be made from the floor by the general membership at a General Meeting held not more than two months prior to the November General Meeting.
- C. The Board of Trustees has the right to nominate a slate or individuals for consideration.
- D. All newly elected Officers will take office immediately after votes are tabulated.
- E. The President and Vice President are elected for a two-year term and bound by a three consecutive term limit (six consecutive years).
- F. All other Officers are elected for a two-year term and are not bound to term limits.
- G. All member/households in good standing and present are eligible to vote.

### **Article 7 – Voting**

- A. The President and Vice President will preside over voting during Board and General Meetings with the Membership Chair monitoring the “one household one vote”.
- B. The Committee chair will preside over voting during Committee meetings.
- C. Voting is to take place by traditional Parliamentary Procedures.
- D. Only members in good standing and without a “Conflict of Interest” are allowed to vote.
- E. All results are determined by majority vote with the exception of amending the Bylaws.

### **Article 8 – Amendments**

- A. Any changes to the By-Laws shall be made with a first read and discussion at a General Membership Meeting and then a vote at the subsequent General Membership Meeting. The vote must be passed by 60% of the household/memberships voting. There can be no new amendments or deletions to this proposal. Amendments or deletions can be voted on at the next General Membership Meeting to be put into the Bylaws.
- B. Any changes to the Policies and Procedures can be made by majority vote at any meeting.

### **Article 9 - Non-discrimination Policy**

Asbury Park Homeowners Association will not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, veteran status, ancestry, or national or ethnic origin.

### **Article 10 Dissolution**

If this association, for any reason whatsoever, ceases to exist, any and all assets, after payments of all debts and obligations of the association, shall be donated to the City of Asbury Park, in the state of New Jersey. Such assets shall be earmarked for youth recreational or educational programs within Asbury Park.