

CONSTITUTION AND BYLAWS
OF
DEER BROOK CIVIC ASSOCIATION

ARTICLE I - NAME

This organization shall be known as the DEER BROOK CIVIC ASSOCIATION (hereafter referred to as the ASSOCIATION) incorporated under the laws of the State of New Jersey as a not-for-profit organization.

ARTICLE II - PURPOSE

The purpose of the Association is:

1. To preserve and advance the collective interests of the Deer Brook property owners;
2. To control the use, disposition and development of the Association's common property;
3. To permit the operation of the swim and tennis club (hereafter referred to as the "Club") on the Association's common property.

ARTICLE III - MEMBERSHIP

Membership in the Association is confined to owners of single family dwelling units within the subdivision known as Deer Brook as shown on the attached map.

ARTICLE IV - OFFICERS

Section 1.

The officers of this Association shall consist of a President, Vice President, Secretary, Treasurer, Director of Membership, and Director of Civic Affairs.

Section 2.

The officers shall be elected by the general membership and shall serve a term of two years and may succeed themselves. The terms of office will commence on January 1 and end on December 31.

ARTICLE V - BOARD OF DIRECTORS

The Board of Directors shall be composed of the officers as defined in Article IV and the Area Delegates as defined in Article VI and shall plan, organize, direct or conduct any activities necessary for the purpose of the Association.

ARTICLE VI - AREA DELEGATES

Section 1.

There shall be twelve area delegates. The apportionment of Area Delegates will be based on geography and will approximate 20:1 ratio.

Section 2.

Area Delegates will be elected for a two-year term and may succeed themselves. In odd numbered years, the odd numbered areas will elect their delegates and, in even numbered years, the even numbered areas will elect their delegates. There will be one delegate for each area. The term of office shall begin on January 1 and end on December 31.

ARTICLE VII - DUTIES OF OFFICERS

Section 1. President.

The President shall be the chief executive officer and shall preside at all meetings of the Association. He/She shall see that all necessary committees are appointed and all officers are performing their duties and responsibilities. The President shall be an ex officio member of all committees.

The President is responsible to initiate actions or projects so as to maintain and to communicate an awareness of civic activities that affect the overall welfare of Association's members. He/She shall appoint committees and/or persons to represent the interest of the Association at important meetings of the: School Board, Township Planning Board and Swim Club.

Section 2. Vice President.

The Vice President shall be responsible for capital improvement planning, program development and any necessary revisions to the Constitution of the Association. The Vice President in the absence of the President, shall preside at all meetings, act in his/her stead, and appoint committees with the President's approval for the business and social interest of the Association.

Section 3. Secretary.

The Secretary shall prepare minutes of all meetings and present these at the following meeting for approval. He/She shall establish and be custodian of all official and permanent records, shall send notices and agendas of meetings, and shall perform other duties as requested by the President. The Secretary shall work with the Area Delegates and appoint the following standing committees: 1) Deer Tracks 2) Deer Brook Directory.

Section 4. Treasurer.

The Treasurer shall maintain supervision of receipts and custody of disbursements of all Association funds, shall maintain accurate records and receipts of all finances and shall prepare current accounting of revenues and expenditures for each meeting. The financial records of the Association shall be reviewed yearly by a financial committee of Association members appointed by the president exclusive of officers. An independent, paid accountant shall be responsible for preparing an annual tax return and an accounting report on revenue and expenses for the previous year. The Treasurer shall prepare an annual budget and a projection of expenditures. He/She shall be responsible for the collection of dues and other incoming funds. The Treasurer and all check signers shall be bonded in an amount equal to the maximum annual bank balances of the Association.

Section 5. Director of Membership

The Director of membership shall be responsible for all Association membership records including family name, address, children, ages and geographic area. The Director of Membership is responsible for the preparation and distribution of all statements for Association dues.

Section 6. Director of Civic Affairs

In the absence of the President and Vice-president, the Director of Civic Affairs shall preside at all meetings. He/she shall appoint with the approval of the President, the township government committee, school administration committee, and the Homestead Activities committee.

ARTICLE VIII - DUTIES OF AREA DELEGATES

Section 1.

The Area Delegates are responsible for disseminating information to the membership and communicating the concerns of the membership to the Board.

Section 2.

The Area Delegate shall assist with membership activities by contacting all residents within their area and discussing the reasons for membership in the Association.

Section 3.

The Area Delegate shall attend all meetings of the Board of Directors.

Section 4.

The Area Delegate shall maintain contact with the members in his/her Area on concerns affecting the Association or Area.

ARTICLE IX -MEETINGS

Section 1: Executive Board Meetings

Subsection (a). There shall be at least four meetings of the Executive Board each fiscal year, one in each fiscal quarter.

Subsection (b). The time and place of such meetings, as well as a planned agenda, must be issued to the Board at least seven (7) days prior to the meeting.

Subsection (c). Any member of the Association in good standing may attend any Board meeting and may speak at the public portion of the meeting.

Section 2: General Association Meetings

Subsection (a). There shall be at least two meetings of the general membership each calendar year. These meetings will be held in the first and fourth quarters.

Subsection (b). The purpose of the general Association meetings will be to report to the membership the status of the Association and to properly vote on those items requiring a vote of the general membership.

Section 3: Special Association Meetings

Subsection (a). A special meeting of the Board may be called by a majority of the Board members or a petition of twenty-five (25%) of the general membership.

Subsection (b). All participating members must be given at least forty-eight hours notice of such a meeting.

Section 4: Area Meetings

Subsection (a). Delegates may call meetings of their area when in their opinion it is necessary or when a signed petition is submitted by at least thirty percent of the members in said area.

Section 5. Quorums

Subsection (a). No official business of voting may take place at either a Board of Directors meeting or a General Association meeting without a quorum. A quorum consists of a majority of the Board at a Board of Directors meeting and twenty-five percent (25%) of the membership at an Association meeting.

ARTICLE X - VOTING

Section 1.

Each elected Officer and Area Delegate is entitled to one vote on the Board of Directors. The President only votes in the case of a tie vote.

Section 2.

No officer or Area Delegate may have more than one vote regardless of the number of positions they may hold.

Section 3.

The election or recall of officers, amendments to this Constitution, approval of the annual budget, special assessments, increases in the Club membership beyond 275 families, and proposed capital improvements on land owned by the Association (excluding the Club), shall require approval of the general membership of the Association by a majority vote at a general Association meeting.

Section 4.

Expansion or addition of existing Club facilities having a cost greater than \$1,000.00 but less than \$10,000 shall require the approval of the Board of Directors.

Section 5.

Expansion or addition of existing Club facilities greater than \$10,000.00 shall require the approval of the general membership by a majority vote at a general membership meeting.

Section 6.

The Board of Directors may conduct surveys or non-binding referendums of the membership but all formal action of the Association shall occur at a Board of Directors or Association meeting.

Section 7.

Each household shall have one vote at all general Association meetings.

ARTICLE XI - ELECTIONS

Section 1.

Elections shall take place in October.

Section 2.

At least thirty days prior to elections the President shall appoint a nominating committee of five (5) members, consisting of three (3) Area Delegates and two at-large members. This committee shall select a slate of candidates for each position up for re-election. No officer may be a member of this committee. The committee will appoint its own chairperson and report back to the Board at least two weeks prior to the election.

Section 3.

Ballots containing the slate of officers and area delegates shall be submitted to each member at least one (1) week prior to the election. A short resume of each candidate should accompany the Ballot. There shall be space available for write-in votes. The Nominating Committee shall specify a time and place at which time the ballots will be collected. The Nominating Committee will tabulate the results and make them known. A record of the actual ballots shall be retained by the Secretary until the next election.

Section 4.

Should any permanent vacancy occur among the elected officers or delegates, the President shall, within fourteen (14) days, appoint a replacement to fill the unexpired term with the approval of the Board. The only exception to this type of appointment shall be the office of the President. Should the President and Vice-President resign simultaneously a special election shall be convened to fill these positions.

ARTICLE XII - RECALL

Section 1.

To recall an elected officer it shall be necessary to first submit a petition for each action bearing signatures and addresses of ten (10) percent of the members in good standing. The petition may not include the signatures of any officers. Upon receipt of said petition, the President shall notify the general membership in writing at least two (2) weeks prior to the meeting to discuss the recall. A secret ballot vote of the membership shall be taken and counted by the Area delegates. A simple majority of the votes cast shall be required to affect a recall.

Section 2.

Delegate Recall - Areas not represented at three (3) consecutive meetings shall be sufficient reason for requiring the President to notify the members in the affected area to implement the recall procedures in the affected area after notifying the affected delegate. A delegate may be recalled by a simple majority vote of all members in the affected area. Such vote must be taken at an area meeting specifically called for that purpose. One or more officers of the Association must be present at such a recall meeting. If necessary, the replacement delegate will be elected by the area at the same meeting.

Section 3.

Officer vacancies caused by the recall procedures shall be filled by the President with the approval of the Board.

ARTICLE XIII - DUES

Section 1.

All members of the Association are required to pay annual membership dues. The amount of dues will be set by the Board and shall be sufficient to cover anticipated disbursements with other revenue sources.

Section 2.

The membership year of the Association shall run from March 1 to the last day of February. The budget year shall be the same as the membership year.

Section 3.

In order to be a member in good standing, dues must be paid in full by March 1 of the budget year. Dues not paid by March 1 are subject to a five (\$5.00) penalty. Only new residents will be accepted as new members after April 15th of the membership year.

Section 4.

Residents new to Deerbrook after September 1 of the budget year shall be entitled to membership at fifty percent of the dues in effect at the time.

ARTICLE XIV - AMENDMENTS

Section 1.

The Constitution and By-laws of the Association are to be distributed to each new member. Revisions of the Constitution and By-laws are to be distributed to all members.

Section 2.

The Constitution and By-laws of the Association may be amended by a 3/4 vote of those voting at a general membership meeting. Proposed amendments may originate from the Board or be submitted to the Board and signed by five (5) members in good standing thirty (30) days prior to submitting the amendment to the membership for a vote.

Section 3.

All amendments to the Constitution and By-laws shall be voted on by the membership at a general Association meeting only after all members have been given at least one week to review the proposed amendments.