

Agenda Format and Distribution Policy

Pursuant to the Bylaws of the North Shore Beach Property Owners Association (NSBPOA), the agenda as outlined in **Section 6: Order of Business**: - Business of the Association shall be taken up at its meetings in the following order:

1. Call to Order (Bylaw Amendment)
2. Pledge of Allegiance
3. Roll Call of Officers; Record of Quorum Present (Bylaw amendment)
4. Reading, correction, and approval of the minutes of the previous meeting.
5. Reports of Officers.
6. Reports of Committees.
7. Old business.
8. New business.
9. Good and welfare of the Association.
10. Motion to adjourn.

The following shall be considered in the preparation and presentation of all agendas for meetings of NSBPOA as outlined in the governing documents.

- Agendas shall be sent to the members 5 days prior to the meeting date.
- All members are asked to submit items for the agenda 3 days prior to the meeting.
- If items are added to the agenda, a second presentation shall be made to members prior to the meeting date.
- If a member plans to add an item for the agenda, it should be presented at the start of the meeting so it can be added accordingly.
- It should include any action items in advance of the presentation. Action items are items that need to be voted upon, if a quorum is noted.
- New Business is a business item that is introduced for the first time at a meeting. If it is a business item that requires investigation by the Board the issue shall be tabled, moved to the next meeting, and listed under Old Business. The president may also assign the matter to the appropriate committee for further discussion and review. The Committee having been assigned such matters will present their response to the President and Board at its next BOD meeting. The President and Board will then determine whether the Board or committee of jurisdiction will report to the membership a response to the matter raised.
- Old Business is a business item that has been previously brought up at a meeting but has not been resolved by the Board.

Responsibilities of the NSBPOA Board of Directors

The North Shore Beach Property Owners' Association (NSBPOA) is a 501(c)(4) corporation incorporated in the State of New York. As a 501(c)(4) the NSBPOA complies with Federal and State laws that govern Not-for-Profit organizations. The Board of Directors of the NSBPOA is entrusted with the fiduciary responsibility and operation of the organization.

1. Legal Duties
 - a. Duty of Care – requires leaders to use reasonable care and good judgment in making their decisions on behalf of the NSBPOA
 - b. Duty of Loyalty – requires leaders to be faithful to the NSBPOA avoiding conflicts of interest
 - c. Duty of Obedience – requires leaders to comply with all governing documents (i.e. Bylaws, P&P Manual, etc.)
2. Board Tools – The operating documents of the NSBPOA are available to all leaders. The documents include:
 - a. Certificate of Incorporation
 - b. Bylaws
 - c. Policy and Procedures
 - d. Financial Statement
 - e. Minutes
3. Volunteer Immunity and Insurance – State and local governments have afforded certain protection to volunteer leaders. While the volunteer may have some protection, the organization is still open for legal suits. Insurance coverages add further protection for volunteers and the organization.
 - a. Directors and Officers (D&O) Insurance may cover legal defense for lawsuits against the NSBPOA and the Directors and Officers.
 - b. General Liability and Umbrella insurance covers property damages and injuries relating to the organization.
4. Board Challenges
 - a. The best way to avoid problems arising from NSBPOA operations and Board decisions is for the Board members to be briefed on:
 - i. Fiduciary responsibilities
 - ii. Ethics & conflicts of interest
 - iii. Contracts
 - iv. Insurance
 - v. IRS requirements
 - vi. Issues covered in the P&P manual

- b. Public Records – The annual federal tax return must be made available for the past three years to anyone who requests it.
- c. Apparent Authority – occurs when the board allows a committee person to behave as if it has been authorized to have authority, when the authorization was never granted.

1. Code of Ethical Behavior

PROFESSIONAL RESPONSIBILITY

Core Principle

As officers and Board members of the North Shore Beach Property Owner's Association, Inc. (NSBPOA), we are responsible for adding value and contributing to the ethical success of this Association. We accept professional and fiduciary responsibility for our individual decisions and actions. We are also advocates for NSBPOA by engaging in activities that enhance its credibility and value.

Intent

- To build respect, credibility and strategic importance for the Association within the North Shore Beach community, local business community and the communities in which we work.
- To assist NSBPOA in achieving its objectives and goals.
- To inform and educate current and future members, the organizations we serve, and the general public about principles and practices of our Association.
- To positively influence workplace and recruitment practices.
- To encourage professional decision-making and responsibility.
- To encourage social responsibility.

Guidelines

1. Adhere to the highest standards of ethical and professional behavior.
2. Measure the effectiveness of our programs in contributing to or achieving organizational goals.
3. Comply with the law.
4. Work consistent with the values of the Association.
5. Strive to achieve the highest levels of service, performance and social responsibility.
6. Advocate for the appropriate use and appreciation of human beings as employees and members.
7. Advocate openly and within the established forums for debate in order to influence decision-making and results.

ETHICAL LEADERSHIP

Core Principle

NSBPOA officers and Board members are expected to exhibit individual leadership as a role model for maintaining the highest standards of ethical conduct.

Intent

- To set the standard and be an example for others.
- To earn individual respect and increase our credibility with those we serve.

Guidelines

1. Be ethical; act ethically in every professional interaction.
2. Question pending individual and group actions when necessary to ensure that decisions are ethical and are implemented in an ethical manner.
3. Seek expert guidance if ever in doubt about the ethical propriety of a situation.
4. Through teaching and mentoring, champion the development of others as ethical leaders in the profession and in organizations.

FAIRNESS AND JUSTICE**Core Principle**

As NSBPOA officers and Board members, we are ethically responsible for promoting and fostering fairness and justice for all employees and our Association.

Intent

To create and sustain an environment that encourages all individuals and NSBPOA to reach their fullest potential in a positive and productive manner.

Guidelines

1. Respect the uniqueness and intrinsic worth of every individual.
2. Treat people with dignity, respect and compassion to foster a trusting environment free of harassment, intimidation, and unlawful discrimination.
3. Ensure that everyone has the opportunity to develop their skills and new competencies.
4. Assure an environment of inclusiveness and a commitment to diversity in the organizations we serve.
5. Develop, administer and advocate policies and procedures that foster fair, consistent and equitable treatment for all.
6. Regardless of personal interests, support decisions made by our Association that are both ethical and legal.
7. Act in a responsible manner and practice sound management.

USE OF INFORMATION**Core Principle**

NSBPOA officers and Board members consider and protect the rights of individuals, especially in the acquisition and dissemination of information while ensuring truthful communications and facilitating informed decision-making.

Intent

To build trust among all Association constituents by maximizing the open exchange of information, while eliminating anxieties about inappropriate and/or inaccurate acquisition and sharing of information

Guidelines

1. Acquire and disseminate information through ethical and responsible means.
2. Ensure only appropriate information is used in decisions affecting the management of the Association.
3. Investigate the accuracy and source of information before allowing it to be used in decision making.
4. Safeguard restricted, personal and confidential information.
5. Take appropriate steps to ensure the accuracy and completeness of all communicated information.

NSBPOA Committees

The governance and management of the North Shore Beach Property Owners' Association (NSBPOA) are entrusted to the Board of Directors (BOD). Pursuant to the Bylaws of the NSBOA, the President shall, at the first Board meeting after annual elections, appoint members of standing committees. All committee appointments shall be subject to the approval of the BOD. Each Director is expected to participate in a standing committee. Appointment of NSBPOA members that are not Directors is permitted as needed or mandated.

NSBPOA Standing Committees – These permanent committees are responsible for specific operations of the NSBPOA and are appointed each year after the elections, per the NSBPOA Bylaws. The Board members on the Standing Committees shall report committee progress at each Board meeting. The chair of the committees shall report progress at each general meeting. The NSBPOA Standing Committees are:

1. **Membership** – This committee is responsible for processing membership applications, delivering credentials to members and providing the Secretary a complete and accurate roster of the membership. Once per year, after the dues structure is adopted by the BOD, this committee will prepare a membership application which will be approved by the BOD.
2. **Beach** – This committee is responsible for the operations of NSBPOA beaches along with hiring and overseeing the beach staff. This committee is responsible for maintaining beach accesses and assuring all beach accesses and structures are safe. The BOD is responsible to ensure the beaches are properly permitted and compliant with insurance requirements.
3. **Security** – This committee is responsible for the ongoing security of all NSBPOA properties. This includes hiring, overseeing and aiding any security staff.
4. **Clubhouse** – This committee is responsible for the operations and maintenance of the NSBPOA clubhouse. The BOD is responsible to ensure the clubhouse is properly permitted and compliant with insurance requirements.
5. **Activities** – This committee is responsible for organizing and/or overseeing the organization of any planned activity sponsored by the NSBPOA.
6. **Beautification** – This committee is responsible for ensuring the NSBPOA properties are attractive and free of litter and hazardous debris. Any beautification activity associated with the clubhouse will be in conjunction with and the approval of the Clubhouse Committee.

NSBPOA Committees

7. **Nominating** – This committee is responsible for developing a slate of candidates for each year's election. This committee shall be comprised of two Board members and three non-Board Proprietary members, in good standing. The chair of this committee is one of the non-Board members. The slate of candidates shall be presented by the committee chair at the general meeting prior to the elections. The Nominating Committee shall propose three non-Board members to act as the clerk and tellers for the elections at the meeting prior to the election. The President is not an ex-officio member of this committee. When elections are held electronically, the clerk along with the Secretary will receive the electronic tally. The clerk and tellers will certify the results and report to the Secretary who will announce the results or outcome to the membership.
8. **Bylaws** – This committee is responsible for ensuring all governance documents (the Certificate of Incorporation, the Bylaws and the Policies and Procedures Manual) are complete, up-to-date, and compliant with contemporary practices insurance requirements and federal, state and local laws. This committee shall review and/or generate amendments to these documents. This committee shall consist of preferably two, but no less than one, Board members and no less than three and no more than five non-Board Proprietary NSBPOA members in good standing. The chair of this committee shall be one of the non-Board members. The President is not an ex-officio member of this committee.
9. **Roads** – This committee is responsible for the roads and parking areas that are property of NSBPOA. The committee will be responsible for matters involving maintenance, plowing and repairs. They would be a liaison with state and local governments.
10. **Financial Review** – This committee shall be responsible for reviewing the finances of the Association, and from time to time, but not more than four (4) years, retain the services of a Certified Public Accountant (CPA) to conduct a formal financial review of the revenues and expenditures of the Association. However, should the circumstances warrant a financial review, the BOD may on its own call for such a review.

NSBPOA Committees

11. Technology Committee - A Technology Committee is hereby created to advise and recommend the use of technology to the NSBPOA Board to improve services; to consider the impacts and opportunities presented by technology; with approval of the BOD to collect and disseminate information on technology innovation which might be applied in NSBPOA operations; to provide channels of communication for sharing among the membership about technology; and to work with NSBPOA Board in achieving BOD strategic planning goals as they relate to the use and impact of technology in NSBPOA operations. Committee recommendations shall be in compliance with the policies and procedures as set forth and adopted by the BOD.

- The Committee shall be responsible for the following:
 - Propose and submit presentations at BOD meetings, and the membership as necessary, on technology topics relevant to NSBPOA operations.
 - Propose ideas and recommendations for implementation about how the BOD might support operations with regards to technology challenges, such as cybersecurity awareness training and other challenges related to use of technology.
 - Engage in a collaborative process to identify, fast-prototype and implement technology-related presentations, trainings, proposals and projects.

Those wishing to serve on the committee should have some basic skills, knowledge, or experience regarding:

Open minded about technology

Willingness to engage in spirited discussion

Interest in and/or familiarity with the technology landscape with regards to technology use for non-profits

Collaborative attitude

This committee shall consist of five members. Two of the members shall be appointed by the President from the Board and three members shall appointed by the President upon recommendation by the members. The committee shall select one of the non-board members to be its chair. This committee is established at the request of the NSBPOA Board, and adopted on July 1, 2021

Special or Ad Hoc Committees – As needed, temporary committees may be created by the Board to deal with special or specific issues not covered by Standing Committees. As with Standing Committees, members of Special or Ad Hoc Committees are appointed by the President with Board approval.

NSBPOA ELECTIONS

Pursuant the Bylaws, elections shall be held once a year at the annual meeting. Each year three of the nine Director positions will be filled along with any Director position filled because of a vacancy. Every two years the Officers of the NSBPOA will be elected. Each Director will be assigned a number from 5 to 13, consistent with the Records Retention Policy (probably will need to revisit this and include the Director number assignments in this Policy). The Director positions expiring in 2021 will be numbers 8, 9, and 10. In 2022 the positions expiring will be numbers 5, 6, and 7 and in 2023 will be 11, 12, and 13. Any re-elected Director will retain their position number.

The nomination committee shall serve as the election committee. The chair of the nominating committee shall propose a slate of candidates for all positions at the meeting prior to the annual meeting. After the presentation of the slate of candidates, nominations from the floor will be accepted. Once the nomination process is closed, no further nominations will be accepted.

Each candidate for the BOD shall provide a short biography to the nominating committee and the nominating committee will submit the biographies to the Secretary no less than three weeks prior to the elections. The biographies shall be published in the newsletter prior to election.

After the nominations for the BOD positions have been closed, the chair of the nominating committee shall appoint three non-Board, Proprietary members to conduct the elections. One will act as the teller and the other two will act as clerks. These three members shall work with the BOD to establish mechanisms for the tabulation of electronic, mail-in and other forms of ballots.

For an electronic ballot, the teller will be an authorized user and have access to the electronic ballot information.

After tabulation of the ballots, the teller shall submit a signed electronic written report of the results to the Secretary.

For the Officers, those receiving a plurality of the votes shall be elected. For Directors, those receiving the highest number of votes will fill the three positions. Any position that is being filled due to a vacancy will be filled by the person receiving the next highest number of votes.



North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

A safe, secure, and clean beach depends on the cooperation of everyone. We ask all members to carefully follow these Beach Rules and Regulations. Any display or disregard for these Rules and Regulations can result in fines, or suspension, or revocation of membership. The NSBPOA Board of Directors shall be the sole judge of what constitutes improper conduct. Additional information and forms can be accessed at: www.NorthShoreBeach.org. The NSBPOA beaches, clubhouse, parking area and roads are private property, 24 hours a day, 365 days a year. maintenance, taxes, and insurance for these properties are mainly driven through NSBPOA dues.

BEACH ACCESS

NSBPOA's beach access is for the sole use of our membership. All NSBPOA members must produce membership ID when requested by either the daytime beach attendants, night security guards or by any Board Member. When going to the beach, **PLEASE CARRY YOUR ID CARD AT ALL TIMES.** Keys for the gates are provided with your membership packet. **YOU MUST LOCK THE GATES behind you upon entering or exiting the beach when there is no staff on duty.** Please lock the parking lot gate upon exiting when not in season. This is for your safety and other members' safety. **OVERNIGHT CAMPING IS STRICTLY PROHIBITED.**

PARKING

NSBPOA's beach parking lots are for the sole use of our membership. There are a limited number of parking spaces for members, so permits are required. NSBPOA members must always display their parking permit on their vehicle. Parking permits must be from your vehicle's rear-view mirror. One (1) parking permit is included with your membership. Additional permits are available for purchase. **YOU MUST DISPLAY YOUR PERMIT AT ALL TIMES ON NSBPOA PROPERTY OR YOUR CAR MAY BE TOWED.** Please do not drive with the parking permit hanging from your rearview mirror. During the winter months, the parking lots may be secured with different locks for safety purposes, but the gate to the beach will remain open and accessible with your membership key. *NSBPOA's Clubhouse parking lot is reserved for client rentals, members, and guests only while actively attending a meeting or event at the clubhouse. No overnight parking or additional use of the parking lot is allowed.*



PRIVATE ROADS

Consists of Soundview Drive and Point Breeze Drive. All vehicles parked on NSBPOA private roads must display a valid beach parking permit or a private road resident permit on their vehicle. One (1) parking permit is included with membership that is acceptable for parking lots and private road parking. Additional permits are available for purchase. **YOU MUST DISPLAY YOUR PERMIT WHEN PARKED ON NSBPOA PRIVATE ROADS OR YOU MAY BE TOWED. OVERNIGHT PARKING OF COMMERCIAL VEHICLES IS NOT PERMITTED AND NO PARKING ALLOWED ANYTIME OF TRAILERS, BOATS, RV'S OR SCHOOL BUSES ON NSBPOA PRIVATE ROADS.** Any violation of our parking rules will result in towing of the property that violates these rules and possible membership revocation.

SWIMMING RULES

Swimming is at your own risk. NSBPOA is not responsible for the safety of those who swim. Swimming in boating areas (marked by buoys) is prohibited. Diving from rocks is expressly forbidden - changing tides and shifting bottom sands make all diving extremely dangerous. NSBPOA is not responsible for physical injuries



North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

sustained by any person. Designated swimming areas at the three main beaches are defined seasonally. Swimming is recommended within the lifeguard protected, flagged areas during the beach season.

BOAT / VESSELS

Boating and boat access to the beach is strictly limited to designated boating areas. According to 1USC, Section 3, boats and vessels include the following, but not limited to, boats – motorized or not, kayaks, canoes, jet skis, inflatable boats, paddle boards, surf boards/boogie boards, or any other vessel propelled by hand, sail, or engine. Boat/vessel owners using our boating areas must be members of the NSBPOA and provide proof of membership when requested. Boats/vessels must stay clear of all bathers and flagged swimming areas. It shall be the responsibility of the boat/vessel owners to be familiar with the navigational waters surrounding the NSBPOA and to beware of rocks or any other obstructions or obstacles underwater. The NSBPOA is not responsible for any damages to any boat or vessel in the waters of the NSBPOA property. Safe boating practices and Federal, State, and local laws must be always followed. The U.S. Coast Guard or any other law enforcement agency will be called to report any and all violations.

Mooring is not permitted unless the boat/vessel owner obtains the appropriate state and/or town permits. All mooring equipment must satisfy all safety rules for use and must pass inspection. They can only be placed in areas designated by NSBPOA. Boat/vessel owner shall give notification and proper contact information to the NSBPOA prior to placement of the mooring.

Anchoring is permitted in designated areas. The boat/vessel owner shall be responsible for insuring that the boat/vessel has an appropriate anchor and rode for the boat/vessel in question.

FISHING

Fishing is not allowed on the beach within 200 feet of designated swimming areas or aquatic vessel area. Care should always be taken to avoid all bathers/swimmers by limiting fishing to areas outside of the swimming and boating areas, as well as, away from any beach blankets or beach parties. Please be respectful and clean up your bait, hooks, fishing line, and any other waste. Your fishing license should be available to present to state or local authorities as requested.

BEACH PARTIES

NSBPOA requires a 'Beach Party Permit' be obtained from the Board of Directors if your group exceeds 10 people beyond your 5 included members. The application is located under the permits & applications section of the website and must be submitted two weeks prior to the date of the beach party. Fees must be collected prior to the start of the party for all anticipated guests. Written permission will be provided by NSBPOA upon approval of the application and after receipt of fee payment. Beach parties must end by 10:00 PM. Parties starting before 6:00 PM must be situated away from designated swimming areas. Security will strictly enforce these rules. The beach party permit holder must be present at all times with their guests and provide the permit and membership ID when requested by security. Members granted beach party permits are fully responsible for the actions of their guests. Disorderly conduct can result in suspension or revocation of membership.



North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

BEACH FIRES

The 'Beach Fire Application' can be completed online and submitted electronically. NSBPOA requires members to provide notice of all beach fires. Without prior notification, NSBPOA Board Members and Security Staff may extinguish your fire, as necessary. NSBPOA understands beach fires may not always be planned in advance so the online form can be used in advance, or for last minute notification of beach fires. Please complete the required sections of the form and you must agree to the following guidelines:

- Beach Fire by Members Only - I agree that beach fires must be always started by and in the presence of a member of NSBPOA. Members must be present with their guests and always have their NSBPOA ID card with them for the duration of the beach fire. Members may not leave beach fires unattended under any circumstances. Beach fires are not permitted in front of any wooden structure like a bulkhead, staircase, kayak rack or any other wooden structure on NSBPOA property.
 - Agree to Beach Fire Location - I agree that beach fires must be small, contained and below the high-water mark or seaweed line.
 - Prohibited Burning - I agree that there will be no burning of garbage. There will be no use of fire starter logs. There will be no use of leaves or dried beach grass to kindle fire. I will use only seasoned firewood. Treated wood is prohibited.
 - Agree to Extinguish - I agree that all beach fires must be extinguished and cleaned up prior to members leaving NSBPOA property.
 - Agree to Guidelines - I agree that any beach fire that is not within these guidelines will be extinguished by the Officers/Directors of NSBPOA and the security personnel.
- Failure = Suspension - I understand that failure to adhere to the above would subject member(s) to a fine and suspension of membership. Proof of a response would be your permit to have the fire. Please visit our website to fill out the Beach Fire Application.

PETS

NSBPOA beaches are pet-friendly year-round. The only time pets are not allowed is between Memorial Day and Labor Day on weekends (Saturday and Sunday) between the posted beach hours. All pet waste must be cleaned and removed from the beach. Owners are responsible for any disturbance caused by their animals. Dogs are never allowed on the beach unleashed at any time. BROOKHAVEN TOWN LAW REQUIRES ALL DOGS BE LICENSED AND LEASHED.

MEMBER CONDUCT

Proper etiquette and conduct are ALWAYS expected by all members and guests. Disorderly conduct will not be tolerated. The NSBPOA Board of directors has the authority and responsibility to fine, suspend, or expel, a member whose conduct shall be deemed to be improper or likely to endanger the welfare, safety, harmony, or good reputation of the association.

The use or possession of alcoholic beverages on NSBPOA property is allowed for anyone age 21 or older. For safety reasons, beverages in cans/plastic bottles are preferable to those in glass containers. To avoid the hazard of broken glass on the beach, please take all your



North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

glass bottles home with you for safe disposal or recycling. Help keep our beach clean! Place all litter in proper receptacles provided by NSBPOA.

Take any large items (broken chairs, umbrellas, coolers, etc.) home with you for proper disposal.

Nudity is not allowed on our beaches. Restrooms are available at our three main access points. Please refrain from changing into swimwear or disrobing on the beach.

Ball playing and similar activities should be limited to areas outside of the swimming areas, and sufficiently away from any beach blankets. Please be considerate of your fellow members.

Climbing of the bluffs is illegal! The bluffs and dunes are environmentally sensitive areas easily damaged from the erosion of people running up and down. Respect the environment and help protect our beautiful beaches by keeping off the bluffs. You may be fined, or have your membership suspended or revoked if a member, or their guests, are found on the bluffs.

Access to gabion structures and the armor stone on and around the gabions are areas not permitted. Do not climb on them.

Only vehicles authorized by NSBPOA are allowed on the beach

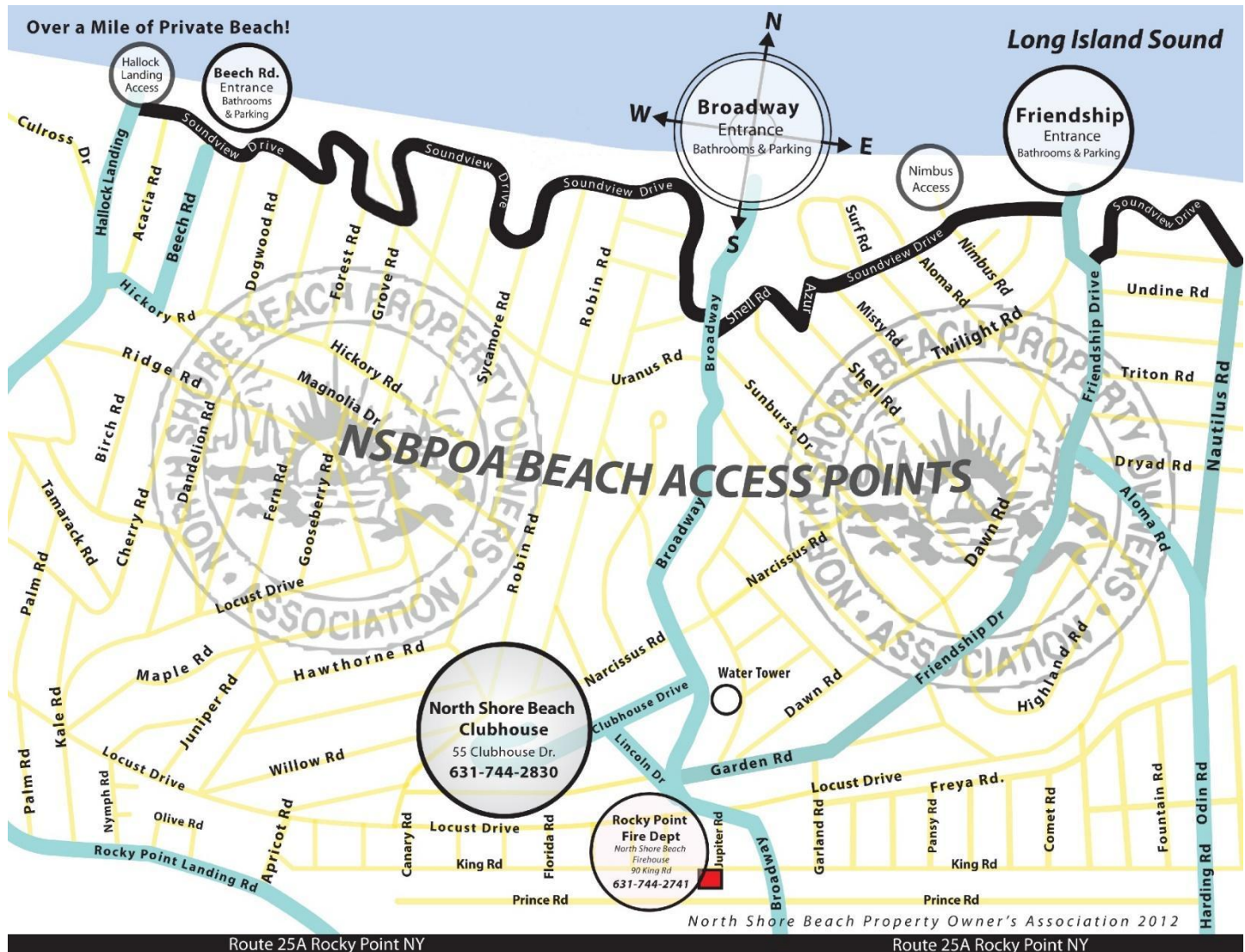


North Shore Beach Property Owners Association

Rules & Regulations

Updated 12/2021

North Shore Beach Map and Access Points



Recording, Preparation, And Publication Of NSBPOA Minutes

Minutes of meetings are mandatory requirements of association proceedings. They are recorded by the Secretary as outlined in the Bylaws of NSBPOA. Minutes are required for board meetings, general meetings, and special meetings. Committee Meetings minutes may be recorded at the discretion of the committee chair or at the request of the board.

The following shall be the order of the proceedings:

- The title: “Minutes of the Board (or General Meeting, etc.) of the NSBPOA”
- The date
- The time the meeting was called to order.
- The Board members present, absent excused and absent unexcused.
- Proof of quorum present.
- Acceptance of minutes of prior meeting(s)
- Summary of Officer and committee reports
- Topics of Discussions
- Motions made, and results of motions.
- Time the meeting was adjourned.

The minutes will include:

- Motions
 - Who made the motion, who seconded, the outcome of the motion.
- Discussion –
 - Brief description of the issue
 - The resolve or outcome of the discussion
- Executive Session of the board –
 - Occurs during the scheduled meeting session
 - An opening of executive session with timestamp
 - Board must explain why they are going into executive session.
 - A brief description of the session – only topic discussed.
 - Close of executive session and return to general session with timestamp.

All drafts of the minutes should be noticed and disseminated within 10 days of the meeting adjournment. The minutes will be approved at subsequent meeting that has a quorum.

The secretary or their designee may record the proceedings of board and general meetings for the purpose of drafting the final minutes to be submitted to the board and members, respectively. Those recordings shall be destroyed after the minutes of that meeting are approved by the board or membership, respectively.

5. RECORDS RETENTION AND DESTRUCTION POLICY

1. Policy and Purposes

This Policy represents the policy of North Shore Beach Property Owners Association, Inc. (NSBPOA) with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (documents). Purposes of the Policy include (a) retention and maintenance of documents necessary for the proper functioning of NSBPOA as well as to comply with applicable legal requirements; (b) destruction of documents which no longer need to be retained; and (c) guidance for the Board of Directors, officers, staff and other constituencies with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, NSBPOA reserves the right to revise this Policy at any time.

2. Administration

2.1 Responsibilities of the Vice President. The NSBPOA's Vice President shall be the administrator of this Policy. The Vice President's responsibilities shall include supervising and coordinating the retention and destruction of documents pursuant to this Policy and particularly the Document Retention Schedule included below. The Vice President shall also be responsible for documenting the actions taken to maintain and/or destroy organization documents and retaining such documentation. The Vice President may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect organizational policies and procedures. The Vice President is also authorized to periodically review this Policy and Policy compliance with legal counsel and to report to the Board of Directors as to assist the Vice President in carrying out the Vice President's responsibilities.

2.2 Responsibilities of Constituencies. This Policy also relates to the responsibilities of board members, staff, volunteers and contractors with respect to maintaining and documenting the storage and destruction of the organization's documents. The Vice President shall report to the Board, which maintains the ultimate direction of management. The organization's staff shall be familiar with this Policy, shall act in accordance therewith, and shall assist the Vice President, as requested, in implementing it.

3. Suspension of Document Destruction; Compliance. NSBPOA becomes subject to a duty to preserve (or halt the destruction of) documents once litigation, an audit or a

government investigation is reasonably anticipated. Further, federal law imposes criminal liability (with fines and/or imprisonment for not more than 20 years) upon whomever “knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States ... or in relation to or contemplation of any such matter or case.” Therefore, if the Vice President becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, the Vice President shall immediately order a halt to all document destruction under this Policy, communicating the order to all affected constituencies in writing. The Vice President may thereafter amend or rescind the order only after conferring with legal counsel. If any board member or staff member becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, with respect to the organization, and they are not sure whether the Vice President is aware of it, they shall make the Vice President aware of it. Failure to comply with this Policy, including, particularly, disobeying any destruction halt order, could result in possible civil or criminal sanctions. In addition, for staff, it could lead to disciplinary action including possible termination.

4. NSBPOA Electronic Correspondences Requirements

The NSBPOA will maintain an electronic correspondence server which will be used for all official correspondences. The use of personal e-mail for NSBPOA business is prohibited. Any e-mail received to a personal account concerning NSBPOA business shall be forwarded to the NSBPOA server. The Vice President shall assign each Board and committee member an account for this server. This server will be open to all executive Board members.

5. Electronic Documents; Document Integrity. Documents in electronic format shall be maintained just as hard copy or paper documents are, in accordance with the Document Retention Schedule. Due to the fact that the integrity of electronic documents, whether with respect to the ease of alteration or deletion, or otherwise, may come into question, the Vice President shall establish guidelines for document integrity, including guidelines for handling electronic files, backup procedures, archiving of documents, and regular checkups of the reliability of the system; provided, that such standards shall only be implemented to the extent that they are reasonably attainable considering the resources and other priorities of the organization.

6. Privacy. It shall be the responsibility of the Vice President, after consultation with counsel if needed, to determine how privacy laws will apply to the organization's documents from and with respect to employees and other constituencies; to establish reasonable procedures for compliance with such privacy laws; and to allow for their audit and review on a regular basis.

7. Emergency Planning. Documents shall be stored in a safe and accessible manner. Documents which are necessary for the continued operation of NSBPOA in the case of an emergency shall be regularly duplicated or backed up and maintained in an off-site location. The Vice President shall develop reasonable procedures for document retention in the case of an emergency.

8. Document Creation and Generation. The Vice President shall discuss with other board members the ways in which documents are created or generated. With respect to each board member or employee, the Vice President shall attempt to determine whether documents which are created by or entrusted to the Association can be kept and which can be destroyed.

9. Sarbanes-Oxley Federal Law

It is prohibited under Federal Law for an officer, director, employee or agent of the Association to knowingly destroy a document with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any government department or agency or in relation to or contemplation of any such matter or case.

It is likewise prohibited for an officer, director, employee or agent of the Association to take any harmful action with the intent to retaliate against any person, including interference with employment or livelihood, for providing to a law enforcement officer any truthful information relating to the commission or possible commission of any offense.

10. Document Retention Schedule.

<u>Document Type</u>	<u>Retention Period</u>
Accounting and Finance	
Accounts Payable	7 years
Accounts Receivable	7 years
Annual Financial Statements and Audit Reports	Permanent
Bank Statements, Reconciliations & Deposit Slips	7 years
Canceled Checks – routine	7 years
Canceled Checks – special, such as loan repayment	Permanent

Credit Card Receipts	7 years
Employee/Business Expense Reports/Documents	7 years
General Ledger	Permanent
Interim Financial Statements	7 years
Contributions/Gifts/Grants	
Contribution Records	Permanent
Documents Evidencing Terms of Gifts	Permanent
Grant Records Grants period	7 yrs after end of grant period
Corporate and Exemption	
Articles of Incorporation and Amendments	Permanent
Bylaws and Amendments	Permanent
Minute Books, including Board & Committee Minutes and Agendas	Permanent
Spread Sheet of Membership Data	Permanent
Annual Reports to Attorney General & Secretary of State	Permanent
Other Corporate Filings	Permanent
IRS Exemption Application (Form 1023 or 1024)	Permanent
IRS Exemption Determination Letter	Permanent
State Exemption Application (if applicable)	Permanent
State Exemption Determination Letter (if applicable)	Permanent
Licenses and Permits	Permanent
Employer Identification (EIN) Designation	Permanent

Correspondence and Internal Memoranda

Hard copy correspondence and internal memoranda (including electronic correspondences) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate.

Hard copy correspondence and internal memoranda relating to routine matters with no lasting significance Two years

Correspondence and internal memoranda important to NSBPOA or having lasting significance Permanent, subject to review

Electronic Mail (E-mail) to or from NSBPOA

Electronic mail (e-mails) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate, but may be retained in hard copy form with the document to which they relate.

E-mails considered important to NSBPOA or of lasting significance should be printed and stored in a central repository.

Permanent, subject to review

E-mails not included in either of the above categories

12 months

Electronically Stored Documents

Electronically stored documents (e.g., in pdf, text or other electronic format) comprising or relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document which they comprise or to which they relate, but may be retained in hard copy form (unless the electronic aspect is of significance).

Electronically stored documents considered important to NSBPOA or of lasting significance should be printed and stored in a central repository (unless the electronic aspect is of significance).

Permanent, subject to review

Electronically stored documents not included in either of the above categories

Two years

Employment and Personnel

Personnel Records

10 yrs after employment ends

Employee contracts

10 yrs after termination

Insurance

Property, D&O, Workers' Compensation and

General Liability Insurance Policies

Permanent

Insurance Claims Records

Permanent

Legal and Contracts

Contracts, related correspondence and other supporting documentation

10 yrs after termination

Legal correspondence

Permanent

Management and Miscellaneous

Strategic Plans

7 years after expiration

Disaster Recovery Plan

7 years after replacement

Policies and Procedures Manual

Current version with revision history

Property – Real, Personal and Intellectual

Property deeds and purchase/sale agreements

Permanent

Property Tax

Permanent

Real Property Leases

Permanent

Personal Property Leases

10 years after termination

Trademarks, Copyrights and Patents

Permanent

Tax

Tax exemption documents & correspondence

Permanent

IRS Rulings

Permanent

Annual information returns – federal & state

Permanent

Tax returns

Permanent

Sensitive Personal Information Policy

The Board of Directors (BOD) of the North Shore Beach Property Owners Association (NSBPOA) must maintain sensitive personal information concerning both employees and members. Sensitive information shall not be sold, broadcasted, or disseminated without the consent of the individual. This information includes, in conjunction with the individual's name:

- Contact Information:
 - Address
 - Telephone number(s)
 - E-mail address(es) or other contact information
- Social Security Number
- Birth Date
- Banking information
- Credit Card number(s)
- Driver's license information

While the NSBPOA retains some of this information as needed, it will be maintained securely as approved by the BOD. Names of individuals with their contact information may be retained for future reference, however the other Sensitive Information shall be deleted, destroyed, or encrypted.

Any breach of this policy shall result in the affected individual(s) being notified in writing within 10 business days of the discovery of the breach.



Spending Policies and Fiduciary Duties for the NSBPOA Board of Directors

The Board of Directors (BOD), comprising of all Officers and Directors, of the North Shore Beach Property Owners Association (NSBPOA, or Association) is entrusted with the fiduciary duties of the Association. As such the BOD has sole responsibility for the authorization and expenditure of NSBPOA funds. The BOD acts on the behalf of the members of the NSBPOA to protect and decide on all matters the expenditure of the Association funds for the Association's benefit.

The following Fiduciary and Spending Policies and Procedures shall be in effect:

1. Cash payments for annual dues will not be accepted.
2. A Board Member may not use their position to develop any policy that will advance the individual business interest of any Officer or Director.
3. The BOD members must consider potential conflicts of interest in all decisions made by the Board.
4. Per the NSBPOA Bylaws: The Treasurer shall have the care and custody of funds of this Association, which shall be deposited in accounts in the name of the NSBPOA in an FDIC insured commercial bank or banks, approved by the Board of Directors.
5. Each year, prior presenting the budget, the Treasurer, after consulting with the membership committee, will propose the dues structure for the following year.
6. Each year the Treasurer shall propose to the BOD a financial budget for the following fiscal year.
7. Each year the BOD will approve a financial budget for the following fiscal year and will present the approved budget to the membership.
8. Payment of bills from the NSBPOA Treasury shall be made by either:
 - a. Paper check requiring dual signatures, preferably the Treasurer and the President.
 - b. Electronic payment approved by the BOD.
9. Treasurer shall prepare and present to the BOD a monthly, detailed expenditure report, noting variations from the adopted annual budget.
10. Cash payments are prohibited.
11. Any payment more than \$500 that is not included in the annual budget requires the approval of the BOD.
12. Reimbursements to members for "out-of-pocket" expenditures on behalf of the Association is allowed if a receipt for the expenditure is submitted within 90 days and the expenditure is either within the Annual Budget or is approved by the BOD.
13. Any travel expenses to be reimbursed by the NSBPOA shall be authorized in advance of the travel by the BOD.
14. NSBPOA, as a nonpartisan, not-for-profit organization, no NSBPOA funds shall be used for contributing to any political cause, for political reasons, for political groups or for candidates for public office.



Spending Policies and Fiduciary Duties for the NBSPOA Board of Directors

15. No Committee established by NSBPOA bylaws or BOD can commit the NSBPOA to any monetary obligation for any reason without the review and approval of the BOD.
16. All invoices shall show NSBPOA or its authorized designee as the party responsible for payment and all mailed invoices shall be sent to the NSBPOA Post Office Box or official NSBPOA email.
17. Per the NSBPOA Bylaws: At all times, sufficient money shall be retained in the Treasury to pay the estimated taxes and insurance on the property and buildings of the Association.
18. The BOD may authorize the creation of special funds accounts.
19. A certified accountant shall be retained to assist the Treasurer in maintaining accurate accounting of the funds and in preparing the required federal and state tax documents.

6. Whistleblower Protection Policy

The North Shore Beach Property Owners Association, Inc. (NSBPOA) requires directors, officers, Association members and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As volunteers, representatives and of the NSBPOA, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that NSBPOA can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, Association members, employees and volunteers to report concerns about violations of NSBPOA's code of ethics or suspected violations of law or regulations that govern NSBPOA's operations.

No Retaliation

It is contrary to the values of NSBPOA for anyone to retaliate against any Board member, officer, Association member, employee or volunteer who in good faith reports an ethics violation, a suspected violation of law, a complaint of discrimination, suspected fraud, or suspected violation of any regulation governing the operations of NSBPOA. An Association member, employee or other who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of membership or employment or removal from office.

Reporting Procedure

NSBPOA has an open-door policy and suggests that Association members, volunteers and employees share their questions, concerns, suggestions or complaints to any Board member. The Board shall then appoint an appropriate Board member or committee to investigate the complaint. The Board is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved.

Acting in Good Faith

Anyone filing a written complaint concerning a violation or suspected violation must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Board's appointee or committee will notify the person who submitted a complaint and acknowledge receipt of the reported violation or suspected violation. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.