STATE OF NEW YORK

7089--A

2021-2022 Regular Sessions

IN SENATE

May 28, 2021

Introduced by Sen. LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Corporations, Authorities and Commissions -- recommitted to the Committee on Corporations, Authorities and Commissions in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend chapter 188 of the laws of 1978, relating to incorporating the Colonial Farmhouse Restoration Society of Bellerose, Queens county, New York, in relation to providing for the powers and duties of such society

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter 188 of the laws of 1978, relating to incorporating the Colonial Farmhouse Restoration Society of Bellerose, Queens county, New York, section 6 as amended by chapter 18 of the laws of 1981, is amended to read as follows:

Section 1. Incorporation; membership. A not-for-corporation by the name of "Colonial Farmhouse Restoration Society of Bellerose, Inc." is hereby created. [~~It shall be composed of such persons eligible to membership therein as hereinafter provided as shall (a) notify the membership secretary of the Colonial Farmhouse Restoration Society of Bellerose, an educational organization, in writing prior to the organization meeting hereinafter provided for the corporation created by this act of their desire to become members, or (b) shall attend such meeting or an adjournment thereof, and also such persons so eligible as may thereafter become members of such corporation pursuant to its by-laws.~~

~~§ 2. Persons eligible to membership. Anyone, regardless of place of residency, shall be eligible for membership in the corporation created by this act, except they shall not be eligible to hold office unless at least eighteen years of age and bona fide residents of Queens or Nassau Counties, nor eligible to vote unless at least eighteen years old.~~] **The**

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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corporation shall not have any members. Any person who was a member of the corporation prior to the year two thousand twenty-two shall no longer be a member.

§ [~~3~~] 2. Purposes. The purposes of such corporation shall be to preserve and restore the Colonial vintage farmhouse on the grounds of what formerly constituted the hospital farm of Creedmoor Psychiatric Center, together with the surrounding grounds and outbuildings[~~; and the Society shall endeavor to recreate and demonstrate in an educational format, the lifestyle of agrarian civilization as it existed in the eighteenth century in eastern Queens County for current and future generations; and it shall foster educational programs in horticulture, agriculture, conservation, ecology, and other disciplines that would lead to an increase in the public's appreciation and awareness of the unique qualities of the site and building of the Creedmoor Farm.~~] representing one of the longest continually farmed sites in New York State dating back to 1697; and the corporation shall endeavor to (a) recreate and demonstrate in an educational format, the lifestyle of agrarian civilization as it existed in Queens County and in New York City for current and future generations, including showcasing the 300-year history and future of agriculture as a way of life in New York City; (b) preserve, restore, and interpret its farmland, including its history and owner's lifestyles; (c) provide and host educational programs, public events, and museum services to its visitors and the general public, including with respect to the significance of Queens' agricultural and horticultural past as New York City grew around it; and (d) serve as a resource connecting people to agriculture and the environment, creating learning opportunities about biodiversity, health and wellness, climate change and preserving local history.

§ [~~4~~] 3. Powers and duties. Such corporation shall have all the powers of a not-for-profit charitable corporation, and the provisions of law relating to not-for-profit charitable corporations shall apply to such corporation except where they conflict with the provisions of this act.

§ [~~5~~] 4. [~~Organization meeting; by-laws. The general secretary of the Colonial Farmhouse Restoration Society of Bellerose shall call a meeting for the organization of such corporation to be held not later than three months after this act takes effect, notice of which shall be given by him by publication in the Colonial Farmhouse Restoration Society of Bellerose membership newsletter and also by publication of notice thereof in one or more newspapers having a general circulation in Queens county, and such publication shall be effected at least ten days prior to the date of such meeting. At such meeting or any adjournment thereof the members of such corporation present shall adopt by-laws and elect officers and directors to serve until the first annual meeting which shall be held on a date to be fixed by the by-laws. Any member failing to comply with the by-laws, rules or regulations duly adopted by such corporation shall be subject to suspension and expulsion in such manner as may be provided for in such by-laws. Any member who ceases to be such, voluntarily or otherwise, shall forfeit all interest in the property of such corporation.~~] By-laws. The members of the board of directors shall be responsible for adopting and maintaining the by-laws of the corporation.

§ [~~6~~] 5. Control and disposal of funds and property. The control and disposal of the funds and property of the said corporation, the exercise of its powers, and the management and control of its affairs shall be vested in and exercised by a board of directors which shall consist of [~~seventeen members of such corporation, to wit: the president, the vice~~

~~president, the general secretary, the financial secretary, the membership secretary, the treasurer, the archivist, the sergeant-at-arms and nine other members having the title of director.~~] not less than nine and not more than twenty-one members of such corporation, to wit: the president, the vice president, the secretary, the treasurer, and not less than five and not more than seventeen other members having the title of director. Such officers and directors shall be elected at the annual meeting of such corporation in the manner prescribed by its by-laws. No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation, or any private individual, except that reasonable compensation may be paid for services rendered to or for the corporation, and no member, trustee, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

No substantial part of the activities of the organization shall be carrying on propaganda, or otherwise attempting to influence legislation, except as otherwise provided by Internal Revenue Code section 501(h), or participating in, or intervening in, including the publication or distribution of statements, any political campaign on behalf of any candidate for public office.

In the event of dissolution, all of the remaining assets and property of the corporation shall, after necessary expenses thereof, be distributed to such organizations as shall qualify under section 501(c)(3) of the Internal Revenue Code of nineteen hundred fifty-four, as amended or, to another organization to be used in such manner as in the judgment of a justice of the supreme court of the state of New York will best accomplish the general purposes for which this corporation was formed.

§ [~~7~~] 6. This act shall take effect immediately.

§ 2. This act shall take effect immediately, provided, however, the amendments to chapter 188 of the laws of 1978, made by section one of this act, shall not interfere with any right, liability, or obligation of the corporation as created by such chapter.