

**BY-LAWS of**  
**THE PROPERTY OWNERS' ASSOCIATION OF LAKE HAYWARD (POALH)**

Revised August 15, 2010 by Vote of the Association  
Previously revised August 21, 2001

**PREFACE**

If there exists any contradiction between what is written in the by-laws with what is written in the charter of the POALH, the charter shall take precedence.

**ARTICLE I**

**NAME**

The name of this Association shall be the Property Owners' Association of Lake Hayward. Reference Section 1 of the charter.

**ARTICLE II**

**LIMITS AND TERRITORY**

The limits and territory of said Association shall be that part of the development known as Lake Hayward Club, located in the town of East Haddam, Connecticut, as bounded and described and divided into three districts, in Section 2 of Special Act No. 87 enacted by the 1957 Connecticut General Assembly and approved April 23, 1957. Reference Section 2 of the Charter.

**ARTICLE III**

**OBJECTS**

Deleted April 1993. Reference Section 3 of the Charter.

**ARTICLE IV**

**MEMBERS**

Deleted April 1993. Reference Section 4 of the Charter.

**ARTICLE V**

**BOARD OF GOVERNORS**

**Section 1.** The members of said Association shall elect from said members, a Board of Governors consisting of nine volunteer members whose duties shall be to follow and enforce the charter, by-laws, and rules and regulations of said Association. Members of the Board of Governors shall receive no compensation for performed duties.

The nine members shall be as follows:

- a. Six (6) members for a term of two (2) years each, two from each district; three terms to expire in even years and three terms to expire in odd years.
- b. Three (3) members at large for a term of three (3) years, one (1) term expiring each year.

**Section 2.** At each annual meeting, the members of said Association shall elect, from

said members, a successor for the term of three years to the member at large whose term then expires, and successors, one from each district, for the terms of two years each to the other members of said Board of Governors whose terms then expire. If a district does not have a member to elect to represent that district, then a member at large shall be elected to fill that vacancy and when the term normally expires the district shall again elect a member from said district. Reference Section 4 of the Charter.

**Section 3.** The members of the Board of Governors shall hold office until their successors are elected and have qualified unless sooner disqualified by ceasing to be owners of land within the limits of the Association or qualified electors as described in Section 1 of the Charter, or upon their removal for cause by a vote of two-thirds of the total members of said Association taken at a meeting duly warned and held for that purpose. Reference Section 4 of the Charter.

**Section 4.** Any vacancy occurring in the membership of said Board of Governors between annual meetings of the Association shall be filled with another member by a majority of the remaining members of the Board of Governors until the next annual meeting, at which time the members of the Association shall elect, as prescribed in Article 5, Section 2, a member of the Board for the unexpired portion of the term. Reference Section 6 of the Charter.

**Section 5.** The Board of Governors shall elect from its members a President, Vice—President and Secretary—Clerk. Reference Section 4 of the Charter.

**Section 6.** Deleted April 1993. Reference Section 6 of the Charter.

**Section 7.** The President of said Association shall be the chief executive, shall preside over all meetings of the Association and of the Board of Governors and generally perform such duties as are customarily performed by presiding officers.

The Vice-President, in case of the absence or disability of the President, shall assume the duties of the President.

The Secretary-Clerk shall sign all warning notices, orders and by-laws and shall keep a record of all actions of the Association and of the Board of Governors.

**Section 8.** The Board of may appoint an attorney at law as counsel for said Association and authorize payment to him/her for services rendered. The Board of Governors may appoint or employ an Assistant Secretary-Clerk to assist the Secretary-Clerk in the performance of the Secretary-Clerk's duties and a Treasurer to fulfill the Treasurer's duties as described, within the Charter and authorize payment to them for services rendered. If due to absence or illness, the Secretary-Clerk or Treasurer is unable to perform their duties, the Board of Governors may appoint or employ a substitute. Reference Section 7 of the Charter.

The Treasurer shall keep an account of all monies received and paid out and shall render a report at each annual meeting and at other times, at the request of a majority of the Board of Governors. Said Treasurer shall be bonded for not less than seventy-five thousand dollars. Bonding fees shall be paid by the Association. Reference Section 7 of the Charter.

**Section 9.** At any meeting of the Board of Governors a majority of said Board shall constitute a quorum for the transaction of business.

**Section 10.** The President of the Board of Governors, with the advice and consent of the Board of Governors, may appoint a member of the Association, who is a user of the water company's services, to act as a liaison to the current water company.

## ARTICLE VI MEETINGS AND REFERENDUMS

### MEETINGS

**Section 1.** The annual meeting shall be held on the third Sunday in August at such time and place within said limits as a majority of the Board of Governors shall decide and warn. Reference Section 4 of the Charter.

**Section 2.** A meeting shall be held on the fourth Sunday in June at such time and place within said limits as a majority of the Board of Governors shall decide and warn for the purpose of discussing the current status of said Association.

**Section 3.** Special meetings shall be called by the Board of Governors as needed or whenever a petition, signed by not fewer than twenty members, is submitted to the Secretary-Clerk. Such petition shall give a reason for requesting such special meeting.

**Section 4.** No meetings of said Association shall be held between the dates of October first and April first, both dates inclusive.

**Section 5.** The Board of Governors shall meet as frequently as deemed necessary to conduct the business of the Association. The Board shall publish a schedule of its meetings prior to the June Association meeting. Notice of Board meetings will also be provided at least seven (7) days in advance on the website and in weekly newsletter during the summer. Committees shall meet at any time deemed necessary.

**Section 6.** All special or additional meetings of said Association shall be warned by the Secretary-Clerk at least seven days prior to the date of the meeting by posting notices at designated areas in each district and by mailing a notice of said meeting to each member, postmarked at least seven (7) days in advance, at his or her last known mailing address of record. It is the responsibility of each member of said Association to notify the Secretary-Clerk of any changes in mailing address. The Association mailing address is:

POALH

P0 Box 230

Colchester, CT 06415—0230

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Approved August 12, 2001*

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The Annual Meeting shall be warned by the Secretary-Clerk at least seven (7) days prior to the date of the meeting by posting notices at each district, in the weekly newsletter, and in the calendar of events mailed each spring.

**Section 7.** Forty members of said Association shall constitute a quorum for the transaction of business. Reference Section 13 of the Charter.

**Section 8.** In the event of failure of a quorum being present ten minutes following the time stated for a meeting, the President may cancel such meeting and any business to have been acted upon at such canceled meeting shall not be heard until the next regular June or annual meeting or until a special meeting, duly warned for that purpose, is called.

## **REFERENDUMS**

**Section 9.** The Board of Governors shall cause a copy of notice of any referendum to be mailed by first class mail, postage prepaid, to each voter of the POALH at least thirty (30) days prior to the holding of the referendum at such voter's address as shown in the last compiled grand list of the POALH and voter registration records or at any later address of which the Board of Governors shall have received written notice prior to the date of mailing of the notice of referendum.

## ARTICLE VII TAXES

**Section 1.** The Board of Governors shall prepare and submit to said Association, at each annual meeting, a budget and recommend a tax, for the purpose of and based upon such budget, of not more than fifteen mils on the dollar on the total value of real estate within the limits of said Association as shown by the last compiled grand list of the town of East Haddam. The budget and tax rate will be posted on the sign posts of said Association not less than ten (10) days before the annual meeting. It shall also be posted on the website and in the newsletter one week prior to the annual meeting. The minimum Association tax for any one property owner shall be \$50.00. Reference Section 10 of the Charter.

**Section 2.** Said Association shall have the power to change such budget and rate of taxation recommended to said Board of Governors provided the rate does not exceed that set forth in the Charter. Reference Section 10 of the Charter.

**Section 3.** The rate of taxation so recommended by said Board of Governors shall be final unless changed by the Association at the annual meeting. Reference Section 10 of the Charter.

**Section 4.** Said Board of Governors shall appoint or employ a Tax Collector to collect such taxes and warrants may be issued for the collection of money due on the rate bills, pursuant to the provisions of Section 12-130 of the General Statutes. The Tax Collector shall be bonded for the dollar amount of the budgeted aggregate annual receipts if not already bonded. The Tax Collector shall have all the powers of collectors of town taxes

and shall pay over the taxes on or before the fifth of the month following collection to the Treasurer of the Association who shall deposit the same in a depository satisfactory to the Board of Governors. The Tax Collector appointed by the Board must be a member of the Association. Reference Section 10 of the Charter.

Section 5. Deleted April 1993.

Section 6. The Board of Governors shall have to power to abate any tax if any taxable property shall be destroyed by fire or the elements prior to the date when such tax shall become due. Reference Section 12 of the Charter.

#### ARTICLE VIII PROPERTY

**Section 1.** Said Association may buy, sell, lease, mortgage, hold or own such land or personal estate as its purpose may require.

**Section 2.** Whenever it is the opinion of the Board of Governors that any property containing a building has become neglected and run down, it shall be their duty to decide upon the desirability of purchasing said property at a fair price. This decision shall be brought before the Association as new business for approval. Upon acquisition of such property by the Board of Governors in the name of the Association, the Board of Governors or a committee appointed by the Board of Governors shall cause to be made sufficient repairs as will enhance the sale ability of such property. The necessary funds to restore the property and the market price for the eventual sale shall be determined by the Board of Governors. Prior to determining the market price or such property, including the purchase price by the Association and the sale price of the Association, the Board of Governors shall have the property appraised by three independent appraisers and shall consider their recommendations. Said appraisers shall not be members of the Association.

#### ARTICLE IX BY-LAWS, ORDINANCES AND REGULATIONS

**Section 1.** By-laws may only be enacted, amended or repealed as stated in the Charter. Ordinances and regulations may be enacted, amended or repealed by the Board of Governors when a vote is taken by such Board and at least two-thirds of said Board approves the proposed ordinance or regulation. Reference Section 8 of the Charter.

**Section 2.** No ordinance or regulation revision will take effect until thirty days after said revision has been mailed to all members of the Association by the Board of Governors. Reference Section 8 of the Charter.

**Section 3.** Any ordinance or regulation enacted by said Board of Governors may be amended or repealed by a two-thirds vote of the members of said Association present at an annual meeting, or a special meeting called for this purpose. At least twenty Association members must request the repeal of a regulation or ordinance for its debate

and subsequent vote.

**Section 4.** A certification of the Secretary-Clerk of said Association of the mailing of any ordinance or regulation as provided for in Section 2, shall be prima facie evidence of such mailing. Reference Section 8 of the Charter.

#### ARTICLE X COMMITTEES

**Section 1.** The President with the advice and consent of the Board of Governors shall each year appoint such committees as are deemed necessary.

**Section 2.** Such committees shall consist of not less than three members or more than seven members appointed for the term of one year. Where possible, each district shall be represented upon each committee, and, if a committee consists of more than three members, the balance of committee members shall be selected at large.

**Section 3.** Each committee shall have the general supervision of all matters pertaining to their particular committee under such rules and regulations as have been approved by the Board of Governors.

**Section 4.** Each committee shall elect their own Chairman, Vice-Chairman and Secretary and the latter shall maintain a record of all business coming before such committee.

**Section 5.** The Board of Governors shall have the right to remove any member of any committee at their discretion and shall advise that member of its reasons in writing.

**Section 6.** Any vacancy occurring during the term of a member of a committee shall be filled with another member by the remaining members of such committee.

#### ARTICLE XI Powers and Duties of Committees

Police- This committee, with the advice and consent of the Board of Governors, shall:

1. Serve as liaison between the Association and all law enforcement agencies.
2. Sponsor public safety workshops and informational sessions as needed
3. Regulate the parking of vehicles with parking permits and passes.

Lake Hayward Days- This committee, with the advice and consent of the Board of Governors, shall:

1. Plan activities for the annual lake celebration that runs during the third week of August (from Saturday before the Annual Meeting to the following Saturday).

Recreation— This committee, with the advice and consent of the Board of Governors, shall:

1. Plan and supervise recreational programs for the general welfare.

Entertainment/Social- This committee, with the advice and consent of the Board of Governors, shall:

1. Plan and regulate entertainment, concerts, and celebrations.

Property and Building — This committee, with the advice and consent of the Board of Governors, shall:

1. Clean, maintain, and improve Association properties, right-of-ways, beaches and docks.
2. Repair and maintain Association roads that are not state or town roads.
3. Promote the planting of trees and shrubbery and other work leading to the improvement of the general appearance of the property within the limits of said Association.
4. Work with the Town of East Haddam to maintain roads in condition to minimize the impact of roads on the lake as soon as possible in the spring.
5. Address all roads and Association property complaints.

Lake Water Quality- This committee, with the advice and consent of the Board of Governors, shall:

1. Educate the members of said Association as to the environmental impact of various human practices and activities in order to minimize the impact of such practices and activities on the lake.
2. Establish and maintain a lake water quality monitoring program involving a systematic sampling of lake water in order to compile sufficient information for the evaluation of bacteria, nutrient and sediment levels and other factors affecting water quality.
3. Undertake actions in order to lessen the erosion of the beaches.

## ARTICLE XII AUDITING COMMITTEE

**Section 1.** The President shall each year appoint a public accountant or certified public accountant who is not a member of the POALH who shall review the tax collector's and treasurer's accounts of revenue and expenditures each year for the preceding calendar year.

**Section 2.** The report of such public accountant or certified public accountant shall be posted on the POALH website one week prior to the annual meeting and read at the annual meeting by the Secretary-Clerk of said Association.

ARTICLE XIII  
NOMINATING COMMITTEE

**Section 1.** The President shall each year appoint a nominating committee consisting of three members, none of whom shall be members of the Board of Governors, one from each district where possible, for the purpose of selecting candidates for the successors to the members of the Board of Governors whose terms then expire.

**Section 2.** The nominating committee shall furnish the list of candidates for the Board of Governors to the Secretary-Clerk fifteen days prior to the date of the annual meeting who shall then post such candidates names in each district at least ten days prior to the date of the annual meeting.

**Section 3.** Other nominations for the Board of Governors shall be permitted from the floor.

ARTICLE XIV  
BUDGET COMMITTEE

**Section 1.** The President shall each year appoint a Budget Committee of four (4) members, one from each district (if possible) along with the Treasurer.

**Section 2.** This committee shall review the past year's budget, the current year's budget and actual spending. The committee will present its suggestion to the Board for a budget for the following year, no later than August 1<sup>st</sup>, in time to be reviewed and posted at each district and on the website, 10 days before the annual meeting.

ARTICLE XV  
ORDER OF BUSINESS

**Section 1.** At all meetings, except special meetings, of the Association, the following order of business shall be observed:

1. Roll call of the Board of Governors
2. Reading and acceptance of minutes of preceding meeting
3. Receipt of communications
4. Accounts payable
5. Reports of the Board of Governors
6. Reports of Committees
7. Reports of Special Committees
8. Unfinished business
9. New business
10. Announcements
11. Adjournment

**Section 2.** Robert's Rules of Order shall be the Association's final authority on all questions of procedure and parliamentary law not covered by the by-laws.



ARTICLE XVI  
TOWN LIAISON

**Section 1.** The Board of Governors may appoint a member of the Board of Governors to act as liaison with the officials of the Town of East Haddam to further the interests of the Association and to maintain communication on issues affecting both parties.

**Rules and Regulations**

Effective June 1, 2010

(Changes from previous Rules and Regulations are shaded)

Reference Section 8 of the Charter and Article IX of the Bylaws

The following regulations, within the limits of the POALH, are now in effect:

Violations of any regulation may result in a fine up to \$100.00 as per section 8 of our charter.

**PROPERTY**

1. Property owners and rental agents will fully inform renters regarding the regulations of POALH.
2. All signs are prohibited, except those having to do with public safety, convenience and the renting or selling of property.
3. No building or structure shall be used for any business or commercial purpose. However, any type of business shall have the right to apply to the Board of Governors for a business permit. The Board of Governors shall grant such permit only after said application has been approved by two-thirds of the members of said Association voting at a regular or duly warned special meeting. All permits will be posted on the POALH website.
4. The sale of spirituous or intoxicating liquors within the limits of the Association shall only be granted with the approval of two-thirds of the members of said Association voting at a regular or duly warned special meeting.
5. Solicitation of any kind on Association property, without first having obtained written permission of the Board of Governors is prohibited.
6. No large or commercial grade tents shall be erected, nor shall temporary buildings be erected upon any lot, for a period of greater than seven days. No vehicle, camper, tent or trailer may be used as a dwelling.
7. No fencing of any type shall be erected which completely encloses any boundary of any lot.
8. The space between piers at exterior walls shall be filled with lattice or other approved suitable material from the sill to a point no more than three inches above finished grade.
  
9. Owners or lesser of land or buildings are required to remove leaves, and other inflammable material from their property and from the roadways adjacent to or in front of their property.

10. Non Members, other than guests and renters, are forbidden use of the Association beaches, parking areas, athletic fields and any other Association property.
11. All public entertainment on Association property, except for those events for which advanced permission has been granted by the Recreations and/or Social Committee is prohibited. Use of the pavilion for non-Association sponsored events without permission by the Board, recreation and Social Committee is prohibited.
12. The use of Association property or supplies for personal use is not permitted (tables, chairs, swim and recreation equipment etc) and may not be removed from Association Property.

### **ENVIROMENTAL**

1. Drainpipes and drainage ditches through any lot shall not be disturbed since they are a public necessity.
2. All septic tanks and wells must conform to Town and State Health regulations. Septic tanks must be pumped at least every 5 years. Proof of permit to discharge will be shown upon request of the board. If there is a legal change in the property name by sale or inheritance, the new owner must provide to the board, a copy of the septic cleaning, upon request.
3. No lot shall be subdivided, nor sold, except as a whole, but this restriction shall not prevent any owner from conveying any part of said lot to the owner or owners of adjoining lots.
4. The discharge of laundry wastewater or other 'gray water' into dry wells is prohibited. Excessive application of lawn fertilizer and/or weed killer is prohibited.
5. The use or operation of a whistle, horn, bell, or other instruments in such a manner to produce excessive noise except for purpose of an emergency response is prohibited. Use of air guns, air rifles, slingshots or similar expulsive devices is prohibited.
6. The building of fires upon private property, unless in an appropriate container, and the building of fires on the beach, athletic or parking areas without obtaining written permission from the appropriate East Haddam fire officials is prohibited.
7. Feeding of ducks, geese or other waterfowl is prohibited
8. Entering the lake by infants not wearing swimming approved diapers is prohibited. Personal items cannot be left on the beach overnight. Bathing in the nude and using soap in the beach areas is prohibited.
9. The dumping of any material on the lakeshore or beaches (Leaves etc) without approval of the Town Inland Wetland Commission and the Board of Governors is not permitted.
10. The depositing of any cigarette butts, paper, bottles, cans or other debris in any beach, parking area, or athletic areas, except in rubbish containers provided is prohibited. Diapers are not to be left in rubbish containers. Glass containers are prohibited on any Association Property.

11. Allowing dogs to roam at large or to bark excessively is prohibited. No dogs are allowed on Association beaches. Please pick up after your pets.

### **PROPERTY CLEAN UP**

1. All garbage and rubbish containers must be kept tightly closed, and where possible, stored under the cottage, inside sheds or garages. The discarding upon any street, right-of-way, or in the weekly refuse pickup of building demolition, construction or similar materials is prohibited.
2. The Board shall authorize any person(s) as the Board may designate to make entry on any private property, within the limits of the Associations, for the purpose of taking and removing any such filth, garbage, ashes or other refuse at the expense of the owner.

### **MOTOR VEHICLES/VESSELS**

1. Vehicles owned by property owners parking on Association property will display an Association parking permit sticker on the front, driver's side windshield. Guests must display a guest parking pass reflecting the property owner's address. Failure to park in designated areas is prohibited. The driving or parking of any motor vehicle either upon private or public property in such a manner that constitutes a danger to life or property is prohibited. The parking of a motor vehicle upon a grade without a barrier of suitable strength to prevent the vehicle from running out of control is prohibited. Dressing or undressing in a vehicle or within the beach is prohibited.
2. Failure of the owner to remove a vessel from Association property after one year of published notice will define such vessel as abandoned. The Board may sell or dispose of this vessel, with all proceeds deposited in the Tax Collector Receipt Account. The anchoring and storage of all types of boats, canoes, kayaks etc in areas other than those approved by the Board is prohibited. Each vessel must have the street address on the outside of the vessel for identification purposes. Association moorings and storage racks are open to all members on a first come, first serve basis. All vessels are only allowed at the beaches from April 1 until November 1. The operation of combustion engine powered vessels is prohibited. Operating a vessel within 100 feet of an Association raft is prohibited.