

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

Revised August 21, 2001 by Referendum Vote

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 members as follows:

- (a) Three for the term of one year each, one member from each district;
- (b) Three for the term of two years each, one member from each district;
- (c) Three members at large, one for the term of one year, one for the term of two years and one for the term of three years. Reference Section 4 of the Charter.

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 and Committees may meet at any time deemed necessary.

Section 6. All 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 in each district and by mailing a notice of said meeting to each member, postmarked at least seven 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

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, which budget and tax rate shall be posted on the sign posts of said Association not less than ten days before 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 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 audit the tax collector's and treasurer's books each year for the preceding calendar year.

Section 2. The report of such public accountant or certified public accountant shall be read at the annual meeting by the Secretary-Clerk of said Association.

ARTICLE XII 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 XIII ORDER OP 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 XIV 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.

REGULATIONS

The following regulations are adopted by the Property Owners Association of Lake Hayward in accordance with authority granted by the Connecticut State Legislature under Special Act No. 87, enacted during its 1957 session.

If any section, paragraph, subdivision, clause or provision of any by-law or regulation shall be adjudged invalid, such adjudication shall apply only to the section, paragraph,

subdivision, clause or provision so adjudged and the remainder of such by-laws or regulations shall be deemed valid and effective.

The current regulations were approved by the Board of Directors on April 14, 2001. 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:

1. All signs are prohibited, except those having to do with public safety, convenience, and the renting or selling property.
2. 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.
3. The sale of spirituous and 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.
4. Solicitation of any kind without first having obtained written permission from the Board of Governors is prohibited.
5. 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.
6. No fencing of any type shall be erected around the boundary of any lot.
7. Drainpipes and drainage ditches through certain lots are not to be disturbed since they are a public necessity.
8. All septic tanks must conform to Town and State Health regulations.
9. Septic tanks shall be pumped every 3 years.
10. All wells must conform to Town and State regulations.
11. No lot shall at any time 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.
12. The space between piers at exterior walls shall be filled with lattice or other approved suitable material from the sill to a point not more than three inches above finished grade.

13. The discharge of laundry wastewater or other 'gray water' into dry wells is prohibited.
14. Excessive application of lawn fertilizer and/or weed killer is prohibited.
15. Owners or lessors 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 the property.
16. The use or operation of a whistle, horn, bell or other instruments in such a manner that excessive and offensive noise or noises are produced is prohibited except for purposes of emergency response.
17. The production of excessive noise on any lot is prohibited.
18. The discharge of air guns, air rifles or similar devices in which the expulsive or impelling force is compressed or condensed air or slingshots is prohibited.
19. The discharge of any pistol, revolver, gun, cannon or other firearms, except by those holding permits from the town or state and except in case such weapons are used in lawful defense of the person or property of any one or in the performance of any legal duty is prohibited.
20. Allowing dogs to roam at large or to bark excessively is prohibited.
21. The building of fires upon private property, beach, athletic or parking areas without first having obtained written permission from the appropriate East Haddam fire officials is prohibited.
22. Non-members, other than guests and renters, are forbidden use of all said Association beaches, parking areas, athletic fields and all other property belonging to the Association.
23. All garbage and rubbish containers must be kept tightly closed, and where possible, stored under the cottage, inside sheds, or inside garages
24. The discarding upon any street, right-of-way, or in the weekly refuse pickup of any building demolition, construction, or similar material is prohibited.
25. The Board shall authorize any person or persons as the Board may designate to make entry on any private property, within the limits of the Association, for the purpose of taking and removing any such filth, garbage, ashes or other refuse at the expense of the property owner.
26. Property owners and rental agents will fully inform renters regarding the

regulations of the POALH.

27. Feeding of ducks, geese, or other waterfowl is prohibited.
28. Vehicles owned by property owners parking on Association property will properly display an Association parking permit sticker on the rear window.
29. Guests must display a guest parking pass reflecting the property owner's name, address, and the current date.
30. Failure to park in designated areas approved by the Board is prohibited.
31. No vehicle, camper, tent or trailer may be used as a dwelling.
32. The operation of any vehicle at a speed greater than the posted speed limit is prohibited
33. 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.
34. The parking of a motor vehicle upon any grade without a barrier of suitable strength to prevent the vehicle from running out of control is prohibited.
35. Failure of the owner to remove a vessel after two years of published notice will define abandonment. The Board may sell or dispose of any vessels determined to be abandoned. Any proceeds for vessel sales will be deposited in the Tax Collector Receipt account.
36. The anchoring and storage of all types of boats or canoes in areas other than those approved by the Board of Governors is prohibited.
37. Association boat moorings are open to all members on a first come, first serve basis.
38. The operation of internal combustion engine powered vessels upon the lake is prohibited.
39. Use of vessels within one hundred feet of any beach or raft is prohibited.
40. Dressing or undressing in any motor vehicle or boat is prohibited.
41. Dressing or undressing within beach areas is prohibited.
42. Use of the portable toilets at each beach every time is required.
43. Entering the lake by infants with soiled diapers is prohibited.

44. Leaving of personal items on the beach overnight is prohibited.
45. The use of soap while bathing in beach areas is prohibited.
46. Bathing in the nude is prohibited.
47. All public entertainment, except those events for which advance permission has been granted by the Recreation and Social Committee, is prohibited.
48. Use of pavilion for non-Association sponsored events without permission by the Board of Governors or Recreation and Social Committee is prohibited.
49. The dumping of any material on the lakeshore or beaches without approval of the Town Inland Wetland Commission and the Board of Governors is prohibited
50. The depositing of any cigarette butts, paper, bottles, cans or other debris in any beach, parking or athletic areas, except in rubbish containers provided for such purposes is prohibited. Diapers are not to be left in the rubbish containers.
51. Allowing dogs to enter beach areas is prohibited.

ARTICLE XV
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.

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

1. Regulate entertainment, concerts and celebrations.
2. Plan and supervise recreational programs for the general welfare.

Roads and Beaches — 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.

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.

Approved at the Annual Meeting of the POALH
August 12, 2001