

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

Revised August 18, 2024 by Vote of the Association

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 1 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 (9) 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 Board of Governor duties.

The nine (9) members shall be as follows:

- a. Six (6) members for a term of two (2) years each, two (2) from each district, when possible; three (3) terms to expire in even years and three (3) 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 (3) years to the member at large whose term then expires, and successors, one (1) from each district, when possible, for the terms of two (2) 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 POALH member by a majority vote 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 Governors 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.

Section 11. No POALH member holding the position of Tax Collector, Treasurer or Property Manager shall concurrently be a member of the Board of Governors.

ARTICLE VI MEETINGS AND REFERENDUMS

MEETINGS

Section 1. The annual meeting shall be held on the third (3rd) 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 (4th) 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 (20) members, is submitted to the Secretary-Clerk. Such petition shall give a reason for requesting such special meeting.

Absentee ballots will be available to eligible members as defined within Section 1 of the Charter in the event of a special meeting as noted above upon written or email request to the Secretary-Clerk at least three (3) days prior to the scheduled special

meeting and received by the Secretary-Clerk no later than the day prior to the special meeting.

Absentee ballots must contain the name of the eligible member and their signature on the ballot shall be notarized. Absentee ballots that are received after the special meeting will be acknowledged, but will not count in the final tally. Absentee ballots shall not count toward a quorum required to conduct business.

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 POALH website (<https://www.lakehaywardct.com>) and in the weekly POALH newsletter during the summer. Committees shall meet at any time deemed necessary. The Board shall maintain an electronic email and document storage solution to support the safekeeping and accessibility of public records such as communications, documents, and accounting of all business and important matters of the Board and Association.

Section 6. All special or additional meetings of said Association shall be warned by the Secretary-Clerk at least seven (7) days prior to the date of the meeting by posting notices at designated areas in each district and by notice of said meeting to each member at least seven (7) days in advance. It is the responsibility of each member of said Association to notify the Secretary-Clerk of any changes in contact information. The Association contact information is:

POALH
P0 Box 230
Colchester, CT 06415—0230
lakehaywardct@gmail.com

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 POALH newsletter, and in the calendar of events provided each spring.

Section 7. Forty (40) 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 (10) minutes following the time stated for a meeting, the President may cancel such meeting. 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

Vote by membership on specific questions including expenditures that require a special assessment.

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.

Absentee ballots will be available to eligible members as defined within Section 1 of the Charter in the event of a referendum as noted above upon written or email request to the Secretary-Clerk at least three (3) days prior to the scheduled referendum and received by the Secretary-Clerk no later than the day prior to the referendum.

Absentee ballots must contain the name of the eligible member and their signature on the ballot shall be notarized. Absentee ballots that are received after the referendum will be acknowledged, but will not count in the final tally. Absentee ballots shall not count toward a quorum required to conduct business.

Section 10. Per Section 1 of the Charter, qualified voting individuals are required to be registered with the Secretary-Clerk of the Property Owners' Association of Lake Hayward. To be eligible to vote at a meeting or for a referendum, an individual must have a POALH Voter Registration Form turned into the Secretary-Clerk. The last date to register in person, email or hand deliver the form to the Secretary-Clerk is one week (7 days) prior to the meeting or referendum. Any mail in Voter Registration Forms must be postmarked two weeks (14 days) prior to a meeting or referendum for eligibility to vote. Any person who achieves eligible status due to age, becoming a new landowner or a new resident within the Association on or after a date one week (7 days) prior to a meeting or referendum may still register to vote. Voter Registration Forms can be found on the POALH website (<https://www.lakehaywardct.com>) or obtained by contacting the Secretary-Clerk.

ARTICLE VII **TAXES**

Section 1. The Board of Governors shall prepare and submit to said Association, at each annual meeting, a budget for the following year to be voted on by the membership. Upon acceptance of the budget by the membership, the Board shall consider the assessed value of real estate within the Association boundaries as determined by the Town of East Haddam and shall determine the mil rate not to

exceed fifteen mills on the dollar and tax amounts necessary to meet the budget requirements. The budget will be posted on the signposts of said Association not less than ten (10) days before the annual meeting. It shall also be posted on the POALH website and in the POALH newsletter one week (7 days) prior to the annual meeting.

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 manage the collection of such taxes. Warrants may be issued for the collection of money due pursuant to the provisions of Section 12-130 of the General Statutes. The Tax Collector shall have powers similar to those of collectors of town taxes in the State of Connecticut. The Tax Collector shall pay over the taxes on or before the fifth (5th) 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 shall be a member of the Association. If there is no candidate from the POALH membership for this position, the Board of Governors may seek to fill the position from outside of the POALH membership. Reference Section 10 of the Charter.

Section 5. Deleted April 1993.

Section 6. The Board of Governors shall have the 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 salability 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 of 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 (3) 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 (30) days after said revision has been provided to all members of the Association by the Board of Governors via the POALH newsletter or website (<https://www.lakehaywardct.com>). 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 at a special meeting called for this purpose. At least twenty (20) 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 communication of any ordinance or regulation as provided for in Section 2 shall be evidence of such communication. 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. Committee appointees shall be POALH members. Reference Section 1 of the Charter.

Section 2. Deleted 2015.

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. Deleted 2015.

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. Deleted 2015.

Section 7. The POALH Committee members' names shall be posted in the POALH newsletter or on the POALH website (<https://www.lakehaywardct.com>).

ARTICLE XI POWERS AND DUTIES OF COMMITTEES

Public Safety - 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 August.

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

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

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

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

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

1. Clean, maintain and improve Association real properties and other owned assets.
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 the roads in passable and satisfactory condition. This should be addressed every spring.
5. Address all roads and Association property complaints.

Lake Quality Improvement Committee - 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 FINANCIAL REVIEW & POLICIES

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 (<https://www.lakehaywardct.com>) one week (7 days) prior to the annual meeting and read at the annual meeting by the Secretary-Clerk of said Association.

Section 3. The Board of Governors shall adhere to all financial policies established. Said policies shall be stored electronically in a location available to all Board of Governor members clearly labeled to indicate "Financial Policies". The Board of Governors shall review these policies annually and may update them as necessary with the majority consent of the Board of Governors.

ARTICLE XIII NOMINATING COMMITTEE

Section 1. The President shall each year appoint a nominating committee consisting of three (3) members, one (1) 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 (15) days prior to the date of the annual meeting who shall then post such candidates' names in each district at least ten (10) 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 (1) 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 report, recommendation, and proposal to the Board of Governors for the following year no later than August 1st. The Board of Governors will review and post an approved proposed budget at each district and on the POALH website (<https://www.lakehaywardct.com>) ten (10) days before the annual meeting.

Section 3. No member appointed to this committee shall be on any other POALH committee unless said committee is not seeking budget allocations. POALH services such as technology, water testing and communications that require expenditures approved by the Board of Governors are not subject to this rule.

ARTICLE XV ORDER OF BUSINESS

Section 1. At all meetings of the Association, except special meetings, 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. Accounting Reports.
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 or established precedent.

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.