

Cedarhurst Association

Sandy Hook, CT



Membership Guide 2023





Cedarhurst Association

~ **WELCOME LETTER** ~

Cedarhurst is a private association of approximately 60 residences located in Sandy Hook, Connecticut. It was originally founded as a vacation community in the 1930s – 50s and incorporated as a non-stock corporation on October 4, 1961. The Corporation has remained in continuous operation from then until now. Approximately 12 of the 60 residences rely on the seasonal water system as their primary source of water.

The major asset of the Corporation is our beautiful beach with boat docks and canoe racks. Income is generated from membership fees, dock and canoe rack fees and water system user fees.

The Association's major annual expense items are insurance, property taxes and social events.

Although membership in the Association is not a requirement for residency, membership is encouraged. Full payment of dues entitles members to complete use of all facilities of the Association in accordance with the By-Laws of the Association.

~ PURPOSE OF THE ASSOCIATION ~

Our public website: <http://cedarhurstct.org/>

From the Certificate of Incorporation filed with the State of Connecticut on October 4, 1961

The nature of the activities to be conducted, and the purposes to be promoted and carried out by the Corporation are as follows:

- a) To organize and make effective the efforts of its members for the good of the residents and property within the limits of the corporation.
- b) To acquire title to the existing water supply system in the Cedarhurst area, including: wells, tanks, pipes and rights of way and to maintain, improve, and expand said water supply system.
- c) To obtain title to, construct, maintain and regulate the use of roads, rights of way, storm drains, beaches, docks, mooring, boating, swimming and other facilities and improvements within and adjacent to the territory of the corporation.
- d) To establish and maintain special police and/or fire protection, snow plowing and other services within its limits; and to make reasonable police and health regulations within said limits.
- e) To undertake and carry out such other improvements, activities and services as may be determined by vote of the corporation in accordance with its Bylaws.
- f) To assess and apportion the past or estimated future expenses, improvements, or other financial requirements of the corporation in carrying any of its purposes upon all of the owners of land, except the corporation itself, within its limits and enforce the collection thereof by any lawful means.
- g) To borrow money for the purpose of the corporation and to issue evidence thereof, and to have all the powers permitted to or conferred upon non-stock corporations under the laws of the State of Connecticut.

EXECUTIVE BOARD 2022-2023 and COMMITTEES

CEDARHURST ASSOCIATION, INC.
EXECUTIVE BOARD AND COMMITTEES
2022-2023

OFFICERS

Denis Guay, President	860-978-3375	dguay@allegiantglobalpartners.com
Wendy Brant, Vice President	203-258-8792	wenbrant@snet.net
Timm Lockhart, Treasurer	203-364-7707	Timmlockhart@gmail.com
Jessie Paine, Secretary	203-927-1343	Jetpaine@gmail.com

BOARD OF DIRECTORS

Tony D'Angelo	203-270-0709	Dangelo.anthony1@gmail.com
Matt Dickie	203-312-6699	Matthewdickie@att.net
Bruce Lafky	203-909-2414	lafkyb@gmail.com
Chris Pace	718-308-1304	Chrispace76@gmail.com
Jackie Poplaski	631-796-6831	jackie30@gmail.com
Carol Rowe	203-426-5386	Carolmrowe1@gmail.com
Jeff Schult	203-208-9796	Jeff.Schult@gmail.co
Denise Wiley	203-270-4877	denisehmcs@gmail.com

COMMITTEES: POINTS OF CONTACT

Beach: Matt Dickie* and Tim Gibbons

First Light Liaison: Matt Dickie

Docks: Matt Dickie* and Tim Gibbons

Roads; Tony D'Angelo*

Water: Chairman- Jackie Poplaski*, Denis Guay, Carol Rowe

Finance: Denise Wiley, Timm Lockhart*, Bruce Lafky, Jim Brant, Jackie Poplaski

Association Rules Committee: Denis Guay*, Wendy Brant, Carol Rowe, Jackie Poplaski

Bylaws Committee: Tony D'Angelo*, Wendy Brant, Carol Rowe, Denis Guay

Social Committee: Carol Rowe*, Wendy Brant, Ashley Reyes, Sue Jayne, Tony

D'Angelo, Chris Pace, Sandy Guay

Garden Committee: Mike Wiley, Chris Pace, Tony D'Angelo*, Anne Renner, Wendy Brant, Jill Chop

Projects Committee: Kyle Ostberg, Matt Dickie, Chris Pace, Bruce Lafky

Website and Communications: Jeff Schult

* denotes committee chairman

Why Join Our Community's Association?

Cedarhurst Association, Inc.

67 Mohawk Trail

Sandy Hook, CT 06482

10. To support community beautification projects that will enhance your property values
9. To come together as neighbors within the Association
8. To enjoy our beach and docks
7. To gain a group voice in our community's dealings with Newtown Township
6. To keep abreast of community issues via our mass emails
5. To participate in social events
4. To participate in our team efforts on community projects and events
3. To help make this a beautiful and welcoming place to live
2. To have a voice in decisions regarding the long-range plans for Cedarhurst
- 1. Because it's the right thing to do!**

~ CEDARHURST ASSOCIATION RULES ~

GENERAL RULES

1. The Speed Limit is **15 mph** on all Cedarhurst neighborhood roads.
2. The lower beach road must be kept clear at all times for emergency vehicles.
3. Dogs are not allowed to roam. Connecticut State Law requires dogs to be tied or confined to their owner's property.
4. Observe all State & Local laws regarding outdoor burning.
5. Members and their guests are requested to be respectful of their neighbors in the community in the evenings by keeping conversations and music at a reasonable level at the beach & docks **after 9pm Sunday-Thursday and after 11pm Friday and Saturday**. The Newtown Police Department is the final authority regarding noise complaints.
6. No ATVs or dirt bikes are allowed on Cedarhurst private property, which includes the roads.
7. No firearms of any sort are allowed on Cedarhurst private property.
8. Short-term rentals are not allowed in Newtown, CT based on town ordinance, this includes all homes within the Cedarhurst community. A short-term rental is defined as a rental of a property for less than 30 days.
9. House numbers should be posted on each home.
10. It is highly recommended that each home has a fire extinguisher.

BEACH AREA RULES

The Cedarhurst beach is private and for the private use of our members and their guests.

Parking in the beach area is reserved for members only. Please have guests park at member's home and do not block driveways. Members are asked to keep the volume to a minimum after 9pm Sunday-Thursday and 11pm Friday and Saturday while at the beach and docks.*

- **Swim at your own risk. There is no lifeguard on duty! If swimming off docks, please swim off of the swim platform for your safety. Please do not swim off of "fingers"**. Children under age 12 need to be always accompanied by an Adult over age 18.
- The boat launching area is for **members only**. A member must be present before any boat is launched or pulled out. Any member looking to launch their boat on **Saturday, Sunday or holidays** must be done **before 10am** and it cannot be **removed before 8pm**.
- Fishing is permitted on docks, however while fishing please stay clear of people and boats.
- No boats or jet skis are to be operated under power in the swimming area.
- Fireworks, sparklers, grills, fire pits, glass, vaping & smoking are not allowed in the beach and dock area.
- Dog owners should observe proper Dog etiquette while in community spaces. All dogs must be leashed in the beach area and owners must clean up after their pets.
- Residents should make sure they are leaving the beach area clean. Please remove personal items after each use and dispose of trash in provided receptacles by beach.

**Parking & Beach pass required*

2023 CEDARHURST ASSOCIATION INVOICE

67 Mohawk Trail, Sandy Hook, CT 06482

Order Form Date: 5/1/2023 (revised)

2023 CEDARHURST ASSOCIATION MEMBERSHIP DUES INVOICE

Family Name & Cedarhurst Address: _____.

Mailing Address if Different: _____.

Email Address: _____.

Homeowners Association Seasonal Fee. I proudly support the Cedarhurst Homeowners Association. I understand that these fees are needed to maintain our community property, pay taxes and liability/property insurance coverage and to grant member beach access.

- \$300 (if paid after March 1st)
- \$275 (if paid in full before March 1st)

Mailbox: (This is a one time assessment fee in addition to your annual dues above).

- Yes, I need a Mailbox for the above address \$50.00

Additional User Fees:

Please check-off desired items you need or would like.

- Water User: \$300.00

- Dock Slip for my:*
 - o Motorboat (19 Feet & Under) \$400.00
 - o Oversized Motorboat (Over 19 Feet) (3 slips available) \$450.00
 - o Peddle Boat (3 slips available) \$100.00
 - o Jet Ski /John Boat/ Rowboat (2 slips available) \$200.00

- Rack for my Kayak and/or Canoe**
 - o Number of Racks needed _____ \$50.00 per Rack

TOTAL ENCLOSED: \$ _____

How to pay by check. Make check payable to: Cedarhurst Association, Inc.

- Mail to: Cedarhurst Association, 67 Mohawk Trail, Sandy Hook, CT 06482.
- Drop it off: 44 Algonquin Trail, Sandy Hook, CT 06482. There is a postage box by the garage. I do ask that you email me prior, so I look out for it (timlockhart@gmail.com).

How to pay by Venmo. Email the president, Denis Guay (dguay@allegiantglobalpartners.com).

Payment due by March 1st to take advantage of early pricing.

2023 CEDARHURST ASSOCIATION INVOICE

67 Mohawk Trail, Sandy Hook, CT 06482

Paying Electronically?

If you are having your bank mail us a check directly through your banking bill pay options or another electronic means, please make sure to fill out this Invoice order form and scan or mail to us.

Payment Plan?

If a payment plan is needed, please send a request to the Board by emailing the Treasurer.

Watercraft Warning:

Cedarhurst Association is not responsible for any damage or theft to any watercraft.

Unpaid Slips or Racks:

Any boat in a dock slip or watercraft of any kind left on a rack will be removed at the owner's expense if payment has not been received for use of these amenities.

Any unnamed kayaks/canoes will be removed from the Association racks.

Proof of Insurance:

In order to rent a boat slip, boat owners must provide proof of insurance along with their payment.

Send us Mail:

Cedarhurst Association, Inc - 67 Mohawk Trail - Sandy Hook, CT 06482

Send the Treasurer an email: timlockhart@gmail.com

NOTICE TO ALL WATERCRAFT OWNERS

CEDARHURST ASSOCIATION IS NOT RESPONSIBLE FOR ANY DAMAGE OR THEFT TO ANY WATERCRAFT

New Boat Slip Request and Dock Procedures

Steps:

1. **Contact the Dock Chairman** - Matthew Dickie 203-312-6699 matthewdickie@att.net (CHA President will serve as 2nd contact) to discuss boat size and boat slip availability and possible placement. Boats longer than 21' require more detailed review with width dimensions prior to approval to ensure they fit and can be secured safely.
2. **Contact the Treasurer** – timlockhart@gmail.com to arrange payment for boat slip and to provide insurance. Fee schedule for initiation and slip to be provided to members for the current season. The Treasurer will email the Dock Chairman to confirm payment and insurance requirements have been met.
3. **Provide Proof of Liability Insurance for your boat** to be docked at Cedarhurst. A hard copy or email of the declaration page must be provided to Treasurer prior to dock assignment.
 - ❖ We recommend a minimum of \$300,000 in Watercraft Liability and Accidental Fuel Spill Coverage

Notes: Exceptions to the insurance requirement can only be made with agreement of Dock Chairman and President. In cases where the resident wishes to reserve a slip but does not yet own a boat or it is not ready to be launched, exceptions may be made. In such cases, insurance is required prior to use of a Cedarhurst dock slip.

Existing Cedarhurst Boat Slip User Procedures

Steps:

1. **Pay Annual Membership and Dock Fees** from annual invoice.
2. **Provide updated insurance documentation** listed above to maintain an existing boat slip location.

DOCK HARDWARE REQUIREMENTS AND PREFERRED HARDWARE

- **Hardware must fold FLAT against the docks.** This minimizes the chances of boat damage if they happen to bump the docks during maneuvering.
- This hardware is available at Home Depot and Lowe's, as well as at local hardware stores.



- **NO Hardware is to be mounted on TOP of the docks.** These are tripping hazards and will be removed.



- **NO Eye Bolts.** As above, these may possibly damage boats. Imagine an eye bolt sized hole in your hull just above the waterline!



CEDARHURST ASSOCIATION BY-LAWS

ARTICLE I LOCATION, PURPOSES, POWERS AND SEAL

Section 1. Location Limits:

The limits and territory of the Corporation are as follows: All of that property on Lake Zoar in the town of Newtown now or formerly owned by Cedarhurst Estates, Incorporated of J. Walter Scheffer and designated by the following block numbers on maps of the area known as Cedarhurst and in deeds to property located therein: Block numbers A,B,C,D,E,F,G,H,J,K,M. The aforesaid territory may be increased or decreased by amendment of the By-Laws.

Section 2. Purposes and Powers:

The Corporation shall have all powers granted to non-stock corporations under the laws of the State of Connecticut, including all powers necessary to carry out those specific purposes set forth in Article III of the Certificate of Incorporation.

Section 3. Seal:

The seal of the Corporation shall be circular in form and shall bear on its outer edge the words "Cedarhurst Association Inc." and in the center the words and figures "Corporate Seal 1960". The Executive Committee may change the form of seal or the inscription thereon from time to time, as it may in its sole discretion determine. Such seal may be engraved, lithographed, printed, stamped, and impressed upon or affixed to any contract, conveyance or other instrument executed by the Corporation.

ARTICLE II MEMBERSHIP

Section 1. General:

The membership of the Corporation shall be composed of two classes of members, designated ***regular members*** and ***special members***. The rights, privileges, and obligations of both classes shall be equal unless otherwise specified, and references in these By-Laws to members shall apply to both regular and special members, unless otherwise indicated.

Section 2. Regular Members:

All persons being title holders of record to property located in the blocks listed in Article I, Section 1 above on which there is situated a habitable dwelling (as defined hereinafter) are eligible for membership in the Corporation as regular members and shall become such members upon the payment of their first annual dues. As used herein, the term "habitable dwelling" means a residential structure for which a building permit is required by the Town of Newtown and which contains indoor sanitary facilities.

Section 3. Special Members:

Other persons are eligible for special membership upon their designation by any person entitled to become a regular member under Section 2 above, provided they are a tenant in Cedarhurst of such person entitled to regular membership, and upon the payment of dues, shall become members for one year from the date of such payment, and shall have privileges and obligations of regular members, with the exception of serving on the board, during said year. Such membership may be renewed from year to year upon their re-designation by a regular member and the payment of annual dues. Notwithstanding the foregoing, a tenant may become a **special member** upon approval of the Executive Committee.

Section 4. Voting:

Regular members may vote in person or by proxy at any regular or special meeting of the Corporation. When two or more persons are members by virtue of their interest in the same property, they shall be entitled to only one vote between them and in the event of conflict the Executive Committee shall determine, in accordance with the table of voting set forth in Article III, Section 5 of these By-Laws which person is eligible to cast said vote, and its decision thereon shall be final. No member shall be entitled to more than one vote regardless of the number of separate parcels of land of which he is the record title holder.

Section 5. Termination:

Regular members shall continue as such until their death, resignation or expulsion in accordance with these By-Laws, particularly Article VI hereof. Resignations shall become effective upon the receipt of written notice thereof by the President or Secretary of the Corporation. Special membership shall terminate one year from the date of payment of annual dues unless sooner terminated as provided herein.

ARTICLE III MEETINGS OF MEMBERS

Section 1. Annual Meeting:

The annual meeting of the Corporation shall be held at such time and place as shall be set forth in the notice or waiver of notice of said meeting no later than the Sunday before Labor Day in each year, for the purpose of electing officers and additional members of the Executive Committee and for the transaction of such other business as may properly come before the meeting.

Section 2. Special Meetings:

Special meetings of the members may be called at any time by the President or by the Executive Committee, and shall be called by the President upon the written request of five per cent (5%) of the members entitled to vote at such meeting setting forth the purposes of the proposed meeting. All special meetings shall be held at the time and place as shall be set forth in the notice or waiver of notice of such meeting.

Section 3. Notice of Meetings:

Written notice of the time, place and purposes of all annual or special meetings shall be given by the President or Secretary, not less than ten (10) nor more than fifty (50) days prior to the date of the meeting to each member of the Corporation by delivering such notice Personally, or by leaving a copy thereof at their residence or usual place of business, or by mailing said copy addressed to them at their last known post office address as it appears on the books of the Corporation.

Section 4. Quorum:

At any meeting of the members, the presence of one-tenth (1/10) of the members entitled to vote in person or by proxy shall be necessary to constitute a quorum for all purposes except as otherwise provided by law, and the act of a majority of the members entitled to vote present at any meeting at which there is a quorum shall be the act of the full membership except as may be otherwise specifically provided by statute. In the absence of a quorum, or when a quorum is present, a meeting may be adjourned from time to time by vote of a majority of the members present in person or by proxy, without notice other than by announcement at the meeting and without further notice to any absent member. At any adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted at the meetings as originally noticed. At every meeting of the members of the corporation

each member shall be entitled to vote (except as qualified hereafter) in person or by proxy duly appointed by a written instrument subscribed by such member and bearing a date not more than eleven (11) months prior to such meeting, unless such instrument is limited in its use to a particular meeting of the members not yet held. Unless such instrument otherwise provides, if authority with respect to the same vote is conferred upon two or more agents, a majority of those present at the meeting may exercise all powers conferred by the instrument, or, if only one is present, then that one may exercise all such powers; and any such agent may appoint a substitute to act in his place.

Section 5. Table of Voting:

Whenever two or more persons are members by virtue of their interest in the same property, the following table shall determine which of them shall be entitled to vote at any meeting of the members.

RELATION OF MEMBER	PERSON ENTITLED TO VOTE
a) Titleholder on record	Titleholder or valid Proxy - One vote per household
b) Joint Titleholders	Whichever one is present and designated by all other joint owners.
c) Landlord - Tenant	Tenant can vote by proxy, otherwise landlord
d) Mortgagor - Mortgagee	Mortgagee; but after filing of lis pendens, mortgagor
e) Owner - Invitee or Licensee	Owner, unless he/she delegates vote to invitee or licensee in writing
f) Parent - Child	Parent or Child over the age of 21, by proxy, if parent is absent or disabled
g) Special Member	Dues paying tenant, as a Special Member

Whenever more than one of the above relationships exists, the highest on the table shall govern and the relationships following shall be disregarded. All other conflicts as to voting shall be resolved by the Executive Committee in an equitable manner. The designation of another member as the one entitled to vote, when permitted by the above table of voting shall be by written instrument filed with the Secretary and shall be effective until revoked in writing. The vote for officers and members of the Executive Committee and, upon the demand of a member, the vote upon any question before the meeting shall be by ballot. All elections shall be had, and all questions decided by a majority vote of the members entitled to vote present in person or by proxy.

Section 6. Expulsion of Members:

Any member may be expelled from the Corporation by the affirmative vote of a majority of the members of the Executive Committee at any regular or special meeting of said committee called for that purpose, for any conduct which in its opinion is detrimental to the best interest of the Corporation, or for refusal to render reasonable assistance in carrying out its purposes. Any such member proposed to be expelled shall be entitled to at least five days' notice in writing by mail of the meeting at which such removal is to be voted upon, and shall be entitled to appear with counsel before and be heard at such meeting.

ARTICLE IV EXECUTIVE COMMITTEE

Section 1. Authority and Composition:

The property and affairs of the Corporation shall be under the care and management of an Executive Committee consisting of the officers of the Corporation and not less than three (3) nor more than eight (8) additional members of the Corporation, or a spouse or adult child of members, who shall be elected annually by the members entitled to vote, and shall hold office until the next annual meeting or until their respective successors are duly elected. A past president will automatically hold a position on the board for a period of one year. A past president may then be elected to the board in subsequent years.

Section 2. Number:

The number of additional members of the Executive Committee shall be fixed at the organizational meeting of the Corporation, and thereafter may be changed at any annual meeting of the members, or at any special meeting of members called for that purpose, by the affirmative vote of a majority of all the members entitled to vote, whether or not present at such meeting. If at any special meeting of the members the number of the Executive Committee shall be decreased, each additional member in office shall serve until his term expires, or until his resignation. Any additional member of the Executive Committee may be removed in the same manner and for the same reasons as provided for removal of officers in Article V, Section 8.

Section 3. Vacancies:

Any vacancy in the Executive Committee occurring during the year, including a vacancy created by an increase in the number of members

made by a special meeting of the Corporation, may be filled for the unexpired portion of the term by the member of the Executive Committee then serving, although less than a quorum, by affirmative vote of the majority thereof. Any member so elected by the Executive Committee shall hold office until the next succeeding annual meeting of the members of the Corporation or until the election of his successor.

Section 4. Annual Meetings:

Each newly elected Executive Committee may hold its first meeting for the purpose of organization, and the transaction of other business, if a quorum be present, without notice of such meeting, immediately following the annual meeting of members; or the time and place of such meeting may be fixed by consent in writing of all of the members of the Executive Committee; or such meeting may be held on notice given as hereinafter provided for special meetings of the Executive Committee.

Section 5. Regular and Special Meetings:

Regular meetings of the Executive Committee may be held at such times and places as may be fixed from time to time by resolution of the Executive Committee, except that at least three meetings shall be held each year, one of which shall be during the winter, and no notice need be given of such regular meetings. The President or the Secretary may call, and upon a written request signed by any member of the Executive Committee the Secretary shall call, special meetings which may be held at such times and places as designated in the notice or waiver of notice of such meetings.

Section 6. Notice of Meetings:

Notice of all special meetings of the Executive Committee may be given orally or by mailing written notice at least three days before the meeting to the usual business or residence address of each member of said committee, but such notice may be waived by any committee member. Any business may be transacted at meetings of the Executive Committee and need not be specified in the notice or waiver of notice of such meetings.

Section 7. Chairman:

At all meetings of the Executive Committee the President or Vice-President or in their absence a chairman chosen by the committee members present shall preside.

Section 8. Quorum:

At all meetings of the Executive Committee a majority of the members of the committee shall constitute a quorum for the transaction of business. If at any meeting there is less than a quorum present, a majority of those present may adjourn the meeting from time to time without further notice to any absent member, and may take such other and further action as is provided in Article IV, Section 3 of these By-Laws.

Section 9. Powers:

The Executive Committee shall have power to act for the Corporation in all matters, except those which are specifically reserved to the members by the Certificate of Incorporation, by these By-Laws or by the laws of the State of Connecticut. The Executive committee may by general resolution delegate to committees of their own number or to officers of the Corporation such powers as they may deem fit. The Executive Committee may establish and appoint such temporary or standing committees as they deem necessary or desirable in furtherance of the purposes of the Corporation.

Section 10. Action in Absence of Meeting:

If all of the members of the Executive Committee severally or collectively consent in writing to any contract, transaction or other action taken or to be taken by the Corporation, such contract, transaction or other action shall be as valid corporate action as though it had been authorized at a duly convened meeting of the Executive Committee. The Secretary of the Corporation shall file such consents with the minutes of the meetings of the Executive Committee.

Section 11. Conflict of Interest:

The Executive Committee shall adopt and periodically review a conflict of interest policy to protect the corporation's interest when it is contemplating any transaction or arrangement which may benefit any officer or member of a committee with board-delegated powers. No member of Cedarhurst Association shall be disqualified from holding office by reason of any "interest" provided that the "interest" of such member is fully disclosed to the Executive Committee. The Executive Committee shall by vote determine whether there is a conflict of interest, or an appearance of a conflict of interest, without the vote of the board member involved. If the Board determines there is a conflict of interest, the interested member shall be excluded from voting on any matter where such conflict of interest has been established. The Board may also exclude the member from any deliberations relating to the matters giving rise to such conflict of interest.

If the Board determines that there is not an actual conflict of interest, but there may be the appearance of a conflict of interest, the Board will determine whether the member may participate in deliberations or voting or both.

ARTICLE V OFFICERS

Section 1. Officers:

The officers of the Corporation shall consist of a President, Vice-President, Treasurer, Secretary, Assistant Secretary, and such other officers with such powers and duties not inconsistent with these By-Laws as may be appointed and determined by the Executive Committee. Any two offices, except those of *President and Vice-President* and *President and Secretary*, may be held by the same person. Said officers may be members or spouses of or an adult child of members, and shall be elected by a majority vote of the members entitled to vote present at the annual meeting of the Corporation.

Section 2. President:

The President shall be chairman of the Executive Committee, shall preside at all meetings of the Corporation, and shall appoint a nominating committee of no less than three members, one of which is not currently serving of the Board, and such other committees as may be established by the Executive Committee. The President shall have and exercise general charge and supervision of affairs of the Corporation and shall do and perform such other duties as may be assigned to him by the Executive Committee.

Section 3. Vice-President:

At the request of the President, or in the event of his absence or disability, the Vice-President shall perform the duties and possess and exercise the powers of the President; and shall have such other powers as the Executive Committee may determine.

Section 4. Secretary:

The Secretary shall have custody of the minute books of the Corporation and shall have charge of such other books, documents and papers as the Executive Committee may determine. The Secretary shall attend and keep the minutes of all meetings of the Executive Committee and the members of the Corporation. The Secretary shall keep a record containing the name,

alphabetically arranged, of all persons who are members of the Corporation, showing their places of residence, and such books shall be open for inspection as may be prescribed by law. The Secretary shall, in general, perform all the duties incident to the office of Secretary, subject to the control of the Executive Committee.

Section 5. Treasurer:

1. A Treasurer will be elected by the general membership on an annual basis. In the event of a delay in the vote for the position the existing Treasurer will remain in that role.

2. The Board (not the Treasurer) will engage the services of an independent accountant. The independent accountant will file the association's tax return and will be asked to submit an annual report to the President of the Association with a copy to the Treasurer.

3. The Treasurer will provide Cash Flow Reports during Board meetings and an Annual Report at the end of the fiscal year at the General meeting. At the same time the annual treasurer report is submitted, he/she will provide the Board with 1) a copy of all prior bank statements since the last treasurer report for all accounts, 2) a receipts by member report and 2) an expense by check report.

4. The Treasurer shall either save or scan all Association bills/invoices that are paid.

5. In order for a member to receive reimbursement, the expense must be approved by at least two Board members and the member must provide receipts and documentation of the date of the expense, member being reimbursed, who approved the expense and reason for the expense.

6. Any expense exceedingly above and beyond the annual approved budget must be approved by a majority of the executive committee prior to encumbering the corporation.

7. The Board shall appoint a Finance Committee.

8. The Finance Committee shall submit an annual budget.

9. The Treasurer shall request a minimum of two quotes for all expenditures in excess of \$350, unless the majority of the Board waives this policy on a case by case basis.

10. An Audit Committee shall be appointed at the end of the fiscal year to review the Association books. Treasurer shall make available all necessary documentation for this review and Committee shall report to the Board their findings.

Section 6. Assistant Secretary:

At the request of the Secretary or in the event of his absence or disability, the Assistant Secretary shall perform the duties and possess and exercise the powers of the Secretary; and shall have such other powers and duties as the Executive Committee may determine.

Section 7. Vacancies:

A vacancy shall exist when any officer ceases to be a member of the Corporation, dies or resigns, in which event the majority of the Executive Committee then in office, although less than a quorum, may elect an officer to fill such vacancy. The officer so elected shall hold office and serve until the first meeting of the Executive Committee after the annual meeting of members next succeeding and until the election and qualification of his successor.

Section 8. Removal:

Any officer may be removed from office by the affirmative vote of two-thirds of all of the members of the Corporation at any annual or special meeting called for that purpose, for nonfeasance, malfeasance, or misfeasance, for conduct detrimental to the interest of the Corporation, for lack of sympathy with its objects, for refusal to render reasonable assistance in carrying out its purposes, or if he permanently moves from the territory of the Corporation. Any officer proposed to be removed shall be entitled to at least five days' notice in writing by mail of the meeting, at which such removal is to be voted upon, and shall be entitled to appear with counsel and be heard at such meeting.

**ARTICLE VI
DUES AND ASSESSMENTS**

Section 1. Annual Dues:

Annual membership dues shall be fixed by the Executive Committee and assessed against all members of the Corporation.

Section 2. Assessments:

The cost and expenses of the Corporation, including the acquisition and maintenance of the water supply system, roads, docks, beaches moorings and other facilities, improvements, undertakings and activities of the Corporation shall be assessed and apportioned among all of the owners of property, except the Corporation itself, within the limits of the Corporation on the basis of one share of such expense for each separate property owner or group of joint owners. No member shall be required to share the expense of acquisition or maintenance of the water supply system unless it benefits either him or his property.

Section 3. Levy of Assessment:

The executive Committee shall have the power to levy assessments from time to time as the needs of the Corporation require, and all members by requesting that they be enrolled as members and paying their first annual dues specifically assent to, and agree to pay, all such assessments as may thereafter be levied by the Executive Committee. Whenever a title holder of record within the territory of the Corporation is not a member, but there are persons who are special members through designation by said title holder of record, or by virtue of their interest in the same property, all assessments which would have been levied against such record title holder were they a member, shall be levied against said special members, who shall be fully liable as though they were record title holders.

Section 4. Notice and Collection:

The Treasurer shall give written notice of all dues and assessments to the members liable therefore at least 15 days before the date fixed by the Executive Committee for payment. The Treasurer shall thereafter proceed to collect the amounts due from the various members and may use all lawful means to enforce the payment of all dues and assessments. Members who fail to make payment in full of dues and assessments within the period fixed by the Executive Committee for payment shall be subject to such fines and penalties as the Executive Committee may determine, and liable for the costs of collection including reasonable attorney fees.

Section 5. Expulsion for Nonpayment:

Failure by a member to pay annual dues and/or assessments by the due date established by the Finance Committee will result in termination of membership. The Member proposed for expulsion shall be given a fifteen (15) day grace period, during which time he may make payment of all delinquent amounts to be reinstated as a member of the Association.

**ARTICLE VII
REGULATIONS AND PENALTIES**

Section 1. Regulations:

The Executive Committee may adopt rules and regulations governing the use of water, roads, land, docks, beach areas, mooring and boating facilities, and may make whatever provisions they deem necessary for the enforcement thereof.

Section 2. Fines and Penalties:

The Executive Committee may prescribe fines and other reasonable penalties for nonpayment of dues and assessments, and for violation of any regulation adopted by the Corporation and may enforce payment thereof by the lawful means. Such fine or penalty, however, shall not exceed the current annual dues.

**ARTICLE VIII
PROHIBITION AGAINST SHARING IN CORPORATE EARNINGS**

No member, officer, Executive Committee member or person connected with the Corporation or having any personal or private interest directly or indirectly, in the activities, affairs, assets or property of the Corporation, shall receive at any time any of the net earnings or pecuniary profit from the operation of the Corporation, provided that this shall not prevent the payment to any such person of such reasonable compensation for services actually rendered to or for the corporation in effecting any of its purposes as shall be fixed by the Executive Committee.

**ARTICLE IX
AMMENDMENTS**

The By-Laws of the Corporation may be altered, amended or repealed at any meeting of the members of the Corporation by a majority vote of all the members entitled to vote, whether or not present at such meeting provided that a statement of such proposed alteration, amendment or repeal has been included in the notice of the meeting.

ARTICLE X

USE OF FACILITIES

Use of the properties and facilities of the Corporation, including any beach areas, moorings, floats, launching ramps and other recreational facilities shall be limited to members of the Corporation, their immediate family and guests. No guest will be permitted to use such properties or facilities unless accompanied by a member. Because said facilities are maintained solely for the use and enjoyment of such members and their immediate families, they will not be available for organizations, clubs, large groups of non-members or other similar forms of overuse. The Executive Committee, acting in accordance with the power conferred in these By-Laws to adopt rules and regulations, may at any time and on any day limit the number of persons using such facilities of the Corporation whenever crowded conditions pose a possible threat to the health, welfare and enjoyment of such facilities by the members of the Corporation.

ARTICLE XI FLOATS AND FINGER FLOATS

All floats and finger floats shall be owned, maintained and managed by the Cedarhurst Association. Maintenance shall be provided by the Association to assure structural safety and a uniform appearance. Rental fees assessed will be dependent on the degree of upkeep.

Cedarhurst Association
By-Law Revision Date:
December 2016

