

2002-2003

Annual Meeting was held on June 2, 2002

**The 2002 annual meeting of the LWBA was held on the 2<sup>nd</sup> of June, at the American Legion Hall (Rt 207) Lebanon CT. President Bob Hathaway, called the meeting to order at 1:10 p.m. There were 18 voting members present, 8 non-voting members and 10 proxy votes submitted.**

**SECRETARY'S REPORT:**

**Mary Anderson read the minute from the last annual meeting. A motion to accept as read was made by Rick Nelson. 2<sup>nd</sup> Zane Mercier. Vote to accept - Unanimous.**

**TREASURER'S REPORT (see attached).**

**Gil Koss submitted his report. He noted that last year we spent more than we took in with the purchase of the newly acquired property adjacent to the acre and the 2<sup>nd</sup> largest expense being Beach and Property Maintenance. There is \$2,000 in the Beach and Property Committee budget (the committee can spend up to that amount without coming back to the membership). Motion to accept by Joe O'Keefe. 2<sup>nd</sup> - Jim Viccaro. Vote to accept - Unanimous.**

**AUDITORS REPORT**

**April Schulze read a statement saying that she and Kent Sleath had audited the books for this year and found that they are accurate. Motion to accept - Rick Nelson 2<sup>nd</sup> - Zane Mercier Vote to accept - Unanimous**

**TAX COLLECTORS**

**TREASURER'S REPORT (see attached)**

**Dave Sorenson reported that the only important number is the \$4,964.94 that the Treasure has received, although an additional \$87.03 has been collected.**

**Motion to accept - Rick Nelson 2<sup>nd</sup> - Zane Mercier Vote to accept - Unanimous**

**President Hathaway gave special thanks and recognition to all the officers and special individuals who worked hard in various capacities on behalf of the Association last year. He reported that the picnic was a big success and was done at no cost to the membership, in fact a profit was realized. The tag sale was also successful.**

**OLD BUSINESS:**

THE LWBA now owns the lot adjacent to the acre that was offered to the membership at last years meeting for \$1,500 free and clear. Kent Sleath and Dave Schulze had recommended the use of an attorney in Hebron and the end cost to the association was a little over \$2,000.

Discussion took place on whether to clear the land and the potential use for the property (parking, recreation, holding meeting at ground level rather than climbing the hill to the acre, the potential for a club house in the future). The matter was tabled for discuss at the next board meeting. Also tabled for the next board meeting - the problem with horses using the acre as a right-of-way. According to law they are trespassing and in that they have already been notified both by letter and personally, enforcement measures should be looked into should the problem persist. It was noted that two individuals had given their permission for the horses to use their property as a pass through. It was stated that if individuals wish to allow passage on their own property and assume personal liability for such that is their business. We are only talking about association owned property.

**BY-LAWS:**

We will soon be bringing by-laws before the membership for *consideration* ~~approval~~. Presently the question of Ordinances vs. By-laws is being reviewed. The Law and Order Committee meet with Trooper Maynard and he said that he prefers the adoption of Ordinances because, in his opinion, they are more likely to be upheld in court.

Rick Nelson questioned the association's authority to make ordinances. He said that as First Selectman in Cromwell for four years he dealt with many associations for condominiums and they cannot make ordinances. Only the town can make ordinances.

Anderson responded that we are entirely different from a condominium association and that, as a quasi-public entity, we have powers granted by statute that they do not, among which is the power to adopt ordinances/bylaws. With our group they are one in the same and carry the same power. Discussion followed. Suggested we try and get something from Trooper Maynard in writing regarding this matter.

**NEW BUSINESS:**

Hathaway reported that within the next month he would be calling a meeting for the purpose of making committee appointments.

He also reported that while the water and its treatment is beyond our jurisdiction – none-the-less – the health and well being of the residents in the area are and mentioned that there was article in last weeks Hartford Courant relative to the use of 2-4D and cancer for those who are following the issue.

**BUDGET PROPOSAL:**

**Setting of the Tax Rate.** Gil Koss reported that the tax rate would remain at \$40 again this year. Mercier questioned whether this would leave us short. Discussion followed.

**Motion to keep tax rate at \$40 by Lenny Pomerleau. 2<sup>nd</sup> – Zane Mercier Vote to accept Unanimous**

**ELECTION OF OFFICERS for 2002-2003:**

Hathaway reported that the nominating committee met on May 29<sup>th</sup> at the Community Center. The slate of officers being presented for consideration, with the exception of Marcel Jacques, is the same as last years. The name of Philip Godeck, Sr. was submitted to fill the Jacques vacancy.

**Nominations from the floor - none. Motion to close nominations – Gil Koss. 2<sup>nd</sup> - Joseph O’Keefe. Motion carried**

**Gil Koss made a motion that the Secretary cast one vote for the slate as recommended by the nominating committee – Bob Hathaway, President, Jane Sleath, Vice President, Treasurer Gil Koss, Tax Collector Dave Sorenson, Secretary Mary Anderson, Board of Directors Joe O’Keefe, Lenny Swanson, April Schulze and Philip J. Godeck, Sr.**

**2<sup>nd</sup> – Anderson. Motion carried with Unanimous vote.**

**TAG SALE:** Hathaway reported that the Moorcroft’s said would be happy to do the tag sale again this year. Date - beginning of July.

**PICNIC:** Jane Sleath consented to take charge of the picnic. The target date this year is the beginning of August.



DISCUSSION:

Lake Draw Down - Zane Mercier questioned Hathaway with regard to the letter written to the Flood and Erosion Board requesting, on behalf of the membership, a lake draw last fall, saying as president Hathaway had exceeded his authority.

Hathaway responded that he acted upon the directives given him by the board and that he personally could have cared less as an individual as it doesn't affect him one way or another. The Beach and Property Committee had brought to the attention of the board that there was a great deal of silt in the boat launching area of 2<sup>nd</sup> beach and the fall presented a good opportunity to bring in some equipment and remove the materials so that this year there would be no problem at the beach for those who wish to launch boats. In addition, there were other members of the association who had a problem with their retaining walls and asked for a draw down. Periodic drawdowns were an agreed upon part of the negotiations with the formation of the special taxing district when the town made the purchase of the dam.

Anderson stated that Hathaway did act on his own. The letter in question was done at the directive of the Board of Directors and sited minutes pertaining to the same. She said if there was a problem perhaps it was the verbiage she used when writing the letter, that being the phrase: I am writing: "on behalf of the Lake Williams Beach Association" rather than "on behalf of the Lake Williams Beach Association Board of Directors".

Hathaway stated that in the future if individuals are interested in a lake draw down he would suggest that they pursue it either on an individual basis or as a group - not as part of the association.

Meeting Locations: Mercier again said the President had exceeded his authority both this year and last by moving the meeting from the Acre to a town facility. Hathaway responded that last year he had received requests from individuals with medical problems who were unable to traverse the Acre, asking that a place with handicapped accessibility be found - sighting the American with Disabilities Act and also State Election Laws in that voting was to take place. This left him mandated by law to act. However, also given consideration when making the decision was the fact that we have a growing elderly population who are finding it difficult to get up to the acre, meetings are getting extended to sometimes four or five hours, there are no bathroom facilities available at the Acre,

and when the weather is bad there is no protection from the elements.

Anderson read from minutes of the last Board of Directors Meeting where this issues had been discussed. A motion directing Hathaway to find a suitable meeting place in town (Firehouse, Community Center, American Legion or whatever else might be available) to hold the annual meeting was made by Sorenson with a 2<sup>nd</sup> by Anderson. The motion carried with a unanimous vote of the board (Jacques and Swanson absent and not voting).

With no other business to come before the group the chairman entertained a motion to adjourn. Motion by Rick Nelson - 2<sup>nd</sup> Ron Steinhilber. Motion carried with a unanimous vote. Meeting adjourned at 4:20 p.m.

Respectfully submitted.



Mary Anderson  
Secretary

Lake Williams Beach Association  
 Financial Report and Budget Recommendation  
 June 2, 2002

EXPENDITURES	BUDGETED AMOUNT	ACTUAL	PROPOSED 7/02-6/03
Liability Insurance	2800.00	1841.00	2000.00
Town Property Tax	500.00	259.83	400.00
Secretary's Fee	100.00	100.00	100.00
Treasurer's Fee	100.00	100.00	100.00
Tax Collector's Fee	500.00	500.00	500.00
Collection Expenses	150.00	49.89	150.00
Auditor's Fees	50.00	50.00	50.00
Postage & Stationery	300.00	213.14	300.00
Board of Directors Expense	200.00	200.00	200.00
Annual Picnic Expense	700.00	000.00	300.00
Legal Expense	400.00	-0-	400.00
Miscellaneous Expenses	200.00	2179.15	200.00
Association Security	000.00	-0-	
Emergency Reserve Fund	350.00	-0-	350.00
Beach & Property Maint/Cnstr	2000.00	210.00	2000.00
<b>TOTAL</b>	<b>\$8050.00</b>	<b>5443.12</b>	<b>7050.00</b>

Revenues from Member Fees/Tax	\$4964.94		
Savings Account Interest	80.38		
Revenue from Tagsales	50.30		
Revenue from Picnic	130.47		
Savings Account Balance	5138.84	(as of 5/12/02)	
Checking Account Balance	583.81	(as of 5/12/02)	
Total Cash Available	5722.65	(Total of Savings & Checking)	

Expenditures for '01-'02	5580.81
Total Income	5226.09
Operating Deficit	(354.72)

Proposed Member Tax for Fiscal Year 7/1/02 thru 6/30/03 = \$40 per Member \*

\* Treasurer's Comments:

The Miscellaneous Expense of \$2179.15 was a One-Time Expense. It was to complete the purchase of additional property. This expense has been offset by the limited use (\$210) of the \$2000 allocated for Beach & Property Maintenance, and the Income (\$180.77) from the Annual Picnic and Tagsale.

I believe that we should plan for Expenses to be approximately \$5500 for the coming Fiscal Year.

Gilbert A. Koss, Treasurer

+ - - ===== - - +  
 Lake Williams Beach Association Tax Collector's Report  
 Annual Meeting June 2, 2002  
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Anticipated Year 2001 Income: \$5187.40

131 taxable properties  
 128 billed \$40.00 each, 103 owners  
 1 billed \$34.70 (- \$5.30 2000 overpayment), 1 owner  
 1 billed \$32.70 (- \$7.30 2000 overpayment), 1 owner  
 1 not billed (condition of Badeau lot sale to LWBA)

Receipts of Anticipated Year 2001 Income: \$4634.70

115 paid at \$40.00 each  
 1 paid \$34.70 (- \$5.30 2000 overpayment)

Other Receipts: \$417.27

\$8.40 2 2001 overpayments (credit in 2002)  
 \$98.40 Interest from late payments:  

-- 1998 --	-- 1999 --	-- 2000 --	-- 2001 --
\$1.57	\$15.75	\$53.10	\$27.98

 \$310.47 Principal from previous tax years:  

-- 1998 --	-- 1999 --	-- 2000 --
\$10.47	\$60.00	\$240.00

Receipts: \$1189.80 to Treasurer 07/08/2001  
 875.85 to Treasurer 07/13/2001  
 1385.15 to Treasurer 07/30/2001  
 996.89 to Treasurer 08/04/2001  
 40.00 to Treasurer 09/01/2001  
 40.00 to Treasurer 09/09/2001  
 134.00 to Treasurer 10/04/2001  
 8.75 to Treasurer 11/17/2001  
 45.00 to Treasurer 12/20/2001  
 249.50 to Treasurer 01/31/2002  
 87.03  
 -----  
 \$5051.97 total collected  
 \$4964.94 total transferred to Treasurer

Uncollected Anticipated Year 2001 Income: \$552.70

13 unpaid \$40.00 each, 8 owners  
 1 unpaid \$32.70 (- \$7.30 2000 overpayment), 1 owner

  
 David H. Sorenson



Bank of Hope 1033 WHITE 0128 GREEN	CHIC #	Date	Description	Deposits	Transfers Chks/Withdrawal	Checking Acct. Bal.
		5/29/01	Checking Acct. Balance	1,518.91		
1031	6	6-23-01	Postmaster P.O. Box 52 Fee		32	1,486.91
1032	7	6-23	April Schulze - Auditor Fee		25	1,461.91
1033	8	6-23	B. Kent Sleath - Auditor Fee		25	1,436.91
1034	9	6-23	Mareel Jacques - Reimb. Picnic Expense		70.80	1,366.11
	10	7-13	Transfer to LWBA Savings Acct		500	866.11
	11	7-13	Member Tax	1,189.80		2,055.91
1036	12	7-14	Bob Hathaway - Printing & Postage	<del>54.20</del>	54.20	2,001.71
1037	13	7-14	Mary Anderson - Printing & Postage	<del>615.46</del>	34.68	1,967.03
*1035	14	7-30	Lebanon Tax Collector		259.83	1,707.20
	15	7-31	Member Tax	875.85		2,583.05
	16	8-4	Member Tax	1,385.15		3,968.20
	17	8-11	Member Tax	996.89		4,965.09
1038	18	8-18	Gilbert Koss Picnic Flyers		61.91	4,903.18
1039	19	9-7	Kalom & Borst Purch. of Badeau Prop.		2,199.15	2,724.03
	20	9-8	Member Tax (\$40) & Picnic Income (\$130.47)	170.47		2,894.50
	21	9-15	Member Tax (\$40) & Toy Sale Income (\$50.30)	90.30		2,984.80
1040	22	9-18	Robert Hathaway - Postage & Printing		8.67	2,976.13
	23	10-13	Member Tax	134.00		3,110.13
1041	24	11-26	Bob Hathaway - Printing for BOD Mtg.		28.68	3,081.45
	25	11-27	Member Tax - Acct Bal.	8.95		3,090.20
	26	12-20	Member Tax	45		3,135.20
	27	1-31-02	Member Tax	249.50		3,384.70
1042	28	4-10	Doughterty Insurance - Lab. Prem.		1,841.00	1,543.70
1043	29	4-20	Mary Anderson - Sec. Fee		100	1,443.70
1044	30	4-20	Gilbert Koss - Treas. Fee		100	1,343.70







By-Laws – Draft – never approved

**TO: Robert Hathaway, President Lake Williams Beach Association**

**FROM: Mary Anderson, Chairman**

**DATE: June 25, 2002**

**Mr. President:**

Through you, I would like to present to the Board of Directors for review for recommendation to the membership at a meeting held for said purpose, the following recommended revisions to the LWBA Bylaws/Ordinances.

The revisions suggested reflect the expressed wishes of those members of the association who elected to actively participate in meetings held for the purpose of revising our present By-laws/Ordinances.

### **RECOMMEDED CHANGES TO THE PRESENT BY-LAWS**

**OLD 1) Meetings and Voting Procedures** - Insert the Word annual and all special meetings to provide clarity.

**Will Now Read:** “In addition to the posting of the annual and all special meetings of the association on the bulletin board ten (10) days prior to the date of such meeting, a copy of the notice shall also be sent along with the agenda for the meeting to each voter of said association”.

**OLD 2) Notice of Board of Directors Meetings** –remove the words on a “spectators only” basis and the word “all” in the last sentence. {Thought that terminology might be viewed as offensive}

**Will Now Read:** “Notice of Board of Directors Meetings shall be posted on the bulletin board at least 5 days prior to the date of such meeting. All Board of Directors Meetings shall be open to dialogue from members. Voting will be limited to board members only.

**OLD 3) Agenda** – remove from old by-laws the wording in the 1<sup>st</sup> paragraph – “A brief time period shall be provided at the close of each meeting for open discussion. Any item approved at that time for consideration by the association shall be placed on the agenda of the next scheduled meeting”.

Make change in the 2<sup>nd</sup> paragraph -- the word **or** before secretary change to **and** -- also the word choosing to **wishing**.  
(Reason: to insure that the request is received and processed)

**Will Now Read:** “An agenda shall act as the format for all meetings of the

**Beach Association and the order of the call shall be deviated from only by vote of the attending membership.**

**Anyone wishing to have an item placed on the agenda for a meeting shall present such request in writing to the president and the secretary 20 days prior to said meeting.”**

**OLD 4) Sign-in-Sheets** – Remove old language – make sign-in sheets mandatory rather than saying members are asked to sign in. There should be two sign in sheets – one for designated voters to be used for roll call votes and one for attendees.

**Will Now Read: “There shall be two sign-in sheets available at each annual or special Association meeting (one for designated voters and the second for attendees). All will be required to sign in upon arrival at the meeting.**

**These lists will serve a two-fold purpose:**

**A legal record of attendance for each meeting, and roll-call list of voters on any issue to come before the group that is not unanimously agreed upon.**

**OLD 5) REMOVE IN IT’S ENTIRETY** – Old section 5 of the By-laws Secretary Shall have available and in his/her possession at each meeting an updated list of all eligible voting property

**This is not a by-law but mandated by charter**

**OLD 6) PROXY VOTING** - Old Section to be deleted and replaced with the following:

**VOTING** - There shall be a **STANDARDIZED FORM** for Proxies (not to automatically sent to each member but GIVEN **OR SENT UPON REQUEST** (to either the Secretary or the President).

A notary or Justice of the Peace shall notarize each proxy).

**Roll call votes** be taken on each issue to come before members.

In addition to the membership list, which the charter requires to be at hand during all meetings, a list be prepared containing names of owners of each property – and beside each name of the individual designated to cast the vote on behalf of the property owner be listed.



## **SECTION: BY-LAWS GOVERNING BOARD OF DIRECTORS, OFFICERS AND COMMITTEES**

**OLD 1) Committees - ~~Strike~~ both subsections (a) and (b)** - The charter spells out what the committees are and the method for appointing the chairs to those committee (the president) **They are powers vested by charter and not by-laws**

**OLD sub section c - KEEP - reads, "All committees shall be subject to the authority of the Lake Williams Beach Association Board of Directors**

**OLD 2) Beach and Properties Committee - STRIKE - again this is spelled out in charter**

**OLD 3) Bonding - Directors, with the approval of the membership, will set the amount of bonding for the Treasurer, Tax Collector, and the Constable.**

**Recommendation that there should be insurance on all of some sort.**

**OLD 4) Honorariums - Keep - Leave amount fluid**

**OLD 5) CHECKS - Keep - Reads:** "The Treasurer, with the authorization of the Board of Directors shall draft checks for budgeted expenses and/or those approved by special meeting of the association. Said checks shall be co-signed by BOTH the Treasurer and the President, or in the absence of either party, the secretary of the association".

**OLD 6) Closing of Books - Keep the same concept - change the wording from "shall consist of" replacing it with "shall be audited by" **Now will read:** " The books of the Treasurer will be closed four (4) weeks before the annual meeting (1<sup>st</sup> Sunday in June). The books shall be audited by (2) voting members of the association to appointed by the President".**

**OLD 7) Meeting Records -**

**STORAGE OF DOCUMENTS** - In addition to the Secretary's requirement to have a copy of all documents/minutes - for security reasons, that it be required

that a copy be placed in the cabinet a the town hall. (This may be beneficial to the secretary in a long run, who could then make an appointment to meet at the town hall with anyone desiring to review copies of the documents where there will also be access to a copy machine.

A duplicate key to this cabinet shall also be given to the President of his/her designee in the event that the Secretary is away. However, a key SHALL NOT be given to personal at town hall for security reasons and to assure that the responsible party (in this case the secretary) is protected from having documents that he/she is responsible for disappear if some inadvertently walks off with the original (rather than a copy of the document)

## **BY-LAWS GOVERNING FINANCES**

### **OLD 1) Emergency Fund – KEEP**

**Reads:** “An UNFORSEEN EMERGENCY RESERVE FUND in the amount of \$350.00 shall be maintained at that level. Interest earned by this fund shall be put into the general fund. This fund shall only be spent upon approval by the LWBA membership attending a regularly scheduled Special Meeting.”

### **OLD 2) Allocation of Unused Funds – KEEP**

**Reads:** “At the end of the fiscal year, all monies allocated in the budget and not spent, shall be placed in the general fund”.

**OLD 3)** “Money collected from violations must be paid to the Treasurer to be deposited in the general fund. – **KEEP**

## **BY-LAWS GOVERNING GRIEVANCES:**

### **OLD 1) STRIKE OLD WORDING AND IN IT'S PLACE -**

**RECOMMENDED NEW WORDING** – “The Board of Directors may act as the preliminary appeals board in the settling of grievances. An aggrieved association member shall provide written notice to both the secretary and president of the association who in turn will give notice to the Board of Directors.

A meeting to hear the grievance shall be called within 30 days of receipt of the complaint and a written decision shall be rendered by the board and sent to the aggrieved party by certified mail within 30 days of said meeting.”



## **BY-LAWS GOVERNING CHANGE**

**OLD 1) - reads** – There shall be no change of the Association by-laws unless said change is recommended by the Board of Directors and approved by a two-thirds majority vote of the corporate members present at an association meeting.

**RECOMMENDED NEW WORDING** - “There shall be no change of the association by-laws unless said change is recommended by the Board of Directors or petitioned to the membership for a vote by 29 designated voters. For approval of a by-law change a two-third vote of the corporate members present at an association meeting is required.

**DRAFT**

## **BY-LAWS GOVERNING SIGNS**

**OLD 1) reads** – Permits must be obtained from the Beach and Properties Committee for any sign placed for advertising purposes.

**STRIKE – BEACH AND PROPERTY** Committee

**New Wording** – “Permits must be obtained from the Property and Equipment Committee for any Sign placed for advertising purposes.

## **BY-LAWS GOVERNING USE OF ASSOCIATION PROPERTIES**

**OLD A)** Bylaws are applicable to ALL Association Property

**STRIKE – really not necessary – it is understood by the title itself.**

**RECOMMENDED THAT EACH OF THE OF THE 14+ ITEMS IN THIS SECTION BE CALLED ‘ORDINANCES’** {A legal ruling given says that there really is no difference between our bylaws and an ordinance – both hold equal weight) however – Resident Trooper Maynard has requested the name ordinance be used because he feels courts look more favorably with that title when it comes to enforcement.

Maynard said that he is willing to sit down and give recommendations based upon what is enforceable – and what amounts would need to be levied in order to make it worth his office coming out to enforce.

**OLD 1) “All beaches and recreation areas are reserved for the exclusive use of association members and their guests.” - KEEP**

**OLD 2) "No vehicle(s) shall be allowed in or on designated swimming areas" - KEEP**

**OLD 3) "No vehicle(s) or boat trailer(s) shall obstruct the access or exit of any other vehicles on the beaches or other association property - KEEP**

**OLD 4) "After boats are launched, all boat trailers must be returned to the member's property. No boat trailer is to be left on beaches or in parking areas." - KEEP**

**OLD 5) "No boats are permitted in swimming areas" - STRIKE - in swimming areas**

**NEW WORDING - "No boats are permitted on beaches designated as swimming areas."**

**OLD 6) - No overnight (dusk to dawn) parking of vehicles is allowed on association property without prior permission of the Beach and Properties Committee chairman, evidenced by a permit to be visibly displayed in the front windshield of the vehicle.**

**CHANGE - Beach and Properties - to PROPERTY AND EQUIPMENT chairman - the rest remains the same.**

**NOW READS: " No overnight (dusk to dawn) parking of vehicles is allowed on association property without prior permission of the Property and Equipment Committee chairman, evidenced by a permit to be visibly displayed in the front windshield of the vehicle".**

**OLD 7) Parking is permitted in the designated parking areas at each beach area, only when using the beach. Exceptions are permitted with prior written permission of LWBA Security or Beach and Properties committee chairman.**

Vehicles utilizing parking areas must prominently display either a LWBA membership parking sticker or a currently dated guest parking permit, on the vehicle.

**STRIKE) Beach and Properties - replace with "PROPERTY AND EQUIPMENT"**

**Now Reads: " Parking is permitted in the designated parking areas at each beach area, only when using the beach. Exceptions are permitted with prior written permission of LWBA Security or Property and Equipment committee chairman.**

Vehicles utilizing parking areas must prominently display either a LWBA membership parking sticker or a currently dated guest parking permit, on the vehicle."



**OLD 8) "No changing of clothing in vehicles is permitted" - KEEP**

**OLD 9) "No fires or camping is allowed on the beaches" - KEEP**

**OLD 10) "No trash is to be thrown or left on association property or in the water". - KEEP**

**OLD 11) "Members and their guests utilizing association property do so at their own risk"**

**KEEP**

**Old 12) "No loitering is permitted" - KEEP**

**Old 13) Watercraft left on the beaches after 9:00 p.m. must be identified with the owner's name and lot number prominently displayed or registered with LWBA Security Staff.**

**CHANGE Security Staff to Property and Equipment Chairman**

**NOW READS - "Watercraft left on the beaches after 9:00 p.m. must be identified with the owner's name and lot number prominently displayed or registered with LWBA Property and Equipment Chairman".**

**Old 14) Launching of Personal Watercraft (jet Skis) is not allowed**

**Discussion - Liability CHANGE TO READ**

**"For reasons of liability ad public safety, launching of personal watercraft (jet skis) is not allowed from association owned property".**

**Old 15) "Drinking or possession of alcoholic beverages on association property is strictly prohibited" - KEEP**

## **BY-LAWS APPLICABLE TO CERTAIN ASSOCIATION PROPERTY**

## **SECTION ENTILED BEACH #1**

**Vote to maintain that section of the Old-Bylaws as written**

**Section Reads:**

**“Use of this beach is limited to: (1) Parking of vehicles within the area designated for the purpose; (2) swimming (3) launching of carry-on, non-motorized boats; (4) storage of non-motorized boats and canoes.**

**Boats and canoes stored at this beach must be locked down and secured.**

**Storage of more than one (1) boat and/or canoe per property owner is not permitted.**

**Fishing is not permitted in this area.”**

**DRAFT**

## **Old Bylaws – Section Entitled Beach #2 (Located directly off Lake Shore Drive between Beach #1 and Beach #3)**

**Section Reads:**

**“Use of this beach is limited to (1) Parking of vehicles within the area designated for this purpose; (2) swimming in the area designated for this purpose; (3) fishing (except in the designated swimming area; (4) Launching of boats; (5) storage of boats no closer than 20 feet from the water”**

**Recommend – 20 feet be changed to 40 feet**

**Would now read – “Use of this beach is limited to (1) Parking of vehicles within the area designated for this purpose; (2) swimming in the area designated for this purpose; (3) fishing (except in the designated swimming area; (4) Launching of boats; (5) storage of boats no closer than 40 feet from the water”**

## **Old Bylaws – Section Entitled \_ Beach #3 (located directly off Lake Shore Drive at the junction of Rittlinger Circle)**

**Vote to maintain this section of bylaws as written**

**Reads:**

**“Use of this beach is limited to: (1) Parking of vehicles within the area designated**



A combination lock is put in place on the gate located at 2<sup>nd</sup> beach. When taxes are paid members will be given the combination number. The locks combination will be changed each year at tax time.

Relative to a discussion with Officer Maynard and members of the Law and Order Committee it was agreed that the combination should be provided Officer Maynard, should this recommendation carry, in order that public safety officials have access to the water from 2<sup>nd</sup> beach should there be a need.

Also recommended that a list be provided of individuals who own boat that would be willing to allow the use of their boat to emergency and public safety in the event that it is needed.

Signs be put up saying "No Trespassing - Private Property". Anyone who does trespass should be prosecuted - fines need to be attached.

Title as - (ORDINANCE)

- 1) Prohibit the use of 2<sup>nd</sup> beach for boat launching by any commercial Business as a means of providing lake related recreation as part of conducting their business. Title as - (ORDINANCE).

#### MEETING NOTICES

Meetings of the Association - Notices shall be sent out and the agenda spelled out. {Freedom of Information - 1) all members must know about meetings (posting or mailed notice), 2) all members must be allowed to attend meetings held at a place at which they feel comfortable should they desire to attend, 3) all votes taken at ay meeting be recorded and reduced to writing, recording who voted which way with roll call votes.

Per: ATTORNEY ERIC TURNER - FREEDOM OF INFORMATION  
COMMISSION

for this purpose; (2) swimming; (3) launching of carry-on, non-motorized boats; (4) storage of non-motorized boats and canoes.

Boats and canoes stored at this beach must be locked down and secured. Storage of more than one (1) boat or canoe per property owner is not permitted.

Fishing is not permitted in this area.

## **SECTION ON FINES – Recommend - Delete in it's Entirety**

Section reads: For any violation of the By-laws established by the LWBA a fine of \$25.00 is hereby established.

Fines not resolved within 90 days of issue are subject to additional fines of \$25.00 for each additional period of 90 days or less within which each fine is not resolved. The maximum amount of which shall not exceed \$500.00 plus interest and legal fees for each violation. Nonsettlement of fines shall constitute a lien on offending member's property and shall be registered as such with the Town of Lebanon.

Members shall be directly accountable for violations of by-laws perpetrated by Their guests, lessees, or renters.

**We can't charge interest and compound the fine for non-payment  
We have to go to court**

**Our charter does not provide a lien mechanism for fines. It specifically allows  
For fines to be recovered by legal action brought before court with jurisdiction  
An association or municipality cannot assume a power, such as alien to collect  
A fine, unless it is specifically granted by statute or through special act.**

**Again, if captioned Ordinances, Officer Maynard said he would meet and  
Determine fines.**

## **OTHER ITEMS RECOMMENDED FOR CONSIDERATION**

### **BOAT LAUNCHING**

**Owners should be present (no exceptions) with all guests who are  
launching from 2<sup>nd</sup> Beach**

## CHARTER

Section 4 (Charter) Powers to regulate.. "the character of the construction of buildings, etc. ....

RECOMMENDED that a bylaw be enacted prohibiting lots to be used for overnight camping in trailers. (there are two campsites already on the lake that can be used for such purposes).

**DRAFT**

Section 9 (Charter) - Right to Vote

Section: A minor has no right to vote at meeting -(indicates age begin 18 -

RECOMMEND THAT Bylaws reflect the age change for a minor -  
from 18 to 21



RECOMMEND - Bylaw - All meetings be held in a place that provides accessibility to all members - [in compliance with the American with Disabilities Acts and FOI) such as town hall, community center, fire safety complex (whatever may be available at the time of the meeting in question).