**Waterfront Heights Association, Inc.**

 **By Laws**

[Updated 5/19/2022]

**Section 1: Object of Waterfront Heights Association.**

The object of said association shall be to provide for the improvement of roads, lands, and water in said territory, and for the health, comfort, protection and convenience of the inhabitants, and landowners thereof.

Restrictions: No member or individual may cut brush or trees on association roads without first seeking authorization from the Board of Directors or the Road Committee. This restriction does not apply to privately owned property within the association, but to association owned property only. Any new driveway(s) onto an association road must have a drainage culvert installed beneath said driveway. All new construction must have drainage directed to and tied into culverts in existence or provide such culvert if one does not exist.

**Section 2: Right to Construct.**

The association has a right to construct but not a duty to do so. If an individual, builder, or developer builds on a paper road said individual, builder, or developer must pay for such development of said paper road and thereafter the association will maintain such road. The Association may require any builder, developer, or individual who wishes to construct within the association on existing association roads post a bond in the amount of $20,000. This may be required as the heavy equipment may cause damage to association roads. All proposed building, construction, or improvements within the bounds of the Association shall comply with all of the Town of Coventry’s zoning regulations, ordinances, and other written rules. Further, roads must be installed and approved by the Town of Coventry’s Fire Marshall, and other town officials who have a concern prior to the construction of any dwelling. Also, any road installed must be in accordance with town standards as detailed in SS#, Section 3.1.

**Section 3: Duly Qualified Member.**

Only duly qualified members in good standing of the Waterfront Heights Association shall be entitled to vote at any meeting of the association, and only duly qualified members in good standing may be eligible to hold any office in said association. However, any property owner in good standing may sit on a committee of the association. In good standing shall be defined as having paid all tax liability currently due the association in conformance with the provisions contained herein. All owners of fractional or undivided interest in any lot of record shall be entitled collectively to one vote to be cast as the majority in interest shall determine. No member shall have more than one vote. Each member of the association, and those who shall become a member of said association, shall file an information card with the secretary and/or the treasurer. Said information card shall be provided to said member and shall be returned within thirty (30) days of receipt.

**Section 4: Board of Directors**.

The board of directors shall consist of no fewer than seven (7) or greater than nine (9) members. At annual meetings thereafter, successors for members of the board whose terms expire that year shall be elected for terms of three years each. At no time shall the board of directors consist of more than any two members from any household, however only one member of a household may be an officer on the board of directors. Other sections of the by-laws still apply to voting rights at Association meetings.

At said annual meetings officers shall be elected for a term of one year. The officers shall be a president, vice president, secretary, treasurer. No board member or officer of the association shall become an employee of the association, and no board member or officer shall receive any compensation from the association for the performance his or her duties.

**(a)** President: The president shall preside at all meetings of the association and of the board of directors; shall countersign, as may be necessary, all such bills, notes, checks, contracts, and other instruments as may pertain to the ordinary course of the association business and shall with the secretary sign the minutes of all meetings over which the President may have presided. At the annual meeting of members, the President shall submit a complete report of the operation of the association for the preceding year and the projections for the upcoming fiscal year. The President shall present a statement of association affairs as exist at the close of the fiscal year. The President shall be, ex officio, a member of all standing committees, with the exception of the grievance committee, shall have such usual powers of supervising and management as may pertain to the office of chairman or president and perform such other duties as may be required of the President by the board of directors. He shall report to the board of directors from time to time all matters coming within his notice and relating to the interests of the association. In the absence of the president the vice president shall preside at meetings of the association and board, the treasurer shall preside in the absence of both and in the absence of all three the secretary shall preside.

**(b)** Vice President: The vice president shall assist the president and share in the responsibilities and duties of the president under the president’s direction and guidance.

**(c)** Treasurer: The treasurer shall have custody of and be responsible for all monies; shall keep full and accurate records of accounts in the books belonging to the association, showing the transactions of the association, its accounts, liabilities, and final condition; and shall see that all expenditures are duly authorized and are evidenced by proper receipts. The Treasurer shall deposit, in the name of the association, in a depository approved by the directors, all money that may come into their hands for the association account. The books and accounts shall be open at all times during business hours to the inspection of any member in good standing of the association. The treasurer shall also endorse for collection or deposit all bills, notes, checks and other negotiable instruments of the association; shall pay out money as may be necessary in the transactions of the association, either by special or general direction of the board of directors, on checks signed by the president and the Treasurer, and shall generally, together with the president, have supervision of the finances of the association. In the absence of either the President or Treasurer, the Secretary shall be the additional signer of the checks. The Treasurer shall also make a full report of the financial condition of the association for the annual meeting of the members and shall make such other reports and statements as may be required of the Treasurer by the board of directors or by law. The Treasurer shall give bond in the amount of $25,000 with sureties satisfactory to the board of directors, for the faithful performance of his duties. The board of directors shall have the right to increase the amount of said bond, if needed for the protection of the association

**(d) Tax Collector:** The tax collector shall be responsible for the billing and collecting of taxes, fees, dues, or any other monetary assessments for the Association. The collector of the Association shall have the same powers as tax collectors in towns. The association may require the tax collector to provide sufficient surety bond contingent upon the services performed or his duties and the cost of such bond shall be on the association. The collector for the Association shall be entitled to all fees provided within the Connecticut General Statutes.

**(d)** **Secretary**: The secretary shall keep full records of all meetings of the association and of the board of directors either by print or electronic means; shall read a meeting summary at proper meetings; shall issue all calls for meetings, orders and bylaws and notify all officers and directors of their election. The secretary shall also sign with the president all contracts, deeds, licenses, and other instruments when so ordered. The secretary shall make such reports to the board of directors that they may request and shall also prepare such reports and statements as required by law. The secretary shall attend to such correspondence and to such other duties as may be incidental to the office or properly assigned to them by the board.

**(e)** **Executive Committee**: The executive committee shall consist of the president, vice president, treasurer and secretary which shall be part of the permanent executive organization of the association and shall in the interim between meetings of the board of directors, exercise all the powers of that body, in accordance with the general policy of the association and the directions of the board of directors.

**(f) Board Members**: The duties of the board members are to assist the executive board upon their request, to participate in committees, to provide assistance to any association member who may request a board member to assist him in official association business, to work to beautify, protect from harm and damage and to provide upkeep to the association property, to avail themselves for meetings, and to perform whatever duties or requests may come to them at any such meeting.

**(g)** Vacancies: In the event a board member suffers a long-term illness that would interrupt their service on the board there should be available a temporary board member that shall be voted as such at the annual meeting specifically for the purpose of replacing a board member unable to complete his term. In the event of two or more vacancies in the executive board or officers of the association they may be filled from the membership of the association by appointment of the remaining executive board members, and such appointee shall hold office until the next annual meeting of the association at which time any vacancy then existing shall be filled by vote of the association.

**Section 5: Meetings.**

**(a)** Annual Meeting: Annual meetings of the association shall be held on the 3rd Sunday in May within the town of Coventry at such time and place as the executive board shall appoint, and upon such notice to the association by first class mail ten days prior thereto. Ten members shall constitute a quorum at any meeting, but a lesser number may adjourn said meeting to some future time not less than five nor more than ten days later, in which event the secretary shall give at least three days’ notice by mail to the members of the association who were absent from such meeting.

**(b)** Special Meeting: Special meetings may be called by the board of directors within fifteen days after receipt of a call, therefore signed by (6) members and, in the absence of such provision, by the executive board at such time and place within the limits of the town of Coventry and upon such notice as the executive board shall provide, provided the purpose of such meeting shall be specified in the notice thereof. Ten members shall constitute a quorum at any meeting, but a lesser number may adjourn said meeting to some future time not less than five nor more than ten days later, in which event the secretary shall give at least three days’ notice by mail to the members of the association who were absent from such meeting.

**(c)** Member sign in: The Tax Collector shall sign in all association members in attendance at annual or special meetings and verify each titled property owner’s name, address and standing. If a vote will be made by paper ballot, the collector will verify the name, address and standing of each ballot caster prior to accepting the paper ballot.

**(d)** Agenda for Annual Meeting: The agenda for annual association meetings shall be as follows:

1. Sign in and roll call with verification that each member is in good standing and entitled to a vote. Robert’s rules of order shall be referenced when necessary.

2. Proof of due notice of meeting.

3. Reading and disposal of unapproved minutes.

4. Annual reports of officers and committees.

5. Unfinished business.

6. New business, including membership participation, and presentation of new fiscal budget proposals.

7. Election of board members and temporary board members.

8. Adjournment of annual meeting.

Thereafter the new board shall elect their officers. The board of directors shall come to the meeting with a list of expenditures for the coming fiscal year to be approved by vote of the association for said work. The fiscal year for the association shall be from July 1st of one year to June 30th of the succeeding year. In the event that an unexpected expenditure arises for an emergency situation in an amount in excess of $1500.00 the board of directors shall cause notice to be given to the association members by first class mail, via the web site, social media and/or email. Said notice shall include a statement that if the association questions the expenditure, then (6) members may request a special meeting of the association. There shall be a mandatory treasurer’s report filed at each board meeting clearly delineating all amounts received and all amounts paid, individually and totaled. Each expenditure shall be listed by payee, amount and with explanation of expenditure. The books of the treasurer shall be made available annually for audit. In addition to the reports as made available for each board meeting, at the annual meeting a full disclosure shall be made available to all association members and shall include all reports delivered throughout the year and shall be updated to the date of the annual meeting.

**(e)** Agenda for board meeting: Any member in good standing shall be welcomed at board meetings. An agenda shall be strictly followed at each board meeting which will include the treasurer’s report. Said agenda shall be as follows:

1. Call to order and roll call. Robert’s rules of order shall be referenced when necessary.

2. Reading of past minutes and acceptance of same.

3. Treasurer’s report.

4. Officer’s report. To include all items brought to all board members attention since the last meeting.

5. Board members report. To include all items brought to board members attention since last meeting.

6. Committee reports. To be itemized by each acting committee and a representative of each committee shall provide an update of committees work to date, needs of committee and problems encountered.

7. Old business. To be itemized for each meeting.

8. New business. To be itemized for each meeting and to include those matters brought to the board’s attention in items 3, 4, 5 and 6.

9. Adjournment.

**Section 6: Proxies.**

Any member may designate in writing any person to act as his or her proxy at any meeting of the association provided the following provisions are met. Only one proxy may be held by each member of the association who is also entitled to one vote. Proxies shall be written by the party issuing same and shall specifically name the holder of said proxy. The proxy shall be dated and bear the legally notarized signature of the party issuing the proxy. The proxy must be executed within 11 months of the date of the meeting at which it is presented.

**Section 7: By Laws and Board Conduct.**

**(a)** By Laws, or changes to, can only be passed by a majority vote of the association at an annual or special meeting.

**(b)** A board member must represent the population as a whole and not utilize his position for personal gain.

**(c)** Meetings of the board shall be held on call of the president or secretary who shall make such call on the request of any two members of said board. Notices of such meetings may be mailed, or emailed to the last known address, or email address, or the secretary shall telephone and/or text each board member at least 2 days before such meeting and certify that he has done so prior to the commencement of the board meeting.

**(d)** If the board of directors consists of 7 members a quorum shall be 4, if said board consists of 8 members the quorum shall be 5, if said board consists of 9 members the quorum shall be 5. A lesser number may adjourn the meeting to some future time not more than 10 days later upon such notice as the officers shall provide.

**(e)** A board member is expected to maintain a high standard of conduct. Board members and committee members are expected to obey the by-laws as adopted by the association and to perform his duties in accordance with same.

**(f)** Any member or officer who misses 3 consecutive meetings without just cause shall be removed from office. Secretary shall notify in writing. If a board or committee members’ conduct is questioned by 2 association members said association members may request that the executive board call a special meeting of the board for the specific reason of voting on the removing said board member.

**(g)** A board member may be removed by a 2/3 vote of the board and/or a 2/3 vote of the association. A board member who has been removed by such a vote shall have a right to appeal the Board of Director’s decision at the annual meeting or a special association meeting.

**(h)** Board members may not participate in any public activities on behalf of the association without a majority vote of the full board.

**Section 8: Taxation.**

**(a)** Roads Assessment: [Note: Added at a called membership meeting on 10/4/09] For the purpose of covering costs of roads maintenance and preparation for turnover of association roads to the Town of Coventry, an assessment of $60 per property owner per year is added to the association tax. The assessment will remain in effect for 10 years, until November 15, 2019, or until such time as the turnover of roads to the town is complete, whichever comes first. The assessment will take effect on November 15, 2009. A supplemental bill will be sent by December 1, 2009. The assessment becomes part of the annual tax as of July 1, 2010. At the annual meeting May 20, 2018, the membership voted to change the road assessment to $50 for a period of one year only.

**(b)** Tax determination and collection: Taxation will be as follows: All owners of fractional or undivided interest in any lot of record shall pay $50.00 flat tax per year. This amount will remain fixed for a period of three (3) years commencing May 17, 1992, at which time, and if it is determined by the Board of Directors that there is a need for an increase, the Board of Directors may propose at the annual meeting an increase of the flat tax not to exceed 10% of the current tax. This option is available only after each third year of taxation and must be approved by a majority vote of the association at the associations' annual meeting. [Note: At Annual meetings, tax increases were approved in 2005 to $63, 2008 to $66, and 2015 to $72, in 2018 to $79.00, and 2022 to $87.00] Each tax or assessment so made, with interest thereon, shall be due to the association from the owner or owners of record. The tax so established shall be collected by the treasurer or by any collector specially appointed by the executive board for the purpose. Any person claiming to be aggrieved by such tax or assessment may appeal to the court of common pleas for Tolland County in the manner provided by the general statutes for appeals from boards of tax review. Written notice of the rate of such tax or assessment and the amount thereof, and the date when the same is due and payable, shall be mailed by the Tax Collector to each member of the association within thirty days of the levying of such tax, and such tax shall be due and payable within ninety days of the levying of such tax. If such tax or assessment shall not be paid when due, it shall bear interest of one per cent per month or portion thereof, and a lien will be placed upon the property every year for unpaid taxes. This lien will be in effect for 15 years and may be collected by suit in the name of the association, or by foreclosure of such lien or in such manner as town taxes may be collected. Such lien will be recorded by certificate in the land records of the town of Coventry in the manner of the continuance of tax liens in towns. Passed at the May 15, 2016 (reaffirmed by majority vote on May 19, 2019) annual meeting, all lots not abutting each other will be billed separately.

**Section 9:**

The Town of Coventry Police Department shall have the right to patrol association roads and to ticket traffic violators traveling thereon.

**Section 10:**

In the event that the Town of Coventry becomes willing and able to take over control and maintenance of the roads of the association then and in that event the Board of Directors is empowered to do so by a vote of the board.

**Section 11: Standing Committees.**

**(a)** Standing Committees. In addition to the Executive Committee, the Standing Committees of the association shall be: The Road Committee; The Beach Committee; The Grievance Committee; Each committee shall consist of not less than three (3) members nor more than five members at least one of whom shall be a board member, with the exception of the Grievance Committee which shall have no board members sit upon same.

**(b)** Road Committee: This Committee shall consist of at least one board member who may volunteer or be appointed by the directors at the annual meeting or within thirty (30) days thereafter. Members of this committee may volunteer or be appointed by the board of directors. It shall be the duty of this committee to contract for and supervise the maintenance, repair, and reconstruction, as necessary, of roads, paths, right of ways, water courses, culverts, bridges, retaining walls, etc. within the specified limits and bounds of the association, in accordance with appropriations that may be made by the directors or by vote for the association members at any annual or special meetings of the association. All work by contractors in excess of $1500.00 shall require soliciting for bids by three separate contractors for said work.

**(c)** Beach Committee: This Committee shall consist of at least one board member who may volunteer or be appointed by the directors at the annual meeting or within thirty (30) days thereafter. Members of this committee may volunteer or be appointed by the board of directors. It shall be the duty of this committee to contract for and supervise the maintenance, repair, and reconstruction, as necessary of the beach and park areas roads, paths, right of ways, water courses, beach, culverts, bridges, retaining walls, etc.

Any beach expenditure in excess of $1500.00 shall require soliciting for bids by three separate contractors for said work. In accordance with appropriations that may be made by the directors or by vote of the association members at any annual or special meeting. It will be the responsibility of this committee to obtain from any association property owner (property owner as defined under taxation) wishing to dock their boat at our beach a copy of the insurance policy of the owner showing that adequate liability and property damage insurance is in effect. The association will assume no responsibility for damages to association member’s property while kept at the association beach nor will the association assume responsibility for the damages an association member may cause to another's property. It is the further responsibility of this committee to obtain a copy of the boat's registration and to ensure that it is, indeed, a watercraft belonging to a member of this association.

**(d)** Grievance Committee: This committee shall be appointed, or volunteers may be accepted, by area of residence within association and shall not be subject to board supervision nor will a board member sit on this committee. This committee shall be appointed at annual meeting or within thirty days thereof and those appointed shall be from different areas of association. No members shall be direct neighbors. It will hear complaints presented against the board and offer guidance to association members who have complaints regarding board members or business as conducted by the board or business a member feels should be conducted by the board, but after notice to the board of said business, the board fails to act upon same. In the event the validity of a complaint is sustained by this committee and action is called for it will provide recommendations to the board of what action should be taken. In the event that this committee finds that a board member has not conducted himself properly this committee will recommend to the executive board that a meeting be held to remove said member. In the event the board fails to act upon the advice of this committee, this committee will cause a special meeting of the association to be held for hearing regarding the issue before this committee and the failure of the board to take action.

**(e)** Other Committees: The board of directors may create or appoint such other committee of permanent or temporary nature as may from time to time be deemed necessary for the proper conduct and management of said association and in the interest of the members of the association; said members of such committee to hold office until such committees are dissolved or dismissed by vote of the directors or until the next annual meeting of the association, whichever precedes.

**Section 12: Beach and Park Rules**

1. BEACH AND PARK HOURS: Open at dawn – closed at dusk. The Association is not responsible for anything that happens at the beach and park.
2. Anyone under the age of 13 must be accompanied by an adult.
3. A valid Beach Pass must be with you and shown when asked by any member of the Waterfront Heights Assn., Inc.
4. Waterfront Heights Assn. members are allowed to bring guests to the park. A member must accompany their guest(s) at all times while in the park.
5. Swim at your own risk.
6. Swimming is only allowed within the roped area.
7. Tables are to be used for eating only. Please do not leave your belongings on them to hold them from one meal to the next. We need to share the tables we have.
8. Fires in the fireplaces only. Please be sure your fire is out before you leave the park. Charcoal grills are for food preparation only. No wood fires are permitted in the charcoal grills.
9. Due to the complexity of recent recycling laws, you must remove all of your own trash and recyclables when you leave.
10. The gate to the beach park will be kept closed (not locked) at all times. When you enter or leave the park, please close the gate behind you. We hope this will reduce the number of non-members who are using the park and keep the ark available for members.
11. Any parties of over fifteen (15) people must have same approved by the Board of Directors. Said purpose is to have an approved parking and cleanup plan.
12. No watercraft shall be permitted at the association beach unless it belongs to an Association member.
13. The following are prohibited at the beach and park:
* Camping
* Fireworks
* Glass containers
* Kegs
* Dogs
* Underage drinking
* Excessive noise
* Unattended fires
* Launching of boats or personal watercraft from trailers at the park
* Dry docking of boats
* Snowmobiles or motorized bikes during any season. Registered motorcycles are allowed in the parking area.
* Boats and/or water skiers in the roped off swimming area.
* Boating within the roped swimming area, regardless of whether or not said boat has a motor.

The association will assume no responsibility for damages to association member’s property while kept at the association beach nor will the association assume responsibility for the damages an association member may cause to another's property.

**Section 13: Vessel Mooring**

* Any member wishing to moor their vessel in the designated area in accordance with the mooring guidelines of Waterfront Heights Association, Inc. must be up to date with all association taxes, fees, or any other assessments, and provide the board of directors with the following items prior to the start of the annual meeting, and before mooring their vessel.

1. A copy of the current insurance policy covering said vessel.

2. A copy of the current vessel registration in the members (property owner) name.

3. A check for the mooring contribution made out to Waterfront Heights Assn. Inc.

* Current mooring holders retain the same mooring from year to year until their mooring space is forfeited. Mooring will be considered forfeited if the above guidelines are not followed.
* Boat size is limited to 20 feet. Larger boats currently moored shall be allowed until the boat is replaced.
* Mooring spaces will be limited to 11 boats and 2 jet skis i.e., personal watercraft.

In addition, the vessel owner may be asked to sign a liability waiver in favor of the Association. Operation of vessels is governed by the State of Connecticut Boating Laws and Regulations. Contact the State of CT Department of Environmental Protection for more information.

Any mooring spot that becomes available will be filled by lottery at the annual meeting.