

Substitute Senate Bill No. 1521

SPECIAL ACT NO. 77-45

## AN ACT CONCERNING THE INCORPORATION OF THE WATERFRONT HEIGHTS ASSOCIATION.

Section 1. The owners of record of land within the limits specified in section 2 of this act, in the town of Coventry, are constituted a body politic and corporate by the name of The Waterfront Heights Association, Incorporated, and by that name they and their successors shall be a corporation in law with all the powers

rights and privileges granted to corporations by the general statutes and with the powers, rights, privileges and duties hereinafter set forth.

Sec. 2. The limits and territory of said association shall be:

(a) The lots shown on "Map of Waterfront Heights, Coventry, Connecticut, owned and developed by the Waterfront Realty Company, June 1940, Scale 1"=100' Sperry & Buell Inc. Civil Engineers," which map is on file in the town clerk's office in Coventry, Connecticut, reference to which is hereby made for a further description and the Easterly portion of land designated as "Community Park" on such map.

(b) The lots as shown on "Map of Waterfront Heights, The Waterfront Realty Company, Coventry, Connecticut Scale 1"=100' August 1941 Revision," which map is on file in the town clerk's office in Coventry, Connecticut, reference to which is hereby made for a further description.

Sec. 3. The objects 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.

Sec. 4. Only duly qualified members of The Waterfront Heights Association, Incorporated shall be entitled to vote at any meeting of the association and be eligible to hold any office in said association. All owners of fractional or undivided interests 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.

Sec. 5. In addition to the powers, rights, privileges and duties enjoyed by corporations without capital stock under the general corporation laws, said association shall have the power and authority to provide, through by-laws, ordinances, regulations or otherwise, for the following: To construct, maintain, repair, and replace walks, roads, bridges, dams, beaches, docks, floats, drains and sewers upon land of the association and upon land of any member thereof to the extent agreed upon by the association and such member; to regulate travel over and parking on the highways and roads within said limits, public or private; care for and regulate the use of the roads, walks, beaches, waterfronts and docks; to prevent the deposit within said limits or upon or over any beach or into waters adjacent thereto of any sewage, refuse, garbage or waste which may endanger the public health, safety or comfort or may become a nuisance; to regulate the construction and use of cesspools, drains and privies and to require the use of sanitary methods of sewage disposal; to remove or contract for the removal of garbage, ashes and other refuse; to landscape and beautify its land within said limits.

Sec. 6. The first meeting of said association shall be held within sixty days after the passage of this act, at such time and place in the town of Coventry as a majority of the organization committee hereinafter named shall appoint. Said meeting shall be held for the purpose of approving this act, adopting by-laws and electing an executive board and officers and such other business as shall properly come before it. At said first meeting there shall be elected by the members present an executive board of six members, of whom two shall be elected for a term of one year, two for a term of two years, and two for a term of three years. At annual meetings thereafter, successors for member of the board whose terms expire that year shall be elected for terms of three years each. At said first meeting and at annual meetings thereafter officers shall be elected for a term of one year as provided in the by-laws, and in the absence of such provision the officers shall be a president, a vice-president, a secretary and a treasurer. The powers and duties of the officers shall be prescribed in the by-laws or, in the absence of such provision, by the executive board. The officers shall be ex-officio members of the executive board. All officers and members of the executive board shall be members of the association and shall hold office until their respective successors are elected and have qualified, but shall cease to hold office upon ceasing to be owners of land



within the limits of said association. Any vacancy in the executive board or officers of the association may be filled from the membership of the association by appointment of a majority of all 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. Annual meetings of the association shall be held on the third Sunday in May, within the town of Coventry, at such time and place as the executive board shall appoint, and upon such notice as the by-laws may provide. Special meetings may be called by the board of directors within fifteen days after receipt of call, as prescribed in the by-laws, 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 unless the by-laws shall provide otherwise, 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. The fiscal year for the association shall be from July first of one year to June thirtieth of the succeeding year.

Sec. 7. The powers and duties of the executive board shall be prescribed in the by-laws. Meetings of the board shall be held on call of the president or clerk who shall make such call on the request of any two members of said board. Notices of such meetings may be mailed to the last-known address of each member thereof at least two days before such meeting. Four members of the board shall constitute a quorum at any meeting of the board but a lesser number may adjourn the meeting to some future time not more than ten days later upon such notice as the officers shall provide.

Sec. 8. No by-law or ordinance shall take effect or be enforced until the same has been posted for at least three days on a public signpost to be established by the executive board within the limits of the association; nor shall any by-law or ordinance take effect until thirty days after its passage. A certificate of the clerk of the association of the due posting of any by-law or ordinance shall be prima facie evidence of such posting. By-laws or ordinances shall be passed only by a vote of the association and not by the executive board alone.

Sec. 9. At any annual meeting or adjourned annual meeting said association by a majority vote of those present at such meeting may levy a tax or assessment on the real estate within said limits which tax or assessment shall not exceed ten dollars in the first year, nor be increased by more than twelve per cent of the prior tax or assessment in any subsequent year thereafter. The owners of fractional interests in any lot or parcel shall be listed together as one owner. 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 treasurer or 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 it shall be a lien upon the property upon which it shall be laid for one year from the date it is laid, 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 may be continued by certificate which shall be recorded in the



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land records of the town of Coventry in the manner of the continuance of tax liens in towns. The treasurer or collector of the association shall have the powers of tax collectors in towns. The association may require the treasurer or collector to give a sufficient surety bond contingent on the services performed or his duties, and the cost of such bond shall be upon said association.

Sec. 10. No contract which shall involve an expenditure in excess of seven hundred fifty dollars in any fiscal year shall be made by the executive board unless the same shall be specially authorized by a vote of the association.

Sec. 11. Mark J. Flaherty, Gloria A. Demers, Jennifer Ray, Robert Roche, Charles Hensley and Herbert Young, or a majority of them, shall constitute the organization committee and shall have power to warn said first meeting. Notices of the time and place appointed for said first meeting shall be signed by a majority of said committee and copies thereof shall be sent by mail to each member of the association whose address is known to the organization committee at least ten days before the appointed time for said meeting, and three copies of said warning shall be posted in conspicuous places within the limits of said association at least ten days before said meeting. Any one of said committee may call the meeting to order after which it shall proceed to the choice of a temporary chairman and temporary clerk and to the other business herein set forth. Said executive board and officers shall be elected by a plurality vote.

Sec. 12. If any by-law, ordinance or regulation adopted by the association shall conflict with any valid ordinance of the town of Coventry, the ordinances of said town shall prevail. Any tax levied by the town of Coventry on property within the limits of the association shall have priority over any lien for taxes or assessment levied on the same property by the association.

Sec. 13. This act shall take effect upon its adoption by a majority vote of the persons qualified for membership in said association as herein set forth, present and voting in said first meeting. The powers, privileges, duties and corporate assets of The Waterfront Heights Association, Incorporated, a corporation without capital stock, organized and existing under the general laws of the state of Connecticut, shall cease and terminate upon approval of this act.

Approved June 6, 1977

Rec. James A. Palmberg  
P.O. Box 46  
Coventry CT  
06238

FILED  
STATE OF CONNECTICUT  
APR 2 / 1993

SECRETARY OF THE STATE  
Time 9:15



State of Connecticut  
Office of Secretary of the State

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I, Pauline R. Kezer Secretary of the State of Connecticut  
and keeper of the Great Seal thereof, and of the original record of the Acts and Resolutions of  
the General Assembly of said State, DO HEREBY CERTIFY that I have compared the annexed  
copy of

Special Act No. 77-45An Act Concerning the Incorporation of the Waterfront Heights Association.

with the original record of the same now remaining in this office, and  
have found the said copy to be correct and complete transcript thereof.

AND I FURTHER CERTIFY, that the said original record is a  
public record of the State of Connecticut, now remaining in this office.

In Testimony Whereof, I have hereunto set my hand and affixed  
the Great Seal of the State of Connecticut, at Hartford, this

26 day of April 1993

Pauline R. Kezer  
Secretary of the State