

# *Candlewood Terrace Taxpayers' Association By-Laws*

Effective November 4, 2023 \*These By-Laws replace, in its entirety, all earlier versions.

## *ARTICLE I*

### **Name**

The name of the organization shall be CANDLEWOOD TERRACE TAXPAYERS' ASSOCIATION, hereinafter known as CTTA: A non-stock, non-profit, registered duly organized Common Interest Ownership Association (CIOA) of the residential real property located within the legal descriptions and survey maps of the community described in Board Members Affidavit Document ID 005302770008 filed with the Town of New Milford, CT, County of Litchfield.

## *ARTICLE II*

### **Objectives**

The objectives of this Association shall be:

- A) To promote the rights and privileges of the property owners in the area known as CTTA
- B) To foster a spirit of community fellowship among the property owners of CTTA.
- C) To have and maintain a Board of Directors that act as trustees for the benefit and enjoyment of the families and members within CTTA.

## *ARTICLE III*

### **Membership**

Section 1: Any person owning real property in that area known as CTTA in the TOWN OF NEW MILFORD, STATE OF CONNECTICUT, as shown on various maps of CTTA, on file in the office of the NEW MILFORD TOWN CLERK, shall, upon the payment of the required fees, as hereinafter provided, be entitled to membership in the Association.

Section 2: Membership in the Association shall be limited to one (1) per family or corporate entity regardless of the amount or number of lots owned in CTTA. Terminating ownership of property shall terminate membership in the Association.

Section 3: Bona fide tenants of members in good standing shall have access to all facilities and group functions of this Association as guests of the property owner. As these tenants are not members of this Association, they may not hold elective office, committee chairmanship, or membership on any committee which formulates policy; nor may they vote. A tenant is defined as any individual who resides on the property for not less than twelve (12) consecutive months, but whose name does not appear on the property deed. Tenants residing on CTTA area property renting for less than twelve (12) consecutive months shall not have access to, or use of common interest property.

Section 4: Each member shall have full and equal rights in the Association. The Board of Directors shall not make any regulation or establish any assessments which shall have any relation to the size or amount of property owned by any member.

Section 5: CTTA prohibits the running of any business, whether for profit or not for profit, on CTTA common interest property.

Section 6: Boat slips, kayak rack, and paddleboard rack space may not be deeded to subsequent property owners or transferred as inheritance.

## *ARTICLE IV*

### **Board of Directors**

Section 1: The management of the affairs of this Association shall be vested in a Board of Directors which shall consist of the seven (7) Officers of the Association and up to five (5) other Directors elected from the members of the Association. These additional Board Members shall represent the various streets within the CTTA area.

Section 2: The term of each Director shall be two (2) years. There shall be no limitation on the number of terms a member may be elected to serve as a Director. Terms of all Directors elected at the annual meeting commence on October 1st following elections and continue through September 30th two years later.

Section 3: At no time shall the number of Board members be less than the number of officers, seven (7), nor shall the number of Board members be greater than twelve (12). Within thirty (30) days following a resignation from the Board of Directors, the Board shall appoint a replacement to complete the duly elected term of the resigned Director.

Section 4: Only the Board of Directors may authorize appropriations on behalf of the Association, except when the Board of Directors wishes to make a new appropriation in excess of \$1,000.00, said appropriation shall not be made without the members of the Association approving said

appropriation at a regular meeting or at a special meeting of the Association called for that purpose. In the event a necessary emergency repair/expense is required to maintain the safety of our members, the Board of Directors may spend up to \$2,500.00 without a general membership vote.

## *ARTICLE V*

### **Officers**

Section 1: The Officers of the Association shall consist of a President, Vice President, Recording Secretary, Communications Secretary, Treasurer, Webmaster, and Dockmaster. These Officers shall be elected, one (1) individual per household conterminously, from among the members of the Association at the annual election meeting during September of each year. There shall be no limitation on the number of terms a member may be elected to serve as an Officer.

Section 2: The duties of the President shall be to preside at all meetings of the Association and the Board of Directors; to perform such other duties as may be delegated to him by the Board of Directors; and such other duties as are normally included in the position of President.

Section 3: The duties of the Vice President shall be to perform all duties of the President in his absence and other duties as delegated by the President and Board of Directors.

Section 4: The duties of the Recording Secretary shall be to record the minutes of all meetings of the Association. These minutes shall be kept on file and made available to any member upon request within five (5) days after the meeting. The Recording Secretary shall also maintain all files and records with the exception of those belonging to the Treasurer (ie. Financial records) and Dockmaster (ie. copies of boater's insurance/registration).

Section 5: The duties of the Communications Secretary shall be to carry on all correspondence of the Association. The Communications Secretary also serves as Beach Party Coordinator.

Section 6: The Treasurer shall receive all money belonging to the association, pay it out on the order of the proper authority and keep a record of all moneys received and when received and of all moneys paid out, when, for what and upon whose authority, which record shall always be open to the inspection of any CTTA member. Disbursement of Association funds shall bear only the signature of the Treasurer, but all invoices shall be approved by two or more Officers prior to payment. The Treasurer shall also deliver by mail the annual membership invoices; and the Treasurer shall, at all meetings, provide a detailed reporting of the financial status of the Association. The Treasurer also maintains the master membership list.

Section 7: The duties of the Dockmaster shall be to organize the boat slip, kayak and paddleboard rack space ownerships, to schedule and preside at all boat slip owners meetings, and to report back to the other Board of Directors any issues therein; and to perform such other duties as may be delegated to him by the President and Board of Directors. The Dockmaster also collects copies of boater insurance and registration and governs the disbursement of gate keys.

Section 8: The duties of the Webmaster shall be to create and maintain electronic communication to our members who choose this form of communication. The Webmaster shall maintain the email list and send out any items of communication via those emails. These communications include newsletters, minutes of all meetings, announcements of general interest to the membership, and any other items the Board approves. The Webmaster shall post such files in a prompt manner. No item shall be emailed to the membership, or posted on any website, without Board approval.

Section 9: In the event of the resignation of an Officer, the Board of Directors shall within thirty (30) days appoint a suitable replacement to serve the balance of that term. This individual must be a member of CTTA, and their account must be current in respect to their membership dues.

Section 10: Should the President resign, the Vice-President shall fill the vacancy and the Board of Directors shall appoint a replacement for Vice-President to complete the duly elected term.

Section 11: The duties of the remaining Board of Director Members (also called Street Representatives) shall be to hand deliver various correspondence (ie. Newsletter, social invitations, etc.), to represent the property owners on their street at the regularly scheduled Board meetings, and to perform such other duties agreed upon between them and the Officers.

Section 12: A director may resign at any time by giving written notice to the Board of Directors and the resignation shall take effect upon receipt of said notice, unless stated otherwise. Any or all of the directors may be removed for cause by majority vote of the board.

## *ARTICLE VI*

### **Election of Officers and Directors**

Section 1: Not less than fifteen (15) days prior to the biennial elections meeting, the Communications Secretary shall post on the website or send by mail/delivery to mailbox, or email, to each Association member, notice of the time and place of the meeting.

Section 2: Nominations are to be made from the floor at the biennial elections meeting. The member being nominated must be a member for not less than two (2) years or serve as a Street Representative for at least one (1) term, be present, and their account must be current in regards to their membership dues. No more than one (1) individual per household may be nominated for a board position conterminously.

Section 3: Election of Officers and Board of Directors will be collected in writing. These votes will be saved to be tallied along with the absentee votes collected.

Section 4: Within seven (7) days of the meeting, the Board will distribute an opportunity for absentee votes on all business conducted at the meeting. Absentee votes will be due twenty-one (21) days from the date of the biennial elections meeting.

Section 5: At the meeting, a designated method and person will be assigned to keep all collected votes until the 21 day period for absentee votes has passed, upon which all votes will be combined for counting.

Section 6: At the meeting, two non-Board members shall be assigned to count the votes, collected at the meeting and via absentee, and report to the Board the results.

## *ARTICLE VII*

### **Meetings**

Section 1: There shall be regular meetings of the Association during the months of April and September. The September meeting is to be considered the elections meeting.

Section 2: Special meetings other than the regular meetings may be called by the President, Board of Directors, or upon the written request of any ten (10) members. Special meetings must be held no later than thirty (30) days from the time of which the request. All notices of special meetings shall contain a statement of the general business or topics to be covered and must be delivered to the Association by mail, or email, not less than ten (10) days prior to the meeting.

Section 3: Regular meetings of the Association's Board of Directors shall be held once each month at a time and place to be designated by the Board. The Board of Directors may, at its discretion, suspend a monthly meeting if the business of the Association does not warrant a meeting. Any such suspension shall not exceed two (2) consecutive months.

Section 4: At all meetings of the Association and the Board of Directors, ROBERTS RULES OF ORDER shall control the proceedings.

Section 5: A quorum of fifteen (15) percent of the membership, shall be necessary to conduct the business of the Association. Quorum shall be calculated by combining the # of properties represented in person and by written absentee vote.

Section 6: At each meeting of the Association, including Board meetings, action may be taken by an affirmative vote of the majority of the members, either present in person or by written absentee vote. All votes are to be made in writing.

Section 7: There shall be one (1) vote per property; cast by any member of that property owner's family of full legal age. If a member owns more than one property, they may only cast one (1) vote.

Section 8: There shall be no written proxy at any time.

Section 9: Absentee voting is allowed. A property owner may place their vote in writing and send it to the Board via the method communicated. Within seven (7) days of any membership meeting, the Board will distribute an opportunity for absentee votes on all business conducted at the meeting. Absentee votes will be due twenty-one (21) days from the date of the meeting.

Section 10: At the meeting, a designated method and person will be assigned to keep all collected votes until the 14 day collection period for absentee votes has passed, upon which all votes will be combined for counting.

Section 11: At the meeting, two non-Board members shall be assigned to count the votes, collected at the meeting and via absentee, and report to the Board the results.

Section 12: If quorum is not met then all matters voted on by the members present at the meeting and via absentee vote, revert back to pre-vote status.

## *ARTICLE VIII*

### **Membership Dues**

Section 1: There shall be four (4) types of Dues for the Members in the Association:

1. Annual Membership Dues for each property, required by the terms of their property deed, on file in the office of the NEW MILFORD TOWN CLERK.
2. Annual Boat Slip Fees for those members who have requested, and been given permission, to dock their boat at an assigned Association Boat Slip.
3. Annual Kayak and/or Paddleboard Rack Space Fees for those members who have requested, and been given permission, to place their kayak and/or paddleboard on the Association's racks.
4. Annual boat storage fees for those members who have requested, and been given permission, to store their boat in the CTTA Parking Lot during the off season.

Section 2: All Dues of the association shall be determined by the Board of Directors and approved, for the year, by a vote of the members present at the annual meeting.

Section 3: The annual Membership Dues for a property owner who qualifies as a Senior Citizen is fifty (50) percent of the regular membership dues. A Senior Citizen is defined as an individual who is seventy (70) years and older. The Senior Citizen rate does not apply to the Boat, Kayak, paddleboard, or Storage Fees.

Section 4: The annual membership dues shall cover the period of January 1st through December 31st, and will be billed in January of each year., payable no later than May 1st annually.

Section 5: Members may not use the beach, the docks, kayak or paddleboard racks, or any CTTA CIOA property or facilities until their annual membership dues and all fees have been paid.

Section 6: All dues not paid by May 1st, of each year, will bear a monthly charge of 1.5 percent of the outstanding balance. If they are referred to an attorney for collection, the member will also be required to pay attorney's fees and court costs incurred in the collection of that amount delinquent.

## *ARTICLE IX*

### **Beach Rules & Boat/Dock Rules**

The Board of Directors shall annually distribute and post the Rules and Regulations for both the Beach area and the Boat/Dock area. These Rules and safety Regulations shall be observed by all members and their guests. Failure to do so can terminate that member's beach rights for that year. The Board of Directors reserves the right to change or add to this list at their discretion. Such changes shall be made by majority vote of the Board of Directors and shall be communicated to the general membership in a timely manner.

## *ARTICLE X*

### **Liability of Officers and Directors**

No individual member, Officer, or Director shall ever incur liability for acts of this Association by word or deed.

## *ARTICLE XI*

### **Amendments to the By-Laws**

Section 1: Changes in the By-Laws of this Association may only be made at the regularly scheduled meetings of the Association or at special meetings called for that purpose. In any case, there shall be no change in the By-Laws without at least ten (10) days written notice to the members of the Association. Voting for changes in the By-Laws shall be in accordance with Article VII.

Section 2: By-Laws of this Association shall be reviewed by the board every two (2) years or with every newly elected board.

## *ARTICLE XII*

Invalidation of any Article or Section of the By-Laws of this Association by judgment or order of any court shall in no way affect any of the other Articles or Sections which shall remain in full force and effect.

## *ARTICLE XIII*

### **Easements**

There exists a permanent easement between this Association and SBC. A copy of the easement agreement is on file in the office of the NEW MILFORD TOWN CLERK. (Volume 856; Pages 831-834; Recorded April 26, 2005)