

BY-LAWS  
WATERFORD ASSOCIATION, INC.  
Amended August 17, 2019

**ARTICLE I**

**Officers**

Section 1: There shall be a President; a Vice President; a Recording Secretary; a Financial Secretary and a Treasurer who shall be elected at the Annual Meeting of the Association.

Section 2: There shall be a Board of Directors, consisting of the President, Vice President, Recording Secretary, Financial Secretary, Treasurer, and immediate past President, and of the Chairpersons of all the standing committees provided for later in these by-laws.

Section 3: All officers shall be elected by check list ballot, when called for by any member of the Association, otherwise by regular method of ballot, and shall hold office through the Labor Day weekend, after which time the elected successors will assume responsibility of office. Any vacancy that might occur shall be filled by the Board of Directors for the balance of the term.

**ARTICLE II**

**Membership**

Section 1: There shall be an active membership, members of which shall be eighteen years of age or more and shall be either residents of, or owners of residential property within, that section of the Town of Waterford known as Pleasure Beach, hereinafter defined.

*The Association defines the Pleasure Beach boundaries as south on Great Neck Road from the intersection of Colonial Dr. to Shore Road (including houses on the east side of Great Neck Road), thence west/north on Shore Road to New Shore Road, thence west/north on New Shore Rd. to the intersection of Shore Rd. and Goshen Road, thence north on Shore Rd. to Lamphere Rd., and east on Lamphere Rd. to Great Neck Rd. includes all houses streets/roads within these boundaries, as well as those streets/roads adjacent to these boundaries on the north, south, and west; also includes Jordan Cove Road west to Gardiner Wood Road, including Jordan Cove Circle.*

All members of the Association in good standings as of August 17, 1974 living in other areas of the Town of Waterford not included in the Pleasure Beach section, as defined above, shall be exempt from the residential requirements set forth above, and shall remain members as long as membership dues are paid in accordance with Section 5.

Any person who has been an assessed member for at least ten years, but is now ineligible to be a member by virtue of their current residence, may renew his/her assessed membership annually if recommended by two current assessed members.

Section 2: Applications for membership shall be made on forms furnished for that purpose. All applications shall be filed with the membership committee then referred to the financial secretary for action.

Section 3: The annual dues of the Association shall be determined by the Board of Directors.

Section 4: There shall be two classifications of membership:

1. Assessment members who pay annual dues and assessment provided for in article VII and are thereby eligible to vote and use the beach.
2. Associate members who pay only dues and have the right to vote, but may not use the beach unless they are also members of an assessed household.

The total number of assessed households shall be limited to 200 with a grandfather clause that states people who now reside within the original boundaries will be allowed to join regardless of the total number.

Section 5: Dues for membership shall become due and payable on or before July 1. If not paid before August 1, the members failing to pay shall become delinquent. If dues are not paid before September 1, the membership shall cease.

Section 6: Badges and beach access:

1. Any person 8 years of age or older must have a badge to access the beach. An assessed household is entitled to two badges. An assessed household may purchase up to six additional badges for the use of only the family and/or guests of that household. Exceptions may be made at the discretion of the PB Association president.
2. Badges are not transferable. Guest badges may be purchased on a daily basis.
3. Associate members are not entitled to purchase badges.
4. Definitions:
  - a. Guests - people living outside of the association boundaries;
  - b. Transferable - given or loaned to non-members living within the Pleasure Beach area boundaries;

### **ARTICLE III**

#### **Meetings**

Section 1: There shall be a regular business meeting held on the second Saturday of July at a time and place designated by the President.

Section 2: The Annual Meeting of the Waterford Association, Inc. shall be held for the election of officers, hearing of reports of the officers and committees, and the transaction of any other business that may be proper to bring before said meeting, on the third Saturday of August at a time and place designated by the President.

Section 3: Other meetings shall be called by the Secretary on order of the President, or by written request of any three Directors or fifteen members in good standing of the Association.

Section 4: Any Fifteen (15) members in good standing shall constitute a quorum.

Section 5: A member who is delinquent shall not be allowed to take part in any meeting or in any election of officers.

### **ARTICLE IV**

#### **Committees**

Section 1: The President shall within ten days of his/her election appoint the chairperson of the following committees: membership, maintenance and Improvement, Entertainment, Fire, Finance and any special committee appointed by the President.

Section 2: Each chairperson shall become a director of the Association and shall select the other members of the committee.

Section 3: Each committee shall consist of the number of members the chairperson may wish, and shall serve for one year or until another committee is formed.

#### *ARTICLE V*

##### ***Duties of the Committees***

Section 1: The Membership committee is to receive all applications and refer them to the Financial Secretary with recommendations for action.

Section 2: The Entertainment committee shall arrange for such entertainment as they deem advisable for the benefit of the Association.

Section 3: The maintenance and improvement committee shall study conditions and forward recommendations to the Board of Directors for any ongoing maintenance, sanitation and improvements that will be of benefit to the Association.

Section 4: The Finance committee shall approve all bills, make up a budget for the year and make all arrangements for financing any undertaking that may be decided by the Board of Directors or any meeting of the Association.

Section 5: The Fire committee shall work with the Fire Department for their mutual interest.

Section 6: Special committees as assigned by the President.

#### *ARTICLE VI*

##### ***Duties of the Officers***

Section 1: It shall be the duty of the President to preside at all meetings and see that the instructions of the meetings are carried out and have general supervision of the affairs of the Association. The President shall also appoint all committees not otherwise provided for.

Section 2: It shall be the duty of the Vice President to take over all the duties of the President in the President's absence and to assist the President in all ways possible.

Section 3: The Recording Secretary shall keep a record of all meetings of the Association and the Board of Directors; keep a correct record of the membership and call it when required. The Recording Secretary shall attend to all correspondence and receive all communications designed to be presented to the Association. The Recording Secretary shall also keep a record of applications for membership and the disposition thereof.

Section 4: The Financial Secretary shall receive all moneys paid into the Association; pay same to Treasurer and receive a receipt; shall keep just and true accounts; shall send to each member a statement of dues and assessments and issue an official receipt when paid. The Financial Secretary shall be bonded through the Board of Directors through a reliable bonding company, provided such bond is reasonably available.

Section 5: The Treasurer shall receive all moneys paid to the Financial Secretary; pay all bills when properly approved; keep a correct record of same; have the books in proper form for audit before the annual meeting; make a report of the transactions of the office to the meeting; and perform any other duty that may properly belong to the office of Treasurer. The Treasurer shall be bonded through a reliable bonding company, provided such bond is reasonably available.

Section 6: It shall be the duty of the Board of Directors to make a report of the activities of the Board and of its committees at the Annual Meeting and at any other meeting when requested. They shall conduct the business of the Association and carry out the instructions of any meeting.

Section 7: It shall be the duty of each officer to maintain a general list of duties and performance of office, and review this list with the incoming elected officer at a meeting convened by the President for this purpose.

#### *ARTICLE VII*

##### **Assessments**

Section 1: There shall be collected each year from the members of the Association an assessment, the amount and method of collection of which shall be set by the Board of Directors, to be used for the employment of life guards, payment of taxes and for such other purposes as may be needed in the conduct of the affairs of the Association to take care of any improvement which may be voted at any regular or special meeting called for that purpose.

Section 2: If an assessment has not been paid by September 1, 1991, new and former assessed members shall pay a special assessment. This special assessment shall be determined by the Board of Directors.

#### *ARTICLE VIII*

##### **Auditors**

Section 1: The President of the Association shall appoint two auditors, whose duty it shall be to audit the books of the Financial Secretary and Treasurer, and report at the annual meeting and at any other time that an audit or report may be asked for by the President or Board of Directors.

#### *ARTICLE IX*

##### **Bills**

Section 1: All bills against the Association shall be approved by the Chairperson of the committee which contracts same, then by the Finance Committee after which they shall be paid by the Treasurer. Any bill contracted by a vote of the Association which does not properly come before any committee shall be paid upon the approval of the Finance committee and the President.

Section 2: No officer or committee may contract any bill or liability against the Association for any single purchase in excess of \$200.00 without the consent of a majority of the Directors.

Section 3: No member or members shall contract any bill or liability against the Association to exceed the amount of money in the treasury without there being a vote of the Association to authorize same, subject to investigation and favorable report of the Finance Committee; which vote shall be taken at a regular or

special meeting of the association after due notice has been given to the members.

#### *ARTICLE X*

##### ***Duties of the Members***

Section 1: It shall be the duty of all members to assist the officers of the Association in all ways possible in the objectives of this Association and shall hold themselves responsible to report or prevent any abuse, filling in or befouling of the properties owned or leased by the Association and the tidal waters adjacent thereto.

#### *ARTICLE XI*

##### ***Disposal of Real Estate***

Section 1: The real estate and assets in conjunction therewith, of this Association shall not be sold except by a 2/3 rds majority vote of total membership at a regular or special meeting called for that purpose. However, such proposal must be presented and read at a regular or special meeting at least 30 days before such action is taken, and due notice of such meeting given the members of this Association. This vote may be by proxy or in person. The proceeds of any such sale shall be placed in trust until disposition can be resolved.

#### *ARTICLE XII*

##### ***Method of Amendment***

Section 1: The Bylaws of the Association may be amended by an affirmative vote of two-thirds (2/3) of all votes cast by Members of the Association eligible to vote at a regular, annual, or special meeting called for that purpose; provided further that the number of votes cast is not less than fifty percent (50%) of the total number of Association Members eligible to vote. Notice of any proposed changes to the Bylaws shall be given to Members not less than thirty (30) days prior to the meeting. No change that has not been so noticed may be considered at the meeting. Amendments of the Bylaws shall be effective on approval.

#### *ARTICLE XIII*

##### ***Method of Voting***

At any regular, annual, or special meeting of the Members, votes may be cast in person, by proxy, or electronically.

##### Section 1: Voting by Proxy

Voting by proxy is permitted. A proxy vote may be discretionary (unlimited and undirected) or nondiscretionary (limited and directed) to the proxy holder. All proxies must be filed with the Recording Secretary prior to any meeting. A Member may designate any person age eighteen (18) or over as his/her proxy (Membership in the Association shall not be required of any proxy holder). All proxies shall be in writing and signed by the Member issuing the proxy. A proxy shall be revocable by written notice to the Recording Secretary up until the commencement of the meeting. A proxy holder shall not cast votes representing more than five (5) of the eligible voting Members in the Association pursuant to discretionary proxies.

Section 2: Voting Electronically

Voting electronically at any meeting of the Association may be permitted. The form of electronic voting shall be determined by the Board and shall either be by way of email or via a secured web portal established by the Board for that purpose. The Board shall notify the Members as to the form of electronic voting that is permitted. All electronic votes must be received by the Recording Secretary twenty-four (24) hours prior to the commencement of the meeting.

Section 3: Notwithstanding anything to the contrary contained in these Bylaws, there shall be one (1) vote per assessed household to be exercised by the registered owner or owners acting jointly or, in the case of an entity owner, by its legally designated representative.