

The Gerald Park Association
Incorporated
Coventry, CT

ASSOCIATION BYLAWS

Version 1.0

Adopted
June 14, 2012

The Gerald Park Association Incorporated Coventry, CT

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PREFACE:

The Gerald Park Association was incorporated as a body politic by the Connecticut State Legislature in 1951 through the passage of House Bill 1798, SP 569. The Act was amended in 1955 through the adoption of House Bill 1937, SP 599.

In 2012, the Association will celebrate the 61st anniversary of its incorporation. The original Acts passed by the House are somewhat antiquated, disorganized and difficult to follow, and, at times even confusing.

Different interpretations of the Special Acts have led to confusion as to how the Association shall conduct its business, occasionally resulting in conflict and frustration within the Association.

The purpose for establishing bylaws is to organize, simplify, and clarify the procedures concerning the ongoing operation of the Association, and thus, provide a concise reference document for the future operation of the Association.

Much care has been taken to ensure that these bylaws are consistent with the provisions of the Special Acts of the Connecticut State Legislature, are fair to the members of the Association, and are in compliance with current State Law.

The Board of Directors would like to thank the following for their input to, and the contribution of considerable time spent over a period of almost two years working on this going-forward document:

The Waterfront Park Association for the sharing of their Bylaws, which greatly assisted us in this endeavor.

Harvey Barrette	Gerald Park Association 2010-2011 Board of Directors
Marilyn Barrette	Gerald Park Association member
David Blakely	Gerald Park Association member
Jim Cropley	Gerald Park Association 2010-2011 Board of Directors
Jerry Dallas	Gerald Park Association 2010-2011 President
Ben Emanuele	Gerald Park Association 2010-2011 Board of Directors
Scott Gallo	Gerald Park Association member
Claudia Grosso	Gerald Park Association 2010-2011 Secretary
Walter Hall	Gerald Park Association member
Sharon Morel	Gerald Park Association 2010-2011 Board of Directors
John Petrovits	Gerald Park Association 2010-2011 Vice-President
Kevin Plante	Gerald Park Association member
Jean Ries	Gerald Park Association member
Ray Shedrick	Gerald Park Association 2010-2011 Board of Directors
Bonnie Shedrick	Gerald Park Association member
Heath Tiberio	Gerald Park Association 2010-2011 Treasurer
Paul Tuomi	Gerald Park Association member

Gerald Park Association Bylaws

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ARTICLE I: PURPOSE

The purpose of The Gerald Park Association, Incorporated is to provide for the health, comfort, safety, and convenience and good morals of the inhabitants and land owners thereof, in accordance with, and within the provisions of Special Acts of the Connecticut State Legislature House Bill No. 1798, SP 569, and amended by House bill 1937, SP 599.

The Association shall have the power to regulate the use of drains along, and travel over any streets owned by the Association.

ARTICLE II: BOUNDARIES

The limits and territory of the said Gerald Park Association are as set forth in Section 3 of said Special Act:

"All of that land in the town of Coventry, county of Tolland, and the state of Connecticut shown on a map entitled "Map of Gerald Park and vicinity, Lake Wangumbaug, South Coventry, Conn., by James H. Fitzgerald, C.E. Scale 100' to 1'", said map being now on file in the office of the town clerk of Coventry. The said limits are more particularly bounded as follows: North by Lake Wangumbaug, East by land designated as Overholt Avenue on said map, south by South Street, and west by Beebe Farm."

ARTICLE III: MEMBERSHIP AND VOTING ELIGIBILITY

Section 1 - Membership in Gerald Park Association

The record owner of any land within Gerald Park shall be considered to be a member of the Gerald Park Association.

Section 2 - Voting Eligibility

- (a) Subject to the provisions of subsections b, c and d (below), each member of the Association of legal voting age as established by the State of Connecticut, not otherwise prohibited by law from voting, shall be entitled to vote at any meeting of the Association, and shall be eligible to hold any office therein.
- (b) The owner(s) of any lot(s) or subdivided lot(s) not improved by the construction of a residence shall cast one undivided vote.
- (c) The owner(s) of any lot(s) improved by the construction of a residence shall be entitled to cast a number of undivided votes equal to the number of owners or the number of residences, whichever number is less. Multiple residences constructed on a single lot shall be counted as one residence.
- (d) No member of Gerald Park Association shall be eligible to cast more than one vote.
- (e) In accordance with Article VII, Sec 2(g) of these bylaws, twelve members shall constitute a quorum for the transaction of business at any Regular or Special Meeting of the Association.
- (f) In accordance with the Special Act incorporating the Gerald Park Association, members must be present at a meeting in order to vote.

ARTICLE IV: BOARD OF DIRECTORS

Section 1 - Duties of the Board of Directors

- (a) The Board of Directors shall be responsible for the care, custody and management of all funds and property of the Association and shall have the power to enforce regulations for the management and control of such property and its transfer and conveyance, and to prescribe the duties and compensation of all officers and employees of the Association.
- (b) The Board of Directors shall be responsible for a periodic review of the bylaws to ensure that the bylaws are being followed properly, and determine whether there is a need to revise the existing bylaws.
- (c) The Board of Directors is accountable to the Gerald Park Association members-at-large with respect to the carrying out of its duties and reporting its activities in accordance with these bylaws.

Section 2 - Board Membership and Terms of Office

- (a) The Board of Directors shall consist of nine members duly elected at the Annual Meeting of the Association and shall serve for a period of three years each. The terms shall be staggered so that the terms of three Board members shall expire in one year, the terms of three Board members shall expire in the next year, and the terms of three Board members shall expire in the year after that.
- (b) The term of any Board member shall expire automatically when such member shall cease to be a property owner of record within the Gerald Park Association.
- (c) In the event of a mid-term vacancy in the Board of Directors, the remaining members of the Board of Directors shall elect a successor to fill the unexpired term of that vacancy. The term of any member added to the Board in this manner shall automatically expire at the next Annual Meeting of the Association, at which time the Association at large shall elect a successor to fill the remainder of that term.

Section 3 - Board Officers

- (a) The officers of the Board of Directors shall be President, Vice-President, Treasurer, and Secretary.
- (b) The members of the Board of Directors present at the Annual Meeting shall meet immediately thereafter to elect, by the majority of the votes cast, the four officers of the Board of Directors, each of which shall serve for a term of one year.
- (c) The order of election shall be:
 - (i) President
 - (ii) Vice-President
 - (iii) Secretary
 - (iv) Treasurer
- (d) Each officer shall turn over all materials related to his/her position to his/her successor within ten days of the end of his/her term in office.

Section 4 - Removal from Office

- (a) Any Board Member may be removed from office, with notice, and for cause, by a two-thirds majority of votes cast at any Regular or Special Meeting of the Association.

- (b) Causes for removal of office may include, but are not limited to: missing three or more meetings without advance notice, refusing to recuse one's self from discussion and voting on an item where there is a clear conflict of interest, or operating in a way that is clearly not in the best interest of the Association.

ARTICLE V: DUTIES OF OFFICERS AND TAX COLLECTOR

Section 1 – Duties of Officers

(a) President

- (i) The president shall preside over all meetings of the Association or the Board of Directors at which he/she is present. The chair may be relinquished as described in Article VII, Section 1(b).
- (ii) At each meeting of the Association, the president shall report on correspondence and actions taken by the Board of Directors since the last Association meeting.
- (iii) The president shall be responsible for verifying that all official materials have been turned over to new officers as indicated in Article IV, Section 3(d).
- (iv) The president shall be responsible for making sure that notices of any Regular or Special Meetings are mailed out in accordance with provisions in Article VII, section(2).

(b) Vice-President

The vice-president shall assist the president and in the president's absence or inability to act, shall perform all the duties and exercise all power of the president.

(c) Secretary

- (i) The secretary shall be responsible for taking accurate minutes at every meeting of the Board of Directors or the Association at large, and shall present the minutes of the previous meeting at each subsequent meeting.
- (ii) The secretary shall Have custody of, and preserve all Association records and papers entrusted to the secretary.
- (iii) The secretary shall file the Annual Report of Special Districts (as required by Section 7-325c of the Connecticut General Statutes), by July 31st of each year with the Clerk of the Town of Coventry, or as prescribed by any superseding statute.
- (iv) In Accordance with Article VII, Sec 3, (b) (ii) and (iii), the secretary shall notify all Board Members of upcoming meetings of the Board of Directors.

- (d) Treasurer: The treasurer shall:
- (i) The treasurer shall receive and record all monies received by the Association.
 - (ii) The treasurer shall disburse and record all expenses of the Association.
 - (iii) The treasurer shall provide detailed records of all monies received and all monies paid out at all Board of Directors meetings as well as any meetings of the Association at large.
 - (iv) The treasurer shall file the Annual Financial Report of the Association (as required by Connecticut General Statutes Section 7-392(e) by September 28th of each year with the Clerk of the Town of Coventry, or as prescribed by any superseding statute.

Section 2 – Duties of Tax Collector

- (a) The Tax Collector shall be appointed by the Board of Directors, and approved by the majority of votes cast at the Annual Meeting of the Association. The term of the Tax Collector shall run from the date of the Annual Meeting of the Association until the date of the next Annual Meeting of the Association, unless otherwise interrupted.
- (b) The Tax Collector shall have all of the powers of collectors of town taxes and shall be accountable to the Board of Directors.
- (c) The Tax Collector shall be responsible for the determination of the Grand List of the Association by June 1st of each year.
- (d) The Tax Collector shall be responsible for the calculation, preparation and mailing out of tax bills by July 1st of each year.
- (e) The Tax Collector shall keep accurate and detailed records concerning the collection and transfer of such funds to the Treasurer of the Association or other designated member of the Board of Directors, as designated by the Treasurer, in the Treasurer's absence.
- (f) The Tax Collector shall be responsible for the placement and release of tax liens as prescribed by law, and for keeping accurate records of all liens placed and released.
- (g) The Tax Collector shall be required to provide, at the request of the Board of Directors, accurate, up-to-date information concerning taxes paid, taxes owed, liens placed and liens released.
- (h) The Tax Collector serves at the pleasure of the Board of Directors, and may be removed from his/her position mid-term by a two-thirds majority of the votes cast at any duly announced meeting of the Board of Directors.
- (i) In the event of a vacancy in the Tax Collector position, the Board of Directors shall appoint a new Tax Collector by the majority of votes cast at any duly announced meeting of the Board of Directors.
- (j) The Tax collector shall turn over all materials related to the position to his/her successor within ten days of the successor's appointment.
- (k) In the event that an error made by the Association Tax Collector results in a refund due property owner(s), the Treasurer of the Association shall, with the approval of the Board of Directors, issue a refund to said property owner(s), causing proper entry(s) to be made in the records.

ARTICLE VI: Committees

Section 1 - Appointment

- (a) All committees shall consist of a chairperson and at least two other members of the Association wherever possible and reasonable.
- (b) Ongoing or special committee members may be appointed by the Board of Directors or by the President with the consent of the majority of the Board of Directors, or by the majority of the votes cast at any regularly scheduled or Special Meeting of the Association.
- (c) The chairpersons of all committees shall be encouraged to attend any or all Board of Directors' Meetings when there is committee information to be reported.

Section 2 - Ongoing committees

Appointments to Ongoing committees shall be made at the Budget Meeting held in late Spring, and the terms of committee members shall run for approximately one year until the next Budget Meeting.

Section 3 - Special Committees

Special Committees may be formed at any time to address a particular issue facing the Association.

A special committee shall exist from the time it is formed until its mission is accomplished, or is no longer deemed necessary.

An example of a Special Committee might be the formation of a Gerald Park Day Committee to oversee an association picnic at the beach park area.

ARTICLE VII: GOVERNING RULES and MEETINGS

Section 1: Governing Rules

- (a) In matters not otherwise governed by these bylaws, Robert's Rules of Order will be referred to as an authoritative guide.
- (b) As prescribed in Robert's Rules of Order, the chair is expected to remain neutral during proceedings; however, the chair may be relinquished to the next in line present if deemed necessary to pursue a cause or matter as a member, and not as the chair.
- (c) At Association and Board of Directors' Meetings, the general order of business shall be:
 - 1) Call to order
 - 2) Establishment of a quorum
 - 3) Introduction of members
 - 4) Audience of members
 - 5) Reading of minutes of the previous meeting
 - 6) President's Report
 - 7) Tax Collector's report
 - 8) Treasurer's report
 - 9) Committee reports
 - 10) Old business
 - 11) New business
 - 12) Elections (if appropriate)
 - 13) Set date for next meeting
 - 14) Remarks for the good of the order (optional)
 - 15) Adjournment

Section 2: Association Meetings

- (a) There shall be two Regular Meetings of the Gerald Park Association per year: the Budget Meeting, and the Annual Meeting.
 - i) Budget Meeting
The Budget Meeting of Gerald Park Association shall be held in late Spring or early Summer, no later than June 25th, whenever possible.
 - ii) Annual Meeting
The Annual Meeting of Gerald Park Association shall be held in late summer, no later than September 25th, whenever possible.
- (b) Special Meetings can be held at any time, either as deemed necessary by a majority of the Board of Directors, or according to paragraph (f) of this section.
- (c) Notification of the Budget, Annual, and Special Meetings shall be mailed to members of the Gerald Park Association, postmarked at least ten days prior to the meeting, whenever possible. Notices must be signed by the President or Vice-President, or any two other members of the Board of Directors, and shall be sent to each member's Address-of-Record, and shall state the purpose of said meetings.
- (d) The Address-of-Record shall be the address supplied to the Association by the Town of Coventry on the assessment list as of the most recent October 1st, or a more recent change noted by the Tax Collector of the Association, or such other address as the owner(s) of record may designate in writing.
- (e) Duly sent notice to one of several joint owners of any property shall be sufficient notice to all joint owners of said property.
- (f) Special Meetings of the Gerald Park Association may be called at the written and signed request of any four or more eligible-to-vote members of the Gerald Park Association. Such written and signed request shall be delivered to the President or Vice-President, either of whom shall, within seven days of receipt of such request, cause written notice to be sent to each member's Address-of-Record. Such notices shall specify the purpose of the Special Meeting, and must be mailed and postmarked at least ten days before said meeting, whenever possible.

The President, or Vice-President, who received the request for the meeting, shall notify the other Board Members and arrange to meet with the requestors of the meeting to discuss the issue before notices of the Special Meeting are mailed out. The Special Meeting shall be held, whenever possible, within thirty days of receipt of the written request.
- (g) In accordance with Article III, section 2(e), twelve members present shall constitute a quorum for the transaction of business at any Regular or Special Meeting of the Association.
- (h) Any non-privileged motion submitted for consideration must be in written form, and must be read out loud from that Written form before a vote may be taken.
- (i) Unless otherwise prescribed in Robert's Rules of Order, a majority of the votes cast shall be required to pass any motion at any regular or Special Meeting of the Association. Revisions to bylaws and other extraordinary items shall require special consideration as outlined in Article X.

Section 3: Board of Directors' Meetings

- (a) There shall be at least two Regular Meetings of the Board of Directors per year: one before the Budget Meeting and one before the Annual Meeting. Other regularly scheduled meetings of the Board of Directors may be held at the discretion of the Board of Directors.
 - (i) Meeting before the Budget Meeting
This meeting shall be held at least fifteen days before the Association's Budget Meeting, whenever possible. The purpose of this meeting shall be to prepare a proposed budget for the upcoming fiscal year, to construct an agenda for the Budget Meeting, and to address any other topics that may need to be discussed.
 - (ii) Meeting before the Annual Meeting
This meeting shall be held at least fifteen days before the Association's Annual Meeting, whenever possible. The purpose of this meeting shall be to discuss the election of officers to take place at the Annual Meeting, construct an agenda for the Annual Meeting, and to address any other topics that may need to be discussed.
- (b) Other meetings of the Board of Directors
 - (i) The President, or the Vice-President, in the absence of the President, may call a meeting of The Board of Directors at any time subject to the conditions in paragraph (iii)
 - (ii) A written request for a meeting signed by any four members of the Board of Directors, delivered to the President, or Vice-President shall cause the Secretary to schedule a meeting subject to the conditions in paragraph (iii), whenever possible, within seven days of receipt of such request.
 - (iii) The Secretary shall notify all members of the Board of Directors (either by phone call, email, or in writing) of any upcoming meeting of the Board of Directors at least five days before said meeting shall take place, whenever possible.
- (c) A majority of Board members holding office at the time of the meeting of the Board of Directors shall constitute a quorum for the transaction of business at any Regular or Special meeting of the Board of Directors.
- (d) A majority of the votes cast at any Regular or Special Meeting of the Board of Directors shall be required to pass any motion, unless otherwise prescribed by these bylaws or by Robert's Rules of Order.
- (e) Any member of the Association may arrange to address the Board at any Board of Directors Meeting during the 'audience of members' portion of the meeting. Unless specifically requested to do so by the Board, such person shall not otherwise participate in the meeting.

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ARTICLE VIII: ASSESSMENTS AND EXCEPTIONS
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Section 1: Assessments

- (a) The Tax Collector of the Gerald Park Association shall, by June 1st of each year, obtain from the clerk of the Town of Coventry a grand list of all properties within the Gerald Park Association. The list shall reflect properties owned as of October 1st of the previous year. The tax collector shall make a diligent effort to update this list so that it will reflect changes to ownership that have occurred since October 1st of the previous year.
- (b) The Gerald Park Association shall not assess or levy taxes on any property other than real estate.
- (c) The Association may, at its Budget Meeting or at any Special meeting called for that purpose, by the majority of votes cast, lay a tax, for any proper purpose of the Association. The mil rate set for any fiscal year may not exceed five mils.
- (d) The Gerald Park Association shall determine the mil rate based upon the grand list total property value for the Gerald Park Association, the expenditure(s) passed at the Annual Budget or Special Meeting, the amount of leftover funds to be rolled over into and applied against the new fiscal year budget, and the customary tax collection rate.
- (e) The amount of tax each property owner will pay shall be calculated by multiplying the assessed property value as provided by the Town of Coventry by the mil rate adopted for that fiscal year.

Section 2: Exceptions

The Board of Directors may, by a two-thirds majority of the votes cast at any Board of Directors meeting, abate the taxes assessed upon any such person or persons as determined to be poor or indigent by the Board of Directors, and unable to pay said taxes, causing a proper entry to be made on its records.

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ARTICLE IX: FISCAL YEAR AND EXPENDITURES
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Section 1 - Fiscal Year

The fiscal year of the Association shall be from July first of one year to June thirtieth of the succeeding year, both dates inclusive.

Section 2 - Limit of Board of Directors Expenditures

- (a) Other than monies approved for expenditure at the Budget Meeting, the Board of Directors shall not spend more than \$500 on any single expenditure without authorization by the majority of votes cast at a Regular or Special Meeting of the Association. The aggregate sum of monies expended in this manner shall not exceed \$1000 in any fiscal year.
- (b) No money shall be borrowed on behalf of the Gerald Park Association by the Board of Directors without authorization by the majority of the votes cast at a Regular or Special Meeting of the Association.
- (c) No monetary obligation or contract shall be made which, in the aggregate amount, exceeds the sum of one thousand dollars without authorization by the majority of votes cast at a Regular or Special Meeting of the Association.

