

# **RULES & REGULATIONS**

**BY - LAWS**

Rules and Regulations  
of  
THE MEDFORD LAKES COLONY

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These rules and regulations regarding operations of the Medford Lakes Colony have been established by its Board of Directors and, where indicated, by Ordinance of the Borough of Medford Lakes.

In these rules and regulations, the term “member” includes the following:

Those defined in Article III, Section 1 and Section 4(a) of the Colony’s bylaws.

Tenants with Colony privileges in accordance with Article III, Section 4(d) of the Colony’s bylaws.

Relatives of the immediate family of a member or tenant living full time under the member’s or tenant’s roof.

A member’s or tenant’s immediate family attending and residing at a school or college.

Children of members or tenants during the time they reside (sleep overnight) in the member’s or tenant’s home under shared custody arrangements.

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## FEES AND CHARGES

The following are the present amounts of the Colony's fees and other charges. Fees may only be changed by vote of the members in accordance with Article VII, Section 3 of our bylaws. Other Charges are as established by the Board.

### FEES

(as established by the Members)

Active member annual fees, which include \$145 for the Lakes Restoration Fund:

REGULAR	\$300	OVER65	\$260
SENIOR CITIZEN	\$200	INITIATION FEE	\$100

Membership certificate and redemption price –

\$2,500

One-time Lakes Restoration assessment to shoreline members when their lake is cleaned:

LAKEFRONT	\$750
WATERFRONT	\$550

### OTHER CHARGES

(as established by the Board)

#### GUEST TAGS:

ANNUAL	\$5.00
DAILY	\$1.00

#### TENNIS UNDER THE LIGHTS - per court:

One-Half season (9 weeks)	\$ 90.00
Full Season (18 weeks)	\$160.00
One night	\$ 12.00

#### SUMMER CAMP - 4 WEEKS

Per household with:

one child	\$ 95.00
two children	\$190.00
three children	\$260.00
four children	\$330.00
five or more children	\$380.00

#### PRE-SCHOOL DAY CAMP - 2 WEEKS

Per child	\$ 52.50
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### ACTIVITY AND GUEST TAGS

While using Colony properties and facilities for general recreational activities such as swimming, boating, fishing, ball playing, tennis, picnicking, ice skating, etc., everyone must wear either an activity tag (in the case of members) or a guest tag as evidence of authority to use. Members and guests must also wear tags while participating in events scheduled by individual members as described under "Use of Colony Properties". The Colony issues activity tags to members each year upon payment of fees for that year. Members may purchase annual guest tags at the Colony's office. Members may purchase daily guest tags from the office, the head lifeguard, or activity tag checkers. The Board will view unauthorized use of the Colony's properties and facilities as trespassing.

HOST MEMBERS MUST BE PRESENT WHILE THEIR GUESTS ARE USING COLONY PROPERTY. NO RESIDENT OF MEDFORD LAKES WHO IS NOT A MEMBER OF THE COLONY MAY USE THE COLONY'S FACILITIES OR PARTICIPATE IN ACTIVITIES OF THE COLONY'S AUXILIARIES AS A GUEST OF A MEMBER OF THE COLONY.

Campers must wear activity or guest tags while participating in the Colony's summer camp program. Swimmers in the Sunday swim races must also wear activity or guest tags while competing.

Tags need not be worn while participating in scheduled events such as meetings, athletics, dances , plays, or community service events.

If a member or guest is not wearing proper tags, they must leave Colony property if asked to do so by a Colony member or employee.

The following are improper uses of activity and guest tags and are against Colony rules (See Colony bylaws, Article V, Section 5):

Permitting nonmembers to use members' activity tags.

Obtaining member activity tags for nonmembers.

Permitting nonmember residents of Medford Lakes to use guest tags.

### USE OF THE LAKES

Members must obtain identification stickers for their watercraft in order to use them on The Colony's lakes. The Colony issues such stickers to members each year, upon payment of fees for that year, only for watercraft owned by members.

Members and guests should be aware that they must have a New Jersey fishing license in

order to fish in our lakes.

Activity and guest tags must be worn while boating, fishing, or otherwise using our lakes.

Nonmembers may not fish, swim, ice skate, or launch watercraft from lakeside property, public or private. The Colony will consider such action as trespassing.

The balance of this section is from Borough Ordinance No. 213, which **PROHIBITS** the following activities:

Swimming, bathing, or wading in the waters of Jackson Park.

Swimming or bathing within seventy-feet of the spillways of our dams (twenty-five feet for Lower Aetna dam).

Tampering with dams or associated water control devices.

Using watercraft propelled by machinery, e.g.. outboard motors, including electric, except as authorized by the Borough or The Colony for maintenance or emergency purposes. Mechanically propelled model boats are also prohibited. Only watercraft propelled wholly by muscle power or sail are permitted.

Creating any obstruction to navigation in a waterway.

Throwing litter into any waterway.

Diminishing the surface quality of any ice-covered waterway or creating hazards for ice skaters by making holes in the ice, having fires on the ice, or placing litter on the ice.

Feeding any waterfowl.

#### USE OF COLONY PROPERTIES

Members and their guests may use Colony beaches, lakes, ball fields, tennis courts, basketball courts, parks, etc. for recreational and social purposes in accordance with these and other rules and regulations which the Board may establish and post at specific properties. Use may be of a general, unscheduled nature, or be scheduled by individual members through the Colony office or with the Department of Property. Participants in events scheduled by individual members must wear activity or guest tags while attending such events. Participants in events scheduled by The Colony, its auxiliaries, or outside organizations need not wear tags except as provided elsewhere in these policies. Scheduled use has precedence over general use in the event of conflict.

All use is at members' and their guests' own risk.

Colony properties are not available for general use between sundown and sunrise.

Members may not use Colony properties in activities conducted for their personal monetary gain, e.g. giving swimming or tennis lessons.

People walking dogs on Colony properties must promptly and properly clean up and dispose of any “deposits” they may make. (Borough Ordinance No. 287).

The Colony must grant advanced approval for fires on its properties. (Borough Ordinance No. 213).

Alcoholic beverages may not be consumed, supplied, or made available on Colony property except at scheduled events with the express permission of the Board. The Board’s permission will be contingent upon the event’s sponsors obtaining appropriate State and Local permits and agreeing to comply with all laws and regulations regarding alcoholic beverages.

#### Vaughan Hall and Demby Annex

Use of Vaughan Hall and Demby Annex is on a scheduled basis only. These buildings are unavailable for general use. All scheduled events in these buildings must be for the community’s benefit and enjoyment and be open to all Colony members and their guests.

The event’s sponsor is responsible for the reasonable care of the building, including after-event clean-up. The sponsor is responsible for any damages occurring at a scheduled event. The Colony office issues keys only to sponsoring members or, in the case of auxiliaries, to the designated auxiliary member in charge of the event. Sponsors must return keys promptly after the conclusion of the event. Giving a key to any person not specifically indicated when the Colony’s office issues the key is not permitted. Duplicating keys is not legal.

#### Ball Fields, Tennis Courts and \_\_\_\_\_ Basketball Courts

Members may schedule use for their own benefit on an occasional basis. Regular scheduling and league competitions are under the sponsorship and control of the Colony’s auxiliary, The Medford Lakes Athletic Association (MLAA).

Sponsors are responsible for clean-up after their scheduled events.

No glass beverage or food containers are allowed at anytime.

Members may visit the Colony’s office to schedule use of the Colony’s tennis courts after dark for a modest fee. Members may purchase contracts at the Colony’s office which permit them to play tennis after dark on a regularly scheduled basis throughout the

summer.

### Beaches

Members may schedule beaches for their own use at times when lifeguards are not normally on duty. Sponsors of special events are responsible for hiring a qualified lifeguard through the Colony office if they plan to swim at the event. Sponsors are responsible for after-event clean-up.

No glass beverage or food containers are allowed anytime.

Lifeguards have the responsibility to control the conduct of people using the beaches or in the water. They may ask anyone not complying with their instructions to leave the beach. Repeated violation of lifeguard instructions may result in the member's beach and swimming privileges being suspended.

With regard to swimming or bathing in the waters of the Borough of Medford Lakes, Ordinance No. 25 provides that:

Swimmers and bathers must be suitably and decently attired.

Swimmers and bathers cannot do so while under the influence of intoxicating liquor.

No swimming or bathing between nine P.M. and seven A.M. the following day.

### Outside Organizations

The Board (only) may permit outside organizations to use the Colony's facilities for scheduled events, but only if such events are for the benefit and enjoyment of the community and are open to all members of the Colony and their guests. Such events must be sponsored by one of the Colony's auxiliaries.

Any request by an outside organization to use Colony property must be presented to the Board in writing and include: sponsoring auxiliary, type and date of event, proof of liability insurance for the outside organization, and expected number of attendees.

### NONRESIDENT PARTICIPATION IN COLONY ACTIVITIES

Guests of Members: A nonresident guest of a member may use the Colony's facilities provided the guest wears a current guest tag.

Auxiliaries: Participation in the Colony's auxiliaries is a privilege that is generally available only to members of the Colony. However, with the approval of the Colony's Board, nonresidents may participate in auxiliary activities in the circumstances described on page 4. Members have priority over nonresidents for auxiliary membership and participation begins when the Colony's Board approves it.

(1) The Board may approve a former resident of Medford Lakes as an honorary guest member in accordance with Article III, Section 4 (c) of the Colony's bylaws. A former resident who does not meet these requirements cannot be approved for participation under (2) or (3) below.

(a) The auxiliary will annually submit the former residents' names, present addresses, former Medford Lakes addresses, and dates of residency in Medford Lakes to the Colony's office prior to the auxiliary Board's approval of the former residents' participation. This permits the Colony to verify the former residents' compliance with the Colony's bylaws.

(b) Upon approval the Auxiliary will submit the former residents names to the Colony Board of approval. The Colony's Board expects that auxiliaries will approve participation only for those former residents who qualify under our bylaws.

(2) If an auxiliary wishes to conduct a specific activity, and there are not enough of its regular and honorary guest members available to do so, the Colony's Board may approve participation, in that activity only, by nonresidents who are not former Medford Lakes residents. The auxiliary will seek such approval annually. The Colony's Board expects that auxiliaries' requests for such nonresident participation will be infrequent and will consider approval in the following circumstances:

(a) The nonresident participation is necessary to conduct a specific activity. "Necessary" means that the auxiliary would not undertake the activity without the nonresidents participation. The auxiliary is responsible to determine that nonresident participation is "necessary" and to support that necessity to the Colony's Board.

(b) The auxiliary's board approves the nonresidents' participation.

(c) The Colony's Board may approve continued participation of a nonresident who was previously approved in accordance with this section without regard to the "necessity" conditions set forth under (2) (a), so long as the auxiliary's board continues to approve it. However, once a nonresident discontinues participation, the auxiliary and The Colony's Board must again deem it as being "necessary" before reinstating the nonresident.

(3) Upon application by an auxiliary and approval by the Board, participation in auxiliary activities may be extended to nonresident principals of commercial establishments located in the Borough who are not property owners. The Colony's fees for such participation are one-half the annual fee for a regular member, plus the lakes restoration fee.

Summer Camp: Nonresident grandchildren of members may participate in the summer camp program if the children reside (sleep overnight) in the grandparents home for the

term of the program. Such campers must wear a guest tag while attending camp. If the members qualify for the senior citizen or over 65 annual fee category, they must pay the difference in the Annual fees between such category and the regular category, in addition to the camp fee, when they register their grandchildren for camp.

87 Club: The Club permits a guest to attend six of the Club's regularly scheduled functions in a year. The Club issues special guest cards for its functions.

Sunday Swim Races: Members may invite their guests to compete, but guests are ineligible for awards and prizes. Members and their guests must wear activity tags while competing in these races.

Other: With the approval of the Board and provided that participation of a member is not affected, children of nonresident teachers in our school system who attend school in Medford Lakes may participate in youth sports activities of the MLAA during the school term.

## BULKHEADS AND DOCKS

Constructing bulkheads and constructing and maintaining docks are privileges afforded only to members of The Colony. In the event the owner of a property with an existing dock declines to become a Colony member, or to maintain membership in The Colony, The Colony will withdraw permission to maintain the dock and take such action as may be required to cause it to be removed.

Property owners must properly maintain their bulkheads and docks. Any lack of maintenance affecting the safe use or appearance of the structure is sufficient cause for The Colony to remove the structure upon ten days written notice. The Colony will assess costs of removal to the property owner where the structure was located.

### Permits

A member wishing to construct a bulkhead or a dock must obtain a permit from the Department of Property of The Colony. The Colony will not issue permits to nonmembers. Permit applications must be in writing and show the exact location, type of construction, size, and appearance of the proposed structure. Permits are not transferable to another party. Permits expire at the end of ninety days if construction of the bulkhead or dock has not been completed. However, permits may be renewed upon reapplication to The Colony. The Colony issues permits without cost to its members.

### Bulkheads

May not extend more than one foot above the normal high water line.

Conform in appearance, as far as reasonably possible, with similar structures on adjoining lots.

May not be constructed beyond the original normal high water line of the lake as shown on filed plans.

Constructed so as to preserve the rustic appearance of the community as far as this can reasonably done.

Unlawful to construct a bulkhead, or in any other manner rebuild any shoreline, in such a manner that it extends the shoreline more than one foot from that then in existence, or in such a manner that it creates an impediment to the natural action of wind and water which did not previously exist, or in such a manner that is substantially enlarges the land area of the property. (Borough Ordinance No. 213)

#### Docks

Visible portions must be constructed of wood.

Must extend continuously from the shoreline. No floats, floating docks, or similar structures are permitted in the lake except those maintained by The Colony.

No high diving platforms. The floor of the dock cannot be more than about eighteen inches above the normal high water level. Protective railings of reasonable height are permitted.

Unlawful for a dock to be more than twenty feet wide or to extend more than twelve feet into any waterway. (Borough Ordinance No. 213)

Only one dock permitted on any one property, unless one owner owns more than two hundred feet in frontage on any lake. In that case, The Colony has the discretion to permit one dock for each two hundred feet of frontage or fraction thereof.

#### EMPLOYMENT BY THE COLONY

The Colony will advertise all opportunities for employment in The Colony News.

The Colony will attempt to fill its needs for full and part-time employees by hiring interested members. Only in cases of demonstrably superior qualifications for a position will The Colony hire a nonresident to fill a position for which a member has applied. However, The Colony will not terminate a nonresident's employment just because a qualified member may later become interested in the position.

The Colony will not employ a resident of Medford Lakes who is not a member of The Colony. Maintaining membership is a condition of continued employment of Medford Lakes residents.

#### ORGANIZATIONAL PROPERTY OWNERS

Commercial: In the event a commercial establishment also has residence facilities, a membership with all privileges is available to the owner/resident or, in accordance with our bylaws, to the tenant. The membership and certificate requirements of our bylaws also pertain to commercial members. The full regular member annual fee, plus the lakes restoration fee applies. If commercial property with residence facilities is owned by more than one person, the joint owners must identify the nonresident owner to be considered the member and to have the related privileges.

### BY - LAWS

#### ARTICLE I NAME

Section 1. The name of this organization shall be THE MEDFORD LAKES COLONY, a voluntary association of property owners, of the Borough of Medford Lakes, Burlington County, New Jersey.

#### ARTICLE II PURPOSE AND OBJECTIVES

Section 1. The purposes for which The Colony is formed are: To promote the health and welfare of the community and thereby improve the quality of life of all the residents of the community by providing and maintaining open space, passive and active recreational facilities, including but not limited to, parks, beaches, lakes, streams, docks, piers, pavilions, club houses, buildings, tennis courts, basketball courts, and playing fields.

To formulate rules and regulations for the use of COLONY property.

Corporation or Partnerships: The stockholder or partner occupying the cabin shall be considered the member. The membership and certificate requirements of our bylaws also pertain to properties owned by corporations and partnerships. In the event the property is occupied by tenants, they may have privileges in accordance with our bylaws. For such properties not occupied by a stockholder or partner, they must identify which one nonresident stockholder or partner is to be considered the member and to have the related privileges. Annual fees for corporate or partnership owners will be the same as for regular active members, plus the lakes restoration fee.

- To organize social and recreational activities for children and adults of all ages.
- To maintain a pleasant, vacation-like atmosphere in a year-round community as well as a scenic and serene environment with clean and viable lakes.
- To do any and all things necessary, appropriate or advisable incident to and for the best interests of the members of THE COLONY.

Section 2. The objectives of THE COLONY are:

To provide the benefits mentioned in Section 1 of this Article through volunteers from the community for the benefit of all residents of the community, outside the sphere of government, thereby keeping the COLONYS facilities for the private use of the residents of Medford Lakes and avoiding political influence and the financial and administrative constraints of government.

To operate as a financially self-sufficient entity supported by the fees paid by the members of THE COLONY.

To spread the financial burden of providing aforementioned benefits over all the residents of the community by obtaining the membership of every resident of the community.

### ARTICLE III MEMBERSHIP

Section 1. Members of THE COLONY must be property owners within the Borough of Medford Lakes. Applicants shall be elected to membership by a majority vote of the Membership Committee at a duly convened meeting with at least a majority of its members present at a duly convened regular or special meeting of the Board of Directors. Elections to membership are conditioned upon applicants obtaining a membership certificate as set forth on Article IV, Section 1.

Section 2. As a pre-requisite to membership, all applicants shall subscribe and agree in writing to uphold and to be bound by these bylaws and any and all charges, alterations, amendments, or revisions thereof and rules and regulations duly adopted by THE COLONY and the principles and ideals of THE COLONY as in these bylaws set forth and as may be expressed in any policy duly determined and adopted by THE COLONY and expressly agree to conform with all Federal, State, and Local Laws , rules and regulations and, incident to membership, expressly waive any claim or claims against

THE COLONY or any of its Directors, committee members or employees as individuals or as a group for any official act or neglect to act in connection with the business of THE COLONY and particularly as to its or their acts in electing or failing to elect or disciplining him or her as a member.

Section 3. If the Lakes Restoration fees, Annual Fees, and assessments of a member remain unpaid at the end of the calendar year to which they apply, he will be considered delinquent. The Board of Directors may, by its vote, discontinue delinquents as members of THE COLONY. If, due to financial circumstances, a member is unable to satisfy his financial obligation to THE COLONY, the member may make an application for relief to the Membership Committee for appropriate consideration.

(a) The Board will vote on the status of delinquent members at its first regularly scheduled meeting held in the subsequent calendar year. A delinquent member may attend that meeting and address the Board on matter relating to his membership. The Financial Secretary will notify delinquent members by certified mail four weeks prior to the meeting of which the Board will vote on the continued membership of delinquents. Such notice shall specifically remind the delinquent member of the provisions of paragraphs (b) and (c) of this section.

(b) Membership certificates of resigned members and of delinquents whose COLONY membership has been discontinued by vote of the Board of Directors will be null and void. THE COLONY will not redeem them.

(c) Property owners who are no longer members under the provisions of this section may reapply for membership in accordance with these bylaws, including obtaining a membership certificate and paying initiation fees.

Section 4. There shall be the classes of membership in THE COLONY described in this section.

(a) Active members must pay the Lakes Restoration Fee and the Annual Fee. They are entitled to all rights and privileges of membership, use of COLONY property, and participation in activities of THE COLONY and its auxiliaries.

(b) The Active members may, at any properly called meeting of THE COLONY, elect any person or persons as an Honorary member of THE COLONY with such privileges as shall be set forth at the time of election.

(c) An Honorary Guest member (1) shall be an individual nominated and approved by an auxiliary; (2) nominee shall be presented to the Colony's Membership Committee for confirmation yearly; (3) shall be a non-resident who left THE COLONY in good standing after a minimum of five (5) years membership in good standing; (4) shall have no privilege to use COLONY property except as a guest during an auxiliary function.

(d) Tenants of properties owned by landlord members may have all the rights and privileges of the landlord member except that tenants may not vote nor be an officer or Director of THE COLONY. The landlord must make a written request to THE COLONY for transfer of his COLONY privileges to the tenant, which will remain in effect until the tenancy has ended or the landlord revokes the request in writing. The landlord retains the privileges of voting or being an Officer or Director.

The tenant may pay the fees and assessments related to the property he leases directly to

THE COLONY if authorized in writing to do so by the landlord member. However, THE COLONY will look to the landlord as being responsible for payment of fees and assessments with respect to his properties.

Section 5. The Membership Committee shall ascertain the qualifications of applicants for COLONY membership and shall have the authority to decide all matters pertaining to membership. All proceedings and actions of the Committee shall be deemed and considered privileged and confidential. The Committee shall be elected annually by the Board of Directors and shall consist of five (5) members, one of whom shall be the Vice-president of THE COLONY in charge of finance, one of whom shall be the Director of THE COLONY assigned to the Department of Finance, and one of who shall be a Past President who is an active member of THE COLONY, and the remaining two of whom shall be Active members at large who may or may not be members of the Board of Directors.

Section 6. Each Active member in good standing shall be entitled to one vote. If a property is owned by more than one person, its owners shall have a single membership certificate and shall be counted for all purposes as one member. Any of such owners may cast their common vote on any question, and if such owners disagree among themselves their vote shall not be cast or counted. If a member owns more than one property in the Borough of Medford Lakes, he must obtain a membership certificate for each property he owns. Fees and assessments pertaining to all properties owned by such member must be current in order for that member to be in good standing. Such member will have a vote with respect to each property. COLONY privileges may be extended to the residents of all such properties owned by a member upon the written request of the member and payment of all fees and assessments with respect to such properties.

Section 7. The privileges of membership may be extended, when and as desirable, to persons who are not members of THE COLONY by the Board of Directors; subject to any limitations which it may impose. Unless otherwise provided by the Board of Directors, relatives of the immediate family of a member, living under his roof, shall be entitled to the same privileges with respect the COLONY property as the member himself.

Section 8. Membership in THE COLONY is a personal privilege and is not transferable. Membership in THE COLONY ceases when a member is no longer a property owner in the Borough of Medford Lakes.

#### ARTICLE IV MEMBERSHIP CERTIFICATES

Membership certificates must be acquired or disposed of through THE COLONY in the manner provided by this Article. Certificates acquired or disposed of in any other manner are invalid.

Section 1. All applicants for membership in THE COLONY must obtain a membership certificate by either:

(a) Purchase from THE COLONY at the fee established by the Active members as provided in Article VII, Section 3, OR

(b) Transfer from the former owner of the applicant's property in the Borough of Medford Lakes following the procedure set forth in Section 3 of this Article.

Section 2. THE COLONY must use the proceeds from the sale of membership certificates to redeem membership certificates in the manner provided by Section 4 of this Article. However, if THE COLONY is holding no certificates for redemption the proceeds of that sale shall be placed in the special lakes restoration account, which is restricted for lakes cleaning costs, and not used to redeem certificates which may be offered from redemption thereafter.

Section 3. THE COLONY will issue a membership certificate to the new owner of a former member's property in the Borough of Medford Lakes, without payment to the COLONY by the new owner, if all of the following conditions are met:

(a) The former member authorizes, in writing to the Financial Secretary of THE COLONY, the transfer of his certificate to the new owner of his property.

(b) All Lakes Restoration fees, Annual fees, and assessments to the former member have been paid through the calendar year.

(c) The new owner applies for COLONY membership within 60 days of acquiring the property.

Section 4. In the event the former member does not transfer his certificate to the new owner of his property, as set forth in Section 3 of this Article, the certificate must be offered to THE COLONY for redemption in accordance with the provisions of this Section.

(a) THE COLONY will redeem a certificate only in the amount of and from the proceeds of sale of membership certificates received after a certificate is offered for redemption.

(b) If there are several certificates awaiting redemption at the time a certificate is sold, the sale proceeds will be applied to redeem the one awaiting redemption for the longest time.

## ARTICLE V BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of elected officers as herein provided, all Past Presidents who have retained Active membership in THE COLONY and nine (9) elected Directors who shall be elected by the Active members of THE COLONY, three (3) directors being elected at each Annual Meeting to serve for a term of three (3) years.

Section 2. Nomination of Directors to be elected shall be by a committee of three (3), consisting of the Immediate Past President as Chairman, one member from the Board of Directors and one other Active member of THE COLONY, appointed by the President and approved by the Board of Directors. The nominating committee shall call for

suggestions from the members through the Colony News, in addition to its own suggestions and shall interview all candidates proposed, from whom the necessary Directors to be elected for the respective terms shall be nominated in the number required and the committee's report published in the Colony News at least one week prior to the Annual Meeting. Additional nominees may be placed in nomination provided a written petition has been filed with the Recording Secretary of THE COLONY at least three (3) business days prior to the Annual Membership Meeting containing signatures of at least 5% of the members of THE COLONY.

Section 3. In case of a contested election, the Chair shall determine by vote, the wishes of the members as to a voice or written ballot, and in case of a ballot election, a judge and two tellers shall be appointed by the Chair to conduct and to certify the results of the election. For purposes of conducting an uncontested election, a quorum shall consist of the members present at such Annual Meeting.

Section 4. The Board of Directors shall have full power to transact any and all business of THE COLONY which might be transacted by the Active membership. It shall have full control of THE COLONY'S property, shall have full power and authority to make all rules and regulations governing such property, its uses, and activities of THE COLONY; and shall have all powers and authorities commonly vested in a corporate Board of Directors. A quorum at a Board of Directors meeting shall be a majority of the aggregate of officers and elected directors.

Section 5. The Board of Directors shall have full power and authority in its sole discretion to decide any question as to membership; shall have power to discipline any member for any infraction of the bylaws or rules or regulations made in pursuance thereof or for the non-payment of fees; and shall have power to suspend any member upon conviction of any such infraction, or to impose any less severe penalty; provided that if the offense complained of is the non-payment of fees; the Board of Directors shall act only upon the filing of a report in writing by the Financial Secretary concerning such delinquency, and that if such disciplinary action is contemplated by reason of any other infraction of the bylaws or rules or regulations made in pursuance thereof, the charges shall first be investigated by the Membership Committee who shall report upon the same to the Board of Directors, and the accused member shall be furnished with a copy of the charges in writing at least five days prior to a hearing before the Board of Directors of which he shall be entitled to be heard. Suspension of membership shall not relieve such member from payment of fees. Where any member has been suspended from membership, such member shall be denied the use and privilege of any and all COLONY property and deemed and considered a trespasser and subject to such penalties as the law may provide and impose on trespassers. The decision of the Board of Directors in any such cases shall be final and not subject to review.

Section 6. Should any vacancy occur in the Board of Directors, the same shall be filled by appointment by the Board of Directors until the next Annual Meeting of THE COLONY.

## ARTICLE VI

## OFFICERS AND DUTIES

Section 1. The elected officers of THE COLONY, who shall be Active members of THE COLONY but need not be elected Directors, shall consist of a President, four Vice-presidents, a Financial Secretary, a Recording Secretary, and a Treasurer, all of whom shall take office on the first day of January following their election and shall hold office for one year.

Section 2. Said elected officers shall be elected by the Board of Directors at the meeting to be held within thirty (30) days after the Annual Meeting of the members of THE COLONY.

Section 3. Vacancies in any of the above elected offices shall be filled by the Board of Directors for the expired term.

Section 4. The President shall exercise the duties usually devolving upon that office and shall be exofficio a member of all committees.

Section 5. One of the Vice-presidents shall act during the absence or disability of the President.

Section 6. The Recording Secretary shall keep the minutes and the corporate seal and shall assume and discharge all duties commonly devolving upon the office of a Secretary other than those duties of the Financial Secretary as hereinafter designated. He shall also act as clerk for any of the committees and the Board of Directors.

Section 7. The Financial Secretary shall keep a list of all the members and shall collect the fees of the organization and shall turn over moneys collected to the Treasurer, from whom he shall take a receipt. He shall keep a list of all membership certificates which THE COLONY is holding for redemption. He shall send out bills for fees when and as the same shall become due and shall report to the Board of Directors all members whose fees are more than thirty (30) days in arrears. He shall furnish a bond in such a sum with such security as shall be approved by the Board of Directors, the cost of the bond to be paid for by THE COLONY.

Section 8. The Treasurer shall have the custody of all funds of THE COLONY and shall disburse only upon vouchers signed by the President and a Vice-president, or in the case of absence or disability of the President, upon vouchers signed by two Vice-presidents. He shall furnish a bond in such a sum as with such security as shall be approved by the Board of Directors, the cost of such bond to be paid for by THE COLONY.

Section 9. The President, with the approval of the Board of Directors, shall have the power to appoint such committees as from time to time shall seem desirable which committees shall be selected from the Active members of THE COLONY. There shall, however, at all times be a Membership Committee to consider applications for membership in THE COLONY; and an Executive Committee, consisting of elected officers and the Immediate Past President of THE COLONY, to act for the Board of

Directors between regular meetings of the Board of Directors.

Section 10. No elected officer or Director of THE COLONY shall draw any salary or any other form of compensation whatever. Employees and appointed officers of THE COLONY may be employed by the Board of Directors and shall be entitled to compensation when and as directed by the Board of Directors.

## ARTICLE VII FEES AND ASSESSMENTS

Section 1. The fees of THE COLONY, which cover the period of a calendar year, shall be as follows:

(a) Lakes Restoration fees. Lakes Restoration fees shall be placed in a special account by THE COLONY and are restricted to pay expenses related to cleaning the lakes.

(b) Annual Fees. Annual fees shall be placed in the general account of THE COLONY and used for the costs of ongoing maintenance, replacement of property and equipment, administration, and recreational and social activities. The amount of Annual Fees shall be established for each of the following classifications of Active members:

(1) Regular Active members include all Active members except those who may qualify under (2) and (3) following.

(2) Over 65 Active members are those who are over age 65 as of January 1st of each calendar year. In the event the property is owned by more than one person, one of the owners must be over 65 as of January 1st. Members must present verification of their eligibility to be Over 65 members to the COLONY'S office.

(3) Senior Citizen members are those who are over age 65 as of January 1st of each calendar year and in addition receive a property tax reduction from the Borough of Medford Lakes because of their income level. In the event the property is owned by more than one person, one of the owners must be over 65 as of January 1st. Members must present verification of their eligibility to be Senior Citizen members to the COLONY'S office.

Section 2. Fees shall not be prorated for a portion of a calendar year. However, the buyer of a property shall not be assessed Lakes Restoration or Annual fees for the year of purchase if the seller had paid the fees for that year, unless the buyer does not qualify for the Active membership classification of the seller. In that case the difference in Annual fees between the classifications shall be prorated and assessed to the buyer. Fees are not refundable.

Section 3. The Lakes Restoration fees, Annual fees, initiation fees and the membership certificate selling price for Active members shall be established from time to time in the following manner:

(a) The amounts prevailing at the time of the adoption of these bylaws shall continue unless and until otherwise fixed and determined by the members of THE COLONY or by the Board of Directors by either one of the following methods:

(1) The Board of Directors may recommend a change by publishing notice

thereof in The Colony News at least two (2) weeks prior to the Annual Meeting or Special Meeting of the membership called for such a purpose; OR

(2) At least ten percent (10%) of the Active members in good standing may file a written application for a change in fees or certificate prices with the President at least thirty (30) days before the Annual Meeting, notice of which shall be published in The Colony News at least two (2) weeks prior to the Annual meeting.

(b) In either event, at the Annual Meeting or at the Special Meeting called by the Board of Directors, the members shall consider the recommendations of the Directors or the application of the members, as the case may be, and shall thereupon fix the fees and certificate price, which shall remain in effect until changed in accordance with the foregoing provisions.

Section 4. Assessments may be levied, if ever required, but only with the consent of a majority of the Active members present at a Special Meeting which shall be called as hereinafter provided. At any such meeting ten percent (10%) of the Active members in good standing shall constitute a quorum.

Section 5. Fees must be paid by January 31st of each calendar year. Failure to do so shall render the member liable to disciplinary action by the Board. Interest at the rate of 1% per month will be charged on amounts unpaid as of April 1st of each calendar year. After January 31st, members will have none of the privileges of membership until all fees and assessments for that year have been completely paid.

Section 6. Docks may be maintained only by Active members. All costs involved in erecting and/or removing fences or docks resulting from non-payment of COLONY fees shall be assessed to the member.

Section 7. Lakefront and waterfront property assessments shall be \$750 for lakefront and \$550 for waterfront. Properties eligible for the waterfront assessment rate shall be those as designated by the Lakes Restoration Committee. These assessments are payable in the year their lake is cleaned but before the lake cleaning is completed. Such assessments will be placed in the special lakes restoration account and are restricted for lakes cleaning costs. Interest at the rate of 1% per month will be charged on assessments unpaid 30 days after a lake cleaning is completed, as determined by the Board of Directors.

## ARTICLE VIII MEETINGS

Section 1. The Annual Meeting of THE COLONY shall be held on the second Monday in October at such time and place as the Executive Committee shall designate, fix and determine. In event such date shall fall on a holiday, the Annual Meeting will be held on the following Monday.

Section 2. The Board of Directors may call a Special Meeting of THE COLONY at any time, when, in its opinion, the COLONY'S interests may require such action; or the President shall call a Special Meeting of THE COLONY within thirty (30) days after a written request for such meeting, stating the purpose for which the meeting is to be held,

signed by at least fifteen percent (15%) of the Active members in good standing.

Section 3. Notice of the Annual Meeting and any Special Meeting shall be given either by mailing a notice to the last known post office address of each member or, in lieu thereof, by announcing said meeting in The Colony News.

The announcement to be made at least five (5) days in advance of the date fixed for the meeting, and in the case of a Special Meeting the announcement to state the nature of the business to be considered at such Special Meeting.

Section 4. The regular meetings of the Board of Directors shall be held on such stated times and places of such stated months as may be fixed and determined by the Board of Directors at its organization meeting each year, but in any event at least five stated meetings shall be scheduled each year. In the event any such date shall fall on a holiday, said meeting shall be held on the same day of the following week. Special meetings of the Board of Directors may be called by the President on two (2) days notice, which said notice may be dispensed with provided all Directors are present or have waived such notice. The written consent and approval of all Directors to any proposition shall be equivalent to a resolution of the Board at a regularly called meeting.

Section 5. At all meetings of THE COLONY, except as herein otherwise provided, five percent (5%) or more of the Active members in good standing shall constitute a quorum. Where less than a quorum present, the meeting may be adjourned by those present until such time or place as may be desirable.

Section 6. In the conduct of all meetings, either Members or Board, Robert's Rules of Order shall govern.

#### ARTICLE IX AMENDMENTS

Section 1. These bylaws can be amended, altered, repealed, or revised by the Active members in good standing at a properly called Annual or Special meeting by either of the following methods.

(a) Proposed amendment, alteration, repeal or revision shall be submitted in writing to and approved by the Board of Directors; OR

(b) if such proposed amendment, alteration, repeal, or revision be disapproved by the Board of Directors, it may be placed before the members at the Annual Meeting provided that at least ten percent (10%) of the Active members in good standing shall file a written request therefore with the President at least thirty (30) days before said Annual Meeting. Notice of the meeting in either of the foregoing methods shall state the proposed amendment, alteration, repeal or revision.