

BY-LAWS
OF
THE HIDDEN LAKE ASSOC.

HIGGANUM, CT

INCORPORATED 1937

REV. 2019

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AN ACT INCORPORATING THE HIDDEN LAKE ASSOCIATION

Be It Enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The owners of a freehold interest in any land within the limits specified in section two of this act, in the locality known as Hidden Lake in the Town of Haddam, shall be, while they continue to be owners of such land, a body politic and corporate by the name of the Hidden Lake Association, and by that name they and their successors shall be a corporation in law capable of suing and being sued and pleading and being impleaded in all courts, and shall be vested with and may exercise the powers hereinafter specified. All persons who are over twenty-one years of age, who own or who may own any land within said limits shall, while they continue to be owners of such land, be members of The Hidden Lake Association, and entitled to vote at any meeting of said association and shall be eligible to any office in said association. Joint owners of any freehold interest in any land within said limits shall be considered for voting purposes, as one member of said association. Husbands and wives of said owners shall be members of said association but shall not be empowered to vote at any meeting of said association except as proxies for said owners.

Section 2. The limits and territory of said association shall be that part of the development known as Hidden Lake, located in the town of Haddam, particularly defined in a survey and map dated June 15, 1929, surveyed and drawn by Wynne & Hahn, civil engineers of New Haven, which map and survey were made for the Hidden Lake Realty Company Incorporated, developers, shown as "Section A-B-C and D, lots No. 1-2-3-4-5 of Section E." The land and water surface shown as lake, together with the survey and map, shall be excepted from the assessment provisions of this act. The limits and territory of said association may be extended at any time upon written application of the owner or owners of other lots, provided such application shall have the approval of a majority vote of the members present at any annual or special meeting, and thereupon such land shall be incorporated within the limits and territory of said association and the owner or owners thereof shall be a part of said body politic and incorporate.

Section 3. The objects of said association shall be to provide for the improvement of the land in said territory and for the health, comfort, protection and convenience of the inhabitants thereof.

Section 4. The first meeting of the members of said association shall be held not later than August 31, 1937, at such time and place within the limits of said association, as the committee hereinafter named shall appoint in a notice warning of such meeting, and shall elect, from said members, by a plurality of ballots, a board of governors of three members, one for the term of one year, one for the term of two years, and one for the term of three years, and at each annual meeting thereafter, successors to the members whose terms then expire shall be elected for terms of three years each, who, with the five officers and the retiring president, shall constitute the board of governors. The members, at said meeting and annually thereafter, shall elect a president, vice

president, financial secretary, recording secretary, and treasurer. Said members of the board of governors and the officers of the association shall hold office until their successors shall be elected and shall have qualified, unless sooner disqualified by ceasing to be owners of land within said limits. Annual meetings shall be held on the first Sunday in May, at such time and place within said limits as a majority of the board of governors shall decide and warn. (Amended by Special Act #175 dated July 9, 1971)

Section 5. Herbert C. Wilcox, Xavier F. Kratz, Richard M. Campbell, Frederick A. Clarke, William Holtz, Edward E. Sandberg and Henry Nordheim, or a majority of them, shall constitute said committee and shall have full power to warn said first meeting, which warning shall be written or printed and signed by a majority of said committee, and a copy shall be posted in a public place within the limits of said association. Notice of such meeting shall be directed to each member by first class mail, to his or her place of residence as shown on records of the Hidden Lake Realty Co., Inc., at least five days prior to the date of the meeting. All subsequent meetings, annual or special, shall be warned by the board of governors or by the chairman of said board as may be prescribed in the by-laws of said association.

Section 6. Any vacancy occurring in the membership of said board of governors between annual meetings of the association shall be filled by a majority of the remaining members of the board of governors, until the next annual meeting at which time the members of the association shall elect as above prescribed, a member of the board for the unexpired portion of the term. Any vacancy occurring in any office between annual meetings, shall be filled by the board of governors for the unexpired portion of the term.

Section 7. Said association may, from time to time, enact, amend and enforce such by-laws, ordinances and regulations, not inconsistent herewith or with the general statutes, as it may deem necessary or desirable for its government and guidance, such as the election of additional officers and committees, defining the duties of all officers and the board of governors, the bonding of officers, the calling and conducting of meetings, including the determination of the number of which shall constitute a quorum, and the preparation of budgets and for the following additional purposes: To purchase, acquire and own real estate or other property for the use or benefit of the association; to sell, rent or otherwise dispose of such real estate and property; to regulate travel over the highways and roads, public and private, and parking thereon, within said limits; to enact zoning ordinances; to restrict the enlargement or extension of present business or industry, and the entry and operation of any new or additional business or industry; to protect by suitable means, property within its limits from theft or injury; to employ and discharge one or more special policemen or watchmen who shall have the powers and duties within said limits in relation to criminal and other offenses and offenders that constables have in towns, including the power to arrest for violation of any ordinance, regulation or by-law of said association or of any law, provided such violation and any resistance to or interference with such special policeman or watchman while in the proper performance of their official duties, shall be penalized in the same manner as though they were duly constituted constables of the town of Haddam; to clean and improve any and

all unsightly neglected or waste places; to require owners or lessors of land or building within said limits to remove leaves and other inflammable material and debris from the highway and roads adjacent to or in front of property owned, leased or occupied by them; to prevent the deposit within said limits, of any refuse, garbage or waste material of any kind which, in the opinion of said board of governors, may endanger the public health or safety, or which may become a nuisance; to remove garbage, filth, ashes and other refuse matter within said limits, and to authorize such person as said board may designate to make entry on any private property within said limits for the purpose of taking and removing all filth, garbage, ashes, brush or any other offensive matter. Said association may fix a penalty for each violation of any such by-laws, ordinances or regulations or for the defacing or removal of signs, notices or other property of the association, of not more than twenty-five dollars and the penalties may be recovered in any action brought for the purpose in name of The Hidden Lake Association and for its use and benefit before any court having jurisdiction. No by-law or regulation shall take effect until ten days after its passage or until it shall have been posted for at least five days on a signpost to be designated by the association, and notice of the posting of any by-laws, ordinances or regulations as provided herein shall be prima facie evidence of its adoption.

Section 8. The board of governors shall prepare and submit, for action thereon, to a meeting of the association to be held within one month after the first meeting of said association, and to the annual meetings thereafter, a budget, and shall recommend an assessment or a tax sufficient to meet the requirements of such budget, of not less than one dollar or more than three dollars on each owner of each vacant lot, and not less than three dollars or more than five dollars for each owner of each lot having a dwelling or cottage thereon, located within the limits of the association, joint owners of each lot to be considered as one person for the purpose of tax or assessment. Such proposed budget and tax or assessment shall be posted on the signpost of said association not less than five days before the meeting of said association. Said association shall have the power to determine all other matters pertaining to the levy or collection of such tax or assessment. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town of Haddam, pursuant to the provisions of the general statutes relating to the continuance of tax liens. (Amended by Special Act #175 dated July 9, 1971)

Section 9. Nothing herein shall be construed to enlarge or impair any rights or restrictions, either in deed or arising by operation of law, in relation to property located within said limits.

Approved May 28th, 1937.

AN ACT CONCERNING TAXATION OF
PROPERTY BY
THE HIDDEN LAKE ASSOCIATION

Be It Enacted by the Senate and House of Representatives in General Assembly convened:

Section 8 of number 319 of the special acts of 1937 is repealed and the following is substituted in lieu thereof: To meet the financial obligations of the association a tax shall be levied on all of the real estate which is located within the boundaries of the association. The board of governors shall prepare a budget setting forth all proposed expenditures to be made by the association for the period of each fiscal year and the purposes for which said monies shall be expended and it shall submit the same to the annual meeting of the association in each year with its recommendation for adoption. The assessment of the real estate lying within the corporate limits of the association shall be of the same evaluation as the assessment which has been made on all such real estate by the town of Haddam in each year. The board of governors at the annual meeting shall likewise recommend the rate of tax which shall be levied on all such real estate, which rate shall be sufficient to meet all the requirements of the budget and which rate shall be not less than one-half of a mill nor more than ten mills in any fiscal year. Joint owners of any piece or parcels of real estate shall be considered as one person for the purpose of such tax and assessment. A base minimum tax of six dollars shall be levied against every person owning one or more lots within the limits of the association. For the purpose of this provision, if two or more persons hold joint title to a lot or lots and, in addition, any one of such persons, as an individual, holds title to another lot or other lots, the minimum tax herein provided for shall be collectible from any such person thus separately assessed. Such proposed budget and tax or assessment shall be posted on the signpost of said association not less than five days before the meeting of said association. Said association shall have the power to determine all other matters pertaining to the levy or collection of such tax or assessment. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town of Haddam, pursuant to the provisions of the general statutes relating to the continuance of tax liens. (Amended by Special Act #175 dated July 9, 1971)

Mar. 9-59 - Public Hearing

Apr.14-59 - Favorable Report

Apr.28-59 - House Passed

Apr.30-59 - Senate Passed

May 15-59 – Gov. signed, Went into effect immediately

SENATE BILL NO. 1833

SPECIAL ACT NO. 175

AN ACT AMENDING THE CHARTER OF THE HIDDEN LAKE ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 4 of number 319 of the special acts of 1937 is amended to read as follows: The first meeting of the members of said association shall be held not later than August 31, 1937, at such time and place within the limits of said association, as the committee hereinafter named shall appoint in a notice warning such meeting, and shall elect, from said members, by a plurality of ballots, a board of governors of three members, one for the term of one year, one for the term of two years and one for the term of three years, and at each annual meeting thereafter, successors to the members whose terms then expire shall be elected for terms of three years each, who, with the five officers and the retiring president, shall constitute the board of governors. The members, at said meeting and annually thereafter, shall elect a president, vice president, financial secretary, recording secretary and treasurer. Said members of the board of governors and the officers of the association shall hold office until their successors shall be elected and shall have qualified, unless sooner disqualified by ceasing to be owners of land within said limits. Annual meetings shall be held on the third Sunday in May at such time and place within said limits as a majority of the board of governors shall decide and warn.

Section 2. Section 8 of number 319 of the special acts of 1937, as amended by number 130 of the special acts of 1959, is amended to read as follows: To meet the financial obligations of the association a tax shall be levied on all of the real estate which is located within the boundaries of the association. The board of governors shall prepare a budget setting forth all proposed expenditures to be made by the association for the period of each fiscal year and the purposes for which said monies shall be expended and it shall submit the same to the annual meeting of the association in each year with its recommendation for adoption. The assessment of the real estate lying within the corporate limits of the association shall be of the same evaluation as the assessment which has been made on all such real estate by the town of Haddam in each year. The board of governors at the annual meeting, shall likewise recommend the rate of tax which shall be levied on all such real estate, which rate shall be sufficient to meet all the requirements of the budget and which rate shall be not less than one-half of a mill nor more than fifteen mills in any fiscal year. Joint owners of any piece or parcels of real estate shall be considered as one person for the purpose of such tax and assessment. A base minimum tax of six dollars shall be levied against every person owning one or more lots within the limits of the association. For the purpose of this provision, if two or more persons hold joint title to a lot or lots and, in addition, any one of such persons, as an individual, holds title to another lot or other lots, the minimum tax herein provided for shall be collectible from any such person thus separately assessed. Such proposed budget and tax or assessment shall be posted on the signpost of said association not less than five

days before the meeting of said association. Said association shall have the power to determine all other matters pertaining to the levy or collection of such tax or assessment. Such tax or assessment shall be a lien upon the property upon which it shall be laid and may be collected by suit in the name of the association by foreclosure of such lien or in such manner as town taxes may be collected. Such lien may be continued by certificate which shall be recorded in the land records of the town of Haddam, pursuant to the provisions of the general statutes relating to the continuance of tax liens.

Signed and passed July 9, 1971.

B Y -- L A W S

Section I. These by-laws are promulgated in accordance with the Charter, Certificate of Incorporation as granted by the State of Connecticut and approved on May 28, 1937, creating a corporation known as the Hidden Lake Association, and these bylaws are to facilitate and put into effect the powers and duties vested in the membership, the officers and the Board of Governors.

Section 1-A. All restrictions contained in the original purchase contract and deeds relating to property within the territory of the Hidden Lake Association shall be and is continued without limit. As amended by the membership of the Association, May, 1946.

AMENDMENTS

Section 2. These by-laws may be amended by any member presenting such amendment, at any meeting, in writing and signed by the introducer. Such amendment shall then be referred to the Committee on By-laws and Amendments to review and report thereon as provided in Section 16-D and if approved by the Committee a copy shall be mailed to all members at least ten (10) days prior to the next annual or special meeting at which said amendment is to be voted on and must receive a two-thirds vote of all members present.

Section 3. The by-laws shall be effective over such territory as provided for in the charter and shall govern the acts of owners, residents, tenants, lessees or such persons while within the confines of the territory in control of this association, to provide observance consistent with the intent of the Corporate Charter.

TERMINATION OF MEMBERSHIP

Section 4. Any member or members of his or her family, heirs or assigns who sells or disposes of their realty holding within the territory of Hidden Lake, shall automatically cease to be members of this association and have no claim in law whatsoever, against the association or its possessions.

DEFINITIONS

Section 5. To clarify certain expressions in the language of the Charter and By-laws the following definitions will relate to various questions, situations and matters referred to:

ANY MEETING - Where reference is made to "any meeting", the term shall mean either a Board of Governors, Special or Annual meeting.

ASSOCIATION - Where reference is made to the Association, such term shall mean the corporation known as the Hidden Lake Association.

BOARD - Where reference is made to the Board such term shall mean the Board of Governors.

LOTS - A lot is a parcel of ground within the confines of this association as

shown on the map of the Hidden Lake territory and designated by a lot number and section letter irrespective of dimension or area.

MEMBER - A person over twenty-one (21) years of age who owns land within the territory of the association or his or her spouse.

SIGN-POST - The sign-post for the association shall be designated as the U.S. Mail.

VOTE - A vote is one ballot cast or one voice on a notion by an owner or his proxy representative, irrespective of how many lots or houses are in his ownership, ~~and can be cast only by members whose taxes are paid in this association.~~ Absentee ballots may be issued to all voting members for use at any special meeting if the Board of Governors deems ~~the issue to be voted on a matter of supreme importance.~~ (Amended July 2019)

NOTICES

~~Section 6. All members shall be notified of various association matters via first class mail.~~ (Repealed July 2019)

PLACE OF MEETINGS

Section 7. All meetings, annual, regular or special, shall be held within the confines of the Town of Haddam. (Amended May 20, 2007)

Section 7-A. Section 7 will apply except in cases of extreme emergencies at which time the place of the meeting will be determined by the Board of Governors.

QUORUM

Section 8. Fifteen members shall constitute a quorum at any ~~general~~ ~~Membership~~ annual meeting of the association for the transaction of business and no business shall be transacted unless a quorum is present.

DISCIPLINE AT MEETINGS

Section 9. The presiding officer shall have control of the meeting room; preserve decorum therein; prevent personal reflections in debate; confine members to the question under discussion; name the member entitled to the floor; decide all questions of order subject to appeal; enforce the provisions of the corporate charter and the by-laws.

POWERS

Section 10. The executive power shall be vested in the Board of Governors and the legislative power in the membership subject to the provisions of the charter of incorporation.

MEMBERSHIP

Section 11. The membership shall consist of such qualified persons as provided for in the charter.

PROXIES

Section 12. As provided for in the association charter, owners may be represented at meetings by proxies, but in voting on matters wherein the disposal of funds are affected, the purchase of real estate, or the passing of, or taking title to any real estate or the rate of taxes or assessments to be levied on real estate within the association territory, there shall be a roll call for a record of the action of each owner or his or her proxy.

Section 12-A. A proxy must present the written consent of the Association member he or she represents together with personal identification.

ORDER OF BUSINESS

Section 13. ~~At all meetings the order of business shall be as follows:~~

~~1. The~~ Secretary shall take a record of all members in attendance at all meetings by circulating a record book ~~among the members for each member to sign.~~ **Minutes of the Board of Governors shall be made available. At all meetings the order of business shall be as follows:**

1. **The meeting is called to order.**
2. Roll call of officers.
3. Reading of the minutes of the last meeting for adoption.
4. ~~Minutes of the Board of Governors shall be made available.~~ **General discussion from the public of short duration (usually less than 5 minutes).**
5. ~~Report of Board of Governors on the disbursements since the last meeting. Report of the treasurer as to amount of disbursements and balances on hand.~~
6. Reports of standing and special committees.
7. Unfinished business.
8. New business.
9. General discussion
10. Election of officers at the annual meeting.
11. Adjournment.

(Amended July 2019)

SPECIAL MEETINGS

Section 14. Special meetings of the general membership may be called by the Board of Governors. ~~for consideration of urgent business or emergencies that may arise requiring immediate action.~~ **A motion to convene a special meeting must be passed by two-thirds (2/3) vote of the BOG members present.** The Board of Governors must notify by mail, all members at least ~~five (5)~~ **ten (10)** days prior to such meeting day **and not more than sixty (60) days,** stating therein the purpose or business, the place, the

date and the time of such meeting. **If the nature of the Special Meeting is determined by the BOG to be of an emergency nature only five (5) days prior notice of the membership is required.** Only such business as stated in the notice may be transacted. (Amended July 2019)

Section 14-A. Special meetings may be called by any ten **eligible voting** members signing a petition and presenting same to the president who shall arrange with the secretary to ~~call~~ **for** such special meetings to be held not more than ~~ten (10)~~ **thirty (30)** days after receipt of the ~~call~~ **petition** from the ten members. Only such business as stated in the notice may be transacted. (Amended July 2019)

COMMITTEES

Section 15. Any committee appointed shall act only in an advisory capacity. They shall have the right to request and examine records and information in possession of the association, the officers, or the Board of Governors necessary to discharge the duties imposed on them; but in no case shall any committee have the power or right to make contracts or assume obligations for the association, unless specifically authorized by the association. Any committee member whose performance is deemed unsatisfactory by the Board of Governors is subject to dismissal by said Board.

Section 15-A. All committees are to elect a chairperson who shall conduct meetings and make a report in writing and submit a copy to the association secretary to be included with the minutes of the annual meeting. Said chairpersons must report to the Board of Governors at reasonable intervals as to the progress of their committee. They are also invited to attend all meetings of the Board.

STANDING COMMITTEES

Section 16. There shall be standing committees to be appointed by the president or as nominated from the floor at the May meeting to serve for one year only.

Section 16-A. Lake Committee. The lake committee shall consist of five members whose duties shall be to maintain the beach areas and the lake in general.

Section 16-B. Road Committee. The road committee shall consist of a road commissioner and an assistant from each section. Their duties shall consist of maintenance of all roads within the confines of the Hidden Lake Association. They shall be responsible for seeing that these roads are made accessible during the winter months.

Section 16-C. The auditing committee shall consist of three members who shall examine the financial records and books of the association in possession of the treasurer and financial secretary in April and make a report at the May meeting of each year.

Section 16-D. The committee on by-laws and amendments shall consist of

five (5) members who shall ***recommend and*** review ~~all~~ ***any*** amendments proposed to the by-laws before any amendment is enacted to ascertain: the propriety of such, the legality of such, and its appropriate location in the section of the by-laws together with the phraseology and its intent, and report thereon thirty (30) days after it receives such amendment. Should the committee fail to report after this period of time the ~~members at the next general membership meeting~~ ***BOG, at their next meeting*** may extend the time or vote the discharge of such question from committee. (Amended July 2019)

Section 16-E. The entertainment committee shall consist of five (5) members who shall conduct all such diversions, sports, dances, social affairs and amusements as may be proposed by the membership at any meeting. This committee may propose through its own initiative such entertainment, games or festivities as it may deem acceptable to the membership; but should any such proposal involve an expenditure of funds, then the approval of the membership at any meeting must be voted by a majority of those present.

Section 16-F. The committee on town and state legislation shall consist of five (5) members who shall keep itself advised of any proposed legislation that affects the welfare of the members or their vested interest in the territory and make such recommendations as it deems proper at any regular or special meeting. No power to act is vested in this committee except as may be directed by the membership at any meeting as the exigencies of the occasion warrant.

OFFICERS QUALIFICATIONS - DUTIES

Section 17. The number of officers and terms of office shall be as provided in the Association charter. (Section 4)

NOMINATIONS

Section 18. The officers shall be nominated and elected by the members present at the annual meeting in May. Each candidate shall be voted for separately by ballot and must receive a majority of all votes cast, excluding blank or defective ballots and to be elected for a term of one year and shall serve until their successors are elected. One or several candidates may be proposed for any office. (Amended May 20, 2007)

QUALIFICATIONS OF OFFICERS

Section 19. No member shall be nominated for an elective office, who, at the time of nomination, is in arrears for such assessments or taxes due the association as may be levied against his or her property in accordance with the Association charter.

COMPENSATION

Section 20. All officers shall serve without compensation unless the members present at the annual meeting, by majority vote, direct and approve compensation to any specific officer, or the person designated as tax collector or for police service.

VACANCIES

Section 21. Any vacancy occurring in the membership of said Board of Governors or any elective office, between annual meetings of the association, shall be filled as prescribed in the charter.

PRESIDENT

Section 22. The president shall preside at all meetings of the association at which he is present, and appoint the personnel of all committees or such members as the members at a meeting may direct. He shall be ex-officio, a member of all committees, and perform all other duties pertaining to his office. He shall countersign in conjunction with the treasurer all checks for the payment of any indebtedness of the association as approved by the Board of Governors or the association. He shall sign and execute all authorized contracts or other obligations in the name of the association and shall each year at the annual meeting make a written report of the affairs of the association.

Section 22-A. The president shall sign any deed conveying property which has been repossessed for nonpayment of taxes.

VICE-PRESIDENT

Section 23. The vice-president shall, in the absence of the president, assume and perform the duties of the president, except the right to countersign checks or contracts. However, should the president or treasurer not be available to sign checks or contracts for a period of 30 days, then the vice-president shall so sign with the available officer.

RECORDING SECRETARY

Section 24. The recording secretary shall record the minutes of all meetings of the association, and the minutes of all meetings of the Board of Governors in books provided for such purpose. He shall be the custodian of such books, records and documents as the association may direct and the books, records and documents of the Board of Governors. He shall prepare and send all meeting notices of the Board of Governors and the meeting notices of the association. He shall attend to all correspondence of the Board of Governors and the Association. He shall keep the roll of members. He shall perform such duties assigned to him by the Board or the association.

He shall take and keep a record at each meeting of the members in attendance, also of the members in attendance at meetings of the Board of Governors.

FINANCIAL SECRETARY

Section 25. The financial secretary shall keep a record of the finances of the association. These records to show the taxes paid, taxes received and the taxes due. He shall act as the collector of taxes and remit such taxes and or other funds within 30 days to the treasurer, taking his receipt therefore. He shall send a statement to each property owner showing the amount of taxes or assessments due on his property thirty (30) days prior to date when such tax or assessment becomes due. The financial secretary shall be bonded to protect the association.

TREASURER

Section 26. The treasurer shall be the custodian and financial officer for the association for the receipt and disbursement of its funds. He shall safely keep and account for all funds that shall come into his possession and shall deposit the same to the credit of the association in such bank or banks as the association may designate. He shall disburse the funds of the association as may be directed by the association, taking proper vouchers for such disbursements, and shall render, whenever required, a written report of his transactions as treasurer and of financial conditions of the association. He shall do and perform such other duties as may from time to time be assigned to him by the association. He shall be custodian of all deeds of realty or property owned by the Association and all contracts or notes. He shall countersign all checks for disbursements of the association together with the president or vice-president as per Section 23. The treasurer shall be bonded to protect the association.

ASSOCIATION FUNDS FISCAL YEAR

Section 27. The fiscal year shall start on the first day of July.

TAX COLLECTION

Section 28. The financial secretary shall collect such taxes as prescribed in the charter, a rate book shall be made out and signed by the financial secretary, on or before July 1st of each year, and warrants may be issued for the collection of money due on the rate bills, pursuant to the provisions of the charter of the association.

Any tax remaining unpaid 30 days after date of levy will be subject to an interest charge at the current statutory delinquency rate.

Section 28-A. The president, financial secretary and recording secretary shall have the authority to enter into negotiation with the town for the purpose of foreclosing on property for overdue back taxes to the town and association.

TAX WAIVE

Section 29. The Board of Governors shall have the powers to waive any tax on any building if same shall be destroyed by fire or the elements, prior to the date when such tax shall become due, but not the tax on the lot.

BUDGET

Section 30. The board shall prepare a budget as prescribed in Section 8 of the charter as amended. Such budget shall not exceed in amount the potential amount of income in any year. The board shall prepare and recommend an assessment or tax rate to balance the budget, such rate not to exceed the rates specified in the charter, then advertising such by posting on the association sign post five (5) days before the annual meeting, for approval by the majority of the members present at such meeting. A copy of said proposed budget shall also the mailed notification of the Annual Meeting.

BOARD FUNDS

Section 31. The board is empowered to dispense such funds for current expenses as provided in the yearly budget. Should the funds received during the year not balance the corresponding year's budget, then obligations due may be paid only from accumulated funds on hand, only after such indebtedness is approved and ordered paid by a majority vote at a meeting of the association.

DISBURSEMENTS

Section 32. All disbursements and expenditures other than the approved annual budget of the Association must also be approved by a majority of the members present at any general membership meeting.

The Board of Governors may be empowered by vote at the annual meeting to expend the reserve funds in the budget for the fiscal year in case of emergencies. These reserve funds may only be disbursed in the categories for which they were appropriated.

None of the association funds shall be used for the payment of any taxes, interest, or arrears that may be due any mortgagee, or the town of Haddam, on real estate or the lake area or the roads, avenues or streets, within the area controlled by this association unless it is to obtain title by the association.

CONTRACT AND OBLIGATION LIMITATIONS

Section 33. The board shall not pledge, contract, or assume any obligations in its behalf or for the association in excess of the provisions of the approved budget within any year, except such contracts or obligations as the association membership may direct in any meeting.

Said Board of Governors shall have additional powers and duties if delegated to them by the members of the Association at any annual or special meeting. Notices of the meeting shall contain the information that such question would be part of the order of business.

The Board of Governors is granted the power to purchase real estate located within the confines of this association if it is offered for sale for arrears in taxes due the town, as prescribed in Section 32. However, the Board of Governors is restricted to offer only such amount not to exceed taxes due the town and the association from such real estate.

SIGNING OF CHECKS

Section 34. None of the association funds shall be expended except by check, signed by the president and the treasurer. Should either of these officers not be available to sign for a period of 30 days then the vice-president shall sign with such other available officer as per Section 23.

FUNDS RECEIVABLE

Section 35. In addition to receiving the taxes, assessments, rentals and interest as prescribed by the charter, the association shall receive the proceeds from dances, card parties, or the admission fees derived from festivities sponsored by the association. It may accept gratuities offered for welfare purposes and all such money to become part of the general fund in charge of the treasurer.

BOARD OF GOVERNORS POWERS AND DUTIES

Section 36. The Board of Governors elected as prescribed In Sec. 4 of the association charter, will consist of three (3) members and the five (5) officers and the retiring president. Any member of said board who shall cease to have membership in said association within the meaning of this act, shall cease to be a member of said board of governors.

Section 36-A. The Board of Governors shall have the authority to set the tax rate on real estate for the year if a quorum is not present at the annual meeting or the following special meeting.

Section 36-B. The Board of Governors shall post beaches as to liability and accidents and post roads regulating speed limits.

Section 36-C. The Board of Governors shall hold a meeting once a month from March through November.

BOARD QUORUM

Section 37. Quorum of the Board shall consist of five members at any of its meetings to transact and put into effect such of its powers as prescribed in the association charter and these by-laws.

BONDS

Section 38. The Board of Governors shall determine the amount of the bonds required for the treasurer, the financial secretary, tax collector and any police officer so appointed. The Association shall pay the cost of underwriting these bonds.

RECORDS

Section 39. All business transactions conducted by the Board of Governors at its meetings shall be recorded by the recording secretary. No financial transactions shall be made without consulting the treasurer as to funds available for the purposes.

RECREATION BUILDING

Section 40. The recreation building, under the terms of the contract agreement with purchasers of real estate within the corporate confines, becomes the property of the Hidden Lake Association, to be held for the use and enjoyment of owners within these corporate confines.

The conditions provided in such contract is the conveyance of such recreation building to the association by a warranty deed.

The recreation building shall be under the control and management of the Board of Governors.

It shall be locked at all times when not In use by the association, the board or any temporary tenant, renter or lessee, and the board shall designate which officer or caretaker shall possess the key and responsibility for its care while in use.

The board may rent the recreation building to responsible applicants, such as a member or set of members of the associations, clubs or societies desiring its use for dances, card parties, social or political forums.

To obtain such exclusive use, application must be made to the board for such use.

The board is empowered to set a rental rate for such use. The board shall limit the term of rental as it deems proper.

Any money derived from such renting by the board, shall be paid to the association financial secretary.

The caretaker shall be paid a fee established by the board from funds derived from rental monies for his time required to attend during the remunerative occupancy of the building.

Section 40-A. Anyone renting the recreation building shall be forced to take out necessary insurance to protect the Association by legal release of all responsibility.

Section 40-B. Should the maintenance of the clubhouse building at any time become an excessive burden to the association, the buildings, may be razed after there is an approval vote of a 2/3 majority at any annual or special meeting. An absentee ballot will be mandatory on this issue. Said ballot will be sent to all members.

LAKE PRIVILEGE

Section 41. Property owners, their relatives, and visiting friends are entitled to the use of the entire lake surface for their recreation of rowing, sailing, fishing and bathing, but do these at their own risk. This association assumes no liability over persons on the lake surface beyond their peaceful conduct. There will be surveillance over the fishing privileges to enforce the State Fish and Game Laws, and such rules relative to fishing as provided in its by-laws.

Section 41-A. The propelling of boats or other recreational vehicles (year-round) on Hidden Lake by a gasoline engine, Diesel engine, a steam engine, an alcohol engine, a kerosene engine, whether of portable type or built in, is prohibited. The use of electric trolling motors is permitted, with a maximum of 55 lb. thrust and the battery accompanying the electric motor must be a sealed cell system. This shall not prohibit the use by the Association of any power engine in a utility boat or a police boat. (Rev 11/18)

Section 41-B. Fires will not be allowed on the frozen surface of the lake.

THE BEACHES

Section 42. The several beaches as now exist and having been provided and constructed by the Hidden Lake Realty Corp. and shown on the Hidden Lake map, shall be continued for the welfare of the owners, their relatives and visiting friends only, and then only for bathing.

There will not be any picnicking or fires built on these beaches.

No persons, owners or tenants shall place any pier, spring board, log, barrel or other type of float at or off any of the bathing beaches either for use as diving apparatus or as a fishing platform, but the Board of Governors may provide such. Persons using such apparatus do so at their own risk.

Section 42-A. Bathing shall not be permitted from Association beaches between one-half hour after sunset to one-half hour before sunrise.

Section 42-B. Pets of any kind are not to be brought to any of the beach areas under any circumstances.

PENALTIES

Section 43. In accordance with Section 7 of the Corporate Charter, this association has the power to impose penalties for violation of any duly enacted ordinance, regulation or by-laws enacted for the public good, health and welfare. It has the right of police surveillance and the power of arrest and trial in a court of law.

Section 43-A. Any violation of any Association ordinance is subject to a fine of \$25.00. If any violation is not rectified to the satisfaction of the Board of Governors, they may impose additional fines until such violation is corrected. An action may be brought before a court of law.

BOATS ON THE BEACHES

Section 44. Only such owners not in possession of lake shore frontage may moor their boats at these beaches.

Persons who are not owners of property or lessees of cottages by the Season or month, shall not keep a boat on the lake or store it on the land for use on the lake periodically. Our police are directed to warn such trespassers off.

UNDRESSING AT BEACHES OR IN CARS

Section 45. It is strictly prohibited to undress on any beach, in the adjoining shrubbery or in cars parked near the beaches, or to change from bathing suits to clothing.

FISHING RULES

Section 46. The taking or catching of fish by the use of a net, except for bait, is prohibited, irrespective of size, except that a hand net may be used to take fish from the water caught by a hook and line.

The following rules govern the minimum size and number of fish that may be taken from the lake water:

Name:	Size:	Daily Limit per Person:
Pickereel	14"	5
Perch	8"	5
Bull Heads	8"	10

It shall be unlawful for any person or persons to net bait fish from the waters of Hidden Lake for the purpose of transporting to other fishing grounds.

Fishing in Hidden Lake is permitted by persons owning property within the corporate limits of Hidden Lake. Guests of owners may enjoy this privilege also.

Ice fishing is allowed 75' offshore, but the hole is to be only 8" maximum in diameter and these holes must be properly marked so that they are visible from all directions.

ZONING REGULATIONS

Section 47. It shall be unlawful for any person to use any land or building within the corporate confines for any business purpose, or manufacturing, the sale of merchandise, liquors, food, or establish any trade using either lake water or other water for washing or laundering, or to rent space for the parking of automobiles, trailers or to rent space for camping purposes or to engage in any boat renting business on any shore property.

LAKE SANITATION

Section 48. A coliform bacteria count and one sample for phosphate count of the lake water must be determined by a qualified agency sometime during the first two weeks of July to assure that the lake is in a healthy state for swimming and fishing. Samples must be taken by appointed members at the following areas: Mill Bay (dam), West Cove, West Shore Beach, North Cove, East Shore Beach, South Cove, Shore Drive Beach.

Section 48-A. The Lake level must be lowered in October in each even year. Association members may request the lowering of the Lake on alternate years subject to the approval of the Board of Governors.

GARBAGE AND LITTER

Section 49. It shall be unlawful for any owner, lessee, or tenant of any premises to dispose of garbage, refuse, litter, discarded utensils or furniture by depositing such on either private or public property or on any highway or street within the boundary of the Hidden Lake corporate limits, or by casting such materials into the lake or on its shores or beaches.

MOTOR VEHICLES

Section 50. Cars shall not be parked on any road, avenue or street all night between 1 A.M. and 6 A.M.

Section 50-A. It shall be unlawful for any owner, lessee or tenant of any premises within the Hidden Lake Corporate limits to park or store more than one unregistered motor vehicle on said premises.

Section 50-B. The driving of motorized vehicles on Hidden Lake Roads by persons without a valid operators license is prohibited.

MOBILE HOME

Section 51. Mobile homes and camping vehicles shall not be set up and used as living quarters within the confines of the Hidden Lake Association.

Section 51-A. At no time shall camping of any sort be permitted within the confines of the Hidden Lake Association.

BUILDING REGULATIONS

Section 52. It shall be the duty of the Board of Governors to receive applications for and two (2) sets of plans from property owners of proposed buildings or alterations and to review same to be sure that they comply with the by-laws of this association. Upon approval of the plans the Board of Governors shall sign one (1) set of plans and return the same to the owner before construction is started. All buildings shall comply with Town and State regulations with the following exceptions:

Section 52-A. No building other than one family dwelling with or without suitable private garage may be erected.

Section 52-B. Anyone wanting to erect a wall or pier on Lake front property must submit a written request to the Board of Governors. Such request must define the style and location of either. The Board may approve said request provided the wall or pier does not create a safety hazard and is aesthetically acceptable.

Section 52-C. Anyone wanting to erect a fence on property must submit a written request to the Board of Governors. Such request must define the style and location of the fence. The Board may approve said request provided the fence does not create a safety hazard and is aesthetically acceptable.

ROADS

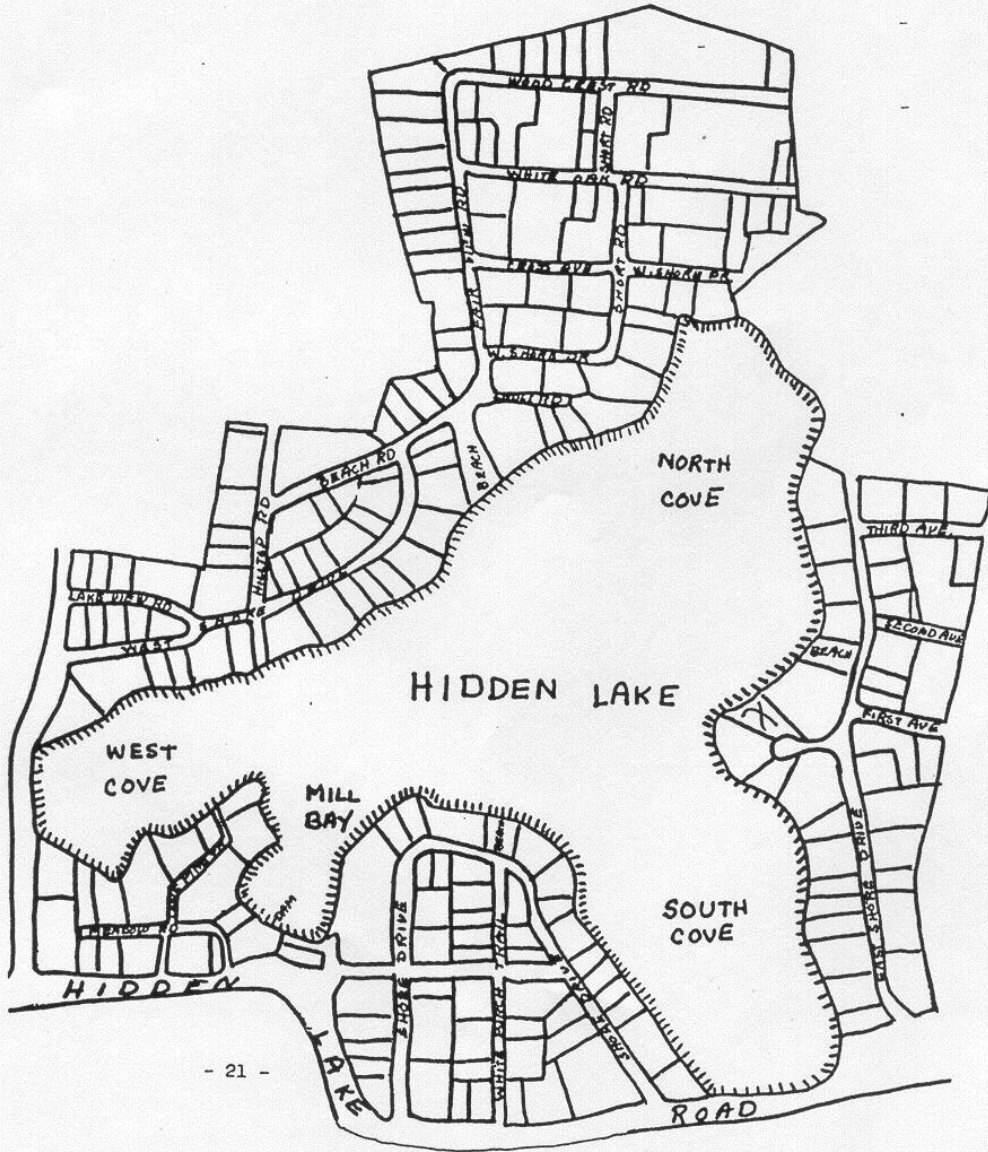
Section 53. The following listed roads will be excluded from maintenance and snow plowing until such time as these roads are up to acceptable standards as per Board of Governors approval.

Section A - Twin Oaks Road from White Birch Trail east to Shore Drive and Twin Oaks Road from Shore Drive west to the dam.

Section C - Upper Hill Top Road to intersection of Beach Road; ~~Fairview Road~~ (Amended July 2019), White Oak Road, Wood Crest Road, Short Road from Wood Crest Road to White Oak Road.

~~Section R - Second Avenue.~~ (This road was sold to adjoining property owners September 2019)

HIDDEN LAKE
ASSOCIATION



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X

REPRODUCTION OF ORIGINAL DEED AS ISSUED IN 1939

Omitted per BOG Motion 7/26/10

Omitted per BOG Motion 7/26/10

SUBSURFACE SEWAGE DISPOSAL SYSTEM CLEANING ORDINANCE

1. Statement of purposes and authority.

A. Hidden Lake Association (“Association”) declares that it is in the best interests of the Association and all of its members that Hidden Lake be managed in an environmentally and ecologically sound manner, to the extent the same is within the power and control of the Association, and further declares that keeping Hidden Lake in such an environmentally and ecologically sound condition enhances the public health, safety, and welfare of the members of the Association and enhances the values of properties located within the Association.

B. In furtherance of the foregoing statement of purposes, the Association hereby invokes the powers granted by Section 7 of the Special Act of 1937, as amended, authorizing the enactment and enforcement of ordinances concerning, among other things,

- i) the power to protect by suitable means property within Association limits from injury;
- ii) the power to clean and improve any and all unsightly or neglected waste places;
- iii) the power to prevent a deposit within Association limits of any refuse, garbage or waste material of any kind which in the opinion of the Board of Governors may endanger the public health or safety; and/or
- iv) the power to remove garbage, filth, ashes and any other refuse matter within Association limits, and to authorize such person as the Board of Governors may designate to make entry on any private property within the Association limits for the purpose of taking and removing all filth, garbage, ashes, brush or any other offensive matter. Based on the foregoing, this Ordinance is hereby adopted.

2. Certification of cleaning. The owner or owners of each parcel of land on which there is located any structure used as a seasonal and/or year-round residence, or on which there is located any device, apparatus, system or outbuilding appurtenant to any such structure, shall jointly and severally be responsible to deliver to the Association, on or before April 1, 2000, and on or before each April 1st of every fourth year thereafter, a written certification from a qualified and bona fide septic cleaning service, in a form acceptable to the Association, indicating that the subsurface sewage disposal system servicing such parcel has been cleaned in accordance with proper and acceptable subsurface sewage disposal cleaning methods (“Certification”). For the purposes of this Ordinance, “subsurface sewage disposal system” means any method, process or system, including but not limited to a septic system, whether or not in compliance with current state law, by which waste water, sewage or effluent is discharged from such parcel into the subsurface of any portion of any land within the Association limits. Nothing contained in the foregoing is intended or shall be construed as the approval, permission, acquiescence, or condoning by the Association of the use of any particular structure for residential purposes, nor the use of any such subsurface sewage disposal system which does not comply with state law and regulations.

3. Cleaning by the Association. In lieu of requiring the Certification under Section 2, the Association will, upon request of an owner of any parcel subject to this Ordinance, provide for cleaning of any such subsurface sewage disposal system at a cost to be determined from time to time by the Board of Governors, which cost shall not exceed the actual costs incurred by the Association in performing such service. Notwithstanding the above, the Association may, at the Board of Governors' sole discretion, provide such service without charge. The Board of Governors shall, each year, establish the maximum amount the Association will pay to clean any such system, and the excess cost, if any, shall be the responsibility of the owner(s) of such parcel.

4. Entry onto private land. Nothing in the foregoing Sections is intended or shall be construed to limit the power of the Association to make entry upon any parcel within the Association limits subject to this Ordinance, including but not limited to the right to clean the subsurface sewage disposal system on any parcel for which no Certification has been received by any date required under this Ordinance. The Association shall not, however, enter onto any such parcel without first sending to the owner(s) of such parcel, by first class mail addressed to the owner(s) at the last address of such owner(s) on the records of the Association, a notice providing thirty (30) days to comply with Section 2 of this Ordinance.

5. Enforcement. In lieu of or in addition to the power of the Association to enter any parcel within the Association limits on the conditions and for the purposes stated above, the Association may impose a fine in the amount of \$25.00 per day of noncompliance starting with the first day of noncompliance following the thirty (30) day notification required under Section 4, and shall have the power to collect any such fine by a civil action in the Superior Court for the Judicial District of Middlesex at Middletown. In addition to the above, the Association shall have the right to prosecute a civil action for equitable relief against any such owner or owners, which relief shall include, but not be limited to the issuance of a temporary and/or permanent injunction for the enforcement of this Ordinance. In any action for collection of fines imposed, and/or for equitable relief, the Association shall be entitled to recover from the owner or owners of such parcel the Association's reasonable and actual attorney's fees and costs.

6. This ordinance shall take effect on January 1, 2000, or ten days after its passage or posting pursuant to Section 7 of the Special Act, whichever is later.

August 25, 2003

In accordance with the By Laws of the Hidden Lake Association, specifically *An Act Amending the Charter of the Hidden Lake Association*, (1971) Section 2, which amends “Section 8 of number 319 of the special acts of 1937, as amended by number 130 of the special acts of 1959” concerning the levy and collection of taxes:

Said association shall have the power to determine all other matters pertaining to the levy or collection of such tax or assessment.

Motion:

The Board of Governors directs the Financial Secretary to collect interest, lien fees, recording fees, release fees, attorney fees, and any other costs associated with collecting delinquent taxes, effective with taxes due August 1, 2003.

July 29, 2019

Motion for partial reimbursement of fees for non-scheduled emergency cleaning of subsurface sewage disposal systems and rescheduling of subsequent cleaning approved by the Board of Governors July 29, 2019:

Whereas: Hidden Lake Association Ordinance Number 0011 requires that the owners of each parcel of land on which there is located any structure used as a seasonal and/or year-round residence, or on which there is located any device, apparatus, system or outbuilding appurtenant to any such structure, shall jointly and severally be responsible to deliver to the Association...every 4th year...a written certification from a qualified and bona fide septic cleaning service, in a form acceptable to the Association, indicating that the subsurface sewage disposal system servicing such parcel has been cleaned in accordance with proper and acceptable subsurface sewage disposal cleaning methods (“Certification”).

Whereas: In lieu of requiring the Certification under Section 2, the Association will, upon request of an owner of any parcel subject to this Ordinance, provide for cleaning of any such subsurface sewage disposal system at a cost to be determined from time to time by the Board of Governors, which cost shall not exceed the actual costs incurred by the Association in performing such service. Notwithstanding the above, the Association may, at the Board of Governor’s sole discretion, provide such service without charge. The Board of Governors shall, each year, establish the maximum amount the Association will pay to clean any such system, and the excess cost, if any, shall be the responsibility of the owner(s) of such parcel.

Therefore, in the event that the property owner(s) require(s) a non-scheduled or emergency pump out cleaning of their subsurface sewage disposal system, the owner(s) may make a written request for a partial rebate of cleaning expenses only if the following

criteria are met: 1. The previously scheduled cleaning of the septic system was performed and certified by the Association’s contractor; 2. The non-scheduled or emergency pump out was performed by the Association contractor; 3. The owner(s) or Association contractor must submit the proper certification as stated above; 4. The written request must include a copy of the contractor’s invoice. Upon approval by the Association, the owner(s) will be reimbursed and the next cleaning certification will be scheduled as follows:

Within the same fiscal year – No reimbursement - Next cleaning as scheduled
 Within the second fiscal year – No reimbursement - Next cleaning as scheduled
 Within the 3rd fiscal year – 50% reimbursement - Next cleaning rescheduled in 4 years
 Within the 4th fiscal year – 75% reimbursement - Next cleaning rescheduled in 4 years.

Examples for a septic system certified this fiscal year (FY 2019-2020 7/1/19-6/30/20) which would be scheduled to be cleaned again in FY 2023

Unscheduled cleaning during	Reimbursement based on Association allowance at the time of pumping	Next Pumping Date
FY 2019 (before 7/1/2020)	None	FY 2023
FY 2020 (before 7/1/2021)	None	FY 2023
FY 2021 (before 7/1/2022)	50%	FY 2025
FY 2022 (before 7/1/2023)	75%	FY 2026

Key Points:

1. System was previously pumped on schedule by Association contractor (currently Cahill)
2. Emergency cleaning has to be performed by Association contractor
3. Certification of cleaning has to be presented to the Association by Association contractor or owner(s)
4. Request for reimbursement must be in writing
5. No reimbursement or reschedule of future cleaning if emergency cleaning is completed within the first or second fiscal years of the scheduled cleaning. Possible problem septic system
6. If owner(s) do not qualify for reimbursement, then the next cleaning will be as regularly scheduled as determined by the Septic Committee records.