

COLLINGS LAKES CIVIC ASSOCIATION POLICIES

ARTICLE I **MEMBERSHIP**

Every developed lot and/or dwelling owner within the area commonly known as Collings Lakes shall be eligible for membership in the Collings Lakes Civic Association subject to the provisions of the By-Laws and Policies of the Association.

- a. The children of members of this Association and members of their household shall be eligible to participate and partake of the social and recreational functions of the Association.

ARTICLE II **ASSOCIATE MEMBERSHIP**

Residents of the State of New Jersey who are not property owners within Collings Lakes, may apply for Associate Membership Privileges. Associate members may have access to lakes and beaches for sunbathing, swimming, boating and/or fishing in accordance with rules and regulations established for their use. NJ Fishing License is required for fishing in any lake within Collings Lakes. Gasoline powered motors are not permitted. Associate members are not permitted at CLCA Meetings or other CLCA functions, and do not have voting privileges. Fees for Associate Membership will be set at \$200.00 annually for a Family Membership. Family membership will be limited to five family members within the same household. Additional family members may be added from within the same household at an additional cost of \$50.00 each, annually. Membership tags are not transferable. Associate Membership Tags are good for the calendar year in which they are issued only. Associate Members are subject to the Rules governing Associate Membership and Rules of Conduct posted on Beaches. Violation of these rules can result in suspension or revocation of membership privileges, with no refund of membership fees.

ARTICLE III **COMMUNICATIONS**

The official communication for the Board of Trustees with the General Membership will be via a quarterly newsletter published by the Association. The newsletter should provide a report from the President regarding issues facing the Association, reports of various committees regarding their activities and notification of meeting dates and membership votes if required. Other information of interest to the community may also be included. The cost of publishing the newsletter and postage should be paid by donations of advertisers to defray cost to the membership when possible. Newsletters and other communications with the membership should be sent via available email addresses when possible to reduce the cost of postage.

ARTICLE IV
MEETINGS

a. General Membership Meetings are to be held on the first Monday of each month at a place and time designated by the Executive Board. All owners of developed and undeveloped lots within Collings Lakes may attend General Membership Meetings unless a vote of the membership will be taken. Notification of a membership vote will be made via a notice posted in the official newsletter of Association, posted on municipal TV Bulletin Boards as provided by the Association's By-Laws. Only Active Members in Good Standing (paid-up) may attend a meeting where a vote of the membership will be taken.

b. Executive Meetings may be called by the President or Vice President for the purpose of discussing and/or resolving issues of the Association. Minutes of all executive meetings will be recorded and filed by the Secretary. Executive Meetings are not open for attendance by the General Membership.

c. Trustee Meetings are scheduled quarterly in February, May, August and November at a location and on a date and time designated by the Board of Trustees. Notification of the Quarterly Trustees Meeting will be in the official newsletter and on Municipal TV Bulletin Boards as provided by the Association By-Laws. Active Members in Good Standing only, may attend the Quarterly Board of Trustees Meetings. Membership votes will not be taken at quarterly trustee's meetings. Quorum requirements are as set by the By-Laws.

ARTICLE V
REVENUE AND DUES

a. The annual maintenance fee of \$48 established by deed restriction is null and void.

b. The annual maintenance fee, dam assessment fees and any special assessments shall be established based on the annual budget set by the Board, divided by percentage per Tier as follows, with each Tier's percentage divided evenly between the number of homes in that Tier:

Tier 1: 17% (141 homes)

Tier 2: 72% (759 homes)

Tier 3: 11% (157 homes)

c. Any member who fails to pay any of his/her fees shall not be a member in good standing until the same are fully paid.

(1.) Property owners of more than one developed property shall pay the fees referenced above for each developed property owned. Undeveloped lots will not be considered for maintenance fee purposes.

d. Invoices for maintenance fees should be mailed on December 15th, or the next regular business day, falling due on January 1st with a grace period of thirty (30) days from the due date. All unpaid accounts not on an approved payment plan may be turned over for collection and shall be subject to late fees, interest and attorney's fees per the bylaws..

ARTICLE VI
RULES AND REGULATIONS

a. The Board of Trustees shall promulgate rules and regulations regulating the operation and management of the Association, and the conduct of its members and their immediate family, so as to keep good and proper deportment at all times.

(1.) Beach Rules

1. No animals, boating or fishing permitted in swimming area when in use.
2. Persons under the age of 16 must be accompanied by an adult, per N.J.A.C. 8:26-5.1(b)
3. No swimming during electrical storms.
4. No food or beverage in glass containers permitted on beach.
5. No Alcoholic Beverages permitted on beach. Persons suspected of being under the influence of drugs or alcohol are prohibited from entering the water.
6. No motorized vehicles, except for emergency or maintenance vehicles, are permitted on beach.
7. Conduct which endangers the safety and comfort of others is prohibited.
8. NO TRESPASSING by unauthorized persons. Beach Tags are required. Violators will be prosecuted.
9. Violation of beach rules may result in suspension of Beach Privileges.

(2.) Rules for use of lakes

1. Use of the lakes within the community of Collings Lakes for any purpose is restricted to the owners of property within the community of Collings Lakes, whose maintenance fees required by deed restrictions are paid up to date, guests who are in their company or Associate Members in Good Standing of the Collings Lakes Civic Association. Current season Lake / Beach Tags are required.
2. Current year fishing license issued by the NJ Division of Fish, Game & Wildlife are required for fishing in any lake within the community of Collings Lakes, in accordance with applicable laws and regulations.

3. The use of gasoline powered boat motors are prohibited in any lake within the community of Collings Lakes. Sails, oars, paddles or electric trolling motors are permitted.
4. Disposing of trash or waste of any kind in lakes is strictly prohibited.
5. Any violator of Rules for use of Lakes may be charged with Trespassing as well as any other applicable Federal, State, County or Municipal ordinance.
6. Property owners who violate the Rules for use of Lakes may have their privilege for use of the lakes suspended, either temporarily or permanently by Board of Trustees. Property owners are responsible for the actions of their guests.
7. Suspension or elimination of lake use privileges will in no way change or eliminate the requirement to pay the annual fee required by deed restrictions.
8. A violation resulting in loss of privileges for an Associate Member will not result in a refund of membership fees paid.

b. Any member or the immediate family of any member of this Association, who shall willfully violate any of the rules and regulations of the Association shall be guilty of such misconduct as to be unworthy of the privileges of membership and may have membership privileges suspended or revoked by the Executive Board. Suspension or revocation of membership privileges in no way relieves the responsibility of property owner/member to pay annual maintenance fees.

c. Beach tags are transferable only if property is sold and then only to the buyer. A tag holder may not give or lend his or her tag to any other person, property owner or non property owner. Tag holder may have guest to use lakes or beaches only when accompanied by the tag holder. Violation of this rule will result in tag holder and tag holders family being suspended from use of lakes, beaches, picnic areas and playground areas. This suspension in no way relieves the responsibility of the property owner to pay annual maintenance fees.

ARTICLE VII HARASSMENT AND DISCRIMINATION

It is the policy of the Association to ensure equal opportunity for membership and to be nominated for and/or elected to a Trustee or Officer, position, or appointed as a Committee Chairperson of the Association without discrimination or harassment on the basis of race, color, national origin, religion, sex, age, disability, citizenship, marital status, sexual orientation or any other characteristic protected by law.

a. Harassment on the basis of any protected characteristic is strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color,

religion, sex, national origin, age, disability, citizenship, sexual orientation, gender identity and/or expression, marital status or any other characteristic protected by law or that of his/her relatives, friends or associates.

b. Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes and display or circulation of written or graphic material that denigrates or shows hostility or aversion toward an individual or group (including through e-mail).

c. Individuals and Conduct Covered: These policies apply to all Trustees, Officers, Committee Chairpersons and Members of the Association, and prohibit harassment, discrimination and retaliation.

(1.) Conduct prohibited by these policies is unacceptable at any time by Trustees, Officers, or Committee Chairpersons; and any member during meetings or association social events.

d. Retaliation Is Prohibited: The Association's policy prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to responsive action.

e. Responsive Action: Conduct that is inconsistent with this Policy will be dealt with appropriately. Responsive action may include warning, reprimand, temporary suspension of membership privileges and/or removal from Trustee or Officer position. Suspension of membership privileges will not relieve the suspended member of the responsibility to pay annual maintenance fees.

f. Appeals: A member who has made a complaint or is the subject of a complaint of discrimination or harassment and does not agree with its resolution may appeal the matter to the Board of Trustees, whose decision is final.

ARTICLE VIII **CONFLICT OF INTEREST**

a. Purpose: The purpose of the conflict of interest policy is to protect the Association's interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an Officer or Trustee of the Association, or might result in a possible excess benefit transaction. This policy is intended to supplement, but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

b. Interested Person: Any Trustee, Officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested party.

c. Financial Interest: A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- (1.) An ownership or investment interest in any entity with which the Association has a transaction or arrangement.
- (2.) A compensation arrangement with the Association or with any entity or individual with which the Association has a transaction or arrangement, or
- (3.) A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Association is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the Board of Trustees decides that a conflict of interest exists.

d. Duty to Disclose: In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Trustees and members of committees with governing board delegated powers considering the proposed transaction or arrangement.

e. Determining Whether a Conflict of Interest Exists: After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Board of Trustees meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board members shall decide if a conflict of interest exists.

f. Procedures for Addressing the Conflict of Interest:

- (1.) An interested person may make a presentation at the Board of Trustees meeting, but after the presentation, he/she shall leave the meeting during the discussion of and the vote on, the transaction or arrangement involving the possible conflict of interest.

(2.) The chairperson of the Board of Trustees shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

(3.) After exercising due diligence, the Board of Trustees shall determine whether the Association can obtain with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

(4.) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board of Trustees shall determine by a majority vote of the disinterested trustees, whether the transaction or arrangement is in the Association's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

g. Violations of the Conflicts of Interest Policy:

(1.) If the board of trustees has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

(2.) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the board of trustees determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary or corrective action.

h. Disciplinary or Corrective Action: Upon determining that a person is guilty of not disclosing the existence of a conflict or possible conflict of interest and a conflict of interest was found to exist, that person may be removed from any position of governing board delegated power by a majority vote of the remaining members of the Board of Trustees..

c. Records of Proceedings: The minutes of the Board of Trustees shall contain:

(1.) The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board of Trustees decision as to whether a conflict of interest in fact existed.

(2.) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the

discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

j. Compensation:

- (1.) A voting member who receives compensation, directly or indirectly, from the Collings Lakes Civic Association for services is precluded from voting on matters pertaining to that member's compensation.
- (2.) A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Collings Lakes Civic Association for services is precluded from voting on matters pertaining to that member's compensation.
- (3.) A voting member of the board of trustees or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Collings Lakes Civic Association, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

k. Annual Statements: Each trustee, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- (1.) Has received a copy of the conflicts of interest policy,
- (2.) Has read and understands the policy,
- (3.) Has agreed to comply with the policy and
- (4.) Understands the Collings Lakes Civic Association is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

l. Periodic Reviews: To ensure the Collings Lakes Civic Association operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- (1.) Whether compensation arrangements and benefits are reasonable, passed on competent survey information, and the result of arms length bargaining.

(2.) Whether partnerships, joint ventures and arrangements with management organizations conform to the Collings Lakes Civic Association's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

m. Use of Outside Experts: When conducting the periodic reviews as provided for in Article VIII 1. above, the Collings Lakes Civic Association may, but need not use outside advisors. If outside experts are used, their use shall not relieve the board of trustees of its responsibility for ensuring periodic reviews are conducted.

ARTICLE IX REWARD FOR INFORMATION LEADING TO ARREST AND CONVICTION OF VANDALS OF C.L.C.A. PROPERTY

- a. Purpose:** The purpose of this policy is to deter vandalism of C.L.C.A. owned property, thereby reducing cost of replacement or repair. Also to recoup costs from those convicted of vandalism of C.L.C.A. Property.
- b.** A \$500.00 Reward will be paid to any individual for information leading to the arrest and conviction of any individual or group of individuals for vandalizing C.L.C.A. Property. Such vandalism would include theft, damaging or defacing.
- (c.)** The identity of the individual providing information regarding vandalism of C.L.C.A. Property, resulting in arrest and conviction of individual or group of individuals, will be protected and not released for public knowledge.
- c.** Charges will be pursued in a court of law against any individual or group of individuals where evidence indicates that individual or group of individuals is guilty of the theft of, damage of or defacing of C.L.C.A. Property. If the individual or individuals charged are under the age of 18, charges will also be pursued against the parents responsible for that or those individuals. Legal pursuit will include compensation for cost of replacement or repair of property involved.

ARTICLE X REPAIRING AND MAINTAINING THE DAMS

- a.** The Membership has agreed through a binding settlement and court order that saving the lakes and maintaining, repairing and/or replacing the dams to bring them up to the specifications of the New Jersey Department of Environmental

- Protection (DEP) is vital to maintaining Collings Lakes as the community it has historically been. There will be significant cost associated with the project.
- b. There will be an up-front cost that is as yet somewhat undetermined in order to get the dam project underway. Estimates suggest the entire project will cost approximately \$2M, or \$500,000 per dam. The costs of the dam project will be divided in the same manner as the annual fees by Tier (Tier 1: 17%; Tier 2: 72%; Tier 3: 11%). To facilitate construction on the first dam expeditiously, the Board will assume a cost of \$500,000 subject to change as more information is gathered. The newly organized Board shall proceed in accordance with the Collings Lakes Settlement Resolution.
 - c. Within thirty (30) days of its election and establishment, the Board will form a Committee to explore financial assistance options for the dam projects, including but not limited to bank financing and assistance from the municipalities, counties, and State of New Jersey. The Board may, by Resolution, alter the amount of the second installment to reflect any financial assistance that is received. The Board will set the amounts and due dates for all future payments toward the dam project.

These Policies adopted and approved by the Collings Lakes Civic Association Trustees are Amended and approved by the Collings Lakes Civic Association Trustees on September 23, 2019.

CERTIFICATION

We, the undersigned, the duly elected and acting Trustees of Collings Lakes Civic Association, a non-profit New Jersey corporation, do hereby certify that the within and foregoing policies were adopted as the policies of that corporation on September 23, 2019 and that the same do now constitute the by-laws of that corporation.

IN WITNESS WHEREOF, we the undersigned have hereunto subscribed our names this _____ day of _____, _____.

_____ Pres. _____

_____ Secy. _____

Corporate Seal
Collings Lakes Civic Association