

**PROPOSED CHANGES ARE IN BOLD AND UNDERLINED BELOW**  
Gordon Lakes Property Owners Association, Inc. Constitution and Bylaws  
Constitution and Bylaws  
Amended **07/10/2019**

**ARTICLE I - NAME**

**Section 1**

This is a non-profit corporation in the State of New Jersey, incorporated in 1999, whose name is Gordon Lakes Property Owners Association, Inc., herein known as "The Association". The corporation may also be referred to as GLPOA.

**ARTICLE 2 - PURPOSE**

**Section 1**

The Gordon Lakes Property Owners Association, Inc. is an organization which acts to preserve and protect Gordon Lake as an essential element of the Gordon Lakes Community. The Association shall consist of all property owners and shall administer to all common interests of the Association, including, but not limited to, the lake, waterways, roadways, land and structures owned by the Association, or which directly affect the property interest of the Association as well as all beach related activities, including maintenance and care of the lake and properties.

**Section 2**

The purposes for which the Association is formed are:

To preserve Gordon Lake, an essential element in the Gordon Lake Community for water quality and water table maintenance, fire protection, and flood control. To encourage protection and enjoyment of its natural beauty and resources. To protect the interests of its members.

**ARTICLE 3 - MEMBERSHIP**

**Section 1**

Membership in the Gordon Lakes Property Owners Association shall be mandatory on all property owners in the community known as Gordon Lakes in the Township of West Milford, New Jersey. The Gordon Lakes Community shall be defined as all properties included in the West Milford Gordon Lakes Dam Assessment dated 10/05/2010.

**Section 2**

Membership-**at-Large** is offered to owners of property which are within one thousand feet of the above-mentioned properties **in Article 3 Section 1**, and upstream of the dam, or property owners who must access their property by way of Crescent Rd or East Park Rd. **Said Property Owners renting their property, may offer Membership-at-Large privileges to their tenants if either the**

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**property owner or tenant pays the annual dues. Membership-at-Large grants all rights and privileges of being part of the Association; however, it does not give them voting privileges in the Association.**

**Section 3**

Members **in good standing** of the Association, as defined in section 1 above, shall have the privileges of use, for themselves, **residents of their household** and guests, as herein described, of all benefits of the Association, including but not limited to, the lake, waterways, roadways, land and structures owned by the Association, subject to such Rules and Regulations which may be established from time to time by the Association and such restrictions as the Association shall apply uniformly to all Members, including, but not limited to, the imposition of fees, dues **and assessments**, as set by the Association. Membership rights and privileges are available only to Members in Good Standing, residents of their households, and their guests.

**Property owners in the Association who rent their property are responsible to pay all fees, dues, and assessments defined by the Association. A property owner in good standing may grant a long-term tenant voting privileges provided the tenant has resided in the community for more than 18 months, has abided by the bylaws and rules, and has been granted written authority to exercise the owner's vote.**

Members in Good Standing - A member in good standing is a member who:

- A. Pays to the Corporation such fees as are set and determined from time to time by the Corporation.
- B. Pays, when due, such annual dues as are set and determined from time to time by the Corporation.
- C. Pays, when due, such assessments as may be set and determined from time to time by the Corporation.
- D. Abides by the Bylaws and Rules and Regulations of the Corporation. **A member who violates the bylaws and rules despite two written warnings, or who has a tenant who so violates bylaws and rules, may have their voting privileges and lake privileges suspended for one year by the Board and shall be responsible for any legal expenses incurred by the Board for enforcement of the bylaws.**

**Section 4**

Membership shall cease upon termination of ownership in the community. Membership is non-transferable. **Membership is mandatory and runs with the land. All unpaid fees run with the land.**

**Section 5**

Members who are not in good standing shall not be allowed to enjoy privileges as guests of another member.

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**Section 6**

Membership privileges shall not be denied on the basis of race, creed, color, gender, marital status, parental status, sexual orientation, or political affiliation.

**Section 7**

Should a Member own more than one property in the community as defined in Section 1, that Member shall be required to have an additional membership for each property before the Tenants or guests of either property may enjoy any privileges of membership. Should any existing property within the community as defined in Section 1 be subdivided a new additional membership shall be created for each additional lot created.

**ARTICLE 4 - Board of Directors**

**Section 1**

The Association shall be governed by a Board of Directors, hereinafter called "the Board", consisting of a minimum of five Members of the Association elected or appointed as herein described. These five members shall be known as "the Board", which shall be comprised of the President, Vice President, Secretary, Treasurer, and Member At-Large. The Board of Directors shall manage the affairs, as well as the property, funds and finances of the Association, and shall carry out the purposes of the Association according to its Certificate of Incorporation and these By-laws. The Officers of the Association shall consist of the following: President, Vice President, Secretary, and Treasurer.

**Section 2**

**Candidates for all Board positions must be Members in good standing in the Association. The Board shall be elected by the Members in good standing as follows:**

- **Even years the Vice President and Treasurer will be voted on for a two-year term.**
- **Odd years the President and Secretary will be voted on for a two-year term.**
- **Member At-Large will be voted on each year for a one-year term.**

**Section 3**

The President shall preside at all meetings of the Association and shall enforce the by laws, rules and regulations. **The President** shall, with the Secretary sign all written contracts and all written obligations of the Association and shall appoint all members to committees.

**Section 4**

In the absence or incapacity of the President, the Vice President shall perform his/her duties and perform such duties as the President may assign to him/her.

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**Section 5**

The Secretary shall keep the minutes and other official records of the Association and shall post notices of meetings and perform such duties as the President may assign to him/her.

**Section 6**

All authorized disbursements shall be made **by the Associations bank checks or debit card.** Association **checks shall be** made out by the Treasurer and signed by the Treasurer and President only. Only in the event that one or both are unavailable or incapacitated, the Vice President shall be the first choice of replacement and the Secretary shall follow. The checking account shall **when needed** be set up to allow **other** officers as authorized **signatures. Association's bank debit card may be used for purchases with documented board approval of at least three members.**

Authorized disbursements shall be those which:

- a) Were approved in a meeting by vote or inclusion in a passed budget
- b) Fall under day to day operating expenses such as postage, paper, and will not exceed **\$750** in a month and check amounts not to exceed **\$250.** **Exceptions can be made with documented board approval of at least three members.**

**Section 7**

The Treasurer shall keep all the financial records of the Association.

**Section 8**

The Association shall indemnify to the fullest extent permitted by law any person who is made, or threatened to be made, a party to any action, suit or proceeding (whether civil, criminal, administrative or investigative) by reason of the fact that he, she, his or her intestate is or was an Officer, Board Member, Employee or Agent of the Association or serves or served any other enterprise at the request of the Association. The Gordon Lakes Property Owners Association, Inc. shall indemnify corporate agents for expenses and liabilities in accordance with and pursuant to the provisions of Section 15A:3-4 of the New Jersey Nonprofit Corporation Act (N.J.S.A. 15A:3-4). No Officer, Board Member, Employee or Agent of the Association shall enter into or sign any contract, agreement, or settlement on behalf of the Association that is to be sealed or kept confidential from any other property owner or member of the Association.

**Section 9**

In the event of death, resignation, or an officer is no longer in good standing, a special meeting will be held to elect a new officer to fill the vacancy for the unexpired term.

**Section 10**

The Association shall have the power to purchase and maintain insurance on behalf of any person who is or was a Governor, Officer, Employee or Agent of the Association, or is or was serving at the request of the Association as a Director, Officer, Employee or Agent of another corporation,

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partnership, joint venture, trust or other enterprise against any liability asserted against him/her and incurred by him/her in any such capacity or arising out of his/her status as such, whether or not the Association would have the power to indemnify him/her against such liability under the provisions of Section 8, above.

**ARTICLE 5 - COMMITTEES**

**Section 1**

The officers shall establish committees **as needed**, set forth their responsibilities in writing, and delegate powers to each as deemed necessary. Committees shall consist of an odd number of members in good standing and require a majority of the members to be present to conduct business.

Standing committees include:

- a) Fund Raising: Responsible for raising funds through fund raisers.
- b) Funding: Responsible for seeking funds through grants and/or loans.
- c) Bylaws: Responsible for amending bylaws and presenting them to the membership for approval.
- d) Maintenance/Security: Responsible for scheduling and/or performing lake and property repairs and maintenance, signage, and security.
- e) Rules & Regulations: Responsible for creating, maintaining, and updating (as necessary) the rules and regulations that shall apply to all property owners, and guests, and submitting these rules and regulations, or changes to the same, to the Board for approval and distribution to the Association.

**Section 2**

The President or his/her designee shall chair all committees and the Treasurer or his/her designee shall co-chair all financial committees.

**ARTICLE 6 - MEETINGS**

**Section 1**

Three regular meetings are to be held of the Board and Association. The meetings will be held **at a location selected by the board in West Milford, NJ.:**

**Meetings will be held in the months of April, July and October. Each meeting will have an emphasis: April meeting election of officers, July meeting review of Bylaws, and October meeting review and acceptance of following year Association budget. The Board may consolidate or reschedule meetings as necessary.**

The time of the meetings will be posted pursuant to Section 5.

**Section 2**

At such meetings, the order of business shall be:

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- a) **Review of minutes from** previous meeting.
- b) Reports from officers and committees.
- c) Old Business
- d) New Business

**Section 3**

Fifteen (15) members in good standing and eligible to vote shall constitute a quorum but a lesser number may meet and adjourn to a fixed date to be posted pursuant to Section 5.

**Section 4**

A special meeting may be called by the President or whenever one-third (1/3) or more of the members entitled to vote shall make a written request to the President, specifying the object of the meeting.

**Section 5**

Five (5) day notice shall be given of all regular and special meetings in writing to all members. Notice shall also be posted in **at least** two conspicuous places within the community and on the Association web site.

**ARTICLE 7 - VOTING**

**Section 1**

Only members in good standing shall be entitled to vote, each being entitled to one vote per property. Members who are in arrears on payment of fees, dues, or assessments are not in good standing. Written notification of members **not in good standing** shall be sent to them at least five (5) days prior to a meeting. **Members who bring their payments of dues, fees and assessments up to date before the start of an Association meeting will be returned to status of Member in good standing and be eligible to exercise membership privileges at such meeting.**

**Section 2**

Voting at all meetings on all matters including the election of officers shall, at the discretion of the presiding officer, be either by ballot or **roll call of Members in good standing as reported by the Treasurer.**

**Section 3**

Except where otherwise stated, simple majority (50%+1) of the members in good standing present and voting, will carry all motions presented at a regular or special meeting. The President shall be excluded from voting in all matters except in the case of a tie vote at which time the President will cast the tie-breaking vote.

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**ARTICLE 8 - ASSOCIATION FUNDS**

**Section 1**

Funds shall be used for the purpose of the Association. No officer shall receive a salary.

**Section 2**

Funds shall be deposited by the Treasurer in a bank designated by the officers.

**Section 3**

Purchases and conveyances of Real Estate property shall be made only upon resolution of the officers and with the approval of two-thirds (2/3) of the members in good standing present and voting.

**Section 4**

- A. Dues shall be determined and set to meet the expenses required for care and maintenance of Association properties, in order to fulfill and continue the Purpose of the Association set in Article 2, as well as Article 8, Section 5.
- B. Dues shall become due and payable by **February 28. Dues not paid by March 15 shall be subject to a late fee of \$25 subject to waiver for good cause shown.** Alternatively, arrangements may be made **by contacting the Treasurer prior to February 28 for making equal payments over 10 months beginning February 28 and ending November 30. These monthly payments shall become due on the last day of each month. Late installment payments (15 days late) shall be subject to late fees of \$5 for each late payment. Advance payment can be made if desired. Member will be responsible for any bank fees for returned checks.**
- C. **Unpaid dues and late fees run with the land and constitute an automatic lien on title for which any subsequent owner of the property shall be responsible. The Board may file a Master Deed to alert all future buyers of this. In addition, dues, fees or assessments not paid in full with a 30 day grace period beyond any due date despite written notice sent to the property and the owner's last stated address shall be subject to a \$25 late fee, collection costs including legal fees, all available legal remedies include having an additional lien placed on the real property**
  - a. **Such lien shall be recorded in the office of the Passaic County Clerk stating the description of the property, the name and address of the record owner, the amount due and the date when due. Such claim of lien shall include only sums which are due and payable when the claim of lien is recorded along with legal fees and shall be signed and verified by President and Treasurer of the Association. Upon full payment of all sums secured by the lien, the party making payment shall be entitled to a recordable satisfaction of lien.**

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- b. **Liens for unpaid dues, fees and assessments may be foreclosed by suit brought in the name of the Association in the same manner as a foreclosure of a mortgage on real property.**
- c. **Any suit brought by the Association to recover a money judgment for unpaid dues, fees and assessments shall not be construed as a waiver on its part of the lien securing the same.**

**Section 5**

Each year, a proposed annual budget shall be distributed to members at least ten (10) days prior to the **October** Budget Meeting. The proposed annual budget shall include a list of projected expenses for the following year. The proposed annual budget shall be presented, reviewed, revised (if necessary, each revision requiring a majority vote), and voted upon by members **in good standing that are** present.

**ARTICLE 9 - REVIEWS AND APPEALS**

**Section 1**

Members have the right to submit any action of officers, members, or committees to The Board for review, with the further right to appeal the matter to the membership at a special meeting convened for that purpose. A majority vote of the members present and voting at the special meeting shall decide.

**ARTICLE 10 - SEAL**

**Section 1**

The Association shall have a corporate seal which shall be in the form of a circle with the following words thereon:

“Gordon Lakes Property Owners Association, Inc. 1999, New Jersey”

**ARTICLE 11 - AMENDMENTS**

**Section 1**

This Constitution and Bylaws may be **changed or** amended by a two-thirds (2/3) majority of the **Members** in good standing present and voting at a meeting of the Association. The bylaws committee shall notify the property owners in writing of the proposed **changes or amendments to the Constitution and Bylaws** ten (10) days prior to said meeting.

**Section 2**

All requests for changes **or amendments in this Constitution and Bylaws made by Members in good standing** shall be presented to the bylaws committee for review **and will be considered for inclusion at the next appropriate Association meeting based on meeting Article 11 Section 1.**