

# Lake Gerry Association, Inc

## By Laws

(Revised February 20, 2021)

### Mission Statement

Aid and promote the preservation and protection of Lake Gerry and the land around it. Promote and cultivate social relationships among its members as a community. Promote the development of Lake Gerry toward the goal of maximizing property values while retaining quality of life of the Association members. Undertake programs and activities calculated to advance the above purposes.

### Code of Conduct

All members agree to treat each other respectfully. All agree to be considerate of other member's rights and property. Harassment, intimidation: including verbal, written, or physical conduct designed to threaten, intimidate, or coerce another member or guest shall not be tolerated. Discrimination based on gender, gender identity, sexual orientation, age, disability, physical appearance, body size, race, religion, national origin, or culture will not be tolerated. Menacing another member in any way may result in membership revocation. All guests are the responsibility of the inviting member and are expected to follow the same code of conduct. Where and when necessary, outside legal authorities will be brought in to ensure the safety and security of all members. An arbitration board consisting of 1 officer, 1 member, 2 trustees and 1 permanent board member will be tasked with hearing disputes and recommending to the Association their findings and an appropriate course of action. Should such findings result in membership revocation, a possible prorated refund may be issued dependent on findings. Depending on severity of the offense resulting in membership revocation, the arbitration board is tasked with determining the length of time members must wait before reapplying for membership.

### Article 1

#### *Section 1 –*

Officers shall be President, Vice President, Secretary, Financial Secretary, Treasure and three Trustees. In addition, the association will have a volunteer / appointed position of lake steward.

#### *Section 2 –*

Election of Officers shall be once every second year (even numbered years) on the second Sunday in September. All nominations shall be submitted by the second Sunday in July. Officers assume duties in September.

*Section 3 –*

Only members in good standing may be elected officers.

*Section 4 –*

All association paraphernalia and records shall be turned over to the newly elected officers within 30 days after election.

*Section 5 –*

The outgoing President shall automatically become an Advisory Trustee for the ensuing term.

*Section 6 –*

The regular meetings of the Association shall be held on the second Sunday of each month June through September. The May meeting shall be held on the Sunday following Mother's Day.

*Section 7 –*

A quorum will consist of three (3) officers and seven (7) members for a minimum of ten (10) members.

*Section 8 –*

Special meetings of the Association may be called at any time by the decision of the President.

*Section 9 –*

Any members desiring the floor must first have the permission of the President. The President will recognize any member.

*Section 10 –*

Establishment of a Permanent Committee that will govern the Lake Gerry Association in case Officers are not elected. A Permanent Committee made up of members in good standing shall be created by the Lake Association. This Permanent Committee made up of five (5) members will always remain in existence. Its membership will change over time, but members chosen for this Committee may serve if the Association members want them or until they themselves decide to leave. The selection process for the first group of Committee members will occur at the September Association meeting if this by-law is approved (2013). Members at the September Association meeting will nominate and elect five (5) members to the Permanent Committee. Future elections to this Committee will be held as Committee members decide to leave or are voted off the Committee by Association members. Whenever the need for a new member arises an election will be held at the Next Association meeting so that there will always be five (5) members. Elections to choose members for the Permanent Committee may occur at any Association meeting. Therefore, if no President or Vice-President is elected to lead the Association this Permanent Committee will take over the duties of the President and any officers not elected. This

permanent Committee made up of Lake Association members will always exist ensuring that lake Gerry always remains in the possession of the Lake Gerry Association.

## Article 2

### Order of Business for the monthly meetings

#### *Section 1 –*

The order of business at all Association meetings shall be as follows:

- 1) Call to order by the President
- 2) Roll call of officers
- 3) Reading of minutes of last meeting – only if requested by a member.
- 4) Reading of communications and bills
- 5) Reports of officers and committees.
- 6) Unfinished business
- 7) New business
- 8) Read and vote on minutes of the day
- 9) Closing of the meeting.

## Article 3

### Membership

#### *Section 1 -*

##### *Qualifications for membership:*

Each person who owns property, rents property or leases property in the Lake Gerry Community as defined in Chenango County Tax Maps 183 and 184 is eligible to be a member.

#### *Section 2 –*

Each member of the Association shall pay dues as regulated by the Association.

#### *Section 3 –*

With the initial membership fee, a membership card and two (2) guest passes will be issued. Additional guest passes may be purchased from the Treasurer. The cost of additional seasonal passes (see schedule fees page) and are non-transferable. An individual may be asked to verify their membership or guest privileges at any time. The fiscal year for the Association shall run from May 1<sup>st</sup> through the following April 30<sup>th</sup>. One Lake Gerry boat sticker will accompany each membership. Additional boat

stickers will be available for an additional fee. Boat stickers must be placed on boats to identify members.

*Section 4 –*

Tenant Membership: Tenants are now eligible to be members. (See Article 3, Section 1)

*Section 5 –*

A membership may be purchased by a household in the name of only one person. This initial membership fee will entitle that named member to one vote at Association meetings, one vote in election for officers and one vote for changes in by-laws. If a household of more than one person desired one additional voting privilege- it may be purchased. (See Article 5, Section 21 – General Rules for additional information) The additional purchased vote does not come with additional passes.

## **Article 4**

### **Duties of Officers**

*Section 1 –*

*President:* It is the duty of the President to preside at all meetings, enforce By-Laws, appoint all committees, and perform such other duties, as necessary.

*Section 2 -*

*Vice President:* It is the duty of the Vice-President to assist the President in the discharge of their duties and in case of absence, death, resignation or removal of the President, the Vice President shall take their place and perform such duties as these laws provide and shall perform other duties as requested by the President.

*Section 3 –*

*Secretary:* It is the duty of the Secretary to address all correspondence, notify members of special meetings, keep correct record of minutes at each meeting and preserve the same and perform other duties as requested by the President.

*Section 4 –*

*Treasurer:* It is the duty of the Treasurer to receive all money paid into the Association for dues, fines, assessments, etc. and deposit said in the bank, as well as keeping a correct record of all monies received. It is also the responsibility of the Treasurer to pay all vouchers submitted by the financial secretary. Either the Treasurer or the President may sign checks for the Association (as per NBT Bank). The Treasurer shall perform all duties as requested by the President.

*Section 5 –*

*Financial Secretary:* It is the duty of the Financial Secretary to receive the bills and submit a voucher to the treasurer for all expenditures. The Financial Secretary will also perform all other duties as requested by the President.

*Section 6 –*

*Trustees:* Three (3) Trustees shall be elected and shall audit the books, accounts, and vouchers of the Treasurer before the September meeting and report at the September meeting. Also, it will be the responsibility of the Trustees to canvas unpaid residents of Lake Gerry for potential membership in the Association.

*Section 7 –*

Any Vacated position may be filled at the discretion of the President.

Any officer absents for more than three consecutive meetings without showing due cause shall be considered having vacated their office can be replaced at the discretion of the President.

*Section 8 –*

*Lake Steward:* It will be the responsibility of the lake steward to survey and report on all lake properties. At each meeting a report will be given on the conditional of all docks, lake access lanes, pavilions, etc. This position will also be responsible for fish stocking, water testing and assisting the ongoing activities around the lake improvement efforts.

## **Article 5**

### **General Rules**

*Section 1 -*

Any decision made by the membership is final. A simple majority of those voting is necessary for approval.

*Section 2 -*

Since rifles are now allowed to be used in Chenango County, shotguns and rifles may not be used within 500 ft of any dwelling (New York State Law). Bow and arrow clause: Practice may be held on an individual's property if proper precautions are taken. When used for hunting the firearm restriction will prevail.

*Section 3 -*

Ice fishing is prohibited unless the Association sees fit to open same at the September meeting for the ensuing year only. Any trapping is to be regulated by the Association.

*Section 4 -*

The "Catch of the Day" per person is the same as New York State regulations.

*Section 5 -*

No waterfowl hunting.

*Section 6 -*

No property or building shall be used for commercial purposes unless approved by the Association.

1. Building: Lake Gerry is a residential community in the Town of Oxford and according to Oxford Town law a building permit MUST be obtained from the Town of Oxford before any building or addition is started on any property in the Lake Gerry Community. A property owner must have 30,000 square feet to build on a vacant lot in the Town of Oxford.
2. Upon making application for a building permit, the Zoning Officer should relate information concerning location of the proposed building and sewage requirements.
3. No mobile homes, travel trailers, RV's will be allowed to hook up to electric, sewer and water as a permanent or summer residence. Weekend use is permitted. Only stick or modular homes are permissible. Travel trailers that are here at Lake Gerry prior to September 2009 shall be grandfathered in and may be used as occasional residences. If said travel trailer is ever removed from said location it cannot be returned or be replaced by another travel trailer.

*A failed septic system must be replaced with the current county ordinances. Oxford is updating its permitting regulations for building and remodeling. It would be best to contact Oxford for the most up to date information and guidance.*

*Section 7 -*

All docks put in the lake at lake access lanes become Association property and are insured as such. All docks will be kept free and clear of all swimming and fishing items, furniture, and debris. Docks will be inspected regularly and maintained to ensure the highest safety standards. As of 2021, any new docks, whether replacement or new in placement shall adhere to a safety standard of 4 feet in width by 10 feet in length. Proposed new placement of docks must be brought before the Lake Gerry Association Board and members for a vote at any monthly meeting, in season, between May and September.

*Section 8 -*

Membership shall be notified by mail of any proposed amendments and changes to the By-Laws at least two weeks prior to the specified next regular meeting. Voting will be done by ballot.

1. Proposed amendments and changes to the By-Laws will be restricted to one meeting every third year. The exception to this is an annual vote on fees. This vote will take place at the final meeting of each year. If the need arises to do an online/mail in vote one will be put forth.

*Section 9 -*

Snowmobiles and ATVs are prohibited on any Lake Gerry Association property, right of ways, and the lake. The use of gas or diesel motors on the lake is prohibited, including but not limited to all motorized boats\* (see below), snowmobiles, motorized toy boats and motorized augers.

*\*Exceptions: Lake Association Members may use an electric motor with a thrust no more than 40 pounds.*

#### *Section 10 -*

Owners will at all times maintain the premises in a reasonably clean condition and will dispose of all rubbish or garbage at a place provided at a Chenango County Landfill.

#### *Section 11 -*

The contour of the lake shall not be altered for any reason without permission of the Association.

#### *Section 12 -*

No Association monies shall be spent without membership approval, except for operating expenses.

#### *Section 13 -*

Lake Gerry is a private lake owned by the Lake Gerry Association. No property owner has deeded lake rights. Lake rights come only with membership in the Association. The Association also owns and pays taxes on all right of ways, beaches, picnic areas, pavilions, and land under the Lake. The use of the above listed areas shall be restricted to members and guest pass holders. It shall be the duty of the members to notify an Association officer of any trespassers on Lake Association property or any abuse of membership or abuse of guest pass privileges.

1. No level of upkeep to association property is herein implied or guaranteed by the association.
2. Reservation of use of the pavilions must be made in advance.
3. Use of said areas will be at the risk of the individuals.
4. No excessive noise after 11:00pm
5. There is no lifeguard on duty at the beach, swimming there is at your own risk. No partying on the beach. No Swimming on the beach after dark. It is the responsibility of the member to supervise children on Association property. No glass bottles are allowed on the beach area. Alcoholic beverages are not allowed on the beaches. No fishing on the beach area.
6. All floating swimming docks anchored in the lake must have a cottage number and owner's last name attached for identification purpose. All docks should be maintained in a safe condition. All floating swimming docks should be removed from the lake by October 31<sup>st</sup> at the latest. If a floating dock is not removed and becomes unmoored, it will be the owner's responsibility to pay any damages that are incurred and to retrieve it.

#### *Section 14 -*

It is the responsibility of the member to notify the Association of any changes in property ownership prior to transfer in writing. The Association reserves the right to require a member to include a

restrictive covenant in the deed which mandates membership in the Association and adherence to the Association's by-laws.

#### *Section 15 -*

Dogs are not allowed to run loose in the township of Oxford according to Town Law and that Law applies to the Lake Gerry Community as well. Dogs should be leashed or tied. No dogs or pets are allowed on Association beaches or picnic areas.

#### *Section 16 -*

Violating the by-laws may result in revoking membership and privileges including the use of Lake Gerry Association property.

The following procedure will be used to revoke membership:

1. Verbal warning
2. If violation continues a certified letter/registered letter stating violation and that this activity should cease will be mailed to the violator.
3. If the violation continues membership will be revoked. Membership dues will be forfeited.

*Note: Nothing herein contained is meant to conflict with State or local laws.*

#### *Section 17 -*

If you own property, rent or lease property in the Lake Gerry Community you cannot use guest passes from other Association members. You must join the Lake Association yourself to have Lake privileges.

#### *Section 18 -*

Since the Lake Gerry Community is a residential area in the Town of Oxford, all Town laws and regulations and ordinances must be followed. Under the Town of Oxford regulations, the Lake Gerry Community is designated as RR-2 which is a Residential – Recreational District. No farming or farm animals are allowed to be housed or raised in the Lake Gerry Community.

#### *Section 19 -*

Parking vehicles in the lanes and right of ways at Lake Gerry is prohibited. The lanes and right of ways are for the use of all members and guests and should never be blocked or infringed upon. Most lanes and right of ways are 30 feet wide. Please make sure that your vehicles and personal property are clear of them.

#### *Section 20 -*

All lake access lanes shall be kept free and clear of all swimming and boating items, boats, and outdoor furniture. All boats will be kept to one side of the lane with a reasonable number per lane. Members

will be allowed to leave two boats per membership on a right of way. All other boats must be kept on the members own property. Any personal items or gear shall be taken out by members after each use. Lake Gerry Association is not responsible for damage or theft of any items left in lake access lanes.

### *Section 21 -*

#### *Membership:*

Membership may be purchased by a household in only one person's name. A homeowner is defined by tax role, rental agreements, or leases. An additional vote may be purchased by a spouse, partner, or partner equivalent. The membership rights will cover all permanent residents of that household. Guest passes must be purchased for visiting family and friends. Adult family members such as homeowners' adult children, grandchildren, and parent, etc. living with the homeowner are covered by membership but not entitled to purchase an additional vote.

Lake Gerry Association recognizes membership for all forms of seasonal, short-term rentals. These are subject to a different membership fee. If an owner decides to engage in any of these forms of rentals it is incumbent on them to notify the Association as to the change in their form of membership. The code of conduct governing all members will extend to renters. With that being said, it is the owner's obligation to educate all guests with regards to the by-laws and all acceptable behaviors for this community.

# Lake Gerry Association, Inc.

## Schedule of Fees

*Revised February 20, 2021*

Membership: \$250.00

Additional Household Vote: \$40.00

Additional Guest Passes: \$5.00 5 / \$20 10 / \$40 Unlimited \$100

Additional Boat Stickers: \$5.00

Seasonal Rental Membership: \$350

## By-Laws

### Of

## Lake Gerry Association, Inc.

### **Approved:**

October 2, 1949

### **Revised:**

August 2, 1959

November 30, 1966

July 12, 1981

July 11, 1983

September 12, 1993

September 14, 1997

September 10, 2000

September 15, 2005

September 10, 2009

September 7, 2013

February 20, 2021