

# CONSTITUTION OF THE LAKE KITCHAWAN ASSOCIATION, INC.

*Organized August 1928, for the welfare and protection of the property owners at Lake Kitchawan Park and Grove, Town of Lewisboro, New York. Incorporated in July 1932 in the State of New York. This constitution updated November 5, 1997.*

**Robert's Rules of Parliamentary procedure shall govern the proceedings of this Association not especially provided for.**

## **ARTICLE I: NAME**

The name of this association shall be the Lake Kitchawan Association, Inc.

## **ARTICLE II: PURPOSES**

The Lake Kitchawan Association, Inc. is a non-political, not-for-profit organization, the purpose of which is to provide for the maintenance and improvement of common facilities and properties along with the limited maintenance of private roads within the community and to promote concerted and intelligent action on all matters affecting the common interests of the owners of homes in the "Park" and "Grove" sections of the Lake Kitchawan Development. A goal of the Association is to preserve the residential and semi-rural quality of the Lake Kitchawan community by influencing growth which is characteristic of this goal.

The Association will gather and disseminate information, provide opportunity for public discussion and present such information and the views of the membership of the Association before the appropriate public forums. The Lake Kitchawan Association by virtue of authority from the Lake Kitchawan Estates is the lawful agent for the collection of dues or revenues for the maintenance of common interests, Association properties, and private roads as set forth by the Lake Kitchawan Estates and the Lake Kitchawan Realty Company in deeds of record, and by virtue of policies and decisions as determined by the members of the Lake Kitchawan Association and as set forth by the Board of Directors.

## **ARTICLE III: MEMBERSHIP:**

Sec.1: All persons who are the owners of record of a lot or lots in the Lake Kitchawan Park or Grove constitute the membership of the Association.

Sec.2: All rights of membership in the Association shall terminate upon the transfer of all property held by a property owner in the Lake Kitchawan Community.

Sec.3: Renters as leasees of homeowners in good standing may partake in the use of common and Association facilities, but shall not have the right to vote or hold office.

## **ARTICLE IV: DUES**

Sec.1: All members are subject to the collection of annual fees or charges (currently assessed at \$100 per annum for a single family residence), with provisions for vacant land and senior citizens. Dues delinquent are subject to lien and lien fees.

Sec.2: Dues must be paid within 30 days of issuance of the annual invoice. Any member in arrears for any portion of assessments or fees shall be liened.

## **ARTICLE V: BOARD OF DIRECTORS**

Sec. 1: The governing body of the Lake Kitchawan Association shall be composed of a Board of approximately seven directors elected by the association members during each annual meeting. No member shall be eligible for the Board of Directors until all back and current fees have been paid.

Sec. 2: Officers consisting of a President, Vice President, Treasurer and Secretary will be elected by association members during the annual meeting.

Sec. 3: The Board of Directors has full power to formulate the details for carrying out the purposes named in the Constitution and are charged with authority to make such by-laws and regulations as may seem necessary. It shall manage and direct all the affairs and activities of the Association. All funds shall be disbursed by it or under its direction. The Board of Directors shall meet at the discretion of the President, but not less than twice a year.

Sec.4: A quorum of the Board of Directors shall be a majority thereof.

Sec.5: The Board of Directors shall adopt rules for its governance, appointing the times and places for holding its meetings and regulating the procedure thereof.

Sec.6: The Board of Directors may at any time provide for Special Committee.

Sec.7: A vacancy in any office or in the Board of Directors shall be filled by the Board of Directors at any regular meeting or special meeting called for the purpose. The term of any Officer so elected shall expire at the next annual meeting. A vacancy in any committee shall be filled by the President with the approval of the Board of Directors. Each officer, member of the Board of Directors and committeeman shall serve until his successor shall be duly chosen. The positions of Officers will be subject to a 3 year term limit unless no qualified nominee is set forth for the position at the annual meeting.

Sec.8: The Board of Directors shall have the sole power to make appropriations, except that at the request of 3 or more members of the Board. Any appropriation shall be submitted to the Board for its approval or veto.

Sec.9: The duties of the Treasurer shall include the recording of fees and billing the property owners, collecting and depositing same in a designated bank. The treasurer shall keep proper records and report to the Board on all Association moneys, and shall file periodic liens on properties held by Members in delinquency with the Westchester County Clerk.

## **ARTICLE VI: ASSOCIATION MEETINGS**

Sec.1: The Association shall hold an annual meeting for the purpose of presenting reports and Election of board members and Officers. Time and Place of the meeting shall be determined by the Board of Directors.

Sec.2: Special meetings may be called by the Board of Directors on appropriate notice to the members stating the business which it is proposed to consider. Only such business may be transacted at a special meeting as is specified in the notice thereof.

Sec.3: Fifteen members may petition the Board of Directors to call a special meeting upon submission of a signed petition to the Board of Directors. All meetings of the association shall be conducted by the president.

Sec.4: The order of business at the annual and special meetings of the Association shall be as follows:

- a) Minutes of previous meeting
- b) Directors' reports
- c) Reports of Committees
- d) Unfinished business
- e) New business

Sec.5: Robert's Rules of Order shall be the rules of order for meetings of the Association.

Sec.6: All meetings of the Association including the annual meeting shall be open to the residents of the Lake Kitchawan Community, but only members shall be entitled to vote. The Board may hold Executive Session, not open to the community at large, to discuss confidential business.

Sec.7: These by-laws may be amended at any meeting of the Association by a two thirds vote of the members present, provided that a copy of the proposed amendment be presented and read at the meeting and adequate notice has been provided of members of record.

Sec. 8: The objects of this Association are understood to be non-political and no officer or member shall do anything intended to commit this Association in favor or against any distinct political measure, act or party.

Sec. 9: No member of the Board of Directors or member of this Association shall appear before a public official or body and claim to represent this Association for or against any matter unless he or she have been duly authorized to do so at a meeting of the Board of Directors by the majority of the board of Directors.