

**BY-LAWS OF LAKE TELEMARCK COUNTRY CLUB  
Rockaway Twp, New Jersey**

**ARTICLE ONE  
NAME**

**Section 1**

This Club shall be known as the Lake Telemark Country Club, Inc., and shall be hereinafter referred to as the Club.

This Club is registered as a corporation under the provisions of the State of New Jersey act entitled, "*An act dated April 21, 1898* to incorporate associations not for pecuniary profit". This registration shall be renewed annually as required.

**ARTICLE TWO  
OBJECT**

**Section 1**

This Club is formed to promote the general welfare and safeguard the interests of the Community Property Owners of Lake Telemark. The community properties are all lots as defined in Rockaway, fronting on: east side of Green Pond Road north from the intersection of the south end of Meggins Road to the intersection of Leif Erikson Road, including Lot #28-30 Section #141; both sides of Green Pond Road north from the intersection of Leif Erikson Road to the intersection of Colonial Road; Colonial Road; Brookside Road; Oslo Drive; White Birch Trail; Lakeview Road; Hallvard Terrace; Winding Brook Way; Whippoorwill Lane; Torden Place; Leif Erikson Rd; Meggins Road; North Cape Trail; Valhalla Way; Troll Lane; Telemark Road; Balchan Way; Lindbergh Trail; Sunset Trail; Bergen Hill Road; Viking Glen.

This Club shall improve the physical appearance of its properties; raise the standard of its development; promote and preserve the present and future character of the community through participation in select social, athletic and cultural programs and be the general aid to the Community Property Owners in a pecuniary and protective manner to such an extent as may seem advisable.

**ARTICLE THREE  
MEMBERSHIP**

**Section 1**

**Section 1.01** There shall be two types of memberships in this Club, as defined as follows:

1. VOTING – Community Property Owners, are entitled to one (1) vote each for each property owned. All property owners are members of the Club. Voting members are the only members entitled to hold an elective office in the Club.

2. ASSOCIATE – *Residential tenants of the community and Non-residents* may apply for an associate membership in order to have the right to use the lake and other Club properties. Said membership may be tentatively approved by the membership. Associate members are subject to approval annually and therefore may not vote nor hold an elective office in the Club.

**Section 1.02** Any member of this Club in good standing, in accordance with the provisions contained in By-Laws, is entitled to the use of the Club properties and facilities; the right to vote in elections and issues presented to the membership, the right to nominate himself/herself or other members for Board elections, the right to speak and be heard at all meetings and the right to participate in all activities.

A member in good standing with respect to (1) eligibility to vote in Board elections; (2) eligibility to vote to amend the By-Laws and (3) eligibility to nominate or run for a Board position is one whose dues, late fees, interest on unpaid dues, legal fees and other authorized assessments, are fully paid currently as shown by the financial records of the Club. A member is in good standing if the member is in full compliance with a settlement agreement with respect to payment of assessments, legal fees and other authorized assessments, *and other fees are fully paid currently as shown by the financial records of the Club* or has a pending unresolved dispute concerning charges assessed, which action has been filed in court or has initiated a dispute through a valid alternative to litigation.

Voting members delinquent in payment of their dues shall immediately forfeit all rights and privileges as a member of this Club. Said rights shall be automatically reinstated upon full payment of delinquent dues, late fees, interest on unpaid dues, legal fees, other authorized assessments, *and other fees*.

Unmarried children, step-children, foundlings, and parents permanently residing in a member's household shall be entitled to the use of all the Club facilities and properties. Those non-voting members eighteen (18) years of age and older shall be included in every membership roster of the Club.

## **Section 2**

Currently active members in good standing upon retirement, as defined in the Social Security System, or reaching the age of 65, may apply in writing for a credit towards the payment of their dues.

The BUL organization domiciled in Lake Telemark must apply for two (2) voting memberships in order to have the right to use the lake and other Club properties.

## **Section 3**

All members are entitled to invite guests who specifically reside outside the community properties. The number of invited guests may be limited at specific functions when it appears in the best interest of the Club for the comfort and well-being of the membership.

Any party, group, or sub-organization may apply, by written request, to the Club for a special ruling concerning guests. A special ruling on guests may be approved when it appears in the best interest of the Club, community or the applicant.

## **ARTICLE FOUR OFFICERS**

### **Section 1**

**Section 1.01** The officers of the Club shall be as follows: President, Vice-President, Secretary, and Treasurer who shall be elected by the membership for a term of two years. No member may hold more than one office at the same time in the Club. *These Executive positions should be two years, but no more than 4 years as per PREDFDA (Planned Real Estate Development Full Disclosure Act).* (Amended 4/20/22)

### **Section 2**

**Section 2.01** The President shall be the chief executive of the Club and Chairman of the Board; shall during the intervals between the meetings of the Board of Directors have general control and management of the Club and shall insure up-to-date By-Laws with all its amendments and supplements maintained and available to the membership at all times.

**Section 2.02** The President shall make a Board of Directors report to the membership at each regular meeting which shall include significant events occurring since the last report and proposed plans for the future.

### **Section 3**

**Section 3.01** The Vice-President shall assist the President in the duties of his office and shall assume the President's duties in his absence.

**Section 3.02** The Vice-President shall be the Chairman of the Grievance committee; shall be responsible for the proper functioning of all committees and shall insure committees perform their duties in a proper and expeditious manner.

### **Section 4**

**Section 4.01** The Secretary shall take care of all matters pertaining to the correspondence of the Club; shall insure approved amendments to the By-Laws and its supplements are properly recorded and reported to the membership; shall send out all notices of regular and special meetings; shall maintain a list of the current membership; shall publish a monthly information bulletin; shall be the custodian of the Club's records, other than financial and shall assist the President in other matters as directed.

**Section 4.02** The Secretary shall keep a record of the minutes of the Board of Directors and Membership meetings and shall prepare an agenda for all meetings.

### **Section 5**

**Section 5.01** The Treasurer shall keep full and accurate accounts of the receipts and disbursements in the books belonging to the Club; shall deposit all monies and other valuables in the name and to the credit of the Club in such depositories as may be designated and shall maintain the books of the Club open at all times for the inspection of the President, the Auditing Committee, and the membership.

**Section 5.02** The Treasurer shall disburse the funds of the Club as may be ordered and authorized, accepting proper vouchers for such disbursements; shall render the Board of Directors at each meeting and at such other times as the President may require it, an accounting of all of his transactions as Treasurer including an up-to-date report on the financial condition of the Club. The President with the Treasurer shall sign all checks, notes and drafts.

**Section 5.03** Directors shall be attending meetings, be good representatives of board policy to the community, support Club functions whenever possible, stay apprised of Club policies and issues, oversight on expenses, and keep adherence to By-Laws and keep a respectable voting quorum. (Amended 4/20/22)

## **ARTICLE FIVE BOARD OF DIRECTORS**

### **Section 1**

The Board of Directors shall consist of twelve voting members, including the President, Vice-President, Secretary, Treasurer of the Club, President of the Ladies' Auxiliary, President of the Men's Club, and six Directors; three Directors shall be elected each year for a term of two years by the membership.

### **Section 2**

**Section 2.01** The Board of Directors shall have the management control of the properties of the Club; may in all instances act on behalf of the Club and shall exercise all the powers of the Club subject to the provisions of the statutes and agreements of the By-Laws.

**Section 2.02** The Board and its officers shall not be empowered to mortgage or pledge any of the common properties of the Club or properties under its supervision, nor borrow money except by a 3/4 vote of the membership present at a legally constituted meeting.

**Section 2.03** The rules and procedures adopted by the Board of Directors shall be consistent with the By-Laws.

**Section 2.04** Majority of Board members duly elected or appointed shall constitute a quorum.

**Section 2.05** The vote upon every motion or resolution shall be taken by roll call, and the yeas and nays shall be entered in the minutes. The minutes of each meeting shall be signed by the office presiding and by the secretary and shall be open for inspection by any member upon due notice.

**Section 2.06** A meeting of the Board of Directors will be held once a month on the second Wednesday of each month except as otherwise provided.

**Section 2.07** All meetings of the Board, except conference or work sessions at which no binding votes are to be taken, shall be open to attendance by all members, except the Board may exclude or restrict attendance at those meetings, or portions of meetings, dealing with (1) any matter the disclosure of which would constitute an unwarranted invasion of individual privacy; (2) any pending or anticipated litigation or contract negotiations; (3) any matter falling within the attorney-client privilege, to the extent confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer or (4) any matter involving the employment promotion discipline or dismissal of any officer, trustee or employee. . The participation of members at meeting of the Board or the provision of a public comment section shall be at the discretion of the Board. Minutes shall be taken and made available to all members, once approved, before the next open meeting.

**Section 2.08** The membership meeting for that month shall constitute a meeting for the Board of Directors provided they have a quorum present. If a quorum is not present, the meeting will automatically adjourn and a new day and time shall be designated by the President, or may continue as a work session, although no action of the Board may be taken.

**Section 2.09** A special meeting of the Board of Directors may be called by the President or by the request of four of its members. Seventy-two (72) hours-notice must be given to Board members prior to any special meeting of the Board.

**Section 2.10** Members of the Board of Directors who are absent for three meetings within a year without valid reasons shall be automatically dismissed. The nominating committee shall be immediately notified of all vacancies. The Board shall immediately fill the Director's vacated position by appointment of a new member who shall be subject to the approval of the membership at the next membership meeting at which an election is held. The appointed member of the Board of Directors shall have full voting powers upon appointment.

**Section 2.11** In the event of a vacancy in the Board created by resignation, death, or failure to maintain reasonable qualifications including maintaining good standing, or in the event of removal of a Board member by the members open to all members, the vacancy may be filled by the remaining Board members.

## **ARTICLE SIX MEMBERSHIP MEETINGS**

## **Section 1**

**Section 1.01** The Club will hold a regular meeting for the membership, to be held on the third Wednesday of April which shall be known as the Annual Meeting at which the Election of Officers and Directors will be held.

## **Section 2**

**Section 2.01** A special meeting of the membership may be called by a petition, in writing, to the Board or Directions, of not less than 25 members in good standing or by the direction of the President, or by a 2/3 majority of the Board of Directors. Written notice of such meetings must be sent to the membership seven days prior to the date of the special meeting. This notice will contain an agenda of the affairs to be decided upon at this special meeting. No business other than that for which the special meeting is called shall be discussed or decided upon except as directed by the President for the good of the Club.

**Section 2.02** Members may waive notice of a meeting or may act by written agreement without a meeting.

**Section 3.01** Ten percent (10%) of members in good standing shall constitute a quorum at any and all membership meetings but no quorum of the Board of Directors is required for a membership meeting.

## **Section 4**

### **ORDER OF BUSINESS**

1. Greetings, salute to the flag, pledge of allegiance.
2. Roll call of the Board of Directors and Quorum count (as verified by the Secretary).
3. Reading of the minutes of the previous membership meeting.
4. Board of Director's report.
5. Treasurer's report.
6. Communications and announcements.
7. Election of officers and Directors (April meeting).
8. Budget introduction and approval (January meeting).
9. Unfinished business.
10. New business

## **ARTICLE SEVEN ELECTIONS**

## Section 1

**Section 1.01** The Club shall provide written notice to all members in good standing calling for nominations not fewer than 30 days and not more than 60 days prior to the election meeting notice. Example- If April 22 is the Election, then Nomination Letters go out as soon as February 22, but no later than March 22. Ballots go out a minimum of 14 days from receipt of this notice. (Amended 4/22/22)

**Section 1.02** The Club shall not prohibit a member in good standing from nominating himself or herself or any other member in good standing as a candidate for any position on the Board so long as the nomination is made prior to the mailing of ballots or proxies to the members which mailing shall occur no earlier than (a) the day following the expiration of time within which candidates must be nominated, or (b) if no date is set, than the business day prior to the notice of mailing of the election meeting, listed below. The period for submitting nominations shall not be less than 14 days from the mailing of the request for nominations. Nomination letter shall give a deadline by which nominations must be submitted.

**Section 1.03** The Club shall provide members written notice of the election by personal delivery, mail or electronic means, no less than 30 nor more than 60 days prior to the meeting at which the election of Board members is scheduled. The notice is effective when deposited in the mailbox with proper postage.

**Section 1.04 (optional)** The notice shall include a proxy ballot and an absentee ballot, which shall list in alphabetical order by last name the names of all candidates nominated.

**Section 1.05 (optional)** Notice may be sent by electronic means if the member has agreed in writing to accept electronic notification.

**Section 1.06** The Club shall prepare ballots for use in the election which contain all of the eligible members nominated as a candidate for the Board. Ballots shall be mailed out 1 day following the expiration of the nomination period.

**Section 1.07** Ballots shall contain instructions for returning ballots. Ballots shall contain names of nominees {alphabetical order} and indicate what Board position and the term. Ballots shall include space for write-in candidates on all Board positions. Ballots shall not indicate incumbent Board members.



Ballots shall be cast in an anonymous manner. Ballots shall be verifiable. Ballot tallying shall be done publicly by strictly impartial parties, and be kept 90 days for public inspection. Members in good standing may write in an eligible candidate even on the day of election. Depository for physical ballots shall be secured. (Amended 4/20/22)

**Section 2.01** Inspectors shall be appointed by the President to serve at the membership meeting where voting occurs. If any person appointed as an inspector fails to appear or act or no inspector is appointed, the presiding officer at the meeting shall make the appointment. Each inspector shall take and sign an oath faithfully to execute the duties of the inspector at the meeting with strict impartiality and according to the best of that person's ability. A person shall not be elected Trustee or officer at a meeting in which that person has served as Election Officers.

**Section 2.02** Inspectors shall determine the number of memberships outstanding, the members represented at the meeting, the existence of a quorum. Inspectors shall receive votes, hear and determine all challenges and questions arising with the right to vote, count and tabulate all votes, determine the results and do all acts proper to conduct the election or vote with fairness to all members. If there are three or more inspectors, the act of the majority shall govern. On the request of the Officer presiding at the meeting, or any member entitled to vote, the inspectors shall make a report in writing of all challenges, questions and matters determined by them, which shall be *prima facie* evidence of the facts stated therein and shall be filed with the minutes of the meeting.

## **ARTICLE EIGHT FINANCES**

### **Section 1**

**Section 1.01** The budget for the coming fiscal year (July 1 – June 30) will be introduced and submitted to the membership for final approval at the January meeting and will contain the Club's operating expenses.

**Section 1.02** All monies over and above the approved budget shall be held in separate depositories designated by the Board of Directors.

**Section 1.03** The expenditure of any money other than the approved budget shall be decided by a 2/3 vote of those members present at any membership meeting.

## **Section 2**

**Section 2.01** The manner for collecting from members of their respective shares of the common expenses shall be at the discretion of the Board of Directors, and compliant with the By-Laws.

**Section 2.02** Any property owners by deed of transfer or other conveyance of property shall be deemed a member of the Club and shall be responsible to pay all dues, assessments, fines, penalties, late payment charges and cost of collection (including attorney fees) as provided in these By-Laws, or in other Rules, Regulations, and policies of the Board, as may be implemented from time to time. The Board may provide for different dues and assessments.

Only Deeded Language referring to Lake Rights, Access, or facsimile thereof creates mandatory dues.

No member may waive or otherwise avoid liability for dues and assessments by non-use of the lake or other facilities of the Club. Membership fees are offered for a set time at the discretion of the Board of Directors. (Amended 4/20/22)

**Section 2.03** All dues, assessments, fines, penalties, late payment charges and costs of collection shall be handled at the discretion of the Board. (Amended 4/20/22)

**Section 2.04** Privileges in the Club will not be granted on resale or other transfer of ownership of property. Initiation fee, due on transfer of title to new residents (post 4/29/2019 to go toward the health of the lake and the safety of the dam) is to be collected on closing or shortly thereafter. (Amended 4/20/22)

## **ARTICLE NINE COMMITTEES**

### **Section 1**

The President shall appoint the chairman of the following standing committees for a term of one year:

1. Program and Entertainment
2. House and Grounds
3. Membership

4. Bar
5. Grievance (Chairman shall be the Vice-President)
6. Audit

The committees so constituted, shall assist and advise the Board of Directors in the formulation of policy, planning, and the solving of the Club problems and shall be governed as set forth in the By-Laws.

## **Section 2**

Special committees may be formed by the President for specific purposes only. Said committees are disbanded upon completion of their assignment.

## **ARTICLE NINE**

The Board of Directors may adopt, amend, and enforce reasonable Rules, Regulations and Policies related to the operation, use, maintenance and enjoyment of the Club's property, and administration of the Club.

## **ARTICLE TEN**

### **Section 1**

Robert's Rules of Order shall be the authority on parliamentary procedure. The Club shall provide two copies which will be in the possession of the President and Secretary at all meetings.

## **ARTICLE ELEVEN AMENDMENTS**

### **Section 1**

The By-Laws may be amended, supplemented or repealed at any annual or special meeting of the membership by a vote of two-thirds (2/3) of all of the Members voting at such meeting, either in person or by absentee ballot, provided that such proposed amendment, supplement, or repeal shall have been first submitted to the Board of Directors and approved by a majority vote of the Board, and provided also that a copy of such amendment, supplement, or repeal shall have been mailed to each Active Member for consideration at least 14 days prior to the date of such meeting. *(Amended 8/18/85)*

## **ARTICLE TWELVE**

### **Section 1**

Copies of this Constitution and its supplements shall be available to all members, who shall be bound hereto.

### **Section 2**

Electronic delivery shall be considered valid and appropriate notice. (Amended 4/20/22)