

**PENN LAKE ASSOCIATION  
BOX 12A PENN LAKE  
WHITE HAVEN PA 18661**

**CONSTITUTION AND BY-LAWS  
(REVISED 2004)**

List of Revisions:

- Revision to Article 4, Section 2- Change in Fiscal Year

# **PENN LAKE ASSOCIATION CONSTITUTION AND BY-LAWS**

## ARTICLE 1

### NAME

This association shall be known as the PENN LAKE ASSOCIATION.

## ARTICLE 2

### PURPOSE

The purpose of the Penn Lake Association as stated in the original Charter dated July 28, 1941 and filed in the Luzerne County Courthouse is to foster a program for civic, social and educational betterment for its members.

## ARTICLE 3

### MEMBERSHIP

Section 1: Any property owner or year-round renter of Penn Lake Park Borough shall be eligible for membership in the Penn Lake Association.

Section 2: Membership shall be held in the name of the property owner or year-round renter.

Section 3: Each membership shall, upon request, be provided with one copy of the Constitution and By-Laws.

Section 4: Only members in good standing may be nominated, elected, or appointed to any office or committee of the Association, or vote in any election or on other issues.

Section 5: In order to vote in any election or on any issue, a member in good standing must be a resident of the membership household, age 18 or older, and be present at the meeting at which the vote is taken. Votes shall be limited to a maximum of TWO votes per membership.

## ARTICLE 4

### DUES

Section 1: Dues shall be assessed annually in an amount determined by the Board of Directors.

Section 2: The fiscal year of this Association shall begin on July 1<sup>st</sup> and end on June 30<sup>th</sup>.

Section 3: Dues which are not paid by May 1<sup>st</sup> shall be considered in arrears and the party shall not be entitled to any of the benefits of the Penn Lake Association or be allowed to vote on any issue until dues are paid.

Section 4: Dues paid after May 1<sup>st</sup> shall be assessed a late fee in an amount determined annually by the Board of Directors.

## ARTICLE 5

### OFFICERS

Section 1: The officers of the Penn Lake Association shall be: President, Vice-President, Secretary and Treasurer

Section 2: The term of office for each officer shall be one (1) year: except that the term of office for the Treasurer shall be two (2) years.

Section 3: The term of office shall begin at the start of the fiscal year.

Section 4: No person elected or appointed to the office of President shall serve in such office for more than three (3) consecutive terms.

Section 5: Any officer who is absent from two consecutive general membership and/or Board of Directors Meetings without the express approval of the Board of Directors shall automatically be resigned.

## ARTICLE 6

### DUTIES OF OFFICERS

Section 1: PRESIDENT - It shall be the duty of the President to preside at all meetings of the Association. He/she shall call additional meetings when necessary. He/she shall appoint committees to further the business of the Association. He/she shall make every reasonable effort to further the concepts of the Association.

Section 2: VICE-PRESIDENT – It shall be the duty of the Vice-President to perform the duties of the President in the event that the latter is absent or unable to serve for any reason.

Section 3: SECRETARY – It shall be the duty of the Secretary to record a true and accurate account of all meetings of the Association and of the Board of Directors. He/she shall handle all correspondence of the Association and other matters as directed.

Section 4: TREASURER – It shall be the duty of the Treasurer to receive all funds, dues, and other income of the Association. He/she shall maintain bank accounts as directed by the Board of Directors. He/she shall make all disbursements as per the authorization outlined in Article 13. The treasurer shall maintain accurate written records and accounts of all financial activity and provide a full report to the membership at each business meeting. He/she shall prepare a written financial report annually at the start of each fiscal year. The Treasurer shall be bonded for twice the amount in the treasury when he/she takes office.

## ARTICLE 7

### BOARD OF DIRECTORS

Section 1: The Penn Lake Association shall be governed by a Board of Directors which shall be eleven (11) in number.

Section 2: The Board of Directors shall consist of the four (4) Association Officers, six (6) members elected at large, and the Chairman of the Board who shall be the last outgoing Association President.

Section 3: The term of office for Board Members elected at large shall be three (3) years. The Chairman of the Board shall serve until replaced by the next outgoing President of the Association.

Section 4: The six (6) members of the Board elected at large shall be elected two (2) each year.

Section 5: The term of office shall begin at the start of the fiscal year.

Section 6: Any Board Member who is absent from two consecutive general membership and/or Board of Directors Meetings without the express approval of the Board of Directors shall automatically be resigned.

## ARTICLE 8

### DUTIES OF THE BOARD OF DIRECTORS

Section 1: The Board of Directors shall have power and its duty shall be to administer all property and assets of the Association for the sole benefit of the Association.

Section 2: The Board of Directors shall supervise all Association business not otherwise provided for herein.

Section 3: In the event that the Chairman of the Board position vacates for any reason, the Board shall meet and elect one of the existing Board Members to the position of Chairman; except that no Officer shall hold such office and the position of Chairman of the Board simultaneously. The Board Member elected to serve as Chairman shall continue in that position until replaced by the next outgoing president of the Association.

Section 4: In the event that any Officer of the Association or Board of Directors vacates for any reason, the Board shall meet and appoint an Association Member in good standing to fill the position and that person shall hold said position until the end of the current fiscal year.

Section 5: The Board of Directors shall meet at least twice annually; once in the spring and once in the fall. Seven (7) Members of the Board present shall constitute a quorum.

Section 6: Additional meetings of the Board shall be called by the Association President or Chairman of the Board as required; except that such meetings must be called when requested by at least four (4) Members of the Board.

Section 7: All actions of the Board shall be by majority vote.

## ARTICLE 9

### ASSOCIATION MEETINGS

Section 1: General membership business meetings of the Association shall be conducted a minimum of four (4) times annually: once monthly in May, June, July and August. The President shall call additional meetings as he/she determines to be necessary.

Section 2: Meetings shall be conducted in the Community House on dates and at times to be announced to the membership at least one week in advance of the meeting.

Section 3: Fifteen (15) Members and Officers present for a general business meeting shall constitute a quorum.

Section 4: The order of business for meetings shall be:

1. Roll Call of Officers and Board Members
2. Reading of Last Meeting Minutes
3. Treasurer's Report

4. Report of Officers
5. Report of Board Members
6. Report of Special Committees
7. Report of Standing Committees
8. Unfinished Business
9. New Business
10. Nomination or Election of Officers
11. Good and Welfare of the Association
12. Adjournment

Section 5: In the absence of authority, the deliberations of this Association shall be governed by Roberts Rules of Order.

Section 6: Written minutes of all meetings shall be recorded and maintained on file by the Secretary and passed to any new incoming secretary. A copy of meeting minutes shall be given to each Officer and Board Member. Minutes on file shall be available for review by any member in good standing.

## ARTICLE 10

### COMMITTEES

Section 1: Standing committees of the general membership shall be:

1. Nominating Committee – Duties as outlined in Article 11.
2. Auditing Committee – The President shall appoint an auditing committee of three (3) in number to audit the books and records of the Treasurer annually.

Section 2: The President shall appoint special committees as required to conduct the business of the Association.

## ARTICLE 11

### ELECTIONS

Section 1: Election shall be held annually at the August general membership business meeting. The office of President, Vice-President and Secretary shall be elected annually and the office of Treasurer shall be elected bi-annually in odd number years. Two Board of Directors seats shall be elected annually.

Section 2: The President shall appoint a nominating committee every June. The committee consisting of three (3) members shall prepare a slate of

candidates for office to be presented by the Chairman of the committee at the July general membership business meeting. In addition, nominations shall be accepted from the floor at the July meeting. All nominees who are nominated from the floor must be present to accept the nomination or have submitted a letter of acceptance. No nomination will be accepted after the July meeting.

Section 3: A list of the candidates for each office will be posted on the bulletin board at least two weeks prior to the election.

Section 4: Vote shall be by ballot and the candidate with the highest number of votes shall be declared elected.

## ARTICLE 12

### COMPENSATION

All Officers, Board Members and Committee Members shall serve without pay.

## ARTICLE 13

### FINANCIAL MANAGEMENT

Section 1: The assets of the Penn Lake Association shall be managed and used for the benefit of said Association.

Section 2: To maintain efficient operation and prudent control of funds, expenditures shall be controlled as follows:

1. The Treasurer or President of the Association may authorize an expenditure of funds in an amount not to exceed \$200; except as indicated below.
2. The authorization of two Officers, one of whom must be the Treasurer, is required for an expenditure of any amount over \$200 and up to \$400; except as indicated below.
3. Any expenditure in excess of \$400 shall require a majority vote of the Board of Directors; except as indicated below. A majority vote shall be  $\frac{3}{4}$  of the Board Members present at a meeting. In an emergency, the Board may be polled by phone for approval.
4. Exception to the limits specified above shall be that the Treasurer is authorized to pay the following bills as they

become due: property taxes, insurance, security, garbage collection fee, electricity, or any bill of similar nature.

5. The Treasurer is authorized to maintain a petty cash account in an amount not to exceed \$200. Such account may be used to pay office expenses, gasoline, telephone calls, minor repairs to property and equipment, etc.

Section 3: The community house shall be available for rent to Association Members when it is not in use for association activity. The fee for rental of the community house shall be established annually by the Board of Directors. It shall be the duty of the Treasurer to maintain a schedule of rental date availability, obtain and approve rental agreements and collect all rental fees.

#### ARTICLE 14

##### ANCILLARY GROUPS

Section 1: No ancillary group, club, or organization shall form under the auspices of the Penn Lake Association without the express approval of the Board of Directors.

Section 2: The purpose of each ancillary group must be clearly stated and must be in the best interest of the Penn Lake Association as determined by the Board of Directors.

Section 3: Such groups that are approved shall have the authority to generate income and approve expenditures of their funds for their sole benefit. All fundraising must be approved in advance by the Penn Lake Association Board of Directors. Any debt incurred by an approved ancillary group is the sole responsibility of said group and not of the Penn Lake Association. Every ancillary group is required to submit a financial statement to the Association Board of Directors at the end of each fiscal year. In the event that any group disbands for any reason, all monies and assets remaining revert to the Penn Lake Association.

Section 4: All members of any ancillary group, club or organization must be members of the Penn Lake Association.

#### ARTICLE 15

##### AMENDMENTS

This Constitution and By-Laws shall not be amended except by a three-fourths vote of the members present at an association general membership business meeting. Notice

of any and all changes or amendments to this Constitution and By-Laws must be posted on the bulletin board for at least two weeks before the meeting at which a vote to change/amend is taken.