



Medford Lakes Colony

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Rules & Regulations

Bylaws

Rules and Regulations Of The Medford Lakes Colony

These rules and regulations regarding operations of the Medford Lakes Colony have been established by the Board of Directors of the Medford Lakes Colony and, where indicated, by Ordinance of the Borough of Medford Lakes.

In these rules and regulations, the term “member” includes the following:

Those defined in Article III, Section I and Section 4 (a) of the Colony bylaws.

Tenants with Medford Lakes Colony privileges in accordance with Article III, Section 4 (d) of the Medford Lakes Colony bylaws.

Relatives of the immediate family of a member or tenant living fulltime under the member’s or tenant’s roof.

A member or tenant’s immediate family attending and residing at school or college.

Children of members or tenants during the time they reside (sleep overnight) in the member’s or tenant’s home under shared custody arrangements.

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FEES AND CHARGES

The following are the present amounts of The Colony’s fees and other charges. Fees may only be changed by vote of the members in accordance with Article VII, Section 3 of our bylaws. Other Charges are as established by the Board.

FEES

(As established by the Members)

Active member annual fees,
includes \$145 for the Lakes Restoration Fund* and \$110 for Capital Expenditures**:

REGULAR -	\$625.00
OVER 65 -	\$525.00
LOW INCOME SENIOR CITIZEN -	\$200.00
 INITIATION FEE -	 \$200.00

Membership Certificate - \$5,000.00

One-time Lakes Restoration assessment to shoreline members when their lake is cleaned:

LAKEFRONT -	\$750.00
WATERFRONT -	\$550.00

OTHER CHARGES (As established by the Board)

GUEST TAGS:

ANNUAL -	\$20.00
DAILY -	\$5.00

SUMMER CAMP - 4 WEEKS (When paid in March of the year registering – late fees begin in April)

Per household with: Fee per child – late registrations will result in the assessment of extra fees

Campers entering grade 1 – 9 \$425.00

“Extended Hours” Camp fee grades K – 5 \$550.00 per child if paid in March

“EXTENDED HOURS” CAMP FOR AUGUST - 4 WEEKS (4 SESSIONS) – for grades K – 5
Per child per week \$275.00 if paid in March

FIVE-YEAR-OLD SWIM PROGRAM - 4 WEEKS
Per child \$250.00 if paid in March

PRE-SCHOOL DAY CAMP - 2 WEEKS
Per child \$175.00 if paid in March

BULKHEAD/DOCK FEES
Bulkhead Permit fee \$25.00
Dock Permit fee \$25.00

FINES – see Article X, B 1
Adopted June 2024

LAKES RESTORATION FUND

*The Lake Restoration Fund is intended to be accumulated for foreseen and unforeseen future needs related to maintaining the quality of water in the Medford Lakes Colony owned lakebeds, as well as maintaining the structures that enable the impoundment and flow of these waters in a safe and responsible manner consistent with the bylaws and rules of the Medford Lakes Colony, the laws, codes and ordinances of the Borough of Medford Lakes, The County of Burlington, the State of New Jersey, and the United States of America. The Lakes Restoration Fund is specifically intended to accrue money for future needs through a dedicated portion of the annual member dues, and as such is sequestered in separate banking accounts and overseen by the Medford Lakes Colony Board of Directors, and audited by the Colony auditors annually.

In addition to the money already in the Lakes Restoration Fund, this fund will include all interest earned on this Fund.

The funds held in this Lake Restoration Account are specifically intended to be used for the following purposes:

- Dredging of lakebeds when undertaken as a capital project under the direction of an engineering consultant and/or lake hydrologist.
- Major repair or replacement of any dam, spillway, culvert, pipe, or ditch that conveys water into or out of any body of water impounded by, or flowing through, or above lakebed or streambed of, the Medford Lakes Colony, including pro-rata costs that may be shared with other entities, such as the Borough of Medford Lakes, the County of Burlington, The State of New Jersey, The United States of America, or any adjoining property owners.
- Installation of permanent equipment such as aerators, fountains, oxygenators, bubblers, etc., that is intended to produce long-term increases in the quality of water in a lake or lake chain.
- Installation or repairs of wells, pumps, piping and other equipment that is required to move water from separate lakes within Medford Lakes Colony with the intent of improving water quality or flow in a lake or lake chain.
- Engineering fees, permit fees, inspection fees, etc. that are related to capital projects described above.
- Legal fees necessary to facilitate capital projects described above.
- Repayment of loan principal and interest for the loan from the State of New Jersey, which was taken out to cover costs associated with the flood of 2004.
- Fees for preparation of emergency action plan for dams and spillways.
- Pro-rata share of insurance program costs determined to be attributable to lake and/or dam ownership and operation. Said determination will be made annually by the board of directors with the specific provision that the amount to be so appropriated for fiscal year ended December 31, 2024 will be an amount not to exceed \$75,000.¹

The funds in this account are specifically not intended to be used for the following purposes:

- Regular cleaning and maintenance of coves, beaches, dams, spillways, culverts, ditches, etc.

¹ Board Approved June 10, 2024. Insurance premiums were removed from the “not intended” list that date.
Adopted June 2024

- Erection of barriers or nets that are intended to control water plants or weeds.
- Regular chemical treatments for weeds, algae, etc.
- Construction of, or regular repair and maintenance of, recreational docks, bulkheads, pavilions, playground equipment, landscaping, planting, fencing, signage, lifeguard equipment and storage facilities, bathroom or changing facilities, lightings, sports or athletic equipment, etc., that may be in water or on beaches or property owned by the Medford Lakes Colony.
- Any type of water testing not related to a capital project.
- Regular testing and inspection of any dams, spillways, culverts, pipes, etc. that is part of an annual requirement of any branch of government.
- Insurance premiums.
- Redemption of Membership Certificates.
- Fish stocking or restocking programs.
- Lake lowering permits.

******Capital Expenditure Fund: Created and voted in by Members on October 16, 2023, and intended to be accumulated for foreseen and unforeseen future needs related to maintaining the quality of properties in the Medford Lakes Colony. These funds will be kept in a separate bank account with any interest accumulated remaining in that same account.

BOARD POLICY FOR USING CAPITAL EXPENDITURES FUNDING

This policy statement applies to monies deposited in the Colony’s Capital Expenditures Fund (Fund), its revenue sources, and its operation.² It describes and regulates in accordance with the Colony membership’s creating intent that the Fund should operate under the general conventions of a “Donor Restricted Fund” as applied to non-profit organizations.³

A: Funding Sources: Cash deposits in the Capital Expenditures Fund will be derived from the following sources.

1. Allocation of \$110 per dues paying member (or as changed by Colony membership in its Fee Schedule)⁴
2. Contributions from auxiliary or other sources specifically directed to the Capital Expenditures Fund
3. Interest earnings from Fund investments

² Board governing policy is under the authority of Article VII Section 1(b) of The Colony By-laws.

³ Accepting these conventions is self-imposed and voluntary as is any policy statement. This fund does not meet the legal threshold of a “Donor Restricted Fund” except to the extent that it could receive donations from outside sources with a specific donor restriction.

⁴ “Low Income Senior” members do not contribute to the Fund. Allocations come from “Regular” and “Over 65” members.

4. Discretionary funds directed to the Capital Expenditures Fund by the Colony Board of Directors (Board)

Once monies are deposited in the Fund, they are understood to be “restricted” and cannot be subsequently withdrawn to be used for a non-restricted purpose.

B: Accounting Separation: Within the Capital Expenditures Fund, separate accounting will be maintained for two subsidiary funds whose purpose is hereinafter described.

1. *Capital Improvement (Subsidiary) Fund*, whose primary funding source will be \$55 of the \$110 assigned to the Capital Expenditures Fund (or as changed by the membership in its fee schedule)⁵
2. *Debt Service (Subsidiary) Fund*, whose primary funding source will be \$55 of the \$110 assigned to the Capital Expenditures Fund (or as changed by the membership in its fee schedule)
3. Additional funds (e.g., from sources described in Section A.2 et seq.), which will be also separated by subsidiary fund designation.

C: Budgeting: The Fund was created because of a recognized need for planning. Accordingly, the Finance Department will create a short-term and long-term budget and plan for the Fund and will present it to the Board for approval as a part of the Colony’s annual budgeting process.

D: Investing: Because of the Fund’s long-term nature, there will be opportunities for generating earnings from investing idle cash. The Finance Department will periodically project cash flow needs and make appropriate timed investments in accordance with the Colony’s depository and investment policy.

E: Disbursements from the Capital Improvement (Subsidiary) Fund: Disbursements from this subsidiary fund will be as authorized in the annual Fund budget and made in accordance with the Colony’s procurement policies. Identified projects are subject to the following guidelines.

1. Project appropriation amounts will be between \$5,000 and \$50,000. Projects requiring a lesser appropriation should be incorporated into the annual General Operating Budget; projects requiring a greater appropriation would typically be considered in the Debt Service (Subsidiary) Fund Budget (following).
2. Projects labeled as “Capital Improvements” might not meet the accounting definition for capitalization, and this subsidiary fund is not intended to isolate “capital expenditures” for accounting purposes.⁶ For example, the following projects are appropriate uses of this subsidiary fund.
 - a. A project to replace Colony fencing over a five-year period with a total estimated cost of \$30,000 at the rate of \$5,000 per year.
 - b. The repair of a deteriorating pavilion at a cost of \$10,000
 - c. The construction or repair of multiple canoe racks at an aggregate cost of \$5,000
 - d. A painting contract costing \$5,000.
 - e. The annual payments for the lease-purchase of an asset with a fair-market value in excess of \$5,000 could be assigned to this fund, but payments for an operating lease for that same asset could not. To do otherwise would be to violate the basic nature of the General Operating Budget.

These items do not meet the accounting definition of “capital expenditures.” They are repairs or expenses, but they could be budgeted and disbursed from this subsidiary fund.

3. An intra-fund, inter-fund, or external loan or advance is not an authorized use.

⁵ Ibid.

⁶ Generally Accepted Accounting Principles considers capital expenditures to be the use of funds to acquire, improve, or upgrade a physical asset, which significantly increases its value beyond its original condition.

4. Studies, engineering, or consulting studies associated with Colony infrastructure are allowed expenditures.

F: Disbursements from the Debt Service (Subsidiary) Fund: The purpose of the Debt Service (subsidiary) Fund is to accumulate funds for major building or infrastructure projects in excess of \$50,000, or projects so large that they would require short or long-term financing. It is particularly important that accumulations in this fund be coordinated with long-term building and infrastructure plans, because an underlying purpose in creating this fund was to eliminate the need for special assessments. The following guidelines apply to projects assigned to this subsidiary fund.

1. Underlying debt should be amortized within 10 years.
2. Expenditures will be for additional physical assets or for renovations and/or improvements that significantly increase the utility or extend the useful life of existing assets.
3. Project expenditures in this category includes all engineering, legal, or other related professional or consulting fees related to an assigned project's completion.
4. An intra-fund, inter-fund, or external loan or advance is not an authorized use.

ACTIVITY AND GUEST TAGS

While using Colony properties and facilities for general recreational activities such as swimming, boating, fishing, ball playing, tennis, picnicking, ice skating, etc., everyone must wear either an activity tag (in the case of members) or a guest tag as evidence of authority to use. Members and guests must also wear tags while participating in events scheduled by individual members as described under "Use of Colony Properties". The Colony issues activity tags to members each year upon payment of fees for that year. Members may purchase annual guest tags at the Colony's office. Members may purchase daily guest tags from the office, the head lifeguard, or activity tag checkers. The Board will view unauthorized use of the Colony's properties and facilities as trespassing.

HOST MEMBERS MUST BE PRESENT WHILE THEIR GUESTS ARE USING COLONY PROPERTY. NO RESIDENT OF MEDFORD LAKES WHO IS NOT A MEMBER OF THE COLONY MAY USE THE COLONY'S FACILITIES OR PARTICIPATE IN ACTIVITIES OF THE COLONY'S AUXILIARIES AS A GUEST OF A MEMBER OF THE COLONY.

Campers must wear activity or guest tags while participating in the Colony's summer camp program. Swimmers in the Sunday swim races must also wear activity or guest tags while competing.

Tags need not be worn while participating in scheduled events such as meetings, athletics, dances, plays, or community service events.

If a member or guest is not wearing proper tags, they must leave Colony property if asked to do so by a Colony member or employee.

The following are improper uses of activity and guest tags and are against Colony rules (See Colony bylaws, Article V, Section 5):

Permitting nonmembers to use members' activity tags.

Obtaining member activity tags for nonmembers.

Permitting nonmember residents of Medford Lakes to use guest tags.

USE OF THE LAKES

Members must obtain identification stickers for their watercraft in order to use them on The Colony's lakes. The Colony issues such stickers to members each year, upon payment of fees for that year, only for watercraft owned by members.

Members and guests should be aware that they must have a New Jersey fishing license in order to fish in our lakes.

Activity and guest tags must be worn while boating, fishing, or otherwise using our lakes.

Nonmembers may not fish, swim, ice skate, or launch watercraft from lakeside property, public or private. The Colony will consider such action as trespassing.

As of July 2014, there is a smoking ban on Beaches 1, 3, 4 and Areas 2 & 5.

The balance of this section is from Borough Ordinance No. 213, which **PROHIBITS** the following activities:

Swimming, bathing, or wading in the waters of Jackson Park.

Swimming or bathing within seventy-feet of the spillways of our dams (twenty-five feet for Lower Aetna dam).

Tampering with dams or associated water control devices.

Using watercraft propelled by machinery, e.g. Outboard motors, including electric, except as authorized by the Borough or The Colony for maintenance or emergency purposes. Mechanically propelled model boats are also prohibited. Only watercraft propelled wholly by muscle power or sail is permitted.

Creating any obstruction to navigation in a waterway.

Throwing litter into any waterway.

Diminishing the surface quality of any ice-covered waterway or creating hazards for ice skaters by making holes in the ice, having fires on the ice, or placing litter on the ice.

Feeding any waterfowl.

As of April 2016, there is an amendment to the existing Colony Regulations "USE OF THE LAKES":

Owner or operator of watercraft rated in excess of five persons and other watercraft that require trailer egress to get on the lakes must coordinate with Colony and give minimum 24 hours advance notice (to have Colony representative at beach at time of ingress and egress). All beach access needs to occur during off-peak beach usage hours and under direct supervision of a Colony representative.

Watercraft rated in excess of five persons will be kept at least 100 feet from all Colony beaches including designated swimming areas, such as but not limited to "Area 2" and "Area 5", and 30 feet from the edge of any roped swimming zones and Colony docks regardless of whether swimmers are present. The exception is when a watercraft owner's property exists within these boundaries, in which case operator must egress directly away from beaches/swim areas at all times when heading in & out while keeping appropriate lookout.

Watercraft in excess of five persons will not be used on Lower Aetna Lake on Canoe Carnival day/night, Mardi Gras day/night, or during any time camp is in session. Canoe Carnival Sunday is acceptable under normal rules.

All watercraft will be operated within the manufacturers' rating (people / weight limits, etc.) and according to state boating laws, with no retrofitting of items not included with the original craft (slides, added decks, second levels, etc.).

Watercraft in excess of five persons must be operated by a competent adult (18yrs+) at all times, or 16yrs if a current, valid State of New Jersey Safe Boating Certificate (or USCGA equal) in the operators name is provided to the Colony in advance. No operator shall be under the influence of alcohol or drugs or otherwise operating in an unsafe manner.

Electric or gas power generators, propane tanks, grills, or fire are not permitted on watercraft other than those items specifically approved by the Colony in advance for participation in the Canoe Carnival parade.

All watercraft on Colony lakes will be limited to maximum 8 persons or less, as specified in manufacturer's certified capacity rating.

USE OF COLONY PROPERTIES

Members and their guests may use Colony beaches, lakes, ball fields, tennis courts, basketball courts, parks, etc. for recreational and social purposes in accordance with these and other rules and regulations which the Board may establish and post at specific properties. Use may be of a general, unscheduled nature, or be scheduled by individual members through the Colony office or with the Department of Property. Participants in events scheduled by individual members must wear activity or guest tags while attending such events. Participants in events scheduled by The Colony, its auxiliaries, or outside organizations need not wear tags except as provided elsewhere in these policies. Scheduled use has precedence over general use in the event of conflict.

All use is at members' and their guests' own risk.

Colony properties are not available for general use between sundown and sunrise.

Members may not use Colony properties in activities conducted for their personal monetary gain, e.g. giving swimming or tennis lessons.

People walking dogs on Colony properties must promptly and properly clean up and dispose of any "deposits" they may make. (Borough Ordinance No. 287).

The Colony must grant advanced approval for fires on its properties. (Borough Ordinance No. 213).

Alcoholic beverages may not be consumed, supplied, or made available on Colony property except at scheduled events with the express permission of the Board. The Board's permission will be contingent upon the event's sponsors obtaining appropriate State and Local permits and agreeing to comply with all laws and regulations regarding alcoholic beverages.

As of April 2016 a ten page addendum was added to specifically outline the Medford Lakes Colony Property Use Policy. This Property Use Policy includes Applications for property use. Please refer to the Property Use Policy for complete details.

Vaughan Hall and Demby Annex

Use of Vaughan Hall and Demby Annex is on a scheduled basis only. These buildings are unavailable for general use. All scheduled events in these buildings must be for the community's benefit and enjoyment and be open to all Colony members and their guests.

The event's sponsor is responsible for the reasonable care of the building, including after-event clean up. The sponsor is responsible for any damages occurring at a scheduled event. The Colony office issues keys only to sponsoring members or, in the case of auxiliaries, to the designated auxiliary member in charge of the event. Sponsors must return keys promptly after the conclusion of the event. Giving a key to any person not specifically indicated when the Colony's office issues the key is not permitted. Duplicating keys is not legal.

Ball Fields, Tennis Courts and Basketball Courts

Members may schedule use for their own benefit on an occasional basis. Regular scheduling and league competitions are under the sponsorship and control of the Colony's auxiliary, The Medford Lakes Athletic Association (MLAA).

Sponsors are responsible for clean up after their scheduled events.

No glass beverage or food containers are allowed at any time.

Members may visit the Colony's office to schedule use of the Colony's tennis courts after dark for a modest fee. Members may purchase contracts at the Colony's office, which permit them to play tennis after dark on a regularly scheduled basis throughout the summer.

Beaches

Members may schedule beaches for their own use at times when lifeguards are not normally on duty. Sponsors of special events are responsible for hiring a qualified lifeguard through the Colony office if they plan to swim at the event. Sponsors are responsible for after-event clean up.

No glass beverage or food containers are allowed anytime.

Lifeguards have the responsibility to control the conduct of people using the beaches or in the water. They may ask anyone not complying with their instructions to leave the beach. Repeated violation of lifeguard instructions may result in the member's beach and swimming privileges being suspended.

With regard to swimming or bathing in the waters of the Borough of Medford Lakes, Ordinance No. 25 provides that:

Swimmers and bathers must be suitably and decently attired.

Swimmers and bathers cannot do so while under the influence of intoxicating liquor.

No swimming or bathing between nine P.M. and seven A.M. the following day.

Outside Organizations

The Board (only) may permit outside organizations to use the Colony's facilities for scheduled events, but only if such events are for the benefit and enjoyment of the community and are open to all members of the Colony and their Guests. Such events must be sponsored by one of the Colony's auxiliaries.

Any request by an outside organization to use Colony property must be presented to the Board in writing and include: sponsoring auxiliary, type and date of event, proof of liability insurance for the outside organization, and expected number of attendees.

NONRESIDENT PARTICIPATION IN COLONY ACTIVITIES

Guests of Members: A nonresident guest of a member may use the Colony's facilities provided the guest wears a current guest tag.

Auxiliaries: Participation in the Colony's auxiliaries is a privilege that is generally available only to members of the Colony. However, with the approval of the Colony's Board, nonresidents may participate in auxiliary activities in the circumstances described on page 4. Members have priority over nonresidents for auxiliary membership and participation begins when the Colony's Board approves it.

(1) The Board may approve a former resident of Medford Lakes as an honorary guest member in accordance with Article III, Section 4 (c) of the Colony's bylaws. A former resident who does not meet these requirements cannot be approved for participation under (2) or (3) below. Change to former Colonist

(a) The auxiliary will annually submit the former residents' names, present addresses, former Medford Lakes addresses, and dates of residency in Medford Lakes to the Colony's office prior to but not less than two week before the second Monday of the month that the auxiliary Board's approval of the former residents' participation. This permits the Colony to verify the former residents' compliance with the Colony's bylaws.

(b) Upon approval the Auxiliary will submit the former residents' names to the Colony Board of approval. The Colony's Board expects that auxiliaries will approve participation only for those former residents who qualify under our bylaws. Each participant applying for approval based on their former Colonist status must prove they were a former Colonist in good standing for a minimum of five years. This proof can vary to include notarized witness' statements, Driver's License or Student ID from the time period, etc.

(2) If an auxiliary wishes to conduct a specific activity, and there are not enough of its regular and honorary guest members available to do so, the Colony's Board may approve participation, in that activity only, by nonresidents who are not former Medford Lakes residents. The auxiliary will seek such approval annually. The Colony's Board expects that auxiliary requests for such nonresident participation will be infrequent and will consider approval in the following circumstances: A qualifying former Colonist's family members (current spouse, children, grandchildren) will be given first rights to participate.

(a) The nonresident participation is necessary to conduct a specific activity. "Necessary" means that the auxiliary would not undertake the activity without the nonresidents' participation. The auxiliary is responsible to determine that nonresident participation is "necessary" and to support that necessity to the Colony's Board.

(b) The auxiliary's board approves the nonresidents' participation. If the activity charges a fee to participants, the fee for a former Colonist or non-resident who qualifies to participate must be at a minimum of 25% higher than the fee charged to a current Colony member.

(3) Upon application by an auxiliary and approval by the Board, participation in auxiliary activities may be extended to nonresident principals of commercial establishments located in the Borough who are not property owners. The Colony's fees for such participation are one-half the annual fee for a regular member, plus the lakes restoration fee plus the Capital Expenditure fee.

Summer Camp: Nonresident grandchildren of members may participate in the summer camp program if the children reside (sleep overnight) in the grandparent's home for the term of the program. Such campers must wear a guest tag while attending camp. If the members qualify for the low-income senior citizen or over 65 annual fee categories, they must pay the difference in the Annual fees between such category and the regular category, in addition to the camp fee, when they register their grandchildren for camp.

87 Club: The Club permits a guest to attend six of the Club's regularly scheduled functions in a year. The Club issues special guest cards for its functions.

Sunday Swim Races: Members may invite their guests to compete, but guests are ineligible for awards and prizes. Members and their guests must wear activity tags while competing in these races.

Other: With the approval of the Board and provided that participation of a member is not affected, children of nonresident teachers in our school system who attend school in Medford Lakes may participate in youth sports activities of the MLAA during the school term.

BULKHEADS AND DOCKS

Constructing bulkheads and constructing and maintaining docks are privileges afforded only to members of The Colony. In the event the owner of a property with an existing dock declines to become a Colony member or to maintain membership in The Colony, The Colony will withdraw permission to maintain the dock and take such action as may be required to cause it to be removed.

Property owners must properly maintain their bulkheads and docks. Any lack of maintenance affecting the safe use or appearance of the structure is sufficient cause for The Colony to remove the structure upon ten days written notice. The Colony will assess costs of removal to the property owner where the structure was located.

Permits

A member wishing to construct a bulkhead or a dock must obtain a permit from the Department of Property of The Colony. The Colony will not issue permits to nonmembers. Permit applications must be in writing and show the exact location, type of construction, size, and appearance of the proposed structure. Permits are not transferable to another party. Permits expire at the end of ninety days if construction of the bulkhead or dock has not been completed. However, permits may be renewed upon reapplication to The Colony. The Colony issues permits without cost to its members.

Bulkheads

May not extend more than one foot above the normal high water line.

Conform in appearance, as far as reasonably possible, with similar structures on adjoining lots.

May not be constructed beyond the original normal high water line of the lake as shown on filed plans.

Constructed so as to preserve the rustic appearance of the community as far as this can reasonably be done. Unlawful to construct a bulkhead, or in any other manner rebuild any shoreline, in such a manner that it extends the shoreline more than one foot from that then in existence, or in such a manner that it creates an impediment to the natural action of wind and water which did not previously exist, or in such a manner that is substantially enlarges the land area of the property. (Borough Ordinance No. 213)

Docks

Visible portions must be constructed of wood.

Must extend continuously from the shoreline. No floats, floating docks, or similar structures are permitted in the lake except those maintained by The Colony.

No high diving platforms. The floor of the dock cannot be more than about eighteen inches above the normal high water level. Protective railings of reasonable height are permitted.

Unlawful for a dock to be more than twenty feet wide or to extend more than twelve feet into any waterway. (Borough Ordinance No. 213)

Only one dock permitted on any one property, unless one owner owns more than two hundred feet in frontage on any lake. In that case, The Colony has the discretion to permit one dock for each two hundred feet of frontage or fraction thereof.

EMPLOYMENT BY THE COLONY

The Colony will advertise all opportunities for employment in The Colony News.

The Colony will attempt to fill its needs for full and part-time employees by hiring interested members. Only in cases of demonstrably superior qualifications for a position will The Colony hire a nonresident to fill a position for which a member has applied. However, The Colony will not terminate a nonresident's employment just because a qualified member may later become interested in the position.

The Colony will not employ a resident of Medford Lakes who is not a member of The Colony. Maintaining membership is a condition of continued employment of Medford Lakes residents.

ORGANIZATIONAL PROPERTY OWNERS

Commercial: In the event a commercial establishment also has residence facilities, a membership with all privileges is available to the owner/resident or, in accordance with our bylaws, to the tenant. The membership and certificate requirements of our bylaws also pertain to commercial members. The full regular member annual fee, plus the lakes restoration fee, plus the Capital Expenditure fees applies. If more than one person owns commercial property with residence facilities, the joint owners must identify the nonresident owner to be considered the member and to have the related privileges.

Corporation or Partnerships: The stockholder or partner occupying the cabin shall be considered the member. The membership and certificate requirements of our bylaws also pertain to properties owned by corporations and partnerships. In the event tenants occupy the property, they may have privileges in accordance with our bylaws. For such properties not occupied by a stockholder or partner, they must identify which one nonresident stockholder or partner is to be considered the member and to have the related privileges. Annual fees for corporate or partnership owners will be the same as for regular active members, plus the lakes restoration fee, plus the Capital Expenditures fee.

BY - LAWS

ARTICLE I NAME

Section 1. The name of this organization shall be THE MEDFORD LAKES COLONY, a voluntary association of property owners, of the Borough of Medford Lakes, Burlington County, New Jersey.

ARTICLE II PURPOSE AND OBJECTIVES

Section 1. The purposes for which The Colony is formed are: To promote the health and welfare of the community and thereby improve the quality of life of all the residents of the community by providing and maintaining open space, passive and active recreational facilities, including but not limited to, parks, beaches, lakes, streams, docks, piers, pavilions, club houses, buildings, tennis courts, basketball courts, and playing fields.

To formulate rules and regulations for the use of COLONY property.

To organize social and recreational activities for children and adults of all ages.

To maintain a pleasant, vacation-like atmosphere in a year-round community as well as a scenic and serene environment with clean and viable lakes.

To do any and all things necessary, appropriate or advisable incident to and for the best interests of the members of THE COLONY.

Section 2. The objectives of THE COLONY are:

To provide the benefits mentioned in Section 1 of this Article through volunteers from the community for the benefit of all residents of the community, outside the sphere of government, thereby keeping the COLONY'S facilities for the private use of the residents of Medford Lakes and avoiding political influence and the financial and administrative constraints of government.

To operate as a financially self-sufficient entity supported by the fees paid by the members of THE COLONY.

To spread the financial burden of providing aforementioned benefits over all the residents of the community by obtaining the membership of every resident of the community.

ARTICLE III MEMBERSHIP

Section 1. Members of THE COLONY must be property owners within the Borough of Medford Lakes. Applicants shall be elected to membership by a majority vote of the Membership Committee at a duly convened meeting with at least a majority of its members present at a duly convened regular or special meeting of the Board of Directors. Elections to membership are conditioned upon applicants obtaining a membership certificate as set forth on Article IV, Section 1.

Section 2. As a prerequisite to membership, all applicants shall subscribe and agree in writing to uphold and to be bound by these bylaws and any and all charges, alterations, amendments, or revisions thereof and rules and regulations duly adopted by THE COLONY and the principles and ideals of THE COLONY as in these

bylaws set forth and as may be expressed in any policy duly determined and adopted by THE COLONY and expressly agree to conform with all Federal, State, and Local Laws, rules and regulations and, incident to membership, expressly waive any claim or claims against THE COLONY or any of its Directors, committee members or employees as individuals or as a group for any official act or neglect to act in connection with the business of THE COLONY and particularly as to its or their acts in electing or failing to elect or disciplining him or her as a member.

Section 3. If the Lakes Restoration fees, Capital Expenditure fees, Annual fees, and assessments of a member remain unpaid at the end of the calendar year to which they apply, he will be considered delinquent. The Board of Directors may, by its vote, discontinue delinquents as members of THE COLONY. If, due to financial circumstances, a member is unable to satisfy his financial obligation to THE COLONY, the member may make an application for relief to the Membership Committee for appropriate consideration.

- (a) The Board will vote on the status of delinquent members at its first regularly scheduled meeting held in the subsequent calendar year. A delinquent member may attend that meeting and address the Board on matter relating to his membership. The Financial Secretary will notify delinquent members by certified mail four weeks prior to the meeting of which the Board will vote on the continued membership of delinquents. Such notice shall specifically remind the delinquent member of the provisions of paragraphs (b) and (c) of this section.
- (b) Membership certificates of resigned members and of delinquents whose COLONY membership has been discontinued by vote of the Board of Directors will be null and void. THE COLONY will not redeem them.
- (c) Property owners who are no longer members under the provisions of this section may reapply for membership in accordance with these bylaws, including obtaining a membership certificate and paying initiation fees.

Section 4. There shall be the classes of membership in THE COLONY described in this section.

- (a) Active members must pay the Lakes Restoration Fee, Capital Expenditure Fee, and the Annual Fee. They are entitled to all rights and privileges of membership, use of COLONY property, and participation in activities of THE COLONY and its auxiliaries.
- (b) The Active members may, at any properly called meeting of THE COLONY, elect any person or persons as an Honorary member of THE COLONY with such privileges as shall be set forth at the time of election.
- (c) An Honorary Guest member (1) shall be an individual nominated and approved by an auxiliary; (2) nominee shall be presented to the Colony's Membership Committee for confirmation yearly; (3) shall be a non-resident who left THE COLONY in good standing after a minimum of five (5) years membership in good standing; (4) shall have no privilege to use COLONY property except as a guest during an auxiliary function.
- (d) Tenants of properties owned by landlord members may have all the rights and privileges of the landlord member except that tenants may not vote nor be an officer or Director of THE COLONY. The landlord must make a written request to THE COLONY for transfer of his COLONY privileges to the tenant, which will remain in effect until the tenancy has ended or the landlord revokes the request in writing. The landlord retains the privileges of voting or being an Officer or Director.

The tenant may pay the fees and assessments related to the property he leases directly to THE COLONY if authorized in writing to do so by the landlord member. However, THE COLONY will look to the landlord as being responsible for payment of fees and assessments with respect to his properties.

Section 5. The Membership Committee shall ascertain the qualifications of applicants for COLONY membership and shall have the authority to decide all matters pertaining to membership. All proceedings

and actions of the Committee shall be deemed and considered privileged and confidential. The Committee shall be elected annually by the Board of Directors and shall consist of five (5) members, one of whom shall be the Vice-president of THE COLONY in charge of finance, one of whom shall be the Director of THE COLONY assigned to the Department of Finance, and one of who shall be a Past President who is an active member of THE COLONY, and the remaining two of whom shall be Active members at large who may or may not be members of the Board of Directors.

Section 6. Each Active member in good standing shall be entitled to one vote. If more than one person owns a property, its owners shall have a single membership certificate and shall be counted for all purposes as one member. Any of such owners may cast their common vote on any question, and if such owners disagree among them their vote shall not be cast or counted. If a member owns more than one property in the Borough of Medford Lakes, he must obtain a membership certificate for each property he owns. Fees and assessments pertaining to all properties owned by such member must be current in order for that member to be in good standing. Such member will have a vote with respect to each property. COLONY privileges may be extended to the residents of all such properties owned by a member upon the written request of the member and payment of all fees and assessments with respect to such properties.

Section 7. The privileges of membership may be extended, when and as desirable, to persons who are not members of THE COLONY by the Board of Directors; subject to any limitations, which it may impose. Unless otherwise provided by the Board of Directors, relatives of the immediate family of a member, living under his roof, shall be entitled to the same privileges with respect the COLONY property as the member himself.

Section 8. Membership in THE COLONY is a personal privilege and is not transferable. Membership in THE COLONY ceases when a member is no longer a property owner in the Borough of Medford Lakes.

ARTICLE IV MEMBERSHIP CERTIFICATES

Membership certificates must be acquired or disposed of through THE COLONY in the manner provided by this Article. Certificates acquired or disposed of in any other manner are invalid.

Section 1. All applicants for membership in THE COLONY must obtain a membership certificate by either:

- (a) Purchase from THE COLONY at the fee established by the Active members as provided in Article VII, Section 3, OR
- (b) Transfer from the former owner of the applicant's property in the Borough of Medford Lakes following the procedure set forth in Section 3 of this Article.

Section 2. THE COLONY must use the proceeds from the sale of membership certificates to redeem membership certificates in the manner provided by Section 4 of this Article. However, if THE COLONY is holding no certificates for redemption the proceeds of that sale shall be placed in the special lakes restoration account, which is restricted for lakes cleaning costs, and not used to redeem certificates, which may be offered from redemption thereafter.

Section 3. THE COLONY will issue a membership certificate to the new owner of a former member's property in the Borough of Medford Lakes, without payment to the COLONY by the new owner, if all of the following conditions are met:

- (a) The former member authorizes, in writing to the Financial Secretary of THE COLONY, the transfer of his certificate to the new owner of his property.

- (b) All Lakes Restoration fees, Capital Expenditure fees, Annual fees, and assessments to the former member have been paid through the calendar year.
- (c) The new owner applies for COLONY membership within 60 days of acquiring the property.

Section 4. In the event the former member does not transfer his certificate to the new owner of his property, as set forth in Section 3 of this Article, the certificate must be offered to THE COLONY for redemption in accordance with the provisions of this Section.

- (a) THE COLONY will redeem a certificate only in the amount of and from the proceeds of sale of membership certificates received after a certificate is offered for redemption.
- (b) If there are several certificates awaiting redemption at the time a certificate is sold, the sale proceeds will be applied to redeem the one awaiting redemption for the longest time.

ARTICLE V BOARD OF DIRECTORS

Section 1. The Board of Directors shall consist of elected officers as herein provided, all Past Presidents who have retained Active membership in THE COLONY and nine (9) elected Directors who shall be elected by the Active members of THE COLONY, three (3) directors being elected at each Annual Meeting to serve for a term of three (3) years.

Section 2. Nomination of Directors to be elected shall be by a committee of three (3), consisting of the Immediate Past President as Chairman, one member from the Board of Directors and one other Active member of THE COLONY, appointed by the President and approved by the Board of Directors. The nominating committee shall call for suggestions from the members through the Colony News, in addition to its own suggestions and shall interview all candidates proposed, from whom the necessary Directors to be elected for the respective terms shall be nominated in the number required and the committee's report published in the Colony News at least one week prior to the Annual Meeting. Additional nominees may be placed in nomination provided a written petition has been filed with the Recording Secretary of THE COLONY at least three (3) business days prior to the Annual Membership Meeting containing signatures of at least 5% of the members of THE COLONY.

Section 3. In case of a contested election, the Chair shall determine by vote, the wishes of the members as to a voice or written ballot, and in case of a ballot election, a judge and two tellers shall be appointed by the Chair to conduct and to certify the results of the election. For purposes of conducting an uncontested election, a quorum shall consist of the members present at such Annual Meeting.

Section 4. The Board of Directors shall have full power to transact any and all business of THE COLONY, which might be transacted by the Active membership. It shall have full control of THE COLONY'S property, shall have full power and authority to make all rules and regulations governing such property, its uses, and activities of THE COLONY; and shall have all powers and authorities commonly vested in a corporate Board of Directors. A quorum at a Board of Directors meeting shall be a majority of the aggregate of officers and elected directors.

Section 5. The Board of Directors shall have full power and authority in its sole discretion to decide any question as to membership; shall have power to discipline any member for any infraction of the bylaws or rules or regulations made in pursuance thereof or for the non-payment of fees; and shall have power to suspend any member upon conviction of any such infraction, or to impose any less severe penalty; provided that if the offense complained of is the non-payment of fees; the Board of Directors shall act only upon the

filing of a report in writing by the Financial Secretary concerning such delinquency, and that if such disciplinary action is contemplated by reason of any other infraction of the bylaws or rules or regulations made in pursuance thereof, the charges shall first be investigated by the Membership Committee who shall report upon the same to the Board of Directors, and the accused member shall be furnished with a copy of the charges in writing at least five days prior to a hearing before the Board of Directors of which he shall be entitled to be heard. Suspension of membership shall not relieve such member from payment of fees. Where any member has been suspended from membership, such member shall be denied the use and privilege of any and all COLONY property and deemed and considered a trespasser and subject to such penalties as the law may provide and impose on trespassers. The decision of the Board of Directors in any such cases shall be final and not subject to review.

Section 6. Should any vacancy occur in the Board of Directors, the same shall be filled by appointment by the Board of Directors until the next Annual Meeting of THE COLONY.

ARTICLE VI OFFICERS AND DUTIES

Section 1. The elected officers of THE COLONY, who shall be Active members of THE COLONY but need not be elected Directors, shall consist of a President, four Vice-presidents, a Financial Secretary, a Recording Secretary, and a Treasurer, all of whom shall take office on the first day of January following their election and shall hold office for one year.

Section 2. Said elected officers shall be elected by the Board of Directors at the meeting to be held within thirty (30) days after the Annual Meeting of the members of THE COLONY.

Section 3. The Board of Directors shall fill vacancies in any of the above elected offices for the expired term.

Section 4. The President shall exercise the duties usually devolving upon that office and shall be ex officio a member of all committees.

Section 5. One of the Vice-presidents shall act during the absence or disability of the President.

Section 6. The Recording Secretary shall keep the minutes and the corporate seal and shall assume and discharge all duties commonly devolving upon the office of a Secretary other than those duties of the Financial Secretary as hereinafter designated. He shall also act as clerk for any of the committees and the Board of Directors.

Section 7. The Financial Secretary shall keep a list of all the members and shall collect the fees of the organization and shall turn over moneys collected to the Treasurer, from whom he shall take a receipt. He shall keep a list of all membership certificates, which THE COLONY is holding for redemption. He shall send out bills for fees when and as the same shall become due and shall report to the Board of Directors all members whose fees are more than thirty (30) days in arrears. He shall furnish a bond in such a sum with such security as shall be approved by the Board of Directors, the cost of the bond to be paid for by THE COLONY.

Section 8. The Treasurer shall have the custody of all funds of THE COLONY and shall disburse only upon vouchers signed by the President and a Vice-president, or in the case of absence or disability of the President, upon vouchers signed by two Vice-presidents. He shall furnish a bond in such a sum as with such security as shall be approved by the Board of Directors, the cost of such bond to be paid for by THE COLONY.

Section 9. The President, with the approval of the Board of Directors, shall have the power to appoint such committees as from time to time shall seem desirable which committees shall be selected from the Active members of THE COLONY. There shall, however, at all times be a Membership Committee to consider

applications for membership in THE COLONY; and an Executive Committee, consisting of elected officers and the Immediate Past President of THE COLONY, to act for the Board of Directors between regular meetings of the Board of Directors.

Section 10. No elected officer or Director of THE COLONY shall draw any salary or any other form of compensation whatever. Employees and appointed officers of THE COLONY may be employed by the Board of Directors and shall be entitled to compensation when and as directed by the Board of Directors.

Procedure in Support of Article VI, Section 9 of THE COLONY By-laws

The Executive Board (establish by by-law Article VI, Section 1) is responsible to act on behalf of the Board of Directors during the time that occurs between Board of Directors meetings (as per Article VI, Section 9). The procedures to be followed when the Executive Board acts in this regard are as follows:

1. Each Executive Board member shall conduct research and gather information pertinent to issues that arise within that member's area of responsibility.
2. At the regular monthly meeting of the Exe that shall occur approximately one week prior to the monthly Board of Directors meeting, each Executive Board member shall inform the entire Executive Board of any issues or activities that may have been encountered or accomplished; any information that has been gathered pertaining to the issues or activities; and shall, when appropriate, propose a motion(s) to be presented at the next Board of Directors meeting for the Directors consideration.
3. At the following Board of Directors meeting, each Executive Board member will provide to the Board of Directors a verbal report of the information that was provided to Executive Board members at the previous Executive Board meeting. When appropriate, each Executive Board member shall make a motion(s) in support of the proposal that was made at the previous Executive Board meeting. If the motion receives a second, the Board of Directors will have the opportunity to discuss the merits of the proposal and decide whether to approve the motion, reject the motion, or table the motion.

ARTICLE VII FEES AND ASSESSMENTS

Section 1. The fees of THE COLONY, which cover the period of a calendar year, shall be as follows:

- (a) Lakes Restoration fees. Lakes Restoration fees shall be placed in a special account by THE COLONY and are restricted to pay expenses related to cleaning and maintaining the lakes as defined in "Rules and Regulations of Medford Lakes Colony."
- (b) Capital Expenditure fees. Capital Expenditure fees shall be placed in a special account by THE COLONY and are restricted to pay for: (1) major equipment replacement, renovations, improvements and (2) associated debt service, both defined in "Rules and Regulations of Medford Lakes Colony."
- (c) Annual Fees. Annual fees shall be placed in the general account of THE COLONY and used for the costs of ongoing maintenance, administration, and recreational and social activities. The amount of Annual Fees shall be established for each of the following classifications of Active members:
 - (1) Regular Active members include all Active members except those who may qualify under (2) and (3) following.
 - (2) Over 65 Active members are those who are over age 65 as of January 1st of each calendar year. In the event more than one person owns the property, one of the owners must be over 65 as of January 1st. Members must present verification of their eligibility to be Over 65 members to the COLONY'S office.

(3) Low Income Senior members are those who are over age 65 as of January 1st of each calendar year and in addition receive a property tax reduction from the Borough of Medford Lakes because of their income level as certified by the New Jersey Department of the Treasury.

Section 2. Fees shall not be prorated for a portion of a calendar year. However, the buyer of a property shall not be assessed Lakes Restoration or Capital Expenditure, or Annual fees for the year of purchase if the seller had paid the fees for that year, unless the buyer does not qualify for the Active membership classification of the seller. In that case the difference in Annual fees between the classifications shall be prorated and assessed to the buyer. Fees are not refundable.

Section 3. The Lakes Restoration fees, Capital Expenditure fees, Annual fees, initiation fees and the membership certificate-selling price for Active members shall be established from time to time in the following manner:

(a) The amounts prevailing at the time of the adoption of these bylaws shall continue unless and until otherwise fixed and determined by the members of THE COLONY or by the Board of Directors by either one of the following methods:

(1) The Board of Directors may recommend a change by publishing notice thereof in The Colony News at least two (2) weeks prior to the Annual Meeting or Special Meeting of the membership called for such a purpose; OR

(2) At least ten percent (10%) of the Active members in good standing may file a written application for a change in fees or certificate prices with the President at least thirty (30) days before the Annual Meeting, notice of which shall be published in The Colony News at least two (2) weeks prior to the Annual meeting.

(b) In either event, at the Annual Meeting or at the Special Meeting called by the Board of Directors, the members shall consider the recommendations of the Directors or the application of the members, as the case may be, and shall thereupon fix the fees and certificate price, which shall remain in effect until changed in accordance with the foregoing provisions.

Section 4. Assessments may be levied, if ever required, but only with the consent of a majority of the Active members present at a Special Meeting, which shall be called as hereinafter, provided. At any such meeting ten percent (10%) of the Active members in good standing shall constitute a quorum.

Section 5. Fees must be paid by January 31st of each calendar year. Failure to do so shall render the member liable to disciplinary action by the Board. Interest at the rate of 1% per month will be charged on amounts unpaid as of April 1st of each calendar year. After January 31st, members will have none of the privileges of membership until all fees and assessments for that year have been completely paid.

Section 6. Only Active members may maintain docks. All costs involved in erecting and/or removing fences or docks resulting from non-payment of COLONY fees shall be assessed to the member.

Section 7. Lakefront and waterfront property assessments shall be \$750 for lakefront and \$550 for waterfront. Properties eligible for the waterfront assessment rate shall be those as designated by the Lakes Restoration Committee. These assessments are payable in the year their lake is cleaned but before the lake cleaning is completed. Such assessments will be placed in the special lakes restoration account and are restricted for lakes cleaning costs. Interest at the rate of 1% per month will be charged on assessments unpaid 30 days after a lake cleaning is completed, as determined by the Board of Directors.

ARTICLE VIII MEETINGS

Section 1. The Annual Meeting of THE COLONY shall be held on the second Monday in October at such time and place as the Executive Committee shall designate, fix and determine. In event such date shall fall on a holiday, the Annual Meeting will be held on the following Monday.

Section 2. The Board of Directors may call a Special Meeting of THE COLONY at any time, when, in its opinion, the COLONY'S interests may require such action; or the President shall call a Special Meeting of THE COLONY within thirty (30) days after a written request for such meeting, stating the purpose for which the meeting is to be held, signed by at least fifteen percent (15%) of the Active members in good standing.

Section 3. Notice of the Annual Meeting and any Special Meeting shall be given either by mailing a notice to the last known post office address of each member or, in lieu thereof, by announcing said meeting in The Colony News.

The announcement to be made at least five (5) days in advance of the date fixed for the meeting, and in the case of a Special Meeting the announcement to state the nature of the business to be considered at such Special Meeting.

Section 4. The regular meetings of the Board of Directors shall be held on such stated times and places of such stated months as may be fixed and determined by the Board of Directors at its organization meeting each year, but in any event at least five stated meetings shall be scheduled each year. In the event any such date shall fall on a holiday, said meeting shall be held on the same day of the following week. The President may call special meetings of the Board of Directors on two (2) days' notice, which said notice might be dispensed with provided all Directors are present or have waived such notice. The written consent and approval of all Directors to any proposition shall be equivalent to a resolution of the Board at a regularly called meeting.

Section 5. Officers and elected directors must attend more than one-half and must not miss more than three consecutive regularly scheduled meetings of the Board of Directors in a calendar year. Any who do not will be considered to have resigned as of the date of the meeting at which it becomes impossible for them to do so. The Board of Directors will fill resulting unexpired terms in the manner provided elsewhere in these Bylaws. A person who resigns in accordance with this Section may not serve as an officer or elected director until the second calendar year thereafter.

Section 6. At all meetings of THE COLONY, except as herein otherwise provided, five percent (5%) or more of the Active members in good standing shall constitute a quorum. Where less than a quorum present, the meeting may be adjourned by those present until such time or place as may be desirable.

Section 7. In the conduct of all meetings, either Members or Board, Robert's Rules of Order shall govern.

ARTICLE IX
AMENDMENTS

Section 1. These bylaws can be amended, altered, repealed, or revised by the Active members in good standing at a properly called Annual or Special meeting by either of the following methods:

- (a) Proposed amendment, alteration, repeal or revision shall be submitted in writing to and approved by the Board of Directors; OR
- (b) If such proposed amendment, alteration, repeal, or revision be disapproved by the Board of Directors, it may be placed before the members at the Annual Meeting provided that at least ten percent (10%) of the Active members in good standing shall file a written request therefore with the President at least 30 days before said Annual Meeting. Notice of the meeting in either of the foregoing methods shall state the proposed amendment, alteration, repeal or revision.

ARTICLE X

Violation Policy – effective November 1, 2008 the following procedures will be implemented to enforce the bylaws:

Definitions – Board shall mean the Board of Directors of The Medford Lakes Colony. Member is as defined in Article III, Section 1 of the By-laws.

A. **Notice**

- 1. **First Notice.** Unless other notice is provided herein or in the event of an emergency situation, the Board shall give the Member written notice by certified mail, return receipt requested, and by regular mail, specifying the violation, and an acceptable resolution to the violation.
- 2. **Second Notice.** If Member fails to resolve said violation within fifteen (15) days after receipt of said first notice, or, in the event that the violation cannot reasonably be cured within fifteen (15) days, if the Member fails to commence resolving said violation and diligently pursues said resolution to completion with fifteen (15) days after receiving said notice, the Board shall send the Member a second written notice by certified mail, return receipt requested, and by regular mail.
- 3. **Imposition of Penalty.** If Member fails to resolve said violation within fifteen (15) days after receipt of the second notice, or, in the event that the violation cannot reasonably be cured within fifteen (15) days, if Members fails to commence resolving said violation and diligently pursue said resolution to completion within fifteen (15) days after receiving said notice, the Board shall have the right to exercise the remedies outlined below.
- 4. **Receipt of Notice.** Member shall be deemed to have received said notice upon the first to occur of (a) actual receipt, or (b) three (3) days after the notice is sent by the Board to the property address by certified mail, return receipt requested, with proper postage attached, whether or not Member actually receives said notice.
- 5. All reference to days shall be calendar days.

B. **Remedies.** In addition to all other rights and remedies available to the Medford Lakes Colony, the Board shall have the right and power to impose the following remedies for violation of the By-Laws, or rules of The Medford Lakes Colony.

- 1. **Fines.** Impose the fine against said Member in an amount of up to \$25.00 per day commencing fifteen (15) days after Member's receipt of the second notice. A list of fines for specific offenses may be attached hereto as Addendum A. Any fine not paid with Fifteen (15) days after it is imposed will bear interest at the rate of 18% per annum.
- 2. **Corrective Action.** Enter upon the property, to the extent necessary, when the property borders Colony property, to correct the violation and charge the Member for the cost of correcting said violation.

3. **Suspension of Privileges.** Suspend the Member's right to utilize amenities controlled by The Medford Lakes Colony until said violation is cured or any fines or charges imposed have been paid.
 4. **Litigation.** File a lawsuit against the Member to force the Member to correct the violation, or to collect any amounts owed to The Medford Lakes Colony by the member.
 5. **Costs and Expenses.** Charge said Member for any costs and expenses incurred by The Medford Lakes Colony in enforcing any such violation of the By-Laws or rules, including attorney's fees and expenses, and court costs.
- C. **Appeals.** In the event that the Member disputes the violation or the remedy imposed, the Member shall have fifteen (15) days after the second notice to notify the Board by certified mail, return receipt requested, that is desires to appear before the Board to discuss the violation. Said notice shall be immediately emailed to all members of the Board, and, upon the vote of a majority of said Board members, said Member shall be allowed to appear at the next regularly scheduled meeting of the Board for said purpose. Notwithstanding the foregoing, any fines or charges ultimately upheld by the Board shall relate back to the date that is fifteen (15) days after receipt of the second notice referenced above. If the Member repeats the offense within one (1) year after the Board exercises any of the remedies contained herein; member shall not be entitled to an appeal on the subsequent offense.
- D. **No Waiver.** The Medford Lakes Colony's decision to pursue enforcement action in any particular case shall be left to the Board's discretion, except that the Board shall not be arbitrary or capricious in taking enforcement action. Such a decision shall not be construed as a waiver of The Medford Lakes Colony's right to enforce such provision at a later time under other circumstances or preclude The Medford Lakes Colony from enforcing any other covenant, restriction, or rule.

ADDENDA
MEDFORD LAKES COLONY
PROPERTY USE POLICY

79 Tecumseh Trail, Medford Lakes, NJ 08055 609-654-7747
office@medfordlakescolony.org

Version: April 6, 2016

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- ATTACHMENT 1: BEACH PARTY REQUEST FORM
- ATTACHMENT 2: PROPERTY USE REQUEST FORM
- ATTACHMENT 3: INSURANCE REQUIREMENTS
- ATTACHMENT 4: ALTERNATIVE VENUES IN OUR AREA

1. INTRODUCTION

In response to numerous, varied and growing requests for use of Colony property for fundraising and personal pre-planned events, the Colony Board of Directors has formed a Property Use committee. The purpose of this committee is to establish unified policy based on rules, regulations and bylaws of the Medford Lakes Colony, insurance requirements, and state & local regulatory requirements.

The Colony realizes what a unique place Medford Lakes is and how appealing it is to host parties, social events and fundraisers. This policy is intended to maintain a balance between fundraising efforts, the Colony's responsibility to neighboring property owners, and most importantly our membership's ability to have access to Colony property for their personal use.

This Policy has been formed in consultation with current Colony Board members, past and present Colony Presidents, Colony Solicitor, Medford Lakes Police Department, Medford Lakes Borough Manager's office, and Medford Lakes Public Works Department.

Please direct any questions to the Colony office. The Colony Board appreciates our members' ongoing support as we continue to address the needs of our membership.

2. TYPES OF PROPERTY USES

All property-use applicants must be Medford Lakes Colonists in good standing with current dues fully paid, no exceptions. This policy recognizes two general types of property use: Beach Parties, and All Other Property Use.

A. BEACH PARTIES

These events involve more than 10 but less than 25 invited guests and occur while beaches and facilities remain open and accessible to other Colonists. They include any of the following:

- Birthday parties
- Team parties
- Small weddings/religious ceremonies
- Any other type of scheduled small social gathering on any of the Colony's five beaches

Beach parties require the submission of a Beach Party Request Form (see Attachment 1: Beach Party Request Form) no less than 30 days prior to the event. A beach party may be scheduled 10-12noon or 3-5pm, but not on days when summer camp is in session. A \$50 fee is required, as well as \$2 per guest for beach tags. If it is determined that additional lifeguard(s) are needed, then those fees are also the responsibility of the applicant.

A typical beach party does not need additional insurances (it is covered by the Colony's policy), nor does it need Auxiliary sponsorship or non-profit status to occur.

Upon request submission, the VP of Recreation will review and approve/deny the request. If approved they will coordinate scheduling with the Colony Office Manager, who will then inform the applicant of fees due. The event is not considered "booked" until all fees are paid.

The applicant is responsible for the behavior of all guests and for complete clean-up after the event. No tents, fires, grilling or alcohol is permitted. Event trash should be taken from Colony premises and disposed of elsewhere so as not to overload Colony trash bins.

Lifeguards and tag checkers have the right to eject any person or group from Colony property at any time if in their opinion a dangerous situation exists or Colony rules are not being followed, with no refund of monies paid. Please also refer to the Colony Violations Policy in the by-laws.

B. ALL OTHER PROPERTY USE

These events are open to all Colonists and often require the closing (or dedicated use) of Colony assets for a particular function. Such events include:

- Gatherings of more than 25 people
- Any type of instructional, entertainment or meeting activity
- Any type of fundraising, gaming or alcohol-related activity
- The use of Colony parks, buildings, dams, parking lots or other structures
- The closing or regulating of beaches, dams or roadways adjacent to Colony property

All Property-Use requests require the submission of a Property Use Request Form no less than 30 days prior to the event (see Attachment 2: Property Use Request Form). Upon review of the submittal by the Colony Board Liaison, additional information may be requested. When all is determined to be in order, the event will be placed on the agenda for next regular monthly Board of Directors meeting. The applicant will be required to personally appear to answer any questions, and the Board will vote. An approval will be conditional on all required submittals received in the Colony office prior to the event.

Some general property use policies established by the Colony:

- All social events must be sponsored by either a) the Colony, b) a Colony Auxiliary, or c) a 501c3 non-profit, and remain in compliance with all Colony rules, by laws, ordinances and state laws at all times.
- As a courtesy to our Police Dept., Public Works Dept., neighbors and other Colonists, major outdoor events requiring the regulating of public roadways or closing off beaches will be limited to a maximum average of one per month for the nine months April-December. Colony-sponsored events take precedent over private requests. For example, Canoe Carnival, Amazing Pace, 4th of July & Thanksgiving Turkey Trot 5K runs, Fall Festival, etc. have priority over other requests. That said, once any event is formally approved, its organizers can rely on using that approved date.
- Colony By-laws mandate that all fundraisers held on Colony property benefit our Colonists, which limit the types of national organizations that can “sanction” events. For example, the Medford Lakes Boy/Girl Scouts, Lions, or Canoe Carnival float groups each qualify for fundraiser-use status because all income stays with the local group. Conversely, a “(National Brand) Cancer Walk” does not qualify because funds leave our Colonists and go to a national organization. The

exception to this rule is if the event is intended to benefit a specific Colonist in good standing requiring community support in the form of a non-profit fundraiser and that event is open to all members, in which case that fundraiser complies with the bylaws because the proceeds are benefiting a Colonist.

- The Colony may, on occasion, contract an outside company to help facilitate its own events that exceed the Colony's capabilities or resources. Such companies will report directly to the Colony and will be subject to full Board vote and approval similar to all other subcontractors.

3. INSURANCE REQUIREMENTS

The applicant is responsible for obtaining all required insurances for their function, and to submit the certificate(s) to the Colony prior to the event. A list of requirements is included as Attachment 3: INSURANCE REQUIREMENTS. Please note this list may not always reflect current requirements and it is the responsibility of the applicant to be in compliance prior to their event.

4. PROPERTY USE VIOLATIONS AND ENFORCEMENT

If Colonists observe illegal or unsanctioned activities occurring on a Colony property, they are encouraged to notify a beach tag checker or lifeguard, who will assess the situation and determine the next steps to be taken.

If such persons are not available, Colonists are asked to note the time, date and detailed circumstances of the incident and contact Colony offices at 609-654-7747.

If the issue presents an imminent safety or security hazard, Colonists are asked to contact Medford Lakes Police directly at 609-654-2156 or central dispatch at 609-267-8300. Colony Bylaws allow Medford Lakes Police immediate and unhindered access to all Colony properties at any time.

In addition to possible criminal penalties, Colony Bylaws allow for a fine, or suspension of Colony privileges, or both, as detailed in the Colony's Violations Policy.

5. ALTERNATIVE VENUES IN OUR AREA

In the event a request for property use is not granted, the Colony has prepared a list of alternative facilities located near Medford Lakes. Please see Attachment 4: ALTERNATIVE VENUES IN OUR AREA.

ATTACHMENTS

MEDFORD LAKES COLONY BEACH PARTY REQUEST FORM PAGE 1 OF 2

79 Tecumseh Trail, Medford Lakes NJ 08055 609-654-7747 office@medfordlakescolony.org

Member Name: _____ Address: _____

Cell phone #: _____ E-Mail address: _____

Location choice: Beach # _____ Purpose of Event: _____

Event Date: _____ Time: 10am – 12noon or 3pm – 5pm

Max # of children expected: _____ Max # number of people expected: _____

I verify I am a member in good standing of Medford Lakes Colony and will adhere to the above conditions and all of the rules/regulations of the Medford Lakes Colony subject to referral to the membership committee for violation of terms and conditions of the “Violations Policy” found in our Medford Lakes Colony By-Laws. I/we assume all risks and hazards incidental to use of Medford Lakes Colony property. I/we do hereby waive, release, absolve, indemnify and agree to hold harmless the Medford Lakes Colony volunteers/directors/employees from any and all claims arising out of an injury to any participant at this above named event. I/we understand it is the responsibility of each person attending to provide their own health and accident insurance to cover any injury. Any violation of agreed terms/condition will result in party being required to leave and eligibility to hold a future party will be subject to review by the Colony Board.

\$25.00 deposit check # _____

Event fee to use Colony property = \$75.00

+Guest tag fee for daily use at \$2.00 each = _____

+ Lifeguards (\$15/hour/guard) = _____

Total paid _____

I will be responsible for ensuring all trash is physically removed from Colony property (NOT put in the courtesy trash & recycle bins on site, but physically removed from the property in trash bags), and that NO ALCOHOL will be consumed by guests during my event.

Member signature: _____ Date: _____

MEDFORD LAKES COLONY
BEACH PARTY REQUEST FORM PAGE 2 OF 2

79 Tecumseh Trail, Medford Lakes NJ 08055 609-654-7747 office@medfordlakescolony.org

Private beach parties are defined as an event that exceeds 10 attendees but is limited to 25 attendees. Scheduling will be on a first come – first served basis. No parties are permitted during summer camp.

Note - The member that books the party **MUST** be present for the entire duration of the event and your current year dues and assessments must be paid in full prior to the event. **Please wear/bring your Membership Tags with you!** Guest tags are necessary for anyone attending the party who does not have a current year Medford Lakes Colony membership tag of their own. Guest tags are \$2/person/day or \$10/person/seasonal.

Fees: Please NO CASH – pay by check or money order to “Medford Lakes Colony” in the amount of:

- \$75.00 Activity fee
- + guest tags if necessary per guest (you can get back to us with a head count)
- + \$15.00/hour for a “dark water certified lifeguard” who will be assigned to your party from the Medford Lakes Colony lifeguard staff. The number of guards needed will be determined by the Head Lifeguard
- Security Deposit required: A separate refundable check of \$50.00 is needed as a security deposit for your party/event. There will be an additional fee for your party if any of the following rules are violated:

Rules:

1. No alcohol, fires or grilling is permitted. This is a Borough Ordinance (law).
2. Food/drinks must remain in the pavilion area or at the fence line. Please vacate the pavilion when your allotted time slot is complete to accommodate other Colonists who need to use the pavilion.
3. No DJ’s sound systems or other electronics are allowed.
4. No tents are permitted. Please do not set up a rented or private tent on the beach.
5. No games that require rented apparatus, such as moon bounce or slide, are permissible.
6. The volleyball court may be available on a first come first served basis. MLAA beach league takes priority as they have a schedule for league games and practices.
7. You are required to clean up and take all trash to your home with you. Please do not use the trashcans for refuse as they are for the daily use of members at the beaches/properties and should not be filled up from private parties. Overflowing trash encourages critters.
8. You are responsible for the behavior and actions of your guests. Guests must follow the rules and regulations of the beaches as posted. Your entire party will be asked to leave and must do so if they are not conducting themselves accordingly.

A \$25.00 deposit check must be attached to place this event on the calendar. Please make check out to Medford Lakes Colony. All of fees must be paid by the Monday after the event.

MEDFORD LAKES COLONY
EVENT APPLICATION FOR USE OF COLONY PROPERTY

79 Tecumseh Trail, Medford Lakes NJ 08055 609-654-7747 office@medfordlakescolony.org

Colony Board membership meetings are the second Monday of each month at 7:30p at Demby Annex of Vaughan Hall. This application must be submitted NO LATER THAN Thursday prior to monthly Colony meeting, deadline 3pm.

Colony Board of Directors approval/review is required. It is your responsibility to attend the monthly Colony meeting when requested by the Office Manager. A representative from your group must be present for application to be heard.

QUALIFYING ORGANIZATIONS: 1. Medford Lakes-based 501c3 2. ML Colony or sponsored by a Colony Auxiliary

Contact person(s): _____ Address _____

Contact Email: _____ Phone: _____

Organization/Event Name: _____ 501c3 Fed ID #: _____

Facility/Property(ices)
Requested: _____

Date Requested: _____ Max attendance _____ Timeframe of Event: _____
(include setup/breakdown)

Description of event (please include all specific activities):
Will any of the following items be included in the event? (yes/no)

Food/drink served: _____ Deejay: _____ Band: _____ Vendors/sales: _____ Local business sponsors: _____

Swimming or Boating: _____ Alcohol: _____ Games of chance: _____ (50/50, baskets, auctions or any other raffles)

List all alcohol or gaming _____

Events that involve alcohol must be 21 and over, AND require state permit, AND Borough of Medford Lakes approval, AND a specific insurance rider. Games of chance require State permits, AND licenses, AND Borough of Medford Lakes approval. Swimming/Boating events require Borough of Medford Lakes approval AND lifeguards are required at the expense of organizer. Any use of public roadways require Borough of Medford Lakes approval.

I verify I am a member in good standing of Medford Lakes Colony and will adhere to the above conditions and all of the rules/regulations of the Medford Lakes Colony subject to referral to the membership committee for violation of terms and conditions of the "Violations Policy" found in our Medford Lakes Colony By-Laws. I/we assume all risks and hazards incidental to use of Medford Lakes Colony property. I/we do hereby waive, release, absolve, indemnify and agree to hold harmless the Medford Lakes Colony volunteers/ directors/employees from any and all claims arising out of an injury to any participant at this above named event. I/we understand it is the responsibility of each person attending to provide their own health and accident insurance to cover any injury. Any violation of agreed terms/condition will result in party being required to leave and eligibility to hold a future party will be subject to review by the Colony Board.

Requesting Colonist Date

OFFICE USE: Application received: _____ Colony Liaison Review: _____ Board approval: _____

Borough Approval: _____ Event liability insurance cert received: _____ Alcohol state cert received: _____ Gaming certs received: _____

All required documents received: _____ Key issued to/date: _____ Key returned: _____

INSURANCE REQUIREMENTS OUTSIDE ORGANIZATIONS (as defined by Colony's Property Use Policy)

*Must provide certificate of Insurance with 1,000,000 liability limit (industry standard)

* Medford Lakes Colony must be named as Additional Insured

* Certificate must be on file in Colony office prior to event

COVERAGE FOR EVENTS THAT INVOLVE ALCOHOL (see policy for qualifying organizations) Requirements:

No one under 21 may be in attendance, no ticket sales at the door, alcohol may not be served by any volunteers nor is BYOB allowed, security, and buffer fencing must be provided.

USLI provides this insurance coverage for a fee of approx. \$300-500. A STATE SOCIAL PERMIT MUST BE IN PLACE PRIOR WITH BORO OF MEDFORD LAKES APPROVAL. Organization must obtain proof of coverage to Colony office. This application can be filed online or thru Colony carrier. After application is submitted and paid for, coverage is usually in place within 1-2 hours.

- Per State of NJ no location or organization can obtain more than SIX (6) SOCIAL EVENT PERMITS IN A CALENDAR YEAR

Medford Lakes Colony organized Events and Medford Lakes Colony auxiliary events

MLAA has its own insurance policy which covers all listed activities (i.e., basketball, volleyball, soccer etc.).

If the activity is not listed on the list provided to MLAA's carrier, a separate policy must be bought (i.e., ZUMBA, tournaments involving out of town players, etc.).

Any fundraiser not been listed will require confirmation from MLC Insurance Carrier that it is covered.

CAMP

Summer Camp carries a separate policy.

Summary:

Each year when the Colony's policy is renewed, normal activities of the Colony are listed. Properties are covered. Normal activities of Auxiliaries such as MLWC are covered. Any activity that does not fall under "normal activities" (i.e., Jingle Run) needs a call to the agent for clarification. Please note the above list may not always reflect current requirements and it is the responsibility of the applicant to be in compliance prior to their event.

ALTERNATIVE VENUES IN OUR AREA

INDOORS

Venue	Capacity	Contact
Pinelands Library	20	609-654-6113
Ott's Tavern private room	35	609-654-2700
PJ Whelihan's private room	50	609-714-7900
Medford Memorial Community Center	75	609-654-2598
Medford VFW Hall	100	609-654-9823
Marlton Elks Lodge	100	856-983-3557
Protestant Church Memorial Hall (Lakes)	120	609-654-4220
(Memorial Hall is not available for fundraising activities)		
Lake Pine Colony Clubhouse, Medford	150	856-983-9758
Gibson House Community Center, Evesham	150	856-985-9792
Kings Grant Community Center, Evesham	150	856-983-6080
Medford Methodist Church	150	609-654-8111
Camp Ockanickon main lodge	150	609-654-8225
Medford Lakes Country Club	200	609-654-5108
*Vaughan Community Center	230	609-654-7747
Nokomis Elementary School	250	609-654-0991
Indian Springs Country Club, Evesham	270	856-983-0222
Neeta Secondary School	425	609-654-5155

OUTDOORS

Venue	Capacity	Contact
*Colony Beach One, Three or Four	50	609-654-7747
*Colony Craft Pavilion	50	609-654-7747
Woodford Cedar Run Wildlife Refuge	100	856-983-3329
Flying W Airport pavilion area	220	609-224-1167
JCC Camps, Medford	400+	609-654-5192
Camp Ockanickon/Matollionequay	400+	609-654-8225
Freedom Park, Medford	400+	609-654-2512
Memorial Park, Marlton	400+	856-983-2900
Laurel Acres Park, Mt. Laurel	400+	856-727-0595
Atsion Recreation Center, Shamong	400+	609-268-0444