



**Paulinskill Lake**

*Constitution and By-Laws*  
*of the*  
*Paulinskill Lake Association, Inc.*



Revised September 2018

# Paulinskill Lake Association

Paulinskill Lake is a membership community located in beautiful northwest New Jersey. In the 1920s a dam was constructed across the Paulins Kill River to create a narrow 3-mile long body of water, Paulinskill Lake, which stretches from Hampton Township in the north to Stillwater Township south. The lake and resulting community was constructed in response to the 1914 establishment of Swartswood State Park, to provide seasonal housing and recreation for vacationers from the New York metropolitan area.

Currently, Paulinskill Lake is a primarily year-round residential community of over 500 homes managed by the Paulinskill Lake Homeowners Association. A 1951 article in Philadelphia Magazine titled "Business Man's Summer Retreat" highlighted that "*Paulinskill Lake preserves the natural beauty of Sussex County*". The community continues to embrace this belief today. We are dedicated to providing a safe place to live and play to all our members, while respecting the environment to sustain the natural beauty for future generations.

Management of the Association is governed by the PLA Constitution and By-Laws. This current edition includes all changes, amendments and revisions and is up to date as of the date of publication. Occasionally, other changes are made as needs develop. Such changes which are made subsequent to this publication and prior to the next edition will be posted on our website. We encourage all members to regularly visit our web site not only for changes to the Constitution and By-laws, but for news and information about what is happening in our community. You can sign up anonymously for email notices about changes made on the website.

Our web address is:     [www.paulinskilllake.com](http://www.paulinskilllake.com)

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# **CONSTITUTION OF THE PAULINSKILL LAKE ASSOCIATION**

## ARTICLE I

Section 1: The Association shall be known as the Paulinskill Lake Association, Inc.

## ARTICLE II

Section 1: The purposes for which this Association is organized are:

- A. To provide mutual protection and enforcement of property rights for the common welfare of the general membership of the Paulinskill Lake Community.
- B. To provide for maintenance and operation of any property belonging to the Association.
- C. To promote, sponsor and encourage congenial fellowship among property owners.
- D. To provide an adequate system of administration of the affairs of the community of the Paulinskill Lake development.
- E. To seek necessary improvements from time to time to the best interests of the property owners.
- F. To provide encouragement and maintenance of facilities for recreation, boating, fishing, tennis and other forms of outdoor and indoor sports.
- G. To act on behalf of all members affecting Paulinskill Community or its environs.

## ARTICLE III (Membership)

Section 1: There shall be one class of membership.

Section 2: Members shall consist of persons who are owners of any real property lying within the development known as Paulinskill Lake and have the restrictive covenant, which indicates membership, in their chain of title. The owner(s) of real property is defined as that person(s) or those entities whose name appears on the property deed filed with the County Clerk's office. It shall also include the spouse of a person whose name appears on the property deed. An owner may also be a partnership, an estate, a trust, a LLC, or corporation, etc. In such an instance the entity must provide written notice to the President of the PLA of the names of no more than two individuals who will represent the entity at PLA annual and special meetings.

Section 3: Membership in good standing requires payment of the initial membership fee, satisfaction of any arrears and payment of the dues and appropriate assessments for the current year.

Section 4: A. Each membership in good standing is entitled to a total of 2 votes at any regular or special meeting of the Association.

B. All votes shall be cast in person, proxy voting not being permitted. The prohibition on proxy voting should not be interpreted as to limit a member, whose spouse or partner in membership is not present, from casting their duly authorized 2 votes.

C. Membership in this Association is not assignable or transferable.

#### ARTICLE IV (Board of Trustees)

Section 1: The Association shall be governed by a Board of Trustees. The Board of Trustees shall have full authority to carry out the purposes of the Association.

Section 2: A. The Board of Trustees shall consist of the President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, Financial Secretary and six Trustees, who shall be members in good standing and elected by a majority vote of the members at the regular meeting.

B. At the expiration of the President's term of office that person shall become a member of the Board of Trustees for the ensuing year in addition to the Trustees above enumerated.

Section 3: The Officers shall hold office for two years or until their successors are elected and qualify. Trustees shall be elected, two each year, and hold office for three years.

Section 4: The term of office for Officers and Trustees shall begin on January 1<sup>st</sup> following the meeting at which they were elected.

#### ARTICLE V

Section 1: The Officers of the Association shall be a President, Vice President, Recording Secretary, Corresponding Secretary, Treasurer, and Financial Secretary.

Section 2: Whenever there is a vacancy on the Board of Trustees of the Association, the President shall nominate a qualified member in good standing of the Association to fill the vacancy for the unexpired term. That member shall take office upon confirmation by a majority vote of the Board of Trustees. In case of vacancy in the office of President, the Vice-President shall become President.

#### ARTICLE VI (Election)

Section 1: The election of officers and trustees shall be held at the regular annual meeting.

Section 2: A. The President shall appoint a Nominating Committee at least sixty (60) days before the annual meeting consisting of not less than three members. When two candidates are nominated for any office, the voting shall be by secret ballot. Any election involving more than two candidates will be decided by plurality.

B. Any nominations may be made from the floor at the time of the election for any office to be filled.

C. A member of the Association, who accepts appointment to the Nomination Committee, must be in good standing and shall be ineligible for nomination by that committee, but not disqualified from nomination from the floor.

Section 3: Challenges to votes. Should any member have reason to believe that any vote taken at an annual meeting was defective in such a manner or to such an extent as to render the vote or election invalid, that member shall present to the Board, in writing, a statement of those reasons no more than 10 days after the date of the contested vote. The Board, at its next regular monthly meeting shall consider all evidence and arguments presented on the matter. All interested and effected members shall be given an opportunity to be heard. The Board shall decide to either let the vote stand as recorded or to order a new vote at a special meeting to be called as soon as feasible.

## ARTICLE VII (Amendments)

Section 1: This Constitution may be amended at any regular or special meeting of the Association providing notice of the proposed change and a copy thereof shall be sent to all members of the Association by mail at least ten days before such meeting and shall receive a majority vote of the members present at such meeting.

# **BYLAWS**

## SECTION I - Meetings

1. The annual meeting of the general membership of the Association shall be held on the third Saturday in September at a time and place to be designated by the President of the Association.
2. Special meetings of the Association may be called by the President, or by written request submitted to the Board of trustees and signed by at least twenty members.
3. All meetings shall be held at a place to be designated by the President of the Association.
4. Two (2) weeks notice of the annual or special meetings shall be given to the membership at large by mailing to their last known address by the Corresponding Secretary or the President.
5. The rules contained in Robert's Rules of Order Revised, shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with the Bylaws or the Special Rules of Order of this Association.
6. Unless otherwise authorized by the Board of Trustees, only members in good standing will be admitted to the meetings of the Association.

## SECTION II – Quorum

1. A quorum shall consist of thirty (30) persons who are members in good standing at all regular and special meetings of the Association.
2. The management of the Association shall be determined by a majority vote of all votes cast at meetings of the Association.

## SECTION III – Dues and Assessments

1. The annual dues to be charged shall be determined by the Board of Trustees based upon the revenue requirements of the Annual Budget approved by the membership. Special assessments and the amount to be assessed must be approved by the membership. Dues and special assessments are payable upon receipt of the bill. All members of the Board of Trustees shall be exempt from payment of dues but not from special assessments during their term of office.
2. A. Except as provided in paragraph B below, each member who is the owner of more than one property shall pay dues and assessments in full for each property owned by that member.  
  
B. When a member owns both an improved property and separate unimproved property the member shall not be required to pay additional dues or assessments for the unimproved property, if the owner or owners of the unimproved property are all the same as the owner or owners of the improved property and either;
  - (1) the unimproved property is contiguous to the improved property or;
  - (2) the unimproved property is not contiguous to the improved property but is a non-buildable lot.
3. This Section was deleted by vote in September 2011.

4. The Board of Trustees is specifically authorized to adopt rules and regulations necessary for the administration, implementation, and enforcement of the above provisions regarding dues and assessments, and also shall determine the dates and the procedure by which dues and assessments are payable.

A. The annual billing date shall be January 1<sup>st</sup>.

B. Interest and service charges shall be imposed on accounts which have any unpaid balances remaining after April 1<sup>st</sup>. Interest shall accrue at the rate of 1% per month (12% per year) on the outstanding balance. A service charge per month shall apply to any delinquent account. The purpose of the charge is to cover administrative and mailing costs. The interest rate as well as the service charge may be amended from time to time as approved by the Board of Trustees.

C. The Financial Secretary shall report to the Board in January after each year the names and amounts due of all members who are not in good standing. The Board shall direct the type of appropriate action to be taken by the Financial Secretary to include all past due amounts. Such actions may include, but are not limited to, mailing of monthly billing statements, withholding of membership privileges, and referral to the Association attorney for legal action such as collection demand letters, lien filing and lien foreclosures.

Any previous taken actions, including but not limited to, filing liens, initiating lawsuits to collect debts, or similar proceedings are hereby ratified and approved. Approval of this by law amendment(s) shall not void or effect any prior actions taken to collect any outstanding debts.

(1) The Board of Trustees is authorized and empowered to negotiate with delinquent members and permit reinstatement of such members upon payment of less than the total monies due.

D. A member who is not in good standing shall be responsible for any and all collection and/or legal fees incurred as a result of said delinquency, including but not limited to the cost for preparing, filing and discharging a lien.

(1) In addition to termination of membership upon transfer of a property interest by a member, membership privileges may be suspended upon substantial violation of the By-Laws or the Association's Rules and Regulations that remain unabated. In the event a member is delinquent in payment of any amount owed to the Association, their membership privileges shall automatically be suspended and they shall be considered a member not in good standing. Membership privileges shall include the ability to use the lake, the beaches, playgrounds and any other facility owned or controlled by the Association. Suspension of membership privileges shall continue until such time as the member cures any violations of the ByLaws or the Association's Rules and Regulations, including, but not limited to, payment of any outstanding sums owed to the Association.

(2) A member may not waive or otherwise avoid liability for dues, assessments and/or other charges by non-use of any of the Association's facilities. Any dues, assessments and other charges shall be a continuing lien upon the property against which it was made and shall be the joint and several personal obligations of the owner at the time when it became due and of each subsequent owner, together with interest, service charges, collection and attorneys fees and costs. The lien for the outstanding dues, assessments and other charges may be foreclosed by suit brought in the name of the Association in the same manner as a mortgage foreclosure on real property. A suit to recover a money judgment for unpaid assessments may be maintained without waiving the lien.

(3) In the event a property owner transfers an interest in the property, either voluntarily or involuntarily, while the member's membership privileges are suspended for any reason, any

outstanding dues, assessments and other charges, including but not limited to attorneys fees or collection costs owed to the Association must be paid with interest and costs including those owed by a prior property owner, prior to being granted membership privileges. This provision applies regardless whether or not a prior property owner's interest in the property was terminated by bankruptcy, foreclosure or for any other reason.

- (4) In the event that any payment made to the Association is returned by the Association's bank for any reason, including but not limited to the payment being drawn on an account with insufficient funds, a charge as determined by the Board of Trustees shall be added to the member's account.
- (5) The financial books and records of the Association shall be reviewed by an independent accountant on an annual basis and a report of same shall be presented to the membership at the annual meeting.
- (6) Each new member to the Association shall be assessed an Initial Membership Fee/Capital Assessment.
  - (a) The amount of the IMF/ Capital Assessment shall be determined annually by the Board.

#### SECTION IV – Membership

1. Subject to the restrictions in Article III of the Constitution, a membership identification card signed by the Treasurer and badges shall be issued to each member in good standing.
  - A. Additional badges will be available, at a rate determined by the cost of the badges, for member's immediate family 12 years old and over who are residing in the household.
  - B. A member who rents their property may assign to their tenants the rights and privileges of membership to the tenant and to the tenants household family members. The tenant may use the badges of the member but the tenant and the member may not both be entitled to use of the badges. The tenant shall not be eligible to attend member meetings, hold office, nor vote.
2. Subject to the restrictions in Paragraph I of this section, members in good standing shall be permitted to obtain guest badges for persons 12 years of age and over to entitle such persons to the use of the Association property when accompanied by a member or family member. A limit of 6 guest badges may be obtained from the Association; the price per badge to be determined annually based on the cost of the badges.
  - A. A member of the Association who is not in good standing, members of their families, or their renters are not permitted to use the facilities as a guest of another member.
  - B. Larger groups would require special approval of either the Sports & Recreation chairperson or the Financial Secretary.
3. A member shall be responsible to the Association for the acts and conduct of his household and guests.
4. Children under 12 years of age shall be entitled to use the Association property when accompanied by a member, family member of child care provider.
5. Should the President receive a report of misconduct by a member, family member, guest or tenant, (s)he may resolve the complaint with the member; or refer the matter to the appropriate authorities; or may refer the matter to a committee of no less than three or more than five members. The committee shall investigate the complaint and interview appropriate persons. The committee shall report back to

the President with recommendations for an appropriate resolution of the matter. In serious or repetitive instances, membership privileges of a member may be suspended by a majority vote of the Board of Trustees. Any such suspended member who feels he is aggrieved by such action by the Board of Trustees may, at the next regular meeting of the Association, appeal to the membership at large to reconsider the action of the Board of Trustees and the majority vote of the members at such meeting shall be final.

#### SECTION V – Duties of Officers

1. **President:** The President shall preside at all meetings of the Association and the Board of Trustees and enforce all rules and regulations of the Association. He shall perform all such duties as shall be imposed upon him by resolution of the Board of Trustees, and the members assembled in general meeting. He shall be authorized to co-sign approved financial transactions whenever required. He shall be bonded in an amount determined by the Board of Trustees, the cost to be paid by the Association.
2. **Vice-President:** The Vice-President shall perform such duties as may be assigned to him from time to time by the President, and shall take an active part in the general affairs of the Association. In the absence of the President, the Vice-President shall perform his duties. He shall be authorized to co-sign approved financial transactions in the absence of the President or as the Board of Trustees may direct. He shall be bonded in an amount to be determined by the Board of Trustees, the cost to be paid by the Association.
3. **Recording Secretary:** The Recording Secretary shall keep the minutes and other official reports of the Association. He shall keep all records, books, documents, and papers relating to the Association at such place as may be designated by the Board of Trustees. He shall perform such other duties as may be assigned him by the Board of Trustees.
- 3A. **Corresponding Secretary:** The Corresponding Secretary shall conduct the official correspondence of the Association. He shall send out notices for all meetings. He shall include a copy of the Nominating Committee's proposed slate of Officers and Trustees and a copy of the proposed budget when sending out the notice of the Annual meeting.
4. **Treasurer:** The Treasurer shall keep accounts and transmit all monies received by him to the Financial Secretary for deposit in the name of the Association in such depository as shall be designated by the Board of Trustees. He shall render his account to the Board of Trustees at each meeting and at such times as the Board may direct. The Treasurer of the Association shall be bonded in an amount determined by the Board of Trustees, the cost to be paid by the Association. He shall be authorized to co-sign financial transactions whenever required.
- 4A. **Financial Secretary:** The Financial Secretary shall send out statements of payment due and record monies received in the name of the Association and adjust accordingly. He shall make deposits in the name of the Association in such depository as shall be designated by the Board of Trustees. He shall report such deposits to the Treasurer one week prior to the monthly meeting of the Board of Trustees. He shall be bonded in the amount to be determined by the Board of Trustees, the cost to be paid by the Association. He shall keep an updated file of the members and their standing in the Association.
5. **Board of Trustees:** The Board of Trustees shall schedule monthly meetings for the entire year at the January monthly meeting. The meeting shall be held at such place as the President may designate, unless the Board of Trustees deem that such meetings are not necessary. Notice of such meetings shall be given by the Corresponding Secretary to each Board of Trustee member and published in the PLA Newsletter.

A. For just cause, such as, but not limited to:

- (1) Violation of the By-laws or rules of the Association
- (2) Neglect of duties or responsibilities
- (3) Failure to attend meetings of the Board of Trustees

Any member of the Board of Trustees may be removed from office by passage of a resolution stating such cause; said resolution shall be publicly discussed at a regular meeting of the Board of Trustees where the Trustee against whom the resolution shall be drawn have ample opportunity to be heard, with a two-thirds (2/3) majority of the Board of Trustees (the entire Board, not just those present) required to adopt the resolution and lack thereof shall cause rejection of the resolution..

6. **Legal Counsel:** The President, subject to confirmation by a majority vote of the Board of Trustees, shall appoint an attorney of the State of New Jersey to act as Legal Counsel of the Association, to serve at the pleasure of the Board of Trustees and at such compensation as the Board of Trustees shall determine.

#### SECTION VI – Committees

1. The President shall appoint the Chairman of the following Administrative and Standing Committees: Membership, Beaches, Roads, Entertainment, Civic Improvement, Sports and Recreation, Rules, Nominating, Buildings and Grounds, Finance, Environment and Master Plan.
2. Each Committee Chairman shall prepare and present to the Board of Trustees on or before July 1, each year, a budget setting forth in detail the expenditures such chairmen deem necessary to carry on the affairs of the Committee for the coming year.
3. Each Committee shall present, at the Annual Meeting in September, a report of the Committee's activities throughout the year, and an accounting of its expenditures.

#### SECTION VII - Duties of Committees

1. **MEMBERSHIP:** The membership committee shall present the names of new members to the Board of Trustees, and forward pertinent information to the Financial Secretary and Corresponding Secretary. They shall supply to each new member the Constitution and By-laws, and rules of the Association.
2. **BEACHES:** The Beach Committee shall implement the lifeguard program and shall purchase and maintain all water-safety equipment. They shall provide a program to encourage swimming lessons, activities and competition.
3. **ROADS:** The Road Committee will act on behalf of the Association as instructed by the Board of Trustees.
4. **ENTERTAINMENT:** The Entertainment Committee will provide entertainment for the adult members of the Association and their guests, and be responsible to the Board of Trustees for any equipment owned by the Association and used for adult entertainment.
5. **CIVIC IMPROVEMENT:** The Civic Improvement Committee shall act as a liaison between the Paulinskill Lake Association and the Township of Stillwater and Hampton in all matters concerning the welfare of the membership. They shall serve as a central agency for the community in resolving problems of health, hazards and nuisances.
6. **SPORTS AND RECREATION:** The Sports and Recreation Committee shall provide sport features such as ball games, tennis tournaments, as well as other forms and kinds of sports, for the enjoyment

of the members and guest of the Association. The Sports and Recreation Committee shall be held responsible to the Board of Trustees for all sports and athletic goods owned by the Association.

7. **RULES:** The Rules Committee shall formulate and interpret all rules and regulations for the administration of the Association, and, after having the approval of the Board of Trustees, shall prepare such rules to be mailed to the membership. The Rules Committee will make recommendations to amend the Constitution and By-laws when instructed to do so by the Board of Trustees or the membership,
8. **NOMINATING:** The Nominating Committee shall receive the names of members in good standing who desire to be candidates for elected office. In the absence of a candidate, the committee shall endeavor to present at least one candidate for each office. The list of all nominees will be sent to the Corresponding Secretary thirty days prior to the Annual meeting.
9. **BUILDINGS AND GROUNDS:** The Buildings and Grounds committee will be charged with the supervision of the construction of new or improvement of existing facilities. This committee will provide for general maintenance of equipment, buildings, and real property, including waterfront owned by the Paulinskill Lake Association, and keep an inventory of such equipment.
10. **FINANCE:** The Finance Committee shall prepare the proposed budget for presentation at the Annual Meeting. They shall issue and record all badges and other forms of membership identification needed, and keep an updated file of members and their standing in the Association. This committee shall make an annual report to the Board of Trustees of the whereabouts of Paulinskill Lake Association deeds, agreements and insurance policies.
11. **ENVIRONMENT:** The Environmental Committee shall be concerned with the preservation and improvement of the natural resources of the Paulinskill Lake Community. They shall provide for testing of the waters of the Paulinskill Lake sufficient to insure the safety of the recreational activities. They shall act as a liaison between the Paulinskill Lake Association and other municipal and civic groups concerned with the quality of our environment.
12. **MASTER PLAN:** The Master Plan Committee shall develop and design plans for the future use and deployment of the Association's physical resources, including but not limited to the maintenance and updating of all matters dealt with in the original 1974 Master Plan. Their paramount concern shall be deliberations on how all parcels of Association property can best be utilized to best serve the needs of the total community. Concomitant with Board and Membership approval of proposed additions and changes to the Master Plan, this committee shall, in an on-going manner, present the Board of Trustees with a prioritized list of recommended developmental projects.

#### SECTION VIII - Property

1. Any proposal to purchase real property for the benefit of the Association or to sell real property belonging to the Association shall be presented first to the Board of Trustees.
2. If the proposal is endorsed by a vote of two-thirds of the full Board it shall be presented to the general membership for approval.
3. No less than 14 days prior to a regular or special meeting of the membership, the President shall send, by mail, notice, with all details of the proposal, to all members of the Association.
4. A majority vote of all votes cast at the meeting will be required to approve the proposal.
5. Any sale of real property belonging to the Association shall be at not less than fair market value as determined by an independent real estate appraiser.

## SECTION IX - Order of Business

1. At all meetings, the order of business shall be:
  - A. Minutes of previous meeting
  - B. Reports of Officers, Committees, and Board of Trustees
  - C. Old Business
  - D. New Business
  - E. Election of Officers and/or Trustees

## SECTION X - Amendments to the By-laws

1. These By-laws may be amended at any regular or special meeting of the Association providing notice of the proposed change and a copy thereof shall be sent to all members of the Association, by mail, at least two weeks before such meeting, and shall receive a majority of the votes cast at such meeting.

## SECTION XI - Budget and Expenditures

1. An annual budget, prepared by the Finance Committee, shall be presented to the membership for approval at the annual meeting.
  - A. The fiscal year of the Association shall run from January 1 to December 31.
  - B. The membership shall receive a written copy of the proposed budget with their meeting notification.
  - C. The budget cannot be increased or new items added to the budget from the floor by the membership. Recommended changes to the budget must be approved by the Finance Committee and written notification must be sent to members of such changes.
  - D. Budgetary line item(s) can be designated as "Budgeted Funds." Monies in this (These) "Budgeted Funds" at the end of the Fiscal year will be transferred to an existing or new Reserve Fund(s) of the same name for expenditure in a fiscal year.
    - (1) The Treasurer shall designate appropriate trustees to administer the budgetary expenditures and shall designate their budgetary areas of jurisdiction.
    - (2) An operating surplus/deficit at the end of a fiscal year shall be applied against a balance sheet account designated as Shared Reserve. No current year budgeted revenues or Shared Reserve monies may be expended for any non-budgeted item.
    - (3) All funds, including the Initial Membership Fee/Capital Assessment Fund, shall be kept and accounted for separately from the Shared Reserve.
  - E. Written notice must be sent to the membership advising of proposed expenditure of all Funds.
  - F. Funds may be expended only upon majority approval of the membership at any meeting.
  - G. In the case of over expenditures of snowplowing, funds may be expended at the discretion of the board.

## **RULES GOVERNING USE OF RECREATIONAL FACILITIES**

1. These rules apply to the use of all recreational facilities and properties owned and/or operated by the Paulinskill Lake Association (PLA) including, but not limited to, the lake, streams, beaches, boat ramps, boat docks, tennis courts, ball fields, basketball courts, playgrounds, picnic areas, fields, parking areas, roads and rights of way.
2. General Rules
  - A. The use of all facilities is restricted to members and their guests and to such others who may be granted special permits by the PLA Board of Trustees. All persons age 12 or over must wear a badge which is plainly visible at all times when using PLA recreational facilities.
    - (1) Badges shall not be required for persons participating in group activities granted special use permits by the PLA Board of Trustees.
    - (2) Children who are age 10 or over who pass a swimming test administered by the Head Lifeguard may be issued a badge entitling them to use the facilities without being accompanied by an adult.
  - B. The use of all facilities is prohibited during the hours of sundown to sunrise except with the authorization of the PLA Board of Trustees.
  - C. Glass containers and alcoholic beverages are not permitted on PLA property at any time except with the authorization of the PLA Board of Trustees.
  - D. Dogs are not permitted at any time on the beaches, playgrounds or ballfields.
  - E. All motorized vehicles and vessels must be properly registered and all operators must be properly licensed. All motorized vehicles are restricted to the roads and parking areas and are not permitted at any time on the beaches, playgrounds, ballfields or the earthen dam and the field below the dam. The use of "all terrain vehicles" (ATV's) is strictly prohibited from use on PLA property.
  - F. Littering and the dumping of construction debris, brush, or any other type of garbage, refuse, or trash on PLA property is strictly prohibited. Recycling rules are to be observed. Cans and other trash are to be deposited in appropriate receptacles. Where receptacles are not available, users of the facilities are to take their trash with them when they leave the area. Smokers are reminded that cigarette filters are not biodegradable and are asked to dispose of their butts in the proper manner.
  - G. It is the policy of the PLA Board of Trustees to Prosecute to the full extent possible, anyone who vandalizes, mars, defaces, damages, degrades, or destroys any property of the PLA. Members are responsible for the acts of their children and of their guests.
3. Scheduling of Activities
  - A. The scheduling of activities using the facilities of the PLA shall be the responsibility of the chairperson of the Sports and Recreation committee or other individual designated by the President of the PLA.
  - B. Scheduled activities take priority over non-scheduled activities.
    - (1) PLA Board of Trustees sponsored activities have first priority.

- (2) PLA affiliated groups have second priority. Affiliated groups are those which are closely identified with the PLA community. Membership is open to all PLA members and the majority of the group's members are also PLA members. An example of an affiliated group is the Paulinskill Ski and Boat Club.
- (3) Non-affiliated groups requesting authorization to use PLA facilities must submit their request in writing stating all pertinent details of their request. (Dates, times, type of use, expected number of participants, etc.) These groups must place a copy of their certificate of liability insurance on file with the PLA Board. Minimum liability coverage shall be \$1,000,000. The Board may charge a fee which is fair and reasonable to cover the cost of garbage removal and maintenance of the facility. The Board may also require a security deposit to cover the cost of possible damage which may be returned after the completion of the scheduled activity.
- (4) Members may request special group use permits for such affairs as family reunions, birthday parties, etc. when the number of guests exceeds six. Such permits may not exclude other members from the right to use the facilities during the same time. The Board may impose a fee to cover additional costs for garbage removal or extra lifeguards if it deems it necessary.

#### 4. Beach Rules

- A. The lifeguards are responsible for the safety and peaceful enjoyment of the facility by all beachgoers. Their instructions are to be followed at all times.
  - (1) All beaches are for use only by PLA Community members in good standing, their guests, their renters, all in possession of the appropriate badges. These badges help ensure that the grounds are safer and more secure, while reducing potential liabilities.
  - (2) Lifeguards are provided by the PLA as a courtesy to this community and are authorized to check for badges and to maintain control & supervision of specifically designated "Safe Swim Areas". All swimmers are expected to use the facilities safely and responsibly.
  - (3) "Safe Swim Areas" of each beach are clearly defined and roped off. Activities in these areas are the first and foremost priority of the Lifeguards on duty. Activities outside the roped areas are a secondary priority.
  - (4) "Swimming in Paulinskill Lake is done at the swimmers own risk". This includes, but is not limited to, activities within our "Safe Swim Areas" or outside these areas. It includes, but, is not limited to, swimming from off-shore docks, boats, from members' property or the beach areas outside Beach Hours.
- B. Children under the age of 12, except those with special badges issued under 2A(2) above, must be accompanied by a member, family member, or age appropriate care provider. Children are to be supervised at all times.
- C. All swimmers are required to stay within the limits of their ability and should not rely on flotation devices in deep water for their personal safety.
- D. Diving off the back of the rafts, swimming under the rafts, or swimming outside the ropes is not permitted. There is to be no pushing, dunking or rough play on the rafts, in the water, or along the shoreline.
- E. Courtesy and consideration for others is the golden rule for all beachgoers. Thus, ball playing should be restricted to areas not disturbing to others. Radios and cassette players shall be kept at a volume low enough not to disturb anyone else.

- F. Beach telephones are for use by lifeguards in case of emergency. Members should not ask to use them for personal calls.
- G. The use of PLA facilities for swimming lessons, tennis lessons, arts and crafts, and other PLA sponsored, staff supported, children's activities is limited to children residing in the household of PLA members in good standing. Children, grandchildren, siblings, nieces or nephews who may not reside with the member may be permitted to participate, as space permits, at the discretion of the activity chairperson. The Board may impose fees for certain activities for the aforementioned non-resident participants.

5. Boat Launching Rules

- A. The launching of boats is permitted only from the boat ramp located at Beach #2 on South Shore Terrace. All boats must be registered with the PLA. Ramp key or lock combination will be issued to members in good standing who have registered their boat.
- B. Boat trailers may not be parked in the beach #2 lot during hours when the beach is lifeguarded. Trailers may be parked at the ball field parking lot.

6. Rules governing size, type, and operation of boats.

The following rules shall apply to all members boats registered to operate on Paulinskill Lake and to all property owned by the PLA and its members ("Lake Property") and shall take effect December 8, 2009. Only boats registered in the name of the member, or of an immediate family member residing in the same primary residence as the member, are permitted. Registered campers at the Windy Acres campground shall be permitted to register boats under these same rules.

- A. The regulations contained in Paragraph 2 shall not apply to watercraft purchased and registered with the PLA prior to December 8, 2009. The exemption contained in this paragraph shall expire upon the earlier of the sale or transfer of the watercraft in question, or upon the member's sale or transfer of the member's lake property.
- B. No motorized boat or power vessel shall exceed a length of 17 feet 10 inches. The length of the vessel shall be determined by the length for said vessel that appears on the state boat registration certificate, certificate of title, or certificate of origin issued by the manufacturer.

The following exceptions apply:

- (1) Any motorized boat or power vessel classified as a pontoon boat or patio boat shall not exceed 20 ft 10 inches in length and is restricted to twin or two pontoon configurations. Pontoon boats with more than two pontoons are expressly prohibited. The length of the vessel shall be determined by the length for said vessel that appears on the state boat registration certificate, certificate of title, or certificate of origin issued by the manufacturer.
  - (2) Custom built or home built motorized rafts may not exceed 8 feet zero inches in width and 16 feet zero inches in length.
  - (3) Sailboats shall not exceed 18 feet zero inches in length and are restricted to center board or catamaran types.
- C. Outboard and inboard motors may not exceed the maximum manufacturer's rated horsepower for the vessel. If the vessel carries no rating plate, or if the vessel is not rated, the US Coast Guard Formula will be used to determine maximum horsepower allowed for the vessel.

- (1) Motorized boats or power vessels are prohibited from having through the transom above water exhausts, or over the transom above water exhausts.
- (2) Watercraft shall not be other than the OPEN type. Others; cabin cruisers, cuddy cabins, or that which contains living quarters, heads, or waste lines are prohibited.
- (3) Personal water craft, including without limitation jet skis, jet boats etc. are not permitted on Paulinskill Lake and shall not be launched from or operated upon any lake property.
- (4) No person shall operate a watercraft at a speed that raises a wake, and in any case not in excess of 5 MPH, in the area starting at a point 200 feet northeast of Beach #2 and continuing southwest to the Paulinskill Lake dam.
- (5) From May 15th through September 15th motorized boats or power vessels shall not exceed a speed of 45 MPH anywhere on the lake.
- (6) Motorized boats or power vessels shall operate at a speed that does not raise a wake, and in any case shall not exceed 5 MPH, within 50 feet of any shore.
- (7) All watercraft operating in the area of the water ski course during permitted water skiing hours, which are not engaged in water skiing, shall stay as far right as possible. No watercraft shall anchor nor drift in the area of the water ski course during permitted water skiing hours.
- (8) The use of gasoline powered boat engines is not allowed in the NJ Fish and Game Wildlife Management Area above the Newton Swartswood Road bridge. Electric motors only are allowed. Effective January 1, 1996.

These rules were amended by the PLA Board of Trustees December 8, 2009.

### **NEW JERSEY BOATING LAW EXCERPTS**

The following is part of the laws governing boating in the State of NJ and is placed here for your convenience. It is excerpted from the "New Jersey State Police Boating Safety" manual dated Fourth Revision January 1988. Copies are available from the NJ State Police Marine Law Enforcement Bureau Stations located throughout the state.

#### **Water Skiing on Paulinskill Lake**

Water skiing on Paulinskill Lake is governed by a set of regulations that are part of the New Jersey Administrative Code (N.J.A.C. 13:82-3.6).

Please note that in the State of NJ water skiing is defined by law as follows:

*The term, water skiing, shall be defined as anything with a rider being towed behind a powered vessel by means of a tow rope or line except another vessel.*

#### **N.J.A.C. 13:82-3.6: Regulations for Water Skiing on Paulinskill Lake**

- (a) Water-skiing shall be permitted on Paulinskill Lake only within the designated ski course as described below.
  1. The skiing course shall commence at a point approximately 2000 feet northeast of Beach No. 2 and run in a northeasterly direction on a line established in the center of the lake, to a point at the northeastern end of the Paulinskill Lake Association tract (said point is also known and designated as the southwestern end of Windy Acres campground tract): thence turn 180 degrees and run in a southwesterly direction along the center of the lake to the finish point

which shall be approximately the same point as the starting area designated as 2000 feet northeast of Beach No. 2

2. The ski course described in (a)1 above, including the start, stop, and turning areas will be identified by marker buoys.
  - (b) Skiing hours are designated as follows:  
Weekdays - 10:00 am to Sunset  
Saturdays, Sundays, and Holidays - 12 noon to sunset
  - (c) Skiers shall begin the course at the designated start area and continue on the right hand side of the center line in a counterclockwise direction. (d) Turning shall be permitted only in the designated areas except when retrieving a fallen skier.
  - (d) A boat with skier just starting the course shall yield the right of way to a boat and skier turning to repeat the course.
  - (e) A boat with skier may continue around the ski course as many times as desired, turning in the designated areas.
  - (f) When more than one boat is on the ski course at the same time, each boat shall maintain a distance of at least 1000 feet between it and the boat in front of it.
  - (g) No boat shall pass a boat with a fallen skier unless signaled to do so by an occupant of that boat.
  - (h) Skiers shall comply with N.J.A.C. 13:82 and with all other applicable boating regulations.

### **Safe Operation and Speed**

The speed of all power vessels shall be regulated **at all times** in order to avoid injury to any craft, whether in motion or anchored to any type of construction, either directly or by the effect of the wash or wake raised due to speed of such vessel.

The operator of a vessel is **responsible for any damage** caused by the wake of his vessel.

#### ***Interpretation for Paulinskill Lake:***

Because Paulinskill lake is so narrow and shallow, extra care must be taken in regard to the wake raised by a boat. Slow speed operation of a boat at speeds of approximately 5 MPH to 18 MPH will generally raise a **large wake** which can be **very dangerous** to persons and property.

At speeds below 5 MPH, or above 18 MPH the wake is substantially smaller. As a guide, if the bow of the boat is raised at an angle towards the sky, the boat is traveling at a speed which is creating a **potentially dangerous wake**. Speed up or slow down to reduce the size of the wake.

**Large wakes** are a substantial **contributor** to the lake silting up. **Large wakes** cause sand, sediment, and other material in the shallow areas at the shore to be washed into the deep parts in the middle of the lake. **Speed up or Slow down to reduce the size of the wake!!**

**Negligent Operation** No person shall operate any motorboat, or any vessel, in a reckless or negligent manner so as to endanger the life, limb, or property of any person.

**Operating Under the Influence** No person shall operate a vessel while under the influence of intoxicating liquor, a narcotic, hallucinogenic, or habit-producing drug, or with a blood alcohol concentration of 0.10% by weight of alcohol. No person shall permit another who is under the influence of intoxicating liquor, a narcotic, hallucinogenic or habit-forming drug or has a blood alcohol concentration of 0.10% by weight of alcohol to operate any vessel owned by the person or in his custody or control.

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