
*Knollwood Beach Association
Charter*

CHARTER, as amended, OF THE KNOLLWOOD BEACH ASSOCIATION Being Special Act. No. 478 of 1929 as amended by Special Acts in 1931, 1947, and 1951.

SECTION 1.

The owners of record of land within the limits hereinafter specified in the locality known as Knollwood Beach and Knollwood West in the town of Old Saybrook, shall be, while they shall continue to be owners of such land, a body politic and corporate under the name of The Knollwood Beach Association, and they and their successors shall be a corporation in law with all the privileges set forth in section 3421 of the general statutes, and the rights, powers, privileges and duties hereinafter set forth.

SEC. 2.

The object of this association is to provide for the improvement of the land in said territory and for the health, comfort, protection and convenience of persons living therein.

SEC. 3.

The limits and territory of said The Knollwood Beach Association are defined and established as follows: Beginning at a point in the center line of Maple Avenue where the northerly boundary line of the lands of Elva A. Simpson and Joseph F. Cosulich, known as "Knollwood West Club Property" extended westerly intersects said center line of Maple Avenue thence running easterly along said northerly boundary line through the westerly boundary line of other lands of said Elva A. Simpson and Joseph F. Cosulich, known as the "Knollwood Beach Club property"; thence northerly following said westerly boundary line to Beeman's Creek; thence easterly along Beeman's Creek and South Cover following the northerly boundary line of said lands of said Simpson and Cosulich known as the "Knollwood Beach Club Property" to a ditch which is the easterly boundary line of said lands of Simpson and Cosulich; thence southerly following the easterly boundary line of said lands of Simpson and Cosulich crossing the highway known as Maple Avenue to the low water mark of Long Island Sound; thence running westerly following the low water mark of Long Island Sound to a point on said low water mark opposite the easterly line of lot number two hundred and ten as shown on the plan of Cornfield Point Beach Club Property; thence northerly following the east line of said lot number two hundred and ten to the center line of said Maple Avenue; thence westerly and northerly following said center line of Maple Avenue to the point of place of beginning.

SEC. 4.

Every member of the association of the age of twenty-one years or over, not otherwise prohibited by law from voting, so long as he shall continue to own real estate in said territory, shall be entitled to vote at any meeting of said association, and shall be eligible to any office therein.

SEC. 5.

Said association may sue and be sued, and plead and be impleaded, own, hold and convey any estate, real or personal, and shall have a common seal with the privilege of altering it at pleasure/ may provide through by-laws, ordinance or otherwise, for the extinguishment of fires, oiling, sprinkling, care, repair and lighting of streets; laying of sidewalks and crosswalks; erection and maintenance of docks, break-waters, retaining walls and bridges; dredging of harbors and creeks; care of beaches and waterfronts; maintenance of corporate property; regulation of peddling, as provided for towns under

section 422 of the general statutes; regulation of entertainments, concerts and celebrations; collection and disposal of garbage, refuse and ashes; abatement and prevention of every kind of nuisance and public annoyance; prevention and regulation of the carrying on within the limits of said association of any business prejudicial to public health or dangerous to or constituting an unreasonable annoyance to those living or owning property in the vicinity thereof; regulation of the erection of all lamp posts, telegraph, telephone and electric light posts, and the wires and fixtures thereof; regulation of the planning, removal, protection and preservation of trees in the streets, keeping the streets and all public places within the limits of said association quiet and free from all due noise; prevention and abatement of every kind of nuisance and public annoyance; regulation of the use and construction of cesspools, drains, sewers and privies and the place and method of discharge of the same; prevention of assemblages of persons on the sidewalks to the obstruction, hindrance or annoyance of the public; location and maintenance of wells, cisterns or water works for use in case of fire or for domestic use; regulation of the discharge of firearms in said territory, regulation of the running of animals at large; regulation of the place and length of time for the parking of vehicles and regulation and prevention of the use of pig pens and the deposit of rubbish within the limits of the association; and may also prescribe fines and penalties for a violation of any such by-laws, ordinances or regulations not exceeding fifty dollars for any one offense and the penalties may be recovered in any proper action brought for that purpose in the name of The Knollwood Beach Association before any court having jurisdiction for the use and benefit of said association; and any violation of any such by-law or ordinance imposing a fine may be prosecuted by any grand juror in the Town of Old Saybrook.

SEC. 6.

The first meeting of the members of said association shall be held within thirty days after the approval of this act, at such time and place within the limits of said the Knollwood Beach Association, as the following persons or a majority of them shall appoint: Charles W. Riley, Charles F. Jones, Charles Poehnert, Elva A. Simpson, Peter Collins and Joseph F. Cosulich. Said meeting shall be held for the purpose of electing an executive board to consist of twelve members of The Knollwood Beach Association; four of whom shall hold office until the first Monday after the first Saturday of June, 1930; four until the first Monday after the first Saturday of June, 1931; four until the first Monday after the first Saturday of June, 1932. Four members of said board shall be elected at the annual meeting held in each year beginning in the year 1930 for the term of three years from the first Monday of June following their election, and until their successors shall be elected and shall have qualified. In the event that the date fixed for the holding of the annual meeting of the association shall be changed after the year 1930, the members of said board shall be elected for a term of three years from the day of their election, and until their successors shall be elected and shall have qualified.

SEC. 7.

Notices of the time and place appointed for said first meeting shall be signed by at least four persons named in section six hereof, and shall be sent by mail to each member of the association at least five days before the time appointed for said meeting. Said executive board shall be elected by a plurality of the ballots cast at said meeting and the polls for the reception of said ballots shall be open from two o'clock p.m. until three o'clock p.m. on said day.

SEC. 8.

The annual meeting of the Association shall be held on the fourth Saturday of June in each year at two o'clock in the afternoon. Not less than six members of Association shall constitute a quorum at a regular or special meeting.

SEC. 9.

Notices of the annual and or all special meetings of the association shall be signed by the president or by the vice president or by two other members of the executive board, and may be given by mail or personally. In case they are given by mail, written notice of the time and place of such meetings shall be sent at least five days before the time appointed, by letter mailed in Middlesex County, and addressed to each member of said association, at his legal residence, or if he shall be at the time dwelling within the limits of said territory, at such dwelling. Personal notice may be given by leaving with such member a written notice of such time and place of meeting, at least five days before the time appointed.

SEC. 10.

The executive board shall hold its first regular meeting in each year at six o'clock, p.m., eastern standard time, on the evening of the day of the annual meeting of the association. Said board shall elect, by ballot, from its members, a president, vice president, treasurer and clerk, who shall hold office for one year from the day of their election, and until their successors shall be duly elected and shall have qualified, and they shall also be president, vice president, treasurer and clerk of the association. In case of a vacancy in any office it may be filled, for the unexpired portion of the term, by a majority vote of the remainder of the executive board. Special meetings of the executive board may be held and warned in such manner as the by-laws may prescribe, provided notice of any special meeting shall specify the object or objects for which such meeting is called. The duties of each of these officers shall be defined by the by-laws of said association. Such president or clerk, on the signed written request of any four members of said board, shall call a meeting of said board. Notices of such meeting shall be given by leaving with, or at the usual place of abode of each member, a written notice, signed by such president or clerk, specifying the time and place of such meeting, or by sending such notices by mail at least twenty-four hours before such meeting. A majority of said executive board shall constitute a quorum at any meeting thereof.

SEC. 11.

The executive board shall have the care, custody, and management of all funds and property of the association and, when assembled according to law, shall have power to make regulations for the management and control of such property and its transfer and conveyance; to make regulations concerning the time and place of meetings of said executive board and of said association so far as they are not inconsistent with any of the special provisions of this act; to regulate the method of assessment and collection of taxes for association purposes; and to prescribe the duties and compensation of all officers and employees of the association. The president, vice president, clerk and treasurer shall serve without compensation, except that they shall receive their actual expenses.

SEC. 12.

Said executive board shall possess power, when so legally assembled, to make, alter, amend, repeal and enforce by-laws, regulations and ordinances as they shall deem suitable, not inconsistent with this act or contrary to the laws of this state or to the United States, to accomplish the objects specified in section two and section five of this act.

SEC. 13.

Any person who may be aggrieved by any order of the executive board making any assessment of benefits or damages, or requiring the construction of any sidewalk, curb or gutter, or the payment of any part of the expense thereof, may appeal therefrom in the manner prescribed in sections 475, 476, 477 and 478 of the general statutes revision of 1918, and with like effect.

SEC. 14.

Said executive board shall constitute and be a board of health of said association, and shall have and may exercise, within the limits of said association, all the power given by law to town, city and borough health officers, except in relation to contagious diseases, and shall appoint a health officer, who shall serve without pay and who, under the direction of said health board, shall have and may exercise all power and authority given by law to, and shall discharge all duties imposed by law upon, health officers of towns in this state, except in relation to contagious diseases. Said board of health may make and cause to be executed all orders which it may deem necessary for the promotion of the health of the inhabitants of said association, and may make and cause to be executed all orders which it may deem necessary for such purposes; provided such orders shall not be inconsistent with the law of this state or of the United States; and if any person shall fail to obey any order of said board of health, upon being notified in writing, signed by the health officer, and ordered to remove any filthy, putrid or noxious substances, which shall be injurious to the health or cleanliness of said territory, the board of health may cause the same to be removed at the expense of such person so failing, and for such purpose the members of said board may, personally or by their health officer, or by their duly appointed agent enter upon and into all lands and building in said association, and the expense of such removal may be recovered against such person by any proper action in the name of said association.

SEC. 15.

Said executive board may appoint police officers to act within the limits of said association, who shall have all the powers of constables within said territory, for the purpose of making arrests for violation of law or of the regulations and by-laws of said association, and said executive board may fix the compensation of such police officers.

SEC. 16.

Said executive board shall establish a public sign-post within the limits of said The Knollwood Beach Association and may establish and adopt forms of orders and notices to be used under this act.

SEC. 17.

No by-laws or ordinance shall take effect or be enforced until the same has been posted for at least three days on the public signpost of said association; nor shall any by-law or ordinance take effect until fifteen days after its passage. A certificate of the clerk of said association of the due posting of any by-law or ordinance shall be prima facie evidence of such posting.

SEC. 18.

The clerk of said board shall, on or before the first day of April of each year, prepare an assessment list of all the real estate in said territory, including therein the value of houses and buildings and improvements thereon, placing in the name of each member of the association such lands, buildings and improvements as are assessed to such member on the last assessment list of the town of Old Saybrook at the value at which they stand assessed on such assessment list. Said clerk shall, on or before the first day of April, report such list to the executive board, which shall revise such list, and, if said board shall find that in any particular it does not correspond with the last assessment list of the Town of Old Saybrook, said board shall correct the same, and such list, when so revised and if necessary corrected, shall be adopted by said executive board and shall then be and constitute the assessment list of said the Knollwood Beach Association: Such list shall be so revised and completed and recorded by the clerk in the books of the association, on or before the fifteenth day of April, and shall be open to inspection by any member of to association.

SEC. 19.

Any person claiming to be aggrieved by any such proportional valuation by said board may appeal to the superior court in the manner provided by the general statutes for appeals from boards of relief.

SEC. 20.

Said association, at its annual meeting, or at any special meeting called for that purpose, by a majority vote of those present at such meeting, may lay a tax, for the purposes herein specified, of not exceeding seven mills on the dollar of the total value of said real estate as shown by the assessment list hereinbefore provided for, and shall appoint a collector to collect such tax, and rate bills shall be made out and signed by said board, and warrants may be issued for the collection of money due on such rate bills, pursuant to the provisions of section 1278 of the general statutes.

SEC. 21.

Written notice of the rate of such tax and of the amount apportioned to each member of the association shall be sent by the clerk of the executive board within fifteen days from the laying of such tax, and such tax shall be due and payable within thirty days from the sending of such notice, and, if such tax be not paid when due it shall bear interest at the rate of 18% centum per annum from the date when it was so payable. The collector shall have all the power of collector of town taxes and shall be accountable to the executive board in the same manner as town collectors are accountable to selectmen, and shall pay the taxes as soon as collected to the treasurer of the association. Each such tax shall be a lien upon the property upon which it shall be laid for one year from the time of the laying of such tax, and may be collected by suit in the name of said association, or by foreclosure of such lien. Such lien may be continued by certificate to be recorded in the land records of the Town of Old Saybrook, pursuant to the provisions of section 1308 of the general statutes.

SEC. 22.

No contract which shall involve an expenditure of money in excess of five hundred dollars or more in any year shall be made by the executive board unless the same shall be specially authorized by a vote of the association. The executive board shall not, within any year, make contracts or incur obligations which shall in the aggregate, amount to more than the sum of one thousand dollars, unless the same shall be authorized by a vote of the association; nor is the executive board authorized to borrow money without like authority.

SEC. 23.

The executive board may, by a three-quarters vote of those present at any meeting, abate the taxes in whole or in part assessed as aforesaid, causing a proper entry to be made on its records.

SEC. 24.

This act shall become effective upon its adoption by a majority vote of all those owners of record of land within the limits of said association herein set forth at the first meeting of the association called as provided for in sections six or seven of this act. For the purpose only of adopting this act, each owner of record present at said meeting shall be entitled to cast one vote for each separate lot, plot or parcel of land which he, she or it owns as said lots, plots and parcels are laid out and shown on the map of Knollwood Beach Club property and the map of Knollwood West Club property, which maps are on file in the office of the town clerk of Old Saybrook.

SEC. 25.

To promote and maintain the objects of said association, to secure safety and promote health and the general welfare of the community, to conserve the value of buildings, the

Executive Board may, subject to ratification and approval by majority vote of the members of the Association present at meeting and voting, appoint a Zoning Commission of 5 members which shall have within the territorial limits of said Association the powers and duties conferred and imposed upon zoning commissions by Chapter 43 of the General Statutes of 1949. Said Executive Board may appoint a Zoning Board of Appeals which shall have the powers and duties conferred and imposed upon zoning boards of appeals by said Chapter 43. In the event any by-laws or regulations adopted by the Association shall conflict with any ordinance of the Town of Old Saybrook, the more restrictive ordinance, by-law, or regulation shall prevail. The members of the Zoning Commission and Zoning Board of Appeals must be members of the Association for such term of office as shall be determined by a by-law of the Executive Board which may also make by-laws to regulate their conduct.