



Substitute House Bill No. 5274

Special Act No. 24-3

AN ACT REVISING THE CHARTER OF THE SECRET LAKE ASSOCIATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 8 of number 450 of the special acts of 1931 is amended to read as follows (*Effective from passage*):

The annual meeting of the association shall be held on [the first Saturday of June, in each year, at two o'clock in the afternoon] a date determined by the vote of a simple majority of the attending board members at the May monthly board meeting in each year, regardless of having achieved a quorum for such meeting. In no event shall the annual meeting be set after the second Saturday of June in any year. Notice of such annual meeting shall be sent via regular mail or personally delivered to each board member not less than ten days before the annual meeting date. Special meetings of the association may be held and warned in such a manner as the [by-laws] bylaws may prescribe, provided notice for any special meeting shall specify the object for which such meeting is called. Not less than [twelve] five members of the association shall constitute a quorum for the transaction of business at any regular meeting or special meeting except for the purpose of establishing the next annual meeting date.

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Sec. 2. Section 9 of number 450 of the special acts of 1931 is amended to read as follows (*Effective from passage*):

Notices of the annual meeting and of all special meetings of the association [shall be signed by the president or by the vice president and by two other members of the executive board, and] may be given by mail or personally delivered. [In case they] If such notices are given by mail, [written notice of] such notices shall be in writing and specify the time and place of such meetings, and shall be sent [at least five] not less than ten days before the time appointed [,] by letter mailed in Hartford county and addressed to each member of [said] the association [,] at [his] such member's legal residence, or if [he] such member shall be at the time dwelling within the limits of said territory, at such dwelling. Personal notice may be [given] delivered by leaving with such member a written notice of such time and place of meeting [, at least five] not less than ten days before the time [appointed] of such meeting.

Sec. 3. Section 11 of number 450 of the special acts of 1931 is amended to read as follows (*Effective from passage*):

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] special act 450 of the special acts of 1931, as amended by 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] vice-president, clerk and treasurer shall serve without compensation [,] except that they shall receive reimbursement for their agreed upon actual expenses.

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Sec. 4. Section 18 of number 450 of the special acts of 1931, as amended by number 41 of the special acts of 1949 and section 9 of special act 75-35, is amended to read as follows (*Effective from passage*):

[The clerk of said board shall, on or before the first day of June 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 towns of Avon and Canton, at the value at which they stand assessed on such assessment list, provided, whenever there has been a change in title any property between the first day of October next preceding and the first day of July said property shall be listed in the name of the person then owning it. Said clerk shall, on or before the first day of June, 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 towns of Avon and Canton, except as hereinbefore provided, 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 The Secret Lake Association, Incorporated. 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 July, and shall be open to inspection by any member of the association.]

The association shall have the power, for the purposes of apportioning among all owners of land or other real property the cost or expense of exercising the powers granted by special act 450 of the special acts of 1931, as amended by this act, to lay and collect an annual assessment which may be levied by the directors during the month of July each year, and which shall be an assessment equal as to rate upon all owners of record of any improved lots within said territory on the fifteenth day of June in each year. Unimproved land, including separate

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unimproved lots, shall be assessed equally but at a rate less than the assessment rate for improved lots. Joint owners of the same land shall be considered as one owner for the purposes of such assessment. Such assessments shall be due and payable within thirty days after being billed. The directors shall provide the tax collector of the association a rate book setting forth all necessary information concerning such assessments of the members, and such tax collector shall have the same powers and duties as have tax collectors of the respective towns of Avon and Canton with respect to the collection of taxes. If such assessments and forfeitures are not paid within thirty days after their due date, such assessments shall be then due without demand with interest at the statutory rate applicable for delinquent taxes in the state of Connecticut from their due date. Such unpaid assessments shall constitute a lien without record upon all real estate owned of record by the person upon whom any such assessment was levied within the limits of the territory of the association, and if such unpaid assessment is not paid within one hundred twenty days after such assessment's due date, such real estate may be liened by the tax collector of the association in a manner similar to that provided by law for tax liens upon real estate, and any such lien shall have precedence over all other liens except those for state and town taxes.

Sec. 5. Section 20 of number 450 of the special acts of 1931, as amended by section 10 of special act 75-35, is amended to read as follows (*Effective from passage*):

[Said] The association, at its annual meeting or at any special meeting called for [that] the purpose set forth in this section, by a majority vote of those directors 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] Rate bills shall be made out [and signed by said board,]

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and warrants may be issued for the collection of money due on such rate bills [] pursuant to the provisions of section 12-130 of the general statutes.

Sec. 6. Section 21 of number 450 of the special acts of 1931, as amended by section 11 of special act 75-35, is amended to read as follows (*Effective from passage*):

Written notice of the rate of such tax, and of the amount apportioned to each member of the association shall be sent by the tax collector of the association on or before the first day of July, 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 nine per centum per annum] set by the general statutes from the date when it was so payable. The collector shall have all the power of collectors 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 Avon or Canton, pursuant to the provisions of sections 12-173 and 12-174 of the general statutes.

Sec. 7. Section 22 of number 450 of the special acts of 1931, as amended by section 12 of special act 75-35, is amended to read as follows (*Effective from passage*):

No contract [which shall involve an] involving the expenditure of money [in excess of one] exceeding five thousand dollars [or more] in any year shall be made by the executive board unless [the same shall be] such board is specially authorized by a vote of the association. The directors shall not, within any year, make contracts or incur obligations

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which shall, in the aggregate, amount to more than the sum of [two] ten thousand dollars, unless [the same shall be] such contracts or obligations are authorized by a vote of the association. [; nor are the] The directors of the association are not authorized to borrow money without [like] authority granted pursuant to a vote of the association.

Sec. 8. Sections 7, 19 and 23 of number 450 of the special acts of 1931 are repealed. (*Effective from passage*)