

Berkshire Hills Civic Association Bylaws

Article I - Name

The name of this organization shall be the "Berkshire Hills Civic Association" of York County, Pennsylvania, hereafter called the "Association."

Article II - Purpose

The purpose of this Association shall be as follows:

- a. Civic Identity - The Association shall exist for the purpose of establishing and maintaining a civic identity within the community, through which to enable and enhance the pursuit of community social improvements and civic betterment as well as to facilitate the commingling of community members so as to enrich fellowship and provide a vehicle through which individual residents can become aware of their social identity and their opportunity for civic contribution within the overall community.
- b. Open Forum - The Association shall, through meetings of the Membership as well as meeting of its Board of Directors, serve as an open forum for the discussions and considerations of community problems as well as the launching pad for the initiation of activities through which to enhance the social welfare of the community and accomplish civic improvements.
- c. Promote Community Interests - The Association shall, through representation at meetings of the local school board and township commissioners and other public and non-public bodies, endeavor to communicate the concerns of the community as well as express community sentiment to the proposals and resolutions of the aforementioned bodies.
- d. Commingling of Community Residents - The Association shall, through the promotion of organized social functions, endeavor to promote the commingling of community residents for social and recreational purposes so as to enhance the social fabric of the community.
- e. Promote Community Awareness - The Association shall, through publication of a community newsletter and other means of communication, endeavor to promote community awareness of events and circumstances which have a bearing upon the entire community, acquaint residents with Association-sponsored activities, introduce new residents in the community, and provide recognition for achievement of community members, especially children.

Article III - Membership

Section 1

Eligibility - Each occupied permanent Residence, hereafter called "Residence," constructed within the Berkshire Hills community shall be eligible for membership in the Association.

Section 2

Representation - Each member Residence shall be represented by one (1) owner currently residing therein, hereafter called "Representatives." Members must provide a phone number and email address. A valid email address is necessary for the member to receive Association notifications.

Section 3

Membership - An eligible Residence may become a member of this Association upon payment of membership dues. The dues payment may be submitted to the Association Vice-President or any member of the Association's Board of Directors.

Section 4

Associate Membership - Associate Membership can be extended to any past resident of Berkshire Hills and to properties that were not part of the original Berkshire Hills development. Dues for such membership will be set at one half (1/2) of the prevailing annual Residence membership amount. Associate members are permitted to participate in all social activities and are entitled to receive association newsletter publications. Associate members are prohibited from participating in any representative functions, which include: voting, holding office or committee membership, and the right to submit proposals or recommendations to amend Association bylaws, functions, or business. Residents who rent may only be associate members.

Article IV - Dues and Fund Raising

Section 1

Annual Dues - The annual dues for Association membership shall be established by two-thirds (2/3) vote of the Board of Directors and ratified by a majority vote of the membership present at the annual Association meeting. In the absence of any action

by the Board of Directors, the dues shall remain the same as the previous year. Dues will be collected annually during the month of June. Payment by a representative of a residence will constitute membership for that residence through June 30 of the following year.

Section 2

Additional Fund Raising - The Board of Directors shall have full authority to raise additional funds on behalf of the Association for the financial support of its activities.

Article V - Association Meetings

Section 1

Regular Meetings - There shall be an annual and such other regular meetings of the Association as may be fixed by resolutions of the Board of Directors. The times and place of such meetings shall be designated by the Board and written notice therefore provided to the membership not fewer than ten (10) days before the dates so fixed.

Section 2

Special Meetings - Special meetings of the Association may be called by the President or upon the written petition of not fewer than four (4) members of the Board of Directors or upon the written petition of Representatives from not fewer than one-fifth (1/5) of total current dues-paying member Residences. Such petitions shall be directed to the Secretary and the petition shall recite the object of the call. The Secretary shall give written notice to the membership not fewer than ten (10) days before the day fixed for such special meeting, which notice shall designate the time and place and recite the object of the meeting, and no business other than that stated in the notice shall be transacted at such special meeting.

Section 3

Quorum - Representatives from five (5) separate member Residences shall constitute a quorum for the transaction of business.

Section 4

Voting Right and Privilege - For business brought by the Board to the membership, each current dues-paying member residence shall be entitled to a one vote, which shall be cast in person. Proxies are not permitted. The acts at a duly organized

meeting of a majority of those present and qualified to vote shall be the acts of the membership.

Article VI - Officers

Section 1

Officers - There shall be the following officers of the Association:

President	Secretary
Vice-President	Treasurer

Section 2

Eligibility - Only Representatives of member Residences shall be eligible to hold office, whether elected or appointed.

Section 3

Officers Elected by the Membership - The officers of the Association shall be elected at the annual meeting by a majority vote of those present and qualified to vote. Officers shall assume their responsibilities at the close of the annual meeting at which their election took place.

Section 4

Nominations - Nominations for any office may be made from the floor of the annual meeting by a representative of any member Residence.

Section 5

Term of Office - The officers shall serve for one (1) year. Individuals shall be eligible to serve in the same office for successive terms.

Section 6

Vacancies - If the office of President shall become vacant for any reason, the Vice-President shall assume acting responsibility for the vacated office for the unexpired term remaining therein. Vacancies in other offices shall be filled by appointment of the Board of Directors for the unexpired term remaining therein.

Section 7

Duties - The following shall have the following duties:

- a. President - The president shall be the chief officer of the Association and shall preside at all meetings of the Association and the Board of Directors. He shall resolve all points of order and questions of procedure in the conduct of such meetings. The President shall serve as spokesman for the Association in any matters in which the Association is to be represented by a spokesperson; however, the President may assign or delegate this responsibility, at his discretion, to any member of the Association. The President shall appoint a Chairperson for each standing committee and may establish special committees and appoint a Chairperson and members thereof. The President shall be an ex-officio member of all committees.
- b. Vice-President - The Vice-President shall in the absence of the President perform the duties of the President, function as Membership Chairperson, and perform such additional duties as the President may assign. In the event of vacancy of the office of President, the unexpired term shall be filled by the Vice-President.
- c. Secretary - The Secretary shall record the minutes of all meetings of the Association and meetings of the Board of Directors, and shall maintain all other necessary records of the Association. The Secretary shall also be responsible for giving notice of membership meetings to all current members.
- d. Treasurer - The Treasurer shall maintain proper financial records, account for all receipts and disbursements, and shall make proper financial reports to the Association and Board of Directors at each general meeting. A depository for the Association funds shall be designated by the Board of Directors. The Treasurer must have one other officer cosign all disbursements.

Article VII - Board of Directors

Section 1

Composition - The Board of Directors shall consist of the officers of the Association and up to six (6) elected directors. All directors shall serve with one vote.

Section 2

Eligibility - Only Representatives of member Residences shall be eligible to serve as directors, whether elected or appointed.

Section 3

Responsibilities - The affairs of the Association shall be guided by the Board of Directors. The Board shall:

- Meet to discuss the activities of the Association,
- Make recommendations therein to the Membership, and
- Between meetings of the Association shall have the power and authority to do and perform all acts and functions not inconsistent with these bylaws or with actions taken by the membership in regular or special meetings.

Association expenditures over \$200 require the approval of three (3) or more directors. However, upon the resolution of not fewer than four (4) directors, matters which are deemed to be of utmost significance, vitally affecting the welfare of the Association, shall be submitted to the general membership for ratification prior to becoming acts of the Association. In carrying out its purposes and functions, the Board of Directors shall meet with civic, business, educational, and governmental representatives as appropriate. The Board of Directors shall communicate its activities and actions, as well as general information, to the membership by means of a community newsletter.

Section 4

Board Meetings - Regular meetings of the Board shall be held at specific intervals as may be fixed by resolution of the Board of Directors. Regular members are welcome at Board meetings but may not vote on internal Board business.

Section 5

Quorum - A majority of the Board of Directors shall constitute a quorum for the transaction of business.

Section 6

Voting – The Board shall settle all business by internal votes in which each Board member contributes one vote.

As described in Section 3, the Board may choose to bring certain vital business to a vote by the membership at large. In such all-membership votes, Board members are treated as other residents and do not get extra votes.

Section 7

Vacancies - Any vacancies among elected Directors that shall occur upon the Board for any reason shall be filled by appointment of the Board for the unexpired term remaining therein.

Section 8

Non-Attendance at Meetings - Absence of any member of the Board of Directors from three (3) regular consecutive meetings may be regarded as a resignation in the manner herein provided

Article VIII - Amendments

Section 1

Procedure - These bylaws may be amended by the affirmative vote of two-thirds (2/3) of the voting membership present at any regular or special meeting of the Association.

A proposed amendment, unless initiated by the Board of Directors, must be endorsed in writing by not fewer than ten (10) member Residences, and filed with the Secretary at least thirty (30) days prior to the meeting at which such amendment is to be considered. The Secretary shall refer the proposed amendment to the Board and shall send notice via email of such proposed amendment to each member Residence of the Association not fewer than ten (10) days prior to the meeting at which the amendment is to be considered. Proposed amendments initiated by the Board shall likewise comply with the aforementioned ten (10) day notice provision.

The proposed amendment together with the recommendations of the Board of Directors thereon shall be submitted to the meeting for approval or disapproval.

Article IX - Effective Date

Section 1

Effective Date of Bylaws or Amendments - Provisions of the Bylaws of the Association or amendments thereto, when adopted at any meeting, shall become effective upon adoption unless otherwise stated in the bylaws or amendments.

Article X - Order of Business

Section 1

Order of Business for Meetings - The order of business for regular meetings shall be as follows:

- a. Reading and approval of the minutes of the prior meeting.
- b. Reading and approval of the Treasurer's report.
- c. Reports of officers.
- d. Unfinished business and new business.
- e. Adjournment.

Article XI - Recreational Facilities

The recreational facilities shall hereby be known as Kiehn Park (The Park). The Park shall be for exclusive use of Berkshire Hills Residents, their guests, and associate members. The Park shall not be used for any organized sports.
