

Fishertown Water Association
206 Hammond Hill Road, PO Box 149
Fishertown, PA 15539
(814) 839-4032

By-Laws

ARTICLE I – NAME AND OBJECTS

1. This Organization shall be known as the Fishertown Water Association.
2. The object of the Association shall be: the acquisition, storage, transportation, and distribution of water to and for the use and protection of its members; to construct, acquire, buy, lease, own, encumber, and sell such land, springs, water courses, pipe lines and right-of-ways and do all such acts or things thereunto as may be necessary and incident to the operation of a private, non-profit water company.

ARTICLE II – MEMBERSHIP

1. The membership of the Association shall consist of any person, corporation or body politic residing in or about the immediate vicinity of Fishertown, Bedford County, Pennsylvania, who is the owner of a dwelling house or business place and who has heretofore paid the required water tap fee per dwelling to the Association.
2. Other persons than those who are presently members of the Association may become members only after favorable action by the Board of Directors of this Association after having made application to the Secretary upon the form prescribed by the Board and having tendered the required tap fee together with the application. Acceptance of membership shall be at the sole discretion of the Board of Directors.
3. Upon the sale or transfer either by deed, will, or by operation of law by the member-owner or owners of the premises entitled to the water tap by reason of the payment of the water tap fee, the said membership shall be automatically transferred to the subsequent owner or owners of said premises and shall be entitled to water service from the Association by reason of such transfer or such membership subject to the payment of the quarterly rental fee determined by the Board.
4. Each member shall be entitled to one vote, per tap, in the Association at its annual meeting.

ARTICLE III – GOVERNMENT

1. The general management of the affairs of the Association shall be vested in the Board of Directors who shall be elected as provided in these By-Laws.
2. The officers of the Association shall consist of a Board of seven (7) Directors.
3. The President shall be a member ex officio of all Committees.

ARTICLE V- MEETINGS

1. The annual meeting of the Association shall be held on the third Tuesday of July each year. The notice of time and place of holding the same shall be mailed to each member by the Secretary at least ten (10) days prior to said annual meeting.
2. Special meetings of the membership may be called by the President at any time, on his own initiative, or by the Board of Directors upon the request to the Secretary by ten members made in writing; notice of such special meeting shall be mailed to each member at least ten (10) days previous to said meeting and at such special meeting there shall only be considered such business as is specifically in the notice of the meeting.
3. At the meetings of the Association, either regular or special, the members present shall constitute a quorum.
4. At all meetings of the Association the order of business shall be as follows:
 - a. Calling of the meeting to order by the presiding officer.
 - b. Reading of the minutes of the immediate prior meeting for information and approval by the membership.
 - c. Reports of officers.
 - d. Reports of committees.
 - e. Election of Directors.
 - f. Unfinished business.
 - g. New Business.
 - h. Adjournment.
5. List of membership – The Secretary of the Association shall be required to keep a current membership list.
6. The Board of Directors of the Association shall meet immediately after the annual meeting of the Association and the third Tuesday of each month. Special meetings of the Board of Directors shall be called by the President on his own initiative whenever, in his judgment, it may be deemed necessary,

or by the Secretary at the request of any four members of the Board of Directors. Five (5) day notice of special meetings of the Board shall be made by the Secretary and shall be deemed sufficient notice of such meeting.

7. Four of the seven members of the Board of Directors shall constitute a quorum.

ARTICLE V- ELECTION OF OFFICERS

1. Any member of the Association shall be qualified for nomination to the Board of Directors.
2. The Directors of the Association shall be elected at the annual meeting; each member shall be entitled to one vote, per tap, for each Director to be elected and the candidates receiving the most votes cast shall be declared elected.
3. The term of a Director shall be three (3) years.
4. The Board of Directors shall elect one of their number as President, one of their number as Vice-President, one of their number as Secretary and one of their number as Treasurer. At the discretion of the Board, one person may serve as Secretary-Treasurer.
5. The meeting of the Board of Directors to elect officers shall be held at the meeting called immediately after the annual Association meeting.

ARTICLE VI – VACANCIES IN OFFICE

1. If a vacancy occurs in the Board of Directors, such vacancy shall be filled by the Board of Directors. Each person so chosen shall be a Director until the next annual meeting of the membership.

ARTICLE VII – DUTIES OF THE OFFICERS

1. The President shall preside at all meetings of the Association and shall appoint such Committees as he or the Association shall consider expedient or necessary.
2. In the absence of the President, the Vice-President shall perform his duties, and in the absence of both the President and the Vice-President, the Treasurer shall preside and perform the duties of the President.
3. The Secretary shall keep the minutes of all meetings of the Association and shall read such minutes at the opening of the subsequent meeting for approval. He shall keep an accurate account of the payment of all tap fees and the quarterly rental charges and such other additional charges or assessments as may

be ordered by the Board and perform such other duties as may be required of him by these By-Laws, the President, or the Board of Directors.

4. The Treasurer shall have charge of all receipts and monies of the Association, deposit the same in the name of the Association, and shall disburse said funds as ordered or authorized by the Board of Directors under his signature together with that of the President or Vice-President. He shall keep regular accounts of his receipts and disbursements, submit said record when required, and give an itemized statement of said accounts at regular meetings of the Board and at the annual meeting of the Association. He shall transmit to the Secretary, each and every month, the record of the quarterly rental payments by the membership. Together with the President or Vice-President, he shall sign all checks and withdraw slips in behalf of the Association upon any and all of its accounts and the same shall be honored upon his signature and that of the President or Vice-President.
5. The President and Treasurer shall, on being so directed by the Board, sign all contracts, obligations, or other instruments in writing.

ARTICLE VIII- THE DUTIES AND POWERS OF THE BOARD OF DIRECTORS

1. The Board of Directors shall have general charge and management of the affairs, funds, and property of the Association. They shall have full power and it shall be their duty to carry out the purposes of the Association according to the By-Laws.
2. The Board of Directors shall have the authority to establish any decrease or increase in tap fees and any decrease or increase in quarterly rental to be charged per dwelling, respectively. It shall have the authority to expend the funds of the Association for the extension, expansion, and improvements to the property of the Association as may be necessary to fulfill the purpose of the Association and to expend funds for the operation, maintenance and repair of all the properties of the Association.
3. The Board of Directors shall have the power to create debt in behalf of the Association to such an extent as such debt shall be necessary for the ordinary repairs and maintenance of the management of the affairs of the Association. Any debt which may be required for extension or improvement of the operation of the water plant shall be submitted to the membership at either the annual or a special meeting. Such indebtedness shall be approved by a majority vote of the membership present at such annual or special meeting.
4. The Board shall have the power to appoint such committees as it may deem necessary, to enter into contracts in behalf of the Association and to purchase such additional water rights, properties or facilities for the use of the Association.

5. The Board of Directors shall have the power and the authority after thirty (30) day notice in writing to any member to discontinue service to said member if, in the decision of the Board, said member shall be found to be either negligently or willfully wasting the supply of water furnished to the premises.
6. The Board of Directors shall not have the power to impose any liability or levy any assessment upon the membership other than that herein vested to set tap fees and quarterly rental fees.
7. The meeting of the Board of Directors may be held at a specified place in or near Fishertown.

ARTICLE IX – COMPENSATION OF THE DIRECTORS AND THE OFFICERS

1. Neither the officers, Directors, nor members serving on committees shall receive any salary or compensation for services rendered to the Association in that regard.

ARTICLE X- APPLICATION FOR MEMBERSHIP

1. All applications by the owner of premises desiring water service shall be accompanied by the established tap fee. All applications for membership shall be submitted to the Board which may accept or reject said application as it shall deem most advisable providing, however, that if said application shall be refused, the application tap fee shall be returned to the applicant.

ARTICLE XI – MISCELLANEOUS PROVISIONS

1. All notices to members shall be mailed to their addresses as given on the books of the Association and such mailing shall constitute presumption of delivery thereof and service of the same.
2. The fiscal year of the Association shall begin on July 1st of a given year and end on June 30, of the following year.

ARTICLE XIII – ANNUAL STATEMENT

1. The President and Board of Directors shall present at each annual meeting a full and complete statement of the business and affairs for the preceding year. Such statement shall be prepared and presented in whatever manner the Board of Directors shall deem advisable.

ARTICLE XIV – AMENDMENTS

2. These By-Laws may be amended only by a 2/3 majority vote of the members present at a regular or special meeting of the Association, provided, however, that notice of the purpose of proposed amendments has been stated in the call for the meeting whether said meeting be a special or regular meeting.