

**BEAVER DAM LAKE - PROTECTION AND REHABILITATION DISTRICT****ADVISORY BOARD****SECTION 1. DEFINITION:**

1. 'The District'. The District shall hereinafter refer to The Beaver Dam Lake Protection and Rehabilitation District, a Part County District of the County of Orange established by Resolution adopted by the County Legislature on June 13, 1986 and March 13, 1987 and approved by the NYS Department of Audit and Control on June 24, 1987.
2. 'The Advisory Board'. The Advisory Board shall hereinafter refer to The Beaver Dam Lake Residents Advisory Board.
3. 'Administrative Head'. The Administrative Head of this District shall hereinafter refer to the Office or Officer within the County of Orange that is responsible for the management of the District.

**SECTION 2. PURPOSE:**

1. The Advisory Board shall assist the County in the administration and management of the District.
2. The Advisory Board shall provide input from local residents of the District.
3. The Advisory Board shall provide information to the County regarding the needs and requirements of the District.
4. The Advisory Board shall recommend to the County an annual budget for the next calendar year. Said budget shall specify by item all proposed expenditures for the operation and maintenance of the District.
5. The Advisory Board may from time to time, after public information meeting on same, recommend rules and regulations prescribing how the District properties shall be used, such as hours of operation, etc.
6. The Advisory Board shall provide such other functions and services as may be necessary to accomplish the needs of the residents of the District in regards to the Lake, Dam or other common properties of the District, or to cause these By-laws to be accomplished.

**SECTION 3. MEETINGS:**

1. The Advisory Board shall meet at least three (3) times each year and may meet more often as the Advisory Board deems appropriate. These (3) meetings shall be held as follows:
  - a. There shall be an Annual Organizational Meeting held in January, which shall be the first meeting of the Advisory Board following each annual election of the District and shall be held within one (1) Month after the newly elected candidates take office.
  - b. There shall be a Public Budget Planning Meeting held in June or July of each year for the purpose of developing the district budget for the next calendar year. Suggestions and recommendations for district improvements shall be heard by the Advisory Board at that time.
  - c. There shall be a Public Budget Information Meeting held in August of each year on the budget that will be recommended to the County.
2. The Advisory Board shall elect one of their members as Chairman, one as Vice Chairman and another as Secretary of the Advisory Board at their Annual Organizational Meeting.
3. The conduct of meetings of the Advisory Board shall be governed by Roberts Rules of Parliamentary Procedure.
4. District residents shall be informed of the meetings of the Advisory Board. The place, time and dates of these meetings shall be posted at the Community Hall, Shore Drive, Beaver Dam Lake and may also be published in a local community News Letter and/or local newspapers whose general circulation includes the Beaver Dam Lake Community.
5. All meetings of the Advisory Board shall be open for the public. A forum for public input shall be held at the end of each meeting.
6. A district resident may place an issue on the Agenda of any meeting of the Advisory Board providing that the Chairman or Secretary is notified of the request in writing, at least five (5) days prior to that meeting. The above resident may participate in the discussion on that issue when it is brought before the board on the agenda.
7. The Advisory Board may provide by resolution, adopted by a simple majority vote of the entire Advisory Board, that any proposition before it shall be submitted to the voters at an annual or special district election.

**SECTION 4. THE BEAVER DAM LAKE WATER CORPORATION:**

1. As long as the Beaver Dam Lake Water Corporation is in existence, it shall be entitled to appoint one member to the Advisory Board each year, who shall serve for a term of one (1) year. The Water Corporation shall provide the Advisory Board with the name of the appointee for the upcoming year, prior to each election. If an appointee is not provided, that position shall be filled for the upcoming year by the candidate receiving the highest number of votes in that district election from those candidates not elected to fill current vacancies.

**SECTION 5. NOMINATIONS:**

1. Nominations for a candidate must be submitted in petition form subscribed by twenty (20) resident electors of the District. Candidates for the Advisory Board shall file their petitions with the Administrative Head at least ten (10) days prior to the date of the District elections. Petitions for this purpose shall be available from the Administrative Head and from the Advisory Board.
2. The ballots for the election of the Advisory Board shall specify the names of the candidates duly filed with the Administrative Head.
3. Whenever a vacancy shall occur or exist in any elective office, the Advisory Board shall appoint a resident elector to fill the vacancy until the next district election at which time the remaining term of that vacant office shall be filled by the candidate receiving the highest number of votes in that district election from those candidates not elected to fill current vacancies.
4. If an insufficient number of candidates are nominated to fill the vacant positions, the remaining vacancies shall be filled by appointment of the Advisory Board until the next district election.

**SECTION 6. QUALIFICATIONS:**

1. A Resident Elector shall be a registered voter who shall have resided in the District for a period of thirty (30) days next preceding any election for the Advisory Board.
2. Only Resident Electors shall be entitled to vote in the District election.
3. Only Resident Electors shall be eligible to serve on the Advisory Board.
4. If a member of the Advisory Board ceases to be a Resident Elector during his or her term of office, that position shall become vacant.

SECTION 7. ELECTIONS:

1. An annual election shall be held within the District to fill a three (3) year term on the Advisory Board. (The term of service on the Advisory Board is staggered with approximately one third (1/3) of the membership expiring each year.)
2. Said election shall be held in order to prepare a recommendation to the Legislature of the County of Orange so that the Legislature may know the names of the individuals that the residents of the District recommend to serve on this Advisory Board.
3. The Legislature of the County of Orange shall appoint members to this Advisory Board.
4. The election procedure set forth below shall constitute the procedure that will be used for this election.
  - a. An annual district election shall be held on the second Tuesday in the month of December of each year for this purpose.
  - b. New members shall take office on the first day of January, following the date of their election.
  - c. Vacancies which may occur during the course of a year shall be filled by the Advisory Board for the duration of that year. Any position filled by the Advisory Board shall then be filled for its remaining term at the next regular election.
  - d. The Advisory Board shall publish at the expense of the District, a notice for each district election. Such notice shall be published at least once in a newspaper having general circulation in the District and the publication thereof shall be at least twenty (20) days before the day of such election. The notice of annual election shall specify the time when and the place where such election shall be held and the hours during which the polls will be open for the receipt of ballots.
  - e. The District election shall take place in the Community Hall, Shore Drive, New Windsor, New York, or other suitable place designated by the Advisory Board.
  - f. The polls shall remain open from three o'clock (3:00) P.M. until nine o'clock (9:00) P.M. or such other hours as established by the Advisory Board.
  - g. The Advisory Board shall provide two election inspectors for this vote. These election inspectors may be either residents of the District or personnel provided by the County. The expense of the election inspectors shall be paid for by the District.
  - h. Paper ballots may be used for the District election.
  - i. Absentee ballots shall not be permitted.

- i. After the polls have been closed, the election inspectors shall canvass the ballots cast and shall announce the result of the vote.
- j. Within 24 hours after the election, the election inspectors shall execute and file a certificate of the results of the canvass with both the Advisory Board and the Administrative Head.

**SECTION 8. COMPOSITION OF THE ADVISORY BOARD:**

The Advisory Board shall be comprised of the following (9) voting members:

a. Elected Members:

- . seven (7) members elected by the residents.

These seven elected members shall be as follows:

- one (1) from the Town of Blooming Grove
- two (2) from the Town of Cornwall
- four (4) from the Town of New Windsor

b. Appointed Member:

- . one (1) member appointed from the Water Corporation.

c. Appointed Member:

- . one (1) member, the Administrative Head of the District or his designee, appointed by the County of Orange.

**SECTION 9. AMENDMENTS:**

1. Recommended amendments to these By-laws, may be made from time to time, by resolution of 2/3 majority of the entire Advisory Board and after a public information meeting has been held on said amendment.
2. These recommended amendments shall be presented to the County of Orange for adoption.

**SECTION 10. PAYMENTS AND REIMBURSEMENTS:**

1. There shall be no stipend or other payment for serving as a member of the Advisory Board.

**SECTION 11. SEPARABILITY:**

1. If any portion of these By-laws shall be revoked or found to be invalid, this action shall not affect the applicability of the remaining portions of these By-laws.

**SECTION 12. ANNUAL UPDATE OF DISTRICT ASSESSMENT ROLLS:**

1. The Administrative Head shall cause an annual review of the District Assessment Rolls to be conducted each year. This review shall begin after the tentative assessment rolls have been printed and shall be completed no later than the end of June of that year.
2. When this review is completed, the recommendations for corrections or changes to this rolls shall be presented to the Advisory Board to receive local input. These corrections or changes shall then be sent by the Administrative Head to the Tax Assessor of the Town in which the affected parcels exist, no later than the end of July, so that these corrections or changes may be put into the county's Real Property Tax System.
3. The District's Final Assessment Rolls shall be printed by the end of August of each year and made available for public inspection at the Office of the Clerk of the Legislature during normal business hours. The Advisory Board may recommend that a copy of this Final Assessment Roll also be made available for public inspection locally.
4. The public shall have an opportunity to review this Final Assessment Roll with time to prepare and file a grievance regarding the District Assessment Points. The Advisory Board shall not be precluded from filing a grievance.
5. Grievances of District Assessments Points shall be heard by a special committee established by the Chairman of the County Legislature in the manner set forth in Section 14 of the Rules & Regulations.