

**BY-LAWS of THE DISTRICT BOARD  
OF THE  
BEAVER DAM LAKE PROTECTION AND REHABILITATION DISTRICT**

**SECTION 1 -- DEFINITIONS:**

1. County - shall hereinafter mean the County of Orange, NY.
2. District - shall hereinafter mean 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.
3. District Board - shall hereinafter mean The Beaver Dam Lake Residents Advisory Board.
4. Administrative Head - shall hereinafter refer to the Office or Officer within the County of Orange responsible for the administration and management of the District.
5. Resident Elector – shall hereinafter mean a person who shall have resided within the District for a period of thirty (30) days and who shall have been registered to vote for a period of thirty (30) days immediately preceding the date of an election in which he or she wishes to vote or run for office.
6. Board of Elections - shall hereinafter mean the Orange County Board of Elections.

**SECTION 2 -- COMPOSITION OF THE DISTRICT BOARD:**

1. The District Board shall consist of a total of 7 voting members all of whom shall be Resident Electors of the District.
2. All board positions are to be elected “at large” and board members may reside anywhere within the boundaries of the District irrespective of the Town in which they reside.
3. The term of office for each District Board position shall be 3 years. The terms of office are staggered with approximately one third (1/3) of the positions expiring and requiring election each year.
4. The District Board shall elect one of their members as Chairman, one as vice Chairman and one as Secretary of the District Board at their Annual Organizational Meeting.

**SECTION 3 -- PURPOSE and RESPONSIBILITIES OF THE DISTRICT BOARD:**

1. The District Board shall assist the County of Orange with the administration and management of the District.
2. The District Board shall be the conduit for input from residents of the District to the Administrative Head.
3. The District Board shall provide information to the County regarding the needs and requirements of the District.
4. The District Board shall prepare an annual budget request for the next calendar year. The budget request shall specify all proposed expenditures for the operation and maintenance of the District.
5. The District Board may, from time to time, adopt rules and regulations prescribing how the District properties shall be used such as acceptable activities, hours of operation, etc.
6. The District 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, the Dam or other common properties of the District, or to cause these by-laws to be accomplished. These other functions shall include, but are not be limited to, local management of the day to day operations and maintenance of the lake and other District facilities as well as management of District sponsored activities, evens and programs.

**SECTION 4 -- MEETINGS:**

1. All meetings of the District Board shall be open to the public in accordance with the provisions of the NY State Open Meetings Law.
2. The District Board should meet on a regularly scheduled basis at least once per month. The frequency, dates and times of these meetings shall be determined and may be modified by the Chairman and / or the District Board. Specific 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 District 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 Information Meeting held not later than the 15th of May of each year for the purpose of presenting the district budget request for the for the next calendar year. The date of this meeting may be modified as needed in order to synchronize with the County budget preparation cycle.

**SECTION 4 – MEETINGS (continued):**

3. The conduct of meetings of the District Board shall be governed by Roberts Rules of Parliamentary Procedure.
4. District residents shall be informed of the meetings of the District Board. The place, time and dates of these meetings shall be posted utilizing the method specified by Orange County for similar meetings and may also be posted by e-mail, on-line, in a local community News Letter and/or local newspapers whose general circulation includes the Beaver Dam Lake Community at the discretion of the District Board.
5. The agenda for each regular meeting of the District Board shall be prepared by the Chairman or Secretary and shall be approved by a simple majority vote of the Board prior to the start of each meeting.
6. Only those items listed on the approved meeting agenda may be acted upon by the District Board. Only members of the District Board may participate in the discussion and deliberation of items on the meeting agenda. However, the person chairing the meeting may permit, at his or her discretion, input and discussion with one or more persons attending the meeting and may limit such participation at any time.
7. At least one forum for public input should be held during each meeting at a point on the agenda determined by the person chairing the meeting.
8. A district resident may place an issue on the Agenda of any meeting of the District Board provided that the Chairman or Secretary receives written notification of the request at least five (5) business days prior to the meeting. The above resident may participate in the discussion on that issue when it is brought before the board on the agenda.
9. The District Board may provide by resolution, adopted by a simple majority vote of the entire District Board, that any proposition before it shall be submitted to the voters at an annual or special district election.

**SECTION 5 – DISTRICT ELECTIONS:**

1. The District election process shall be administered by the Board of Elections.
2. An annual District election shall be held on the second Tuesday of December of each year to fill expiring terms on the District Board, to fill the unexpired balance of vacated positions that were filled by appointment and to decide on any District propositions placed on the ballot.
3. Special elections may also be authorized and scheduled by the District Board at other times during the year to decide on District propositions.

**SECTION 5 – DISTRICT ELECTIONS (continued):**

4. District elections shall take place in the Community Building, 557 Shore Drive, New Windsor, New York, or other suitable place within or in close proximity to the boundaries of the District designated by the Board of Elections.
5. Only Resident Electors shall be eligible to vote in a District election.
6. Polls shall be open for voting from three o'clock (3:00) P.M. until eight o'clock (8:00) P.M. or such other hours as established by the Board of Elections.
7. The Board of Elections 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 (30) days before the day of such election. The notice shall specify the place where the election will take place, the hours during which the polls will be open and the process for candidates to be included on the ballot.
8. Nominations for a candidate for election to the District Board must be submitted in petition form subscribed to by at least twenty (20) Resident Electors of the District.
9. Nominating petition forms shall be available from the Board of Elections at least 30 days prior to the date of the annual election.
10. Candidates for the District Board must file their petitions with the Board of Elections at least ten (10) days prior to the date of the annual District election.
11. The ballots for the election of the Advisory Board shall specify the names of the candidates duly filed with the Board of Elections.
12. The Board of Elections shall provide a minimum of two election inspectors for every District election. The expense of the election inspectors shall be paid for by the District.
13. Paper ballots or machines may be used for the District election. Absentee ballots shall not be permitted.
14. After the polls have closed, the election inspectors shall canvass the ballots cast and shall announce the unofficial results of the vote.
15. The candidate(s) for positions on the District Board with the highest number of votes shall fill the available full term positions(s) listed on the ballot. Candidate(s) receiving the next highest number of votes shall fill the balance of any unexpired terms listed on the ballot.
16. Within 24 hours after the election, the election inspectors shall execute and file a certificate of the results of the canvass with the Board of Elections, the Administrative Head and the District Board.

**SECTION 5 – DISTRICT ELECTIONS (continued):**

17. The Board of Elections shall submit the results of each District election to the Clerk of the Orange County Legislature for inclusion on the agenda of the next legislative meeting. Final approval of the successful candidates for the District Board shall be subject to an affirmative vote of a simple majority of the County Legislature.
18. Successful candidates shall take office on the first day of the month of January, following the date of their election.
19. If an insufficient number of candidates are nominated to fill the vacant positions, the remaining vacancies shall be filled by appointment of the District Board until the next district election.

**SECTION 6 – VACANCIES IN OFFICE:**

1. Vacancies on the District Board which may occur for any reason shall be filled by the appointment of a qualified Resident Elector by simple majority vote of the currently filled positions of the District Board.
2. In the event that the District Board does not fill a vacant position within 60 days of it becoming vacant, the Administrative Head may fill the position by appointment of a qualified Resident Elector.
3. The District Board shall notify the Administrative Head of every vacancy filled by appointment. The Administrative Head shall notify the Clerk of the Legislature of any vacancy filled by appointment. Final approval of the filling of the vacancy shall be subject to an affirmative vote of a simple majority of the County Legislature.
4. Any vacant position filled by appointment shall then be filled for its remaining term at the next annual election.
5. If a member of the District Board ceases to be a Resident Elector during his or her term of office, that position shall immediately become vacant.
6. If a member of the District Board is absent from attendance at three meetings during a calendar year, the District Board, by simple majority, has the option of declaring that member's position vacant and may appoint a replacement. In the event that the Board does not declare the position vacant after 30 days past the third absence in a calendar year, the Administrative Head may declare the position vacant and appoint a replacement.

**SECTION 7 -- PAYMENTS AND REIMBURSEMENTS:**

Board Members shall be eligible for stipends, reimbursements and other payments as budgeted and determined from time to time by the District Board.

**SECTION 8 -- 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 each year.
2. When this review is completed, the recommendations for corrections or changes to this roll shall be presented to the District 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.
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 District 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 the Rules & Regulations of the District.
6. Members of the District Board shall not serve on the committee to hear grievances.

**SECTION 9 -- AMENDMENTS:**

1. Amendments to these by-laws may be proposed from time to time by resolution of a simple majority of the filled positions of the District Board and after a public information meeting has been held by the District Board on said amendment(s).
2. Proposed amendments shall be presented to the County for approval and adoption.

**SECTION 10 -- SEPARABILITY:**

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.