

BY-LAWS OF THE VILLAGE OF NYACK HOUSING AUTHORITY

REDLINE — Original (2013) vs. Proposed Restatement

Struck text = deleted from the 2013 bylaws. Underlined text = new language proposed. Unmarked text is unchanged.

[Redline note: This redline walks the ORIGINAL document in its own article order. Where a section is fully replaced by material appearing elsewhere in the restated draft (e.g., Treasurer struck, Finance Director duties inserted in its place), that is shown as a deletion here plus an insertion in this same location — per your instruction, moved content is NOT cross-referenced or flagged as a 'move,' consistent with a strict Word-style redline.]

ARTICLE I – THE AUTHORITY

Section 1. Name of the Authority

The name of the Authority is the Village of Nyack Housing Authority (the "Authority").

Section 2. Purpose

The purpose of the ~~Village of Nyack Housing Authority~~ Authority is to provide housing ~~to~~ for the citizens of Nyack pursuant to the New York State Codes, Rules and Regulations, ~~9 Executive (c) (NYSCRR), 9 NYCRR,~~ 9 NYCRR, and the rules and regulations of the ~~Unities~~ United States Department of Housing and Urban Development.

Section 3. Seal of Authority

The seal of the Authority, a facsimile of which is attached ~~below~~ as Appendix A, ~~is~~ consists of two concentric circles between ~~their~~ whose circumference ~~the~~ appear the name of the Authority, ~~the words~~ and the words “New York” and within the ~~circle the~~ inner circle representing the year of establishment of the Authority, ~~1960. See~~ 1960. See ~~appendix A to see seal of authority.~~

Section 4. Membership

The governing board of the Authority is composed of Members, referred to in this Article as “Commissioners.” Commissioners are not officers or employees of the Authority. Their role is limited to governance, oversight, and policy-setting as set forth in Section 5 below; the conduct of the Authority's day-to-day business is the responsibility of the Executive Director under Article III.

- A. ~~The commissioners of the VILLAGE OF NYACK HOUSING AUTHORITY~~ (hereinafter referred to as “commissioners” or “Members”) ~~shall number seven.~~ The Commissioners of the Authority shall number seven (7). ~~Five commissioners~~ (5) Commissioners shall be appointed by the Mayor of the Village of Nyack, each ~~appointed to~~ appointed to serve a five-year term.
- B. ~~Two commissioners~~ Two (2) Commissioners shall be elected by the tenants of the Authority, pursuant to the procedures set forth in Article ~~XXX~~ below.

- C. ~~Members must recuse themselves if there are any apparent conflicts of interest with any tenant, applicant, or participant.~~ A Commissioner must recuse themselves from any matter in which they have an apparent or actual conflict of interest with any tenant, applicant, or participant, consistent with Public Housing Law §36.
- D. No Commissioner may simultaneously serve as an officer of the Authority under Article III.

Section 5. Powers of the Members

The Commissioners constitute the governing board of the Authority. General oversight of the affairs and property of the Authority is vested in the Commissioners, who set policy and oversee the management and operations of the Authority through the officers appointed under Article III. The Commissioners do not perform, and this Article shall not be construed to authorize the Commissioners to perform, the day-to-day administrative, financial, or operational functions of the Authority, which are the responsibility of the Executive Director and Finance Director.

Section 6. Chairperson and Vice-Chairperson — Members, Not Officers

The Chairperson and Vice-Chairperson are Commissioners elected by their fellow Commissioners to lead the board's governance function. They are Members of the Authority, not officers of the Authority under Article III, are not employees of the Authority, and hold no authority over the day-to-day management, staffing, or operations of the Authority except as expressly stated below.

- a. Election. The Commissioners shall elect from among themselves a Chairperson and a Vice-Chairperson at the annual meeting, to hold office for one year or until their successors are elected and qualified. Any Commissioner may serve as Chairperson or Vice-Chairperson for two or more terms, successive or otherwise.
- b. Powers and Duties of the Chairperson. The Chairperson shall preside at all meetings of the Authority and shall direct the focus of the Commissioners' work, oversee the Executive Director on behalf of the Commissioners, be responsible for training, development, and recruitment of Commissioners, and have such additional powers and duties as may be conferred by these By-Laws or by resolution of the Authority. The Chairperson does not have authority to execute contracts, leases, deeds, checks, or other financial instruments on behalf of the Authority except as specifically authorized by resolution of the Commissioners; that authority is vested in the officers under Article III.
- c. Powers and Duties of the Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the event the office of Chairperson is permanently vacant, until filled as provided in subsection (d) below, or in the event the Chairperson is temporarily unable to perform such duties by reason of illness, disability, or absence. While so acting, the Vice-Chairperson exercises the

Chairperson's governance authority under this Section only, and does not thereby acquire any officer authority under Article III.

- d. Vacancies. Should any vacancy in the office of Chairperson or Vice-Chairperson occur by reason of death, resignation, or any other reason, the Commissioners shall elect a successor at their next regular meeting to serve until the next annual meeting. Should the Vice-Chairperson become temporarily unable to perform the duties of that office by reason of illness, disability, or absence, the Commissioners may elect a Commissioner to perform such duties until the Vice-Chairperson resumes them.

Section 57. Offices of the Authority.

The offices of the Authority shall be at No. 15 Highview Court, Waldron Terrace NYS-115A and No. 60 Depew Manor NYS-115B in the Village of Nyack of the County of Rockland, State of New York, or at such other place or places as the Authority may, from time to time, designate by resolution. All books and records of the Authority shall be kept at the offices hereinabove designated unless otherwise provided by ~~Authority~~resolution. ~~resolution.~~

~~ARTICLE II – OFFICERS~~

~~The officers of the Authority shall be a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer.~~

[Redline note: The original Article II (a one-line officer list containing the Chairperson and Vice-Chairperson as officers) is struck in its entirety. Under the restated bylaws, the Chairperson/Vice-Chairperson move to Article I, Section 6 as member governance roles, and “officer” becomes a defined term meaning a full-time employee (restated Article III, Section 1). The Secretary office is eliminated as a distinct position; its duties become staff duties of the Executive Director (restated Article III, §2(c)).]

~~ARTICLE III – POWERS AND DUTIES OF OFFICERS~~ – OFFICERS OF THE AUTHORITY

[Redline note: Restated Article III now begins with a new Section 1 (“Officers Enumerated”) not present in the original, defining officers as full-time-employee positions only (Executive Director, Finance Director) and expressly excluding Commissioners, the Chairperson, and the Vice-Chairperson.]

Section 1. Officers Enumerated

The officers of the Authority shall be an Executive Director and a Finance Director. Each officer shall be a full-time employee of the Authority. No Commissioner, including the Chairperson or Vice-Chairperson, may simultaneously serve as an officer. The Finance Director shall report to the Executive Director.

~~Section 1. Chairperson.~~2. Executive Director

~~The Chairperson shall preside at all meetings of the Authority and shall sign all official orders thereof, execute all contracts, agreements, bonds, certificates of indebtedness,~~

~~deeds, mortgages and leases, countersign checks, notes or other instruments for the payment of business affairs of the Authority, subject to the direction of the Authority. At each meeting, the Chairperson shall submit such recommendations and proposals as they may consider proper concerning the business affairs and policies of the Authority.~~

- a. Appointment and Removal. The Chairperson, in consultation with the Commissioners, shall appoint the Executive Director, subject to confirmation by a majority vote of the Commissioners then in office. The Executive Director may be removed by a majority vote of the Commissioners then in office, upon such notice as the Commissioners determine to be reasonable under the circumstances. In the event of a vacancy in the office of Executive Director, the Chairperson may appoint an interim Executive Director to serve until a permanent appointment is confirmed by the Commissioners. Nothing in this Section shall be construed to conflict with any applicable requirement of HUD or HCR governing the selection or removal of executive staff of the Authority, and any such requirement shall control to the extent of a conflict.
- b. General Authority. The Executive Director shall have general charge and supervision of the day-to-day business and affairs of the Authority, and will oversee all divisions of the Authority including property management and maintenance; direct the business and affairs of the Authority and execution of policies and resolutions adopted by the Commissioners; make, issue, and promulgate official orders, rules, and regulations for the Authority's operation; appoint, supervise, and remove Authority staff other than the Finance Director; have the power to sign and execute on behalf of the Authority all leases, deeds, contracts, and commitments, subject to Section 4 of this Article; be responsible for the due and proper execution of all orders, rules, and regulations of the Authority; compile, prepare, and sign reports, statements, and certificates, and file such documents as necessary, including required filings with HCR and HUD; and render a report on the operations and financial condition of the Authority at each regular meeting, and a full annual report at the annual meeting.
- c. Recordkeeping and Notice. The Executive Director shall ensure that all votes of the Commissioners are recorded and that a record of the proceedings of the Authority is kept in a minutes book maintained for that purpose; that notice is given of all meetings of the Authority as required by these By-Laws; that the seal of the Authority is kept in safe custody; and that true copies of minutes and other records and documents of the Authority are certified under the seal upon request. The Executive Director may assign these duties to a member of Authority staff, but remains responsible for their performance.
- d. Delegation. The Executive Director may delegate any of the Executive Director's powers and duties to any other employee of the Authority, except where such delegation is inconsistent with these By-Laws or applicable law.

Section 2. Vice-Chairperson

~~The Vice Chairperson shall perform the duties of the Chairperson, in the event that the office of the Chairperson is permanently vacant, until filled as provided in Article V, Section 1, or in the event that the Chairperson is temporarily unable to perform such duties by reason of illness, disability, or absence. The Vice Chairperson shall be authorized to sign and execute all instruments made by the Authority in the absence or incapacity of the Chairperson.~~

[Redline note: Struck from Article III and replaced by Article I, §6(c)-(d) (Vice-Chairperson as a member governance role, without signing authority).]

~~Section 3. Secretary~~

~~The Secretary shall attend all meetings of the Authority and act as Secretary thereof, record all votes and keep a record of the proceedings of the Authority in a minutes book to be kept for the purpose. The Secretary shall cause notice to be given of all meetings of the meetings of the Authority. The Secretary shall keep in safe custody the seal and shall have the authority to have all copies made of all minutes and other records and documents of the Authority and to give certificates under the seal of the Authority to effect that such copies are true copies. The Secretary shall perform such other duties as are incidental to the office and as from time to time may be assigned to him/her by resolution of the Authority.~~

[Redline note: The Secretary office is eliminated. Its functions are reassigned as staff duties of the Executive Director, restated above at Article III, §2(c).]

~~Section 4. Treasurer~~**3. Finance Director**

The Treasurer position is hereby eliminated. Its day-to-day financial functions are assumed by the Finance Director, an officer of the Authority, as follows:

~~The Treasurer shall supervise the care and maintenance of the books, funds and accounts of the Authority and such other books of account as may be required by law or by the Authority. The Treasurer shall render a statement of the financial condition of the Authority at each regular meeting thereof, and at such other times as the Authority may require. The Treasurer shall make a full financial report at the annual meeting of the Authority.~~

- a. Primary Responsibility. The Finance Director's primary responsibility shall consist of being responsible for all budgets, accounting, financial planning, and risk management functions of the Authority, and developing and maintaining appropriate financial policies and procedures, and providing sound financial advice to the Executive Director and the Commissioners.
- b. Reports. The Finance Director shall render a statement of the financial condition of the Authority at each regular meeting of the Authority, and at such other times as the Authority may require. The Finance Director shall make a full financial report at the annual meeting of the Authority.

- c. Books and Investment of Funds. The Finance Director shall supervise the care and maintenance of the books, funds, and accounts of the Authority, and such other books of account as may be required by law or by the Authority. The Finance Director may invest any funds of the Authority held in reserve or sinking funds, or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds, subject to any investment guidelines adopted by the Commissioners. The Finance Director must report on investment activity annually.
- d. Signing Authority. The Finance Director shall have authority to sign checks, notes, drafts, and other negotiable instruments on behalf of the Authority, together with or in the absence of the Executive Director, as set forth in Section 4 of this Article.
- e. Delegation. The Finance Director may delegate any of the Finance Director's powers and duties to any other employee of the Authority's finance function.

Section 5.4. Execution of Contracts, Deeds, and Financial Instruments

~~The VILLAGE OF NYACK HOUSING AUTHORITY shall authorize several of the commissioners to be signatories on checks and official instruments at the annual meeting.~~

- a. Contracts and Commitments. All authorized contracts, deeds, leases, and other commitments of the Authority shall be executed in the name of the Authority by the Executive Director or, in the Executive Director's absence or incapacity, the Finance Director, or as otherwise set forth by resolution of the Authority.
- b. Checks and Negotiable Instruments. All checks, notes, drafts, and other negotiable instruments shall be signed by the Executive Director or the Finance Director, or as otherwise set forth by resolution of the Authority, and, where required by resolution, shall be co-signed by a different individual from among those designated by resolution to have such authority.
- c. No Individual Member Signing Authority. Except by specific resolution of the Commissioners, no Commissioner, including the Chairperson and Vice-Chairperson, shall individually bind the Authority to any contract, lease, deed, or financial instrument.

[Redline note: This subsection replaces the original's single-sentence provision authorizing certain commissioners to be check signatories. Signing authority for financial instruments is reassigned entirely to the officers (Executive Director / Finance Director); Commissioners, including the Chairperson and Vice-Chairperson, no longer have individual signing authority.]

Section 5. Employees Generally

- a. The Authority shall employ and retain such staff as is necessary to accomplish its purpose, subject to the direction of the Executive Director.
- b. The Authority shall review job titles, descriptions, and compensation annually.

[Redline note: Subsections (a)-(b) restate original Article VI, Sections 1-2 (Employees), relocated here and made subject to Executive Director oversight rather than standing alone.]

~~ARTICLE IV – ELECTION OF OFFICERS~~

~~The officers of the Authority shall be elected at the annual meeting of the Authority, from among the members of the Authority, and shall hold office for one year thereafter or until their successors are elected and have qualified.~~

[Redline note: Struck in its entirety. Officers are no longer elected by/from the Commissioners; the Executive Director is appointed by the Chairperson in consultation with, and subject to confirmation by, the Commissioners (restated Article III, §2(a)), and the Finance Director and other staff are appointed by the Executive Director (restated Article III, §5(a)). The election procedure for the Chairperson/Vice-Chairperson (who remain Commissioners, not officers) is now at restated Article I, §6(a).]

~~ARTICLE V – PERMANENT AND TEMPORARY VACANCIES AMONG OFFICERS~~

~~Section 1. Permanent Vacancy~~

~~The Authority shall, should any vacancy among the officers occur by death, resignation, or for any other reason, elects a successor at its next regular meeting to serve until the next annual meeting.~~

~~Section 2. Temporary Vacancy~~

~~The Authority may, should any officer other than the Chairperson, become temporarily unable to perform the duties of their office by reason of illness, disability or absence, elect a member to perform such duties until the officer resumes his/her duties.~~

[Redline note: Struck in its entirety. Vacancy provisions for the Chairperson/Vice-Chairperson now appear at restated Article I, §6(d). Vacancy in the Executive Director position is addressed at restated Article III, §2(a) (interim appointment by the Chairperson). No equivalent “temporary vacancy” provision exists for the Finance Director in the restated draft, since the Finance Director is a full-time employee subject to ordinary personnel practice rather than a board-elected office.]

~~ARTICLE VI – EMPLOYEES~~

~~Section 1:~~

~~The authority shall employ and retain a staff necessary to accomplish the purpose of the VILLAGE OF NYACK HOUSING AUTHORITY.~~

~~Section 2:~~

~~The authority shall review job titles and descriptions, and compensation annually.~~

[Redline note: Struck as a standalone article; restated verbatim in substance as Article III, Section 5 (Employees Generally), now placed within the Officers article and subject to Executive Director direction.]

ARTICLE VIII – MEETINGS, QUORUM, AND VOTING OF THE MEMBERS

[Redline note: Renumbered from Article VII to Article II given the elimination of the original Articles II, IV, V, and VI. Substance of the meetings provisions is materially unchanged from the original; Quorum (originally Article VIII) and Order of Business (originally Article IX) are consolidated into this Article as Sections 5-6.]

Section 1. Annual Meeting

- a. The annual meeting of the ~~members~~Commissioners of the Authority shall take place at a date and time determined by the Commissioners ~~of VILLAGE OF NYACK HOUSING AUTHORITY.~~
- b. The notice of the meeting and its purpose, date, time and place, shall be posted at all facilities operated by the Authority including its offices and the village hall of Nyack, New York, at least thirty (30) days before such meeting.
- c. Commissioners ~~of the Housing Authority~~ shall be notified in writing of the date, time and place of the annual meeting unless such notice is waived by unanimous consent.

Section 2. Regular Meetings

- a. The ~~VILLAGE OF NYACK HOUSING AUTHORITY~~Authority shall set a regular monthly meeting date and time at the annual meeting.
- b. Notice of the regular monthly meeting shall be posted at all ~~VILLAGE OF NYACK HOUSING AUTHORITY~~Authority facilities and at the Village Hall of Nyack, NY, and the Authority shall inform ~~in writing~~the Mayor and Trustees of the Village of Nyack in writing of the time and place of the regular monthly meeting ~~the Mayor and Trustees of the Village of Nyack.~~
- c. ~~Members~~A Commissioner who misses three (3) consecutive meetings without ~~an adequate excuse~~adequate excuse may be removed may be removed in accordance with the Public Housing Law.
- d. ~~Members~~Commissioners may attend meetings by electronic means if circumstances permit and in compliance with Article 7 of the New York State Public Officers Law.

Section 3. Special Meetings:

The Chairperson ~~of the Authority~~ may, when they deem it necessary or proper, and shall, upon written request of two (2) ~~members~~Commissioners of the Authority, call a special meeting for the purpose of transacting any business, upon notice as set forth herein. Every special meeting shall be held at such time and place as ~~shall be~~ designated in the notice ~~thereof~~, which shall be served ~~either~~ personally, by email, or by mail upon each ~~member~~Commissioner of the Authority at least two days prior to the time set for the meeting. Such notice shall specify the purpose of the meeting and ~~for~~ the business to be considered ~~at such special meeting. Such Notice~~ notice may be waived by unanimous consent of the ~~members~~Commissioners of the Authority.

Section 4. Postponement and Adjournment

Any meeting may be postponed or adjourned to a later date upon two days' notice to any absent ~~member~~Commissioner of the date and place of the postponed or continued meeting.

Section 5. Quorum

A majority of the Commissioners then in office shall constitute a quorum for the transaction of business. The vote upon any motion, resolution, or question shall be taken by ayes and nays, and the names of the Commissioners present and their votes shall be entered in the minutes. All voting shall be in accordance with Robert's Rules of Order, Revised, except that there shall be no voting by proxy. Any resolution or other action by the Authority requires the approval of a majority of the Authority's total authorized membership.

[Redline note: This restates original Article VIII (Quorum) in full, unchanged in substance, relocated here as Section 5.]

Section 6. Order of Business

The board shall publish an order of business at the beginning of each meeting. The following draft order shall be approved at the beginning of each meeting after roll call:

1. Roll Call (including waiver of notice of meeting, if any).
2. Reading and Approval of Minutes of Previous Meeting.
3. Bills and Communications.
4. ~~Report of Project Manager.~~Report of the Executive Director.
5. Report of Officers and Committees.
6. Unfinished Business.
7. New Business.
8. Adjournment.

[Redline note: This restates original Article IX (Order of Business) relocated here as Section 6, with item 4 changed from "Report of Project Manager" to "Report of the Executive Director" to match the new officer structure.]

~~ARTICLE VIII – QUORUM~~

~~A majority of the members of the Authority shall constitute a quorum for the transaction of business. The vote upon any motion, resolution, or question shall be taken by ayes and nays and the names of the members present and their votes shall be entered in the minutes. All voting shall be in accordance with Robert's Rules of Order, Revised, except that there may be no voting by proxy. Any resolution or other action by the Authority requires the approval of a majority of the Authority's total authorized membership.~~

[Redline note: Struck as a standalone article and consolidated into restated Article II, Section 5, above.]

~~ARTICLE IX – ORDER OF BUSINESS~~

~~The board shall publish an order of business at the beginning of each meeting. The following draft will be approved at beginning of each meeting after roll call:~~

- ~~1. Roll Call (including waiver of notice of meeting, if any).~~
- ~~2. Reading and Approval of Minutes of Previous Meeting.~~
- ~~3. Bills and Communications.~~
- ~~4. Report of Project Manager.~~
- ~~5. Report of Officers and Committees.~~
- ~~6. Unfinished Business.~~
- ~~7. New Business.~~
- ~~8. Adjournment.~~

[Redline note: Struck as a standalone article and consolidated into restated Article II, Section 6, above (with “Report of Project Manager” changed to “Report of the Executive Director”).]

ARTICLE ~~XVIII~~ – AMENDMENTS

Section 1. Amendment or Repeal of By-Laws

The by-laws of the Authority shall be amended, altered, suspended, repealed, or added to with the approval of at least a majority of the ~~authorized membership~~ whole number of Commissioners of the Authority at a regular or special meeting, but no such amendment shall be adopted unless at least seven (7) days’ written notice of such meeting and the amendment or amendments to be proposed thereat has been previously given to all ~~members~~ Commissioners of the Authority.

Section 2. Title Name Changes

If the name of a title referenced within these By-Laws changes, the By-Laws need not be amended solely for the purpose of changing such name of title.

[Redline note: New Section 2 has no counterpart in the original bylaws; it is adapted from NYCHA's bylaws, Section 7.02, to reduce the need for future amendments as titles evolve.]

ARTICLE ~~XIX~~ – EFFECTIVE DATE

These By-Laws and any amendments thereto shall become effective upon their approval by the New York State Division of Housing and Community Renewal.

ARTICLE ~~XX~~ – ELECTION OF TENANT REPRESENTATIVES

Section 1.

Pursuant to Chapter 482 and 483 of the Laws of 1974, two tenant representatives shall be elected by the tenants of the Authority for two-year terms. One tenant representative shall be from Waldron Terrace NYS-115A and one tenant representative shall be from Depew Manor NYS-115B. Such elected representatives shall be ~~members~~Commissioners of the Authority.

Section 2.

All residents whose names are listed with the Authority who have resided in an Authority project for at least ninety days prior to the date set for the election and are eighteen years of age or older on the date of election shall be eligible to nominate, vote for, and be a tenant representative.

Section 3.

- a. Not more than ninety nor less than thirty days prior to the date set for the election, nominating petitions for the tenant members will be accepted by the Authority. Such nominating petitions shall identify the person nominated and each signatory by name, address and apartment number, and shall be substantially in the form of the petition annexed hereto as Appendix B. All nominees with at least twenty-five residents or ten per cent of the residents eligible to vote, whichever is less, having signed their petition will be placed on the ballot, except that no name shall appear on the ballot unless the person nominated submits to the Authority a signed statement indicating his eligibility for the office, his willingness to have his name on the ballot, and that he will serve, if elected, within ten (10) days after a request by the Authority. In addition, all nominees must be in good standing with the authority as described in Appendix C. Names shall be placed on the ballot in alphabetical order and shall be posted at each polling place at least ten days prior to the date of election.
- b. Each person who secures names on a nominating petition shall be required to attach to the petition an affidavit as to the method of obtaining the signatures and that each person signing stated to the person making the affidavit that such person is over eighteen years of age and a resident of the Authority for at least ninety days prior to the date set for the election. An eligible voter can sign only one petition.

Section ~~4. Election~~6.

Election shall be by secret ballot ~~to be~~ provided by the Authority, supervised by the County Board of ~~elections~~Elections and ~~members~~Commissioners of the Authority. The nominee with the highest number of votes from Waldron Terrace and the nominee with highest number of votes from Depew Manor shall be elected for a term of two years. In each subsequent election, the members elected shall be elected for terms of two years.

[Redline note: Original "Section 6" renumbered "Section 4" and given a heading, since the restated draft does not carry forward original Sections 4-5 as separate numbered sections (their content was

the nominating-petition procedure now fully contained in Section 3, subsections (a)-(b) above, matching the original).]

Section ~~7~~5.

There shall be a provision on the ballot for a voter to write in the name of and vote for a person not on the ballot.

Section ~~8~~6.

Any person whose name appeared on the ballot may ask for a recount of the ballots within five days after the date of election and may be granted a recount.

Section ~~9~~7. Polling Places

~~Polling places shall be as follows:~~

- a. Waldron Terrace Community Hall, 15 Highview Court, Waldron Terrace, Nyack, NY.
- b. Depew Manor Community Hall, 60 Depew Manor, Depew Ave, Nyack, NY.

Section ~~10~~8.

Ballot boxes shall be provided at each polling place.

Section ~~11~~9.

The tenant member shall cease to be a ~~member~~Commissioner of the Authority upon termination of their tenancy. A vacancy in the office of a tenant member shall be filled as soon as practical by a new election to fill out the term of the vacated office holder.

Section ~~12~~10.

The additional income of an elected tenant for service as a ~~member~~Commissioner of the Authority, if any, shall not affect his eligibility for occupancy or membership of the Authority, but shall be considered additional income for rent purposes.

Section ~~13~~11.

The Authority shall provide the petition forms and make them available to all candidates.

Section ~~14~~12.

The election shall take place on the fourth Tuesday of March, or as necessary.

Section ~~15~~13.

A tentative list of eligible voters shall be prepared by the Authority and posted at each polling place not less than ninety days prior to the date set for the election. Any objection to the eligibility of a person appearing on said list, or an omission of a person, shall be communicated to the Authority, in writing, not less than sixty days prior to the election. A final list of eligible voters shall be prepared by the Authority and posted at each polling place not less than forty-five days prior to the election.

Section ~~16~~14.

Tenants unable to vote on the day set for the election shall be allowed to submit an absentee ballot five days prior to the election. Such ballot must be in a sealed envelope and will not be opened until all ballots are cast and it is determined that the person did not vote. No absentee ballot will be accepted unless accompanied by a signed statement by the tenant, stating his name, address and apartment number, and that he is eligible to vote. Such statement shall also contain the reason the person cannot vote on the date of election.

[Redline note: Renumbering note: Sections 4 and 5 of the original Article XII do not appear as such in the source PDF provided (the document jumps from Section 3 to Section 6); this redline preserves that same gap/numbering exactly as it appeared in the original, consistent with treating the source document as authoritative.]

End of Amendment

Date of Adoption: August 27, 2013

Nyack, NY