

**Oquaga Lake  
Improvement  
Association**



**OQUAGA LAKE**

**DEPOSIT**

**NEW YORK**

Certificate  
of Incorporation

CONSTITUTION  
AND BY-LAWS

of the

Oquaga Lake  
Improvement  
Association

(INCORPORATED)

Adopted at a meeting of the Association held  
at Oquaga Lake, N. Y., on the  
2nd day of August, 1907.

—ALSO—

DEED TO OUTLET

# Certificate of Incorporation

|||||

STATE OF NEW YORK

*Office of the Secretary of State*

ALBANY, Sept. 17, 1906.

C. E. SCOTT, Esq.

Your letter of the 13th inst., enclosing certificate of incorporation of The Oquaga Lake Improvement Association, to be filed and recorded in this office, has been received and the same placed on file and recorded today, as requested.

Fees, \$10.90, paid.

Yours respectfully,

JOHN F. O'BRIEN,  
Secretary of State.

## CERTIFICATE OF INCORPORATION

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WE, THE UNDERSIGNED, all being persons of full age, citizens of the United States and residents of the State of New York, desiring to form a membership corporation, pursuant to the provisions of the Membership Corporations Law of the State of New York, do hereby make, sign, acknowledge and file this certificate for that purpose, as follows:

FIRST: The particular objects for which it is to be formed are as follows: To preserve, improve and protect Oquaga Lake and the lands adjoining the same and bordering thereon, all located in the town of Sanford, Broome county, New York; to develop and promote the said territory as a summer resort; to prevent the contamination of the waters thereof; to further and advance the social and general welfare of the said territory and the owners and occupants thereof and the members of this association; to do any and all acts necessary to carry into effect the foregoing objects, including acquiring and holding title and property rights in and to the said Oquaga Lake, adjoining lands and springs and water courses in the vicinity.

SECOND: The names of the proposed corporation is "The Oquaga Lake Improvement Association."

THIRD: Its principal office is to be located at Oquaga Lake, Broome county, New York.

FOURTH: The number of its directors is to be nine.

FIFTH: The names and places of residence of the persons to be its directors until its first annual meeting are as follows:

E. FRANK SMITH, Deposit, N. Y.

STANLEY N. MITCHELL, Binghamton, N. Y.

CALVIN L. LEWIS, 107 St. James Place,  
Brooklyn, N. Y.

CHARLES P. KNAPP, Deposit, N. Y.

FRANK KERR, Deposit, N. Y.

ELWIN J. SCOTT, Oquaga Lake, N. Y.

WALTER J. PUTNAM, Deposit, N. Y.

CLARENCE E. VAIL, Deposit, N. Y.

MORRIS KNAPP, Deposit, N. Y.

SIXTH: The times for holding its annual meetings shall be the first Saturday in August of each year (See Amendments to By-Laws No. 2 and No. 4.)

IN WITNESS WHEREOF, we have made, signed, acknowledged and filed this certificate in duplicate.

Dated this 27th day of August, 1906.  
E. F. SMITH, Deposit, N. Y.

CALVIN L. LEWIS, 107 St. James Place,  
Brooklyn, N. Y.

SARAH E. LAROM, 552 West 140th St.,  
New York City.

CLARENCE E. VAIL, Deposit, N. Y.

MRS. ADA PALMEDO, 455 East 13th Street,  
Brooklyn, N. Y.

MRS. FANNIE C. DEAN, Deposit, N. Y.

WALTER J. PUTNAM, Deposit, N. Y.

JAMES A. MINOR, 176 Broadway, N. Y. City.

R. J. SCOTT, Oquaga Lake, N. Y.

ELWIN J. SCOTT, Oquaga Lake, N. Y.

MARY R. SCOTT, Oquaga Lake, N. Y.

CHAS. P. KNAPP, Deposit, N. Y.

J. BASSIN, Deposit, N. Y.

C. S. MINOR, Deposit, N. Y.

FLOYD B. SMITH, Deposit, N. Y.

ROBERT BROWN, Deposit, N. Y.

E. C. BRIGGS, Deposit, N. Y.

MORRIS KNAPP, Deposit, N. Y.

FRANK KERR, Deposit, N. Y.

E. D. JESTER, Deposit, N. Y.

STANLEY N. MITCHELL, Binghamton, N. Y.

LOUIS DEJONGE, New York, N. Y.

ELIZABETH M. BROWN, Deposit, N. Y.

STATE OF NEW YORK }  
COUNTY OF BROOME } ss:

On this 28th day of August, in the year  
nineteen hundred and six, before me, the

subscriber, personally came E. F. Smith, Calvin L. Lewis, Mrs. Sarah E. Larom, Clarence E. Vail, Mrs. Ada Palmedo, Mrs. Fannie C. Dean, Walter J. Putnam, James A. Minor, R. J. Scott, Elwin J. Scott, Mary R. Scott, Chas. P. Knapp, J. Bassin, C. S. Minor, Floyd B. Smith, Robert Brown, E. C. Briggs, Morris Knapp, Frank Kerr, E. D. Jester, Stanley N. Mitchell, Louis Dejonge, Jr., and Elizabeth M. Brown, to me known and known to me to be the same persons described in and who executed the foregoing instrument and severally acknowledged that they executed the same.

C. E. SCOTT, Notary Public.

STATE OF NEW YORK }  
BROOME COUNTY CLERK'S OFFICE } ss:

I, Allyn K. Marean, clerk of said County, and of the County Court and Supreme Court of the State of New York, appointed to be held in and for said County, being Courts of Record having a common seal, do hereby certify that I have compared the annexed copy of certificate of incorporation of The Oquaga Lake Improvement Association with the original certificate of incorporation filed and recorded Sept. 12, 1906, now remaining on file and of record in my office, and that

the same is a correct and true copy of said original, and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of [L.S.] said county and courts, at the city of Binghamton, this 12th day of Sept., 1906.

A. K. MAREAN, Clerk.

## CONSTITUTION and BY-LAWS

### ARTICLE I.

#### MEETINGS OF MEMBERS.

§ 1. The annual meeting of the members of this company shall be held at the office of the corporation at Oquaga Lake, New York, on the first Saturday in August of each year, at 8 o'clock p. m., for the election of directors and officers and for the transaction of such other business as may properly come before such meeting. (See Amendments to By-Laws No. 2 and No. 4.)

§ 2. Special meetings of members may be called at any time by a majority of the directors. A notice of every special meeting, stating the time, place and object thereof, shall be given by mailing, postage prepaid, at least ten days before such meeting, a copy of such notice addressed to each member at his post-office address as the same appears upon the books of the corporation.

§ 3. At all meetings of the members there shall be present, either in person or by proxy, at least nine members, in order to constitute a quorum.

§ 4. At all meetings of the members each active member shall have the right to cast one vote on all questions, and each associate member shall be entitled to cast one

vote on all questions except those involving financial transactions, or the purchase and sale of property, or the election of directors and officers.

§ 5. At the meetings of members the following shall be the order of business, viz:

1. Calling the roll.
2. Reading minutes of the last meeting.
3. Report of Directors.
4. Report of Treasurer.
5. Report of Committees.
6. Election of Directors.
7. Election of Officers.
8. Election of new members.
9. Miscellaneous business.

## ARTICLE II.

### MEMBERS.

§ 1. The members of this corporation shall be divided into two classes, viz:

Active Members.

Associate Members.

§ 2. To entitle a person to active membership, he shall either own real property located at Oquaga Lake, or shall legally represent the owner of such property by

being the legally appointed trustee, executor, agent or attorney of the owner.

§ 3. To entitle a person to associate membership, he shall be recommended and elected.

§ 4. Persons desiring to become members shall file an application with the Secretary, stating their residence and property at Oquaga Lake. The same shall be submitted to the Directors, and if they approve the application it shall be submitted to the members at any meeting and a vote taken thereon. If such vote shall be in the affirmative the applicant shall, upon payment of the initiation fee, become a member.

§ 5. The membership fee for associate members shall be the sum of one dollar. No membership fee shall be required of active members.

§ 6. The annual dues for all members, payable at such time as Directors shall determine, shall be the sum of one dollar. (See Amendment to By-Laws No. 3.)

§ 7. Any member failing to pay his annual dues shall not be entitled to vote at any meeting until they have been paid, and may be expelled from the association by a vote of the members at any meeting.

### ARTICLE III.

#### DIRECTORS.

§ 1. At the first annual meeting of the Directors there shall be elected, by a plurality vote of the members attending. (See Amendment No. 1.)

Three Directors to serve one year;

Three Directors to serve two years;

Three Directors to serve three years.

At each subsequent annual meeting there shall be elected three Directors to serve three years. Only active members shall be eligible to the office of Director.

§ 2. From the persons elected Directors shall be chosen, by a majority vote of the members at the annual meeting, the following officers to serve one year:

President,

Vice-President,

Secretary,

Treasurer.

§ 3. Vacancies in the Board of Directors shall be filled by a majority vote of the remaining Directors at any special meeting called for that purpose, or at any regular meeting of the board. A person elected to fill such vacancy shall hold office until the next annual meeting of the members, when the members shall elect such successor as

they see fit, in the same manner as other directors are elected.

§ 4. The Board of Directors may adopt such rules and regulations for the conduct of their meetings and the management of the affairs of the corporation as they may deem proper, not inconsistent with the laws of the state of New York, nor with these by-laws.

§ 5. The Board of Directors shall meet whenever called together by the President upon due notice given to each Director. On the written request of any Director or active member the Secretary shall call a meeting of the board.

§ 6. The Directors shall render a report to the members at the annual meeting, stating in full what business they have transacted for the corporation, and making such recommendations for the future as they may deem expedient.

### ARTICLE IV.

#### OFFICERS.

§ 1. The President shall preside at all meetings of the members and of the Board of Directors. He shall sign and execute all writings, contracts and instruments in the name of the company, when authorized to do so by the Board of Directors, or by a vote



of the members. He shall appoint and discharge agents and employees, subject to the approval of the Directors, and he shall have the general management of the affairs of the association, and perform all duties incidental to his office.

§ 2. The Vice-President shall, in the absence of the President, perform the duties of that office.

§ 3. The Secretary shall keep the minutes of the meetings of the members and Directors; he shall attend to the giving and serving of all notices of the association; he shall countersign all documents, writings and contracts when signed by the President and authorized by the Directors or members. He shall have charge of all books, papers and correspondence of the association. He shall attend to such correspondence as may be assigned to him, and perform all the duties incidental to his office. He shall keep a book showing the names, post-office addresses and property assessed to the members at Oquaga Lake, and the assessed valuation thereof, also showing the kind of membership to which each member belongs.

§ 4. The Treasurer shall have the care and custody of the funds and securities of the corporation and deposit the same in the name of the corporation in such bank or

banks as the Directors may select. He shall sign all checks, notes and drafts for the payment of money which shall be countersigned by the President and authorized by the Directors, and he shall pay out and dispose of the same under the direction of the Board of Directors. He shall at all reasonable times exhibit his books and accounts to any Director or member of the association. He shall give such bonds for the faithful performance of his duties as the Board of Directors may determine. At the expiration of his term of office he shall turn over and account to his successor for all funds, securities and property of the corporation in his hands, and he shall give a detailed written report to the corporation at its annual meeting.

## ARTICLE V.

### APPRAISERS.

§ 1. Three Appraisers shall be chosen by vote of the active members from the Board of Directors, at the annual meeting, to serve one year.

§ 2. The unit of assessment shall be determined by the committee of appraisers, subject to the approval of the Board of Directors.

## ARTICLE VI.

### INSPECTORS.

§ 1. Two inspectors of election shall be elected at each annual meeting of the corporation, to serve one year, and if any inspector shall refuse to serve, or shall not be present, the meeting may appoint an inspector in his place.

## ARTICLE VII.

### SEAL.

§ 1. The seal of the corporation shall be a metal or rubber stamp in the form of a circle, and shall bear the name of the corporation and the year of its incorporation, 1906, and within the circle the figure of an owl.

## ARTICLE VIII.

### AMENDMENTS.

§ 1. These by-laws may be amended at any meeting of the members by a two-thirds vote of the active members present or represented by proxy.

Amendment No. 1. August 7, 1908. Motion made and carried that the word "Directors" in Article 3, Section 1, be changed to the word "Members."

Amendment No. 2. Aug. 13, 1915. Motion made and carried that the annual meeting was ordered changed from the first Saturday evening in August each year at 8 P. M. to the last Friday evening in July at 8 P. M.

Amendment No. 3. Motion made and carried to amend by-laws increasing dues to \$5.00 a year for active or property owning members.

Amendment No. 4. Motion made and carried to amend Amendment No. 1 to read "Meeting and election of officers shall be held the last Friday night in August each year at 8 P. M."

## CHARTER MEMBERS

The following named property owners have signed the constitution and by-laws and have thus become active members of this Association Sept. 1, 1907.

MRS. SARAH E. LAROM  
LOUIS DEJONGE  
E. FRANK SMITH  
B. J. MILNES  
E. D. JESTER  
FRANK KERR  
CHARLOTTE PALMEDO  
S. G. SCUTT  
E. J. SCOTT  
W. J. PUTNAM  
R. J. SCOTT  
OTTO W. ZENTGRAF  
CALVIN L. LEWIS  
CLARENCE E. VAIL  
FLOYD B. SMITH  
MORRIS KNAPP  
ELIZABETH M. BROWN  
KNAPP BROTHERS  
C. S. MINOR  
IDA S. MINOR  
JOHN N. THOMSON  
MRS. C. N. STOW  
JAMES A. MINOR  
MRS. FLORENCE HINMAN  
STANLEY N. MITCHELL

## ACTIVE MEMBERS

C. M. AXTELL, DR., Deposit, N. Y.  
EVERETT AXTELL, Deposit, N. Y.  
KENNETH AXTELL, Deposit, N. Y.  
J. C. ADAMS, Binghamton, N. Y.  
MRS. W. E. BROKAW, Binghamton, N. Y.  
C. K. BROWN, Deposit, N. Y.  
E. C. BRIGGS, Mrs., 36 Main St.,  
Deposit, N. Y.  
ROBERT H. BARNARD, Binghamton, N. Y.  
CLEARWATER & SON (IRA), Deposit, N. Y.  
C. CRONEMEYER, Oquaga Lake, N. Y.  
R. W. DUGGAN, Brooklyn, N. Y.  
W. E. DICKINSON, Oquaga Lake, N. Y.  
A. S. EMBLER, Walden, N. Y.  
J. A. FANCHER, Binghamton, N. Y.  
MRS. E. G. HINMAN, Deposit, N. Y.  
HANSON HOTEL, Oquaga Lake, N. Y.  
H. A. HUBSCHMIDT, Montclair, N. J.  
KNOELLER COTTAGE, New York City, N. Y.  
G. H. KINGSBURY, Deposit, N. Y.  
W. E. KENT, Binghamton, N. Y.  
FRED LYNCH, Deposit, N. Y.  
P. A. LYNCH, Deposit, N. Y.  
A. D. LEGG, Binghamton, N. Y.  
CARL LEGG, Binghamton, N. Y.  
C. V. LATIMER, DR., Deposit, N. Y.  
MRS. GEORGE MINOR, Sr., Cleveland, Ohio  
W. D. MARSHMAN, Deposit, N. Y.  
G. S. MILLSPAUGH, Walden, N. Y.

HOTEL MONOQUAGA, Oquaga Lake, N. Y.  
J. H. MILLER, Rockaway Beach  
F. LEON MABLE, Binghamton, N. Y.  
MRS. HAROLD PRIGOFF, Larchmont, N. Y.  
JOHN F. POLHEMUS  
H. A. READ, Binghamton, N. Y.  
MRS. GRACE L. STELLNER, Brooklyn, N. Y.  
R. J. SCOTT, Oquaga Lake, N. Y.  
F. B. SMITH, Deposit, N. Y.  
F. A. SEARS, Binghamton, N. Y.  
HOMER SMITH, Oquaga Lake, N. Y.  
MRS. EDWIN M. TIERNEY,  
Binghamton, N. Y.  
MRS. EMMA THOMPSON, Deposit, N. Y.  
ALBERT M. VAIL, Deposit, N. Y.

## DEED TO OUTLET

*Given by R. J. Scott to the Oquaga Lake Improvement Association, August 13, 1907.*

THIS INDENTURE: Made this 13th day of August, 1907, between Raymond J. Scott (unmarried) of Oquaga Lake, Broome County, New York, party of the first part and the Oquaga Lake Improvement Association, a duly organized membership Corporation, incorporated under the laws of the State of New York, and having its principal office and headquarters at Oquaga Lake, Broome County, New York, party of the second part.

WITNESSETH: That the party of the first part in consideration of the sum of one dollar to him duly paid by the party of the second part, and other valuable considerations including the mutual benefits to be derived, does hereby grant and release unto the party of the second part, its successors and assigns, the right to build, construct, repair and maintain dams, dykes, abutments, retaining walls and devices at the outlet to the Oquaga Lake where the dam now is and not elsewhere, in the Town of Sanford, Broome County, New York.

Nothing herein contained shall be construed as granting to the party of the second part any right to violate the provisions of a clause or provision contained in a deed given

by the Deposit National Bank to Raymond J. Scott on Nov. 19th, 1906, and recorded in Broome County Clerk's Office on Jan. 7th, 1907, in Book 207 of deeds at page 351, which provision or clause is as follows:

"It is also expressly understood and agreed and this deed is executed and accepted upon the express condition that the party of the second part, his heirs or assigns or any one claiming by, through or under him or them shall have no right to lower the dam or gate at the outlet of Oquaga Lake, or drain or permit or suffer to be drained the waters of Oquaga Lake below their present level."

And this indenture is made subject to the provisions thereof, and it is further agreed that the "present level" of the waters of Oquaga Lake shall be as marked on the dock of the "Aquehonga Cottage" owned by Louis Dejonge, Jr., and located on the South-westerly border of said lake; and any dam hereafter erected shall have its spill-way built on the same level as said mark and thereafter said spill-way shall determine the water level of the lake.

It is further understood and agreed that the party of the second part shall have full power and authority to do and perform any and all acts with free right of ingress and egress to and from the premises for the pur-

poses aforesaid, which the party of the first part might or could do in case this instrument was not made. All work to be done in a businesslike manner and without material injury to the premises of the party of the first part.

The party of the first part also grants to the party of the second part as far as he is or may be empowered so to do the right to drain or lower the waters of Oquaga Lake temporarily for the purposes of repairing docks, cleaning the shore of the lake and similar purposes, but such draining or lowering shall not exceed thirty days at any one time and shall be done between the first days of October and December.

The stipulations herein contained shall apply to and bind the heirs, executors, administrators, successors and assigns of the respective parties.

IN WITNESS WHEREOF: The parties have hereunto set their hands and seals to this indenture the day and year first above written.

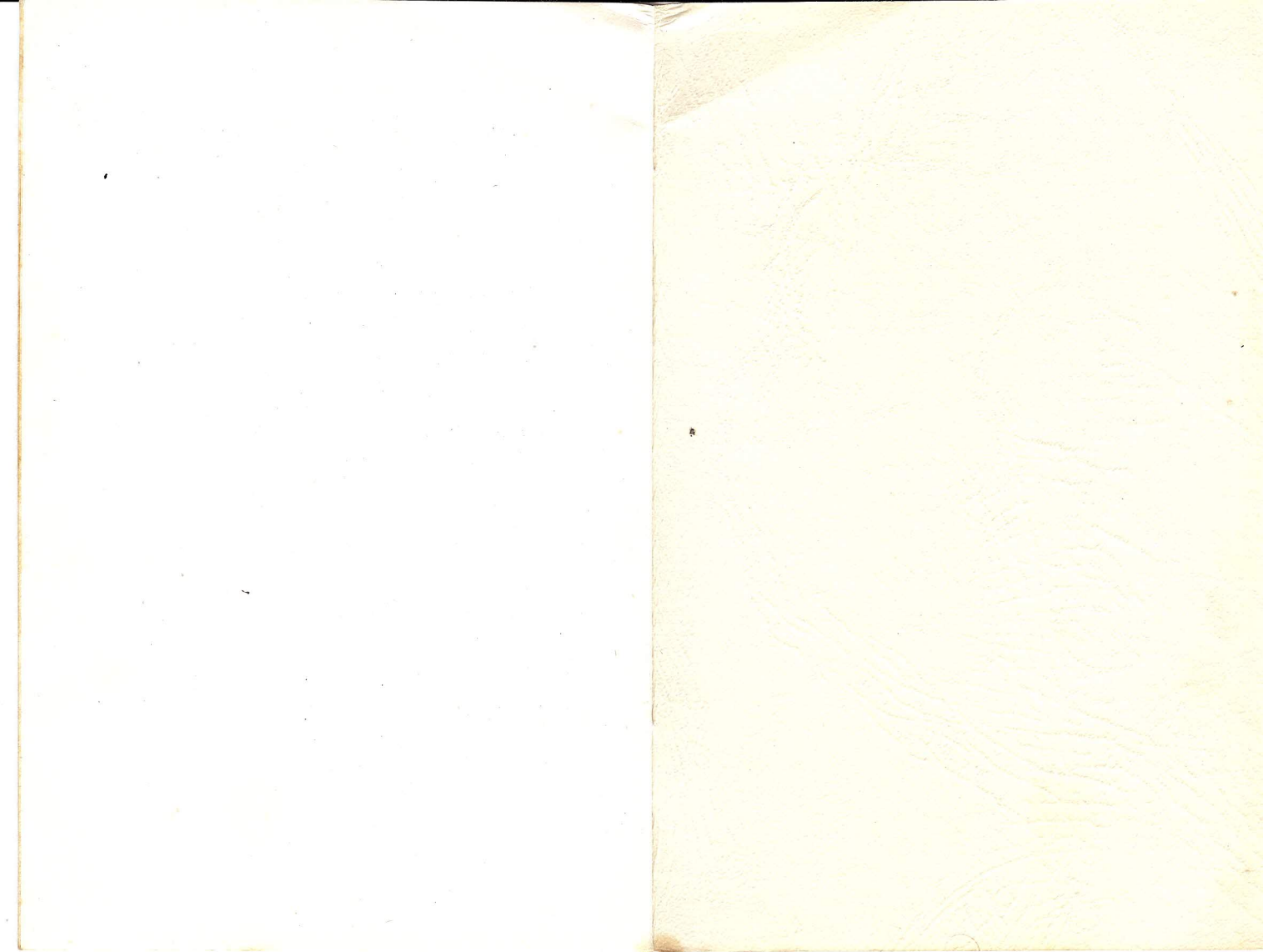
R. J. SCOTT. [L. s.]

OQUAGA LAKE IMPROVEMENT ASSOC. [L. s.]

By. E. F. SMITH, President.

Attest:

CALVIN L. LEWIS, Secretary.



DEPOSIT COURIER COMPANY  
INCORPORATED  
DEPOSIT, NEW YORK

**Oquaga Lake  
Improvement  
Association**



**OQUAGA LAKE  
DEPOSIT                      NEW YORK**



**Oquaga Lake  
Improvement  
Association**



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