

# By Laws

## of The Clarkstown Republican Committee

Version: 2005

The By Laws herein were approved by the Clarkstown Republican Committee on May 5, 2005 and replace all pre-existing By Laws.

### Preamble

The purpose of the Clarkstown Republican Committee shall be to further Republican Party objectives within the Town of Clarkstown and to assist the County, State and National Republican Committees in achieving their objectives

The Clarkstown Republican Committee acknowledges that it exists under the aegis of the Rockland County Republican Committee and that for any conflict between these By Laws and By Laws of the Rockland County Republican Committee, the By Laws of the County Committee will control in any area exclusively reserved by the County Committee.

### Article I: Composition of the Town Committee

1.1 The Clarkstown Republican Committee membership shall consist of the members of the Rockland County Republican Committee who are from election districts within the Town of Clarkstown.

1.2 Honorary Members: From time to time, the Town Committee may choose to honor individuals who have rendered service to the Republican Party, or to members of the Town Committee who cease to reside in Clarkstown, or who cease to be elected as Committeepople, by bestowing upon such individuals the title of "Honorary Member". Honorary Members may attend all social functions and fund raisers of the Town Committee and may serve on such committees as the Town Chairperson shall determine. However, no Honorary Member shall have the right to vote on any matter affecting the Town Committee or any subcommittee thereunder. During proceedings appropriate only for Town Committeepersons, Honorary Members may be barred from such meetings or portions of such meetings by majority vote or by advance notice of the Executive Board

### Article II: Meetings of the Town Committee

2.1 The Committee will meet not more than fifteen days after the Republican Primary Election at which its members were elected for the purpose of reorganizing the Committee, but in no event shall it meet later than three days prior to the Reorganization Meeting of the County Committee.

2.2 The Town Committee shall meet no fewer than five times per year, with no more than six months between each meeting. The first meeting of each calendar year shall be termed the "Annual Meeting" the primary purpose of which is for the Chairperson to deliver a "State of the Town Committee" Report; for the Treasurer to report on the financial status of the Committee, including the previous years income and outflow and for the Finance Committee to present its Budget proposal for the coming year. The membership will vote on the Budget at this meeting.

2.3 The Committee shall meet whenever the Town Chairperson calls a meeting, or in the Chair's absence or disability, meetings shall be called by the Vice Chairperson.

2.4 The Town Committee will also meet whenever a petition stating the date and purpose of the meeting is signed by no less than 20% of the members of the Town Committee. Such petitions must be delivered to the Town Chairperson no less than ten days prior to the date of the meeting and either the Petitioners or the Town Chairperson shall cause notice to be mailed to the membership no less than seven days prior to the date of the meeting.

In the event that the Town Chairperson or any other Officer refuses or fails to chair such a special meeting, the Committeepeople present may elect a Chairperson *Pro Tem* to chair such meeting providing a quorum of Town Committeepeople are present as such special meeting.

2.5 Town Committeepeople shall be notified in writing of all Town Committee meetings. Such notice shall be postmarked no later than five days prior to the meeting.

2.6 Actions taken when proper notice of a meeting has not been given, shall be null and void.

2.7 Ten percent of the members of the Clarkstown Republican Committee shall constitute a Quorum for the transaction of any business of the Clarkstown Town Committee except that at Town Conventions, defined as any meeting where a person may be nominated to run for public office or for a position as an officer of the Town Committee, the Quorum shall be 25% and for all Quorum calculations in these By Laws, a fractional value shall be rounded upward to the whole person.

2.8 **Meeting Procedures and Parliamentary Authority:** At all meetings of any group authorized by these By Laws, Parliamentary Procedure as describe by the latest edition of Robert's Rules of Order shall prevail except where these By Laws, the By Laws of the Rockland County Republican Committee or New York State Election Law specifically provide otherwise.

## Article III – Officers of the Town Committee

3.1 The officers of the Committee shall consist of a Chairperson, Vice-Chairperson, Treasurer, Corresponding Secretary, Recording Secretary, County Executive Member, and Town Delegates to the County Executive Board the number of whom shall be determined pursuant to the By Laws of the Rockland County Republican Committee.

3.2 Election of Officers shall take place at a duly noticed Organizational meeting of the Committee. Officers shall take office immediately upon election and shall serve for a term of two years or until an officer ceases to reside in the Town of Clarkstown. Officers must be Committeepeople of the Rockland County Republican Party within the Town of Clarkstown by the time they take office and must remain as such during their terms of office.

The elections will be presided over by the Town Chairperson unless the Town Chairperson is running for re-election, in which case the Vice Chairperson shall preside unless the Vice Chairperson is also running for re-election, in which case the elections shall be presided over by the Parliamentarian.

3.3. Upon a vacancy occurring in any office, or upon the vacancy of an Area Chairperson, the Town Chairperson shall nominate a successor *pro tem*, subject to ratification by the Clarkstown Town Committee, who shall serve for the balance of the term.

3.4 Upon a vacancy occurring in the office of Chairperson, the Vice-Chairperson shall call a special meeting, properly noticed, within thirty days of said vacancy for the purpose of electing a new chairperson. Should the Vice-Chairperson wish to stand for election as Chairperson or should the office of Vice Chairperson be vacant, the special meeting will be chaired by the Parliamentarian.

3.5 Any officer may resign by giving written notice to the Chairperson, such resignation to take effect immediately upon receipt by the Chairperson.

## Article IV – Duties of the Officers of the Town Committee

4.1 The Chairperson shall be the Chief Executive Officer of the Town Committee. As such he shall preside at all meetings of the Town Committee and of the Executive Board. The Chairperson shall be responsible for designating the time, place and agenda for all regular meetings of these bodies. He shall, *ex officio*, be a member of all standing and special committees. The Chairperson shall make all appointments called for by law or by the By Laws of the Town, County or State Republican Committees. Specifically authorized is the power to appoint a Parliamentarian, Sergeant at Arms and such Executive Assistants as the Chairperson finds necessary and proper to assist the Town Committee in implementing its goals and to serve as an officers-in-training. The Chairperson will serve as liaison with public officials, organizations or groups, attend meetings and hearings, aid in Republican registration drives, and engage in activities designed to maximize the public exposure of the Town Committee. The Chairperson shall discharge all duties assigned to him/her by the Town Committee, Executive Board or the Executive Board in addition to the duties stipulated by these By Laws, those of the County Republican Committee or by Robert's Rules of Order. The Chairperson will render an annual State of the Town Committee Report to the Town Committee. The Chairperson is the official spokesperson for the Committee.

4.2. The Vice Chairperson shall serve as Acting Chairperson in the absence, or disability of the Chairperson. The Vice Chairperson shall follow the procedure set forth in section 3.4 herein in the event of a vacancy in the Chairperson's position. The Vice Chairperson's responsibilities shall, in addition to those described in Robert's Rules of Order, include the organization and education of Committeepeople through Area Chairpeople, consulting with committee members of election districts on the selection of Area Chairpeople and Election Inspectors and shall make recommendations regarding same to the Chairperson and Executive Board. The Vice Chair shall coordinate volunteers for election campaigns and committee sanctioned petition drives. Additionally the Vice Chairperson shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine.

4.3 The Treasurer shall receive and disburse the monies of the Town Committee, shall keep an account of receipts and expenditures and shall twice a year make a written report to the Executive Board showing receipts and expenditures for the preceding six months, such report to be presented to the first Executive Board meeting after January and July 1<sup>st</sup> of each calendar year. The Treasurer will file financial reports with the Board of Elections as required by law. The Treasurer shall consult and cooperate with the Chairperson of the Finance Committee on the preparation of the annual Budget and shall report to the membership at the annual meeting on the fiscal state of the Town Committee including expenditures and income for the year preceding such meeting. Additionally the Treasurer shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine.

4.4 The Corresponding Secretary shall, upon instructions for the Chairperson, notify all members of meetings and shall be responsible for all outgoing correspondence. The Corresponding Secretary shall deliver a copy of these By Laws and any amendments thereto and of the By Laws of the Rockland County Republican Committee to each member of the Committee. Additionally the Corresponding Secretary shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine

4.5 The Recording Secretary shall keep written minutes of all meetings of the Town Committee and the Executive Board and shall maintain permanent records of same and any corrected versions thereof in a form approved by the Executive Board. The minutes shall contain the record of those present and the business transacted at each meeting. Minutes will be transmitted to the Chairperson within ten days after each meeting. Minutes will be read at the next meeting of the committee, and after corrections, will be approved by a majority vote of the membership. Minutes are to be available within a reasonable time of the request of any committeeperson for same.

Additionally the Recording Secretary shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine.

4.6 The Town Delegates shall represent the Town of Clarkstown at all County Executive Meetings. Additionally they shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine.

4.7 No Officer shall simultaneously hold more than one office.

4.8 All Officers must be members of the Clarkstown Republican Committee except as permitted under section 3.2 herein.

## Article V – District Leaders and Area Chairpeople

5.1 Committeepople from each election district within the Town of Clarkstown will select one person to serve as the District Leader.

5.2 Within ten days of the election of officers, the Executive Board will meet to define district Areas within the Town of Clarkstown and will then notify Committeepople to which district Area they belong so that they may recommend candidates for Area Chairpeople

5.3 Committeepople from each election district will recommend to the Town Chairperson, candidates for Area Chairperson, from the Areas defined by the Executive Board. Recommendations must be made within ten days of notification by the Town Chairperson stating the area to which each district belongs. A return form for recommendations will be provided in the notification from the Town Chairperson.

5.4 The Town Chairperson will announce all recommendations for Area Chairpeople to the Executive Board who will select Area Chairpeople within 30 days of the election of officers. Area Chairpeople will serve for a period of two years.

5.5 Area Chairpeople will be responsible for Town Committeepople within their areas and will communicate directly with District Leaders. Area Chairpeople will be responsible for education of new Committeepople, coordination of activities by Committeepople including petition signing, recruitment of new Committeepople, fund raising, assisting with Village elections in portions of the Town containing incorporated villages, assisting with the election of Town candidates, and additionally the Area Chairpeople shall have such other and further duties as the Chairperson, Executive Board or Town Committee shall determine.

5.6 The number of Area Chairpeople will be not less than four and not more than six as determined by the Town Chairperson.

## Article VI – The Executive Board

6.1 The Executive Board of the Clarkstown Republican Committee shall consist of the Officers of the Town Committee and the Area Chairpeople (who will not have a vote on the Executive Board). Additionally, District Leaders and Executive Assistants may attend Executive Board meetings, but will not have voting rights.

6.1.1 Executive Assistants may be appointed by the Chairperson to serve at his/her pleasure.

6.1.2 Any member of the Town Committee may nominate him/herself or another member as a prospective Executive Assistant for consideration for appointment by the Chairperson.

6.2 The Executive Board shall meet regularly as it shall determine, no fewer than five times annually. The Executive Board shall meet at such other times as may be determined by the Chairperson, or in his/her absence, by the Vice Chairperson.

6.3 All meetings of the Executive Board, except Executive Sessions as defined herein, are open to all members of the Town Committee and such other persons as the Chairperson or Executive Board may invite or permit to attend. However, only the Officers of the Town Committee may vote at Executive Board meetings.

6.4 A Quorum shall be 33% of the members of the Executive Board for all meetings of the Executive Board. A fractional value shall be rounded according to traditional rounding rules to determine a quorum.

6.5 The Executive Board shall set the agenda for meetings of the Town Committee and shall consider all matters appropriate to the purpose of the Town Committee. The Executive Board shall between meetings of the Town Committee exercise the duties and functions of the Town Committee in all matters not specifically reserved by these By Laws, the County Committee By Laws, or by Law, for action by the full Town Committee or for action by the Chairperson.

The Executive Board is empowered to promulgate such rules and procedures as it finds necessary to affect the purposes and objectives of these By Laws.

6.6 The Executive Board shall direct the treasurer to expend all funds approved in the annual budget and may do so once per year for the entire year for regular expenses such as rent and utility payments. The Executive Board may also approve a transfer of funds approved in the budget from one budget category to another without Town Committee approval provided that no more than 10% of a category's funds are transferred. Approval of the Town Committee is required for a transfer exceeding this amount. The Executive Board is empowered to expend up to \$300.00 without Town Committee approval for emergent needs which occur between meetings of the Town Committee.

6.7 The Executive Board may set a calendar for subsequent meetings for that year. In this case no further notification of Executive Board meetings is required. For all other meetings of the Executive Board members of the Executive Board shall be notified of such meetings in writing via first class mail posted no later than seven days in advance of such meetings.

6.8 Emergency expenditures, removal of members appointed by the Town Chairperson, including committee chairpeople from committees, or any other emergency actions may be authorized by a telephone poll of the members of the Executive Board so long as a memorandum of the names, phone numbers, time and date of the call are maintained by either the Chairperson, Vice Chairperson or Corresponding Secretary and included with the minutes of the next meeting of the Executive Board.

6.9 Unless otherwise specified in these By Laws, the County By Laws, or by Law, a majority vote of the members present and voting shall decide all matters before the Executive Board.

6.10 Executive Sessions, excluding anyone who is not on the Executive Board, may be held for the following purposes:

- A. Disciplinary proceedings against a member of the Town Committee
- B. Discussions of the Executive Board's nominees for public office prior to presentation before the Town Committee.
- C. Discussion of legal actions pending or ongoing. and
- D. Discussion of any action concerning matters the law considers confidential or whose publication might lead to libel charges.

## Article VII

### Standing and *Ad Hoc* Committees of the Town Committee

7.1 There shall be two standing committees of the Town Committee, the Finance Committee and the Law Committee. Members of each committee and chairpersons of each committee shall be appointed by the Town Chairperson. Committee chairpeople may be removed by the Town Chairperson after consultation with the Executive Board. The Town Chairperson shall, *ex officio*, be a member of all committees, both standing and *ad hoc*.

7.1.1 The Finance Committee shall advise the Executive and Town Committees on ways and means of financing the activities of the Town Committee, of Campaigns and of other political activities. This committee shall engage in and cooperate with other committees of the Town, or of political candidates of the Town Committee, in fund raising activities. The Finance Committee in cooperation with the Treasurer shall develop an operating budget for the Town Committee and present same for approval by the membership at the annual Town Committee meeting. The Treasurer shall, *ex officio*, be a member of the Finance Committee.

7.1.2 The Law Committee shall advise the Town Chairperson, the Executive Board, and the Town Committee on any question of law arising from the discharge of their duties and to consider and report on any legal matter referred to it by the Town Chairperson, Executive Board or Town Committee. Members of the Law Committee shall be available for consultation on Election Days.

7.2 *Ad Hoc* Committees may be appointed by the Town Chairperson at any time to carry out a specific function and may be dissolved by the Town Chairperson or have its chairperson or members removed by the Town Chairperson at any time after consultation with the Executive Board.

7.3 Chairpeople of all committees shall attend Executive Board meetings at the request of the Town Chairperson or of the Executive Board and chairpeople of all committees shall report at Town Committee meetings on the progress of their committees.

## Article VIII

### Nominations, Appointments and Recommendations

8.1 Nomination, recommendation or endorsement for Town, County, or State elective office shall be made at a meeting of the entire Town Committee, a "Town Convention," properly noticed. Where there are more than two candidates seeking nomination, recommendation or endorsement and no candidate receives a majority of the votes cast, there shall be one or more run-off elections as follows:

8.1.1 After the first round of votes, the candidate receiving the lowest number of votes shall be removed from further consideration and a new vote taken.

8.1.2 If after the second round of voting no candidate has a majority of votes then, of the remaining candidates, the candidate receiving the lowest number of votes shall be removed from further consideration and a new vote taken.

8.1.3 This process shall continue until a single candidate receives a majority vote.

8.2 Any nomination, recommendation or endorsement for Town, County, or State elective office shall not preclude the right of registered Republicans to participate in a primary election for that office and the Town Committee shall make no rule restricting this right.

8.3 Nominations, recommendations or endorsements for appointed positions shall be made by the Town Chairperson from a list approved by the Executive Board and may be made with the assistance of an *ad hoc* nomination committee appointed for that purpose.

8.4 Nominations, recommendations or endorsements for any position, elected or appointed, by the Town Chairperson or by a nominating committee shall not preclude nominations from the floor, including self-nomination, at a Town Convention.

8.5 Voting, in all cases, shall be by machine or secret ballot unless a nominee is unopposed in which case a motion for the approval of the sole candidate by acclamation may be substituted for a machine or secret ballot and may be done *en masse* where there is more than one unopposed candidate.

8.6 Any Town Committee Officer who is nominated for elected public office, or who receives an interim appointment to an elective public office shall tender his/her resignation from such Town Committee Office effective as of the date of election or as required by law. Vacancies will be filled in accordance with these By Laws.

8.7 In lieu of resigning, where not forbidden by law or by the By Laws of the Rockland County Republican Committee, Town Committee Officers who become judicial candidates may request and shall receive a leave of absence during their election campaigns. In the event such officer on leave does not prevail in the judicial election, immediately after the election the Officer shall be restored to the Town Committee position from which the Officer had a leave of absence.

8.8 Party nominations; election to fill a vacancy.

A party nomination of a candidate for election to fill a vacancy in an elective office required to be filled at the next general election, occurring after seven days before the last day for circulating designating petitions or after the holding of the meeting or convention to nominate or designate candidates for such, shall be made, after the day of the primary election, by a majority vote of a quorum of the members of the Town Committee last elected in the political subdivision in which such vacancy is to be filled, or in the event such a meeting of the Town Committee is not reasonably practical, by a majority vote of the Executive Board. A certificate of nomination shall be filed as provided for in the New York State Election Law.

8.9 Election inspectors in each district are to be recommended by the committeemen in each district presided over by the Area Chairperson responsible for those districts. If no inspectors are recommended for any reason, the Executive Board shall make such recommendations. Recommendations will be given to the Chairperson of the Rockland County Republican Party who has the authority to recommend same to the Board of Elections

## Article IX – Disciplinary Proceedings

9.1 Any committeeperson, or candidate for public office selected by the Town Committee, who publicly supports the nominee of another party against the Republican nominated candidate for that office will be censured by the Executive Board and referred to the County Committee for investigation and action. The Executive Board will sit as a disciplinary committee to hear charges against such individuals and to afford such individuals an opportunity to answer such charges before the Executive Board takes action.

9.2 The Chairperson of the Law Committee shall be the individual responsible for determining that proper procedure is followed in all cases of censure, and that the rights of the committeeperson/candidate and of the Town Committee are safeguarded so far as procedural due process.

9.3 Censure make take the form of a formal statement and/or of exclusion from rights normally afforded Town Committeepople including the right to attend Town Committee meetings and the right to participate in Town Committee activities, or such other form as the Executive Board deems appropriate.

## Article X - Amendments

10.1 Amendments to these By Laws must be proposed in writing at a Town Committee meeting duly noticed and stated in the Agenda.

10.2 A vote on the amendment will be taken at the next duly noticed Town Committee meeting subsequent and shall be by majority vote of those attending and voting yes or no.

10.3 By Laws become effective immediately upon adoption and must be filed with the Board of Elections within ten days of adoption. Failure to file with the Board of Elections will require a second vote, at a regular Town Committee meeting duly noticed for this purpose and filing with the Board of Elections within ten days of adoption at such meeting. Failure to do file a second time will render the amendment ineffective.

# Article XI – Miscellaneous

## 11.1 References to the Clarkstown Republican Committee

The terms, the “Clarkstown Republican Committee”, the “Clarkstown Committee,” the “Town Committee” and the “Committee” shall unless otherwise modified, refer to the Clarkstown Republican Committee”

## 11.2 Chairperson, Vice-Chairperson

The terms Chairperson, Chair, and Town Chair or Vice Chairperson, Vice Chair mean the Chairperson and Vice Chairperson of the Clarkstown Republican Committee respectively unless otherwise indicated.

## 11.3 Coverage of Polling Places

Area Chairpeople shall assume responsibility for the coverage of polling places within districts which they oversee. They shall maintain a list of election inspectors and committeepeople within their districts.

## 11.4 Access to By Laws

Copies of these By Laws shall be made available to all committeepeople of the Town Committee. At least one copy shall be made available by the recording secretary at meetings of the Town and Executive Boards for use by the Chairperson or Parliamentarian or by any committeepeople during meetings. Area Chairpeople shall be responsible for seeing that new committeepeople have access to a copy.

## 11.5 Duties of Parliamentarian

The Parliamentarian shall instruct the Town Committee in parliamentary procedure at the annual meeting, and prior to the start of Town Conventions and shall be available to instruct committeepeople in Parliamentary Procedure and to consult and assist the Executive Board and permanent or *ad hoc* committees in such procedure.

## 11.6 Waiver of Objection

The attendance at any meeting by any member without protesting prior to the conclusion of such meeting of any alleged violation of these By Laws shall constitute a waiver of objection to said violation.

## 11.7 Severability

If any part of these By Laws is ruled illegal, unconstitutional or in violation of the rules or By Laws of the Rockland County Republican Committee, the remaining portions of these By Laws will remain in effect.