

ULSTER COUNTY BOARD OF ELECTIONS

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MEMO

To: County/City/Town Chairs
From: Ashley Dittus, Commissioner
Thomas F. Turco, Commissioner
Date: January 21st, 2019
Re: 2019 Caucus Packet

Accompanying herewith, please find a Caucus Packet for your upcoming Town Caucus. Please pay special attention to filing places and dates.

If you require any further information, such as a list of the enrolled voters in your Town, please do not hesitate to contact our office (845) 334-5470.

TFT:VW:paj:esk

2019 Town Caucus Procedures for Nominating Candidates

1.) **Town Nominations:** Candidates for Town Offices shall be nominated at a Party Caucus held *in accordance with the NYS Political Calendar* by enrolled voters of said party in the Town. This year the first date for holding a caucus is **Feb 26th**; the last day is July **25th**, however we recommend you hold your Caucus no later than **July 19th** because the last day to file the Certificate of Nomination is **July 25th before 5 pm with the UC BOE.**

2.) **Notices:** The following must be completed as prescribed below by proper Party Authorities **for your Caucus to be valid:**

a.) **Advertising: Newspaper publication** once within the town at least **one week** and **not more than two weeks** preceding the Caucus; **OR** by posting a **Caucus Notice** in ten public places in the town at least **ten days** preceding the caucus. Notice shall specify the time, place, and the purpose of the caucus.

b.) A copy of your **Notice of Caucus/Caucus Notice** **must** be filed with your **Town Clerk** and the **Ulster County Board of Elections** at least **ten days** in advance of your Caucus.

3.) **Caucus Procedure:** The Caucus shall elect a Chair and Secretary who shall be the officers of the Caucus. If necessary the Caucus Chair may appoint Tellers to assist the Chair and Secretary with any votes for office.

The Caucus Chair, Secretary, and if necessary, Tellers, shall verbally repeat the Constitutional Oath before assuming their respective duties of office. The Oath of Office will be provided by the UC Board of Elections.

The Chair should announce the purpose of the Caucus and the title of each office for which the nominations will be made. The Chair shall explain that only currently enrolled members of the Town Party will be permitted to nominate, second, and vote on any question or nomination. The official list of Party Members entitled to participate in a particular Town Caucus will be provided by the UC Board of Elections. However any Town resident may be nominated for Town Office. The Chair shall call for nominations to fill such offices that may be filled at the next General Election.

Nominations may be made and shall be seconded prior to action being taken on same. A vote to determine the nominee for each office shall be taken:

a.) if a greater number of candidates have been nominated than are to be elected to a specific office a vote shall be taken to determine the nominee.

b.) if only one nomination has been made for an office approval may be obtained by a voice vote.

4.) **Certification of Nomination for a Town Caucus (§6-156 of NYS Election Law):** The Certificate of Nomination must be completed by the Chair and Secretary of the Caucus. Each such certification shall contain the name and address of each person nominated for each office. The Certificate must be filed with the County Board of Elections no later than **July 25th, 2019.**

5.) **Committee to Fill Vacancies:** In order to fill any vacancies that may occur after the filing deadlines three registered party members residing in the town must be approved at the Party Caucus as the Committee to Fill Vacancies.

6.) **Acceptance:** ONLY if a candidate nominated at a Caucus is not an enrolled member of the Party a Certificate of Acceptance must be filed by the candidate no later than **July 29, 2019**.

7.) **Declination:** Any candidate who wishes to decline a Party nomination must file a “Certificate of Declination” no later than **July 29, 2019**. The Committee to Fill Vacancies must make a Substitution no later than **Aug 2, 2019**.

NOTE: When needed, the Certificate of Acceptance, Certificate of Declination, and the Certificate of Substitution **MUST** be completed in the presence of and signed by a Notary Public.

Contact the Board of Elections with any questions 845-334-5470.

(PARTY)

CAUCUS NOTICE

NOTICE IS HEREBY GIVEN that a _____ Caucus will be
(PARTY)

held in and for the:

TOWN OF: _____

Time/Date: _____

Place: _____

For the purpose of nominating _____ Candidates
(PARTY)

For
Town Offices for said Town to be voted for at the
November 5, 2019 GENERAL ELECTION.

Dated _____ Signed _____

AFFIDAVIT OF POSTING OF TOWN CAUCUS NOTICE

State of New York)

County of Ulster)

_____ being duly sworn, deposes and says:

1.) That the deponent is a duly enrolled member of the _____
Party currently residing at _____
in the _____ Election District of the Town of _____,
County of Ulster and State of New York:

2.) That the deponent posted in the following listed public and conspicuous places
in the Town of _____ at least 10 days prior to the _____ day of
_____, said date being set for the Town Caucus of the Town of
_____, a full and complete copy of the Notice of _____
Party Town Caucus.

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Subscribed and sworn to before me
this _____ day of _____, 20____

OATH OF OFFICE FOR CHAIRMAN AND SECRETARY OF CAUCUS

I SOLEMNLY SWEAR TO UPHOLD THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF NEW YORK, THE ELECTION LAW OF THE STATE OF NEW YORK AND THE RULES OF THE ULSTER COUNTY _____ PARTY BY PROMISE AND AFFIRMATION BY MY HONOR AND BY MY CONSCIENCE.

Signature

All matters of procedure shall be governed by ROBERTS RULES OF ORDER, newly revised. This should be announced by the Caucus Chairman after she/he has taken the oath of office.

OATH OF OFFICE FOR CHAIRMAN AND SECRETARY OF CAUCUS

I SOLEMNLY SWEAR TO UPHOLD THE CONSTITUTION OF THE UNITED STATES, THE CONSTITUTION OF THE STATE OF NEW YORK, THE ELECTION LAW OF THE STATE OF NEW YORK AND THE RULES OF THE ULSTER COUNTY _____ PARTY SO HELP ME GOD.

Signature

All matters of procedure shall be governed by ROBERTS RULES OF ORDER, newly revised. This should be announced by the Caucus Chairman after she/he has taken the oath of office.

PLEASE NOTE THE FOLLOWING

Rule Limiting Nominees to Enrolled Party Members is Invalid

A town committee can not adopt a caucus rule which mandates that only enrolled members of the party be nominated at caucus as such a rule would violate Election Law 6-120(4) as cited in *Burkwit v. Olson*, 87 A.D.3d 1264 (Fourth Dept.,2011)

CERTIFICATE OF NOMINATION FOR USE AT TOWN CAUCUS

(Section 6-156, Election Law)

To the Board of Elections of the County of Ulster:

We, the undersigned, Presiding Officer and Secretary, of a meeting held of the enrolled voters of the _____ Party held in _____ in the County
(TOWN)
of Ulster held on _____ do hereby certify that the following were
(DATE OF MEETING)
nominated for offices to be filled at an election to be held at next General Election.

TITLE OF OFFICE	NAME OF CANDIDATE	ADDRESS OF CANDIDATE
SUPERVISOR		
TOWN CLERK		
COLLECTOR		
RECEIVER OF TAXES (First Class Town only)		
SUPERINTENDENT OF HIGHWAYS		
ASSESSOR		
ASSESSOR		
TOWN JUSTICE		
TOWN JUSTICE		
TOWN COUNCILMAN		
TOWN COUNCILMAN		

WE ALSO CERTIFY, That the following were appointed as a Committee to fill vacancies:

_____ residing at _____
_____ residing at _____
_____ residing at _____

PRESIDING OFFICER

SECRETARY OF MEETING

CERTIFICATE OF ACCEPTANCE

(Section 6-146, Election Law)

I, _____, residing at
(Candidate's Name)

(Address)

having been designated/nominated by the _____
(Name of Party)

Party, as a candidate for the office of _____
(Title of Office and Political Subdivision)

_____ district, do hereby ACCEPT such designation/nomination and
(District Number if any)

consent to be such candidate of such party at a _____
(Special/Primary/General)

election to be held on _____, 20 ____.

(Date)

(Signature of Candidate)

State of New York :

County of _____ : ss:

On this _____ day of _____, 20__, before me
personally appeared _____, to me known and known to me to be
the individual described therein, and who executed the foregoing instrument, and
acknowledged to me that he/she executed the same.

Notary Public

(Sample Prepared by State Board of Elections)

CERTIFICATE OF DECLINATION

(Section 6-146, Election Law)

I, _____, residing at
(Candidate's Name)

(Address)

having been designated/nominated by the _____
(Name of Party)

Party, as a candidate for the office of _____
(Title of Office and Political Subdivision)

_____ district, at a _____
(District Number if any) (Special/Primary/General)

election to be held on _____, 20____,

do hereby DECLINE such designation/nomination.

(Date)

(Signature of Candidate)

State of New York :

County of _____ : ss:

On this _____ day of _____, 20____, before me
personally appeared _____, to me known and known to me to be
the individual described therein, and who executed the foregoing instrument, and
acknowledged to me that he/she executed the same.

Notary Public

(Sample Prepared by State Board of Elections)

**CERTIFICATE OF SUBSTITUTION BY COMMITTEE TO FILL VACANCIES AFTER
DECLINATION, DEATH OR DISQUALIFICATION**
(Section 6-148, Election Law)

WHEREAS, there exists a vacancy in the designation/nomination for the office of _____
(title of office and political subdivision)
in the _____ district by the _____ Party caused by the
(district number if any) (name of party)
declination/death/disqualification of _____
(name of original candidate)

THEREFORE, WE, the undersigned, constituting a majority of the duly authorized Committee to Fill Vacancies, do hereby certify that we have designated/nominated the following person to fill the above mentioned vacancy:

Name of new candidate: _____

Place of residence: _____

DATE: _____

Signature of vacancy committee member

Signature of vacancy committee member

Signature of vacancy committee member

Signature of vacancy committee member

AFFIDAVIT

We, the undersigned, hereby affirm that we constituted a majority of the vacancy committee referred to in the above certificate and that the statements in such certificate are true.

Sworn to before me this _____
_____ day of _____, 20____
Notary Public

CONSENT BY SUBSTITUTED CANDIDATE

I, _____ hereby accept the above designation/nomination of the
(Name of Substituted Candidate)

(Name of Party) Party, for the office of _____, _____
(Title of Office & Political Subdivision) (district # if any)

Signature of Candidate

On this _____ day of _____, 20____, before me personally appeared _____
to me known and known to me to be the individual described in, and who executed the foregoing instrument,
and acknowledge to me that he/she executed the same.

Notary Public