

**2018 Ballot for Proposed Amendments to the Non-Partisan Resolution**

Every year, the Procedure Committee reviews the Non-Partisan Resolution (“NPR”) and, when deemed appropriate, recommends amendments which then must be proposed to the public and approved by Scarsdale voters. The Committee proposed amendments to the public on June 1, 2018. Following a 90-day public comment period, the Procedure Committee recommends ratification of the amendments described below. The entire text of the Resolution, marked to indicate the proposed amendments, is posted online at [www.scarsdaleprocedurecommittee.org](http://www.scarsdaleprocedurecommittee.org), and will also be available at the polling location at Village Hall.

**PLEASE VOTE ‘YES’ OR ‘NO’ FOR EACH OF THE TWELVE PROPOSED AMENDMENTS BELOW:**

<b>Proposed Amendment No. 1</b>	Yes	No
The proposed amendment eliminates the responsibility of the Town and Village Civic Club and the Scarsdale Neighborhood Association Presidents to fill the four non-voting positions on the CNC. The amendment also clarifies the term of office of CNC members and the administrative role of CNC non-voting members.		

**The Procedure Committee Recommends Amendment No. 1, New Article V, Section 2(B) (renumbered):**

(B) NON-VOTING MEMBERSHIP. There shall be four non-voting members of the Citizens Nominating Committee. The non-voting members of the Citizens Nominating Committee shall be qualified voters of Scarsdale as follows:

(i) The non-voting Chair and Vice Chair of each year's Citizens Nominating Committee shall be elected at the final meeting of the Citizens Nominating Committee by a majority vote of all voting members, from among the retiring outgoing class of voting members whose terms shall end upon the conclusion of that year's nomination of candidates for Village office.

(ii) In the case of a vacancy in the office of the non-voting Chair or Vice Chair prior to the first meeting of the elected, voting Citizens Nominating Committee, the Procedure Committee then serving shall appoint an individual to serve in the vacant office, with preference given to persons who, not now serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee. In the case of a vacancy in the office of the non-voting Chair or Vice Chair after the elected voting members of the Citizens Nominating Committee have convened and begun to perform their duties, the elected, voting members of the Citizens Nominating Committee shall elect by majority vote of voting members then present an individual to serve in the vacant office, with preference given to persons who, not now serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee.

(iii) The non-voting Chair and Vice Chair of each year's Citizens Nominating Committee shall nominate two other Scarsdale qualified voters to serve as non-voting members of the Citizens Nominating Committee and shall propose them for ratification to serve in that office by majority vote of voting members then present at the organization meeting of the Citizens Nominating Committee. In the case of a vacancy, this same procedure shall be followed as the first item of business of the next meeting of the Citizens Nominating Committee so that two non-chair, non-voting members of the Citizens Nominating Committee may be available to discharge their duties at every meeting.

(iv) The Chair, Vice Chair and other non-voting members of the Citizens Nominating Committee shall serve in their respective capacities until the nomination of candidates for Village office is finalized, the Chair and Vice Chair of the next Citizens Nominating Committee are elected, and the Chair, Vice Chair and other members of the Procedure Committee are designated.

Proposed Amendment No. 2	Yes	No
<p>The proposed amendment clarifies the independent status of CNC voting members, the scope of CNC confidentiality obligations and permitted communications of CNC members when conducting due diligence investigations of candidates' backgrounds, and the administrative duties of CNC non-voting members.</p>		

**The Procedure Committee Recommends Amendment No. 2, revision of Article V, Section 3 (relevant changes bolded):**

DUTIES. The non-voting **Chairperson, or in his or her absence the Vice Chairperson**, of the Citizens Nominating Committee, shall perform the administrative tasks necessary to facilitate the discharge of the voting members' responsibilities. The tasks are described within this Resolution. The two non-chair, non-voting members may provide administrative support and perform such duties in support of the Chair and Vice Chair as would facilitate the smooth and orderly operation of the meetings. However, the Chairperson and other non-voting members of the Committee shall not offer any information or opinion regarding any **potential nominees for Village office**. All members of the Committee are permitted to offer opinions regarding whether the proper procedures under which the Committee operates, as described in the Non- Partisan Resolution, are being followed, **but shall endeavor to do so without interfering with or disrupting the discharge of the voting members' responsibilities**. Citizens Nominating Committee members shall keep in strict confidence all Committee deliberations concerning potential nominees and candidates for Mayor, Trustees and Village Justice. The requirement to maintain confidentiality does not extend to the conduct of due diligence investigations of potential nominees' backgrounds, in which event Citizens Nominating Committee members may indicate to third parties providing due diligence or background information that a person is or may be under consideration for nomination as a candidate for these offices. The information obtained through such investigations, however, remains subject to the confidentiality requirement.

Proposed Amendment No. 3	Yes	No
<p>The proposed amendment clarifies the definition of "qualified voter" and references to its application to other provisions in the Resolution.</p>		

**The Procedure Committee Recommends Amendment No. 3, Revision of portion of Article IV, Section 6 (relevant changes bolded):**

Voting in each Unit shall be by means of voting machines, paper ballots, or mail- in ballots. Voting machines shall be used if they are available, in which case each Unit shall have at least one voting machine for its election procedure. All candidates in each unit shall be listed on the ballot used for each Unit. A qualified voter shall be entitled to vote only for candidates in the Unit in which he or she resides. **For the purposes of this Resolution a person shall be a "qualified voter" if that person is: ( i ) a United States citizen, (ii) 18 years of age or older, and (iii) a resident of the Village for at least 30 days prior to the occurrence of the Unit Election, or of any event or other determination described in this Resolution which requires such person to be a qualified voter.**

Proposed Amendment No. 4	Yes	No
<b>The proposed amendment clarifies the roles of the Judicial Qualification Advisory Committee (JQAC) and the CNC in nominating a Village Justice.</b>		

**The Procedure Committee Recommends Amendment No. 4, Revision of portion of Article VI, Section 4 (relevant changes bolded):**

In those years when the Citizens Nominating Committee is scheduled to nominate a Village Justice, The Chair (or the Chair's designee) of the Judicial Qualifications Advisory Committee shall present the Committee's report in person to the Citizens Nominating Committee and be available to answer questions as to the evaluation process used. The Citizens' Committee **shall** accept as potential nominees for Village Justice only those persons who have submitted their information to the Judicial Qualifications Advisory Committee. The Citizens Nominating Committee **shall** receive **copies of the potential nominees' information, and the** criteria for and the results of the evaluation of all candidates reviewed by the Judicial Qualifications Advisory Committee.

Proposed Amendment No. 5	Yes	No
<b>The proposed amendment revises procedures for the appointment of members of the Procedure Committee, increases the number of its appointed members, and extends its term.</b>		

**The Procedure Committee Recommends Amendment No. 5, Revision of Article II, Section 1:**

- (a) a Chairperson, who shall succeed to that position from the office of the Vice Chairperson or, in the event of a vacancy, shall be elected at the final meeting of the Citizens Nominating Committee by majority vote of all voting members of the Citizens Nominating Committee then present, with preference given to persons who, not now serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee;
- (b) a Vice Chairperson, who shall be elected at the final meeting of the Citizens Nominating Committee by majority vote of all voting members of the Citizens Nominating Committee then present and who shall succeed to the Chairperson of the Procedure Committee in the ensuing year, with preference given to persons who, not now serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee;
- (c) the most recently retiring class of voting members of the Citizens Nominating Committee;
- (d) eleven members nominated by the Chair and Vice Chair of the Procedure Committee then serving, and ratified by a majority vote of the most recently retired class of voting members of the Citizens Nominating Committee as the first order of business of the first, Organization Meeting of the Procedure Committee each year. The Chair and Vice Chair may seek recommendations on qualified voters willing and able to serve on The Procedure Committee from civic and volunteer organizations operating within the Village of Scarsdale, and shall document for the members of the Procedure Committee which organizations were solicited. The Chair and Vice Chair shall release for publication in the official Scarsdale newspaper, on at least two occasions, and in other local media in such additional manner as the Procedure Committee shall determine, an invitation for qualified voters within the Village to volunteer for service on The Procedure Committee for that year.

Proposed Amendment No. 6	Yes	No
The proposed amendment establishes a beginning and end date for a one-year term of office for members of the Procedure Committee.		

The Procedure Committee Recommends Amendment No. 6, Article II, Section 1 (relevant changes bolded):

The selection of the members of The Procedure Committee shall be made effective as of February 1 in each year, for a term ending on January 31 of the following year.

Proposed Amendment No. 7	Yes	No
The proposed amendment confirms that the NPR and Non-Partisan system are administered by the Procedure Committee, not by the Town and Village Civic Club.		

The Procedure Committee Recommends Amendment No. 7, Title and Final Whereas Clause:

NON-PARTISAN RESOLUTION

Title:

**THE PROCEDURE COMMITTEE  
Scarsdale, New York**

Final Whereas Clause:

WHEREAS it is the sense of the Procedure Committee that certain changes in the Non-Partisan Resolution are desirable to promote and continue the said policy.

Proposed Amendment No. 8	Yes	No
The proposed amendment provides that the 90-day period for public comment on proposed amendments of the NPR commences by or before June 1st.		

The Procedure Committee Recommends Amendment No. 8, Article IX, Section 2 (relevant changes bolded):

2. The public shall be invited to submit comments to The Procedure Committee concerning any proposed amendment which has received preliminary approval. Such proposed amendments shall be submitted for public study and comment **by or before June 1** to the TVCC, the Confederation of Scarsdale Neighborhood Association Presidents, and to neighborhood associations qualified under this Resolution, and shall be publicized in the official Scarsdale newspaper and **other local media by or before June 1** in such additional manner as The Procedure Committee shall determine. The period for public study and comment shall be established by The Procedure Committee, but shall be no less than 90 days.

Proposed Amendment No. 9	Yes	No
<b>The proposed amendment changes the day of the week of the CNC election from the second Wednesday to the second Tuesday of November to avoid voter confusion, promote turnout and encourage participation in village civic life.</b>		

**The Procedure Committee Recommends Amendment No. 9, Article III, Section 2 (relevant changes bolded):**

2. ANNUAL ELECTIONS. No later than June 1 of each year, The Procedure Committee shall establish the date of elections to be held by the qualified voters in each Non- Partisan Unit and the date of run-off elections to be held in the event that any of the Unit Elections results in a tie. The Unit Elections shall be held on the second **Tuesday** after the first Monday in November; however, The Procedure Committee shall have the discretion to advance or delay the date of Unit Elections by up to one week should the second **Tuesday** after the first Monday in November fall on a holiday or for other good cause.

Proposed Amendment No. 10	Yes	No
<b>The proposed amendment improves the plain meaning of the NPR by recommending revisions throughout the NPR to define terms and apply them consistently where warranted, and to avoid ambiguity and confusion.</b>		

**The Procedure Committee Recommends Amendment No. 10 (throughout document):**

Proposed changes throughout the document to promote consistency of appropriate noun usage and defined terms, replaces “will” with “shall,” replaces “candidate” with “potential nominee,” replaces “have” for “had,” defines “publication” as “in the official Scarsdale newspaper, . . . and in other local media in such additional manner as the Procedure Committee shall determine,” uses active voice, rather than passive voice, eliminates ambiguous or inconsistent terms, corrects punctuation and grammar, provides for use of full names where warranted, improves readability and comprehension of Resolution provisions, and removes confusing and inconsistent terminology.

Proposed Amendment No. 11	Yes	No
<b>The proposed amendment promotes consistent references to, and numbering of, sections of the NPR.</b>		

**The Procedure Committee Recommends Amendment No. 11 (throughout Document):**

By, among other amendments: changing references of “a”, “b” and “c” to “(a)”, “(b)”, and “(c)” as used elsewhere in the Resolution, or “(i)”, “(ii)” and “(iii)”; removing references to subsection “(a)” where there is no subsection “(b)”; and consistently referring to other sections of the Resolution with the same format, or other consistent terminology.

<b>Proposed Amendment No. 12</b>	Yes	No
<b>The proposed amendment clarifies that Procedure Committee administrative expenses including the CNC election are financed entirely by community support.</b>		

**The Procedure Committee Recommends Amendment No. 12, Article II, Section 3:**

3. The Procedure Committee is empowered to arrange for financial support for expenses incurred by the Procedure Committee and the Citizens Nominating Committee from such sources as public subscription. A public accounting of all revenues and expenditures shall be made.