

NON-PARTISAN RESOLUTION

THE PROCEDURE COMMITTEE

Scarsdale, New York

Original Resolution Adopted December 11, 1930

Amended, December 8, 1932
Amended, December 14, 1939
Amended, September 26, 1946
Amended, January 27, 1955
Amended, April 9, 1959
Amended, April 6, 1961
Amended, April 16, 1964
Amended, May 21, 1964
Amended, May 26, 1966
Amended, May 18, 1967
Amended, May 15, 1969
Amended, April 5, 1971
Amended, May 24, 1973
Amended, February 7, 1974
Amended, April 3, 1975
Amended, October 27, 1977
Amended, January 20, 1981
Amended, October 29, 1981
Amended, October 25, 1984
Amended, October 24, 1985
Amended, February 4, 1988
Amended, May 25, 1989
Amended, October 19, 1989
Amended, May 31, 1990
Amended, January 31, 1991
Amended, November 18, 1992
Amended, November 16, 1994
Amended, November 15, 1995
Amended, November 13, 1996
Amended, November 12, 1997
Amended, November 10, 1998
Amended, November 10, 1999
Amended, November 15, 2000
Amended, November 14, 2001
Amended, November 13, 2002
Amended, November 12, 2003
Amended, November 10, 2004
Amended, November 16, 2005
Amended, November 15, 2006
Amended, November 15, 2011
Amended, November 14, 2012
Amended, November 13, 2018
Amended, November 15, 2022

WHEREAS up to the present time there has generally been a policy of conducting the affairs of the Village and Town of Scarsdale without regard to partisan political advantage; and

WHEREAS the result of such policy has been that the standard of public spirit and public service in Scarsdale has been unusually high, and the Village and Town of Scarsdale have obtained the services in public office of many men and women who would not have been available merely as the candidates of a political party in contested elections for Village and Town office; and

WHEREAS in order to secure the continuance of the conduct of our local public affairs free from partisan controversies and from electioneering for party advantage, the Town Club by a resolution adopted on December 11, 1930, and amended on December 8, 1932, December 14, 1939, September 26, 1946, January 27, 1955, April 9, 1959, April 6, 1961, April 16, 1964, May 21, 1964, May 26, 1966, May 18, 1967, May 15, 1969, April 5, 1971, May 24, 1973, February 7, 1974, April 3, 1975, October 27, 1977, January 20, 1981, October 29, 1981, October 25, 1984, October 24, 1985, February 4, 1988, May 25, 1989, October 19, 1989, May 31, 1990, and by The Town and Village Civic Club, a successor organization herein called the “TVCC” on January 31, 1991 and, pursuant to the 1991 amendment, by The Procedure Committee and the voters of Scarsdale on November 18, 1992, November 16, 1994, November 15, 1995, November 13, 1996, November 12, 1997, November 10, 1998, November 10, 1999, November 14, 2000, November 14, 2001, November 13, 2002, November 12, 2003, November 10, 2004, November 16, 2005, November 15, 2006, November 15, 2011, November 14, 2012, and November 13, 2018, herein called the “Non-Partisan Resolution,” initiated the establishment of and administered machinery, which since 1991 continues to be administered by The Procedure Committee, for the non-partisan nomination of candidates for such Village and Town officers through a non-partisan citizens’ committee, herein called the “Citizens Nominating Committee,” (prior to the amendments made in November 2004, this committee had the title of “The Citizens’ Committee”); and

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.

NOW, THEREFORE, BE IT RESOLVED that the Non-Partisan Resolution be and it hereby is amended to read as follows:

Article I

PURPOSE

1.1 The purpose of this Non-Partisan Resolution (also referred to as “this Resolution”) is to establish procedures for the nomination of a single qualified candidate for election (a) to the office of Mayor, (b) to each place on the Village and Town Board of Trustees (also referred to as “Village Board”) to be filled at each Village and Town Election (also referred to as “Village Election”), and (c) to the office of Village Justice, all by the Citizens Nominating Committee (also referred to as “the Committee”) elected by the voters.

1.2 For the purpose of this Resolution a person shall be a “qualified voter” if that person is: (i) 18 years of age or older, and (ii) a resident of the Village of Scarsdale for at least 30 days prior to any event or other determination described in this Resolution which requires such a person to be a qualified voter.

1.3 If any organization referred to in this Resolution shall merge, consolidate or undergo any other change in its identity or existence, references in this Resolution to the predecessor organization shall be deemed to refer to the successor organization.

Article II

THE PROCEDURE COMMITTEE

2.1 There shall be created a non-partisan procedure committee called the Procedure Committee, which shall have the duty and responsibility of administering the procedure for the election of voting members of the Citizens Nominating Committee and which shall from time to time recommend amendments to this Resolution.

2.2 The Procedure Committee shall consist of the following qualified voters:

(a) A Chair, who shall succeed to that position from the office of the Vice Chair 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 Committee present, with preference given to qualified voters who, not then serving, had previously served on the Citizens Nominating Committee, or who had previously served on the Procedure Committee.

(b) A Vice Chair, who shall be elected at the final meeting of the Citizens Nominating Committee by majority vote of all voting members of the Committee present and shall succeed as the Chair of the Procedure Committee in the following year, with preference given to qualified voters who, not then serving, had previously served on the Citizens Nominating Committee, or had previously served on the Procedure Committee.

(c) The most recently retiring class of voting members of the Citizens Nominating Committee, except those members who have been elected as Chair and Vice Chair of the next Committee.

(d) From seven (7) to eleven (11) appointed members nominated by the Chair and Vice Chair of the Procedure Committee, 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 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 to volunteer for service on the Procedure Committee for that year.

2.3 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. No person shall serve on the Procedure Committee for more than five consecutive years. Any person who has served five consecutive years shall not be eligible for reappointment for at least two years. Any person who is a member of: the Citizens Nominating Committee, all committees governed under the School Board Nominating Committee Resolution, the School Board, the Village Board, or the Judicial Qualifications Advisory Committee may not simultaneously be a member of the Procedure Committee. A member of the Procedure Committee shall not be eligible for service on or election to the Citizens Nominating Committee, or for nomination by the Citizens Nominating Committee for any open office or position in the

upcoming Village Election, unless that person shall have resigned from the Procedure Committee as of August 15 of that year.

2.4 Meetings of members may be held in such manner as determined by the Procedure Committee. The Committee may determine that meetings of members be held partially or solely by means of electronic communication.

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

Article III

NON-PARTISAN ELECTION UNITS

Composition

3.1 There shall be five Non-Partisan Election Units (also referred to as “Election Unit”), each of which shall correspond with the elementary school districts as the same may be redetermined from time to time. Two qualified voters shall be elected to the Citizens Nominating Committee each year from each Election Unit and any additional qualified voters as may be needed to fill unexpired vacancies.

Annual Unit Elections

3.2 No later than June 1 of each year, the Procedure Committee shall establish the date of Unit Elections and the date for any run-off elections to be held in the event that any of the Unit Elections result in a tie. The Unit Elections shall be held on the second Tuesday after the first Monday in November. 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.

3.3 The Procedure Committee shall have the authority to declare that a vacancy exists. At or about the same time that the Procedure Committee invites qualified voters to run in the next Unit Election for one of the open positions in their Election Unit, the Procedure Committee shall confirm with the Chair of the Citizens Nominating Committee the continued eligibility of the current members of the Citizens Nominating Committee to determine the existence of any vacancies. If an elected member ceases to be a qualified voter, no longer lives in the Election Unit the member was elected to represent, resigns, or for any other reason is incapable of serving on the Citizens Nominating Committee, the vacancy created shall be filled at the next Unit Election.

Article IV

UNIT ELECTION PROCEDURES

Nominations

4.1 The names of all members of the Procedure Committee, together with an invitation for the submission to them of nominating petitions for candidates for the Citizens Nominating Committee, shall be submitted for publication in the last August issue of the official Scarsdale newspaper. Each petition nominating a candidate for the Citizens Nominating Committee shall be signed by ten qualified voters of the Election Unit in which the candidate resides, and is to be accompanied by a

biographical sketch of the candidate. The Procedure Committee is only a conduit for the receipt of nominating petitions, the submission of which shall automatically place in nomination the person named in the petition, provided that person meets the eligibility requirements of this Resolution. A qualified voter may not sign more petitions than there are vacancies to be filled in that qualified voter's Election Unit.

4.2 Prior to September 30, the Procedure Committee 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 submission of nominating petitions.

4.3 After September 30, but no later than October 7, the Procedure Committee shall accept no more than as many candidates as necessary to ensure a minimum slate of two candidates for each vacancy to be filled. The nominating petition requirement is waived.

Unit Elections

4.4 Notice of the Unit Elections shall provide the date of the election established by the Procedure Committee pursuant to Article III of this Resolution. The mailing of notice to all households in the Village of Scarsdale shall set forth a complete list of all candidates and their biographies and a link to the Procedure Committee website listing of proposed amendments to this Resolution.

4.5 The Unit Elections shall take place during such hours and at such location or locations as the Procedure Committee may determine, but in no event shall the hours of voting be less than two and one-half consecutive hours before 9:30 a.m. and seven consecutive hours between 2:00 p.m. and 9:00 p.m.

4.6 Voting in each Unit Election 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 Election shall have at least one voting machine for its election procedure. All candidates in each Unit Election shall be listed on the ballot used for that Unit Election. A qualified voter shall be entitled to vote only for candidates in the Unit Election in which the qualified voter resides.

Mail-In Ballot and Certification

4.7 Mail-in ballots and accompanying certifications shall be made available to the public in hard copy at the Scarsdale Village Hall and the Public Library and in electronic form on the Procedure Committee's website, in each case on or about the same date that the Procedure Committee notifies qualified voters of the names of the candidates for each vacancy.

4.8 Qualified voters may submit a ballot by mail to the Procedure Committee. The voter must include a certification stating that the voter (i) is eligible to vote and (ii) has not yet submitted a mail-in ballot in this election. Any ballot received without a duly completed and signed certification shall be invalid and shall not be counted.

4.9 Both the mail-in ballot and certification must be received by the Procedure Committee's P.O. Box by the day of the Unit Elections. Mail-in ballots can be revoked only by voting in person.

Election Committee

4.10 The Chair of the Procedure Committee shall appoint an Election Committee of such size as shall be deemed appropriate to conduct the election, and shall serve as its Chair. The members of the Election Committee need not be members of the Procedure Committee. The Election Committee shall be responsible for all voting arrangements for the Unit Elections, such as furnishing supervisory and

administrative personnel for the elections, installation, care and maintenance of voting machines, providing paper ballots, voter sign-in sheets, and ballot boxes, tabulating ballots, and ruling on any disputed matters including the validity of ballots. The Election Committee shall, in the performance of its functions, be responsible to the Procedure Committee, and shall report to the Procedure Committee concerning the Unit Elections as soon as practicable.

4.11 The winners in each Unit Election shall be determined by plurality vote. The two vacancies in each Election Unit for full three-year terms on the Citizens Nominating Committee shall be filled by the two candidates receiving the greatest number of votes. Vacancies, if any, for unexpired terms shall be filled by the candidates receiving the next greatest number of votes. For example, the candidate receiving the third greatest number of votes shall fill the longest unexpired term, and the candidate receiving the fourth greatest number of votes shall fill the second longest unexpired term.

4.12 Each qualified voter may vote for as many candidates as there are vacancies to be filled, or for fewer candidates, but only for candidates in the voter's Election Unit. No voter may vote more than once for any candidate. If paper ballots are used: (i) any ballot containing more than one vote for any candidate shall not be invalid, but not more than one vote per ballot shall be counted for any candidate; and (ii) a ballot containing votes for more candidates than there are vacancies to be filled shall be invalid.

4.13 Should two or more candidates receive the same number of votes for any vacancy, a run-off election between or among such candidates shall be held on the date to be determined by the Procedure Committee and in accordance with this Resolution.

4.14 Following the Unit Elections, the Procedure Committee shall first notify all candidates of the election results as soon as practicable. Only the names of elected candidates and only the total number of votes in each Unit Election shall be released to candidates, the public, and the media. The Chair of the Procedure Committee shall inform the Chair or Vice Chair of the Citizens Nominating Committee of the names of the persons elected to membership on the Citizens Nominating Committee.

Article V

THE CITIZENS NOMINATING COMMITTEE

Eligibility

5.1 No one shall be eligible to become or serve as a member of the Citizens Nominating Committee (also referred to as the "Committee") unless that person is a qualified voter and has resided in the Village of Scarsdale for the preceding two years.

5.2 Qualified voters shall not run for election to the Citizens Nominating Committee if their election would or could cause more than one person from the same household to serve at the same time as a voting member of the Citizens Nominating Committee. A former Mayor or member of the Village and Town Board of Trustees shall not run for election to the Citizens Nominating Committee until one Unit Election year has passed since that person last served in such position.

5.3 No person may serve as a voting member for more than three consecutive years, nor be eligible for election as a voting member unless that person has been designated as a candidate in the notice of the Unit Election. A person elected to fill a one-year vacancy in the Citizens

Nominating Committee shall be able to run for a full three-year term in the succeeding year, but a person who has been elected to fill a two-year vacancy shall not run until one Unit Election year has passed since that person last served in such position.

5.4 No person may serve as a member of the Citizens Nominating Committee who is at the time of the Unit Elections a member of: the Procedure Committee, all committees governed by the School Board Nominating Committee Resolution, the School Board, the Village and Town Board of Trustees, or the Judicial Qualifications Advisory Committee.

Vacancies

5.5 The Procedure Committee shall have the authority to declare that a vacancy exists.

(a) If in the course of an operating year of the Citizens Nominating Committee, namely the period covered by the Organization Meeting and all subsequent business meetings as defined in this Resolution, an elected member of the Committee has moved to another Election Unit, or the Election Unit boundaries have changed so that the elected member no longer lives in the Election Unit the member was elected to represent, that member shall continue to serve until the next Unit Election and then a successor shall be elected. If a member who has served on the Citizens Nominating Committee for two years but is no longer eligible to represent the Election Unit the member was elected to represent, that member shall not be able to run to represent another Election Unit until one Unit Election year has passed since that person last served in such position.

(b) If a vacancy occurs during the time period after the Unit Election but before the first meeting of the Citizens Nominating Committee, the vacancy shall be filled by the person in the same Election Unit who received the next highest number of votes in the most recent Unit Election and who is willing and still eligible to serve. That person shall complete the unexpired term.

(c) A vacancy shall be created when any voting member of the Citizens Nominating Committee is absent from two meetings in an operating year as defined in this Resolution. That member shall be required to resign, provided that the member was given written notice of this provision by the Chair after the first absence. If that member misses a second meeting after receiving the written notice, the member shall be considered to have resigned unless the voting members of the Committee, by majority vote, decide otherwise.

Membership

5.6 The Citizens Nominating Committee shall consist of both voting and non-voting members, but no person shall serve in both capacities simultaneously.

5.7 There shall be six voting members of the Citizens Nominating Committee from each Election Unit, elected in the manner provided in this Resolution. Each voting member elected by the voters of any Election Unit shall reside in that Election Unit. Every year two qualified voters from each Election Unit shall be elected to voting membership on the Citizens Nominating Committee for a term of three years, and such numbers of additional qualified voters as shall be necessary to fill any existing vacancies in any Election Unit.

5.8 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 who have resided in the Village of Scarsdale for the preceding two years.

(a) The non-voting Chair and Vice Chair of each year's Citizens Nominating Committee shall be elected 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 offices or positions, at the final meeting of the Citizens Nominating Committee by a majority vote of all voting members of the Committee present.

(b) In the case of a vacancy in the office of the non-voting Chair or Vice Chair prior to the Organization Meeting of the Citizens Nominating Committee, the Procedure Committee shall appoint a qualified voter who has resided in the Village of Scarsdale for the preceding two years to serve in the vacant office, with preference given to persons who, not then serving, had previously served on the Citizens Nominating Committee or the Procedure Committee.

(c) In the case of a vacancy in the office of the non-voting Chair or Vice Chair after the Citizens Nominating Committee has convened, the voting members present shall elect by majority vote a qualified voter who has resided in the Village of Scarsdale for the preceding two years to serve in the vacant office, with preference given to persons who, not then serving, had previously served on the Citizens Nominating Committee or on the Procedure Committee.

(d) The non-voting Chair and Vice Chair of each year's Citizens Nominating Committee shall nominate two qualified voters who have resided in the Village of Scarsdale for the preceding two years to serve as non-voting members of the Committee, and shall propose them for ratification to serve in that office by majority vote of voting members present at the Organization Meeting. 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 Committee may be available to discharge their duties at every meeting.

(e) 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 offices or positions is finalized, the Chair and Vice Chair of the next Citizens Nominating Committee are elected, and the Chair and Vice Chair of the Procedure Committee are elected pursuant to this Resolution.

Duties

5.9 No later than June 30 of each year, the Chairs of the Citizens Nominating Committee and the Procedure Committee shall schedule the dates of the meetings to be held by the Citizens Nominating Committee, which shall include an initial Organization Meeting to be held no later than December 15 and at least three business meetings. A minimum of 72 hours shall elapse between business meetings of the Citizens Nominating Committee, except under extenuating circumstances to be determined by majority vote of the voting members of the Citizens Nominating Committee present.

5.10 Promptly after the election of the Citizens Nominating Committee voting members, the Chair shall mail or transmit electronically to all members of the Committee the following: this Resolution, Citizens Nominating Committee Information Forms ("Information Forms") for potential nominees, the calendar which includes the dates of all scheduled meetings, a listing of all proposed nominees from the prior five years, the Committee's rules of procedure from the prior year, and such other information as the Chair deems appropriate.

5.11 Upon notification of the names of all candidates elected to the Citizens Nominating Committee, the Chair of the Committee shall submit the names of the full membership of the Committee for publication by the local media as soon as practicable. The Chair shall also invite the public to submit to

members of the Citizens Nominating Committee the names of potential nominees for Village offices or positions. No member, voting or non-voting, of the Citizens Nominating Committee shall be eligible for selection as a nominee of that Committee. Biographies of potential nominees for Village Trustee and Mayor shall be signed by the potential nominee and by any additional person or persons submitting the nominee's name.

5.12 The Chair, or in the absence of the Chair, the Vice Chair of the 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 Chair and other non-voting members of the Committee shall not offer any information or opinion regarding any potential nominees for Village offices or positions. All members of the Committee are permitted to offer opinions regarding whether the proper procedures under which the Committee operates are being followed as described in this Resolution, but shall endeavor to do so without interfering with or disrupting the discharge of the voting members' responsibilities.

5.13 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 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 or positions. The information obtained through such investigations, however, remains subject to the confidentiality requirement.

Organization Meeting Protocols

5.14 Prior to its Organization Meeting, the Chair of the Citizens Nominating Committee:

(a) Shall submit for publication in the two issues of the official Scarsdale newspaper to be published immediately preceding the Organization Meeting, and shall make public by posting on one or more local media websites and the website of the Procedure Committee, a notice inviting Scarsdale residents and other interested persons to observe the portion of the Organization Meeting relating to the following: such presentations or statements by and discussions with the Mayor and Trustees, discussion with respect to and voting upon the Citizens Nominating Committee's rules of procedure including best practices with respect to due diligence, review of the responsibilities of the Committee, and such other portions as the Chair shall deem appropriate.

(b) Shall make reasonable efforts to arrange for the public portions of the Organization Meeting to be televised on public-access cable or by other electronic communication, provided that at the Organization Meeting there shall occur only in closed or executive session the identification of, and comments, discussion, other furnishing of information, and vote with respect to each person who has been previously considered, or who might be solicited, or has expressed interest in being considered, for a Village office or position.

5.15 At the Organization Meeting, the voting members of the Citizens Nominating Committee shall elect by majority vote, from among the full membership of the Committee, such additional officers as the Committee may determine.

5.16 At the Organization Meeting, the voting members of the Citizens Nominating Committee shall adopt rules of procedure to govern its deliberations, and rules dealing with routine procedural matters, both of which shall be consistent with the purposes and provisions of this Resolution, without limiting the powers of the Procedure Committee otherwise set forth in this Resolution. The Procedure Committee may make any recommendations to the Citizens Nominating Committee regarding Citizens Nominating Committee's rules of procedure as it deems appropriate. Any questions of compliance with this provision shall be ruled on by the Chair of the Citizens Nominating Committee, whose decision can only be overruled by a two-thirds vote of the voting members present.

5.17 The Chair of the Citizens Nominating Committee shall invite the Mayor and the Trustees to speak or submit a written statement at the Organization Meeting. Any such Village official wishing to speak or submit a written statement to the Committee shall state in a written notice to the Committee or to the Chair that said Village official shall not appear before the Committee for nomination as a candidate for any Village office or position in the upcoming Village Election. The purpose is to advise the Citizens Nominating Committee of any specific experience or ability which would, in the judgment of the Mayor and the members of the Village and Town Board, be particularly desirable in any candidate or candidates to be nominated for the forthcoming election, without specifically mentioning any possible candidate by name, and to discuss with the Committee any matters, other than specific possible candidates, which they or the Citizens Nominating Committee may feel would be helpful to the Committee in its selection of candidates.

5.18 While such portions of the Organization Meeting are open for observation by the public, they are not open to public participation. Should there be a need to close the Organization Meeting to the public to preserve order or for other reason, either the Chair may make that determination, a decision that can be overruled by two-thirds of the voting members present, or the voting members of the Committee may make that determination by vote of the majority of the voting members present.

First Business Meeting

5.19 The voting members of the Citizens Nominating Committee shall submit completed Information Forms for potential nominees to the Chair, who shall promptly circulate the forms to the entire Committee. The Chair shall also invite the public to submit Information Forms for potential nominees to the Committee. Any biographical information submitted to the Committee shall be in writing and signed by the potential nominee and any additional person or persons submitting the potential nominee's form. The nominator of the potential nominee, who shall be a voting member of the Committee, shall verify the biographical information with that potential nominee. The deadline for submission of all biographies before each business meeting shall be determined by the voting members of the Committee.

5.20 At the first business meeting the names of potential nominees for Village and Town offices or positions, whose biographies have been previously submitted and verified by the nominator, may be discussed and nominated, but no vote for any office or position shall be taken. Each nominee shall be given an opportunity to make an individual oral presentation to the Citizens Nominating Committee. Each such nominee shall be afforded the same length of time to respond only to the same written questions, prepared by the Committee and distributed in advance to the individual, which relate only to the nominee's experience and qualifications and not to any specific issues. However, if a nominee requests not to make a presentation, the Committee shall respect such request and shall continue to consider such nominee in its deliberations.

Second Business Meeting

5.21 At the second business meeting, additional potential nominees may be nominated provided that their biographies were verified by the nominator and distributed before the meeting, but no vote for any office or position shall be taken on these nominees. Voting may start, provided all nominees for a particular office have made their presentation or declined to present.

Third and Subsequent Business Meetings

5.22 The third and subsequent business meetings shall be devoted to discussion and further voting so that an eligible candidate for each vacancy for Village and Town offices or positions is selected no later than forty days prior to the date of the Village Election.

Voting Procedure

5.23 No nominee shall be voted upon at the same meeting at which that person was nominated. No vote for any nominee for a particular office shall be taken at a meeting at which a Committee member has presented new information as to a nominee for such office based upon the Committee member's personal experience with the nominee. If the Chair shall determine that a Committee member has raised allegations that require verification which cannot be accomplished during the normal course of the meeting, no further vote for any nominee shall be taken at that meeting unless such determination of the Chair is overruled by two-thirds of the voting members present.

5.24 Voting must be by secret ballot. Absentee ballots shall not be permitted.

(a) The election for each open office or position shall be conducted separately, without reference to the name of the current occupant of an office or position, by separate successive vote for each open office or position until a candidate is selected for such office or position.

(b) Only nominees receiving the vote of the majority of the voting members of the Citizen Nominating Committee present shall be selected as the candidate of the Committee.

(c) If all candidates have not been selected at the end of a given business meeting, then all nominees are eligible for consideration at the next business meeting.

5.25 The voting members present at the final business meeting of the Citizens Nominating Committee shall elect by majority vote from its graduating class the Chair and Vice Chair of the next Citizens Nominating Committee. The voting members of the Citizens Nominating Committee present shall elect by majority vote the Chair in the case of a vacancy and the Vice Chair of the next Procedure Committee. The Chair of the Citizens Nominating Committee shall request from all members any suggested changes to this Resolution, which the Chair or Vice Chair of the Citizens Nominating Committee shall refer to the Procedure Committee as soon as practicable.

5.26 At the conclusion of the nominating process, the Chair or the Vice Chair of the Citizens Nominating Committee shall first notify each of the nominees who were selected as candidates for Village offices or position and then each nominee who was not selected. The names of the candidates selected for the non-partisan slate shall then be released to the public and local media by the Chair or Vice Chair. As soon as practicable, the Chair or Vice Chair shall inform the Procedure Committee of the slate selected, the names of the Chair and Vice Chair of the next Citizens Nominating Committee, and the names of the Chair, in the case of a vacancy, and the Vice Chair of the next Procedure Committee.

5.27 Except as otherwise provided in this Resolution, the meetings of the Citizens Nominating Committee shall be conducted in accordance with the latest edition of Robert's Rules of Order, Revised.

Article VI

JUDICIAL QUALIFICATIONS ADVISORY COMMITTEE

Composition

6.1 There shall be created a joint non-partisan Judicial Qualifications Advisory Committee (also referred to as the "JQAC") made up of the Chair of the Scarsdale Democratic Town Committee, or a qualified voter appointed by that Chair, the Chair of the Scarsdale Republican Town Committee, or a qualified voter appointed by that Chair, and five other qualified voters of the Village and Town of Scarsdale. The Mayor of the Village and Town of Scarsdale, after consultation with interested community groups, and on the advice and consent of the Village Trustees, shall appoint these five other qualified voters, at least two of whom shall be lawyers admitted to and in good standing with the Bar of the State of New York, and at least two of whom shall be non-lawyers. No person shall serve on the JQAC if that person is a voting or non-voting member of the Citizens Nominating Committee. In the event that the representative of the Democratic or Republican Town Committee is disqualified by reason of this rule from serving on the JQAC, the appropriate Town Committee Chair shall appoint another qualified voter to serve in the representative's place. Should a mayoral appointee be disqualified by reason of this rule, the Mayor, with the advice and consent of the Village Trustees, shall appoint another qualified voter to serve in that appointee's place.

Term of Office

6.2 Members of the Judicial Qualifications Advisory Committee appointed by the Mayor shall serve a term of five years. In order to provide for staggered terms, upon the expiration of the terms of members of the JQAC holding office on May 25, 1989, the five mayoral appointees shall be appointed for terms of such length that one mayoral appointment to the JQAC shall be made in each year. All terms shall end on April 30. Vacancies shall be filled by appointment to complete the unexpired term. Members of the JQAC may not serve more than two consecutive terms, including terms shorter than five years for the purpose of staggering memberships or filling a vacancy.

Meetings

6.3 The Judicial Qualifications Advisory Committee shall meet at least once a year, between September 1 and December 31, and at such other times as may be necessary or appropriate to carry out its business.

Duties

6.4 It shall be the responsibility of the Judicial Qualifications Advisory Committee to recommend to the Citizens Nominating Committee persons qualified for the office of Village Justice, and to assist (a) the Mayor in the selection of appointees to vacancies in the office of Village Justice or Acting Village

Justice, and (b) the Mayor and the other members of the Village and Town Board of Trustees in the selection of appointees to the office of Acting Village Justice. To this end, the JQAC shall accept from any source within the Village suggestions of persons to be considered for judicial office in the Village, and shall investigate the qualifications and willingness to serve of all such persons in relation to the

judicial office or offices to be filled during the next succeeding calendar year. The JQAC shall make its recommendations to the Citizens Nominating Committee, or to the Mayor, or to the Village and Town Board of Trustees, as the case may be, in sufficient time to enable each of these bodies or officers to consider its recommendations before making their selection for the judicial office or offices to be filled.

6.5 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 its report in person to the Citizens Nominating Committee and be available to answer questions as to the evaluation process used. The Citizens Nominating Committee shall accept as potential nominees for Village Justice only those persons who have submitted their information to the JQAC. The Citizens Nominating Committee shall receive copies of the potential nominees' information, and the criteria for and results of the evaluation of all candidates reviewed by the JQAC. The Citizens Nominating Committee shall nominate the person recommended for Village Justice by the JQAC and place said nominee on the non-partisan slate of candidates in the next Village Election.

Article VII

NOMINATION OF CANDIDATES

Compliance with Legal Requirement

7.1 The Citizens Nominating Committee shall investigate and ascertain the names of persons available for the Village and Town offices or positions to be filled at the next Village Election. The Citizens Nominating Committee shall elect one person willing to serve for each office or position to be filled at such election. It shall be the responsibility of the Citizens Nominating Committee to determine, prior to the selection of each nominee, the legal qualifications of such nominee pursuant to New York State Election Law and, before the nomination of any candidate is filed, to verify that the nominee is legally qualified for office.

Standards for Nomination

7.2 In making such selections, the Citizens Nominating Committee shall have regard primarily to the fitness of the persons selected for the particular office. Other considerations of fitness and qualification having been satisfied, it shall be the endeavor of the Citizens Nominating Committee in making such selections to provide, so far as may be practicable, for representation on the Village and Town Board of the various geographical sections of the Village of Scarsdale.

Filing of Nominations

7.3 The Citizens Nominating Committee shall cause the independent nomination of each person so selected for office to be filed pursuant to New York State Election Law. The Citizens Nominating Committee shall inform the Town Committee Chairs of the Village's two major political parties of every nomination made by the Citizens Nominating Committee.

Article VIII

DISTRIBUTION OF RESOLUTION

8.1 A copy of this Resolution shall be furnished by the Chair of the Citizens Nominating Committee to the members of the Committee promptly after the Unit Elections, with any additional information required by this Resolution.

Article IX

AMENDMENTS

9.1 This Non-Partisan Resolution may be amended from the date of adoption of this Article IX on January 31, 1991, only in the following manner.

9.2 The Procedure Committee shall consider proposed amendments to this Resolution, which it may originate or which it may receive from any source. A proposed amendment shall receive preliminary approval, at a properly called and held meeting, by the affirmative vote of a majority of the entire membership of the Procedure Committee.

9.3 The public shall be invited to submit comments to the Procedure Committee concerning any proposed amendment which has received its preliminary approval. All proposed amendments shall be submitted for public study and comment by posting on the Procedure Committee website, publicizing in the official Scarsdale newspaper and other local media, and 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 60 days.

9.4 Upon expiration of the period established for study and comment, the Procedure Committee shall reconsider any proposed amendment in light of the comments received, and may either: (i) determine to take no further action, or (ii) by the affirmative vote of a majority of the entire membership of the Procedure Committee, modify any proposed amendment and resubmit the modified proposal for public study and comment as provided in paragraph 9.3 above, or (iii) by the affirmative vote of two-thirds of the entire membership of the Procedure Committee, approve any proposed amendment, with or without modification, for ratification by the qualified voters of the Village of Scarsdale at the Unit Elections.

9.5 All proposed amendments approved for voter ratification by the Procedure Committee on or before October 7 shall be placed on the ballot for ratification by the qualified voters of the Village of Scarsdale at the Non-Partisan Unit Elections. All such proposed amendments shall be: posted on the Procedure Committee website with its link published in the notice of the Unit Elections mailed to all households in the Village of Scarsdale pursuant to Section 4.4 of this Resolution, and submitted for publication in the official Scarsdale newspaper and other local media. An affirmative vote by the majority of votes cast for or against each proposed amendment at the Unit Elections shall be required to effect the amendment of this Resolution.