

CONSTITUTION AND BY-LAWS OF THE PASSAIC COUNTY DEMOCRATIC COMMITTEE

ARTICLE I – This organization shall be known as the PASSAIC COUNTY DEMOCRATIC COMMITTEE, INC.. The term “County Committee” when used herein, shall refer to the Passaic County Democratic Committee, Inc.

ARTICLE II – The purposes of the Passaic County Democratic Committee, Inc. are as follows:

- a. To foster and promote the view and candidates of the Passaic County Democratic Committee.
- b. To provide a forum for discussion and exchange of ideas of political issues.
- c. To encourage an interest in politics and encourage candidates to seek political office.
- d. To disseminating information to committee members regarding political matters and legislation.
- e. To encourage the growth of the Democratic Party in Passaic County.

This organization shall have all such powers granted to county committees and non-profit corporations by the Laws of the State of New Jersey.

ARTICLE III

Section 1 - The members of the County Committee shall consist of those members elected pursuant to N.J.S.A. 19:5-3 or appointed pursuant to N.J.S.A. 19:5-2. Commencing Primary Election Day, 2004, all members of the County Committee shall serve for a term of three years.

Section 2 – Members of the County Committee shall be elected from the election districts determined by the Passaic County Board of Elections pursuant to N.J.S.A. 19:4-10 et seq.

Section 3 – A vacancy in the position of County Committee shall exist when a member ceases to be a resident of the district from which he or she was elected, upon the death of the member, when a member is no longer registered to vote as a Democrat, or upon the resignation of the member. A member may resign by submitting a notarized letter giving notice of such resignation, which letter shall be signed by the municipal committee chairman.

Section 4 – A member may be removed for cause upon a two-thirds vote of the County Committee at any meeting of the County Committee. Cause to remove a member shall include the member having become physically or mentally incapable of serving or the endorsement of a candidate for elected office in a partisan election other than the Democratic nominee for such office. No member shall be removed for cause unless the member shall have at least ten (10) days notice of the meeting at which his or her removal is to be voted upon. The member sought to be removed for cause shall be accorded due process which shall include the opportunity to be heard at the meeting and to present relevant evidence in opposition to removal.

ARTICLE IV

Section 1 – The annual meeting of the County Committee shall be held in accordance with statutory authority on the first Tuesday following the primary election. The reorganization meeting shall be that annual meeting at which the officers of the County Committee are elected pursuant to Article V below. The first reorganization meeting shall be in June 2011 and every three years thereafter.

Section 2 – The County Committee shall meet at least three times annually, inclusive of the annual meeting.

Section 3 - It shall be the policy of the County Committee to have meetings held in various municipalities throughout the County and to provide for broad geographical distribution of these meetings. The actual place of each meeting shall be fixed by the County Chairperson and , in the event that the County Committee does not fix a place for a particular meeting, the place of the meeting shall be fixed by the Chairperson and Vice Chairperson, consistent with the above stated policy.

Section 4 – At all meetings there shall be the following order of business:

- (First) Election of Officers (as applicable).
- (Second) Re-Adoption of Constitution and By-Laws (Reorganization Meeting Only)
- (Third) Amendment of Constitution and By-Laws.
- (Fourth) Minutes of previous meeting.
- (Fifth) Old business.
- (Sixth) Reports of Officers and Committees.
- (Seventh) New business.

Section 5 - A quorum shall consist of 30% of the County Committee.

Section 6 – Special meetings of the County Committee shall be called by the Chairperson, or by written request directed to the Chairperson and signed by at least 10% of the members of the County Committee.

Section 7 - Notice of all meetings shall be given in writing to each member and shall be mailed not less than 5 days prior to the date set for such meeting. Such notice shall contain the time, place and date of the meeting, and shall state whether the meeting is a special meeting or a regular meeting. In the case of a special meeting, the notice shall state the purpose of such meeting.

Section 8 – Only the persons listed below shall be permitted entrance to the reorganization meeting of the County Committee or to any other meeting at which an election of County Committee officers is to be held or the amendment of this Constitution and By-Laws voted upon:

- (a) Duly elected members of the County Committee.
- (b) The officers of the County Committee.

- (c) Municipal leaders.
- (d) Federal, State and County elected officials.

Section 9 – The following persons shall be entitled to address the meeting and participate in debate:

- (a) Members of the County Committee
- (b) Officers of the County committee
- (c) Previously announced candidates for offices of the County Committee.
- (d) Other persons may participate in any portion of any meeting, at the discretion of the meeting chair unless such participation is objected to by a majority of the County Committee.

Section 10 – Only duly elected members of the County Committee may vote at any meeting, except that the County Chairperson shall have the right to vote in the case of a tie.

Section 11 – At the reorganization meeting or at other meetings at which an election is to be held of County Committee officers or the amendment of this Constitution and By-Laws voted upon, each member of the County Committee, prior to gaining admission to the meeting, shall register his or her attendance by signing his or her name, address and election district in a register provided for that purpose. The Secretary of the County Committee and his designees, aided by the Sergeant-At-Arms, shall supervise the registration process and shall keep on file said signatures for comparison with their respective petitions for County Committee. Each previously announced candidate for an office to be voted upon at the meeting may appoint an observer to witness the registration process.

ARTICLE V

Section 1 – The County Committee shall have the following officers who, commencing with the June 2005 annual meeting, shall be elected for terms of three years.

- (1) The CHAIRPERSON, who shall preside at all meetings of the County Committee and shall perform such other duties as shall be imposed upon him by resolution of the County Committee. The Chairperson shall, with the Vice Chairperson or Secretary, sign all written contracts and written obligations of the County Committee. He shall appoint chairmen and members of all committees. The Chairperson shall be the chief executive officer of the County Committee, and shall have overall executive responsibility. He shall be responsible for raising campaign funds. He shall report all changes in County Committee membership to the Passaic County Clerk in accordance with statutory requirements. He shall file all reports of receipts and expenditures of the County Committee as required by applicable law. He shall vote only in the case of a tie.
- (2) The VICE-CHAIRPERSON, shall upon the unavailability of the Chairperson, perform all the duties of the Chairperson. In the event of the death or disability of the Chairperson, the Vice Chairperson shall act as

Chairperson until said office is filled in accordance with the provisions of these By-Laws and the election laws of the State of New Jersey. In the event that neither the Chairperson nor the Vice Chairperson is present at any meeting of the County Committee, the presiding officer shall be in the following order: Treasurer, Secretary, Counsel.

- (3) The TREASURER, shall keep account of all money's received by him and deposit same in the name of the County Committee in such depository as shall be designated by the County Chairperson. Together with the Chairperson, the Treasurer shall file all reports of receipts and expenditures of the County Committee as required by applicable law. At each meeting of the County Committee, when called upon the Treasurer shall make a statement as to the financial condition of the County Committee.
- (4) The SECRETARY, shall keep the Minutes and other official reports of the County Committee. He shall prepare the official reports of the County Committee. He shall transmit the official correspondence of the County Committee. He shall keep all records, books, documents and papers relating to the County Committee in such place as shall be designated by the County Chairperson. He shall perform such other duties as may be assigned him by the direction of the County Committee, County Chairperson or Vice Chairperson.
- (5) SERGEANTS-AT-ARMS (three), shall be responsible for maintaining order at the meetings of the County Committee.

Section 2 – No one may be nominated for the office of County Chairperson or Vice Chairperson unless the person seeking such office has notified the Secretary at least fourteen (14) days before the meeting at which the election shall take place.

Section 3 – An officer, including those appointed pursuant to ARTICLE VII, does not need to be a member of the County Committee, but shall be a resident of Passaic County. Candidates for elective office in the County Committee shall be required to have voted in the two Primary Elections immediately preceding the meeting at which the County Committee votes to fill such office.

Section 4 – A vacancy in an elected or appointed office shall exist when an officer ceases to be a resident of Passaic County, upon the death of the officer, when the officer is no longer registered to vote as a Democrat, or upon the resignation of the officer.

Section 5 – An officer may be removed for cause upon a two-thirds vote of the County Committee at any meeting of the County Committee. Cause to remove an officer shall include the officer having become physically or mentally incapable of serving or the endorsement of a candidate for elected office in a partisan election other than the Democratic nominee for such office. No officer shall be removed for cause unless the member shall have a least ten (10) days notice of the meeting at which his or her removal is to be voted upon. The officer sought to be removed for cause shall be

accorded due process which shall include the opportunity to be heard at the meeting and to present relevant evidence in opposition to removal.

ARTICLE VI

Section 1 – All officers of the County Committee shall be elected at the reorganization meeting except those appointed as provided for in ARTICLE VII.

Section 2 – Nominations and elections of officers shall be conducted in the following manner.

- (a) Registration shall be conducted as provided for in ARTICLE IV, Section 11.
- (b) Nominations shall be accepted from the floor preceding the vote for each elective office.
- (c) Contested elections shall be conducted by secret ballot in a manner that protects the anonymity of the voters.
- (d) In no event shall any candidate for office of the County Committee preside over the conduct of the election for that office. Should such a conflict occur, the Counsel shall preside or if he is not available, the presiding officer shall be Vice Chairperson, Treasurer, or Secretary, if there is no conflict.
- (e) Challengers or tellers shall be appointed by each candidate for a contested office. (two per candidate)
- (f) The presiding officer shall announce the results of the tally to the membership and a record of the vote shall be made in the minutes of the meeting. The candidate receiving a plurality of those present and voting for each office shall be declared elected. In the event no candidate received 40% of those present and voting, a run-off election shall be conducted between the two highest vote getters.
- (g) All materials utilized during the election process, including registered books, ballot tallies, and any other materials used in the election, shall be maintained by the Secretary of the County Committee, for a period of at least 60 days.
- (h) There shall only be one nomination and two seconds for any candidate seeking elective office, the nomination to be limited to 3 minutes and any second to be limited to recitation of name and election district.
- (i) Candidates nominated for any office shall signify their acceptance in order nominated by vocalizing same in less than 10 words.
- (j) The first office to be filled at the annual meeting shall be that of Chairperson, and, thereafter, the offices in the order set forth by the By-Laws.
- (k) There shall be separate voting for each elective office.
- (l) An unsuccessful candidate shall not be precluded from being a candidate for another office.
- (m) Proxy voting is prohibited.

Section 3 – In the event that there is a vacancy created in the office of Chairperson, the Vice Chairperson shall hold such office until the next regular or special

meeting. In the event of a vacancy in any other office, the Chairperson shall be empowered to appoint a successor who shall serve until the next Annual Meeting.

ARTICLE VII

Section 1 – The County Chairperson may appoint some suitable person to each of the following offices, each of whom shall be considered officers of the County Committee.

- (1) The Administrative Assistant, shall assist the Chairperson and Vice Chairperson in the performance of their duties as called upon. He shall also perform those duties as designated by the County Committee.
- (2) The Auditor, shall conduct an annual audit and other financial duties, e.g. (Forms, reports, etc.).
- (3) Finance Chairperson, shall be responsible for direction of fund raising activities, except for campaign funds, as to which he shall assist the Chairperson and Vice Chairperson.
- (4) Voter Registration Chairperson, shall coordinate the voter registration efforts of the organization.
- (5) Organization and Membership Chairperson, shall be responsible for liaison with Democratic Clubs throughout the County, and shall be responsible for direction of activities designed to encourage broader participation in Democratic politics by all persons.
- (6) Youth Chairperson, shall be responsible for liaison with young people's organizations, and shall be responsible for encouraging the participation of young people in Democratic politics.
- (7) Suburban Coordinator, shall coordinate the organization's activities for West Milford, Ringwood, Bloomingdale, Pompton Lakes, Wanaque and North Haledon.
- (8) 35th Legislative District Coordinator, shall coordinate the organization's activities in the 35th Legislative District.
- (9) 34th Legislative District Coordinator, shall coordinate the organization's activities in the 34th Legislative District and the City of Passaic.
- (10) Coordinator for Municipal Elections, shall assist Democratic candidates for municipal elections, and act as liaison between the county organization and local candidates.

(11) Counsel, shall represent the organization and render advice as to all legal matters, and act as parliamentarian to the organization.

ARTICLE VIII

Section 1 – All funds shall be deposited in a Passaic County bank account or accounts designated by the County Chairperson for said purpose.

Section 2 – No funds shall be disbursed from such accounts except upon the signatures of two persons; The County Chairperson or Vice Chairperson and Secretary or Treasurer.

Section 3 – An annual audited financial report, showing the amount of money received by or on behalf of the County Committee during the previous year, together with names and addresses of the persons from whom the money was received, and also a statement of the purposes for which it was expended shall be prepared under the direction of the auditor.

ARTICLE IX – Copies of this Constitution and By-Laws and amendments thereto, shall be furnished to all members of the County Committee within 20 days after the adoption of same. Thereafter, copies shall be furnished to newly elected County Committee members at the annual meeting following their election. Any member elected or appointed to membership may request, in writing and by certified mail addressed to the County Chairperson a copy of this Constitution and By-Laws and such member shall receive a copy within 48 hours of receipt by the County Chairperson of such request.

ARTICLE X – Each municipal committee must file a copy of its by-Laws with the County Chairperson. The filing of a municipal committee's the By-Laws shall not constitute an acceptance of the terms of such By-Laws by the County Committee.

ARTICLE XI - Amendments to this Constitution and By-Laws may be made at the annual meeting by a majority vote of the members. Amendments may be made at any regular or special meeting of the County Committee by a two-thirds vote of the members.

ARTICLE XII – The current constitution and By-Laws (as same may have been previously amended) shall continue in full force and effect from the date of adoption or amendment through the election of officers at the following reorganization meeting.

ARTICLE XIII – All powers and duties not specifically delegated by this Constitution and By-Laws or by the New Jersey Election Laws shall be reserved to the County Chairperson and to the County Committee.

ARTICLE XIV – The rules contained in the current edition of *Roberts' Rules of Order Newly Revised* shall govern in all instances to which they are applicable and in which

they are not inconsistent this Constitution and By-Laws or any special rules of order that the County Committee may adopt.

Adopted June 15, 2010