

PHILLIPSBURG
DEMOCRATIC
COMMITTEE

CONSTITUTION and BY-LAWS

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CONSTITUTION AND BY-LAWS**

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CONSTITUTION AND BY-LAWS

OF

PHILLIPSBURG DEMOCRATIC COMMITTEE

In accordance with and as provided by New Jersey Law, including *N.J.S.A. 19:5-1, et seq.*, the following shall be the CONSTITUTION AND BY-LAWS of the Phillipsburg Democratic Committee.

ARTICLE I NAME:

The name of this organization shall be the Phillipsburg Democratic Committee.

ARTICLE II OBJECTIVE:

The objective of the Phillipsburg Democratic Committee (or “Municipal Committee”) shall be to promote the principles, establish the policy, direct the affairs, and further the goals of the Democratic Party and strive for the efficient and responsible government of the Town of Phillipsburg, Warren County, State of New Jersey, United States of America.

ARTICLE III MEMBERSHIP:

A. The Phillipsburg Democratic Committee shall be composed of one male and one female from each of the voting districts in the Town of Phillipsburg, who shall have been duly elected

in the June primary for the general election or subsequently appointed and elected at the biennial reorganization of the Municipal Committee at a duly authorized meeting as required by *N.J.S.A. 19:5-2*.

B. The term of all members elected in the Primary Election shall be for two (2) years. The term of all members appointed and elected by the Municipal Committee, shall be for the remainder of the unexpired two (2) year term in accordance with *N.J.S.A. 19:5-2*.

C. Each member of the Phillipsburg Democratic Committee is obligated to promote the principles, policies, goals and objectives of the Phillipsburg Democratic Committee. Actions deemed contrary to the obligations contained herein are grounds for removal from said position.

ARTICLE IV OFFICERS:

The members of the Phillipsburg Democratic Committee shall elect as their officers, a CHAIRPERSON, a VICE-CHAIRPERSON, a SECRETARY, and a TREASURER, which, with the exception of CHAIRPERSON, shall be a member of the Phillipsburg Democratic Committee as set forth in Article III.

ARTICLE V DUTIES OF OFFICERS:

A. The Chairperson shall preside at all meetings of the Phillipsburg Democratic Committee and of the Executive Committee and shall report on the proceedings of the Executive Committee at each meeting of the Phillipsburg Democratic Committee. The Chairperson shall establish other such committees from time to time as necessary or proposed by the Committee. These committees, as appointed by the Chairperson, may be made up of outside committee members.

B. In addition to the rights and duties conferred or imposed by law, the Chairperson shall exercise and discharge those conferred by this Constitution and By-Laws and by resolutions adopted in conformity therewith.

C. In the absence of or during the inability of the Chairperson to serve the Vice-Chairperson shall preside at all the meetings of the Phillipsburg Democratic Committee and shall exercise all the powers and duties of the Chairperson.

D. The Secretary shall perform such duties as usually pertain to the office and as may be assigned by the Phillipsburg Democratic Committee or such additional duties as assigned by the Chairperson or by the Executive Committee. These duties shall include the taking and maintenance of attendance records and written minutes of the Phillipsburg Committee and the Executive Committee.

E. The Treasurer shall possess all the powers and discharge all duties conferred or imposed by law, this Constitution and By-Laws, and the resolutions of the Phillipsburg Democratic Committee.

E. The Chairperson and Vice-Chairperson shall be ex-officio voting members of all committees established by this Constitution and By-Laws, and all other committees that may be established by the Phillipsburg Democratic Committee.

F. The officers of the Phillipsburg Democratic Committee pledge to support, endorse and otherwise aid, in their official capacity, only Democratic candidates for office running in partisan and/or Democratic races. In the event any officer violates this pledge, said officer shall forfeit the office, and it shall be deemed vacant.

G. Nothing within this section shall be interpreted to prevent an individual from exercising political expression in his or her personal capacity as a voter, and every accord shall be made to respect such privacy, provided no advocacy is made in his or her official capacity to support a candidate in a partisan election or where such advocacy would run contrary to electing a Democrat to office.

ARTICLE VI VACANCIES:

All vacancies caused by the death, resignation, malfeasance, a failure to elect or otherwise, shall be filled for the unexpired term in the following manner:

Any vacancy in the office of a member of the Phillipsburg Democratic Committee shall be filled for the unexpired term by the Municipal Committee. All vacancies shall be filled accordance with *N.J.S.A. 19:5-2*.

A vacancy existing in the office of the Chairperson, Vice-Chairperson, Secretary, or Treasurer shall be filled by a vote of the Phillipsburg Democratic Committee at a special meeting called for that purpose within twenty (20) days of the occurrence of the vacancy. The Chairperson can appoint someone to an open seat whether or not that person resides in that District.

In the event of a vacancy in the office of Chairperson, and during the limited twenty (20) day period, the Vice-Chairperson, shall serve as interim Chairperson. In the event of vacancies in the office of Chairperson and Vice-Chairperson, the Secretary shall serve as interim Chairperson during said twenty (20) day period. The

Treasurer shall be next in line of succession. They shall continue their respective duties of office until the vacancy has been duly filled.

Officers or members may be removed for cause, including violation of this Constitution and By-Laws, or any lawful rule or practice duly adopted by the Phillipsburg Democratic Committee. Nonperformance, dereliction of duty, violation of the Party Pledge by an Officer, or any other conduct prejudicial to the interest of the Phillipsburg Democratic Committee, shall be grounds for removal.

Procedure for Removal

1. In order to begin a removal proceeding for an Officer or a Member, a member must make a motion to remove said Officer, and this motion must be seconded by another member.
2. A motion to remove an Officer must be made before the Phillipsburg Democratic Committee membership at a meeting.
3. Prior to the meeting, adequate notice of no less than ten (10) days shall be given to the membership, by the Secretary, that a motion for removal will be made. Such meeting may be either a regularly scheduled meeting or may be a specially convened meeting.
4. After the motion to remove an Officer is made, the member who brings the motion must present the facts supporting the contention that there is just cause for the removal of the Officer in question. The Officer, who is the subject of the removal motion, shall be given full opportunity to refute and respond to the stated facts or reasons for removal.

5. Prior to a vote on the motion, each member shall be accorded the opportunity to express their views, in a timely manner. Each member may also direct inquiries to the Officer in question, the originators of the motion, and the general membership, so as to clarify and/or gain further information that is relevant to the motion to remove.
6. At the conclusion of open discussion and debate, a member of the Executive Committee, who is not the subject of the removal proceedings, shall call for a vote and preside over the voting upon the motion. Voting shall be by secret ballot only. A tally of votes cast shall be witnessed by the Officer in question and the originators of the motion.
7. A two-thirds (2/3) majority vote of the members in attendance for meeting, for removal purposes, shall be required for removal. Such removal motion, if passed, shall take immediate effect.

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Eligibility Upon Removal

1. Any Officer of the Committee removed from office pursuant to the Constitution and By-Laws, shall be ineligible to seek office for a period of three (3) years from the date of removal.
2. Any member removed from the Committee pursuant to the Constitution and By-Laws, shall be ineligible for reappointment to the Committee until the meeting following the next Primary election in which members are elected.

ARTICLE VII MEETINGS, QUORUM, ORDER OF BUSINESS AND

VOTING:

A. Meetings

The Phillipsburg Democratic Committee shall meet the Sunday evening following the Primary Election at which time candidates for the office of Chairperson, Vice-Chairperson, Secretary, and Treasurer shall be nominated and elected, and other such times and places at the call of the Chairperson on at least five (5) days' notice by either mail or email to each member. Timeliness of mail notification shall be determined by postmark date or email time stamp. In addition, twenty percent (20%) of the members concurring may call a meeting by petition.

B. Quorum

No meeting of the Phillipsburg Democratic Committee or Executive Committee shall be called to order unless:

1. Written notice of the meeting shall be effectuated to all eligible committee members, at least five (5) days prior to such meeting.
2. There is in attendance at any such meeting at least twenty (20%) percent of the eligible committee members, which said number shall constitute a quorum.

C. Order of Business

The Order of Business shall be as follows:

1. Call to Order and Flag Salute
2. Roll Call
3. Reading of the Minutes
4. Report of the Treasurer
5. Report of the Chair
6. Committee Reports
7. Unfinished Business
8. New Business
9. Member's Comments and Announcements
10. Adjournment

D. Voting

1. Only those members present at a duly constituted meeting shall be entitled to a vote on any question, motion, or resolution and a simple majority shall be sufficient for passage of any matter voted upon, except a resolution to amend or repeal this Constitution and By-Laws in whole or in part in accordance with Article XIV.

2. All voting for the election of officers or for the filling of any vacancy shall be by secret ballot. Such ballot shall be printed with the office title indicated and location for candidate name to be written.
3. In the event that there is but one candidate for any office or vacancy, voting may be by voice vote, unless a secret vote is requested by an eligible committee member present.

ARTICLE VIII EXECUTIVE COMMITTEE:

A. Purpose

The Executive Committee shall be responsible for the execution of the policies of the Phillipsburg Democratic Committee in the management and political organization of the Town Democratic Party and shall guide, support, and co-ordinate the political activities and campaigns herein.

B. Membership

The Executive Committee shall consist of the following:

1. Chairperson.
2. Not fewer than four (4) and not more than eight (8) members as appointed by the Chairperson. Said Executive Committee Members need not be members elected to or serving as members of the Phillipsburg Democratic Committee.

ARTICLE IX FINANCES

A. Phillipsburg Democratic Committee Finance Committee

1. The Finance Committee shall be composed of the Treasurer and two (2) Committee members appointed by the Chairperson.
2. The Committee shall formulate and prepare a yearly budget for the Phillipsburg Democratic Committee, and it shall be presented to the Executive Committee no later than September 1 of each year and for ratification at the fourth quarter Committee meeting.
3. The Treasurer shall accept all funds and deposit same in a timely manner on behalf of the Phillipsburg Democratic Committee. All disbursements shall be subject to the approval of the Chairperson or Vice-Chairperson.
4. The first priority of any monies by the Phillipsburg Democratic Committee will be to support local candidates and activities.
4. The Treasurer shall render an account to the Executive Committee and then the Phillipsburg Democratic Committee. All funds received by the Treasurer shall be deposited in the bank account selected by resolution of the County Committee. See *N.J.S.A. 19:44A-10*.
5. The Treasurer of the Campaign Finance Committee shall prepare all reports to the New Jersey Election Law Enforcement Commission required for campaign receipts and

disbursements as required by law. The final such report shall be included in the minutes of the meeting of the Committee following its filing, to the extent possible.

ARTICLE X RECOMMENDATIONS

A. Poll Workers

On or around March 1st of each year, the Municipal Chairperson shall recommend in writing to the County Chairperson the names of persons who they wish to serve as poll workers in their municipal districts. These names shall be forwarded to the Warren County Board of Elections by the County Chairperson.

B. Appointments

Whenever by custom or law the Chairperson enjoys the power to recommend a candidate to a post, position, office or other benefit, the Chairperson shall first seek the advice and opinion of the Executive Committee. The Chairperson shall submit the name of the candidate to the Executive Committee for consideration. The Executive Committee shall act upon appointments in closed session and by secret ballot. The results of such action shall not be discussed outside of this committee except a disclosure of “Approved”, “Disapproved”, or “No Action”.

ARTICLE XI NON-MEMBERS:

All elected Democratic municipal officials representing the Town, and all Democratic candidates nominated at the Primary Election shall be entitled to attend meetings of the Phillipsburg Democratic Committee.

ARTICLE XII AMENDMENTS

This Constitution and By-Laws shall be adopted, amended, or repealed only by a two-thirds (2/3) vote of the members of the Phillipsburg Democratic Committee present at any regular or special meeting, provided due notice thereof shall have been mailed or emailed by the Secretary to each member of the Phillipsburg Democratic Committee at least ten (10) days prior to the meeting, setting forth completely the text to be offered for adoption, amendment or repeal, and a statement of the essence or significance of the proposal.

ARTICLE XIII SEVERABILITY

In the event any provision of this Constitution and By-Laws is held to be unenforceable by any State or Federal court, the remaining provisions of this Constitution and By-Laws shall survive and remain in full force and effect.

ARTICLE XIV PARLIAMENTARY AUTHORITY

The current edition of Roberts Rules of Order Newly Revised shall be the parliamentary authority for the Phillipsburg Democratic Committee in all matters not covered by law or the Constitution and By-Laws.

The By-Laws of the Phillipsburg Democratic Committee were duly enacted on _____