



2021

Village of Delanson

Petition Guidelines

Schenectady County Board of Elections

2696 Hamburg Street

Schenectady, NY 12303

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Calendar for 2021 Village Election Held in March:

Some key dates for designating petitions are:

<u>Designating Petitions:</u>		<u>Law §:</u>
First day to circulate Designating Petitions	November 30, 2020	15-108(9)
Last day to circulate Designating Petitions	January 11, 2021	15-108(7)d

Dates and Hours for filing Designating Petitions:

Monday thru Friday	9 A.M. to 5 P.M.	January 4 th – January 11, 2021	15-108(7)d
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General Objections to Designating Petitions Must be Received by:

Tuesday January 12, 2021 - Last day to file written objections to party primary designating petitions. *Election Law § 15-108(10). Not later than one (1) day after the last date to file the petition with the village clerk.*

Specifications For General Objections Must be Received by:

Last day to file written specifications of objections to party primary designating petitions. *Election Law § 15-108(10). Written specifications of the grounds of the objections must be filed with the village clerk within two (2) days after the filing of the written objections. NOTE: If an objection to a party primary designating petition is filed before January 12th, the written specifications will be due before January 14th*

For Independent Nominating Petitions:

First day to circulate Independent Nominating Petition	Tuesday, December 29, 2020	15-108(9)
First Day to File an Independent Nominating Petition	Tuesday February 2, 2021	15-108(7)c
Last day to file Independent Nominating Petition (5 P.M.)	Tuesday February 9, 2021	15-108(8)a
Last Day to File a Certificate of Acceptance	Friday February 12, 2021	15-108(8)b

Last day to file objections to Independent Nominating Petitions is three days after the filing of the petition.¹

¹ If last day is a Saturday or Sunday, then filed by 5 P.M. the next business day, which is usually Monday.

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SIGNATURE REQUIREMENTS

DESIGNATING PETITION REQUIREMENTS FOR PUBLIC AND PARTY OFFICES

JURISDICTION		DEM	REP	CON	WOR
DELANSON VILLAGE TOTAL		2	3	1	1

INDEPENDENT NOMINATING PETITION REQUIREMENTS FOR PUBLIC AND PARTY OFFICES

JURISDICTION		Signature 5%	Voter Turnout 2017
DELANSON VILLAGE TOTAL		2	22

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RULES AND REGULATIONS

Schenectady County Rules

These guidelines for handling filings with the Schenectady County Board of Elections are made in conjunction with New York State Election Law. Everyone is urged to consult the Election Law and Regulations of the New York State Board of Elections, 9 NYCRR Section 6215, as well as these guidelines.

Definitions:

Petition: A 'petition' is all of the sheets which may be filed with the Board in one or more volumes, together with any required cover sheet, which designate the same candidate(s) for a particular public office or party position.

Petition

Volume: A 'petition volume' is the securely fastened grouping of petition sheets for one or more candidates or group of candidates.

A. General Requirements:

- A1.** Sheets of a designating petition should be securely fastened together in one or more petition volumes. The sheets in each petition volume need to be numbered sequentially at the bottom of each sheet.
- A2.** All papers required to be filed pursuant to the Election Law shall, unless otherwise provided, be filed between the hours of 9 A.M. and 5 P.M. at the office of the Schenectady County Board of Elections, 2696 Hamburg Street, Schenectady, NY 12303. Unless otherwise provided, if the last day for filing shall fall on a Saturday, Sunday, or legal holiday, the next business day shall become the last day for filing. Failure of any person or entity to deliver any such document to the Schenectady County Board of Elections on or before the last day to file same shall be a fatal defect.
- A3.** All papers that are required to be filed with the office of the Schenectady County Board of Elections shall immediately upon receipt be **time-stamped on their face** in compliance with the requirements of the NYS Election Law. Materials that are received through the mail shall have their mailing envelope time stamped as well as the face of each document contained within the envelope. A record must be completed listing the documents contained in the envelope. The record shall be initialed by a board employee representing each of the major political parties. The original envelope and note shall be kept with one of the documents contained in the envelope and a photocopy of the envelope (bearing the post mark) together with the note attesting to its content shall be kept with each different document that was contained in the envelope.

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B. Identification Numbers:

- B1.** No one is required to apply for a petition volume identification number before filing any petition volume. However, any person may apply for a petition volume identification number by submission of an Identification Number Application Form. Identification Number Application Forms are available in the office of the Schenectady County Board of Elections. If a petition volume identification number has been assigned before the petition volume is filed, the petition volume identification number should appear prominently on the top of the petition volume. The Board requests that petition volume identification numbers NOT be placed on the petition volume's binding.
- B2.** A pre-assigned petition volume identification number shall be used only by the candidate/s or applicant/s named in the application. Petition volume identification numbers are not transferable or assigned.
- B3.** A pre-assigned petition volume identification number shall be used only for the election event for which the application is made.
- B4.** Whenever a petition volume is filed without a pre-assigned petition volume identification number, the Board will assign a petition volume identification number from the next available number in the NTS Election Management System (NTS EMS).

C. Cover Sheet

- C1.** All petitions containing ten or more sheets shall be accompanied by a cover sheet.
- C2.** A cover sheet shall contain the following information:
 - a) the office and district number (where appropriate) for which each designation and nomination is being made;
 - b) the name and complete residence address of each candidate;
 - c) the total number of volumes comprising each petition;
 - d) an identification of the volumes comprising the petition;
 - e) a statement that the petition contains the number, or in excess of the number, of valid signatures, required by the Election Law;
 - f) a place for the optional designation of a contact person to be notified to correct noncompliance with the Rules of the NYS Board of Elections (a candidate may be designated as the contact person);
- C3.** When multiple candidates for different member of county committee positions are bound securely in one petition, the names and addresses of candidates for member of county committee may be set forth by election district of candidacy on a schedule to be annexed to the cover sheet. Cover sheets for the position of member of county committee should include, in addition to such schedule and all other information required by Guide C, a list by election district of the identification numbers or the volume number, and page number where such signatures appear for each election district.

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- C4.** An amended cover sheet must clearly identify the original cover sheet that it is amending or attach a copy of the original cover sheet that it is amending. The amended cover sheet must contain all the information required of a cover sheet.
- C5.** An amended cover sheet must be filed on or before the last day to file the petition unless the amended cover sheet is filed to cure a failure to comply with the Rules of the NYS BOE after the Schenectady County Board of Elections has made a determination of non-compliance with those Rules.

D. Determinations; Cures Pursuant to Section 6-134(2) of the Election Law

- D1.** Within two (2) business days of the receipt of a petition, the Commissioners of the Schenectady County Board of Elections will review the petition to determine whether the petition complies with the cover sheet, sequential page numbering and binding requirements of the Rules of the NYS BOE. Such review shall be limited to matters apparent on the face of the petition, the cover sheet, the binding of each petition volume, and the number of petition volumes. Such review and such determination shall be without prejudice to the Schenectady County Board of Election's determination of objections and specifications of objections filed pursuant to the provisions of the Election Law and these guidelines.
- D2.** The Commissioners of the Schenectady County Board of Elections shall utilize a SCBOE Petition Review Work Sheet and append by paper clip the completed document to the cover sheet of a petition, if one has been filed. If a cover sheet has not been filed, then the Work Sheet shall be appended to the first appearing page of the petition.
- D3.** In the event that the Schenectady County Board of Elections determines that a petition does not comply with the Rules of the NYS BOE, the Commissioners will forthwith notify the candidate or candidates named on the petition of its determination of non-compliance and the reasons therefore.
- D4.** Notification of a determination of noncompliance shall be given by written notice by depositing such notice on the day of such determination with an overnight delivery service, for overnight delivery, on the next day after the determination to the candidate or contact person, if designated, at the address stated on the petition. Notification shall be given by overnight delivery unless the candidate shall have filed with the SCBOE written authorization, signed by the candidate, for the SCBOE to give notification by facsimile transmission. In the event that the candidate shall have authorized notification by facsimile transmission, then the SCBOE shall notify the candidate or the contact person, if designated, by facsimile transmission on the day of the determination to the number set forth by the candidate and shall, in addition, mail, US Postal first class, a copy of the determination to the candidate.
- D5.** A candidate may, within three (3) business days of the date of a determination that the petition does not comply with the Rules of the NYS BOE, cure the violation of those Rules. Cover sheet deficiencies may be corrected by the filing of an amended cover sheet. Such cure or correction must be received by the SCBOE no later than the third business day following such determination.

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- D6.** If the petition is for an Opportunity to Ballot, then the first named person on the committee to receive notices or applicant(s) for the identification number or numbers under which the petition was filed, shall be deemed to be the “candidate” for purposes of these Guidelines.

E. Examination and Copying of Petitions:

- E1.** The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners, shall control the requisition, examination and copying of any document filed with the SCBOE in order to assure that candidates, objectors or potential objectors and their representatives have an equal and fair opportunity to examine or copy such documents consistent with the needs of the SCBOE to process petitions and specifications of objections.
- E2.** Any person may obtain a copy of any document filed with the SCBOE upon written application and payment of \$.25 per page.
- E3.** While examining the document: No document shall be unfastened or taken apart; nor shall pen and ink or indelible pencil be used while examining documents. Red pencil supplied by the SCBOE is to be used while examining any original document.
- E4.** No petition shall be unfastened or taken apart without written acknowledgement signed by both commissioners.
- E5.** No petition shall be removed from the petition safe without prior authorization of both Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners.

F. Securing the Petitions:

- F1.** All petitions shall be secured in the petition safe, when not being processed by SCBOE staff for entering into the NTS Election Management System (NTS EMS) or by the Commissioners for their two-day review. The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners, shall be permitted to remove a petition from the petition safe.
- F2.** The door to the Petition Room has three locks. Lock one is used by the Sheriff’s office during an impoundment. The key to lock two is in the possession of the Republican Commissioner. The key to lock three is in the possession of the Democratic Commissioner. The Commissioners using their respective party key shall lock when the office is closed the Petition Room door. Likewise, before locking the petition room door, the petition safe shall first be locked. Each Commissioner has the safe combination. However, it takes both political party representatives to gain entrance to the Petition Room.

G. General Objections

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- G1.** A general objection to a petition must be filed with the SCBOE. The last day for filing general objections is three days after the latest date on which any part of such petition or cover sheet was filed.
- G2.** The general objection shall state the name and address of the objector; the name of the candidate/s and public office/s or party position/s; and political party; to which the objection is addressed and shall be signed by the objector. If the objection is directed to a petition for Opportunity to Ballot, the objection shall identify the public office or party position, and political party. It should also include the petition volume identification number.
- G3.** The general objection may include a place for the optional designation of a contact person to receive notice of any determination on the objection. The general objection should include any telephone numbers and fax numbers that can be used to provide notice regarding rulings on the objection.

H. Specification of Objections

- H1.** Specifications of objections to a petition must be filed with the SCBOE within six (6) days after the filing of general objection.
- H2.** Specifications of objections shall state the name and address of the objector; the name of the candidate/s and public office/s or party position/s; and political party; to which the objection is addressed and shall be signed by the objector. The specifications may include a place for the optional designation of a contact person to receive notice of any determination on the objection. The specifications should include any telephone numbers and fax numbers that can be used to provide notice regarding rulings on the objection.
- H3.** If the specifications of objections claim that there are an insufficient number of valid signatures, the specifications should state the total number of signatures contained in the petition and the total number of signatures that the objector claims to be invalid.
- H4.** When an objector files an objection that presents a factual issue that cannot be determined from documents on file with the SCBOE, the specifications must set forth the factual allegations with particulars. The objector shall submit with the specifications, copies of any documents or affidavits that are required in order for the SCBOE to rule on the issue.
- H5.** Any specific objection to an individual signature or witness statement shall set forth the petition volume identification number, page number and line number and shall set forth with specificity the nature of each objection to that signature or witness statement. Objectors may use abbreviations or symbols as long as they are clearly defined in the specifications.
- H6.** Objectors are warned not to include in the specifications broad, non-specific or generic claims or claims which are not supported by documents filed with the SCBOE. The SCBOE may dismiss the entire objections as frivolous if specifications include such claims.

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- H7.** The SCBOE policy regarding the appropriate forum for determination of allegations of forgery or fraud is an invalidation proceeding pursuant to NYS Election Law Section 16-102. The SCBOE does not ordinarily rule on such allegations. In the rare case where an objector seeks to obtain a ruling from the SCBOE on an issue of fraud, or on a factual issue which cannot be determined from documents already filed with the SCBOE (such as petitions, registration records, party call, party rules, etc.), the specifications shall set forth the factual allegations with particularity. The objector should submit with the specification copies of any documents or affidavits that are required in order for the SCBOE to rule on the issue. Notwithstanding such a submission, the SCBOE will generally decline to rule on any allegation of fraud.
- H8.** No specifications of objections to any petition or other filing will be considered by the board of elections unless the objector filing the specifications personally delivers or mails by registered or certified mail a duplicate copy of the specifications to each candidate for public office named on said petition or filing. In the case of a petition or filing containing candidates for party positions, service of the specifications shall be made on either the named candidates or the first person named on the petition's or filing's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the board of elections. Proof of service shall accompany the specifications or be received by the end of business two days following the filing of the specifications, whichever is later.

I. Clerks' Report

- I1.** The Commissioners of the SCBOE, or in their absence, the Deputy Commissioners, or such other staff as may be designated by both Commissioners shall be assigned to examine the specifications of objections and to prepare a staff report to the Commissioners on the objections.
- I2.** Upon completion of the Clerks' Report, the Commissioners shall meet to review the line by line report by the clerks and make a determination.
- I3.** The guidelines for examination and copying of petitions shall also apply to specifications of objections showing the clerk's line by line review. The use of nominating or designating petitions and specifications by the clerks for the preparation of their report shall have priority over any request for examination or copying by any objector, candidate or their representative.

J. Commissioners' Determination:

- J1.** The Commissioners shall render a determination once the clerks' report has been completed. Upon a determination of invalidity, both the objector and the candidate(s) shall receive a written determination by US Postal first class mail, unless a prior request for fax transmission was received. In that case, both fax transmission and US Postal first class mail will be employed.

K. Drawing for Ballot Position:

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Title 9, Subtitle V

Party 6204.3 Methods for Determining Ballot Order by Lot

- K1.** Pursuant to the New York State Board of Elections adopting the above Rules governing the conduct of drawings for ballot position, the Commissioners of the Schenectady County Board of Elections selected Option A. Drawing for ballot position will be conducted at the office of the Schenectady County Board of Elections.
- K2.** If there is a primary contest for public office or party position, the position of the candidates on the ballot shall be determined by lot. The losers in the Primary shall be withdrawn from the ballot and the winners shall be moved left to fill the gap of the loser for the General Election ballot. This procedure for the positioning of a candidate shall be used for the November General Election unless there is a timely request in writing to determine by lot for the ballot position.
- K3.** If there is no primary contest, names of candidates for Public Office shall appear on the ballot in the same order that they appear on designating petitions, unless there is a written request to determine by lot for the ballot position in conjunction with Section 7-116 of the NYS Election Law.
- K4.** Candidates or their designees may inspect the device to be used for the drawings prior to the drawing date. Once the inspection has occurred, the board will conduct the drawing in the following manner:
1. The candidate list will be prepared listing the public offices, first, in order of largest jurisdiction in relation to the total number of election districts affected to lowest jurisdiction in relation to the total number of election districts affected. Candidates will be listed within office codes in order of the date/time stamp that was affixed to the front page of the petition when this office received it. The Board will utilize the existing Office Code table to determine order of offices. Primary contests by multiple political parties within a particular office code shall be drawn in the order that the party appears on the ballot.
 2. If more than one name appears on the face of the petition, the names will be typed in descending order on the candidate list in the order that the names appear on the petition sheet(s). However, whenever groups of names are designated for party position on the same petition, the order in which they shall be printed on the official primary ballot shall be determined by a single lot, absent an application pursuant to Section 7-116(2) of the NYS Election Law to demand that the order within a petition be drawn.
 3. The first number drawn on the automated selection machine will be noted on the candidate list next to the name of the first candidate. The second number drawn will be noted on the candidate list next to the name of the second candidate, and so on, until the drawing for all contested positions within that particular office code and political party has been completed.
 4. Once the drawing for that office code and political party is complete, the numbers on the candidate list will be reviewed and the ballot order announced, with the lowest number representing the first position, the next lowest number representing the number two position, and so on.

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5. Once the results of a particular office code and political party has been completed and announced, the numbers will be returned to the drawing device. Drawing for the next appearing contest will similarly be conducted and announced until all drawings have been completed.

K5. Drawing results will be compiled by the SCBOE as part of the ballot certification.

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New York State Board Rules

§ 15–108. Designation and nomination of candidates

1. Nominations of candidates for elective village offices shall be made as provided in this section.

2. a. Party nominations of candidates for village offices in any county shall be made at a party caucus or, if the rules of the county committee, heretofore or hereafter adopted consistent with the provisions of this chapter so provide, at a primary election. If the rules of the county committee of any political party provide that party nominations for village offices of that party in any or all villages in the county shall be made at a village primary election, such primary election shall be held forty-nine days prior to the date of the village election. In the event there is no village committee with a chairman, the chairman of the county committee or such other person or body as the rules of such committee may provide, shall designate an enrolled member of the party who is a qualified voter of the village as the village election chairman. Such village chairman shall have general party responsibility for the conduct of the village caucus or primary election. For the purposes of this section, a village shall be deemed to be located within a county for the purposes of county political organization if more than fifty percent of the population of the village as shown by the last federal decennial, or special census resides in that portion of the village located in that county. Such nomination shall be made not more than fifty-six, nor less than forty-nine days prior to the date of the village election.

b. A notice of any village primary held for making party nominations of candidates for village offices to be filled at a village election shall be given by the proper party authorities by publication at least once in each of the two weeks preceding the primary in at least one newspaper of general circulation within the village.

c. A notice of any party caucus held for making party nominations for village offices for village elections shall be given by the proper party authorities by posting such notice in the public areas at the offices of the village clerk and by filing such notice with such clerk at least ten days preceding the day of the caucus and, either by newspaper publication thereof once within the village at least one week and not more than two weeks preceding the caucus, or by posting such notice in six public places in the village at least ten days preceding the day of the caucus.

d. The notice shall specify the time and place or places, and the purpose of such caucus or primary, including the offices for which candidates will be nominated thereat. For such village primary or caucus there shall be one or more polling places in each subdivision from which a candidate is nominated. There shall be a chairman and a secretary and tellers for each such village primary or caucus, who shall be appointed by the appropriate party officials. No person shall in such primary or caucus who is not a resident of the village and an enrolled voter of the party conducting the primary or caucus. At any primary or caucus in which nominees are chosen by vote of the people in attendance, the person eligible and receiving the highest number of votes for an office shall be deemed nominated. Such village primary or caucus shall not be conducted at any expense to the village.

e. Any party nomination made at any such caucus or village primary shall be evidenced by the filing with the village clerk of a certificate of nomination in the form prescribed by this chapter, as provided in subdivision seven of this section. There shall be filed, together with such certificate, or within five days after the village clerk sends the notice of failure to file prescribed by this paragraph, a list of enrolled members of the party who have participated in such caucus or primary. If such list is not filed with such certificate, the village clerk shall forthwith send notice of the failure to file such list to the persons who signed such certificate, by first class mail, together with a notice that such list must be filed within five days after such notice was mailed. Such list shall be certified by the presiding officer or secretary of such caucus or primary.

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3. a. Party designations for elective village offices shall be made on a designating petition containing the signatures in ink of residents of the village who are registered to vote with the appropriate county board of elections at the time of signing and who are enrolled in such political party. The sheets of such a petition shall be numbered. Such petition must set forth in each instance the correct date of signing, the name of the signer, and his or her present address, and may set forth a committee to fill vacancies consisting of at least three qualified voters of the village enrolled in such party and their residence within the village. A signer need not himself or herself fill in the date or residence. Each sheet of such petition must be in substantially the following form and shall contain all the information required therein:

PARTY DESIGNATING PETITION

I, the undersigned do hereby state that I am a registered voter of the Village of..... and a duly enrolled voter of the..... party and entitled to vote at the next primary election of such party, that my place of residence is truly stated opposite my signature hereto, and I hereby designate the following named person (or persons) as a candidate (or candidates) for nomination of such party for the public office (or public offices) to be voted for at the primary election to be held on the..... day of..... 20.... as hereinafter specified.

Name of Candidate	Public Office	Term	Residence

I do hereby appoint (insert names and addresses of at least three persons, all of whom shall be enrolled voters of said party) as a committee to fill vacancies in accordance with the provisions of the election law. IN WITNESS WHEREOF, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name	Residence	Town/City

STATEMENT OF WITNESS I..... (name of witness) state: I am a duly qualified voter of the State of New York; and an enrolled voter of the..... party and now reside in the Village of..... County of..... State of New York at..... (residence address) therein. Each of the persons whose names are subscribed to this petition sheet containing..... signatures, subscribed his or her name in my presence. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date	Signature of Witness	page no.....
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b. Notwithstanding any other provision of law, the number of signatures required on a designating petition shall be five percent of the number of enrolled voters of the party residing in the village. For the purpose of determining the number of enrolled voters of a party residing in the village, the clerk shall be furnished with an official certified list of all such enrolled party voters residing in the village by the county board of elections of the county in which all or part of the village is located. Such list shall be filed in the village clerk's office and shall be available upon request for inspection by any interested person.

4. Independent nominations for elective village offices shall be made by a petition containing the signatures in ink of residents of the village who are registered with the appropriate county board of elections at the time of signing or who are residents of the village who were on the list of registered voters for the last village election in such village. The sheets of such a petition shall be numbered. Such petition must set forth in each instance the correct date of signing, the name of the signer and his or her present address,

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and may set forth a committee to fill vacancies consisting of at least three persons qualified to vote in the village election and their residence within the village. A signer need not himself or herself fill in the date or residence. Each sheet of such petition must be in substantially the following form and shall contain all the information required therein except as may otherwise be permitted by law.

VILLAGE INDEPENDENT NOMINATING PETITION

I, the undersigned, do hereby state that I am a registered voter of the Village of....., that my present place of residence is truly stated opposite my signature, and I do hereby nominate the following named person (or persons) as a candidate (or as candidates) for election to public office (or public offices) to be voted for at the election to be held on the..... day of....., 20....., and that I select the name..... (fill in name) as the name of the independent body making the nomination (or nominations) and..... (fill in emblem) as the emblem of such body.

Name of Candidate	Public Office	Term Residence

I do hereby appoint (insert names and addresses of at least three persons, all of whom shall be enrolled voters of said party) as a committee to fill vacancies in accordance with the provisions of the election law. IN WITNESS WHEREOF, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name	Residence

as a committee to fill vacancies in accordance with the provisions of the election law. IN WITNESS WHEREOF, I have signed this petition on the day and year stated before my signature.

Date	Signature	Residence

STATEMENT OF WITNESS I,..... state that I am a duly qualified voter and now reside at..... (residence address) in the Village of..... in the State of New York in the County of..... Each of the voters whose names are subscribed to this petition sheet, containing..... (fill in number) signatures, subscribed his or her name in my presence. I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date	Signature of Witness

page no.....

5. The name selected for the independent body making the nomination shall be in the English language and shall not include the name or part of the name, or an abbreviation of the name or of part of the name, of a then existing party. The name and emblem shown upon such petition shall conform to the requirements of this chapter, relating to party names and party emblems. If such a petition shall not show an emblem, or the petition shall fail to select a name for such independent body, the village clerk shall select an emblem or name, or both to distinguish the candidates nominated thereby.

6. An independent nominating petition for a village office must be signed by at least one hundred voters in villages containing a population of five thousand or more; by at least seventy-five voters in villages containing a population of three thousand and less than five

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thousand; and by at least fifty voters in villages containing a population of one thousand and less than three thousand; and in villages containing a population of less than one thousand by voters numbering at least five per centum of the number of voters at the last regular village election. For the purposes of this section, the population of a village shall be determined by the last federal decennial or local special population census federally supervised pursuant to section twenty of the general municipal law.

7. a. A certificate of party nomination for an office to be filled at the time of a general or special village election for offices shall be filed not earlier than fifty-four days nor later than forty-seven days preceding the election.

b. A certificate of acceptance or declination of a party nomination for an office to be filled at the time of a general or special village election shall be filed not later than forty-four days prior to such election.

c. A certificate to fill a vacancy caused by declination of a party nomination for an office to be filled at the time of a general or special village election shall be filed not later than forty-one days prior to such election.

d. Party designating petitions for a village primary election shall be filed in the office of the village clerk not earlier than twenty-two days nor later than fifteen days prior to the primary election. Upon such a filing, the village clerk shall immediately notify the village election chairman of such party and the person or persons designated in such petition of the fact of such filing and that such petition may be inspected in his office.

(e) A written declination of a party designation must be filed in the office of the village clerk within three days of the date of the filing of the designating petition. Upon the filing of such declination, the village clerk shall, within one day notify the committee to fill vacancies named in the petition. A certificate to fill the vacancy caused by a declination or any other reason must be filed with the village clerk within three days after the date of the notice to the committee to fill vacancies and shall have appended thereto the written consent of the person or persons designated.

8. a. An independent nominating petition for an office to be filled at the time of a general or special village election shall be filed not earlier than forty-two days nor later than thirty-five days preceding the election.

b. A certificate of acceptance or declination of an independent nomination for an office to be filled at the time of a general or special village election shall be filed not later than three days after the last day to file the petition which made such independent nomination.

c. A certificate to fill a vacancy caused by a declination of an independent nomination for an office to be filled at the time of a general or special village election for offices shall be filed not later than three days after the last day to file the certificate of declination, and shall have appended thereto the written consent of the person or persons nominated.

9. Any village resident who is a registered voter of the village and, in the case of a designating petition, an enrolled member of the party filing the petition, may sign an independent nominating petition or a designating petition providing that:

(a) such signature was not made more than six weeks prior to the last day to file such petition;

(b) he has not signed more than one petition designating or nominating a candidate for mayor or village justice. If he has signed more than one such petition, only the earliest signature for each such office shall be valid;

(c) he has not signed more than one petition designating or nominating a candidate for each vacancy which exists for the office of village trustee or village justice if the village has provided for two such justices. If he has signed more than one such petition for each such vacancy, only the earlier signatures shall be valid; or

(d) he does not vote at a primary election or party caucus where a candidate was nominated for the same office or each such vacancy.

10. A written objection to an independent nominating petition, designating petition or certificate of nomination shall be filed in the office of the village clerk no later than one day following the last date upon which such petition or certificate may be filed or within one day after such petition or certificate is received by the village clerk, if such petition or

*Schenectady County Board of Elections
2696 Hamburg Street
Schenectady, NY 12303
518-377-2469*

Village of Delanson Petition Guidelines 2021

certificate is mailed as provided by law, whichever is later. Written specifications of the grounds of the objections shall be filed with the village clerk within two days after the filing of the written objection. A failure to file such written specifications shall render the original objection null and void. Upon receipt of such written specification, the village clerk shall forthwith notify each candidate named in the petition or certificate and shall notify the county board of elections of the county in which the village is located. For purposes of this section, a village shall be deemed to be located within a county if more than fifty percent of the population of the village as shown by the last federal decennial or special census resides in that portion of the village located in that county. Upon receipt of the written specifications as herein required, the county board of elections shall immediately take all steps necessary and consistent with this chapter to render a determination on the questions raised in such objections and specifications. When a determination has been made by the county board of elections that the petition is sufficient or insufficient, it shall immediately notify the village clerk and each candidate named in the petition or certificate, and, if such determination was made on objection, the objector.

FORMS

- **Sample Designating**
- **Sample Independent Nominating Petition**
- **Sample Cover Sheet for Petitions**
- **Sample Certificate of Acceptance**
- **Sample Certificate of Authorization**
- **Sample Certificate of Declination**
- **Sample Certificate of Substitution**
- **Sample General Objection**
- **Sample Withdrawal of Objection**

Village Designating Petition Sec. 6-204, Election Law

I, the undersigned do hereby state that I am a registered voter of the Village of _____ and a duly enrolled voter of the _____ Party and entitled to vote at the next primary election of such party, that my place of residence is truly stated opposite my signature hereto, and I hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such party for public office (or public offices) to be voted for at the primary election to held on the ____ day of _____, 20____, as hereinafter specified.

Name of Candidate	Public Office <small>(Include district number, if applicable)</small>	Term	Residence Address

I do hereby appoint (here insert the names and addresses of at least three persons, all of whom shall be enrolled voters of said party), as a committee to fill vacancies in accordance with the provisions of the election law.

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of Signer <small>(Signature required. Printed name may be added)</small>	Residence
1. / / 20__		
	Printed Name →	
2. / / 20__		
	Printed Name →	
3. / / 20__		
	Printed Name →	
4. / / 20__		
	Printed Name →	
5. / / 20__		
	Printed Name →	

(You may use fewer or more signature lines - this is only to show format.)

Complete ONE of the following

1. Statement of Witness:
 I (name of witness) _____ state: I am a duly qualified voter of the State of New York; and an enrolled voter of the _____ party. I now reside at (residence address) _____
 Each of the persons whose names are subscribed to this petition sheet containing (fill in number) _____ signatures, subscribed his or her name in my presence.
 I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date Signature of Witness

2. Notary Public or Commissioner of Deeds:
 On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing (fill in number) _____ signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her was true.

Date Signature and Official Title of Officer Administering Oath

Sample Cover Sheet

Designating and Independent Petitions

[Place Name of Party or Independent Body Here]

Name of Candidate	Residence Address <i>(Also mailing address if different)</i>	Public Office or Party Position <i>(Include district number where appropriate)</i>

Volume Number	
Total Number of Volumes in Petition	

The petition contains the number, or in excess of the number, of valid signatures required by Election Law.

Contact Person to Correct Deficiencies:

Name _____
(Please print)

Residence Address _____
(Also mailing address if different)

Phone _____ **Fax** _____
(Include if notice by fax desired)

Email _____
(Include if notice by email desired)

I hereby authorize that any notice of any determination made by the Board of Elections be transmitted to the person named above.

Optional: For candidates for statewide office, Member of Assembly or State Senator only

The following website address is submitted to be published on the state board of elections website pursuant to Election Law § 4-123 for the candidate listed opposite:

Name of Candidate	Website Address

Signature of Candidate or Agent

**Certificate Of Acceptance By Candidates
(Sections 6-146, Election Law)**

Name of Candidate/Designee/Nominee: _____

Title of Office: _____

Political Subdivision
and District (if any): _____

Party or Independent Body Making
Designation/Nomination: _____

Address of Candidate/Designee/Nominee: _____

Election Type: (select One) Primary General Special

Date of Election: _____

I, the above named Candidate/Designee/Nominee for the office identified, do ACCEPT and CONSENT to the designation/nomination, for the party or independent body identified above, at the election stated above.

Date: _____ Signature: _____

State of New York:

County of: _____ ss:

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

Notary Public

CERTIFICATE OF AUTHORIZATION

(Section 6-120, Election Law)

We, _____ and _____
(Presiding Officer) (Secretary)

Presiding Officer and Secretary of the meeting of the _____ Party
of _____, DO HEREBY CERTIFY THAT: at a meeting of the
(Political Subdivision)

_____ Committee of the _____, Party
(Political Subdivision)

held on the ____ day of _____, 20____, a quorum being present, said committee, by
majority vote of the members present, did consent and authorize the nomination/designation of

_____ residing at _____
(Name of Candidate) (Place of Residence)

_____ for the office of _____ as

a candidate of the _____ Party for public office indicated, at the

_____ Election to be held on _____
(Special/Primary/General) (Date of Election)

Said nomination/designation is authorized pursuant to the provisions of Section 6-120 of
the New York State Election Law.

IN WITNESS WHERE OF, we have set our hands this ____ day of _____,
20____.

Presiding Officer

Secretary

On this ____ day of _____, 20____ before me personally came

_____ and _____
to me known and known to me to be the persons described in and who executed the foregoing
instrument and he/she duly acknowledged to me that he/she executed the same.

CERTIFICATE OF DECLINATION

(Section 6-146, Election Law)

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

(Address)

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

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

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

election to be held on _____, 20____,

do hereby DECLINE such designation/nomination.

(Date)

(Signature of Candidate)

State of New York :

County of _____ : ss:

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

Notary Public

(Sample Prepared by State Board of Elections)

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

WHEREAS, there exists a vacancy in the designation/nomination for the office of _____
 (title of office and political subdivision)

in the _____ district by the _____ Party caused by the
 (district number if any) (name of party)
 declination/death/disqualification of _____
 (name of original candidate)

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

Name of new candidate: _____

Place of residence: _____

DATE: _____

 Signature of vacancy committee member

 Signature of vacancy committee member

 Signature of vacancy committee member

 Signature of vacancy committee member

AFFIDAVIT

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

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

 Notary Public

CONSENT BY SUBSTITUTED CANDIDATE

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

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

 Signature of Candidate

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

 Notary Public

GENERAL OBJECTION FORM

Schenectady County Board of Elections:

OBJECTOR:

Your Name: _____

Your Residence Address: _____

Your Phone: _____

The objector, above named and duly qualified, hereby objects to the

(specify petition or other document objected to)

which was filed with the Board of Elections on _____
(specify date document objected to was filed)

PETITION / DOCUMENT / CANDIDATE OBJECTED TO:

Candidate's Name: _____

Candidate's Address: _____

Candidate Public Office: _____

Party of Petition: _____

Take notice that I will specify the basis of my general objection within the time provided by law.

Date: _____
_____ **Objector's Signature**

Withdrawal of Objection

FILE ONLY IF YOU WISH TO WITHDRAW/RESCIND YOUR SPECIFIC OBJECTION.
If you wish to continue your objection, do not file this form.

TO: SCENECTADY COUNTY BOARD OF ELECTIONS
2696 Hamburg Street
Schenectady, New York 12303-3715

PETITION / DOCUMENT / CANDIDATE PREVIOUSLY FILED OBJECTION TO:

Candidate's Name: _____

Candidate's Address: _____

Candidate Public Office: _____

Party of Petition: _____

I hereby direct the Board of Elections to disregard my SPECIFIC OBJECTION(S), and I further direct that you take no further action thereon.

I do not wish to pursue specific objections.

Date: _____

SIGNATURE