

**VESTAL FIRE DISTRICT**  
*District Elections (Annual and Special)*  
*Adopted: October 29, 2025*

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| Policy #:        | 205.00                                                                                   |
| Policy:          | District Elections                                                                       |
| Effective Date:  | October 29, 2025                                                                         |
| Authority:       | NYS Town Law § 171 (1), NYS Town Law § 175, NYS Town Law §176 and Election Law § 5 (612) |
| Cross-reference: |                                                                                          |

**POLICY STATEMENT**

Election of fire district officers either at the annual election or at a special election or a special election to vote on a proposition are governed generally by various provisions of the Town Law. The Vestal Fire District desires to memorialize the requirements of the elections and set out a policy for the annual or special election of the Vestal Fire District.

**Annual Election of Fire District Officers**

The annual election of officers of the Vestal Fire District shall be held on the second Tuesday in December. All other Vestal Fire District special elections or a vote to determine the passage of a proposition will be conducted on a Tuesday, the date to be selected by the board of fire commissioners.

**Notice of Annual Election, Special Elections and Voting on a proposition**

The board of fire commissioners shall give notice of the annual election, a special election or a vote on a proposition by publication of the notice of election once in one of the newspapers that was designated at the organizational meeting of the fire district held annually in January, which publication is in general circulation within the Vestal Fire District. The following is the newspaper designated at the organizational meeting of the Vestal Fire District Board of Fire Commissioners: Binghamton Press and Sun-Bulletin.

**Time of Publication of Notice**

The notice of election must be published in the above newspaper no less than 27 days and not more than 34 days prior to the date of the annual election, special election or the date for voting on a proposition.

**DEFINITIONS**

- A. ***Ballot Clerks and Election Inspectors:*** shall mean those individuals designated by the Board of Fire Commissioners at the Annual Organizational meeting each January or by resolution at least 40 days prior to the election, and shall be familiar with election law, rules and regulations.
- B. ***Election Chairperson:*** shall mean the District Secretary, or his/her designee as appointed by the Board of Fire Commissioners.
- C. ***Polling Hours:*** shall mean the hours during which the Fire District Election shall be conducted as designated by the Board of Fire Commissioners, in accordance with the regulations set forth in Town Law §171 (1).

- D. **Polling Place:** shall mean the place (or places) designated by the Board of Fire Commissioners as the location(s) where a Fire District election is to be held and any area within 100 feet of such location as determined by the Election Chairperson.
- E. **Registered Voter:** shall mean a resident Fire District elector who shall be registered to vote with the County Board of Elections no later than twenty-three (23) days prior to the date of the election, in accordance with New York State Town Law, § 175 a(2)(a).
- F. **Poll Watchers:** shall mean individuals, other than a candidate, who have been designated by a candidate to observe the conduct of the Election for regularity.

## **CALENDAR**

1. Procedure and timetable for the Annual Election and Special Election Calendar are attached to this policy.

## **POSTING OF THE NOTICE OF ELECTION**

### **Website and Signboard Posting**

The Secretary of the Vestal Fire District shall post the notice of any upcoming annual, special election or a vote for proposition on the fire district website and on the fire district maintained signboard for at least 15 days prior to, and no sooner than 20 days before the date of the election.

### **Posting on the Town Website and Town Clerk's Signboard**

The Secretary of the Vestal Fire District is also required to send the notice of election to the Vestal Town Clerk for posting on the town website and on the town signboard maintained by the Town Clerk so that this posting may occur at least 15 days prior to, but no sooner than 20 days before, the election date

### **Contents of the Notice of Election**

The notice of election shall contain the hours the polls will be open, the location of the election and the subject matter of the election.

- 1) Poll Hours - The hours the polls will be open for the annual election, special election or voting on a proposition, unless extended by a subsequent resolution of the board of Fire Commissioners the hours of the annual election, special election to vote on a proposition shall be between the hours of 6:00 P.M. and 9:00 P.M.
  - a. Extending the hours of election - The board of fire commissioners may extend these hours to longer, but the minimum hours must be between 6:00 p.m. and 9:00 p.m. and the election hour may not exceed 9:00 p.m. Also, any extension of the hours must be consecutive hours prior to six o'clock in the evening)
- 2) All elections - The place where such election will be held at the Vestal Fire Department Station #3, 2164 Owego Road, Vestal, N.Y.13850.
- 3) In the case of an election for fire district officers, the names of the offices to be elected. In the case of a special election to vote on a proposition, the ballot shall recite the proposition to be voted upon.

### **Ballot Preparation**

The fire district secretary shall prepare the ballots for all elections of fire district officers, special election or election to vote on a proposition. The secretary may seek the assistance of counsel in preparing the ballot. Ballots will be paper. The ballots for election of district officials must contain the names of the candidates and, in addition, the ballots must provide proper blank spaces (write-in) for each office to be filled at such election. If the vote is for a proposition to be voted upon, the ballot must contain the proposition.

### **Ballot Box**

The ballot box or other secure storage container to be locked for the purposes of election, and it shall not be opened until the close of the polls for purposes of canvass by the election officials. Each inspector shall be responsible personally for the custody of each ballot box and other secure storage container and its contents from the time the election begins until the box or container is delivered, according to law, to the election officials, at which time it shall be opened and the votes canvassed.

## **FIRE DISTRICT BOARD OF ELECTIONS**

### **Designation of the Fire District Board of Elections**

At least 40 days before the election, the board of fire commissioners shall designate the fire district board of elections. The Board is to designate a resident fire district elector, who shall be a registered voter of the Town of Vestal, to act as chairman of the election of said district. The board of fire commissioners shall also designate not less than two nor more than four resident fire district electors, who shall be registered voters of the Town of Vestal to act as election inspectors and ballot clerks at such elections. Elective officers of the fire district are not allowed to serve as the chairman or as an election inspector or ballot clerk. The Board of Fire Commissioner may appoint the Fire District Board of Electors at the January Organizational Meeting.

### **Payment to the Fire District Board of Elections**

The board of fire commissioners will upon the appointment of the Vestal Board of Elections shall adopt a resolution providing that such chairman, election inspectors and ballot clerks shall be paid for their respective services at the election. If the hours of the polls are open from six o'clock in the evening until nine o'clock in the evening, each board of election member shall be paid the sum of \$70 per official. If additional consecutive hours prior to six o'clock in the evening are determined and specified in the notice of election, each member of the fire district board of elections shall be paid a sum not to exceed \$100.

## **QUALIFICATION TO VOTE**

Voter qualifications are: (1) at least 18 years of age on the Fire District Election date; (2) a citizen of the United States; (3) a resident of the State of New York; (4) a resident of Broome County and the Vestal Fire District for a minimum of 30 days before the Fire District Election; and (5) registered to vote with the Broome County Board of Elections. Such registration must have taken place on or before the 23rd day before such Fire District Election.

## **QUALIFICATION FOR OFFICE**

### **Residency Requirement**

Every fire district commissioner, treasurer and secretary must, at the time of his election or appointment and throughout his term of office, be a resident of such fire district. The treasurer and secretary (who is not a commissioner) may be non-residents provided the board make the appropriate determination as set forth in the Town law.

### **Department Membership**

A fire district commissioner, the treasurer or the secretary may be members of the Vestal Fire Department. However, a fire commissioner cannot hold the office of fire chief simultaneously and a fire chief cannot hold the office of fire commissioner simultaneously.

### **Arson Conviction**

A conviction of arson in any degree disqualifies a fire district commissioner, treasurer or secretary from holding office or from being a candidate for any fire district office. Any fire district commissioner, treasurer or secretary who is convicted of arson in any degree during his or her term of office, forfeits their office and shall be disqualified from completing such term of office.

### **PROCEDURE**

1. On October 29, 2025, the Board of Fire Commissioners adopted the official nominating petition form that is to be used by all candidates for the office of Fire District Commissioner. Only registered electors of the Vestal Fire District may obtain signatures on the nominating petition. The signature of the witness to the signers of the nominating petition must be notarized in the form and in the manner as set forth in the nominating petition. Signatures of all signers of the nominating petitions must be dated between October 1<sup>st</sup> preceding the date of the annual election and the date the petitions are required to be filed with the Secretary of the Fire District. Shall make the nominating petitions available to any party no earlier than September 25<sup>th</sup> preceding the date of the annual election.
2. Candidates wishing to have their name placed on the ballot must submit a petition signed by at least twenty-five (25) but no more than thirty-five (35) qualified registered voters of the Vestal Fire District to the Secretary of the Fire District. Such petition must be received by the Secretary at least twenty (20) days prior to the date of the Fire District Election.
  - a. A qualified voter of the fire district is not prohibited from signing nominating petitions for two or more candidates for the same fire district office unless the board of Fire Commissioners imposes a prohibition
3. Candidates, at their discretion, may supply the District Secretary at the time of filing, with a brief narrative regarding their candidacy that will be placed on the Fire District website for public viewing. The narrative shall be no more than 100 words and shall be reviewed by the District Secretary and Director of Communications for appropriateness prior to website posting; if rejected, the narrative shall be returned via mail to the candidate.
4. A petition shall be deemed timely filed with the District Secretary provided that it is actually in his/her possession no later than 4:00 PM on the date so designated.
5. The election itself shall be under the supervision and control of the chairman of the election appointed by the Board of Fire Commissioners. He or she shall be assisted by not less than two or more than four election inspectors and ballot clerks. They shall oversee the setup of the polling place and assure that there are proper facilities available for voters to exercise their ballot in secret. Members of the Board of Fire Commissioners shall have no interest in the conduct/supervision of the Election Committee Chair in the conduct of their duties.
6. Upon the holding of an election, the Elections Chairperson shall direct the Election Inspectors and Ballot Clerks in their duties. The Election Chairperson shall also supervise the Polling Place to make sure that no Electioneering is conducted within the Polling Place or within one hundred (100') feet of same. The Election Chairperson shall cause to be placed, at least one-half hour before the opening of the polls, distance markers, at a distance of one hundred feet

from the polling place. Such distance markers shall be so placed and shall remain until such polls are closed. The one-hundred-foot distance shall be deemed to include a one-hundred-foot radial measured from the entrances, designated by the Election Chairman, to the building(s) where such election is being held. While the polls are open no person shall do any electioneering within the polling place or in any public street within the one-hundred-foot radial, or within such distance in any place in a public manner. Electioneering includes, but is not limited to, the display of a banner, button, poster or placard on behalf of or in opposition to any candidate or issue to be voted upon. The decision as to whether conduct constitutes Electioneering shall be solely that of the Election Chairperson, and any activity which shall be deemed improper shall be promptly stopped or the matter shall be immediately reported by the Election Chairman to the Police. Persons should be reminded that willful violation of these Electioneering rules constitutes a crime under New York State Law Town Law §175(4). Telephone calls encouraging persons to vote for a particular candidate or ballot item shall not be made from within the polling place.

7. Each candidate shall be permitted one (1) poll watcher who shall be under the supervision of the chairman of the Election. The poll watcher must remain where directed by the chairman of the election and may not communicate with anyone in the voting line nor engage in any type of electioneering with persons waiting to vote. Any conduct of poll watcher, which the chairman of the election deems inappropriate, may result in the poll watcher being expelled from the polling area. Such action shall be at the sole discretion of the chairman of the election who may, if he or she requires same, request the assistance of the police authorities.
8. The polling place shall open at 6:00 PM (prevailing time) and shall close at 9:00 PM (prevailing time) any prospective voters then in line shall be permitted to vote until all such persons have concluded their voting. After the last ballot is cast, the chairman of the election shall then reopen the polling place so that the ballots may be canvassed publicly.
9. The canvass of ballots shall be within the view of those members of the public wishing to be present. However, no interference with the counting process shall be permitted and no ballots may be exhibited to any person other than the ballot clerks or election inspectors until the District Board of Election has concluded and publicly announced its results.
10. Within seventy-two hours thereafter, the Election Chairperson shall file a certificate of the result of the canvass with the Board of Fire Commissioners and with the Town Clerk in the town in which said District is located.
11. In the event a special election for the position of Fire District Commissioner is required, the Secretary of the Vestal Fire District shall make nominating petitions available to any interested party no earlier than 75 days before the date of the special election of Fire District Commissioners. The signatures of all signers of the nominating petitions must be dated no earlier than 70 days preceding the date of the special election and the date the petitions are required to be filed with the Secretary of the Fire District.

By Order of the Board of Fire Commissioners  
Vestal Fire District  
Date approved: October 29, 2025  
Reviewed and Approved: January 7, 2026

# ANNUAL FIRE DISTRICT ELECTION CALENDAR

| PROCEDURE                                                                                          | Timetable                                                                  | Year 2025                                     | Year 2026                                     | Year 2027                                     | Year 2028                                     | Town Law Section |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|-----------------------------------------------|-----------------------------------------------|-----------------------------------------------|-----------------------------------------------|------------------|
| Nominating Petitions are available to the candidates for the preceding date of the annual election | No earlier than 75 days preceding date of annual election.                 | September 25 <sup>th</sup> , 2025             | September 25 <sup>th</sup> , 2026             | September 25 <sup>th</sup> , 2027             | September 25 <sup>th</sup> , 2028             |                  |
| The date to which signatures must be dated preceding the date of the annual election.              | No earlier than 70 days preceding date of the annual election              | October 1 <sup>st</sup> , 2025                | October 1 <sup>st</sup> , 2026                | October 1 <sup>st</sup> , 2027                | October 1 <sup>st</sup> , 2028                |                  |
| Board of Fire Commissioners must pass resolution to appoint a board of election by this date       | At least 40 days before the annual election                                | On or before October 29 <sup>th</sup> , 2025  | On or before October 28 <sup>th</sup> , 2026  | On or before November 3 <sup>rd</sup> , 2027  | On or before November 1 <sup>st</sup> , 2028  | 175-a (6)        |
| Beginning date for publication of Notice of Annual Election                                        | Publication must be no more than 34 days before the annual election        | November 5 <sup>th</sup> , 2025               | November 4 <sup>th</sup> , 2026               | November 10 <sup>th</sup> , 2027              | November 8 <sup>th</sup> , 2028               | 175 (1)          |
| Person must reside in the fire district by this date to be eligible to vote                        | At least 30 days before the election                                       | November 9 <sup>th</sup> , 2025               | November 8 <sup>th</sup> , 2026               | November 14 <sup>th</sup> , 2027              | November 12 <sup>th</sup> , 2028              | 175 (2)          |
| Last day for publication of Notice of Annual Election                                              | On or before 27 days from the annual election                              | November 12 <sup>th</sup> , 2025              | November 11 <sup>th</sup> , 2026              | November 17 <sup>th</sup> , 2027              | November 15 <sup>th</sup> , 2028              | 175 (1)          |
| Person must be registered with the County Board of Elections by this date to be eligible to vote   | At least 23 days before the election                                       | On or before November 19 <sup>th</sup> , 2025 | On or before November 18 <sup>th</sup> , 2026 | On or before November 24 <sup>th</sup> , 2027 | On or before November 22 <sup>nd</sup> , 2028 | 175-a 2(a)       |
| Nominating Petitions are due back to the District Secretary.                                       | At least twenty (20) days prior to the date of the Fire District Election. | November 19 <sup>th</sup> , 2025              | November 18 <sup>th</sup> , 2026              | November 24 <sup>th</sup> , 2027              | November 22 <sup>nd</sup> , 2028              |                  |

## ANNUAL FIRE DISTRICT ELECTION CALENDAR

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|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|--------------|
| Posting of Notice of Election on fire district website, town website, fire district bulletin board and town clerk's bulletin board    | Posting must occur no earlier than 20 days before and no later than 15 days before annual election | Posting must be done between November 19 <sup>th</sup> and November 24 <sup>th</sup> | Posting must be done between November 18 <sup>th</sup> and November 23 <sup>rd</sup> | Posting must be done between November 24 <sup>th</sup> and November 29 <sup>th</sup> | Posting must be done between November 22 <sup>nd</sup> and November 27 <sup>th</sup> | 175-a (2)(c) |
| Fire District Election                                                                                                                | Second Tuesday in December                                                                         | December 9 <sup>th</sup> , 2025                                                      | December 8 <sup>th</sup> , 2026                                                      | December 14 <sup>th</sup> , 2027                                                     | December 12 <sup>th</sup> , 2028                                                     | 175 (1)      |
| Execution and Filing by the Board of Electors of certificate of results of election (with Town Clerk and Board of Fire Commissioners) | Seventy-two hours after the election, or the Friday after election                                 | December 16 <sup>th</sup> , 2025                                                     | December 15 <sup>th</sup> , 2026                                                     | December 14 <sup>th</sup> , 2027                                                     | December 13 <sup>th</sup> , 2028                                                     | 175-a (4)    |

**ALL FIRE DISTRICT SPECIAL ELECTIONS MUST NOW TAKE PLACE ON A  
TUESDAY THAT IS NOT A HOLIDAY**

(Use the blank date spaces to compute your time limits for a special election.)

| <b>PROCEDURE</b>                                                                                                                                                                   | <b>Timetable</b>                                                                                                                              | <b>Date</b> | <b>Town Law<br/>Section</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------|
| Board of Fire Commissioners must pass resolution to appoint a Board of Election for the special election by this date                                                              | At least 40 days before the special election. The date of the special election must be a Tuesday that is not a holiday.                       |             | 175-a (6)                   |
| Beginning date for publication of Notice of Special Election                                                                                                                       | Not more than 34 days before the special election                                                                                             |             | 175 (1)                     |
| Person must reside in the district by this date to be eligible to vote                                                                                                             | At least 30 days before the election                                                                                                          |             | 175a (2)(B)                 |
| Last day for publication of Notice of Election                                                                                                                                     | No less than 27 days before the special election                                                                                              |             | 175-a (2)(c)                |
| Person must be registered with the County Board of election by this date to be eligible to vote                                                                                    | 23 days before the special election                                                                                                           |             |                             |
| County Board of Election must be asked for list of eligible registered voters by this date                                                                                         | At least 23 days before the special election                                                                                                  |             | 175-a 2(a)                  |
| Posting of Notice of Election on Fire District Website, Town Website, Fire District Bulletin Board and Town Clerk's Bulletin Board                                                 | Posting must occur no earlier than 20 days before and no later than 15 days before election                                                   |             | 175-c (1)                   |
| Fire District Special Election                                                                                                                                                     | Date selected by Commission in resolution to be approved by voters. The date of the special election must be a Tuesday that is not a holiday. |             | 175 (1)                     |
| Execution and Filing by the Board of Electors of certificate of results of special election (with Town Clerk and Board of Fire Commissioners) or publication of Notice of Estoppel | Check with counsel on this date as it depends on the kind of resolution that was submitted to mandatory referendum                            |             |                             |