



*(As approved by Resolution dated January 5, 2003 –
Amended April 21, 2003)*

BOROUGH OF OLD TAPPAN BYLAWS OF BOROUGH COUNCIL

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ARTICLE I General Procedures

§ 1. Rules of order.

a. Except as otherwise provided herein and except as may otherwise be provided by state statute or borough ordinance, the deliberations of the Council shall be governed by “Robert’s Rules of Order.”

b. No question or motion shall be put unless seconded, except referring to a report or a question put by the Mayor.

c. No member shall speak unless recognized by the Mayor and shall only speak on the pending subject matter or question. Every member, when speaking, shall address himself to the Mayor and shall not occupy more time than it is deemed necessary by the Mayor.

d. While a member of the public is speaking, no member shall entertain any private discourse or leave his or her seat.

e. When a question has been put and decided, it shall be in order for any member of the Council to move for reconsideration thereof, providing such motion for reconsideration shall be moved at the same, or at the next public meeting. A majority vote of the Council is required.

f. No person not a member of the Governing Body shall be given the privileges of the floor except by permission of the Mayor or upon the request of a member of the Council if supported by the votes of a majority of the members of the Council present, except that, during the portion of a meeting which has been opened for remarks from the citizens, all citizens of the Borough who conduct themselves with decorum shall be heard. The Mayor may limit each member of the audience to one question or comment. When all members of the audience requesting the right to speak have been heard on any given subject, then the Mayor may permit members of the audience who have previously been heard to be heard on additional subjects. Members of the public may speak on any matter relevant to Borough business and affairs but the Governing Body may decline to hear comments on matters that are pending before other municipal bodies. It shall be appropriate for the Mayor or members of the Council to respond directly to questions from the public as they are asked through the Mayor. Time as deemed reasonable by the Mayor shall be allocated for each question/statement from residents and responses from Council Members and the Mayor. Personal attacks by a member of the Governing Body or a member of the public shall not be permitted.

ARTICLE II
Mayor

§ 2. Presiding officer; participation in determination of borough affairs.

The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. He or she shall also participate in the determination of borough affairs to the extent permitted by statute and may vote to break a tie.

§ 3. Preservation of order.

The Mayor shall on all occasions preserve the strictest order and decorum, and he or she shall cause the removal of all persons who interrupt the orderly proceedings of the Council.

§ 4. Conflicts over right to floor.

When two or more Councilpersons shall rise at the same time, the Mayor shall name the one entitled to the floor.

§ 5. Questions of order.

The Mayor shall decide all questions of order without debate; and he or she may call upon the Council for the opinion of the Council upon any question of order.

§ 6. Membership on committees.

He shall be an ex officio member of all committees, both standing and special, and shall be informed in advance of all meetings of such committees.

§ 7. Liaison officer.

The Mayor shall serve as the liaison between the Governing Body and all boards, committees, agencies or organizations, except as herein assigned to a specific Council Committee for liaison purposes.

§ 8. In the absence of the Mayor.

In the absence of the Mayor or if he or she is unable to perform his or her duties, the Council President (or, in the event the Council President is unable to act, the Council member having the longest tenure as such) shall act as Mayor. The Council President or Council member acting as Mayor shall retain his or her right to vote.

**ARTICLE III
Borough Clerk**

§ 9. General duties.

The Clerk shall perform such duties as set forth in the Revised Statutes of New Jersey, the Borough's ordinances, and these bylaws.

§ 10. Additional responsibilities.

The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer and, in addition, such other duties or services as the Mayor or Council may direct.

§ 11. Record of ordinances.

Upon final passage of an ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk in the ordinance book.

**ARTICLE IV
Meetings**

§ 12. Annual meetings.

The Council shall hold an annual meeting during the first seven days of each year as prescribed by law. The date and time of the annual meeting will be determined by resolution of the Council at a regular meeting to be held in December of the year preceding the annual meetings.

The Mayor shall, at the annual meeting, assign the seating arrangement for Council members which shall be retained throughout the year. The roll shall be called in alphabetical order except that the Mayor's name is called last, and only when his or her vote will affect the result.

§ 13. Time and place of regular meetings.

At the aforesaid meeting, the Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except by a resolution adopted at a regular or special meeting. All regularly scheduled and special meetings of the Mayor and Council shall be called to order at 7:30 P.M. and adjourned no later than 10:30 P.M., subject to two 30 minute time extensions, each one to be approved by the majority of the Mayor and Council.

§ 14. Election of President.

At the annual meeting, the Council will elect one of its members as Council President to serve for the calendar year. The members of the Council must receive the names of those being proposed for Council President at least 10 days before the annual meeting.

§ 15. Special meetings.

The Mayor shall, when necessary, call special meetings of the Council. In case of his neglect or refusal, any four members of the Council may call such meeting at such time and place in the borough as they may designate. In all cases of special meetings, reasonable advance notice, considered to be 48 hours except in case of emergency, shall be given in person to all members of the Council or left at their place of residence.

§ 16. Quorum.

A quorum shall be three Councilpersons and the Mayor; and in the absence of the Mayor, four Councilpersons.

§ 17. Adjournment of meetings.

If no quorum is present at any meeting, those assembled shall have power and are hereby authorized to set a new meeting date, and then adjourn.

§ 18 Order of business.

a. The following order of business shall be observed at regular meetings of the Mayor and Council:

1. Meeting called to order.
2. Calling the roll.
3. Salute to the flag.
4. Prayer.
5. Public's opportunity to speak (on non-agenda items).
6. Public hearings.
7. Resolutions.
8. Council committee reports (from the left side of the dais to the right (as viewed by the public) except that the Council President shall be last).
9. Mayor's comment.
10. Action on minutes.
11. Borough Clerk's report.
12. Old business.
13. New business.
14. Public's opportunity to speak.
15. Adjournment.

b. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council present at such meeting, or by the Mayor, with the consent of a majority of the members of the Council present.

§ 19. Action by majority vote.

Except as otherwise required by statute or specifically provided in these bylaws, all action of the Council shall be by a majority vote of those present.

§ 20. Roll-call vote.

Upon demand of one member of the Council or when ordered by the Mayor or directed by statute, a roll-call vote shall be taken and the ayes and nays entered in the minutes of the meeting.

§ 21. Consent resolutions.

All resolutions previously sent to Council members prior to the meeting at which a vote on said resolution is anticipated and upon which no discussion is anticipated shall be included in a single resolution entitled "Consent Resolution."

a. All resolutions listed on Consent Resolution shall be adopted by a single roll call vote and no discussion thereon shall be entertained at the time the Resolution by Consent is moved for adoption.

b. Any Council member, for any reason whatsoever, and said reason does not have to be disclosed, may remove any items listed for consent at any time prior to the adoption of the Consent Resolution.

c. In order to provide an orderly method of preparing the Consent Resolution, Council Members should notify the Borough Clerk by 11:00 A.M. on the day on which the Council meeting is to be held at which the Consent Resolution is to be adopted, of the matter to be removed from the Consent Resolution. Notwithstanding the aforesaid, each Council Member shall still have the right to remove any matter from the Consent Resolution prior to the adoption of the Consent Resolution.

d. The Consent Resolution shall not be utilized with respect to the adoption of ordinances, the awarding of contracts, or other matters as required by law.

ARTICLE V
Appointments; Committees

§ 22. Appointments; Mayor's responsibilities.

The Mayor shall nominate and, with the advice and consent of Council, appoint all subordinate officers of the Borough, unless the specific terms of the general law clearly require a

different appointment procedure. The Mayor shall make his or her nomination to any such office within 30 days of that office becoming vacant. The members of the Council shall receive the names of those being proposed for appointment at least 10 days before the meeting when the appointment will take place. The Council shall submit any comments, suggestions, or recommendations regarding the proposed appointments to the Mayor at least seven days before the meeting when the appointment will take place. The Council, whenever it fails to confirm the nomination by the Mayor of any official to a subordinate office of the Borough within 30 days of being presented such nomination, shall make the appointment to that office, provided that at least three affirmative votes shall be required for such purpose, the Mayor to have no vote thereon except in the case of a tie.

§ 23. Proposed standing Council committees.

Each Councilperson shall be appointed by the Mayor as Chairperson of one of the following Council committees:

- a. Police Committee.
- b. Finance, Fire and First Aid Committee.
- c. Planning Board and Building Committee.
- d. Seniors and Library Committee.
- e. Public Works and Golf Committee.
- f. Recreation Committee.

In addition to the Chairperson, the Mayor shall appoint a Councilperson as Vice Chairperson and Alternate member for each Council Standing Committee. The Chairperson, Vice Chairperson and Alternate shall act collectively as the Council Committee.

§ 24. Purpose, authority and duties of standing Council Committees.

Standing Council committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any of its acts.

- a. A standing committee shall:
 - 1. Plan, study, direct and make commitments within budgetary limitations, and carry on the routine activities for which it has primary responsibility.
 - 2. Perform such acts as may be assigned to it by the Council.
 - 3. Report and make recommendations to the Council regarding its responsibilities and activities.
- b. Except as provided above, a standing committee shall not:
 - 1. Exceed its budgetary appropriations without prior approval of the Council.

2. Make promises or commitments to anyone which directly, or by inference, bind the Council.
3. Act in such a manner or make decisions which set a precedent, or violate established Council policy.

§ 25. Special Council committees.

Special Council committees may be appointed for purposes other than those included in the duties of the standing committees.

§ 26. Council Committee Chairperson; attendance at meetings.

The Chairperson shall attend the meetings of such boards, commissions, or committees for which the Chairperson serves as liaison. In the event the Chairperson is unable to attend any particular meeting, he or she shall notify the Vice Chairperson, who shall attend such meeting. In the event the Chairperson and the Vice Chairperson are unable to attend any particular meeting, the Chairperson shall notify the Alternate member, who shall attend such meeting. Notwithstanding the foregoing, recognizing the many boards, commissions and committees for which the Building Committee is responsible, the Chairperson of said Committee may delegate the duty to attend meetings to the Vice Chairperson or Alternate of said Committee.

§ 27. Council Committee reports.

The Chairperson of each standing or special Council committee shall be prepared to report to the Mayor and Council at each regular meeting on the principal activities and achievements of his or her committee. The Chairperson shall also prepare and submit in writing to the Mayor, not later than the Reorganization meeting of the following year, a suitable report of the previous year.

ARTICLE VI
Bills, Claims and Vouchers

§ 28. Preparation and submission.

a. All bills or claims against the borough shall be in writing, fully itemized and on such forms as the borough shall provide for that purpose. As required by statute, they shall be sworn to by the claimant before submission for approval and payment.

b. All vouchers must be submitted to the Borough Clerk-Administrator in full form, except for Council Committee approval, on or before the Wednesday preceding the Executive meeting of the Mayor and Council at which they are presented for approval.

§ 29. Certification, checking, review and preliminary approval.

a. All bills and claims must be supported by a certification of the receipts of the goods, or the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the borough and who may be held accountable therefor. Each such bill or claim shall then be carefully reviewed and checked by, or under the direction of, the borough official who accomplishes the administrative certification on the voucher form.

b. All checked vouchers with supporting papers attached will then be presented to the Committee Chairperson having jurisdiction over the activity or matter for which the expenditure was incurred. The appropriate Committee Chairperson, or a member of that person's committee, shall examine all vouchers, and if approved by the appropriate Committee Chairperson, it will then be submitted to the Council for authorization to pay the same.

§ 30. Authorization by Council.

a. All vouchers recommended for payment shall be presented to the Council by the Borough Clerk at a regular or special meeting or an adjourned regular or special meeting.

b. The Borough Clerk shall present the total of all vouchers to be approved.

c. Authorization to draw the checks and pay the amounts of the approved vouchers shall be by resolution of the Council.

§ 31. Signing of checks.

The corresponding vouchers shall accompany all checks drawn in payment thereof when the said checks are presented to the Mayor, the Treasurer and to the Borough Clerk for signature.

§ 32. Filing of bills, vouchers and paid checks.

All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

**ARTICLE VII
Press Releases**

§ 33. Procedure for issuance of press releases.

Official Borough press releases shall be approved by the Mayor or by a majority of the Council and issued through the Borough Administrator's office. Press releases other than official Borough press releases shall not be prepared on Borough letterhead.

Any request from the public or the media that goes beyond simple factual statements (e.g., "What is Old Tappan's policy on open space?" vs. "Why is Central Avenue closed today? - because the County is repaving. ") should be referred to the Mayor and to the Council member(s) serving as liaison to those activities.

All press releases shall be reviewed with the appropriate Council member(s) and the Mayor prior to being distributed. If it is not necessary to contact the Mayor and appropriate Council member(s) prior to answering questions or issuing statements (for simple factual statements), the Borough Administrator shall provide the information to them immediately afterward by e-mail, fax, or phone.

ARTICLE VIII Amendments

§ 34. Proposal to amend; appointment of committee.

a. The Mayor or any member of the Council may propose amendments to these bylaws at any meeting of the Council.

b. The Mayor will then appoint a special committee of three members of the Council to consider the proposed amendments.

§ 35. Presentation of committee recommendations.

The special committee will present its recommendations at a meeting of the Council.

§ 36. Vote required.

These bylaws shall only be altered or amended by a two-thirds vote of the Council.

ARTICLE VIII Adoption and Term

§ 37. Adoption by resolution; when effective; expiration date.

The bylaws shall be adopted by a resolution of the Borough Council concurred in by a majority of the members. The bylaws shall become effective immediately after adoption and shall remain in effect for not longer than the reorganization meeting for the year next following the year in which the bylaws were adopted.