

ADMINISTRATION

2 Attachment 1

Appendix I

Council Rules of Procedure

[Ord. No. 3158, 7-26-1988; amended by Ord. No. 3361, 6-22-1993, § 2; Ord. No. 3422, 4-11-1995, § 1; Ord. No. 3851, 1-4-2005, § 2; Ord. No. 4002, 4-11-2007, § 1; Ord. No. 4030, 9-4-2007, § 1; Ord. No. 4201, 9-28-2010]

Rule I. The Rules and Procedures set forth in this Appendix I shall govern the conduct of all meetings.

Rule II. Presiding officer. The Mayor shall be the presiding officer of the Council, and the Deputy Mayor or Chairperson Pro Tempore may preside as otherwise provided by the Charter. The presiding officer may vote on all questions, his name being called last.

Rule III. Call to order.

(a) The Mayor shall take the chair at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Deputy Mayor shall preside.

(b) In the absence of both the Mayor and Deputy Mayor, the Clerk shall call the Council to order. The Clerk shall then determine whether a quorum is present and, in the event that a quorum is present, call for the election of a Chairperson Pro Tempore. Upon the appearance of either the Mayor or Deputy Mayor, the Chairperson Pro Tempore shall forthwith relinquish the chair; and when the Deputy Mayor is presiding, the Deputy Mayor shall likewise relinquish the chair upon the appearance of the Mayor.

Rule IV. Roll call. At the beginning of each meeting of the Council, the Clerk shall call the roll of the members in seating order, as determined by the Council, and the names of those present shall be entered in the minutes. If any member appears after the roll call, the Clerk shall enter in the minutes the time of attendance of such member.

Rule V. Reading of minutes. Unless a reading of the minutes of a Council meeting is requested by a majority of the Council, such minutes may be approved without reading, provided that the Clerk, at least three working

TEANECK TOWNSHIP CODE

days preceding the day of the meeting, shall deliver a copy thereof to each member of the Council.

Rule VI. Voting.

(a) The vote upon every motion, resolution or ordinance shall be taken by roll call in seating order, as determined by the Council, except that the Mayor shall be polled last, and the "yeas" and "nays" shall be entered upon the minutes. Except where a greater vote is otherwise required by law, the adoption of an ordinance shall require the affirmative vote of a majority of all the members of the Council, and all other matters may be passed by the affirmative vote of a majority of a quorum of the Council present.

(b) Upon the call of the roll, no member shall discuss or explain his vote. An abstention shall not be counted as either a "yes" or "no" vote. A member who abstains shall be counted as part of the quorum. A member who recuses himself/herself from a vote shall not be counted as part of the quorum and shall not participate in any manner in the issue from which he/she is recused.

(c) Following approval by the Council, the minutes of meetings of the Council shall be signed by the Clerk, certifying that such minutes have been duly approved.

Rule VII. Consent agenda.

(a) All resolutions previously sent to Council members prior to the meeting at which a vote on said resolution is anticipated, together with minutes to be adopted, raffles and licenses, and the bill list, and upon which no discussion is anticipated shall be included in a single resolution entitled "consent agenda."

(b) All items listed on the consent agenda shall be adopted by a single roll call vote, and no discussion thereon shall be entertained at the time the consent agenda is moved for adoption.

(c) Any Council member, for any reason whatsoever, and said reason does not have to be disclosed, may remove any item listed for consent at any time prior to the adoption of the consent agenda.

Rule VIII. Committees.

(a) There shall be no standing committees of the Council other than the Committee of the Whole. The rules of the Council shall govern the meetings of the Committee of the Whole so far as applicable.

(b) Special committees of the Council for legislative purposes may be appointed by the Council pursuant to resolution. No special committee

ADMINISTRATION

shall proceed to the consideration of any matter referred to it unless a majority of the members of the committee shall be present. All committee meetings shall be held at the Municipal Building or in another public building. No special committee shall report on a matter referred to it at the same meeting at which the reference is made, except by unanimous consent of the members of the committee.

Rule IX. Appointments by Council.

(a) Statutory boards, commissions and agencies.

(1) Subject to Subsection (c), at least two weeks prior to the filling of any vacancies in statutory boards, commissions and agencies, the Clerk shall notify the public about the vacancies and shall make forms available to the public for application or nomination to such vacant positions. Upon notice to all persons submitting applications for such vacant positions, pursuant to Subsection (c) hereof, Council members shall meet at a meeting to discuss any vacancies on all statutory boards, commissions or agencies and, at the request of a majority of Council members at such meeting, interviews for vacancies may be held in accordance with law. No votes will be taken at such meeting, but a majority of Council may, subject to Subsection (c), nominate as many candidates as there are vacancies to be filled, and the Clerk will make a list of all such nominations. At a later regular Council meeting, Council members will formally vote on those candidates previously nominated and will, subject to Subsection (c), fill all vacancies on such statutory boards, commissions and agencies at that meeting or as soon thereafter as is reasonably possible.

(b) Advisory boards listed in Section 2-148 of the Township Code shall be as follows:

(1) Appointments to such advisory boards shall be for one year or until a successor is qualified.

(2) Subject to Subsection (c), at least two weeks prior to the filling of any vacancies in any such advisory boards, the Clerk shall notify the public about the vacancies and shall make forms available to the public for application or nomination to such vacant positions. Upon notice to all persons submitting applications for such vacant positions, pursuant to Subsection (c) hereof, Council members shall meet at a meeting to discuss any vacancies that exist and, at the request of a majority of Council members at such meeting, interviews may be held in accordance with law. No votes will be taken at such meeting, but a majority of Council may, subject to Subsection (c), nominate as many

TEANECK TOWNSHIP CODE

candidates as there are vacancies to be filled, and the Clerk will make a list of all such nominations. At a later regular Council meeting, Council members will, subject to Subsection (c), formally vote on those candidates previously nominated and may fill vacancies on such advisory boards at that meeting or as soon thereafter as is reasonably possible.

(3) The Council shall, by majority vote, appoint the Chair of each advisory board.

(c) Procedure.

(1) Notice shall be provided to all persons submitting applications for any vacancy which will be discussed by the Council or for whom interviews will be held, by regular mail addressed to such person's address appearing on such person's application form, at least one week prior to the holding of such discussion or interview. Such notice shall advise such persons of the date, time and location at which such discussions or interviews shall take place and shall advise them that should they wish to have such discussion or interview conducted in open session, they must submit to the Clerk a written request therefor at least 48 hours in advance of the scheduled discussion or interview. Unless all of the applicants being discussed or interviewed for such vacancy submit to the Clerk a written request that such discussion or interviews be conducted in a meeting open to the public at least 48 hours in advance of the scheduled discussion or interview, the Council may conduct such discussion or interview in closed session pursuant to N.J.S.A. 10:4-12.

(2) Notwithstanding anything to the contrary in Subsection (c)(1), in the event any statutory board, commission, agency, or advisory board has no maximum number of members, then in the event an applicant for such statutory board, commission, agency, or advisory board requests that his or her interview and discussion be conducted in open public session, such request shall be honored regardless of any other applicant's request.

(3) Notwithstanding anything herein to the contrary in Subsection (c)(1), during the period of time beginning with the calendar date of the Teaneck Council elections in May to and including the immediate subsequent reorganization of Council, the Council shall not make any appointments to any advisory board, statutory board, commission or agency unless a vacancy exists on said advisory board, statutory board, commission or agency on the date on which Council votes the actual appointment.

Rule X. Rules of debate.

ADMINISTRATION

(a) Question under consideration. All motions shall require a mover and a second. When a question is moved and seconded, it is under consideration and no motion shall be received thereafter, except to adjourn, to lay on the table, to postpone or to amend until the question is decided. These motions shall have preference in the order in which they are mentioned, and the first two shall be decided without debate. A motion for reconsideration may be made prior to the adjournment of the meeting at which the subject of the motion for reconsideration is acted upon. A motion for reconsideration shall be decided upon without debate. If a motion to reconsider passes, the original motion voted upon and which was the subject of the motion for reconsideration shall be deemed under consideration and the rules pursuant to Appendix I, Rule X, shall again apply.

(b) Presiding officer. Such member of the Council as may be presiding may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed upon all members, and shall not be deprived of any of the rights and privileges of a Council member by reason of his being the Mayor or presiding officer.

(c) Getting the floor. Every member desiring to speak for any purpose whatsoever shall address the presiding officer and, upon recognition, shall confine himself to the question under debate.

(d) Interruption. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order or as herein otherwise provided. If a member, while speaking, is called to order, he shall cease speaking until the question of order is determined by the presiding officer, and, if determined to be in order, he shall be permitted to proceed.

(e) Appeal. Any member may appeal from the decision of the Chair upon a question of order. The Chair shall thereupon submit to the Council the question, "Shall the decision of the Chair be sustained?," and the Council, without debate, shall decide by a majority vote.

(f) Privilege of closing debate. Provided there is a second, the Council member moving the adoption of an ordinance or resolution shall have the privilege of closing the debate. A motion to close the debate shall be decided upon without debate.

(g) Adjourned voting. If a Council member is absent from a hearing that is continued to another date, such member may read the transcript or listen to the tape of the previous hearing session, certify, in writing, that he has done so, and thereafter such member may vote at the continued date of such hearing or thereafter if applicable.

TEANECK TOWNSHIP CODE

Rule XI. Manner of addressing Council. In the proper order of business, anyone in the audience may address the Council upon recognition by the Chair. A person addressing the Council shall step up to the microphone, shall give his name and town of residence in an audible tone of voice for the record and shall adhere to the time limit, if any, fixed by the Council. All remarks shall be addressed to Council as a body and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Council, without the permission of the presiding officer. No question shall be addressed to a Council member other than through the presiding officer.

Rule XII. Preparation of the minutes.

(a) The minutes of each Council meeting shall contain every formal action of the governing body, whether such action is represented by a motion, resolution or an ordinance.

(b) Remarks of Council members. A Council member may request, through the presiding officer, the privilege of including in the minutes an abstract of his statement on any subject before the Council, not exceeding 100 words. If the Council consents thereto, such abstract shall be entered in the minutes.

(c) Council committee reports. A Council committee may request that any detailed written report of the committee be made a part of the minutes. Such report shall be first filed with the Clerk and shall be included in the minutes upon the consent of the Council.

(d) Public comments. The Council shall endeavor to provide approximately one hour if needed for public comments under good and welfare on any issue and for comments on any matter on the agenda.

(e) Public hearings on ordinances. Except as otherwise required by law, a combined public hearing may be held on all the ordinances scheduled for a public hearing at a meeting. The introduction and adoption of any ordinance shall be by title only, and the introduction and adoption of multiple ordinance may be taken by a single vote upon the consent of all of the Council members present. If requested by any member of the Council, the vote on any ordinance may be conducted separately. The Mayor shall open the public hearing after reading the ordinances by title and may close the public hearing upon hearing no further public comments thereon.

ADMINISTRATION

(f) Council comments. The Mayor shall afford the members of the Council an opportunity to be heard on any ordinance or matter requiring a public hearing prior to the opening of the public hearing thereon, upon the conclusion of the public hearing thereon, prior to opening the meeting to the public for public comments, after the close of the portion of the meeting open to the public, prior to consideration of the consent agenda and upon a motion for the introduction of any ordinance.

Rule XIII. Agenda available.

The Clerk shall make available to the public complete copies of each meeting agenda, together with complete copies of all ordinances and resolutions thereon, the morning of each meeting of the Council and shall make available to the public all amendments thereto as soon as same are available. Notwithstanding anything to the contrary, the Clerk shall make available to the public a summary of the ordinances by title only until the Council affirmatively votes to introduce an ordinance. Within 24 hours of the introduction of an ordinance and a hearing date being set, the Clerk shall make the full text of the ordinance available to the public.