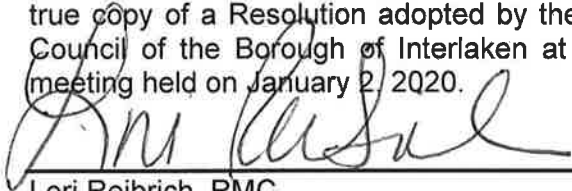


RESOLUTION 2020-28

APPROVING USE OF ROBERT'S RULES OF ORDER

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby approves the use of Robert's Rules of Order for the conducting of Borough Council meetings in 2020.

I, Lori Reibrich, Municipal Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on January 2, 2020.



Lori Reibrich, RMC
Borough Administrator/Clerk

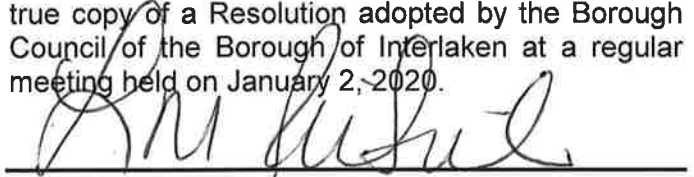
Record of Vote	Mayor Nohilly	Councilman White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve		X					
Motion to Second							X
Approved		X	X	X	X	X	X
Opposed							
Not Voting/Recuse							
Absent/Excused							

RESOLUTION 2020-29

**APPROVING THE BOROUGH OF INTERLAKEN'S
RULES OF ORDER FOR MEMBERS OF THE GOVERNING BODY**

BE IT RESOLVED by the Borough Council of the Borough of Interlaken that it hereby approves the use of the attached Rules of Order for Members of the Governing Body.

I, Lori Reibrich, Municipal Clerk of the Borough of Interlaken, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Borough Council of the Borough of Interlaken at a regular meeting held on January 2, 2020.



Lori Reibrich, RMC
Borough Administrator/Clerk

Record of Vote	Mayor Nohilly	Councilman White	Councilwoman Horowitz	Councilman Butler	Councilman Watson	Councilwoman Maloney	Councilman Fama
Motion to Approve				X			
Motion to Second		X					
Approved		X	X	X	X	X	X
Opposed							
Not Voting/Recuse							
Absent/Excused							

**BOROUGH OF INTERLAKEN, NEW JERSEY
RULES OF ORDER FOR
MEMBERS OF THE GOVERNING BODY**

Adoption Date: January 2, 2020

ARTICLE I.

The deliberations of the Interlaken Borough Council shall be governed by **Robert's Rules of Order, Newly Revised**. The Borough Attorney shall be the Parliamentarian, when he or she is present. In the absence of the Borough Attorney, the Borough Clerk shall serve as Parliamentarian.

Any questions arising not provided for in the rules hereinafter set forth shall be determined by the rules set forth in **Robert's Rules of Order, Newly Revised**.

ARTICLE II.

Section I. Workshop/Regular Meetings

Meetings of the Interlaken Borough Council shall be held on the third Wednesday of every month, unless otherwise scheduled and noticed by Council. Regular meetings shall be called to order by 7:30 p.m. The workshop portion of the meeting will begin at 7:00 p.m., with the regular meeting immediately following the conclusion of the workshop portion; however, in no event will the regular meeting start earlier than 7:30 p.m. The purpose of the workshop meeting shall be to review the regular meeting agenda and to conduct such other business as may come before the Borough Council.

Section 4. Special Meetings

The Mayor shall, when he or she deems necessary, call Special Meetings of the Borough Council; in case of the Mayor's neglect, absence, or refusal, any four (4) members of the Borough Council may call a Special Meeting at such time and in such place within the Borough as they may designate by resolution. In all cases of Special Meetings, reasonable advance notice (considered to be 48 hours, except in the case of emergency) shall be given to the Mayor and all members of the Council or left at their place of residence (NJSA 40:48-24). Only business specified in the notice or resolution calling for the Special Meeting may be transacted.

Section 5. Annual Meeting

The Borough Council shall hold an Annual Organization Meeting during the first seven (7) days of January at Borough Hall or such other place as may be designated by the Borough Council by resolution or motion. The meeting shall be called to order at 7:00 p.m. At this meeting, the Borough Council shall hear reports, elect one of its members to serve as Council President for the ensuing year, adopt its Rules of Order, adopt its meeting schedule for the year, announce Council Standing Committees, make annual appointments, and transact such other business as properly may be brought before the body.

Section 6. Adjourned Meetings

Adjourned Meetings shall be called to order and held at the time and place appointed by the motion or resolution under which they are held.

Section 7. Open Public Meetings Act

State statutes provide that all meetings described in Sections 1-6 shall be open to the public (Chapter 231, P.L. 1975), subject to provisions allowing for Executive Session discussion. The Open Public Meetings statement shall be read by the presiding officer at all Agenda, Regular, Conference, and Special Meetings.

Section 8. Quorums

A quorum shall be as provided by the Revised Statutes of the State of New Jersey, viz. three (3) Councilpersons and the Mayor, or in the absence of the Mayor, four (4) Councilpersons (NJSA 40A:60-3d). If no quorum exists at any particular meeting, then those assembled shall have power and are hereby authorized to set a new meeting date and then adjourn. In all cases, reasonable advance notice (considered to be 48 hours, except in the case of emergency) of the new meeting date shall be given to the Mayor and all members of Council or left at their place of residence (40:48-24).

When a sufficient number of members to constitute a quorum is present, the Mayor, or in his or her absence, the President of Council, or in the absence of both, the Council member having the longest continuous term as such, shall call them to order, whereupon each member shall take his or her seat. In the case of two members both having the same term of service, the member to preside shall be determined by "lot" among those having equal longest service.

Section 9. Notice of Regular and Workshop Meetings

The schedule of all Regular and Workshop Meetings shall be adopted at the Annual Organization Meeting and shall be published and advertised according to law.

Section 10. Attendance Requirements

An office of any person elected or appointed to the Governing Body for a specified term shall be deemed vacant if a member fails to attend and participate in any meetings of the Governing Body for a period of eight (8) consecutive weeks, without being excused from attendance by a majority of the members of the Governing Body, at the conclusion of such period; provided, however, that Governing Body may refuse to excuse only with respect to those failure to attend and participate which are not due to legitimate illness or other reasonable excuse. (NJSA 40A:16-3)

ARTICLE III.

Section 1. After the Call to Order, the Mayor shall request the Clerk to call the roll and note the absences. The Clerk shall also keep a record of attendance of the Clerk, the Attorney, and the Borough Administrator. In the event of the absence of the Clerk and the Deputy Clerk, the presiding officer shall appoint a Clerk pro tempore.

Section 2. The Clerk shall perform his or her duties according to the Revised Statutes of New Jersey. The Clerk shall record, publish and keep the minutes of all Regular, Conference and Special Meetings and shall keep the Revised General Ordinances book properly and fully indexed; he or she shall perform all the duties usually devolving upon such officer; in addition, he or she shall perform such other duties as the Mayor and Borough Council may direct.

ARTICLE IV. REGULAR MEETING ORDER OF BUSINESS

Section 1. The business of each Regular Meeting shall be conducted in the following manner:

- a. Call to Order
- b. Salute to the Flag ("Pledge of Allegiance")
- c. Moment of Silence
- d. Reading of Open Public Meetings Statement
- e. Roll Call
- f. Public Comment (Agenda Specific Items Only)
- g. Mayor's Proclamations
- h. Approval of Minutes
- k. Ordinances Requiring a Second Reading
- l. Ordinances Requiring a First Reading
- m. Resolutions
- n. Payment of Bills
- o. Public Comment
- p. Reports from Committees
- q. Executive Session Resolution (if necessary)
- r. Adjournment

Section 2. The aforesaid Order of Business at any meeting may be changed by a majority vote of the members of the Borough Council present at the meeting.

Section 3. All Consent Agenda Items, identified by an asterisk (*) on the Regular Meeting Agenda, and having been properly posted for the public's perusal prior to the beginning of the meeting, may be considered in the form of one motion by Borough Council. If a member of the Borough Council requests of the Mayor that a Consent Agenda Item be considered and voted upon independently of all other Consent Agenda Items, then that item will be read by title and a separate vote will be taken. All other Consent Agenda Items not affected by the request shall be considered in the form of one motion by the Borough Council.

Section 4. All Regular Meetings shall end by 10:00 PM. This time may be extended by full Council approval of the Councilpersons present at the meeting.

Section 5. A Borough Council public meeting will have an agenda fixed in final form, posted on the public bulletin board and published on the Borough's Internet website 48 hours in advance of the meeting. The Borough Council shall not act upon a matter that is not listed on the agenda unless either a) the requirements for an emergency meeting, as set forth in N.J.S.A. 10:4-9, have been satisfied or b) three-quarters of the members present at the meeting vote to add an item to the agenda and that a statement is read aloud, and recorded in the meeting minutes, explaining why the item could not have been included in the published agenda.

ARTICLE V. WORKSHOP MEETING ORDER OF BUSINESS

Section 1. The business of each Workshop Meeting shall be conducted in the following manner:

- a. Call to Order
- b. Roll Call
- c. Discussion Items
- d. New Business
- e. Items to be considered for future meetings
- f. Public Comment
- g. Adjournment

Section 2. All discussion items shall be submitted to the Clerk by the Friday preceding the Workshop Meeting for inclusion on the Workshop Meeting Agenda. The Clerk shall list the Standing Committee and/or Professional responsible for a particular discussion item on the agenda next to that item. Except for the most routine of matters, no Councilperson may list a matter under discussion items, unless he or she has taken the matter through the appropriate Standing Committee for recommendation to the full Council or to the Standing Committee on Administration for assignment to a Council Standing Committee. Should a Councilperson have a question about whether a matter is routine or not, he or she should consult the Borough Administrator for direction.

Section 3. A Borough Council public meeting will have an agenda fixed in final form, posted on the public bulletin board and published on the Borough's Internet website 48 hours in advance of the meeting. The Borough Council shall not act upon a matter that is not listed on the agenda unless either a) the requirements for an emergency meeting, as set forth in N.J.S.A. 10:4-9, have been satisfied or b) three-quarters of the members present at the meeting vote to add an item to the agenda and that a statement is read aloud, and recorded in the meeting minutes, explaining why the item could not have been included in the published agenda.

Section 4. The aforesaid Order of Business at any meeting may be changed by majority vote of the Councilpersons present at the meeting.

Section 5. The workshop portion of the meeting will begin at 7:00 p.m., with the regular meeting immediately following the conclusion of the workshop portion; however, in no event will the regular meeting start earlier than 7:30 p.m.

ARTICLE VI. THE MAYOR

Section 1. The Mayor shall preside over the deliberations of the Borough Council and shall conduct the meetings, thereof, and shall also participate in the determination of Borough affairs to the extent permitted by statute (NJSA 40A:60-3g et seq. and also 40A:60-5h).

Section 2. The Mayor shall, on all occasions, preserve the strictest order and decorum and shall cause the removal of all persons who interrupt the orderly proceedings of Council.

Section 3. When two or more Councilpersons shall rise to speak at the same time, the Mayor shall designate the one entitled to the floor.

Section 4. The Mayor shall decide all questions of order without debate, subject to an appeal to the Borough Council, and may call upon the Council President or Parliamentarian for an opinion on any questions of order.

Section 5. The Mayor shall not make promises or commitments to anyone which directly, or by inference, bind the Borough Council.

Section 6. The Mayor shall be a member ex officio of all Borough Council Standing, Special and Ad Hoc Committees and shall be informed in advance of all meetings of such Committees.

Section 7. In the absence of the Mayor, or in the event that he or she is unable to perform his or her duties, the President of Council, or in his or her inability to act, the Councilperson having the longest term as such, shall act as Mayor as provided by statute (NJSA 40A:60-3).

Section 8. The Mayor shall see that all matters referred to the Council Standing Committees are acted upon and reported promptly.

Section 9. The Mayor shall provide final approval of Workshop and Regular Meeting agendas. In this connection, the Mayor will consult with the Borough Clerk or his or her deputy on a bi-weekly basis concerning the Workshop and Regular Meeting agendas and will give his or her final approval on the items to be listed. He or she will ensure that all non-routine items have been duly considered by the appropriate Council Standing Committee or the Standing Committee on Administration before allowing them to be listed, and he or she will rule on whether or not a matter is to be considered routine when questions from members of the Governing Body arise. (See Article V. Sections 1. and 3. above.)

ARTICLE VII. BOROUGH COUNCIL PRESIDENT

Section 1. President of Borough Council

By a majority vote, the Borough Council, at its Annual Organization Meeting, shall elect a Borough Council President from its number who shall preside at all meetings when the Mayor does not preside. The President shall hold office for one year until the next Annual Meeting. He or she shall have the right to debate and vote on all questions before the Borough Council. If the Borough Council, at its Annual Meeting, fails to elect a President, then the Mayor shall appoint the President from the Borough Council and no confirmation by the Borough Council shall be necessary.

Section 2. President or Senior Member of Borough Council as Acting Mayor

If the Mayor is absent from the Borough for a period of three days or for any reason is unable to act, the President of the Borough Council shall perform all the duties as Acting Mayor during such absence or inability. If the Mayor intends to be absent from the Borough for more than three days at any one time, he or she shall notify the President and the Borough Administrator, in writing, of the intended absence, and the President shall become Acting Mayor from the time he or she receives the notice until the Mayor's return. If the President is temporarily unable to act, the Borough Council member having the longest term of service shall act temporarily for the President. Should more than one member of the Council have identical seniority, then the Acting Mayor shall be drawn by lot.

Section 3. Duties and Responsibilities of the Council President

In addition to the matters outlined in Sections 1. and 2., above, the Council President shall:

Serve as overall liaison between the Governing Body and all authorities, boards, commissions, committees, and agencies, except as otherwise provided by statute or ordinance.

ARTICLE VIII. BOROUGH COUNCIL STANDING COMMITTEES

Section 1. The following Standing Committees of the Borough Council shall be appointed at the Annual Organization Meeting: Administration and Finance; Streets and Roads; and Public Safety. All Standing Committees shall consist of three councilpersons each and the Mayor as an ex officio member. The Mayor may attend committee meeting of two Council members as to not interfere with the Open Public Meetings Act.

Section 2. Appointments to the Standing Committees of the Borough Council and of the Chairpersons thereof shall be made by resolution of Council, said resolution to be approved by a majority of Council at the Annual Organization Meeting of the Governing Body. All other Committee appointments shall be made in a like manner except where specified otherwise.

Section 3. One Councilperson shall chair each of the three Standing Committees named in Section 1, above, and may be a member of one other. The person whose name appears first on the Standing Committee Organizational Chart shall be the Chairperson thereof; the remaining names shall be listed in the order of their position on the Committee, it being the intention that each person shall serve in the first, second, and third positions. It shall be the duty of the Chairperson to give notice to the Borough Clerk, Mayor and the other members of the Committee of the time and place of meetings. An oral report of committee meetings shall be given at the next regular meeting during the committee report portion. Meetings of the committees may be scheduled at the discretion of the Chairperson.

If all three (3) standing committee members hold a committee meeting, and at a subsequent Council meeting those same committee members are present and constitute an effective majority of Council members present at the Council meeting, any item that was the subject of the committee meeting must be tabled until a meeting where those committee members will not constitute an effective majority of the Council meeting.

Section 4. In case of death, resignation, removal from office, or the inability or incapacity to serve of any Committee Chairperson or of any elected or appointed official, the Council shall, by resolution, name the successor. The Council may, by majority vote of its members, change existing committee assignments and/or chairpersons when it is in the best interests of the Borough to do so.

Section 5. Standing Committees are appointed to expedite and facilitate the work of the Borough Council within statutory limits, as the entire Borough Council is held responsible for any and all of its acts.

a. Standing Committees shall:

(1) Meet and report to Borough Council according to the guidelines provided in Article V, Section 3, and Article VIII, Section 3, above.

(2) Plan, study, direct, make recommendations with budgetary limitations, and carry on the routine activities for which it has primary responsibility.

(3) Perform such acts as may be assigned to it by the Borough Council.

b. Except as provided above, a Standing Committee shall not:

(1) Make budgetary commitments without prior approval of the Borough Council.

(2) Make promises or commitments to anyone which directly, or by reference, bind the Council.

(3) Act in such a manner or make any decision which sets a precedent or violates established policy.

Section 6. Special and Ad Hoc Committees may be created by motion or resolution of the Borough Council and shall consist of such number as shall be determined by such motion or resolution. The appropriate sections of Article VIII, Section 3, above, shall govern the conduct of meetings of such Special and Ad Hoc Committees.

Section 7. The specific duties of the Standing Committees, i.e., the areas for which the Committees are responsible, are spelled out in the Table of Organization which is prepared annually and which is appended to these Rules.

Section 8. The Chairperson of any Standing, Special, or Ad Hoc Committee shall record the minutes of all committee meetings.

Section 9 When practicable, all meetings of standing committees shall take place at Borough Hall.

ARTICLE IX. NOMINATIONS TO BOARDS, COMMISSIONS, COMMITTEES AND OTHER AGENCIES

Whenever a vacancy shall occur on one of the Borough's boards, commissions or committees, except for those boards, commissions, and committees for which the Mayor is the sole appointing authority, nominations to fill said vacancies shall be brought to the attention of the Council in writing, at least one week prior to the Council meeting when action is expected to be taken. Information to be provided shall include, at a minimum, the name, address, and telephone number of the nominee as well as information concerning his or her suitability to be appointed. Whenever possible, prior consultation with the board, commission, or committee that has the vacancy shall occur, and the Councilperson proposing the name shall report on his or her discussions.

ARTICLE X. ORDINANCES, RESOLUTIONS, PETITIONS

Section 1. All Ordinances must be presented in writing. The procedure upon adoption of Ordinances shall be as fixed by statute.

Section 2. Upon the adoption of an Ordinance, the same shall be properly numbered and recorded at length by the Borough Clerk who shall also notify the Borough's codification consultant in a timely fashion so that the codified ordinance books may be kept up to date. The assigned number of the Ordinance shall appear in the advertisement of such Ordinance.

Section 3. In the event an ordinance(s) has been introduced prior to the end of any given calendar year, and the second reading cannot be scheduled before the new calendar year commences, then in that event, any such pending ordinance(s) shall be deemed to have expired and is thereby void.

Section 4. Every resolution submitted for consideration of the Borough Council shall be presented in writing.

Section 5. All petitions, memorials, or other papers addressed to the Borough Council shall be presented by one member of Council, who shall state in his or her place the general object of the petition, memorial, or other paper.

Section 6. When any petition shall be presented and a decision thereon by the Borough Council has been made, the same petition shall not, within ninety days, again be presented to the Council without leave first obtained for that purpose.

ARTICLE XI. ADOPTION AND TERM

The Rules of Order shall be adopted by a resolution of the Borough Council concurred in by a majority of the members of Council. The rules shall become effective immediately after adoption and shall remain in effect until the succeeding Annual Organization Meeting.

ARTICLE XII. RULES OF DEBATE AND DECORUM

It is the responsibility of the Chair to ensure that all speakers use a microphone, if available, when speaking.

Section 1. Except as otherwise required by Statute, or specifically provided in these Rules of Order, all action of the Borough Council shall be by a majority vote of those present. A member abstaining will be noted in the record, but will not count as a vote to achieve a quorum.

Section 2. Question under consideration.

A question presented and seconded is under consideration, and no motion shall be received thereafter, except to adjourn, to lay on the table, to postpone or 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.

Section 3. Upon demand of one member of the Borough Council, or when ordered by the Mayor, or when directed by Statute, a roll call vote shall be taken and the yeas and nays entered into the official minutes of the meeting.

Section 4. The roll shall be called in reverse seniority order.

Section 5. No member of the Borough Council shall question the vote or motives of a fellow Councilperson.

Section 6. Any member may call for the division of the question when the sense will admit it.

Section 7. Getting the Floor.

Every Borough Councilperson desiring to speak for any purpose whatsoever shall address the presiding officer, and upon recognition, shall confine himself or herself to the question under debate, avoiding personalities and indecorous language.

Section 8. After any question has been decided, any member who voted in the majority may, at the same or next meeting, move for reconsideration thereof, which shall be favorably determined if it receives the assent of a majority of the whole Council, namely four votes, but no discussion of the main question shall be allowed, unless a reconsideration is had.

Section 9. No allusion shall be made to the motives actuating any member in his or her course of debate or other performance of duty.

Section 10. Interruption.

A Councilperson, once recognized, shall not be interrupted when speaking unless it is to call a point of order or as herein otherwise provided. If a Councilperson, while speaking, shall be called on a point of order, he or she shall cease speaking until the point of order is determined by the presiding officer; if in order, he or she shall be permitted to proceed. Any Councilperson may appeal to the Borough Council from the decision of the presiding officer upon a question of order, whereupon without debate, the presiding officer shall submit to the Council the question: "Shall the decision of the chair be sustained?" and the Borough Council shall decide the question by a majority vote.

Section 11. When a motion has been made and seconded, it shall be so stated by the presiding officer before it is open for discussion, and after being thus stated, it shall be deemed in the possession of the Borough Council, but may be withdrawn or amended by the mover at any time before discussion.

Section 12. No member should abstain except for reasons of conflict.

Section 13. Privilege of Closing Debate.

The Councilperson moving the adoption of an Ordinance, resolution, or motion shall have the privilege of closing debate.

Section 14. A motion to adjourn shall always be in order and shall be decided without debate.

ARTICLE XIII. CORRESPONDENCE

Whenever a member of the Governing Body shall have occasion to prepare any correspondence or other document relating to his or her duties, a copy of such correspondence or other document shall be provided to the Borough Clerk for inclusion in the Borough files.

In the event letterhead is utilized by an individual member or members of the Governing Body, which does not relate to a majority action of Council, this fact shall be clearly indicated in the correspondence in **BOLD** letters to the effect that the correspondence is only the position of the signer(s) and does not reflect the majority position of Council.

Upon receipt of written communications intended for a specific member of the Governing Body, the Borough Clerk will disseminate the same to the appropriate member of the Governing Body. If that member of the Governing Body decides to respond to a communication, he/she will forward a response to the Borough Clerk who will then forward same to the appropriate person(s).

ARTICLE XIV. PUBLIC COMMENT

RULES OF CONDUCT FOR PUBLIC COMMENT AT MEETINGS OF THE BOROUGH COUNCIL

- 1) Members of the general public shall be permitted to address comments to the Council only during the time designated for Public Comment in the meeting agenda.
- 2) Each person who wishes to address the Council shall be allowed to speak once for a period of up to five minutes, provided that, in the event that public comments exceed or appear likely to exceed a combined total of one hour, the Presiding Official, or meeting moderator, may reduce the time allowed for each speaker to three minutes.
- 3) A person shall not address the Council until permission is obtained from the Presiding Official, or meeting moderator, nor while any other person is speaking.
- 4) All comments made by a speaker shall be directed to the Council and not to other members of the public. Members of the public are not permitted to interrupt or direct comments to a speaker during the speaker's remarks to the Council.
- 5) All persons at a meeting of the Borough Council shall be silent at the request of the Presiding Official, or meeting moderator.
- 6) Each person wishing to address the Borough Council must identify himself or herself by name and address. If the person represents an organization or group, the person shall indicate whether his or her comments represent the official view of the organization or group.

- 7) All persons addressing the Borough Council shall do so only from the floor, podium or other location specified by the Presiding Official, or moderator, for the presentation of Public Comments. No person shall address the Borough Council from any other location.
- 8) Members of the Borough Council may question speakers, but are not obligated to answer questions or make statements or commitments in response to issues raised by the public.
- 9) Members of the public may not, in the course of their comments to the Borough Council make personal attacks upon members of the Borough Council or officers or employees of the Borough Council that are unrelated to the performance of their duties.

Violation of any of the above rules shall be deemed a breach of peace at the meeting in which the violation occurred. Violation of these rules shall permit the Presiding Official, or meeting moderator, to order the offending person to withdraw from that meeting and for that person's failure to withdraw, that person shall be ordered to be excluded from the meeting. The order for withdrawal and/or exclusion of a person shall be applicable only to the meeting at which the violation or breach was actually committed.

ARTICLE XV. AMENDMENTS

Section 1. The Mayor or any member of the Borough Council may propose amendment to these Rules at any Regular or Adjourned Meeting.

Section 2. The Rules may be altered or amended only by a two-thirds vote on a roll call, taken at two successive Regular or Adjourned Meetings of the Borough Council.