

ARTICLE II

2-2 BOROUGH COUNCIL.

2-2.1 Legislative Power.

Pursuant to the Charter, the legislative power of the municipality shall be exercised by the Borough Council, except as may be provided in general law. (1982 Code §3-5; Ord. #598)

2-2.1A Borough Council Election; Terms of Office.

Pursuant to N.J.S.A. 40:45-7.1, the Borough Council shall consist of five (5) members, elected at-large by the voters of the Borough at the regular non-partisan municipal election to be held at the time of the November general election. The terms of the members of the Council shall be four (4) years, beginning January 1 following each election. Accordingly, the terms of the Council members holding office at the time of the adoption of this subsection shall be extended until December 31 beyond the expiration of their present term of office. (Ord. #10-1295, §2)

2-2.2 Meetings.

Regular and workshop Borough Council meetings shall be designated by resolution of the Borough Council. Special meetings may be called as necessary by the Mayor or a majority of the members of the Borough Council in accordance with provisions of the Charter. All meetings of the Borough Council shall be held in the Borough Hall, unless it is determined to be impractical. In the event that such determination is made of the necessity to hold a meeting of the Borough Council in a place other than the Borough Hall, then adequate notice shall be given as provided by law. (1982 Code §3-6; Ord. #598)

2-2.3 Council President.

At the January reorganization of the Borough Council in years after which elections are held, the Borough Council shall elect from its members a Council President. The Council President shall:

- a. Serve as presiding officer at all meetings of the Borough Council.
- b. State every question before the Borough Council and announce the decisions of the Borough Council.
- c. Decide all questions of order, procedure and decorum subject to the appeal and determination of the Borough Council.
- d. Sign all ordinances and resolutions adopted by the Borough Council during his presence. (1982 Code §3-7; Ord. #598; Ord. #618; Ord. #89-699; Ord. #11-1331 §1)

2-2.4 Deputy Council President.

- a. At the January reorganization of the Borough Council in years after which elections are held, the Borough Council shall elect from its members a temporary presiding officer, to be known as the "Deputy President," who, in the absence of the Council President, shall exercise all of the duties of the Council President enumerated hereinabove. (1982 Code §3-8; Ord. #598; Ord. #622; Ord. #11-1331 §2)

2-2.5 Council Committees.

There shall be no standing committees of the Borough Council other than a committee of the whole. All actions taken by the Borough Council shall be taken as a body. (1982 Code §3-9; Ord. #598)

2-2.6 Attendance of Mayor at Meetings.

Pursuant to N.J.S.A. 40:69A-41(b), the Mayor may attend meetings of the Borough Council and may take part in all discussions of the Borough Council but shall have no vote except in the case of a tie on the question of filling a vacancy on the Borough Council in which case he may cast the deciding vote. (1982 Code §3-10; Ord. #598)

2-2.7 Roll Call.

As soon as the meeting is called to order, the Borough Clerk or Deputy shall alphabetically call the roll of the members of the Borough Council, and the names of those present shall be entered in the minutes. (1982 Code §3-11; Ord. #598)

2-2.8 Quorum.

A majority of all members elected to the Borough Council shall constitute a quorum at any regular or special meeting of the Borough Council, but a lesser number shall adjourn any meeting from time to time. (1982 Code §3-12; Ord. #598)

2-2.9 Order of Business.

The order of business of the Borough Council at each regular meeting shall be taken for consideration and disposition as established by resolution, a copy of which shall be on file in the office of the Borough Clerk.

a. *Consent List.*

1. Whenever there shall be two (2) or more resolutions which shall receive the informal unanimous approval of the members of the Borough Council at agenda meetings, such resolutions may be grouped together on the list of resolutions to be considered at each regular meeting of the Borough Council and known as the "Consent List".
2. Whenever two (2) or more such resolutions shall be grouped together as a "Consent List" it shall be sufficient, for full and final adoption of such resolutions, for one (1)

formal roll call vote of the Borough Council to be taken by the Borough Clerk and entered into the minutes in the usual form, provided, however, that in the event any member of the Borough Council shall at any time up to the taking of such roll call object to the presence of one (1) or more resolutions on the said Consent List, then in that event, such resolution shall be removed from the Consent List and shall be voted upon separately, and provided further, that the within provision providing for a "Consent List" shall apply to resolutions only and shall not be applicable to the introduction or adoption of ordinances.

(1982 Code §3-13; Ord. #598; Ord. #658; Ord. #90-736, §§1, 2; Ord. #91-765)

2-2.10 Minutes.

Unless a reading of the minutes of the previous meeting is requested by a member of the Borough Council, such minutes may be approved without a reading if the Borough Clerk has previously furnished each member with a copy thereof. (1982 Code §3-14; Ord. #598)

2-2.11 Rules of Debate.

- a. *Presiding Officer May Debate and Vote.* The President or such other member of the Borough 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 on all members, and shall not be deprived of any of the rights and privileges of a Councilman by reason of his acting as the Presiding Officer.
- b. *Obtaining the Floor, Improper References To Be Avoided.* Every member desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, shall confine himself to the question under debate, avoiding all personalities and indecorous language.
- c. *Interruptions.* A member once recognized, shall not be interrupted when speaking unless it is 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, and if in order, he shall be permitted to proceed.
- d. *Motion to Reconsider.* A motion to reconsider any action taken by the Borough Council may be made only on the day such action was taken. It may be made either immediately during the same session or at a recessed or adjourned session and may be seconded by any member. It may be made at any time and have precedence over all other motions, and it shall be debatable. Nothing herein shall be construed to prevent any member of the Borough Council from making or remaking the same or any other motion at a subsequent meeting of the Borough Council.
- e. *Synopsis of Debates (When Entered in Minutes).* The Borough Clerk shall enter in the minutes a synopsis of the discussion of any question coming before the Borough Council.
- f. *Remarks of Councilman (When Entered in Minutes).* A Councilman may request, through the Presiding Officer, the privilege of having an abstract of his statement on any subject under consideration by the Borough Council entered in the minutes.
- g. *Motion to Adjourn.* A motion to adjourn shall always be in order and shall be decided without debate.

- h. *Additional Rules.* Any matter not covered by these rules shall be governed by Robert's Rules of Order (revised).
(1982 Code §3-15; Ord. #598)

2-2.12 Order of Voting.

Whenever a roll call vote is necessary, the Borough Council shall vote alphabetically, with the Presiding Officer voting last. (1982 Code §3-16; Ord. #598)

2-2.13 Abstention.

A vote of abstain or present shall not be counted as a vote either for or against any motions, but the number of abstentions, if any, shall be announced in the report on every roll call vote. Except where otherwise provided by law, a majority of the members present and voting shall be needed to pass any motion. (1982 Code §3-17; Ord. #598)

2-2.14 Standing Committees.

There shall be no standing committee of the Borough Council other than the committee of the whole. The President of the Borough Council shall be the Presiding Officer of the committee of the whole, and the rules of procedure of the Borough Council shall be observed in the committee of the whole as far as the same may be applicable. (1982 Code §3-18; Ord. #598)

2-2.15 Addresses to Borough Council.

Upon recognition by the Council President, the person shall proceed to the floor and give their name and address in an audible tone of voice for the record. Statements shall be addressed to the Borough Council as a body and not to any member thereof or Borough employees or professionals unless called upon to address the person by the Council President. A Councilmember shall not direct any question to a speaker addressing the Borough Council except through the Council President. A person speaking shall be limited to five (5) minutes at the discretion of the Council President. (1982 Code §3-19; Ord. #598; Ord. #09-1285)

2-2.16 Maintenance of Decorum.

The President of the Borough Council may request the Police Chief to designate a police officer to serve as Sergeant-at-Arms at Borough Council meetings. He shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum at the Borough Council meetings, and it shall be his duty to place any person under arrest who violates the order and decorum of a meeting and to cause him to be prosecuted under the provisions of this Article upon a complaint signed by the Presiding Officer. (1982 Code §3-20; Ord. #598)