

**TOWNSHIP OF HOPEWELL
MERCER COUNTY, NEW JERSEY**

R E S O L U T I O N # 17-120

**A RESOLUTION ESTABLISHING BYLAWS OF
THE HOPEWELL TOWNSHIP COMMITTEE
RULES OF PROCEDURE AND CONDUCT OF BUSINESS**

BE IT RESOLVED, on this 27th day of March 2017, by the Township Committee of the Township of Hopewell, County of Mercer, New Jersey, that meetings of the Hopewell Township Committee, as provided for in Chapter II. "Administration," Section 2-1.6 of the Revised General Ordinances of the Township of Hopewell, New Jersey (1978) shall be conducted in the following manner:

1. Quorum. The majority of the whole number of the members of the Township Committee shall constitute a quorum and no ordinance shall be adopted by the Township Committee without the affirmative vote of a majority of the quorum of the Township Committee.

2. Order of Agenda. The Township Committee agenda shall have the following order of business:

- A. Call meeting to order and statement of proper notice by mayor;
- B. Roll call by municipal clerk;
- C. Pledge of allegiance and salute to the flag;
- D. Review and approval of minutes;
- E. Additional items for meeting agenda (by vote of a majority of the quorum);
- F. Committee member and staff reports;
- G. Comments from members of the public; (The public will have an opportunity to sign up in advance on the Hopewell Township website or at the Clerk's Office regarding any topic(s) that he/she wishes to discuss during the public portion. The sign ups must be completed by 4 p.m. on the day of the meeting. The Township Committee always welcomes public comments during the public portion, even without advance sign ups.)
- H. Ordinance final hearings, public hearings and adoption;
- I. Ordinance introduction and first reading;
- J. Consent agenda (contains items of a routine nature, which are approved by a single vote);
- K. Resolutions;
- L. Future agenda items (members of the township committee may suggest future agenda items at this time; members of the public may do so in accordance with Sec. 2-1.6(a) of the Township Code);
- M. Work session (comments from the audience usually not permitted);
- N. Additional comments from the audience (if time permits);
- O. Executive session resolutions (if necessary) for items that may be discussed in closed session as defined by the New Jersey Open Public Meetings Act);
- P. Adjournment ideally by 9:00 p.m., but not later than 10:00 p.m.

3. Rules of Debate at Meetings of the Township Committee.

- A. The mayor shall be the presiding officer of the meeting. In the absence of the mayor, the deputy mayor shall be the presiding officer. In the absence of the mayor and deputy mayor, the next most senior member of township committee shall be the presiding officer. The presiding officer may move, second and debate from the chair, subject only to such limitations of debate as are by these

rules imposed on all members of township committee and shall not be deprived of any rights or privileges of a township committee member by reason of acting as presiding officer

- B. Every member of the township committee or public desiring to speak shall address the chair and, upon recognition by the presiding officer, shall confine him or herself to the question under discussion.
- C. A member of the township committee, once recognized, shall not be interrupted when speaking unless it be to call him or her to order, or as herein otherwise provided. If a member of township committee, while speaking, is called to order, he or she shall cease speaking until the question of order is determined. If the member is in order, he or she shall be permitted to proceed. The presiding officer may limit the length of comments made by any member of Township Committee.
- D. A member of the township committee moving the adoption of an ordinance or resolution shall have the privilege of closing debate.
- E. The clerk shall enter into the minutes a synopsis of the discussion about any question coming before the township committee.
- F. A member of the township committee may request, through the presiding officer, the privilege of having an abstract of his or her statement on any subject under consideration by the township committee entered into the township minutes.
- G. A motion to adjourn shall always be in order and shall be decided without debate.
- H. Any matter not covered by these by-laws or other relevant laws shall be governed by the latest edition of Roberts Rules of Order. The Roberts Rules of Order shall be utilized, if necessary, by the township committee and shall not be invoked by members of the public.
- I. On a roll call vote, the township committee shall vote alphabetically with the presiding officer voting last. During the course of a vote on a given matter, each member of Township Committee shall be permitted to succinctly set forth on the public record his or her position prior to casting his or her vote. In allowing these comments before a committee person votes, the presiding officer shall allow for the aforementioned comments, even if said comments will express a minority view on a given issue.
- J. When recognizing members of the public wishing to speak on matters on the township committee agenda or items not listed on said agenda, the following procedures shall be followed:
 - i) Upon recognition by the chair, a person wishing to address the township committee shall proceed to the floor and give his or her name and address in an audible tone of voice for the record. The presiding officer may, if necessary, because of the number of persons wishing to address the township committee, limit the making of a statement to three minutes per speaker. Statements shall be addressed to the township committee as a

body and not to any individual member of township committee. A member of the township committee shall not direct any question to a speaker addressing the committee except through the presiding officer. All comments made during this public forum by persons from the floor or responses through the presiding officer by township committee shall at all times be civil and courteous. In accordance with Section 2-1.6(a) of the Township Code, the presiding officer may, where the subject matter so requires, designate another member of the Township Committee to respond on behalf of said committee to comments made by the public on a given issue. The other members of Township Committee, however, through the presiding officer, shall also be given an opportunity to respond.

- K. Public comment shall be limited to three minutes for each member of the public, which limit may be waived for good cause at the discretion of the presiding officer.
- L. If a committee member abstains from voting, the abstention shall be recorded in the minutes but the abstention shall not be counted as either a "yes" or a "no" vote.
- M. Disclosure of Interest. A member who has a personal or private interest in any question or measure proposed or pending before the committee, which interest might constitute a conflict contrary to the Local Government Ethics Law, N.J.S.A. 40A:9-22.1, shall disclose such interest and refrain from deliberating and voting. In the alternative, the member may request a ruling from the Attorney as to whether the member should participate in such matter.
- N. No member of the township committee may attend a meeting of the township committee by means of electronic communication device. However, in order to conduct business as a quorum and attend to emergent and time sensitive matters, a member may attend a work session or agenda meeting by means of electronic communication device and may participate in any formal action at such work session or agenda meeting only if necessary for the township committee to conduct business on emergent or time sensitive matters.

4. **Sergeant at Arms.** The presiding officer may request that the chief of police designate a police officer to serve as a sergeant at arms at township committee meetings. He or she shall carry out all of the orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at the township committee meetings and it shall be his or her duty to escort any person who violates the order and decorum of the meeting from township hall.

5. **Parliamentarian.** The township attorney shall be the parliamentarian for the township committee meeting in order to rule upon questions associated with compliance with these by-laws, other relevant laws and rules of order as requested by the presiding officer.

6. Email Communications.

- A. Township committee members should use township-provided email addresses when conducting township business by email.
- B. No township business shall be discussed by committee members in any email communication involving an effective majority of the township committee.
- C. In the event the administrator, attorney or clerk sends an email simultaneously to all members of the township committee, committee members shall not copy an effective majority of the township committee on any response to the original email.

7. Liaisons; Communications With Outside Groups; Communications with Employees.

- A. Township committee members serving as liaisons to township and outside groups shall at a minimum provide a channel for communications between those groups and the township committee and provide assistance and expertise for collaborative endeavors. The liaison may not authorize any agreement or the expenditure of township funds.
- B. No member of the township committee shall appear or speak on behalf of the township committee without the authorization of the township committee which will, if possible, be given two (2) weeks in advance of the appearance or speech.
- C. When a committee member meets with a person or outside agency on behalf of the committee, the committee member shall report back to the committee at the first opportunity. If the committee member is meeting in his/her personal capacity, there is no requirement to report to the committee as a whole.
- D. The Township Committee shall deal with administrative departments and employees through the Township Administrator, or in the absence of the Township Administrator, the Township Administrator's designee. Nothing herein shall limit the ability of a liaison to communicate with the head of the department to which he or she is liaison. A liaison shall not exercise supervisory authority over any township employee.

8. Correspondence.

- A. Correspondence addressed to the township committee that is received by the clerk or administrator shall be distributed to the entire committee in a timely manner. Correspondence addressed to an individual committee member shall be distributed to that committee member.

9. Miscellaneous.

- A. If a member of the township committee knows he or she will not be available for a township committee meeting, said member shall notify the municipal clerk at least 48 hours or as soon as practicable prior to the township committee meeting.
- B. No member of the township committee shall discuss or disseminate any information made available to the township committee on a confidential basis.

This shall include not disclosing any information discussed by the township committee during the course of the township committee closed or executive session.

- C. Committee members may be polled by the Administrator or Attorney by means of "communication equipment" (telephone, e-mail, etc.) in order to achieve a consensus on an issue which cannot await formal action on a Township Committee agenda. This practice shall be utilized infrequently and the issue on which a consensus was reached shall be placed for formal action on the next available Township Committee agenda.
- D. All members of the township committee shall adhere to the provisions of the New Jersey Code of Ethics for local government officers attached hereto as Exhibit A and made a part hereof.
- E. All members of township committee shall adhere to the provisions of the Hopewell Township Pay to Play Ordinance, a copy of which is attached hereto as Exhibit B and made a part hereof.
- F. All members of township committee shall adhere to the non-discrimination resolution set forth in Resolution #16-350.

Date Adopted: March 27, 2017