

ESTABLISH 2023 COUNCIL RULES

January 3, 2023

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SUMMIT:

1. That the Rules, attached hereto and made a part of this resolution, be adopted as the Rules for 2023.
2. That all Rules heretofore adopted be and the same are hereby repealed.

Dated: January 3, 2023

I, Rosalia M. Licatase, City Clerk of the City of Summit, do hereby certify that the foregoing resolution was duly adopted by the Common Council of said City at the Organization Meeting held on Tuesday evening, January 3, 2023.

City Clerk

2023
RULES OF THE COMMON COUNCIL
OF THE CITY OF SUMMIT

1. Regular meetings of the Common Council shall be held at the City Hall on the first and third Tuesday of each month at 7:30 PM, or as otherwise indicated in the Annual Notice. Special Conference/Workshop meetings may be indicated in the Annual Meeting Notice or scheduled from time to time. A Regular or Special Conference/Workshop meeting may be adjourned from time to time with any such adjourned meeting to be considered a continuation of the last Regular or Special Conference/Workshop meeting, and the business shall be taken up thereat at the stage at which it was left at the last adjournment. The Secretary to Mayor and Council shall give notice to all members of the Common Council not present at such Regular or Special Conference/Workshop meeting of the time of such adjourned meeting.
2. The Council President and Council President Pro Tempore shall be elected at the Organization Meeting of the Common Council for one-year terms.
3. The Common Council may conduct remote public meetings during a declared emergency pursuant to N.J.A.C. 5:39-1.1 et seq. and Resolution No. 39538, adopted on November 16, 2020, and hereto attached.
4. The President may call a special meeting at any time. At the request of four Councilmembers, the President shall call a special meeting at any time. The Secretary to Mayor and Council shall serve written notice in accordance with the Open Public Meetings Act.
5. A majority of the membership of the Common Council shall constitute a quorum for the transaction of business, but a smaller number may meet and adjourn from time to time. All action of the Common Council shall require an affirmative vote of a majority of the membership, not a majority of the quorum, except when otherwise provided by law. The President shall preside at all meetings of the Council, and in the absence of the President the President Pro Tempore shall preside. In the absence of both, a temporary presiding officer shall be elected by the members present.
6. If any vacancy shall occur in the Common Council said vacancy shall be filled pursuant to State law governing the filling of vacancies.
7. (a) All public correspondence, being those matters that require consideration or action by the Common Council received either by regular mail, hand delivered, or email, addressed to the Mayor, Common Council as a whole or to a Department Head or other employee who deals with the general subject, shall be forwarded to the Secretary to the Mayor and Council and, unless otherwise directed by the Mayor or Council President, shall be processed as follows:
 - i. The Secretary will notify the sender advising of the Council Committee and Department Head to whom the correspondence was referred and that the Committee will report to Council any recommended action.

- ii. The correspondence, as necessary and possible, depending on dimensions, will be scanned, and along with its acknowledgement advising of the Committee to which it was assigned will be E-mailed to all members of the governing body, and Department Head[s] for action several days before it is sent to the originator of the correspondence.
 - iii. The specifically mentioned Committee will review the correspondence and, as appropriate, provide a recommended course of action to Common Council.
 - iv. If the Committee or Department Head or designee responds either by phone, E-mail or regular mail, notes relative to the response or a copy of the response along with the original correspondence shall both be E-mailed to all members of the governing body and the Clerk's office for filing. If any member of the governing body objects to the position taken or response given by the Committee or Department Head or designee, they may request that the matter be placed on the agenda.
 - v. If Council action is recommended and if approved by the Council President, the item will appear on the Council agenda, for consideration by the governing body.
- (b) An individual Council member receiving correspondence shall decide whether it should be treated as a correspondence as set forth in 6. (a) above.
 - (c) Individuals, elected or employed, shall not reply or appear to be replying on behalf of the Council or its committees.
 - (d) General Information / Correspondence, such as those from the New Jersey State League of Municipalities, Federal, State, County and local governing bodies, or legislators, and notices that do not require consideration or action by the Common Council will be handled at the discretion of the Clerk and, as needed, in consultation with the Council President. In most cases such matters will appear as a General Information correspondence on the agenda or will be forwarded directly via fax or E-mail delivery to the Mayor, Council and appropriate Department Head.
 - (e) Time sensitive material, such as Federal and State legislation, legal matters and those which have action deadlines associated with them may bypass the procedure set forth in 6 (a) above and be sent to the Mayor and Council so that they may individually react.
8. The Secretary to the Mayor and Council shall, prior to the Regular meeting, prepare and agenda containing matters on which formal action is necessary and those matters on which discussion, action, or referral should take place and formal action might be taken or the matter might be placed on a future agenda for report. No new business shall be considered at any Regular meeting of the Common Council which has not been received by the Secretary to Mayor and Council by the end of Tuesday preceding said meeting and which does not appear on the agenda, except by direction from the Council President or by consent of a majority of members present. The agenda and its attachments shall be delivered on Wednesday, unless holidays, election days or the summer hours schedules make it more reasonable to be prepared a day earlier or later. The presiding officer shall take the chair at the time appointed for the meeting; call the members to order and preserve order and regularity in the transaction of business. The presiding officer shall decide all questions of order without debate, such decisions being subject to reversal provided the appeal is sustained by the majority of members present.

9. The Secretary to Mayor and Council shall attend all meetings of the Common Council to present the minutes, reports, petitions, keep regular minutes of the proceedings and perform such other duties as may be assigned by law, ordinance, resolution or order of the Common Council.
10. No member shall leave a meeting before adjournment without permission from the presiding officer.
11. The following shall be the order of business at Regular meetings of the Common Council:
 - a. Adequate Notice Compliance Statement
 - b. Roll Call
 - c. Pledge of Allegiance
 - d. Approval of Minutes
 - e. Reports - Mayor, Administrator, President
 - f. Presentations and Liaison and Staff Reports
 - g. Public Hearings on Ordinances – The Clerk reads the title of each ordinance and the of the appropriate committee shall provide any explanations or comments deemed appropriate, then Councilmembers shall be provided an opportunity to comment thereon, then the public, and then Councilmembers shall be provided a final opportunity to comment thereon. The presiding officer shall control the public comment and limit it to three minutes or as deemed appropriate, per person on each ordinance. Individual polling or questioning of Councilmembers by any member of the public at a Council Meeting shall not be permitted. All comments from any member of the public addressing Councilmembers shall be directed through the Council President.
 - h. Final Consideration on Ordinances
 - i. Ordinances for Introduction
 - j. Resolutions - The Chair of the appropriate committee shall read the title of the proposed resolutions, provide any explanations or comments deemed appropriate and move the resolution for approval. After a second by a Councilmember, the presiding officer shall provide Councilmembers an opportunity to comment thereon, then the public, and then Councilmembers shall be provided a final opportunity to comment on the resolution prior to a vote.
 - k. Consent Agenda
 - l. Items for Discussion, Action or Referral
 - m. Public Comments (for items not included on the agenda) - Individual polling or questioning of Councilmembers by any member of the public at a Council Meeting, shall not be permitted. All comments from any member of the public addressing Council Members shall be directed through the Council President. *(moved from g. to m.)*
 - n. Council members' Comments/New Business
 - o. Closed Session (if necessary)
 - p. Correspondence and General Information Items
 - q. Adjournment
12. No motion shall be debated until the same shall have been seconded. When a motion is made and seconded, it shall be reduced to writing, if desired by any member.
13. The following motions or questions shall not be debated:
 - a. A motion to adjourn

- b. A motion to lay on the table
 - c. All questions relating to priority of business
 - d. A motion to read any written material relevant to the issue under consideration
 - e. A motion to take Ayes and Nays
14. No member shall be permitted to withhold their vote without permission from the Common Council. No member shall vote on any motion or question if not within the Chamber or announced meeting room or participating via a telephone conference call whereby all in the Chamber or meeting room can hear said member's comments when the question is put forth. A call for ayes and nays can be made by any member present. The sense of the Common Council on any motion shall be taken viva voce unless the ayes and nays are called for. When the ayes and nays have been taken on any question, they shall be entered in the minutes.
15. When a motion or resolution has been made and carried in the affirmative or negative, it shall be in order for any member voting with the majority to move for the reconsideration of the vote at the same meeting. Votes shall be via voice unless the Council President or Councilmember shall request a roll call vote.
16. The following shall be the standing committees of the Common Council, namely:
- a. Administrative Policies & Community Relations Committee (AP)
 - b. Capital Projects & Community Services Committee (CAP)
 - c. Community Programs & Parking Services Committee (CPPS)
 - d. Finance Committee (Fin)
 - e. Law & Labor Committee (LL)
 - f. Safety & Health Committee (SH)
17. The President shall appoint all committees. The members of the standing committees shall serve for the Council year in which they are appointed. Special committees may be appointed at any time to examine and report upon any particular subject. All standing and special committees shall consist of not less than two members or more than three members of the Council and may also include the Mayor and appropriate staff.
18. The function of committees is to investigate and report to the Common Council on the matters referred to them and to bring to the attention of the Common Council such other matters that the committees may deem appropriate. Committee members shall have no administrative authority, except as may be specifically granted to them by ordinance or by the Common Council. Committees shall make reports promptly upon all matters referred to them. Generally, such reports should recite the facts and contain the recommendations for the financing of any expenditure not previously budgeted.
19. There shall be regular meetings of the committees of the Common Council as each Committee Chair shall determine and the Department Head shall so advise the Secretary to the Mayor and Council regarding matters for inclusion on the Regular agenda.
20. All encumbered bills and claims against the City shall be presented to the issuing department for approval by the Department Head who shall be responsible for their verification and audit. In the case of the Finance Department all encumbered bills and claims

against the City shall be presented to the City Administrator who shall be responsible for their verification and audit. Said approved bills shall be presented to the City Treasurer/Chief Financial Officer by the close of business five (5) business days prior to the date of the Council Meeting at which payment of said bills and claims will be considered, or on a date to be determined as needed by the City Treasurer/Chief Financial Officer in order to provide a bills and claims list in a timely manner due to unique circumstances.

21. The City Treasurer/Chief Financial Officer, or the Assistant City Treasurer, or the Secretary to Mayor and Council, if the City Treasurer or Assistant City Treasurer are absent, shall provide final approval and forward same to the Chair of the proper committee for examination. If payment is in order, the Chair of the committee, or the person acting on the committee's behalf, shall approve the bills and claims for the committee and shall refer them to the President of the Common Council for approval.

22. All bills and claims against the City, which have been audited and approved, shall be ordered paid by resolution of the Common Council. The resolution of the Common Council shall then be submitted to the Council President together with all bill and claim lists, for approval and or disapproval. Upon the approval of the bills and claims list by the Council President, all checks in payment of the bills and claims shall then be processed for signature by the City Clerk and countersigned by the City Treasurer/Chief Financial Officer. In the event the Council President disapproves a particular claim or bill contained therein, such disapproval shall be noted on the claim or bill, and it shall not be paid until it has been reapproved by a vote of two-thirds of the members of the Common Council.

Approved: 1/3/23