

**RESOLUTION
BOROUGH OF CLAYTON
ADOPTING THE BY-LAWS OF THE CLAYTON BOROUGH COUNCIL**

R-01-19

BE IT RESOLVED, by the Mayor and Council of the Borough of Clayton, County of Gloucester, and State of New Jersey, that the By-Laws attached hereto are adopted for the calendar year 2019.

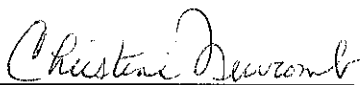
ADOPTED, at the reorganization meeting of the Mayor and Council of the Borough of Clayton, held on January 3, 2019.

BOROUGH OF CLAYTON



Thomas Bianco, Mayor

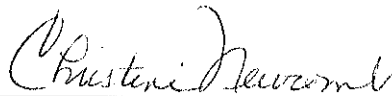
ATTEST:



Christine Newcomb
Municipal Clerk

CERTIFICATION

I, Christine Newcomb, Municipal Clerk of the Borough of Clayton, do hereby certify that the foregoing Resolution was presented and duly adopted by the Borough Council at the reorganization meeting of the Borough of Clayton, held on January 3, 2019.



Christine Newcomb
Municipal Clerk

COUNCIL BYLAWS

ARTICLE I Rules of Order

A125-1. Designation of rules of order

ARTICLE II Mayor

A125-2. Powers and duties

ARTICLE III Clerk

A125-3. Duties

ARTICLE IV Meetings

A125-4. Organization meeting

A125-5. Special meetings

A125-6. Quorum

A125-7. Order of business

A125-8. Voting

ARTICLE V Committees

A125-9. Appointment; meetings

A125-10. Standing committees

A125-11. Special committees

A125-12. Designation of chairs

A125-13. Reports

ARTICLE VI Duties of Standing Committees

A125-14. Finance Committee/Economic Development/Special Events

A125-15. Public Safety Committee/Municipal Alliance

A125-16. School Affairs/Park & Recreation

A125-17. Public Works / Public Buildings /JIF

A125-18. Veterans Affairs/Historic

A125-19. Environmental / Board of Health

ARTICLE VII

Bills, Claims and Vouchers

A125-20. Form; certification; examination

A125-21. Payment; procedure

ARTICLE VIII

Seal

A125-22. Custody and use

ARTICLE IX

By-law Amendments

A125-23. Procedure.

ARTICLE X

Adoption and Effect

A125-24. Manner of adoption; term

(HISTORY: Adopted by the Mayor and Council of the Borough of Clayton 1-1-62 by resolution; amended 1-1-69 by resolution; amended in its entirety 3-26-87; amended 1-5-2004; amended 1-4-2010; amended 1-3-2019. Re-adopted annually by resolution of Council. Amendments noted where applicable.)

ARTICLE I

Rules of Order

A125-1. Designation of rules of order.

The deliberation of the Council shall be governed by Robert's Rules of Order.

ARTICLE II Mayor

A125-2. Powers and duties.

- A. The Mayor shall preside over the deliberations of the Council and shall conduct the meetings thereof. The Mayor shall also participate in the determination of borough affairs to the extent permitted by statute.
- B. 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 the Council.
- C. When two (2) or more Councilmen shall rise at the same time, the Mayor shall name the one (1) entitled to the floor.
- D. The Mayor shall decide all questions or order without debate, subject to an appeal to the Council; and may call upon the Council for the opinion of the Council upon any question of order.
- E. In the absence of the Mayor or if the Mayor is unable to perform the duties of the office, the Council President (or upon the inability of the Council President to act, the Council member having the longest term as such) shall act as Mayor, as provided by statute.

ARTICLE III Clerk

A125-3. Duties.

- A. The Clerk shall perform the duties required by the New Jersey Statutes and these bylaws.
- B. The Clerk shall keep the minutes and ordinance books properly and fully indexed and shall perform all the duties usually devolving upon such officer and in addition, such other duties or services as the Mayor or Council may direct.

ARTICLE IV Meetings

A125-4. Organization meeting.

- A. The Council shall hold an annual reorganization meeting as near January 1 as possible. Said meeting shall be determined by the majority of Council at least two (2) weeks previously and shall be properly advertised.
- B. At the aforesaid meeting, the Council shall fix the time and place for holding regular meetings during the ensuing year, which time and place shall not be changed except by a resolution introduced at a regular meeting and acted upon at a subsequent regular meeting.

- C. At the annual meeting, the Council will elect one (1) of its members as Council President to serve for the calendar year.

A125-5. Special meetings.

The Mayor shall, when necessary, call special meetings of the Council. In the case of the Mayor's neglect or refusal, any four (4) members of the Council may call such meeting at such time and place in the borough as they may designate, and, in all cases of special meetings, reasonable advance notice, considered to be of forty-eight (48) hours, except in case of emergency, shall be given in person to all members of the Council or left at their place of residence.

A125-6. Quorum.

- A. A quorum shall be provided by New Jersey Statute, namely, three (3) Members of Council and the Mayor and, in the absence of the Mayor, four (4) Members of Council.
- B. If no quorum is present at any meeting, those assembled shall have the power and are hereby authorized to set a new meeting date and then adjourn.

A125-7. Order of business.

- A. The following order of business shall be observed:
- (1) Opening exercise.
 - (2) Calling the roll.
 - (3) Open Public Meetings Act verification.
 - (4) Approval of minutes.
 - (5) Reports of standing committees.
 - (6) Reports of special committees.
 - (7) Other reports.
 - (8) Presentations of communications, petitions, etc.
 - (9) Advertised hearings.
 - (10) Introduction and subsequent readings of ordinances.
 - (11) Resolutions.
 - (12) Unfinished business.
 - (13) New business.
 - (14) Greeting of public and invitation for discussion.
 - (15) Adjournment
- B. The aforesaid order of business at any meeting may be changed by a majority vote of the members of the Council present at such meeting.

A125-8. Voting.

- A. Except as otherwise required by statute or specifically provided in these bylaws, all action of the Council shall be by a majority vote of those present. In the event of a tie vote, unless prohibited by New Jersey Statute, the Mayor shall cast the deciding vote.

- B. Upon demand of One(1) member of the 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 in the minutes of the meeting.

ARTICLE V Committees

A125-9. Appointment; meetings.

- A. The Mayor shall name all committees with such appointments subject to the concurrence of a majority of the Council. In addition, he shall see that all matters referred to the committees are acted upon and reported promptly. Should the majority of the Council not concur in the appointment by the Mayor of any Council members to any committee, a majority of the members of said Council are hereby empowered to make such appointment.
- B. All meetings shall be conducted in accordance with all applicable provisions of the "Open Public Meetings Act."

A125-10. Standing committees.

- A. The following standing committees of the Council, consisting of three (3) Council members each, shall be proposed at the annual meeting;
- (1) Finance Committee / Economic Development
 - (2) Public Safety Committee/Municipal Alliance/ Special Events
 - (3) School Affairs/Park & Recreation
 - (4) Public Works / Public Buildings/JIF
 - (5) Veterans Affairs / Historic
 - (6) Environmental Commission / Board of Health
- B. Each Member of Council shall be Chair of one (1) of the six (6) standing committees named in this Article and a member of two (2) other committees.
- C. Standing committees are appointed to expedite and facilitate the work of the Council, but only within statutory limits as the entire Council is held responsible for any or all of its acts.
- D. A standing committee shall:
- (1) Plan, study, direct, make commitments within budgetary limitations and carry on the routine activities for which it has primary responsibility.
 - (2) Perform such acts as may be assigned to it by the Council.
 - (3) Report and make recommendations to the Council regarding its responsibilities and activities.
- E. Except as provided above, a standing committee shall not"

- (1) Exceed its budgetary appropriations without prior approval of the Council.
- (2) Make promises or commitments to anyone, which directly or by inference bind the Council.
- (3) Act in such a manner or make decisions, which set a precedent or violate established Council policy.

A125-11. Special committees.

Special committees may be appointed for purposes other than those included in the duties of the standing committees.

A125-12. Designation of chairs.

At the time of appointment of any committee, the Mayor shall name some member thereof as the Chair of such committee, such appointment being subject to the concurrence of a majority of the Council. In the case of death, resignation or removal from office of a member of the Council, the Mayor shall name the successor to any such Chairman, such appointment also being subject to the concurrence of a majority of the Council. The Mayor may change existing committee assignments and/or the Chairman, subject to the concurrence of a majority of the Council. Should a majority of the Council not concur in the appointment by the Mayor of any committee chair or in the change of any existing committee assignments and/or chairman, a majority of the members of said Council are hereby empowered to make such appointments or to approve such changes.

A125-13. Reports.

The Chairman of each standing or special committee shall be prepared to report to the Mayor and Council on the principal activities and achievements of his committee as follows:

- A. Standing committee reports on the first regular meeting of each month.
- B. Special committee reports at each regular meeting

ARTICLE VI Duties of Standing Committee

A125-14. Finance Committee/Economic Development

The Finance Committee shall have primary responsibility for the following described activities and matters:

- A. The examination and review of all vouchers prior to their submission to the Council for authority to pay the same.
- B. The administration, practices, procedures and records of the following:
 - (1) The Borough Administrator and his or her office.

- (2) The Borough Clerk and his or her office.
 - (3) The Tax Collector and his or her office.
 - (4) The Tax Assessor and his or her office.
 - (5) The Treasurer and his or her office.
 - (6) Facilitating the efficient operation of public events in the Borough.
- C. The initiation of foreclosure actions and subsequent administration and disposition of property acquired by the borough under foreclosure of tax title liens.
 - D. The collection of departmental budgets, the preparation of budgetary figures relating to the activities above mentioned; the final preparation, explanation and continuing supervision of the entire municipal budget.
 - E. The maintenance, review and revision of the borough cost system.
 - F. The review, revision and all other matters pertaining to any insurance coverage of the borough.
 - G. It shall serve as the liaison between the Borough Council and organizations and/or committees as appointed.
 - H. Review and revision of any defeated school budget in conjunction with the School Affairs Committee

A125-15. Public Safety Committee/Municipal Alliance/Special Events.

The Public Safety Committee shall have the primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:
 - (1) Police activities.
 - (2) Granting of licenses and the inspection of licensed premises and persons, as designated by the Borough Council.
 - (3) Highway traffic, all matters relating to existing or proposed street and off-street parking and the regulation there.
 - (4) The review, revision and all other matters pertaining to traffic control signs and devices.
 - (5) Fire, rescue and lifesaving activities.
 - (6) Emergency management activities.
 - (7) Facilitating the efficient operation of the Municipal Alliance grant in the Borough.
- B. It shall serve as the liaison between the Borough Council and organizations and/or committees as appointed.

A125-16. School Affairs / Park & Recreation

The School Affairs Committee shall have primary responsibility for the following described activities and matters:

- A. Review and revision of any defeated school budget in conjunction with the Finance Committee.
- B. Review of proposed budgets of the school district.
- C. Review of building or capital improvement projects of the school district.
- D. Interface with the Board of Education and the Superintendent of Schools, as appropriate, as to the educational and school issues facing the borough.
- E. It shall serve as the liaison between the Borough Council and organizations and/or committees as appointed.

The Park & Recreation Committee shall have primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:
 - (1) Facilitating the efficient operation of public events in the Borough.
 - (2) The Operation, maintenance, cleaning and improvement of all borough owned parks, playgrounds, recreation areas and other public lands, except those specifically delegated to other committees.
 - (3) The operation and maintenance of the borough bus.
 - (4) The scheduling and administration of all recreation and athletic activities and programs conducted in whole or part at borough expense.
 - (5) Facilitating the efficient operation of recreational activities in the Borough.

A125-17. Public Works / Public Buildings

The Public Works and Public Buildings Committee shall have primary responsibility for:

- A. The administration, practices, procedures and records of the following:
 - (1) Water utility.
 - (2) Roads and borough parking facilities construction, improvement, maintenance and cleaning, including street openings.
 - (3) Maintenance, operation and improvement of borough owned buildings located at the Highway Department and water works.
 - (4) Maintenance of all vehicles and mechanical equipment as assigned.
 - (5) Snow removal, leaf removal and composting, stormwater collection and disposal.
 - (6) The review, revision and all other matters pertaining to the street sign program, water billing procedures and collections.
 - (7) The inspection, review, revision and all other matters pertaining to the water tanks, pumps, filters, etc., at the water works.
 - (8) The review, revision and installation of water mains and services; water meter reading, repairing, installation and replacement.
 - (9) The borough's engineering services.
 - (10) The review, revision and all other matters pertaining to the street lighting program.
 - (11) The Code Official and his office.
 - (12) The Building Inspector and his office.

- (13) The maintenance, cleaning and improvement of all borough owned or leased buildings, except those specifically delegated to other committees.
- B. It shall serve as the liaison between the Borough Council and organizations and/or committees as appointed.

A125-18. Environmental Commission and Board of Health

The Environmental Commission shall have primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:
 - (6) Planning, operation and improvement of any mosquito control program.
 - (7) The review, revision and all other matters pertaining to any Gypsy Moth control program.
- A. It shall serve as the liaison between the Borough Council and organizations and/or committees as appointed.

The Board of Health Committee shall have the primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:
 - (1) Welfare and poor relief activities.
 - (2) Sanitation activities, including review, revision and installation of stormwater sewers.
 - (3) Garbage, ash and refuse collection and disposal.
 - (4) Planning, operation and improvement of any mosquito control program.
 - (5) The review, revision and all other matters pertaining to any Gypsy Moth control program.

A125-19. Veterans Affairs and Historic.

The Veterans Affairs and Historic Committees shall have primary responsibility for the following described activities and matters:

- A. The administration, practices, procedures and records of the following:
 - (1) Facilitating the efficient operation of veteran affairs in the Borough.
- B. It shall serve as liaison between the Borough Council and organizations and/or committees as appointed.

ARTICLE VII
Bills, Claims and Vouchers

A125-20. Form; certification; examination.

- A. All bills or claims against the borough shall be in writing, fully itemized and on such forms as the borough shall provide for that purpose. As required by statute, they shall be sworn to be the claimant before submission for approval and payment.
- B. All bills and claims must be supported by a certification of the receipt of the goods, or the satisfactory rendering of the services, by the responsible person accepting the same on behalf of the borough and who may be held accountable therefor. Each such bill or claim shall then be carefully reviewed and checked by or under the direction of the borough official who accomplishes the administrative certificate on the voucher form.
- C. All checked vouchers with supporting papers attached will then be presented to the Council committee having primary interest in the matter. Each such voucher will be reviewed and, if approved by the committee having jurisdiction over the activity or matter for which the expenditure was incurred, it will then be referred to the Finance Committee.
- D. The Finance Committee shall examine all vouchers previously reviewed and approved by the appropriate committee or committees prior to submitting them to the Council for authorization to pay same.

A125-21. Payment; procedure.

- A. All vouchers recommended for payment shall be presented to the Council by the Borough Clerk at a regular meeting or an adjourned regular meeting.
- B. The Borough Clerk shall read the total amount of the individual vouchers approved by each committee and subsequently recommended for payment by the Finance Committee, according to budgetary appropriation, stating the apportionment between salaries and wages, and other expenses.
- C. Authorization to draw the checks and pay the amounts of the approved vouchers shall be by motion of the Council.
- D. The corresponding vouchers shall accompany checks drawn in payment thereof when said checks are presented for signature.
- E. All bills, vouchers and paid checks shall be filed in a safe place and be made available for public inspection whenever requested.

ARTICLE VIII
Seal

A125-22. Custody and use.

The Seal shall be in the custody of the Borough Clerk and shall be impressed on all appropriate documents or papers.

ARTICLE IX By-Law Amendments

A125-23. Procedure.

- A. The Mayor or any member of the Council may propose amendments to these bylaws at any regular meeting or adjourned regular meeting.
- B. The Mayor will then appoint a special committee of three (3) members of the Council to consider the proposed amendment.
- C. The special committee will present its recommendations at the next regular or adjourned regular meeting of the Council.
- D. These bylaws shall only be altered or amended by a two-thirds (2/3) vote on a roll call, taken at two (2) successive regular meetings or adjourned regular meetings of the Council.

ARTICLE X Adoption and Effect

A125-24. Manner of adoption; term.

The bylaws shall be adopted by a resolution of Council concurred in by a majority of the members of Council. The bylaws shall become effective immediately after adoption and shall remain in effect for not longer than December 31 of the calendar year in which the bylaws were adopted.