

**TOWNSHIP OF LONG HILL
ORDINANCE 519-23
AMENDING THE ADMINISTRATIVE CODE AS SET FORTH IN CHAPTER 2 OF THE TOWNSHIP
CODE ENTITLED "ADMINISTRATION"**

WHEREAS, the Township Administrative Code has not been updated since 1996 and needs to be updated;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Long Hill in the County of Morris, State of New Jersey, that Chapter 2 of the Township Code entitled "Administration" is hereby amended as follows:

Section 1. Article I, entitled "Administrative Code" is hereby amended to read as follows:

**"Article I
Administrative Code**

§ 2-1 RESTATEMENT OF TOWNSHIP CHARTER.

- a. The inhabitants of Long Hill Township are hereby continued as a body politic and corporate in law as heretofore constituted and established and shall be known by the name of "the Township of Long Hill, in the County of Morris" and the boundaries of the Township shall be and remain as heretofore established by law.
- b. The Township shall have full power to sue and be sued and have a corporate seal.

§ 2-2 TOWNSHIP COMMITTEE.

§ 2-2.1 Organization.

- a. The Township Committee shall hold an annual meeting ~~on the first day of January at 12:00 noon, or~~ during the first seven days of January in any year.
- b. At their annual meeting, the Committee shall have the power and authority to elect one of their number as Chair of the Committee, who shall preside at all meetings of the Township Committee and who shall be known as the Mayor of the Township. The Mayor shall have no additional authority by virtue of such designation, except as otherwise provided by law.
- c. A majority of the Committee shall constitute a quorum for the transaction of business. A majority of all the members of the Committee shall be required to vote in the affirmative to pass any ordinance.
- d. The Committee may, at its annual meeting, establish for their members such subordinate committees as will assist them for the ensuing year.

§ 2-2.2 Powers of Mayor.

- a. The Mayor shall be the Chair of the Township Committee and head of the municipal government.
- b. The Mayor shall have all those powers placed in the Mayor by general law.
- c. The Mayor shall preside at meetings of the Committee and shall have the right to debate and vote on all questions before the Committee.
- d. ~~The Mayor or his or her designee shall serve as the Class I member of the Planning Board and may~~ appoint a designee to act in his or her absence.
- e. The Mayor shall serve as a member of the Library Board of Trustees, however, the Mayor may appoint an alternate to act in his or her place and stead with authority to attend all meetings of the board and, in his or her absence, to vote on all questions before the board.

§ 2-2.3 Powers of the Township Committee.

- a. The Committee shall be the legislative body of the municipality.
- b. The Committee may subject to general law and provisions of this act:
 - 1. Pass, adopt, amend and repeal any ordinance or, where permitted, any resolution for any purpose required for the government of the municipality or for the accomplishment of any public purpose for which the municipality is authorized to act under general law;
 - 2. Control and regulate the finances of the municipality and raise money by borrowing and taxation;
 - 3. Create such offices and positions as they deem necessary. The officers appointed thereto shall perform the duties required by law and the ordinances of the Committee. Other than the Township Attorney, Engineer, Construction Official ~~Building Inspector~~, the Clerk, the Chief Financial Officer, Auditor, Tax Collector and Tax Assessor who shall serve for terms as provided in Chapter 9 of Title 40A of the New Jersey Statutes, these officers shall serve at the pleasure of the Committee;
 - 4. Investigate any activity of the municipality; and
 - 5. Remove any officer of the municipality, other than those officers excepted by law, for cause.
- c. The Committee shall have all the executive responsibilities of the municipality not placed, by general law or this act, in the office of the Mayor.

§ 2-2.4 Township Committee Liaisons.

- a. Appointments. At its annual reorganization meeting or as soon thereafter as practicable, The Mayor, with the consent of the Township Committee, shall appoint members as liaisons, as it deems appropriate, to Township the following boards, commissions, committees, and departments.

~~Administrative and Executive
Fire
Ordinances
Rescue Squad
Civil Defense & Disaster Control
Senior Citizen
Finance & Investments
Police
Department of Public Works
Board of Education
Planning Board
Affordable Housing
Long Range Planning
Recreation
Public Assistance
Environmental Commission
Shade Tree Committee
Board of Health~~

- b. Responsibilities and Duties. Each liaison will communicate on a frequent basis with the board, commission, committee, or department to which he or she is assigned and will actively participate in the activities of such boards, committees and commissions, to the extent appropriate. Each liaison will report to the Township Committee monthly. Monthly reports shall include the status of current projects or activities, significant accomplishments or achievements, concerns, problems and recommendations. Communication from the Township Committee shall be through the liaison or the

Township Administrator, as appropriate.

§ 2-2.5 Relationships and Dealings.

- a. Department Heads and Employees. Except in connection with their duties as liaisons or in the case of an emergency, members of the Township Committee shall communicate with department heads and employees through the Township Administrator or the appropriate Township Committee liaison.
- b. Public. When a member of the Township Committee receives a communication from a member of the public, he or she shall direct that communication to the Township Administrator. The Administrator shall forward the matter to the appropriate department head for action. The Administrator shall advise the Township Committee person of the action taken. Matters involving significant issues shall be placed on an agenda for discussion by the entire Township Committee. In addition, any member of the Township Committee may request that a matter be placed on a meeting agenda for discussion.

§ 2-3 MEETINGS.

The Township Committee shall hold at least one regular meeting a month. The schedule of meetings for the year shall be adopted by the Township Committee by resolution at the reorganization meeting. The Clerk shall post the schedule of meetings and send copies to the official Township newspapers, in accordance with the Open Public Meetings Act.

~~No matter shall be commenced or continued after 11:00 p.m. at any meeting, unless a motion is passed by the members then present to extend the meeting to a later specified cutoff time. Notice of this procedure shall be included in every agenda and announced at the opening of every meeting.~~

§ 2-3.1 Organizational Meeting.

The Township Committee shall hold its annual organizational meeting within the first seven days of each calendar year. At the organization meeting, the Township Committee shall select a Mayor and Deputy Mayor, appoint Township officers, appoint members of boards, commissions and committees, designate dates and times of meetings for the year, designate the official newspaper, designate official bank depositories, adopt a temporary budget and take all other steps necessary to organize the Township government for the year. The Clerk shall chair the meeting until the election of a Mayor, which shall be the first act of business, after the invocation, flag salute, swearing in of new members and roll call have been completed.

- a. Nomination and Election of Mayor and Deputy Mayor.
 1. Mayor.
 - (a) The Clerk will call for the nomination of a Township Committee member to be Chair of the Township Committee and Mayor for the year. Nominations require a second. After a reasonable time, any member may move to close nominations. The Clerk shall then inquire whether there are any additional nominations and if there are none, conduct a voice vote on the motion to close nominations.
 - (b) Once nominations are closed, the Clerk will conduct the election by ballet roll call vote. Three votes shall be required for election. If no candidate garners the required three votes, a runoff will be conducted between the top two vote getters.
 - (c) The newly elected Mayor will then be presented by the Clerk and shall be given the opportunity to speak to the assembly.
 - (d) The Mayor then assumes the Chair.
 2. The next order of business shall be the election of a Deputy Mayor, which shall be conducted in the same manner as the election for Mayor.

b. Mayoral Appointments. The Mayor shall make the following appointments:

- Class I, II, and IV Planning Board members
- Environmental Commission (and chair)
- Recreation Advisory Committee
- Historic Preservation Advisory Committee
- Shade Tree Committee Commission
- Emergency Management Coordinator and Council
- ~~Local Assistance Board~~

Other appointments as provided by law.

c. Mayoral Appointments with Consent of Township Committee. The Mayor shall make the following appointments with the consent of the Township Committee:

- Township Administrator
- Board of Health
- Library Board of Trustees
- Other appointments as provided by law.

d. Township Committee Appointments. The Township Committee shall make the following appointments:

- Class III Planning Board member
- Board of Adjustment
- Communications Advisory Committee
- Township Clerk
- Township Attorney
- Chief Financial Officer
- Tax Collector
- Tax Assessor
- Township Engineer
- Municipal Court Judge
- Board of Health
- All of the officers and employees of the Township whose appointments are not vested by general law in the Mayor.

To the extent practicable, all appointments shall be made at the organizational meeting.

e. Educational Requirements for Planning Board and Zoning Board of Adjustment. ~~No person shall be appointed or reappointed to the Planning Board or the Zoning Board of Adjustment unless that person shall have successfully completed a land use or zoning course offered by the Department of Government Services at Rutgers University or some other organization or person approved in advance in writing by the then current Mayor. This requirement may be waived or relaxed by the appointing authority in the case of an initial appointment to either Board.~~ A person shall not be seated as a first-term member or alternate member of the planning board or the zoning board of adjustment, unless the person agrees to take the basic course required to be offered under N.J.S.A. 40:55D-23, which the person shall successfully complete within 18 months of assuming board membership in order to retain board membership. The mayor or person designated to serve on the planning board in the absence of the mayor who serves as a Class I member and the member of the township committee serving as a Class III member shall be exempt from these educational requirements.

§ 2-3.2 Regular Meetings.

Regular meetings for the conduct of Township business shall be held at least monthly. Agendas for the regular meetings shall ordinarily be prepared by the Clerk and distributed to members of the Township

Committee, the Administrator and the Township Attorney on the Friday preceding each meeting. Copies of the agenda shall also be posted and sent to the official newspapers in accordance with the Open Public Meetings Act. Any member of the Township Committee or the Administrator may submit an item to the Clerk to be included in the agenda. Except in extraordinary situations, items to be included in the agenda must be submitted to the Clerk by noon of the preceding Thursday. The Mayor shall make the final determination as to what items will be included in the agenda. Where practicable, no item shall be included in the agenda until it has first been discussed ~~at an agenda meeting~~ by the Township Committee. Items may be added to the agenda at the meeting only by motion. Discussion items will be drafted so as to focus discussion on the issue or question to be considered.

If it is determined that a regular meeting will have to be cancelled because of a lack of an in-person quorum, or if the Mayor determines that a meeting should be held remotely, members of the Governing Body may attend that meeting ~~by teleconference~~ remotely under the following conditions:

- a. All requirements of the Open Public Meetings Act N.J.S.A. 4:10-8 et seq. are met.
- b. The member or members of the Governing Body attending the meeting ~~by teleconference~~ remotely can be heard by all other members of the Governing Body whether they are attending the meeting in person or electronically remotely as well as members of the public attendance attending the meeting either in-person or remotely.
- c. The member ~~or members~~ of the Governing Body attending the meeting ~~by speaker phone~~ remotely is able to hear comments by other members of the Governing Body as well as members of the public.

If technological problems prevent participation by any members of the Governing Body who are not physically present at the meeting, the meeting shall be held without them as long as there is still a quorum present to conduct the meeting, or unless a majority of those present in person and ~~by teleconference~~ remotely vote to adjourn the meeting.

The Township Clerk will make every effort to broadcast Township Committee meetings and to allow members of the public to attend meetings remotely. Failure of the Clerk to provide a live broadcast of a meeting or technological problems encountered during the course of the meeting that affect remote viewing and/or public participation will not invalidate the meeting or any action taken at that meeting including, but not limited to, the adoption of any ordinance, resolution or motion.

§ 2-3.3 Special Meetings.

The Mayor or any two members of the Township Committee may call special meetings, upon proper notice to all members of the Committee and the public in accordance with the Open Public Meetings Act. No item may be considered at a special meeting unless it was included in the agenda. No vote or action of the Committee shall be rescinded at any special meeting unless there be present at such meeting as many Committee members as were present at the meeting when such vote or action was taken.

In the case of special meetings which have been scheduled with less than 10 days' notice or special meetings that are held entirely remotely, members of the Governing Body may attend that special meeting ~~by teleconference~~ remotely under the following conditions:

- a. All requirements of the Open Public Meetings Act N.J.S.A. 4:10-8 et seq. are met.
- b. The member or members of the Governing Body attending the meeting ~~by speaker phone~~ remotely can be heard by all other members of the Governing Body whether they are attending the meeting in person or electronically remotely as well as members of the public attendance ~~at~~ attending the meeting.
- c. The member or members of the Governing Body attending the meeting ~~by speaker phone~~ remotely are able to hear comments by other members of the Governing Body as well as members of the

public.

If technological problems prevent participation by those members of the Governing Body who are not physically present at the meeting, the meeting shall be held without them as long as there is a quorum present in person to conduct the meeting, or unless a majority of those present in person and by teleconference remotely vote to adjourn the meeting.

§ 2-3.4 Minutes.

The Clerk shall keep reasonably comprehensible minutes of all Township Committee meetings showing the time and place, the members present, the subjects considered, the actions taken, the vote of each member, and any other information required to be shown in the minutes by law, which shall be promptly available to the public to the extent that making such matter public shall not be inconsistent with the Open Public Meetings Act at N.J.S.A. 10:4-14. Minutes shall be adopted by resolution of the Township Committee and shall not be released to the public until so approved. Draft executive session minutes shall be marked "confidential" and distributed to the Township Committee for approval and determination as to when and the extent to which those minutes should be released to the public in compliance with the Open Public Meetings Act.

§ 2-3.5 General Procedures.

a. Ordinances. The term "ordinance" when used in this Code means and includes any act or regulation of the governing body required to be reduced to writing and read at more than one meeting and published.

1. Introduction. Ordinances shall be introduced by motion of a member of the Township Committee. Introduction of an ordinance shall require a second. No public hearing will be held at the time of introduction. An ordinance shall be passed upon first reading by a majority of those present. A roll call vote shall be conducted. Every ordinance after being introduced and having passed a first reading, which first reading may be by title, shall be published in its entirety or by title at least once in a newspaper published and circulated in the municipality, if there be one, and if not, in a newspaper printed in the County and circulating in the municipality, together with a notice of the introduction thereof, the time and place when and where it will be further considered for final passage, a clear and concise statement prepared by the Clerk setting forth the purpose of the ordinance, and the time and place when and where a copy of the ordinance can be obtained without cost by any member of the general public who wants a copy of the ordinance. If there be only one such publication the same shall be at least one week prior to the time fixed for further consideration for final passage. If there be more than one publication, the first shall be at least one week prior to the time fixed for further consideration for final passage.
2. Public Hearing and Adoption. At the time and place so stated in such publication, or at any time and place to which the meeting for the further consideration of the ordinance shall from time to time be adjourned, all persons interested shall be given an opportunity to be heard concerning the ordinance. The opportunity to be heard shall include the right to ask pertinent questions concerning the ordinance by any resident of the municipality or any other person affected by the ordinance.

Final passage thereof shall be at least 10 days after the first reading. Upon the opening of the hearing, the ordinance shall be given a second reading, which reading may be by title, and thereafter, it may be passed with or without amendments, or rejected. Three affirmative votes are required for passage of any ordinance, except for bond ordinances other ordinances which require a 2/3 vote by law. Prior to the said second reading, a copy of the ordinance shall be posted on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the municipality, and copies of the ordinance shall be made available to members of the general public of the municipality who shall request such copies. If any amendment be adopted, substantially altering the substance of the ordinance, the ordinance as so amended shall not be finally adopted until at least one week thereafter, and the ordinance

as amended shall be read at a meeting of the governing body, which reading may be by title, and shall be published in its entirety or by title, together with a notice of the introduction, the time and place when and where a copy of the amended ordinance can be obtained without cost by any member of the general public who desires a copy, a clear and concise statement prepared by the Clerk setting forth the purpose of the ordinance, and the time and place when and where the amended ordinance will be further considered for final passage, at least two days prior to the time so fixed. At the time and place so fixed, or at any other meeting to which the further consideration of the amended ordinance may be adjourned, the governing body may proceed to pass the ordinance, as amended, or again amend it in the same manner.

Upon passage, every ordinance, or the title, together with a notice of the date of passage or approval, or both, shall be published at least once in a newspaper circulating in the municipality, if there be one, and if not, in a newspaper printed in the County and circulating in the municipality. No other notice or procedure with respect to the introduction or passage of any ordinance shall be required.

Nothing herein shall be construed to affect the provisions of N.J.S.A. 40:49-7 to 40:49-12 or 40:49-27.

- b. Resolutions. The term "resolution" when used in this Code means and includes any act or regulation of the governing body of any municipality required to be reduced to writing, but which may be finally passed at the meeting at which it is introduced.
 - 1. Consent Agenda. Routine resolutions may be included in the consent agenda which may be adopted only by unanimous consent of the Township Committee. When any item in the consent agenda requires a roll call vote, the consent agenda vote shall be taken by roll call. Any item shall be removed from the consent agenda at the request of any member of the Committee. An item on the consent agenda may be discussed by the Committee prior to the vote.
 - 2. Other Resolutions. Resolutions not included in the consent agenda shall be voted on separately by roll call or voice vote as appropriate.
- c. Motions. Motions are similar to resolutions except that they are not in writing. Ordinarily, only procedural matters and minor substantive actions should be handled by motion.
 - 1. Procedural Motions. A member of the Township Committee may make a procedural motion in accordance with this Code as follows:

Motion	Needs Second	Debate Allowed	Amendments	Vote Required
Introduce item for action Main Motion	Yes	Yes	Yes	Majority
Modify Motion (1) Amend	Yes	Yes	Once	Majority
Modify Motion (2) Divide the Question	Yes	No	Yes	Majority
Modify the Motion (3) Refer to Committee	Yes	Yes	Yes	Majority

	Motion	Needs Second	Debate Allowed	Amendments	Vote Required
Defer Action (1)	Postpone	Yes	Yes	Yes	Majority
Defer Action (2)	Table	Yes	No	No	Majority
Defer Action (3)	Refer to Committee	Yes	Yes	Yes	Majority
Prevent Action (1)	B/F Debate: Object to Consideration	No	No	No	2/3 Majority
Prevent Action (2)	After Debate: Postpone Indefinitely	Yes	Yes	No	Majority
Reject the Question (1)	B/F Debate: Object to Consideration	No	No	No	2/3 Majority
Reject the Question (2)	Move Previous Question or Close Debate	Yes	No	No	2/3 Majority
Reject the Question (3)	After Debate: Postpone Indefinitely	Yes	Yes	No	Majority
Consider Question a 2nd Time (1)	Take from the Table	Yes	No	No	Majority
Consider Question a 2nd Time (2)	Reconsider	Yes	Yes	No	Majority
Consider Question a 2nd Time (3)	Rescind Previous Action (w/notice)	Yes	Yes	No	2/3 Majority
Consider Question a 2nd Time (4)	Rescind Previous Action (w/notice)	Yes	Yes	No	Majority
Vote on the Question (1)	Call for a Vote	No	No	No	Majority
Vote on the Question (2)	Move Previous Question or	Yes	No	No	2/3 Majority

Motion	Needs Second	Debate Allowed	Amendments	Vote Required
Close Debate				
Reopen Main Question to Debate	Yes	Yes	No	Majority
Correct Mistake in Proceedings	No	No	No	None
Propose Action Which Violates Procedural Rule	Yes	No	No	2/3 Majority
Challenge Decision of Chair	Yes	No	No	Majority

d. **Public Participation.** All meetings of the Township Committee shall be open to the public in accordance with the provisions of the Open Public Meetings Act. Audience participation in Township Committee discussions shall ordinarily be limited to the "meeting open to public" portion of the agenda and to public hearings on ordinances, budget resolutions and similar items.

1. **Public Session.** Every regular meeting of the Township Committee shall have at least one "public session" for public comment. ~~The Mayor may also include a public session at agenda meetings when appropriate.~~ During the public session, a member of the public may discuss any item not on the agenda or any item on the agenda which does not have its own public hearing (e.g., second readings of ordinances). The Chair shall give members of the public a reasonable opportunity to be heard during the public session. The Chair in his or her discretion may limit the length of discussion on any particular issue or may limit the time allotted to individual members of the public to speak.

2. **Other Items of Business.** The public shall be given the opportunity to be heard during the public hearings on second readings of ordinances and other matters such as the budget which require formal public hearings. Ordinarily public comment on other matters should be heard only during the public sessions held in accordance with Subsection 2-3.5d1 above. The Mayor in his or her discretion may permit public participation in the discussion of any matter.

e. **Executive Sessions.** Executive or closed sessions may be held in accordance with the Open Public Meetings Act at N.J.S.A. 10:4-12. Minutes shall be kept and released to the public in accordance with the Act and Subsection 2-3.5 above.

Section 2. Any and all other ordinances or parts thereof in conflict or inconsistent with any of the terms hereof are hereby repealed to such extent as they are so in conflict or inconsistent.

Section 3. In case any article, section or provision of this ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect any other article, section or provision of this ordinance except insofar as the article, section or provision so declared invalid shall be inseparable from

the remainder or any portion thereof.

Section 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

ATTEST


Megan Phillips, RMC


Scott Lavender, Mayor

First Reading and Introduction: May 24, 2023

1st Publication: Echoes Sentinel June 1, 2023

Second Reading and Adoption: June 21, 2023

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