

**TOWNSHIP OF MANSFIELD
ORDINANCE 2022-2**

**AN ORDINANCE AMENDING THE MANSFIELD TOWNSHIP CODE, CHAPTER 2,
“ADMINISTRATION OF GOVERNMENT” TO CREATE A NEW SECTION 2-1 (D)
ENTITLED “RULES AND REGULATIONS OF THE TOWNSHIP COMMITTEE”**

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. Purpose and intent. This Ordinance amends the Mansfield Township Code to establish the rules and regulations pertaining to the procedures governing the meetings of the Township Committee in Mansfield Township, with the express intent being to enact regulations in a manner which ensures the orderly and efficient conduct of Township Committee meetings for the benefit of the safety, health and welfare of residents of the Township and the public at large.

SECTION 2. Amendment: The Mansfield Township Code, Chapter 2, entitled “Administration of Government,” is hereby amended to adopt a new Section 2-1.D entitled “Rules and Regulations of the Township Committee”, as follows:

§ 2-1.D “Rules and Regulations of the Township Committee”

- A. Applicability: This Ordinance shall apply to all meetings conducted by the Mansfield Township Committee, both in person and remote meetings. For purposes of this Ordinance, the term “Chair” shall mean the Mayor, Deputy Mayor or other individual presiding over the Township Committee meeting.

- B. Chapter 2-1 of the Mansfield Township Code entitled "Township Committee" provides, in subsection a: "The mayor shall be the chairman of the Township Committee and the head of the municipal government in accordance with the provisions of N.J.S.A. 40A:63-5 and shall have those powers set forth in said statute."

- C. N.J.S.A. 40 A: 63-5 entitled "Powers of the Mayor" provides that (1) the mayor shall be the chairman of the Township Committee and head of the municipal government; (2) the mayor shall have all those powers placed in the mayor by general law. (3) the mayor shall preside at meetings of the committee and shall have the right to debate on vote and vote on all questions before the committee.

D. Rules and Regulations:

(1) Compliance with Open Public Meetings Act: All meetings of the Township Committee, shall comply with all provisions of the State of New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 *et. seq.*, specifically including, but not limited to, establishing its regular meeting time, its standing order of business, and its agenda for each meeting.

(2) Agenda: all regular meetings of the Township Committee shall follow the following format for the agenda:

- I. Call to Order
- II. Open Public Meetings Act Statement
- III. Roll Call
- IV. Executive Session (if required)
- V. Flag Salute
- VI. Department/Board Reports
- VII. Ordinances for Introduction/First Reading
- VIII. Ordinances for Second Reading/Public Hearing/Adoption
- IX. Resolutions (Non-Consent)
- X. Consent Agenda
- XI. Approval of Bill List
- XII. Approval of Minutes
- XIII. Discussion Items/Public Hearings/Presentations to Council
- XIV. Public Comment
- XV. Any other Item of New Business
- XVI. Motion for Adjournment

(i) Under Roberts Rules of Order, the agenda for any meeting shall be prepared by the president or chair of the body conducting the meeting, in this case the mayor. Pursuant to N.J.S.A. 40A:9-133, the Township Clerk, with the assistance of the Township Administrator and the Township Attorney, will prepare the preliminary agenda and forward it to the Mayor. The mayor shall review and approve the agenda with any modifications as set forth herein. Any member of the committee can add an item to the agenda with consent from a majority of the committee. Members of the Committee shall forward such request to the Mayor. If a majority of the committee approves, the matter is added to the agenda; if not, the items shall not be added. In advance of any committee meeting, the Mayor shall request consent from the committee in compliance with the Open Public Meetings Act. The Mayor shall forward the final agenda to the Township Clerk for official release to the public.

- (ii) During a committee meeting, any member of the committee can make a motion to add a matter or item to the agenda of the meeting (or to add an item or matter to the agenda of a future meeting) with the consent of a majority of the committee. Any motion to add a matter or item to the agenda of the meeting (or to add a matter or item to the agenda of a future meeting) must be made during the “Any other Item of New Business” segment of the meeting after conclusion of the regular agenda and prior to adjournment. The motion must be seconded and then considered by the Township Committee as a whole. If a majority of the committee approves, the matter is added to the agenda; if not, the motion fails.
 - (iii) Any Township Committee member can request that an ordinance or resolution covering a specific matter be prepared and added to the agenda of the meeting (or to be added at a future meeting), provided that all ordinances and resolutions must be prepared and/or reviewed by the Township Attorney prior to being added to the agenda.
- (3) Roberts Rules of Order: Except as may be modified by this § 2-1.D, as may be amended, the public meetings of the Township Committee shall be conducted pursuant to the latest addition of Robert's Rules of Order.
- (4) Rules and Regulations Governing Public Comment (as adopted by Resolution 2022-1-9)
- (a) These rules and procedures for public comment apply to all Township Committee meetings, both in-person and remote.
 - (b) Unless relaxed for good cause by the Chair, persons addressing the Township Committee shall be allowed a maximum of five (5) minutes for comment, and shall not be permitted to comment more than one time. Time cannot be shared with or allotted to other speakers.
 - (c) If the item on which the public comment is addressed is a matter on the Township Committee agenda for which there is a scheduled public hearing, all comments must be addressed to the Township Committee during the public hearing on that matter and not during the general Public Comment period of the Township Committee agenda.
 - (d) Unless relaxed for good cause by the Chair, the total time period for public comment during a Township Committee meeting shall not exceed one (1) hour.
 - (e) The Township Committee takes comments, concerns and questions from the public very seriously. Public Comment by way of questions is welcomed, however, the Public Comment period is not designed to be a discussion nor is it a question-and-answer session. Accordingly, unless a question is routine in nature, the public should not expect the Township Committee to respond to questions during the meetings. The Township Committee may require sufficient time to

process and research issues so that questions can be answered correctly and expeditiously. The Township Committee will make every effort to respond to questions in a timely manner.

- (f) The public will direct all comments to the Township Committee. Specific questions, concerns or requests are to be addressed to the Chair. As implied by the term “Public Comment”, this portion of the meeting is for the public to speak and be heard. With the exception of the Chair, members of the Township Committee will refrain from commenting unless specifically directed to do so by the Chair.
 - (g) Questions or comments pertaining to litigation, personnel, or negotiations cannot be discussed in public.
 - (h) Members of the public addressing the Township Committee will identify themselves by stating their name, address, and group affiliation, if applicable.
- (5) Violations; Penalties; removal from meeting. All persons, including members of the Township Committee, attending any Township Committee meeting shall observe order and decorum during the meeting. No person in the audience shall engage in noisy or disruptive conduct such as hand clapping, stamping of feet, whistling, using profane language, shouting or other similar demonstration which may disturb the peace and order of the meeting. Any person(s) making personal, defamatory or profane remarks or who willfully utters loud, threatening or abusive language or engages in any disruptive conduct which disturbs or disrupts the orderly conduct of any meeting shall be called to order by the Chair. If such conduct continues, after the call to order by the Chair, the Chair may order such person removed from that meeting by the Sergeant at Arms. In addition, any person violating this Ordinance may be subject to the provisions of Mansfield Code Section 1-15 specifying the general penalties for violation of any provision of the Code. In the event a committee meeting is being held virtually or remotely, the Chair shall maintain and implement all of the rules and procedures set forth in this ordinance using any tools available from the remote meeting provider. The Chair shall have the sole authority to instruct and/or direct the remote meeting provider host or technical support assistant.
- (6) Sergeant at Arms. The Chief of Police, or such member of the Department of Police as the Chief may designate, shall be available as Sergeant of Arms at the meetings. On instruction of the Chair, the Sergeant at Arms shall remove from the meeting any person who disturbs the proceedings of the public meeting. Only the Chair shall have sole authority to direct the Sergeant at Arms.
- (7) Resisting removal. Any person who resists removal from the meeting by the Sergeant of Arms, when directed by the Chair, may be charged with a violation of N.J.S.A. 2C:33-8, Disrupting Meetings and Processions, and the penalties for a disorderly person offense as set forth in N.J.S.A. 2C:52-3.

(8) Any rule or regulation adopted herein may be relaxed by a two-thirds majority of the Township Committee members.

SECTION 3. REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency
- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.
- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

MOTION: SECOND:
AYES:
NAY: ABSTAIN: ABSENT:

CERTIFICATION

I, **LINDA SEMUS, RMC, CMR**, Township Clerk of the Township of Mansfield, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy of Ordinance 2022-1 which was introduced on January 19, 2022 with second reading and public hearing scheduled for February 2, 2022 at 7:00 PM.

LINDA SEMUS, RMC, CMR,

1-19-22