

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH
NOTICE OF PENDING ORDINANCE**

ORDINANCE NO. 11-1331

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Tinton Falls, in the County of Monmouth, State of New Jersey, held on October 18, 2011. This Ordinance will be further considered for adoption, after the public hearing is held thereon, at a meeting of the Borough Council to be held on Tuesday, November 1, 2011, located in the Tinton Falls Municipal Building, 556 Tinton Avenue, Tinton Falls, New Jersey, beginning at 7:30 o'clock P.M. During the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available in the Clerk's Office to the members of the general public who shall request the same.

MAUREEN L. MURPHY, BOROUGH CLERK

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH
ORDINANCE NO. 11-1331**

**ORDINANCE AMENDING ORGANIZATION OF BOROUGH COUNCIL ORDINANCE PROVISIONS TO
CONFORM WITH NEW ELECTION AND REORGANIZATION DATES AND MAKING OTHER
SUNDRY CHANGES**

WHEREAS, pursuant to N.J.S.A. 40:45-7.1, the Borough of Tinton Falls while maintaining its non-partisan Faulkner Act form of government decided to move its elections from May to November as a cost saving measure, with 2011 being the first year in which such changes have impacted the operations and organization of the Borough Council; and

WHEREAS, pursuant to N.J.S.A. 40:45-17, when Faulkner Act municipalities hold their elections during the November general election, the term of office of any officer elected shall begin on January 1 next following election; and

WHEREAS, pursuant to N.J.S.A. 40:45A-1, municipalities holding fall elections may decide to hold their annual reorganization meetings anytime after 12 o'clock noon on January 1, or at some other hour on any day during the first week in January; and

WHEREAS, under the limited legislative powers reserved to the Borough Council under the Faulkner Act, successive governing bodies should maintain full discretion over the period of service of their officers upon the reorganization of the body after elections so as not to be bound by the decisions of predecessor bodies.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Tinton Falls in the County of Monmouth, State of New Jersey that the General Revised Ordinances of the Borough of Tinton Falls are hereby amended and supplemented as follows:

SECTION I.

2-2.3 Council President.

Pursuant to the Charter, At the January reorganization of the Borough Council in years after which elections are held, the Borough Council shall elect from its members a Council President. The Council President shall:

- a. Serve as presiding officer at all meetings of the Borough Council.
- b. State every question before the Borough Council and announce the decisions of the Borough Council.
- c. Decide all questions of order, procedure and decorum subject to the appeal and determination of the

Borough Council.

- d. Sign all ordinances and resolutions adopted by the Borough Council during his presence.
- ~~e. Serve for a term of one (1) year which shall end on June 30 of each year or until a successor is elected by a majority vote of the Borough Council. No one (1) elected official may hold two (2) consecutive terms as Council President.~~

SECTION II.

2-2.4 Deputy Council President.

At the January reorganization of the Borough Council in years after which elections are held, the Borough Council shall elect from its members a temporary presiding officer, to be known as the “Deputy President,” who, in the absence of the Council President, shall exercise all of the duties of the Council President enumerated hereinabove.

- ~~b. The Deputy Council President shall serve for a term of one (1) year, which shall end on June 30 of each year, or until a successor is elected by a majority vote of the Borough Council.~~

SECTION III. SEVERABILITY.

The Provisions of this Ordinance shall be severable. In the event that any provision of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION IV. REPEALER.

That all other ordinance or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies.

SECTION V. EFFECTIVE DATE.

This Ordinance shall take affect upon final passage and publication in accordance with the law.