

Background on a Municipal Governing Body Meeting

By William Eames

Overview – This is a quick background paper on how your town’s government works – it will be far too simple for some, too complex for others, but if you read it, you will be prepared to attend and speak up at the next meeting of your town’s governing body – whether it’s a council, a committee or a board of aldermen.

The Concept – Your town is governed in one of two ways, both defined by law. Either the elected members of the council/committee/board of aldermen legislate AND administer departments or your town has separated the two functions. Municipal government – like our state and federal government – has 3 divisions of authority: Legislative, Executive and Judicial. For this paper, we’ll ignore the judicial component (we’ll also leave out the fire and police departments for simplicity). The Legislative function is to enact laws, which are called “ordinances” at the municipal level. The Executive function is to run the departments of the municipality, such as the public works department, the recreation department and the municipal building. In New Jersey, the Legislative and Executive functions can be completely separate, mixed, or overlapped. The same is true with County government. HOW your town works will generally be explained on its website, or in a brochure you can pick up at town hall.

If you have a Mayor / Council form of government, the mayor may be considered the Executive, and he oversees administration. Or, just for complexity, your town may have an Administrator who implements the laws. But generally, members of the council or township committee set policy for departments, and “department heads” run the daily affairs of the town. Members of the council or committee or Board of Aldermen are universally responsible for enacting the laws or ordinances of the municipality.

Town Meetings – Once or twice each month, your elected municipal officials meet in a public meeting, generally at town hall. WHEN will be posted on the website, in the newspaper, or you can call the Municipal Clerk for dates, times and locations. During each meeting, the “town council” will follow an Agenda – you can get an advance copy online or on a chair or table at the meeting.

Some agendas will have great detail (see <http://www.boonton.org/Government/Minutes.htm> – then click on “Public Meetings” then on “Agenda”), others will be very skimpy. But in general, they follow a format something like this:

Agenda for Council Meeting of 00/00/0000

Call to Order
Flag Salute
Reading of Legal Notice of Meeting
Hearing of the Public*
Ordinances
Resolutions
License Applications
Minutes for Approval
Hearing of the Public*
Adjournment

The “Open to the Public” or “Public Hearing” sections, in general, are the spots when the council will ask if any member of the audience wishes to speak to the council. Sometimes there may also be a specific public hearing on a particular ordinance, as well. In general, you may ask any question or discuss any topic, unless the council has provided other instructions.

To speak, you simply go to the microphone, wait until you are recognized by the mayor, then state your name and address clearly. Then you ask your questions or make your statement, trying to be as brief as possible so that others also may speak, but you are generally entitled to enough time to receive an answer to your questions. If there is a controversial matter, the council may limit each speaker in the early “public session,” but at the close of the meeting there will generally be more time allotted.

Keep in mind, some council meetings can run from 8 to 11 p.m. or later, or may start earlier.

Note: Often, council members do not see residents speak, so they may be in a hurry and if they don’t immediately see someone stand and walk to the microphone when they declare the meeting “open,” they may after 10 seconds say, “seeing none, the public portion of the meeting is now closed.” So don’t wait to see if others will speak first or you may have to wait two hours for your next opportunity.

If you were intending to speak but this happens, it is permissible to raise your hand and quickly say, “I was going to ask a question.” Most often, they will pause and allow you to speak – but sometimes not.

Value of Attending – Municipal government is the “most local” of any government in the United States. It is your right, and even your civic duty, to be familiar with how it works. Simply sitting in on meetings is a great way to learn more about your town and the people who have been elected to lead it. So we encourage you – NOW – to attend your next council meeting.

Value of Speaking – Apart from gaining personal confidence (no one bites at these meetings), just speaking to introduce yourself and let your officials know you are watching has GREAT VALUE. It is human nature, if one is inclined to misbehave, to do it when no one is watching. So if the folks are inclined to misbehave, your being there is a strong disincentive. But on a more practical level, often municipal officials are caught in the conflict between trying to stand up for the taxpayer and trying to be fair to employees who they work with every day. Having taxpayers in the audience gives them the moral courage to make the tough decisions to not give raises when the economy is tight.

Your Rights – Members of the council work for YOU. You elected them, and if they get a salary and/or benefits, YOU pay the freight. If they grant a raise, YOU will pay more taxes. If they reduce workers, YOUR garbage will not be collected as often. So you have every right to ask honest questions, ask to see public documents, and ask the reasons they might vote one way or another.

Questions? – At the head table of the council chambers there will be advisors who can answer procedural questions for you before the meeting is called to order, or during any “breaks.” Or, you can call the municipal clerk in advance of the meeting with any questions, or go to town hall to speak with the clerk. While you don’t want to be rude or speak during the meeting, you should also feel comfortable to speak with others in the audience. You’ll find neighbors, attorneys, town employees, and others who have an interest in one or more items on each night’s agenda.

More Information – Go to www.MorrisPatriots.org/Transparency for more information and resources about municipal budgets, public information, and public documents.

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