



**BY LAWS**  
**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PASSAIC**  
**CALENDAR YEAR 2025**

**ARTICLE I. ORGANIZATION**

- Section 1.** The Board shall organize at 12:00 noon on either the first or second day of January or on some other hour on any day during the first week in January, annually, as the Board, by Resolution passed before said meeting, may determine.
- Section 2.** The Board shall be called to order by the Clerk of the Board immediately after the newly elected members of the Board have taken and subscribed the oath provided by law.
- Section 3.** Members of the Board shall elect, by a majority vote, a Director to serve for a term of one (1) year. Upon election, the Director shall take and subscribe to the oath provided by law, and immediately take the chair and assume the duties of his or her office.
- Section 4.** The members of the Board shall elect by a majority vote a Deputy Director to serve for a term of one (1) year.
- Section 5.** The Board shall thereupon adopt the By-Laws.
- Section 6.** The Board shall then proceed to appoint all officers and employees in accordance with the law.
- Section 7.** The appointment of all officers and employees shall be made by Resolution, in writing, passed upon roll call.
- Section 8.** The Director shall thereupon appoint the standing committees hereinafter provided.
- Section 9.** The Board shall entertain Resolutions for the following purposes:
- (a) Adoption of a Temporary Budget;
  - (b) Authorizing appropriations for the calendar year;

- (c) Temporary grant budget for the calendar year;
- (d) Authorizing reimbursement of petty cash funds to respective County departments;
- (e) Adoption of a Cash Management Plan;
- (f) Adoption of the Schedule of the Conference and Regular Meetings for the Calendar year and providing for issuance of appropriate Public Notice regarding same;
- (g) Appointment of County Commissioners to various autonomous bodies;
- (h) Designation of a qualified auditor to conduct annual audit of records for the calendar year; and
- (i) Any other resolution as deemed necessary by the Director.

## ARTICLE II. MEETINGS

**Section 1.** Regular meetings of the Board shall be held on the second and fourth Tuesday of each month unless otherwise established by the Board in their list of regular meeting dates for the year in the Commissioners' meeting room, Administration Building, 401 Grand Street, Second Floor, Paterson, New Jersey, at regularly scheduled hours as posted by the Clerk of the Board.

Periodic meetings may be held in various municipalities of the County, the date, the time, and place of which shall be fixed in advance by Resolution duly enacted by the Board of County Commissioners.

In the event that any regular meeting date falls on a legal holiday, the meeting shall be cancelled unless the Board, by Resolution, shall provide a substitute date.

**Section 2.** Special meetings of the Board shall be held on the written order of the Director or of any three members of the Board specifying the business to be transacted at the meeting and the time and place thereof.

The Clerk of the Board shall call a special meeting upon receipt of an appropriate order, by written notice, directed to the members of the Board and left at their respective places of abode, or mailed to the post office nearest thereto at least three (3) days before the day of the meeting. The notice shall state the business and objectives of the meeting, and the time and place where the meeting is to be held and shall be in compliance with all the requirements of the Senator Byron M. Baer Open Public Meetings Act, pursuant to the provisions of N.J.S.A. 10:4-6, et seq.

**Section 3.** Emergency Meetings of the Board shall be held when an urgent and important matter arises and a delay of the meeting for the purpose of providing adequate notice would likely result in substantial harm to the public interest. Notice of Emergency Meeting shall conform to the requirements of N.J.S.A. 10:4-9(b), as supplemented and amended.

**Section 4.** A majority of the members qualified shall constitute a quorum. Where no quorum is present, a member may call in telephonically in order to obtain a quorum, so long as the public can hear the absent member, the absent member can hear all other members, and the member can hear any public comment. Where no quorum exists then the members in attendance may adjourn to such time and place as determined by the Board of County Commissioners.

**Section 5.** During a declared State of Emergency, the Board shall conduct meetings in compliance with the provisions set forth in N.J.S.A. 10:4-9.3 and any rules promulgated thereunder.

**Section 6.** The Director shall call the meeting to order; in the absence of the Director, the Deputy Director shall preside, and in the absence of both, the Board shall select a director pro tempore.

The order of business at a regular meeting shall be substantially as follows:

- (a) Open Public Meetings Act Statement
- (b) Roll call
- (c) Invocation
- (d) Salute to the Flag
- (e) Approval of prior minutes
- (f) Reports of County Commissioners Committees
- (g) Communications
- (h) Proclamations- Read into the Record
- (i) Public participation
- (j) Resolutions and other business
- (k) Unfinished business
- (l) New Business
- (m) Submission of all personnel matters for approval by the Board
- (n) Submission of bills for approval by the Board
- (o) Adjournment

**Section 7.** No member shall speak longer than ten (10) minutes nor more than twice on the same questions without permission of the Director, and no member shall be permitted to speak more than once on any given subject matter until every other member desiring shall be heard.

**Section 8.** No member of the public shall speak no more than three (3) minutes, and extension for an additional three (3) minutes on the same issue may be permitted if a majority of the Board of County Commissioners concurs.

**Section 9.** The Clerk of the Board shall keep reasonably comprehensive minutes of all its meetings showing the time and places, 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 matters public shall not be inconsistent with the Open Public Meetings Act.

### ARTICLE III. COMMITTEES

There shall be six (6) County Commissioner Committees to be designated as follows:

- (a) Administration and Finance
- (b) Public Works
- (c) Planning and Economic Development
- (d) Health and Human Services
- (e) Law and Public Safety
- (f) Budget

**Section 2.** The Director shall appoint such other Committees as he or she deems advisable to serve at his or her pleasure.

**Section 3.** Each Committee shall be composed of a Chair and two (2) members. The Director may sit on any committee in the event a member is unable to attend.

**Section 4.** Each Committee shall be responsible for coordinating the work of the boards and departments within the jurisdiction of each respective Committee.

**Section 5.** Each Chair shall periodically report to the Board at large and make such recommendations as he or she shall think appropriate. No Committee shall take any action which shall be binding until reported to and approved by the Board.

**Section 6.** In the event that a scheduling change is necessary with regard to a Committee meeting, the Chair of the Committee shall consult with the other Committee members and the Clerk of the Board to avoid scheduling conflicts.

**Section 7.** The jurisdiction of each committee shall encompass the following governmental functions, departments and/or agencies:

**ADMINISTRATION AND FINANCE**

Board of Elections, County Administrator, County Adjuster, County Counsel, County Clerk, Clerk of the Board, Department of Communications and Information Technology, Department of Human Resources, Finance Department, Purchasing Department, County Treasurer, Self- Insurance Fund, Board of Taxation, Superintendent of Elections

**PUBLIC WORKS**

Department of Engineering, Department of Operations and Public Buildings, Department of Parks and Recreation, Department of Cultural & Historic Affairs, and County Historian

**PLANNING AND ECONOMIC DEVELOPMENT**

Department of Planning and Economic Development and Passaic County Housing Authority.

**HEALTH AND HUMAN SERVICES**

Department of Human Services, Preakness Healthcare Center, Department of Senior Services, Disabilities and Veterans Affairs, Department of Health, Rutgers Extension Services, Superintendent of Schools.

**LAW AND PUBLIC SAFETY**

Sherriff's Department, Prosecutor, and Department of Public Safety.

**BUDGET**

Review and referral of the annual County budget, in accordance with N.J.S.A. 40A:4-1, et seq., commonly known as the Local Budget Law.

**Section 8.** The Board, as applicable, shall pass a resolution appointing members to applicable autonomous county authorities, boards, commissioners, and committees, as provided by law.

**Section 9.** The Director, or the Director's designee, where permitted, shall be an ex-officio member of authorities, boards, commissions, and committees. For all other County Boards where County Commissioner membership is not provided for by statute, the County Commissioner Director shall serve in an advisory capacity.

## ARTICLE IV. OFFICERS

- Section 1.** The Board shall appoint all officers and employees and shall fix their compensation and terms of office as provided by law.
- Section 2.** Every person elected or appointed to any county office shall, before assuming the duties of the office, take and subscribe to an appropriate oath which shall be filed with the Clerk of the Board.
- Section 3.** Whenever duties are imposed by law upon any officer or employee of the County, and no person is authorized by law to perform such duties when such officer or employee is temporarily absent or disabled, it shall be lawful for the Board of County Commissioners to designate some person to act in the place and stead of such officer or employee during his temporary absence or disability.
- Section 4.** All County office and departments shall remain open from 8:30 a.m. to 4:30 p.m., in each working day or as otherwise approved by the Board or required by law.
- Section 5.** All officers appointed by the Board shall attend all regular and special meetings of the Board and such other meetings which may be required or requested.

## ARTICLE V. RULES OF ORDER AND PROCEDURE

- Section 1.** The operation of any of the provisions of the By-Laws may be temporarily suspended by the affirmative vote of not less than four (4) members of the Board, providing such suspension is not contrary to law.
- Section 2.** If the subject of the motion be a written resolution or written motion, the same shall be read aloud by title by the Clerk before it is put to the Board. The reading and seconding of a resolution, or motion shall place it in the possession of the Board, open to debate. Any motion or resolution may be withdrawn before a vote thereon has been taken or an amendment thereto has been offered. All such resolutions shall be put to a vote by the Director to all members present.
- Section 3.** The Board hereby authorizes adoption of Resolutions by way of a Consent Agenda pursuant to ROBERT'S RULES OF ORDER, except those types of Resolutions that involve, Bonding and Treasury Resolutions, and Ordinances.
- Section 4.** The following motions (and no others) shall be received when a question is under debate:
- (a) To adjourn;
  - (b) To lay on the table; or
  - (c) To amend

These several motions shall take precedence in their given order. The motion to adjourn shall be decided without debate.

- Section 5.** When two (2) or more members claim the floor at the same time, the Director shall decide who is entitled to the same.
- Section 6.** Motions to adjourn, to lay on the table, to postpone and to amend shall always be put without debate. A vote of the Board ordering the movement of previous questions shall preclude further debate, but shall not put off pending amendments.
- Section 7.** No resolution shall be placed on the agenda without first being reviewed and approved by County Counsel as to form and legality.
- Section 8.** Any resolution not placed on the written agenda prior to the meeting in accordance with all applicable provisions of these by-laws, the administrative code and other applicable law may be added to the agenda on the day of the meeting only by the affirmative vote of five (5) County Commissioners. In the event any proposed resolution is presented orally at a meeting and added to the agenda in accordance with all the requirements of this Article, the matter may be voted at that time subject to the preparation and adoption of an appropriate written resolution at a subsequent meeting which accurately memorializes the prior action of the Board on the oral resolution. Any such memorializing resolution shall bear the resolution number assigned to the question at the time of initial consideration.
- Section 9.** ROBERT’S RULES OF ORDER shall apply in all cases not provided for herein.

#### **ARTICLE VI. ADMINISTRATIVE CODE**

Articles One through Twenty of the Passaic County Administrative Code, as adopted on January 6th, 1993, and as thereafter amended by the Board of County Commissioners of the County of Passaic are hereby incorporated by reference and made a part hereof. In the event of any inconsistencies between these By-Laws and said Administrative Code, the By-Laws shall take precedence and be paramount.

Dated: January 7, 2025