

ORDINANCE 2378-13

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3, SECTION 5 OF THE GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE, ENTITLED "AGENDA"

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, in the County of Essex and State of New Jersey, that Chapter 3, Section 5 of the Revised General Ordinances of the Township of West Orange is hereby amended and supplemented as follows:

I. PURPOSE

The purpose of this Ordinance is to make clearer the Agenda and posting process.

II. CHAPTER 3, SECTION 5 SHALL BE AND HEREBY IS AMENDED AND SUPERSEDED TO READ AS FOLLOWS:

An agenda for each regular meeting of the Township Council shall be prepared by the Clerk under the supervision of the President of the Council. All Ordinances, Resolutions and any supporting written material for consideration at the next Council Meeting shall be delivered to and received at the Clerk's Office by 3:00 p.m., on the Wednesday next preceding the meeting, earlier if possible and, if later, shall require permission of the Council President before placement on the agenda. The agenda headings shall be written in plain English and each Resolution and Ordinance, unless clearly self-explanatory, shall include a brief description of its purpose also written in plain English by the department submitting it. The agenda shall be completed not later than Noon on the Thursday preceding each regular meeting of the Council, except for emergency matters which may be added to the agenda at any time before the meeting with permission of the President of the Council. The Clerk shall expeditiously deliver a copy of the Agenda, all Ordinances and Resolutions and all submitted supporting materials, to each Councilmember, to the Mayor, Business Administrator, and to the Law Department. The Clerk shall expeditiously cause the agenda, including the Ordinances, Resolutions and all submitted supporting materials, to be posted on the Township's website no later than the following Friday morning in order that such materials are readily available to the general public. It shall be the responsibility of the Administration to determine if any submitted supporting materials contain information which is privileged, confidential, or for some lawful reason should not be published at that time. Such supporting materials shall not be posted on the Township's website or otherwise disclosed to the public until the reasons for non-disclosure no longer exist. In the event of an intervening holiday, the deadlines set forth here shall be adjusted to provide the same amount of time for preparation and notice of the agenda. In the event of additions, deletions, or changes of any kind to the agenda, or any item on it, such changes shall be expeditiously posted to the Township's website with a notation indicating the change by 4:30 p.m., on the Monday preceding the Council meeting. The agenda and any changes to it shall also be physically posted on the Clerk's Bulletin Board in the public hallway at Town Hall. A conforming agenda shall be published to the Township's website on the day after each Council meeting to indicate those items which were not acted upon due to removal or postponement by the Council at its meeting. (1972 Code § 3-5; Ord. No. 2349-12)

III. REPEAL OF CONFLICTING ORDINANCES

Any Ordinances of the Township, which are in conflict with this Ordinance, are hereby repealed to the extent of such conflict.

IV. SEVERABILITY

If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.

V. EFFECTIVE DATE

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

Honorable Susan McCartney
Council President

Honorable Robert D. Parisi
Mayor

Introduced: July 16, 2013
Adopted: August 20, 2013

Approved as to form on the basis of the facts provided:

Karen J. Carnevale, Municipal Clerk

LEGISLATIVE HISTORY

This proposed Ordinance is intended to further clarify the process and procedure regarding the delivery and availability of materials to be considered by the Township Council in connection with each Council meeting. There has been Council time expended discussing what materials should be publicly available, and in order to more expeditiously address matters of business before the Council, it is necessary for the to ensure a uniform procedure for the timely submission and publicly-available posting of agenda materials.

This proposed Ordinance would also require the Township's administration to timely verify which materials being presented to the Council for consideration contain privileged or confidential information which should not be publicly disclosed. Ultimately, this Ordinance is necessary and proper, intended to establish clear and uniform procedures for submission and consideration of agenda materials for the start of the 2013 Council term, and each year thereafter, unless and until the Ordinance is further amended.

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