

Policy Statement concerning limitations on the establishment of meetings/discussions with Elected and Appointed Officials, Board Members, Employees and Volunteersⁱ (“Representatives”) of the

Township of Millburn

One of the hallmark elements of representative democratic government is the ability of Representatives to receive opinions, information and concerns from the constituents of that government. In the case of Millburn Township, there are only five individuals among a population of approximately 20,000 inhabitants who have the authority to adopt laws, implement new programs and monitor the administration of existing municipal programs and activities.

The limited scope of this Policy Statement is to identify the circumstances when communication and interaction with Representatives is limited so as not to compromise the interests of the Township. Further, in recognition of the fact that Representatives have family, personal and business interests to which they need to attend outside of the scope of their public activities, there is a need to provide guidance for limitations concerning the places where they are not willing to conduct meetings, discussions or other in person interactions on municipal topics.

Unless specifically authorized, in the case of elected officials, by the Township Committee, and in the case of other Representatives, by the Township Committee or the Business Administrator, as appropriate, no Representative shall meet with any constituent, representatives of any constituent or any outside organizations to discuss topics that are confidential pursuant to the Open Public Meetings Act and specifically N.J.S.A 10:4 – 12 including, but not limited to: 1) contract negotiations, 2) acquisition of an interest in real property, 3) matters rendered confidential by operation of law, 4) matters falling within the attorney – client privilege, 5) pending or anticipated litigation, and 6) personnel matters related to the employment of public officers or employees.

If, during the course of a meeting ostensibly held with constituents or others on topics of general public interest, an impermissible topic is intentionally or inadvertently raised, the Representative shall immediately advise the participants that she/he is not able to discuss that issue.

Scheduled meetings with Representatives involving constituents or others, shall generally be convened at the Township Offices located at 375 Millburn Avenue, with the Business Administrator and/or the Township Attorney, in attendance as needed.

Meetings with Representatives, shall not occur at their places of residence nor their places of business, absent their consent. In any case where a Representative, wishes to make it known that meetings/ discussions concerning any type of municipal public business will under no circumstances be held at their residence nor at their place of business, that information shall be posted on the Township Website and, when reasonably necessary, communicated directly to specific individuals or organizations. Individuals who, notwithstanding the giving of notice as aforesaid, persist in attempting to enter on residential or business premises to meet with Representatives to discuss matters of public business, and continue to stay there notwithstanding requests to leave, are subject to such prosecution pursuant to applicable law and the imposition of such penalties as may be sought by the owners of these premises.

ⁱ 1 The term "Volunteer" is meant to refer to people who express an interest in serving upon, and who are appointed to, some committee, task force, commission, services board or other entity, including those generally enumerated in Chapter II of the Revised General Code or created otherwise by Ordinance, such as the Board of Trustees of the Special Improvement District.