

RESOLUTION OPPOSING S-1351

WHEREAS, S-1351 proposes several amendments to the Open Public Meetings Act; and

WHEREAS, the governing body of the (*insert name of municipality*) believes members of the public should be present at all meetings of public bodies and should be able to participate in discussions that will ultimately affect them; and

WHEREAS, while the governing body agrees that open and transparent government is fundamental to democracy, we are concerned that certain provisions of S-1351 are inherently against the public interest; and

WHEREAS, at every Regular Meeting, the governing body has (*insert number of public comment portions*) portions dedicated to public comments and at any Special Meeting that may be scheduled one portion is dedicated to public comment; and

WHEREAS, certain amendments recognize the changes in technology and the way business is conducted in today's fast paced environment, other amendments make it more difficult to conduct business; and

WHEREAS, S-1351 would prohibit action or discussion on any matter that is not listed on the agenda in which notice was given three business days prior to the meeting; and

WHEREAS, if a member of the public brings up a subject during the public comment portion, the governing body would be prohibited from taking action unless the member of the public had advised the Municipal Clerk of their specific issue at least three business days prior to the agenda being posted; and

WHEREAS, S-1351 also would require the recording of Executive Sessions which would put municipalities at a distinct disadvantage when discussing labor negotiations, contracts, etc. since the other side of the negotiations or litigation are not required to make their strategy available to the public; and

WHEREAS, strategy in labor negotiations does not end at the signing of the contract, it continues in anticipation of future rounds of negotiations; and

WHEREAS, S-1351 requires draft minutes be made available to the public either within two weeks of the meeting or at least three days before the next regularly scheduled meeting whichever is sooner; and

WHEREAS, members of the public should not have access to any minutes before the Governing Body has an opportunity to review and approve them; and

WHEREAS, S-1351 requires the retention of any recording media of a meeting for seven years making it difficult, if not impossible, to store;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the (*insert name of municipality*) that in today's ever changing climate it acknowledges some changes do need to be made to the Open Public Meetings Act; however, for the reasons stated above, they hereby oppose S-1351 in its' current form and urge the Senate and Assembly to oppose this bill; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

DISTRIBUTION LIST

1. The Hon. Chris Christie,
Governor, State of New Jersey
PO Box 001
Trenton, NJ 08625
Phone (609) 292-6000
Fax (609) 292-3454

2. The Hon. Stephen Sweeney,
Senate President,
Senator, District 3
NJ Senate Democratic Office
State House PO Box 099
Trenton, NJ 08625
Phone (609) 292-5215
SenSweeney@njleg.org

3. The Hon. Sheila Oliver,
Speaker, NJ General Assembly
Assemblywoman, District 34
NJ General Assembly Democratic Office
PO Box 098
Trenton, NJ 08625
Phone (609) 292-7065
Fax (609) 292-2386
AswOliver@njleg.org

4. NJ League of Municipalities
222 West State Street
Trenton, NJ 08608

Phone (609) 695-3481

Fax (609) 695-0151

NJLeague@njslom.com

5. Your State Legislators (State Senator and Assembly Representatives)