

ORDINANCE O:17-2024

AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF MONROE, AMENDING THE MONROE TOWNSHIP MUNICIPAL CODE TO ESTABLISH CHAPTER 137, ENTITLED “RESTRICTED AREAS IN BUILDINGS WHERE MUNICIPAL OPERATIONS ARE CONDUCTED LIMITED TO AUTHORIZED EMPLOYEES ONLY TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING CONFIDENTIAL INFORMATION”

WHEREAS, the Township Council of the Township of Monroe has recommended certain changes to the Municipal Code; and

WHEREAS, the Township Council of the Township of Monroe deems it necessary to add Chapter 137, entitled Restricted Areas in Buildings Where Municipal Operations are Conducted Limited to Authorized Employees Only to Protect and Safeguard Public Records Containing Confidential Information; and

WHEREAS, Township of Monroe officials and employees are entrusted with the responsibility to maintain and safeguard public records that consist of or contain information deemed confidential pursuant to federal, State or local law; and

WHEREAS, to ensure compliance with such laws, including the New Jersey Open Public Records Act (“OPRA”) set forth at N.J.S.A. 47:1A-1 et seq. and its statutorily defined responsibilities, the maintenance and custody of specific records are required; and

WHEREAS, municipal officials assigned this responsibility include, but are not limited to, the Municipal Clerk, Police Chief, Library Director, Chief Financial Officer, Tax Collector, Tax Assessor, Human Resources Coordinator, Construction Code Official, Board of Health Secretary, and the Business Administrator; and

WHEREAS, due to this responsibility to maintain and safeguard records, reports, documents and information in municipal offices, records may not be available for immediate public viewing since they may contain personal information, phone numbers, social security numbers, medical data and other confidential information; and

WHEREAS, securing these records maintains the integrity of this information ; and

WHEREAS, securing these records and outdoor spaces prevents outsiders/trespassers from accessing sensitive areas, enhancing the protection against unauthorized record retrieval; and

WHEREAS, we cannot expect our municipal employees to physically intervene to protect a record, and creating secure areas with clear signage will help deter persons from collecting records that they are not entitled to receive without following the process required by OPRA; and

WHEREAS, to effectively enforce this ordinance, the installation of signage every ten feet along the perimeter and at all entrances and exits of the designated restricted areas is mandated, with signs to read, “Stop, Restricted Area, Authorized Personnel Only”; and

WHEREAS, an enforcement directive shall require that, upon encountering a trespasser, municipal officials or designated personnel are to provide a verbal warning, advising the trespasser that they are committing an offense and must leave immediately or face arrest, thus ensuring compliance with the "Actual Communication to the Actor" provision.

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NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of Monroe that the Code of the Township of Monroe is hereby amended to include the following:

SECTION I. Monroe Township Municipal Code is hereby amended to establish Chapter 137 entitled “Restricted Areas in Buildings where Municipal Operations are Conducted Limited to Authorized Employees Only to Protect and Safeguard Public Records Containing Personally Identifiable Information” to read as follows in its entirety:

§137-1. Restricted areas. Municipal office areas in The Monroe Township Municipal Building, located at 125 Virginia Avenue Williamstown, and at the Monroe Police Department Parking Lot and staging areas, located at 125 Virginia Avenue, Williamstown, and at the Monroe Township Public Library, located at 713 Marsha Avenue Williamstown, and at the Pfeiffer Community Center, located at 301 Blue Bell Road Williamstown and at the Monroe Township Public Works Facility, located at 1040 Glassboro Road Williamstown, have been secured and are closed to the public for the purpose of protecting documents, digital data and other written, copied or printed materials that may contain confidential information that is protected by the federal, State or local laws. These spaces are secured and closed to the public for the purpose of protecting documents, digital data, and other written, copied, or printed materials that may contain confidential information protected by federal, State, or local laws.

§137-2. Signage. Comprehensive signage will be installed every ten feet along the perimeter and at all entrances and exits of the designated restricted areas, to ensure clear communication of the restrictions to all potential entrants. Said signage will read, “Stop, Restricted Area, Authorized Employees Only”.

§137-3. Violations and Penalties. Upon the first instance of trespassing, the offender will be given a verbal warning to leave immediately. Failure to comply with this directive or any subsequent trespassing by the same individual will result in immediate arrest and prosecution under N.J.S.A. 2C-18-3.

SECTION II. If any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion, and such holding shall not affect the validity of the remaining portions hereof.

SECTION III. All ordinances or parts of ordinances inconsistent herewith are repealed as to such inconsistencies.

SECTION IV. This Ordinance shall take effect twenty (20) days after final passage and publication as required by law.

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TOWNSHIP OF MONROE

CNCL. PRES., CHELSEA VALCOURT

ATTEST:

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

CERTIFICATION OF CLERK

The foregoing Ordinance was introduced at a meeting of the Township Council of the Township of Monroe held on the 10th day of April, 2024, and will be considered for final passage and adoption at a meeting of the Township Council of the Township of Monroe to be held on 24th day of April, 2024 at the Municipal Building, 125 Virginia Avenue, Williamstown, New Jersey 08094, at which time any person interested therein will be given an opportunity to be heard.

**Twp. Clerk, Aileen Chiselko, RMC
or Deputy Clerk, Jennifer Harbison, RMC**

ROLL CALL VOTE

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1st Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				
Cncl. Fox				
Cncl. Garbowski				
Cncl. Heverly				
Cncl. McKinney				
Cncl. O'Reilly				
Cncl. Pres. Valcourt				
Tally:				

2nd Reading

	AYES	NAYS	ABSTAIN	ABSENT
Cncl. Adams				
Cncl. Fox				
Cncl. Garbowski				
Cncl. Heverly				
Cncl. McKinney				
Cncl. O'Reilly				
Cncl. Pres. Valcourt				
Tally:				

The foregoing ordinance was hereby approved by the Mayor of the Township of Monroe on this _____ day of _____, 2024.

MAYOR GREGORY A. WOLFE