

ORDINANCE 2022:20

AN ORDINANCE TO ADD SECTION 3-14 TO CHAPTER III OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF NEW MILFORD, ENTITLED, "ACCESS RESTRICTIONS TO DESIGNATED MUNICIPAL FACILITIES AND OFFICES" TO PROTECT AND SAFEGUARD PUBLIC RECORDS CONTAINING PERSONALLY IDENTIFIABLE INFORMATION

WHEREAS, Borough of New Milford officials and employees have a responsibility to maintain and safeguard public records that consist of confidential information; and

WHEREAS, to adequately comply with the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1, and to comply with the 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, the Police Chief, the Library Director, the Chief Financial Officer, the Tax Collector, the Tax Assessor, the Construction Code Officer, the Board of Health Secretary, and the Borough Administrator; and

WHEREAS, the responsibility for the maintenance and safeguarding of records, reports, documents and information in municipal offices may not be available for immediate public view since they may contain personal information, phone numbers, social security numbers, dates of birth and other confidential information; and

WHEREAS, securing these records maintains the integrity of this information and when an Open Public Records Act request is received, and it is determined that a requestor is entitled to the records, the records can be released individually and redacted as required by law; and

WHEREAS, securing these records prevents outsiders/trespassers from simply walking into an office, taking records, and leaving the building; 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 which they are not entitled to receive without following the process required by the Open Public Records Act.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of New Milford, County of Bergen, State of New Jersey, as follows:

SECTION 1

Municipal office areas in New Milford Borough Hall, 930 River Road, New Milford Police Department, 112 Patrolman Ray Woods Drive, New Milford DPW, 850 Robert Chester Way, New Milford Senior Center, 275 River Road and New Milford Public Library, 200 Dahlia Drive, have been secured and such offices are not open to the public for the purpose of protecting

documents, digital data and other written, copied or printed materials that are not subject to the Open Public Records Act, which may include, but are not limited to, personally identifiable information that is protected by the Statutes of the State of New Jersey and the Federal laws of the United States.

SECTION 2

The Borough of New Milford shall be required to post signs outside of offices which read, “Restricted Area, Authorized Employees Only”.

SECTION 3

Persons that trespass these posted, protected offices may be subject to prosecution under N.J.S.A. 2C:18-3.

SECTION 4

This ordinance shall take effect after publication thereof and final passage as required by law.