

## BOROUGH OF KENILWORTH

ORDINANCE NO. 2017-01

### AN ORDINANCE AMENDING AND SUPPLEMENTING THE Chapter 5 'ADMINISTRATION OF GOVERNMENT' Section 5-14 titled 'Meetings and conferences' OF THE CODE FOR THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

**PURPOSE:** The purpose of this ordinance is to amend the rules of order and schedule of meetings for the smooth, orderly, and fairly conduction of meetings for the Borough of Kenilworth. The customs for carrying on the business of the legislative body shall continue to be deliberative assemblies were free expression will continue to allow governing body to systematically and efficiently transact business.


Section § 5-14 of the Borough Code is amended superseded by the following:

#### Section § 5-14 Meetings and Public Participation

- A. **Open Meetings.** Any meeting or gathering, including those held by means of electronic communication attended to by three Council members and the Mayor or four Council members and held with the intent to discuss or act upon specific public business shall be open to the public. All meetings that are open to the public as provided for hereinabove shall have a published agenda which will be as complete as reasonably possible.
- B. **Regular Meetings.** The Council shall conduct an annual meeting during the first seven days of each year. All Council meetings shall be held within the borough, with preference to the Borough Hall. Thereafter, the Council shall meet regularly at 8 PM or shortly thereafter on the second and fourth Wednesday of each month with the exception of the months of July, August, November & December when the meetings will only occur on the second Wednesday of the month. If the regular meeting of the Council is also a legal holiday, such meeting shall then be held on the next succeeding business day which is not a legal holiday or at such other date and time as the Council may designate.
- C. **Work Sessions.** In recognition that an initial presentation for each subcommittee may facilitate a better understanding of a matter prior to a formal vote, the Council shall hold a meeting for said purpose at 6:30 PM just prior to the Regular meeting. In addition to the foregoing, the Borough Engineer, Attorney, Clerk and advisory group or person may provide a brief report of their concerns and/or activities at the Work Session.
- D. **Closed Executive Session.** The Council after a resolution may exclude the public for many portion of either the regular meeting or work session to discuss any one of the following:
- i. any matter that federal or state law expressly requires it to be confidential;
  - ii. any matter that a court rule expressly denotes as being confidential;
  - iii. any matter in which the release would impair the right to receive funds from the United States government;
  - iv. any matter that constitutes an unwarranted invasion of one's individual privacy if disclosed;
  - v. negotiations of terms for collective bargaining agreement;
  - vi. any matter involving the purchase lease or acquisition of real property or the investment of public funds;
  - vii. techniques or methods used to protect the safety of the public including investigations of violations of law;
  - viii. any pending or anticipated litigation or contract negotiations;
  - ix. any matter involving employment, appointment, discipline or promotion of a public employee;
  - x. deliberation that may result in the imposition penalties or suspension of licenses.
- E. **Public Participation.** Public participation at borough meetings is permitted under the control of the presiding officer or his designee who may impose time limits provided they are fairly and uniformly applied. A member of the public may be permitted three (3) minutes to talk about any matter of importance to the borough before being asked to surrender the floor. If any other member of the public should address the same matter and take a materially different position then the initial individual may be permitted up to one minute publicly refute any further comments.

**BOROUGH OF KENILWORTH**  
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 Anthony DeLuca, Jr., Mayor

INTRODUCTION						COUNCILPERSON	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
	✓	✓				KAY CECERI	✓		✓			
		✓				LAWRENCE CLEMENTI			✓			
		✓				PETER CORVELLI			✓			
		✓				MARK DAVID		✓	✓			
✓		✓				GERRY LAUDATI			✓			
		✓				NICHOLAS MASCARD			✓			
Introduced: January 11, 2017						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: February 8, 2017												
						 _____ Laura Reinertsen, Borough Clerk						