

ORDINANCE NO. 3657

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET AND STATE OF NEW JERSEY, MORE PARTICULARLY CHAPTER 5, ADMINISTRATION OF GOVERNMENT, SECTION 5-4, MEETINGS OF TOWNSHIP COUNCIL, SUBSECTION D - MINUTES.

SUMMARY

An ordinance amending the Code, Chapter 5, Administration of Government, Section 5-4, Meetings, Subsection D - Minutes - Change recording of meeting requirements from tapes to audio recordings.

BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the Code of the Township of Franklin be and it is hereby amended as follows:

SECTION I

Chapter 5, Administration of Government, Section 5-4, Meetings of Township Council, Subsection D, Minutes, is amended as follows:

D. Minutes

- (1) All meetings other than closed session, shall be recorded on ~~tape~~ **digital disc**.
 - (a) ~~Tapes~~ **Audio Recordings** shall be authenticated by the Township Clerk and the person conducting the meeting.
 - (b) ~~Tapes~~ **Audio Recordings** shall be preserved in a manner prescribed by the State Records Retention Law (N.J.S.A. 17:16W-1 et seq.).
 - (c) The Township Clerk shall make available to any member of Council, a ~~duplicate-tape~~ **recording on compact disc** of any portion of a meeting within one working day of the request.
 - (d) The Township Clerk shall make available a ~~tape-player~~ **computer** so that the public may listen to the ~~duplicate-tapes~~ **audio recording of the meeting**.
 - (e) Any person may purchase a ~~duplicate-tape~~ **compact disc** in accordance with the provisions set forth in Chapter 180, Fees of the Code of the Township, if any. ~~Tapes~~ **Compact discs** may not be returned for credit if they have been taken from the Township Clerk's office. The Township Clerk shall make available for purchase a ~~duplicate-tape~~ **compact disc** within ~~five (5)~~ **seven (7)** working days of receiving the request to purchase same **as per the Open Public Records Act**.
 - (f) **The Township Clerk shall post on the Township's website, the audio recording of the meeting within three (3) days of the meeting.**
- (2) In case of conflict between the written minutes and the ~~tapes~~ **audio recording**, the ~~tapes~~ **audio recording** shall be authoritative. In case of a defect in the ~~tapes~~ **audio recording**, the written minutes shall be considered the authoritative record of the meeting.

- (3) Closed session minutes shall be approved in open session; provided, however, that any discussion concerning the contents of the minutes, prior to approval, shall be conducted in closed session.
- (4) Approved minutes, other than minutes of closed sessions, with all corrections and additions made, shall be made available to the public within three working days of approval. Any person may purchase a copy of the minutes at the rates fixed by law.
- (5) The Township Clerk shall make an index of open session minutes and released closed session minutes showing ordinances, resolutions and discussions by topic.
- (6) The Township Clerk shall preserve approved minutes as a permanent record and the official authoritative record of the Council proceedings.

SECTION II

Each clause, section or subsection of this ordinance shall be deemed a separate provision to the intent that if any such clause, section or subsection should be declared invalid, the remainder of the ordinance shall not be affected.

SECTION III

All ordinances or parts of ordinance inconsistent with this ordinance are hereby repealed as to the extent of such inconsistency.

SECTION IV

This ordinance shall take effect immediately upon adoption and publication according to law.

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**THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ**

INTRODUCED:	January 23, 2007
PUBLIC HEARING:	February 27, 2007
ADOPTED:	February 27, 2007
NOTICE OF FINAL ADOPTION:	March 5, 2007
EFFECTIVE DATE:	March 21, 2007

ANN MARIE McCARTHY, TOWNSHIP CLERK