

**ORDINANCE #36-23**  
**AN ORDINANCE AMENDING AND SUPPLEMENTING**  
**CHAPTER II "ADMINISTRATION" OF THE REVISED GENERAL ORDINANCES**  
**OF THE BOROUGH OF SAYREVILLE TO ESTABLISH**  
**Section 2-68 "Restricted Areas in Buildings Where**  
**Municipal Operations are Conducted"**

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

**WHEREAS**, to ensure compliance with such laws, including the New Jersey Open Public Records Act ("OPRA") set forth in 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**, the municipal officials assigned this responsibility include, among others, the Municipal Clerk, Chief Financial Officer, Tax Collector, Tax Assessor, Construction Code Officer, Board of Health Secretary, Recreation Director, Supervisor of Public Works and the Borough 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 certain personal information, phone numbers, social security numbers, medical data or other confidential information; and,

**WHEREAS**, securing these records maintains the integrity of this information when an OPRA 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, grabbing records, and leaving the building; and,

**WHEREAS**, we cannot expect or demand that our municipal employees to physically intervene to protect a record, and creating secure areas with clear signage will necessarily assist in deterring persons from improperly accessing and/or collecting records that they are not entitled to receive without following the process required by OPRA.

**WHEREAS**, as a result of the foregoing, the Mayor and the Borough Council desire to establish Section 2-68 "Restricted Area in Buildings Where Municipal Operations are Conducted", to address all issues related to the storage of confidential and otherwise protected personal information.

**BE IT AND IT IS HEREBY ORDAINED** by the Mayor and Borough Council of the Borough of Sayreville, in the County of Middlesex, that the Revised General Ordinances of the Borough of Sayreville are hereby amended as follows and shall be added and/or amended to reflect said changes:

**SECTION ONE.** Section 2-68, “Restricted Area in Buildings Where Municipal Operations are Conducted” shall be established as follows:

**2-68.1. Restricted Areas.** Municipal office areas in the Borough of Sayreville Borough Hall, Department of Public Works, Recreation Department at 167 Main Street, Sayreville, NJ 08872, Active Adult Center at 423 Main Street, Sayreville, NJ 08872, Historical Society at 425 Main Street, Sayreville, NJ 08872, Water/Sewer Department at 3751 Bordentown Avenue, Sayreville, NJ 08872, Fort Grumpy at 3750 Bordentown Avenue, Sayreville, NJ 08872, Construction Office at 49 Dolan Street, Sayreville, NJ 08872, Sayreville Free Public Library at 1050 Washington Rd, Parlin, NJ 08859, Sayreville Public Safety Complex at 1000 Main Street Sayreville, Sayreville Engine Company Number 1 at 250 MacArthur Avenue, Sayreville, NJ 08872, President Park Fire Company at 5 Roosevelt Boulevard, Parlin, NJ 08859, Melrose Hose Company Number 1 at 253 Oak Street, South Amboy, NJ 08879, Morgan Hose and Chemical Company Number 1 at 1A Old Spye Road, South Amboy, NJ 08879, Sayreville Emergency Squad at 750 Washington Road, Parlin, NJ 08859, Morgan First Aid Squad at 1960 Highway 35, South Amboy, NJ 08879, Duhernal Water System at Sunset Avenue, Old Bridge, NJ 08857, Jerry Ust Recreation Complex at 4441 Bordentown Avenue, Sayreville, NJ 08872, Kennedy Park at 807 Washington Road, Parlin, NJ 08859, Burke’s Park on Washington Road, Parlin, NJ 08859 and Ken Buchanan Riverfront Park on River Road, Sayreville, NJ 08872.

**2-68.2. Signage.** The Borough of Sayreville shall post signs outside the restricted offices that read, “Stop, Restricted Area, Authorized Employees Only”.

**2-68.2. Violations and Penalties.** Persons who trespass these posted, protected offices may be subject to prosecution under N.J.S.A. 2C:18-3.

## **SECTION 2. Severability Clause.**

If any article, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

## **SECTION 3. Repealer.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Borough, the provisions are hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Borough are hereby ratified and confirmed, except where inconsistent with the terms hereof.

## **SECTION 4. Effective Date.**

This Ordinance shall take effect immediately upon adoption and publication in accordance with the laws of the State of New Jersey.

**INTRODUCED/APPROVED ON FIRST READING**

DATED: October 10, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Daniel Balka, Councilman  
(Admin. & Finance Committee)  
Borough of Sayreville

**ADOPTED ON SECOND READING**

DATED: October 23, 2023

\_\_\_\_\_  
Jessica Morelos, R.M.C.  
Clerk of the Borough of Sayreville

\_\_\_\_\_  
Daniel Balka, Councilman  
(Admin. & Finance Committee)  
Borough of Sayreville

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_  
Victoria Kilpatrick, Mayor  
Borough of Sayreville

**APPROVED AS TO FORM:**

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SEAN KEAN, ESQ., Borough Attorney