

Supported

RESOLUTION STATING CITY POLICY RELATIVE TO THE AVAILABILITY OF PUBLIC INFORMATION AND PUBLIC RECORDS IN AN ELECTRONIC FORMAT

Be it resolved by the Mayor and Council of the City of Hoboken, County of Hudson, State of New Jersey, as follows:

Whereas, Hoboken has a strong commitment to open, efficient, promptly responsive, and accessible government; and

Whereas, technologies have made possible the swift and inexpensive dissemination of information through electronic means, including the Internet and email; and

Whereas, the use of electronic technologies will likely reduce the use of paper, thereby benefiting the environment and the public;

Now, therefore, be it resolved that the Mayor and Council find and determine that the means and process used by the City Clerk's Office to disseminate public records requested via the Open Public Records Act (OPRA) and the means and process used by other City offices to disseminate public information and for all City offices to respond to requests for public information should include the use of electronic technologies wherever possible; and

Further resolved that the City will establish a link on the City's website with an OPRA form that may be printed then submitted to the Clerk's Office, to provide a more convenient way for the public to request public records; and

Further resolved that the City will establish email addresses for City offices with links to those addresses to be established on the City website for easy public access to City officials, with such officials to be trained in the use of the City's email system to ensure timely response to requests for public information or general inquiries; and

Further resolved that the City will arrange for the periodic and regular posting on the City's website of meeting agendas, meeting minutes and other public information not covered by OPRA.

Section 1. Definitions

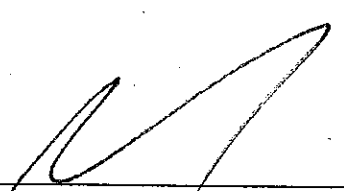
- a. "Internet" shall mean the World Wide Web (WWW).
- b. "E-mail" shall mean electronic communication over the World Wide Web.
- c. "Public Records" shall mean documents that are required by law to be made available to the public via request, under the Open Public Records Act (OPRA).
- d. "Public Information" shall mean any information that is not confidential or termed within the OPRA that is of a general nature, which may be issued upon public request without wait.

Section 2. Provisions

- a. Within a reasonable period of time not to exceed 60 days of the effective date of this resolution, the City of Hoboken shall establish a link on its site on the Internet ("www.hobokennj.org") and shall create an e-mail address for the City Clerk's Office and for all municipal boards, agencies, bureaus, departments, offices, and entities, including but not limited to the Planning Board, Zoning Office, the Zoning Board of Adjustment, the Board of

Health, and the Construction Code Office, in order to maintain and disseminate public information and to respond to requests for public information via email. Employees in the divisions and offices who are to respond to public requests for information shall be trained in the use of the email system used by the City.

- b. Public Information documents generally requested by the public, which are not covered by the requisition restrictions of OPRA, shall be created electronically and posted on the Hoboken Web Site. Such items will include but not be limited to minutes, agendas, resolutions, and ordinances of the municipal offices and entities of the City of Hoboken. Employees shall be trained to post items onto the City website or forward such items to the appropriate City office for posting in a timely manner.
- c. Documents created by the City that are considered "public information" shall be created and maintained in an electronic form, in addition to a paper form.
- d. While the OPRA does not require the City to respond to a request for public records in a format other than the one in which such requested document was created, the City's response for public records, if so requested, may be provided in an electronic format, provided the City can reasonably accommodate such request.
- e. All requests of the Hoboken City Clerk's Office for public records to be provided in an electronic format shall be responded to by law, in a timely fashion, provided that the request was made through the formal OPRA form, available in the City Clerk's Office and on the City's website, and that such documents are available in an electronic format, as stated above, if so requested.
- f. All notices and agendas required to be posted publicly or published before meetings and/or hearings of municipal entities shall be posted on the Hoboken Web Site simultaneously with the physical posting or publication in paper form of such notices. It shall be noted, however, that such posting online is not a legal requirement, and the non-posting of items due to technical reasons, would not constitute a violation of posting requirements by the City.
- g. In the event of a discrepancy between a public record in a paper format and one in an electronic format, the public record in a paper format shall be recognized as the most valid and shall prevail.
- h. This resolution shall be effective immediately.


Robert K. Drasheff, Business Administrator

Joseph Sherman, Corporation Counsel