

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2682-24
ORDINANCE AUTHORIZING THE SUBMISSION OF A QUESTION FOR THE ELECTION OF A
CHARTER COMMISSION UNDER THE FAULKNER ACT (N.J.S.A. 40:69A-1) IN THE 2025
GENERAL ELECTION**

WHEREAS, the Township of Millburn (“Millburn”) has operated under the Township Committee form of government, pursuant to N.J.S.A. 40A:63-1 et seq., since its incorporation in 1857; and

WHEREAS, the New Jersey Legislature enacted the Optional Municipal Charter Law (the “Faulkner Act”), N.J.S.A. 40:69A-1 et seq., in 1950 to provide municipalities with alternative forms of government; and

WHEREAS, the Faulkner Act empowers Millburn to elect a charter commission whose purpose is to study Millburn’s Charter, consider whether a new charter should be enacted or improvements should be made to its present charter, and make recommendations thereon; and

WHEREAS, the Township Committee of the Township of Millburn (the “Committee”) wishes to inquire whether a form of government made available under the Faulkner Act would be more beneficial to Millburn than its current form of government; and

WHEREAS, the Committee wishes to hold a referendum election to inquire whether the residents of Millburn wish for a charter commission to be elected to study the Charter of the Township of Millburn and consider a new chapter or improvements to the present charter and to make recommendations thereon; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Millburn, County of Essex, State of New Jersey, as follows:

1. A referendum election shall be held during the 2025 general election on the question: “Shall a charter commission be elected to study the charter of the Township of Millburn and to consider a new charter or improvements in the present charter and to make recommendations thereon?”
2. Voters shall have the option to respond “Yes” or “No” to the election question found in paragraph 1 and, regardless of the manner of their vote on the question, be instructed to select five (5) of the duly nominated candidates for the charter commission.
3. Township officials and professionals are hereby authorized and directed to take all actions to implement this Ordinance as are necessary and appropriate to accomplish its goals and intent.
4. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
5. If any part of this Ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

6. This Ordinance shall take effect upon final passage and publication as provided by law.

Ordinance 2682-24

Introduced: 7/16/2024
Published: 7/25/2024
Public Hearing/Adopted: 8/13/2024
Published: 8/22/2024

ATTEST:

MILLBURN TOWNSHIP

Christine A. Gatti, Municipal Clerk

By: _____
Annette Romano, Mayor

CERTIFICATION

I, Christine A. Gatti, Clerk of the Township of Millburn, in the County of Essex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Township Committee at a regular meeting held on the 13th day of August, 2024.

Christine A. Gatti, RMC
Municipal Clerk