

## NEW JERSEY'S OPEN PUBLIC MEETINGS ACT "THE SUNSHINE LAW"

The main points of the Open Public Meetings Act, N.J.S.A 10:4-6 (1973), are:

- ~~Public meetings of public bodies in New Jersey are open to the public.~~

- Collective bargaining.
  - Lease or acquisition of property, setting of banking rates, investment of public funds if disclosure would harm the public interest.
  - Investigations into violations of law.
  - Strategies to protect public security.
  - Pending, ongoing or anticipated litigation or contract negotiation, including attorney-client privilege. The threat of litigation must be more than theoretical for this exemption to apply.
  - Personnel matters affecting employees of the public bodies, unless all parties request or consent to a public hearing. Prior to discussion of personnel, affected employees must be given notice, known as a Rice notice, which gives the employee the right to request a public hearing.
  - Proceedings that could result in a suspension, civil penalty, or loss of a license or permit.
- Closed sessions are limited to discussion; all formal actions must be made in the open, regardless of subject matter.
  - Prior to any closed session, the body must adopt a resolution stating the general nature of the subject to be discussed and the time when the discussion can be disclosed. The precise nature of the matter discussed may be withheld until the need for the closed session has passed.
  - **MINUTES:** Minutes must be kept of closed sessions. The minutes should start with a statement of the time, place and manner of notice, or in the case of an emergency meeting, a statement sufficient to satisfy the emergency meeting notice requirements. Minutes should show, at a minimum, the names of the memb, at3TJ0.1g90u r483.8006 Tvr to s0009 oy s000 na1g90u r483.8006 Tencd 0.duussv007 Tw -4.67200