

**RESOLUTION TO IMPLEMENT NOTICE REQUIREMENTS PURSUANT TO
NEW JERSEY P.L. 2025, CHAPTER 72, ADOPT COMPLIANT PROCESSES
FOR LEGAL NOTICES, PREPARE A COMPLIANT WEBSITE, NOTICE, AND
ARCHIVING PROTOCOLS, AND ESTABLISH ONGOING MONITORING FOR
BOROUGH ENTITIES AND APPLICANTS**

WHEREAS, the Borough Council of the Borough of Wharton (the "Council") is the governing body of a municipality constituting a "local government unit" under New Jersey P.L. 2025, Chapter 72 (the "Act"), which amends and supplements laws governing the publication of legal notices by local government units, including municipalities and their boards such as planning boards; and

WHEREAS, the Act requires, effective March 1, 2026, that all required legal notices (such as resolutions, proclamations, bid proposals, ordinances, or other advertisements) be published on the official Internet website of the municipal body in a free and accessible manner, with a conspicuous direct hyperlink to the legal notices section on the homepage; and

WHEREAS, the Act further mandates submission of the hyperlink to the legal notices webpage to the Secretary of State by March 1, 2026, for inclusion on the Secretary of State's centralized legal notices webpage, and requires maintenance of an Internet archive of such notices for at least one year, with notices displayed on the main webpage for at least one week (or longer if required by law) before archiving, commencing no later than July 1, 2026; and

WHEREAS, during the transitional period from January 1, 2026, through December 31, 2026, the Act requires publication of advertisements at least twice per month in an eligible online news publication stating that full legal notices are available on the municipal body's official website, including the hyperlink to the Secretary of State's legal notices webpage (waived if such webpage is not established); and

WHEREAS, the Act permits optional additional publication in eligible online news publications and provides defenses against defects in notices due to errors outside the entity's control; and

WHEREAS, until March 1, 2026, the Borough may continue using qualifying print or electronic newspapers for notices under prior law; and

WHEREAS, the Act imposes obligations on individuals, corporations, or other entities (non-public entities) to publish required legal notices in eligible online news publications meeting specific criteria, including domain accessibility, content compliance, archiving, security, no access barriers, insurance, operational history, and visitor metrics for municipal-wide, county-wide, or state-wide eligibility; and

WHEREAS, the Borough receives applications and interacts with such non-public entities through various boards, including the Planning Board, that may trigger notice obligations under the Act; and

WHEREAS, the Planning Board has recommended adoption of compliant processes and advised on preparation of a website, notice, and archiving protocols; and

WHEREAS, the Council seeks to ensure Borough-wide compliance with the Act, promote transparency, and assist entities in understanding their obligations;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Wharton, County of Morris, State of New Jersey, as follows:

- 1. Implementation of Notice Requirements: Effective immediately, and in full compliance by March 1, 2026, the Borough shall publish all required legal notices on its official Internet website in a free, transparent, and accessible manner, with a conspicuous direct hyperlink to the legal notices section on the homepage. The Borough Administrator or designee shall submit the hyperlink to the Secretary of State by March 1, 2026, and maintain an archive of notices for at least one year, displaying notices for at least one week before archiving, commencing no later than July 1, 2026.**
- 2. Transitional Measures: During 2026, the Borough shall publish the required transitional advertisements at least twice per month in an eligible online news publication, unless waived under the Act.**
- 3. Adoption of Compliant Processes: The Council hereby adopts processes for all Borough entities, including the Planning Board, to comply with the Act, directing the Borough Administrator to develop and implement administrative policies ensuring uniform publication, archiving, and coordination.**
- 4. Preparation of Website, Notice, and Archiving Protocols: The Borough Administrator, in consultation with the Planning Board and other relevant entities, shall prepare and implement a compliant official website, notice procedures, and archiving protocols, including free public access, conspicuous hyperlinks, one-year archiving, security systems, contingency plans, and integration with the Secretary of State's webpage.**
- 5. Establishment of Monitoring and Advisory Protocol: The Council directs the Borough Administrator to establish an ongoing Borough-wide protocol to monitor compliance and advise non-public entities as follows:**
 - For applications to Borough boards (including the Planning Board) that may require legal notices, provide written notice to applicants detailing their obligations under the Act, including publication in an eligible online news publication based on geographic scope.**

- **The advisory notice shall include a summary of eligibility criteria for online news publications, such as domain accessibility, content compliance, one-year archiving, security, no fees, \$1 million insurance, three-year history, and visitor metrics (e.g., 4,000 municipal-wide with $\geq 50\%$ local).**
- **Maintain and update a list of known eligible publications for distribution to applicants, with disclaimers on verification responsibility.**
- **Conduct annual compliance reviews and quarterly reports to the Council.**

6. Effective Date: This Resolution shall take effect immediately.

Adopted: January 26, 2026

ATTEST:

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**

**Cheryl Muzzillo,
Borough Clerk**