

WEB SITE POLICIES AND TERMS OF USE

1. PURPOSE AND AUTHORIZED CONTENT

The Township of Montgomery (“Township”) owns and controls the Township of Montgomery Web Site (“Web Site”), located at: <http://www.montgomery.nj.us/>. The purpose of the Web Site is to provide information of the Township’s choosing to the public in order to conduct the Township’s business, advise the public of useful and practical information and promote the Township’s purposes, as guided by the Township Committee. **The Township’s Web Site is not intended to serve as a forum for open discussion and the public is only permitted to have information posted when specifically and intentionally authorized herein.**

The Township’s Web Site and its pages, and all of the content thereon, shall be under the control and subject to the approval of the Township Administrator or his/her designee. The Township may also, from time to time, post content on third-party web sites when it is in the Township’s interest to do so, such as “social media web sites” like Facebook. See Section 7. below for the general policy governing Township use of third-party web sites.

Most content on the Township’s Web Site is authored, drafted and edited by the Township. Some of this content is from specific Township departments, boards, committees and commissions (see Appendix A also for specific policy regarding Web Site use by departments, boards, committees and commissions). From time to time, the Township Administrator or his/her designee may also include content on this Web Site that is supplied by other municipal service providers serving the Township, including but not limited to the Mary Jacobs Library, Montgomery EMS and the Montgomery Volunteer Fire Companies (referred to herein collectively as “Municipal Service Providers”); such permitted content shall be informational and of general interest to the Township and its businesses and residents, and shall be subject to the review and prior approval of the Township Administrator or his/her designee.

Members of the public shall only be permitted to submit private announcements and information for inclusion on the Township’s Web Site when specifically authorized below in Section 4. “External Links” and Section 5. “Bulletins Page and Community Calendar.”

2. TERMS OF USE

Generally

The Township of Montgomery Web Site is controlled, operated, and maintained by the Township of Montgomery (also referred to herein as “Township” or “Montgomery Township”). By addressing this site, you are agreeing to be legally bound to the terms and conditions specified within this document. If you do not agree with these terms, **DO NOT ADDRESS OR ACCESS THIS SITE**. The Township of Montgomery reserves the right to change or modify these terms at any time without prior notice. Any changes or modifications will take effect immediately upon posting. Continued addressing of the Township of Montgomery Web Site will signify your acceptance and compliance with changes or modification to its policies and terms of use.

Please review the policies and terms of use set forth in this document before using the Township of Montgomery Web Site.

Ownership and Permitted Use

All Web Site material, including but not limited to, software, design, text, images, photographs, illustrations, graphic material, or other copyrightable elements, and the selection and arrangements thereof are the property of Montgomery Township, and are protected, without limitation, pursuant to U.S. and foreign copyright, trademark and other applicable laws. Montgomery Township hereby grants you a personal, non-exclusive, non-assignable and non-transferable license to use and display the above-mentioned material for noncommercial and personal use only, provided that you maintain all copyright and other notices.

You agree not to reproduce, modify, display, perform, publish, distribute, disseminate, broadcast or circulate any material to any third-party including, without limitation, the display and distribution of the material via a third-party web site, without the express prior written consent of Montgomery Township. Use of Montgomery Township's material is only permitted with its express written permission. You further agree that you will not disassemble, decompile, reverse engineer or otherwise modify the material. Any unauthorized or prohibited use may result in civil liability and criminal prosecution under applicable federal, state, and international laws.

Submissions

Portions of the Montgomery Township Web Site may now or in the future allow users to submit, post, and display messages and information. Any such user-submitted, posted or displayed message(s) or information does not reflect the view of Montgomery Township. Furthermore, Montgomery Township will not assume any responsibility for losses or damages resulting from a user's submissions, posts, or messages appearing on this Web Site.

By submitting, posting, or displaying any message, text, or other type of data, you authorize Montgomery Township and others, to use and display this information by any means currently available or any means available in the future.

Reporting

If you believe that any information on the Montgomery Township Web Site is in violation of these Web Site Policies and Terms of Use, please contact the webmaster via email at clerk@twp.montgomery.nj.us.

Advertising

The Montgomery Township Web Site does not provide for, or rent space for advertising by outside individuals and organizations, including but not limited to, businesses, charities, non-profit organizations, clubs, religious groups, and online communities.

3. PRIVACY POLICY

Montgomery Township is dedicated to preserving the privacy of users who access the Montgomery Township Web Site. In accordance with this ideal, Montgomery Township is providing information relating to our Privacy Policy. Montgomery Township reserves the right to change or modify this policy at any time without prior notice. Any changes or modifications will take effect immediately upon posting. Continued addressing of the Montgomery Township Web Site will signify your acceptance and compliance with changes or modification to privacy policy. If you do not agree with this privacy policy, DO NOT ADDRESS OR ACCESS THIS SITE.

Description of Personal Information Collection

Montgomery Township considers any information including, but not limited to, first name, last name, phone number, street address, email address, or any other information that allows one to identify a user as an individual to be personal information.

Montgomery Township collects personal information in only one way, voluntary submission. This method of collection is left completely up to the user. If a user does not wish to submit personal information, Montgomery Township will not collect it.

Personal information is collected by Montgomery Township to provide services such as our mailing list. In addition, personal information provides for a level of accountability that a user can be held to when submitting information to the Montgomery Township Web Site. Personal information is not in any way used for the purposes of advertising. Personal information will not be disclosed to third parties unless required by law or pursuant to court order.

To have your personal information removed from storage at Montgomery Township, please send email to clerk@twp.montgomery.nj.us, including the email address, first, and last name, street address and zip, if provided, of the information that is to be removed.

Description of Other Information Collection

Montgomery Township may collect other information from users on a non-voluntary basis. This information includes, but is not limited to, IP addresses, browser types, browser versions, referencing web pages, and server names.

This information is collected by Montgomery Township for the express purpose of statistical evaluation and better developing and maintaining the Montgomery Township Web Site. It is not in any way used for the purposes of advertising. Other information is stored at the Township and is not accessible to third parties unless required by law or pursuant to court order.

4. EXTERNAL LINKS

There are portions of the Township's Web Site that include links to external web sites. Links included on the Township's Web Site fall into one of three categories:

- A. A link to the web site of a private person, group or organization, upon request to have that link posted. Such links shall only be posted when in compliance with the written policies governing same. Written policies governing the posting of such links are set forth herein and/or on the specific webpages where the links are posted, such on the Bulletins Page, Community Calendar and the EDC's Local Business Directory webpages.
- B. Links to the web sites of certain privately-owned web sites, when such information is regularly and routinely sought from the Township by members of the public and/or the Township (or one of its departments, boards, committees or commissions) believes the link will assist members of the community in furthering the Township's (or that department's, board's, committee's or commission's) purposes, and as set forth on the

relevant webpages providing such links, such as on the Recreation Department's webpage, the EDC's webpage and the GIS webpage.

- C. Links to the web sites of governmental and quasi-governmental entities, which will be added to (and removed from) the Township's Web Site from time to time and in the Township's discretion. These links are posted in various locations throughout the Township's Web Site.

While the Township offers links on its Web Site as a means to assist the community, the Township in no way endorses, recommends or supports the content of these third-party web sites or the groups, individuals, agencies or organizations operating those web sites. These links are provided solely as a courtesy and convenience to our visitors and as a service to the community. The Township does not verify, endorse, or take responsibility for the accuracy, currency, completeness or quality of the content contained in these sites. The linked web sites are not owned, operated, controlled, maintained or reviewed by the Township of Montgomery, and the Township is not responsible for their availability or their content. When you link to one of these sites, you are no longer on the Township's web site.

The Township and its officers, employees, agents and consultants exercise no control over the organizations, or the views, accuracy, availability, copyright or trademark compliance or the legality of the material contained on those servers and do not sponsor, endorse, or approve the information, opinions, views, content, products, materials, opinions or services expressed or contained on such external sites.

Furthermore, Montgomery Township is not responsible for the quality or delivery of the products or services offered, accessed, obtained by or advertised by such sites.

The visitor proceeds to these external sites at his or her own risk. The Township specifically disclaims any and all liability from any and all damages which may result from the accessing of a third-party web site which is linked to the Township Web Site, or from reliance upon any such information contained on any such third-party web site.

5. BULLETINS PAGE AND COMMUNITY CALENDAR

General Policy

Two portions of the Montgomery Township Web Site are dedicated to community announcements and notices and are known as the: Bulletins Page and "Community Calendar." As a Montgomery Township-sponsored and funded web site, the Bulletins Page and Community Calendar are limited to announcements and notices that are solely intended to inform residents about upcoming community events. A "community event" means a charitable, educational, cultural or recreational event that is either sponsored by a Montgomery Township based organization, group or person or to which Montgomery Township residents are invited. "Community event" shall only include non-profit events, and shall not include any for-profit, political or partisan event, or any event held for purposes of furthering a for-profit, political or partisan organization or cause.

Submission Requirements

The announcement or notice must be limited to information concerning the upcoming community event and include: (1) the name of the group, organization or person sponsoring the event, (2) the name of any contact person, and (3) an explanation of the event, including its

location and date(s) and time(s). The announcement or notice must be no more than 100 words of text only, in paragraph form. Email, hand-deliver, fax or mail your request to have an announcement or notice posted on the Bulletins Page or Community Calendar, or both, to:

Township Information Officer Tamara Garaffa
Township of Montgomery
2261 Van Horne Road
Belle Mead, NJ 08502
Email: tgaraffa@twp.montgomery.nj.us
Fax: (908) 359-0970

When emailing the request, please use the words "News Bulletin" in the subject line and include your requested announcement or notice as a Microsoft Word file attachment. All requests must include the name and contact information of the person making the request. Adobe Acrobat (PDF) files such as flyers or articles with logos, photos, images or further details may also be sent in addition to (but not instead of) basic text. Such content may be included as a link from the announcement or notice.

The deadline for submissions for the Bulletins Page and Community Calendar is rolling. Postings will be done on an on-going basis, so there is no cut-off for submitting announcements and notices to be included in the Bulletins Page and Community Calendar. Please allow up to one (1) week for postings to appear on the Township's Web Site. Submissions should not be sent earlier than eight (8) weeks in advance of an event. The Township will remove the announcement or notice after the event is completed, or upon the written request of the person who originally submitted the request.

Timely submitted Bulletins Page items may also appear in the electronically distributed quarterly Montgomery Township Newsletter on March 1, June 1, Sept. 1, and Dec. 1 in its "Community Bulletin Board" (see latest newsletter on-line at www.montgomery.nj.us/about/newsletter.asp). Community Bulletin Board copy deadlines are three (3) weeks prior to the distribution dates provided immediately above.

6. MAILING LIST/E-BULLETINS

Interested parties may receive up to the minute Township communications by signing up for inclusion on the Township's mailing list. This list is used to send email to users entitled "e-bulletins."

These e-bulletins are directly from the Township and only relate to Montgomery Township business and pertinent information supplied by the Township's Municipal Service Providers. Among other things, e-bulletins will include the quarterly Montgomery Township Newsletter. To subscribe, go to the Township's Web Site at www.twp.montgomery.nj.us, click on the "Sign Up Envelope" on the right side of the page, type in your email address and check the "subscribe" box. Users are self-subscribed or subscribed by permission only. Once subscribed, every e-bulletin includes an "Opt-Out" link at bottom. While signing up for this mailing list, a user is required to provide their email address and has the option of providing a street address and zip code. Your street address and zip code information is confidential and will not be rented, sold or shared with any person or entity, unless required by law or pursuant to court order. Please consult Montgomery Township's Privacy Policy in Section 3. above for more information regarding the collection of personal information for mailing lists and other

pages within the Montgomery Township Web Site. If your email address changes, please remember to re-subscribe with the new address and unsubscribe the old one, to continue to receive e-bulletins.

The user agrees that the use of the mailing list is subject to all applicable local, state, national and international laws and regulations. The user agrees not to: attempt to gain unauthorized access to the mailing list, or computers connected to the mailing lists through password mining or other means; or violate any applicable laws or regulations, including, but not limited to, laws regarding the transmission of technical data or software exported from the United States; or interfere with another user's use and enjoyment of the mailing lists.

7. TOWNSHIP USE OF THIRD-PARTY WEB SITES, INCLUDING SOCIAL MEDIA WEB SITES

From time to time, the Township may determine it to be in the Township's interest to post Township-generated content on a web site *that is different from* the Township Web Site (referred to herein as a "third-party web site"). These instances fall into two (2) categories: third-party web sites which provide a service to the Township; and social media web sites.

Third-Party Site That Provides Service to Township

The Township may post content on a third-party web site with whom the Township has a contractual relationship for that third-party to provide a particular service to the Township, such as the acceptance of program registrations, acceptance of payment or the viewing of videos. An example is the ability of residents to register online for Recreation Department activities via www.communitypass.net. See Appendix A for the specific policy regarding the posting of content on third-party web sites by Township departments, boards, committees and commissions.

Social Media Web Sites

The Township may post content on third-party web sites commonly referred to as "social media" web sites, such as Facebook, Twitter and Nixle. A "social media web site" is a web site whose general purpose is for users to share information, ideas, personal messages and other content. To the extent applicable, the provisions of the Web Site Policies and Terms of Use shall govern. In addition, the following shall apply to the Township's use of a social media web site:

- a. The intent of the Township's posting of content on any social media web site shall be for the Township to disseminate information to members of the public and as a channel to increase the Township's ability to broadcast its messages to the widest possible audience. The Township does not, however, intend to create any type of public forum or to generate on line discussions with members of the public.
- b. Whenever possible, content posted on Township social media web pages will also be posted on the Township's Web Site. Also whenever possible, content posted on Township social media web pages should contain links directing users back to the Township's Web Site for more in-depth information, forms, documents or services.

- c. Members of the public shall not be permitted to post comments or messages on any social media page or web site controlled by or representing the Township. In the event a member of the public posts any comment or message, it shall not be read or addressed, and shall be immediately deleted.
- d. See Appendix A for the specific policy regarding the posting of content on social media web sites by Township departments, boards, committees and commissions.

Any third-party web site, including a social media web site, that contains authorized Township content shall be listed on the Township's Web Site and updated as necessary.

APPENDIX A

POLICY GOVERNING TOWNSHIP WEB SITE AND THIRD-PARTY WEB SITE USE BY TOWNSHIP DEPARTMENTS, COMMITTEES, COMMISSIONS AND BOARDS

General

Subject to the following, a Township department, board, committee or commission (collectively referred to herein as “department”) may submit department-specific content for inclusion on the Township’s Web Site and/or on a third-party web site, including a social media web site. To the extent applicable, the provisions of the Web Site Policies and Terms of Use shall also apply.

A. Department Use of Township Web Site

The Township’s Web Site is aimed at providing useful and practical information to the public and advancing the Township’s purposes. These goals are also furthered when individual departments are able to have their own department-specific content included on the Township’s Web Site.

If a department seeks to have one or more web pages on the Township Web Site, said department shall first obtain the Township Administrator’s approval. Upon approval, the Administrator or his/her designee will assist the department in developing and drafting the webpage(s). Only the Administrator and/or his/her designee shall have the ability to post and change content directly on the Township Web Site. Once a department’s webpage(s) are posted on the Web Site, the department shall draft necessary updates and changes to the webpage(s) and submit same to the Township Administrator or his/her designee for inclusion on the Web Site.

Any such department webpage(s) and the content thereon shall advance the goals and purpose of said department and be consistent with any relevant enabling statute(s) and/or Township Code provision(s). No department webpage(s) shall include any information that conflicts, hinders or otherwise fails to comply with the department’s goals, purpose and intent, or that is not in the best interests of the Township. The Administrator or his/her designee shall have final editorial control over the content of the webpage(s) and shall be authorized to change and/or remove content should be in the Township’s best interest to do so.

B. Third-Party Web Sites, Including Social Media Web Sites

There may be instances when it is in the Township’s interest to authorize a department to submit department-specific content for posting on a third-party web site, including a social media web site.

A department may provide content for inclusion on a third-party web site which has a contractual relationship with the Township to provide a particular service to the Township, such

as the acceptance of program registrations, acceptance of payment or viewing of videos, and that service assists the department.

In addition, a department may provide content for inclusion on a social media web site when the Township has established and maintains an account with that social media web site, and the information to be disseminated serves the department's purpose.

All department-specific content on a third-party web site, including a social media web site, shall first be authorized by the Township Administrator and shall be subject to the oversight and control of the Township Administrator or his/her designee. Such content shall advance the goals and purpose of said department and be consistent with any relevant enabling statute(s) and/or Township Code provision(s). No department-specific content included on a third-party web site, including a social media web site, shall include any information that conflicts, hinders or otherwise fails to comply with the department's goals, purpose and intent, or that is not in the best interests of the Township. The Township Administrator or his/her designee shall have the control and final authority to approve, or disapprove, the content of any webpage that is controlled by, or represents, the Township of Montgomery or any of its departments, and shall be authorized to remove same from the third-party or social media web site should it be in the Township interest to do so.

No department, committee, commission or board shall be permitted to create a web site that is independent of the Township Web Site, and except as provided above, no department, committee, commission or board shall be permitted to post any content representing that department, committee, commission or board on any third-party web site, including a social media web site.

Adopted July 11, 2013