

I. EXECUTIVE SUMMARY

The residents of Millburn voted by a strong majority – a 65.3% margin – to establish a Charter Study Commission (the “Commission”) to study the Township form of government, under which Millburn has been organized since its incorporation in 1857, to determine whether a new form of government under the Faulkner Act would better suit the needs of contemporary Millburn.

Since November 2025, the Commission has sought to satisfy that mandate by educating itself about the way the Township Committee form of government serves, or does not serve, the people of Millburn. To that end, the Commission interviewed current and former members of the Township Committee, current and former business administrators, current employees, and elected officials and employees from other municipalities. The Commission also listened to comments from the public, both at meetings and through written submissions and informal conversations.

Through this process, the Commission learned that Millburn has many strengths. The current form of government is not one of them. The Commission finds that the Township form of government has structural deficiencies that hamper good governance. Those deficiencies include the five-member Township Committee, which overburdens each member and strains capacity, and the fact that the position of the business administrator, who plays a critical role in ensuring continuity of governance, has no statutory protections. Further, the current annual partisan election cycle causes divisiveness and limits the window of time during which good governance occurs each year. The partisan nature of elections creates discord amongst citizens and members of the governing body alike, limits participation in municipal governance, and often risks that the candidates for office are those who may best serve the parties, not those who will best serve Millburn. Those deficiencies could be remedied by the adoption of a form of government permitted under the Faulkner Act, N.J.S.A. 40:69A-1 et seq.

After a thorough study of the alternate forms of government available to it, the Commission strongly recommends that Millburn adopt the Council-Manager Plan form of government (the “Council-Manager Form”) with the governing body elected in non-partisan elections held every two years, as further detailed herein. Such a change will directly address the structural conditions that have limited Millburn’s governance: an annual election cycle that makes sustained leadership nearly impossible; a partisan structure that excludes nearly half the electorate and introduces divisions created by national politics, which are inapplicable to Millburn; and a governing body too small to bear its workload or deliberate with adequate

depth. The Commission is confident that the Council-Manager form, with non-partisan elections and a seven-member council, meets each of those failings while preserving and strengthening what has always served Millburn well.

Under the Council-Manager form of government, the council exercises all legislative power and sets policy for the Township. The council hires a professional manager to handle the day-to-day municipal operations, a role akin to the chief executive officer of a corporation. It also appoints a chair to act as the municipality's mayor. This form provides for equal voting among council members; the mayor does not possess any more power than his or her colleagues. The full governing body hires the manager based solely on qualifications and experience, not on political affiliation. Pursuant to statute, the manager enjoys broad powers that are exercised at the pleasure of the full governing body; the executive power is therefore checked by the governing body's plenary right to remove the manager by a majority vote. In practice, Millburn's current form approximates this arrangement through appointment of a business administrator, *see* Appendix C, Millburn, N.J., Code § 2-2 (Business Administrator). The Council-Manager form of government permits a clean statutory delineation of legislative responsibility (vested in the Council) and executive power (vested in the Manager).

The Commission believes that Millburn will be best served by non-partisan elections. The Commission finds that partisan elections artificially restrict the pool of candidates for office, and that party affiliation serves as an imperfect barometer of how a candidate may vote if elected. Non-partisan elections allow those with the skills and experiences best suited to governance to rise to the top, rather than those who are most adept at managing party politics and advancing party agendas. Further, non-partisan elections will ensure that Millburn's elected officials make the decisions that are right for Millburn, without pressure from local party committees to vote in a way that is best for the party.

As part of its recommendation, the Commission recommends expanding the size of the governing body to seven members but maintaining an indirect mayoral selection process. It also recommends that the governing body be elected to four-year terms in staggered elections.

The Commission will submit its recommendation to voters in a special election to be held on June 16, 2026. If adopted, voters will elect the new Council members in this year's general election on November 3, 2026. This will ensure that the new form of government takes effect as soon as possible. The alternative course would be to hold the referendum in the November 2026 general election and, if successful, install the new Faulkner Act government in January 2028 following election of the new governing body in November 2027. The Commission finds that permitting the current Township Committee to operate in lame-duck status for potentially longer than one year is unproductive and maintains the status quo despite what would be a vote for change. Therefore, the Commission favors expeditiously letting the voters decide if Millburn will adopt the Council-Manager form.

The following table summarizes the relevant provisions of the current Township form of government, as compared to the proposed Council-Manager form:

	Current – Township Form as Exists in Millburn	Proposed – Council-Manager Form
Mayor’s Powers	Presides at meetings, has equal vote to all other Committee members, has certain ceremonial functions.	Legislative power only as an equal voting member of the Council; presides at meetings, performs certain ceremonial functions.
Administrator/Manager Requirements	Optional position under state law; established by ordinance; no credential requirements under state law or current ordinance; reports to full Township Committee.	Required position under State law; required to have relevant experience; reports to full Council.
Administrator/Manager Powers	Executive power delegated by ordinance; responsibilities amended by simple majority vote of governing body.	All executive powers pursuant to state statute.
Administrator/Manager Appointment	Appointed by Township Committee as a whole; removed from position by two-thirds supermajority of governing body.	Appointed by Council as a whole; removal by simple majority vote of Council.
General Appointments/Personnel	Township Committee retains plenary appointment power; certain day-to-day responsibilities delegated to Business Administrator by ordinance. <i>See Appendix C.</i>	Manager.

This report contains a further discussion of the above considerations in Section IV.

The Commission worked earnestly to fulfill its mandate to thoroughly evaluate the efficiency and effectiveness of Millburn’s current form of government. Over the course of its work, the Commission held 18 public meetings – conducted on a rotating schedule of days specifically designed to maximize resident participation – and offered Zoom access at every session to ensure that no resident was excluded by scheduling constraints. The Commission received public comment in two separate rounds at each meeting, giving residents meaningful opportunities to engage throughout. Beyond those public sessions, the Commission conducted more than 40 structured interviews lasting over 70 hours, drawing on the experience of municipal employees, current and former Township Committee members, and elected and appointed officials from other municipalities. Those hours of direct testimony do not reflect the full scope of the Commission’s effort: members devoted substantial additional time to preparation, independent research, deliberation, and the drafting of this report. The members of the Commission are grateful to all who participated in this process with candor and generosity. The Commission thanks the people of Millburn for their trust, and for the opportunity to recommend reform that it believes will serve Millburn for decades to come.