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JOHN PAFF
Plaintiff,

vs.

LUMBERTON TOWNSHIP
COMMITTEE
Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
BURLINGTON COUNTY

DOCKET NO. BUR-L-2421-09

**NOTICE OF MOTION FOR
LITIGANT'S RELIEF (R.1:10-3)**

To George M. Morris, Esq.
Parker McCay P.A.
9000 Midlantic Drive, Suite 300
Mount Laurel, NJ 08054
(*Municipal Attorney for Lumberton Township*)

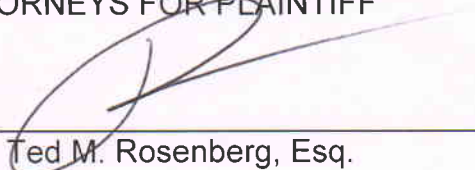
PLEASE TAKE NOTICE that the undersigned will apply to the above-named court, located at the Burlington County Courthouse, 49 Rancocas Road, Mt. Holly, New Jersey, on **Friday, August 21, 2015 at 9:00 A.M.**, or as soon thereafter as counsel may be heard, for an Order granting relief to Plaintiff under R.1:10-3.

Reliance shall be placed upon the enclosed Certification of John Paff and Brief.

A proposed form of order is submitted herewith. Plaintiff requests oral argument.

ATTORNEYS FOR PLAINTIFF

August 3, 2015

By: 
Ted M. Rosenberg, Esq.

PROOF OF SERVICE

On August 3, 2015, I served a copy of the within Notice of Motion, Certification, Brief and form of Order upon Defendant Lumberton Township Committee by regular mail to its attorney, George M. Morris, Parker McCay P.A., 9000 Midlantic Drive, Suite 300, Mount Laurel, NJ 08054.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

August 3, 2015

By: 

Ted M. Rosenberg, Esq.

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STATEMENT OF FACTS

On November 25, 2009, this Court entered a Consent Judgment negotiated by the parties that was intended to "contribute to the transparency encouraged by the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.)." Paff Cert., ¶ 5, Exhibit 1 (Consent Judgment, ¶ 4). During the pendency of the action that led to that Consent Judgment, it was learned that the "Municipal Clerk [was] unable to find minutes of closed session meetings of the Township Committee prior to the meeting of January 6, 2003." Paff Cert., ¶ 5, Exhibit 1 (Resolution 2009-9-202, ¶ 18). Thus, the minutes of all the Township Committee's nonpublic (i.e. closed or executive) meetings held prior to January 6, 2003 had been lost forever.

The Consent Judgment prescribed specific procedures to prevent another loss of non-public meeting minutes. ¶ 9 of Resolution 2009-9-202, which was incorporated into the Consent Judgment, required that an "annual binding of minutes of executive meetings or any meeting closed to the public, which minute book shall also be bound by the Municipal Clerk and maintained as a part of the permanent records of the Township of Lumberton and maintained in that fashion by the Municipal Clerk."

Despite the bound minute book requirement, the Municipal Clerk conceded in her May 13, 2015 letter that "[y]ears 2011-2013 executive session were stored on a computer that was corrupted and are forever lost." Paff Cert., ¶ 7b, Exhibit 4. Had the Defendant Committee obeyed the 2009 Consent Judgment, it would have printed out each set of non-public minutes on paper upon their creation and then annually bound those minutes into volumes for permanent storage.

Another deficiency that was discovered before and during the 2009 litigation was that Defendant was not then making the minutes of its nonpublic meetings, redacted as necessary, "promptly available" to the public in accordance with N.J.S.A. 10:4-14. As a remedy, the October 19, 2009 Certification of Stephanie Yurko, which was incorporated into the Consent Judgment, required that the minutes of public and nonpublic Committee meetings would be printed out the day before the next regular Committee meeting. Paff Cert., ¶ 5, Exhibit 1 (Yurko Cert., ¶ 7). Since Defendant's meetings are typically held on the first and third Tuesday of each month, minutes of a given meeting would therefore be reduced to writing "about 12 to 13 days" after the meeting occurs. Yurko Cert., ¶ 7. Upon the request by a member of the public for nonpublic meeting minutes, "the Clerk shall consult with the Mayor and Township Solicitor regarding the subject matter contained within the closed minutes requested **so that a determination may be made expeditiously** by the Municipal Clerk, Mayor and Solicitor about the ability of the Township to release the said minutes to the public" Resolution 2009-9-202, ¶ 12 (emphasis supplied). These steps were intended to insure that the public had reasonably prompt access to nonpublic meeting minutes.

Yet, in her April 23, 2015 response to Mr. Schmidt's April 17, 2015 request for minutes of nonpublic meetings held during 2010, 2011 and 2012 and between September 1, 2014 and February 28, 2015, Clerk Yurko said that those minutes "have not been released and are being reviewed for tentative release at the April 28, 2015 Township Committee meeting." Yurko requested an extension until May 8, 2015 to respond to Mr. Schmidt's request for those minutes. Paff Cert., ¶ 7a, Exhibit 3.

In her May 13, 2015 follow-up letter to Mr. Schmidt, Yurko furnished Mr.

Schmidt with the 2010 nonpublic meeting minutes, admitted that the 2011, 2012 and 2013 nonpublic minutes "are forever lost," and said that no further action on his request for the 2014 nonpublic meeting minutes will be taken until May 26, 2015. Paff Cert., ¶ 7b, Exhibit 4. Finally, on May 26, 2015, Defendant passed Resolution 2015-005-116 which permitted the release of minutes of nonpublic meetings held during 2014. Paff Cert., ¶ 7c, Exhibit 5. In her May 29, 2015 e-mail to Mr. Schmidt, Clerk Yurko admitted that "2015 executive session minutes have not been released." Paff Cert., ¶ 7d, Exhibit 6.

LEGAL ARGUMENT

Point 1. Appropriateness of a Motion to Enforce Litigant's Rights.

Rule 1:10-3 entitled "Relief to Litigant" states, in pertinent part, as follows:

Notwithstanding that an act or omission may also constitute a contempt of court, a litigant in any action may seek relief by application in the action. A judge shall not be disqualified because he or she signed the order sought to be enforced.

"The scope of relief in a motion in aid of litigants' rights is limited to remediation of the violation of a court order." Abbott v. Burke, 206 N.J. 332, 371 (2011). "Relief under R. 1:10-3, whether it be the imposition of incarceration or a sanction, is not for the purpose of punishment, but as a coercive measure to facilitate the enforcement of the court order." Ridley v. Dennison, 298 N.J. Super. 373, 381 (App. Div. 1997). A motion to enforce a litigant's rights is the appropriate vehicle to enforce an order requiring a public body to comply with Open Public Meetings Act (OPMA). Loigman v.

Township Committee of Tp. of Middletown in County of Monmouth, 308 N.J.

Super. 500 (App. Div. 1998). See also, Abbott v. Burke, supra, at 371.

Point 2. The Defendant has not complied with the November 25, 2009 Consent Judgment.

As stated above in the Statement of Facts, the Defendant has failed to comply with the November 25, 2009 Consent Judgment in two ways. First, it failed to annually bind its 2011, 2012 and 2013 nonpublic meeting minutes into bound volumes for permanent storage as required by the Consent Judgment. Had the Defendant, during January 2012, 2013 and 2014, for example, permanently bound into volumes the minutes of all the nonpublic sessions held during the previous calendar year, those minutes would have been available for Mr. Schmidt's and other citizens' review. The Committee's failure to abide by the Consent Judgment resulted in a permanent loss of important Township records.

Second, it took the Defendant until May 29, 2015 to provide Mr. Schmidt with the 2014 nonpublic meeting minutes that he requested on April 17, 2015. And, Defendant refused to provide Mr. Schmidt with the 2015 nonpublic meeting minutes that he requested on April 17, 2015 and instead informed him only that those "executive session minutes have not been released." Had the Defendant abided by the Consent Judgment, Clerk Yurko, upon receiving Mr. Schmidt's request, would have "consult[ed] with the Mayor and Township Solicitor regarding the subject matter contained within the closed minutes requested **so that a determination may be made expeditiously** by the Municipal Clerk, Mayor and Solicitor about the ability of the Township to release the said minutes to the public." Resolution 2009-9-202, ¶ 12 (emphasis supplied). This

would have caused Mr. Schmidt to receive the requested minutes promptly.

In violation of the express terms of the Consent Judgment, the defendant Township made Mr. Schmidt wait until May 13, 2015 to receive the 2010 nonpublic meeting minutes. Secondly, the defendant Township made Mr. Schmidt wait until May 29, 2015 to receive the 2014 nonpublic meeting minutes. Finally, the defendant Township simply denied him access to the 2015 nonpublic meeting minutes.

Point 3. Nature of Relief

Plaintiff asks this Court to fashion a remedy that is not so severe as to constitute punishment but stern enough to ensure prospective obedience to the Consent Judgment. In his proposed form of Order, Plaintiff has left ample space for the Court to articulate its remedy. In Arrow Manufacturing Co. v. West New York, 321 N.J. Super. 596 (App. Div. 1999), the Tax Court was empowered to award counsel fees in connection with an application in aid of litigant's rights under R. 1:10-3. In Trisun Corp v. Town of West New York, 341 N.J. Super. 556 (N.J. Super. A.D., 2001), a court was authorized to impose sanctions for a violation of R. 1:10-3. The power to impose sanctions is inherent in the authority of a court. Ritter v. Clinton House Restaurant, 64 F. Supp.2d 374 (D.N.J. 1999).

Point 4. An award of Plaintiff's costs and counsel fees is warranted.

R. 1:10-3 provides that "the court in its discretion may make an allowance of counsel fees to be paid by any party to the action to a party accorded relief under this rule." The award of counsel fees "recognizes that as a matter of fundamental fairness, a party who willfully fails to comply with an order or judgment . . . is properly chargeable

with his adversary's enforcement expenses." Pressler & Verniero, Current N.J. Court Rules, Comment R.1:10-3 (GANN).

Here, Plaintiff negotiated a Consent Judgment requiring specific, prospective compliance with the OPMA. Yet, Defendant Committee failed and refused to abide by that Consent Judgment. Accordingly, Defendant Committee should pay for Plaintiff's attorney's fees and costs in bringing this motion.

CONCLUSION

For the reasons set forth above, the defendant Lumberton Township should be appropriately sanctioned and required to pay plaintiff's attorney's fees and costs.

Respectfully submitted,

ATTORNEYS FOR PLAINTIFF

August 3, 2015

By:



Ted M. Rosenberg, Esq.

TED M. ROSENBERG, ESQUIRE
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Attorney for Plaintiff

JOHN PAFF
Plaintiff,

vs.

LUMBERTON TOWNSHIP
COMMITTEE
Defendant

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
BURLINGTON COUNTY

DOCKET NO. BUR-L-2421-09

CERTIFICATION OF JOHN PAFF

JOHN PAFF, of full age, hereby certifies and says:

1. I am the Plaintiff in the above-captioned matter and a lifelong resident of New Jersey.

2. I have served as the Chairman of the New Jersey Libertarian Party's Open Government Advocacy Project since 2005. I have also served on the Board of Directors of the New Jersey Foundation for Open Government, Inc. (NJFOG) since 2008 and currently serve as its treasurer.

3. I am considered an authority on the Open Public Records Act (OPRA) and the Open Public Meetings Act (OPMA). On October 24, 2014, I was awarded the "Heroes of the Fifty States" award at the National Freedom of Information Coalition's (NFOIC) Freedom of Information Summit in St. Petersburg, Florida.

4. My avocation is holding New Jersey government officials and public bodies accountable. Since 2009, I have maintained a blog entitled "NJ Open Government

Notes" (njopengovt.blogspot.com) where I report on OPRA and Open Public Meetings Act (OPMA) court cases and other matters involving New Jersey government transparency. As of January 2015, I have posted more than 500 articles on this blog.

5. As part of my advocacy, I filed this action on July 23, 2009 in order to compel Defendant Lumberton Township Committee to abide by the OPMA. This matter was resolved by a Consent Judgment entered by the Hon. Karen L. Suter, J.S.C. on November 25, 2009. A true copy of the Consent Judgment along with the resolution and certification that were incorporated within it is attached as Exhibit 1

6. On or about July 10, 2015, my colleague John Schmidt sent me a copy of the Verified Complaint filed in John Schmidt v. Township of Lumberton, et al, Docket No. BUR-L-1666-15. A copy of that Verified Complaint, without Exhibits, is attached as Exhibit 2.

7. Relevant to the present motion are four documents that were attached as Exhibits to Schmidt's Verified Complaint:

a. An April 23, 2015 letter from Lumberton Municipal Clerk Stephanie N. Yurko that Schmidt received in response to his April 17, 2015 OPRA and common law right of access request.

b. A May 13, 2015 letter from Lumberton Municipal Clerk Stephanie N. Yurko that Schmidt received in response to his April 17, 2015 OPRA and common law right of access request. A true copy of that letter is attached as Exhibit 4.

c. Resolution 2015-005-116 passed by the Lumberton Township Committee on May 26, 2105. A true copy of that resolution is attached as Exhibit 5.

d. A May 29, 2015 e-mail from Lumberton Municipal Clerk Stephanie N. Yurko that Schmidt received in response to his April 17, 2015 OPRA and common law right of access request. A true copy of that e-mail is attached as Exhibit 6.

8. All attached documents are true copies and have not been redacted, changed, modified, adjusted or otherwise altered in any action by me or my agents.

The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false I am subject to punishment.

DATED: August 3, 2015

John Paff

EXHIBIT 1

FILED WITH THE COURT

NOV 25 2009

KAREN L. SUTER, J.S.C.

MICHAEL L. MOUBER, ESQUIRE
Greentree Executive Campus
4001F Lincoln Drive West
Marlton, NJ 08054
(856) 985-1000
Attorney for Defendant
JOHN PAFF,

PLAINTIFF,

VS.

LUMBERTON TOWNSHIP COMMITTEE,
DEFENDANT.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION
: BURLINGTON COUNTY
: DOCKET NO. L-2421-09
:
:
: CIVIL ACTION
:
: CONSENT JUDGMENT
:

The within matter coming to the Court on the joint application of Plaintiff, John Paff, appearing pro se, and Michael L. Moubert, Esquire, Lumberton Township Attorney, and it appearing that the parties have reviewed Lumberton Township Resolution #2009-9-202 (true copy attached) passed by the Township Committee on or about September 15, 2009 and the October 19, 2009 Certification of Lumberton Township Municipal Clerk, Stephanie Yurko (true copy attached) as it relates to the issue of having draft minutes available to the public; and the plaintiff and counsel for the Township further agreeing to issues regarding the minutes of non-public meetings and their general availability to the public; and the parties desiring to implement a solution to this matter without further delay;

IT IS on this 25th day of November, 2009 agreed and ORDERED as follows:

1. The parties have reviewed Lumberton Township Committee Resolution No. 2009-9-202 and are satisfied that it, as modified and clarified by the October 19, 2009 Certification of Stephanie Yurko, Municipal Clerk, articulates a proper policy for the maintenance and distribution of minutes of meetings of the Township Committee of Lumberton Township;

2. The Township Committee has adopted this policy and further agrees, going forward, to make draft minutes of its public meetings publicly available as set forth in the policy;

3. The Township Committee also agrees to make draft minutes of its nonpublic (i.e., closed or executive) meetings, redacted as necessary, publicly available in the same manner that paragraph 2 above requires of public meeting minutes. The Court understands that paragraphs 2 and 3 of this order have already been implemented and will continue.

4. The Plaintiff and the Township agree that this policy by Lumberton Township contributes to the transparency encouraged by the Sen. Byron M. Baer Open Public Meetings Act (N.J.S.A. 10:4-6 et seq.) and serves the public interest.

5. Plaintiff agrees he is not entitled to any damages.

6. The Township agrees to reimburse the plaintiff for his costs of \$230.00, without interest. Such is to be paid within 30 days hereof. Plaintiff understands he will need to work with the Township Chief Financial Officer regarding paperwork.


KAREN L. SUTER, P.J. Cv.

We consent to the terms of this Consent Judgment:



John Paff, Plaintiff



Michael L. Mouber
For Defendant Lumberton Township Committee

Date: 11/17/09

Date: 11/20/09

**TOWNSHIP OF LUMBERTON
COUNTY OF BURLINGTON**

RESOLUTION 2009-9-202

**A RESOLUTION ESTABLISHING A PROCESS FOR KEEPING,
APPROVING AND RELEASING MINUTES OF
PUBLIC MEETINGS**

WHEREAS, the Lumberton Township Committee desires to have available for public inspection all minutes of meetings of the Township Committee as soon as they can be made properly available subsequent to the conclusion of the meeting for which those minutes are taken; and

WHEREAS, the Township Committee has been unable to determine that the Township of Lumberton has ever previously pursued a rational method of minute book maintenance and security and believes the Township should adopt such a policy in a formal manner for the benefit of all Township residents and taxpayers and for the benefit of any persons, news organizations or others who would want access to the records of the Township that demonstrate the manner of the Township's operation; and

WHEREAS, the Lumberton Township Committee has requested advice from the Township Solicitor regarding the Township's need to have a clearly articulated policy, in writing, regarding keeping, approving and releasing of minutes to the public of the meetings of the Lumberton Township Committee: and

WHEREAS, the Township Committee believes the below policy, stated in paragraphs #1 thru 26 of the Resolved portion of this resolution properly establish and articulate such a policy; and

WHEREAS, the Township Committee also wants to be certain that the Township vigorously enforces a methodology of administrative process that complies with the Open Public Meetings Act (commonly referred to as the Sunshine Law), *N.J.S.A. 10:4-6 et seq.* and the New Jersey Open Public Records Act, *N.J.S.A. 47:1A-1 et seq.*;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lumberton, County of Burlington, State of New Jersey that the Township of Lumberton, County of Burlington and State of New Jersey shall forthwith follow the following procedure:

PREPARATION OF MINUTES

1. The Municipal Clerk of the Township of Lumberton shall have ready for review by members of Township Committee drafts of minutes taken, at any regularly scheduled meeting of the governing body, in sufficient time prior to the next following regularly scheduled meeting to afford those members the opportunity to review the draft minutes and to vote upon their approval or their amendment and approval at such next meeting;

2. The word “meeting” as used in the previous paragraph shall mean all regularly scheduled meetings of the Township Committee of the Township of Lumberton, whether those meetings are public meetings or are meetings that have been closed to the public pursuant to resolution of the Township Committee to discuss matters within an executive meeting and not in public as permitted by NJSA 10:4-12;

3. Time constraints imposed upon the Municipal Clerk for the preparation of minutes for Township Committee review and action shall also apply to minutes of any additional meetings of the Township Committee, such as special meetings or emergency meetings outside the normal schedule of meetings as announced at the annual Reorganization Meeting of the Township Committee;

4. In the case of such special or emergency meetings, the draft minutes shall be presented to the members of the governing body as soon as possible after such special or emergency meeting but in no event later than a time that would permit the review of the draft minutes and their approval voted upon at the second regularly scheduled meeting of the governing body after the special or emergency meeting;

5. There are no known reasons to articulate an exception to the preparation of minutes by the Municipal Clerk and approval of all minutes by the Township Committee for all meetings of the governing body as identified in paragraphs 1 thru 4 above;

MAINTENANCE OF MINUTES

6. The minutes of all meetings open to the public shall be maintained in a manner approved by the Lumberton Township Municipal Clerk as per the provisions of the Open Public Meetings Act, and general laws of the State of New Jersey, after consultation with the governing body, Township Solicitor or other official of the Township or the State of New Jersey with whom the Municipal Clerk may consult;

7. Minutes of all meetings shall be maintained by the Clerk in a manner distinguishing between minutes of meetings that are open to the public and minutes of meetings that are not open to the public;

8. The Clerk shall insure an annual binding of the minutes of regular open public meetings into an annual minutes book that shall become a part of the permanent records of the Township of Lumberton and maintained in that fashion by the Municipal Clerk;

9. There shall be a second annual binding of minutes of executive meetings or any meeting closed to the public, which minute book shall also be bound by the Municipal Clerk and maintained as a part of the permanent records of the Township of Lumberton and maintained in that fashion by the Municipal Clerk;

RELEASE OF MEETING MINUTES TO PUBLIC

10. Upon a request to the Municipal Clerk for copies of previously approved minutes of public meetings, whether regular, special or emergency, copies of such requested minutes shall be provided expeditiously and no later than the time constraints imposed by the requirements of the New Jersey Open Public Records Act or any other law or decision that governs the time constraints imposed upon municipalities for the production of records requested;

11. All minutes of meetings that were closed to the public shall be released to any member of the public seeking copies of such minutes pursuant to the Open Public Records Act or any other law or decision that governs the time constraints imposed upon municipalities for the production of records requested, subject, nevertheless, to the right of the Township to protect information involving matters that are defined at *N.J.S.A.* 10:4-12 and *N.J.S.A.* 47:1A-1 et seq and the regulations that may have been adopted pursuant to those laws;

12. In the case of a request for copies of minutes of closed meetings, the Clerk shall consult with the Mayor and Township Solicitor regarding the subject matter contained within the closed minutes requested so that a determination may be made expeditiously by the Municipal Clerk, Mayor and Solicitor about the ability of the Township to release the said minutes to the public without further action by the Municipal Clerk or whether any portion of those minutes needs to be redacted prior to a release to the person requesting the closed meeting minutes or other members of the public;

13. If minutes must be redacted prior to the release or other dissemination of the closed meeting minutes, such redaction shall be made and the said redacted minutes shall be provided to the requestor of the minutes; and

14. In the event of the release of redacted minutes to the public pursuant to a request for the minutes of closed meetings, a statement drafted by the Municipal Clerk shall accompany the redacted minutes, which statement will articulate the section of the Open Public Meetings Act that caused the portion of the closed meeting reflected within the redacted minutes to be closed to the public and shall, furthermore, state that the issues discussed at such meeting are still unresolved and cannot be made public at the time of the release of the redacted minutes;

15. The Municipal Clerk, Mayor and Township Solicitor, in their determination of when minutes of closed meetings shall be released or redacted in part and then released shall be governed exclusively by the status of the law of the State of New Jersey which is hereby recognized to be constantly evolving as a consequence of either statutory amendments to the Open Public Meetings Act, the Open Public Records

Act, all regulations adopted pursuant to those laws as well as the decisional laws of the courts of the State of New Jersey or of the United States;

16. The Township Committee now recognizes the general principles of law contained in the statutes and the decisional law that minutes of closed meetings must be scheduled for release as early as possible after the meeting that such minutes memorialize and hereby advises the Municipal Clerk to be consistent with that policy;

17. In the event of an expansion and/or amendment or act of the Legislature that changes the status of the law regarding the matters set forth within this policy, the policy itself shall be interpreted by Township officials to be consistent with the laws as they exist into the future;

PREVIOUS MINUTES OF THE TOWNSHIP

18. The Township Committee has been informed by the Municipal Clerk that at this time the Municipal Clerk is unable to find minutes of closed session meetings of the Township Committee prior to the meeting of January 6, 2003.

19. The Township Committee directs the Municipal Clerk to prepare a comprehensive report for the governing body that sets out the manner of the Clerk's review and search for such closed meeting minutes, it being the Township Committee's intention to cause such comprehensive report to be filed within the appropriate minute books of the Township so that there is a permanent and clearly articulated statement that those missing meeting minutes have been pursued and cannot be found.

20. There are, nevertheless, minutes of the regular and open meetings of the governing body going back to the time of the creation of the Township of Lumberton in 1860.

21. The Municipal Clerk is hereby directed to review all minutes of all meetings that were closed to the public including and up to the minutes of the closed meeting of the governing body held tonight, September 15, 2009, and to expeditiously make a determination whether the subject matter of all of those closed meeting minutes can be made available for public inspection immediately or if there is some reason, in the opinion of the Municipal Clerk, for any portion of those minutes to remain unavailable to the public.

22. The Township Committee directs the Municipal Clerk to accomplish the work set forth at paragraph 21 within a period of no longer than 45 days, although the Township Committee prefers that the task be accomplished expeditiously and without delay.

23. The Municipal Clerk may consult in this task with the Township Solicitor if she feels that is necessary for her to determine whether the subject matters of those closed minutes or any portion of them should remain outside the view of the public for any of the reasons set forth in the Open Public Meetings Act.

24. In the absence of a determination that any portion of those minutes from January, 2003 through September 15, 2009 should be maintained out of the view of the public on a continuing basis, then such minutes for all such meetings shall be immediately available for public inspection and remain available for that purpose.

25. The same process shall be utilized by the Clerk for each and every minutes of meetings of the Township Committee from the date hereof and into the future.

26. A certified copy of this resolution shall be sent to the Burlington County Board of Chosen Freeholders, the Eighth District Legislative Office of members of the State Assembly and Senate representing the Eighth District, the Governor of the State of New Jersey and, as well, posted in a conspicuous location at the Lumberton Township Municipal Building.

MOTION: PETTY SECOND: CONWAY

ROLL CALL VOTE

AYES: PETTY, CONWAY, DELANY, JACKSON, MANSDOERFER

NAY: None ABESENT: None ABSTAIN: None

CERTIFICATION

I, Stephanie Yurko, Municipal Clerk of the Township of Lumberton, in the County of Burlington and the State of New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Township Committee at its Regular Business Meeting held on the 15th day of September 2009.


Stephanie Yurko
Municipal Clerk

MICHAEL L. MOUBER, ESQUIRE

Greentree Executive Campus

4001F Lincoln Drive West

Marlton, NJ 08054

(856) 985-1000

Attorney for Defendant

JOHN PAFF,

PLAINTIFF,

VS.

LUMBERTON TOWNSHIP COMMITTEE,

DEFENDANT.

: SUPERIOR COURT OF NEW JERSEY

: LAW DIVISION

: BURLINGTON COUNTY

: DOCKET NO. L-2421-09

:

:

:

: CIVIL ACTION

:

: **CERTIFICATION OF**

: **STEPHANIE YURKO**

:

Stephanie Yurko, Municipal Clerk of Lumberton Township, certifies as follows:

1. I am the Municipal Clerk of Lumberton Township and have served in that capacity since October 2008 when I was appointed temporary Municipal Clerk. My "permanent" appointment as the Township Clerk was on July 7, 2009, retroactive to June 1, 2009.
2. I am aware of the resolution that was adopted by the Township Committee of Lumberton Township on September 15, 2009 regarding the manner in which the Municipal Clerk's Office must prepare, preserve and make available to the public the minutes of meetings of the Township Committee.
3. Subsequent to the adoption of that resolution, #2009-9-202, I had an opportunity to review with the Township Attorney, Michael L. Moubert, some of the practical aspects of Resolution #2009-9-202.

4. One of those aspects was the fact that the draft of the minutes I always prepare for the governing body's attention be made available, immediately, to any member of the public who requests to see a copy of those draft minutes.
5. Another aspect is that I must have all minutes approved by the governing body no more than 30 days after the meeting that the minutes record.
6. Neither of these two aspects set forth in paragraph 4 and 5 of this certification is a problem.
7. First, I always have the minutes of the previous meeting (both the open, regular meeting and any closed meeting) to the members of the governing body by the day prior to the next regular meeting. Since the Lumberton Township Committee has its regular meetings scheduled (with a few exceptions per year due to holidays, etc,) on the first and third Tuesday evenings of each month, this leaves me with about 12 to 13 days to get the draft minutes completed.
8. I can and will have a copy of those drafts available to the public upon a request for such draft minutes.
9. I will make available to the public those draft minutes by about 12 o'clock noon on the day before the next scheduled meeting subsequent to the meeting the minutes summarize.
10. If the minutes are prepared prior to noon of the day prior to the meeting at which they will be the subject of a resolution of approval, I will have them available to the public at that time.
11. The Township Attorney has suggested to me that I have available several copies of all such minutes, marked as draft minutes, in my office by noon of the day

before the draft minutes are scheduled for approval so that I can provide copies immediately to anyone who requests them from my office. I will do this as well.

12. In the event a meeting is cancelled for some reason, I will ensure the minutes of the prior meeting are approved at the next meeting, so that there can only be, at a maximum, a 30-day period between a meeting and the approval of the minutes that summarize such meeting.

13. My understanding is that pursuing these tasks is consistent with the policy adopted by the Township Committee on September 15, 2009.

I am aware that if anything contained in this certification is knowingly false, I am subject to punishment.

CERTIFICATION

I, **STEPHANIE YURKO, RMC**, Clerk of the Township of Lumberton, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and accurate copy.

10/19/09
DATE

SM YURKO -
STEPHANIE YURKO, RMC
MUNICIPAL CLERK

EXHIBIT 2

ALBERT K. MARMERO
(STATE BAR I.D. #020462003)
LONG, MARMERO, & ASSOCIATES, LLP
44 EUCLID STREET
WOODBURY, NJ 08096
PHONE: (856) 848-6440
FAX: (856) 848-5002
ATTORNEY FOR PLAINTIFF, JOHN SCHMIDT

JOHN SCHMIDT

Plaintiff,

vs.

TOWNSHIP OF LUMBERTON
and STEPHANIE YURKO,
MUNICIPAL CLERK
IN HER OFFICIAL CAPACITY
AS CUSTODIAN OF RECORDS

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
BURLINGTON COUNTY

DOCKET NO.

Civil Action

VERIFIED COMPLAINT

Plaintiff John Schmidt ("Schmidt" or "Plaintiff"), by way of complaint against the Defendants Township of Lumberton (the "Township") and Stephanie Yurko ("Custodian") state as follows:

Preliminary Statement

1. This is an action under the Open Public Records Act, N.J.S.A. 47:1A-1 et. seq. (OPRA), common law right of access and the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et. seq. (OPMA), seeking:

a. A declaration that Custodian, or her agent, who applied redactions to various sets of nonpublic minutes of (i.e. executive or closed) Township Committee meetings furnished to Plaintiff violated OPRA by not describing the nature of the redacted material in a manner

that, without revealing information itself privileged or protected, enabled Plaintiff to assess the applicability of the privilege or protection;

b. An order requiring Custodian to provide both Plaintiff and the Court with a privilege log containing sufficient detail to enable Plaintiff and the Court to assess the applicability of the claimed justifications for the redactions;

c. An order requiring Custodian to submit unredacted versions of the relevant nonpublic meeting minutes to the Court for an *in camera* review;

d. An order requiring Custodian to disclose to Plaintiff either unredacted or more narrowly redacted versions of the relevant nonpublic meeting minutes in accordance with OPRA or, in the alternative, under the common law right of access;

e. An order requiring the Defendants to pay Plaintiff his costs and a reasonable attorney fee in accordance with N.J.S.A. 47:1A-6;

f. A declaration that Custodian or her agent violated OPRA by failing to provide Plaintiff with executive session minutes from the period 1/1/2015 through 2/28/2015 as requested.

g. A declaration that Custodian or her agent violated OPRA by failing to provide Plaintiff with the resolutions permitting the executive sessions held during the period of 1/1/2015 through 2/28/2015 as requested.

h. An order requiring Defendants to provide Plaintiff with the executive session minutes from the period 1/1/2015 through 2/28/2015 as requested.

i. An order requiring Defendants to provide Plaintiff with the resolutions permitting the executive sessions held during the period of 1/1/2015 through 2/28/2015 as requested.

- j. A declaration that the Township violated N.J.S.A. 10:4-13 by failing to pass sufficiently specific resolutions prior to going into its nonpublic meetings;
- k. An order enjoining the Township, going forward, from holding nonpublic meetings unless it first passes a sufficiently specific resolutions describing the topics to be privately discussed;
- l. A declaration that the Township violated N.J.S.A. 10:4-12 by discussing matters in nonpublic session that ought to have been discussed in public session;
- m. An order enjoining the Township, going forward, from discussing a matter in nonpublic session unless it is strictly within at least one of the exceptions embodied within N.J.S.A. 10:4-12(b); and
- n. A declaration that the Township violated N.J.S.A. 10:4-14, as executive session minutes from 2011 through 2013 are “forever lost.”
- o. A declaration that the Township violated N.J.S.A. 10:4-14 by failing to provide reasonably comprehensible minutes.
- p. An order requiring the Township to provide reasonably comprehensible minutes at future public meetings.
- q. Any further relief that the Court may deem equitable and just.

Parties

- 2. Plaintiff John P. Schmidt, is a citizen of the State of New Jersey, whose address is 1 W. Thompson Avenue, Gloucester City, New Jersey.
- 3. Schmidt is “any person” within the meaning of N.J.S.A. 10:4-16.
- 4. Defendant Township of Lumberton (“the Township”) is a public body as that term is defined by N.J.S.A. 10:4-8(a).

5. Defendant Stephanie Yurko ("Custodian") is a "custodian of a government record" for the Board as that term is defined by N.J.S.A. 47:1A-1.1.

COMMON ALLEGATIONS

1. On or about April 17, 2015, Plaintiff submitted a request (See attached Exhibit 1) under the Open Public Records Act and common law right of access to Custodian requesting seven (7) separate documents, or sets of documents, which included the following as requested items 6 and 7:

"6. All approved in full or redacted form of the closed session (executive session/non-public) meeting minutes of the Governing Body for the below time periods:

a.) 1/1/2010 to 12/31/2010

b.) 9/1/2014 to 2/28/2015

7. The resolutions or motions which authorized each closed session provided in response to #6 above."

2. In an April 23, 2015 correspondence to Plaintiff (Exhibit 2), Custodian provided Plaintiff with requested items 1 through 5, but with respect to requested items 6 and 7 wrote:

Item # 6 – The requested executive session minutes have not been released and are being reviewed for tentative release at the April 28, 2015 Township Committee Meeting. We request an extension until May 8th to provide responses to #6 and #7.

Item #7 – The resolutions will be provided with the minutes.

3. In a May 13, 2015 correspondence to Plaintiff (Exhibit 3), Custodian provided Plaintiff with redacted versions of the executive session minutes requested by Plaintiff from the period 1/1/2010 through 12/31/2010 and wrote:

Attached please find the executive session resolutions, executive session minutes, and the redaction log for the 2010 executive session meetings.

Years 2011-2013 executive session were stored on a computer that was corrupted and are forever lost.

2014 will be reviewed next week and a resolution will be on the next agenda: May 26, 2015.

4. On May 14, 2015, Plaintiff sent an e-mail (Exhibit 4) to the Custodian seeking further clarification as to how executive session minutes for two-year period could be "forever lost."

5. On May 29, 2015, Custodian sent an e-mail (Exhibit 5) to Plaintiff and attached the executive session minutes and resolutions for the period of 9/1/2014 through 12/31/2014 as requested by Plaintiff.

6. In this same May 29, 2015 e-mail, Custodian advised Plaintiff that the executive session minutes and resolutions for the period of 1/1/15 through 2/28/15, as requested by Plaintiff have not been released.

7. Plaintiff was not provided with any of the executive session minutes and resolutions from 2015 which he requested in his April 17, 2015 OPRA request.

FIRST COUNT

(Violation of OPRA for insufficiently explaining redactions)

8. The redactions that Custodian or her agent applied to the Township's 2010 executive minutes were explained only as follows (Exhibit 6):

9. The February 16, 2010 executive session minutes contain a redacted discussion which is stated as "protected by the attorney-client privilege."

10. The March 2, 2010 executive session minutes contain a redacted discussion regarding a potential amendment to the personnel manual described as "protected by attorney-client privilege."

11. The March 16, 2000 executive session minutes contain a redaction described as "emergency squad – negotiations."

12. The May 4, 2010 executive session minutes contain a redaction described as “emergency squad – attorney-client privilege.”

13. The May 18, 2010 executive session minutes contain a redaction described as “drainage issue – attorney-client privilege.”

14. The July 20, 2010 executive session minutes contain a redaction described as “attorney-client privilege – attorney gave an update on changes to law.”

15. The November 4, 2010 executive session minutes contain a redaction described as “personnel/investigation.

WHEREFORE, Plaintiff Schmidt demands judgment:

A. Declaring that Custodian or her agent, who applied redactions to various sets of nonpublic (i.e. executive or closed) minutes of Committee meetings furnished to Schmidt violated OPRA by not describing the nature of the redacted material in a manner that, without revealing information itself privileged or protected, enabled Schmidt to assess the applicability of the privilege or protection.

B. Ordering Custodian to provide both Schmidt and the Court with a privilege log containing sufficient detail to enable Schmidt and the Court to assess the applicability of the claimed justifications for the redactions;

C. If the privilege log does not resolve the controversy, Ordering Custodian to submit unredacted versions of the relevant nonpublic meeting minutes to the Court for an *in camera* inspection;

D. Awarding Schmidt a reasonable attorney fee and his costs.

E. Such other relief as the Court deems equitable and just.

F.

SECOND COUNT
(Requiring disclosure under OPRA)

16. As part of Plaintiff's OPRA request, Plaintiff has requested executive session minutes from the period of 1/1/2015 through 2/28/2015 and the resolutions which authorized each of the executive session during that period.

17. Custodian has not provided Plaintiff with the requested 2015 executive sessions or the applicable resolutions.

18. Custodian has only stated "2015 executive session minutes have not been released."
(Exhibit 5)

19. Custodian has not provided the requested records or has not satisfied her burden of proving, as required under the OPRA, that Schmidt is not entitled to have disclosed to him the requested public records.

20. Custodian and Defendant Township have previously agreed to provide minutes in accordance with OPRA in prior litigation and in a resulting Consent Order (Exhibit 8).

WHEREFORE, Plaintiff Schmidt demands judgment:

A. Declaring that Custodian has violated OPRA by not providing to Plaintiff the executive session minutes from the period of 1/1/2015 through 2/28/15 and the resolutions which permitted the executive sessions during this period.

B. Ordering Custodian to disclose to Plaintiff the executive session minutes from the period of 1/1/2015 through 2/28/15 and the resolutions which permitted the executive sessions during this period.

C. Awarding Schmidt a reasonable attorney fee and his costs.

D. Such other relief as the Court deems equitable and just.

THIRD COUNT

(Requiring disclosure under common law)

21. Plaintiff's and the public's interest in disclosure of at least some of the information redacted from the Township's 2010 executive session minutes and disclosure of the Township's executive session minutes from the period of 1/1/2015 through 2/28/15 and the resolutions which permitted the executive sessions during this period exceed the governmental interest in keeping that information confidential.

WHEREFORE, Plaintiff Schmidt demands judgment:

A. Ordering Custodian to disclose to Schmidt either unredacted or more narrowly redacted versions of the 2010 executive session minutes, with the extent of disclosure being determined by the Court and ordering Custodian to disclose to Schmidt the Township's executive session minutes from the period of 1/1/2015 through 2/28/15 and the resolutions which permitted the executive sessions during this period exceed the governmental interest in keeping that information confidential.

B. Awarding Plaintiff his costs.

C. Such other relief as the Court deems equitable and just.

FOURTH COUNT

(Insufficient nonpublic meeting resolutions)

22. Upon information and belief, it appears the Township has engaged in executive sessions during the period of 1/1/2015 through 2/28/15.

23. Plaintiff, as part of his OPRA request, has requested copies of the resolutions which would permit the executive sessions held during the period of 1/1/2015 through 2/28/2015.

24. Custodian has not provided Plaintiff with any of the requested resolutions which would permit the executive session held during the period of 1/1/2015 through 2/28/2015.

WHEREFORE, Plaintiff Schmidt demands judgment:

A. Declaring that Defendants violated N.J.S.A. 10:4-13 by failing to pass sufficiently specific resolutions prior to going into its nonpublic meetings;

B. Enjoining the Defendants, going forward, from holding nonpublic meetings unless it first passes a sufficiently specific resolutions describing the topics to be privately discussed;

C. Awarding Plaintiff their costs.

D. Such other relief as the Court deems equitable and just.

FIFTH COUNT

(Improper nonpublic meeting topics)

25. At its February 16, 2010 executive session, the Township discussed topics that ought to have been discussed with the public in attendance, including when “the topic of the Emergency Squad was discussed.” (See Exhibit 6)

26. At its May 18, 2010 executive session, the Township discussed topics that ought to have been discussed with the public in attendance, including an item described only as “drainage issue.” (See Exhibit 6)

27. At its December 16, 2014 executive session, the Township discussed topics that ought to have been discussed with the public in attendance, including “a discussion was held pertaining to the Reorganization Meeting in January. (See Exhibit 7)

28. On information and belief, some of the material redacted from the 2010 minutes provided will, once revealed, evidence additional improper discussion topics.

WHEREFORE, Plaintiff Schmidt demands judgment:

- A. Declaring that Defendant Township violated N.J.S.A. 10:4-12 by discussing matters in nonpublic session that ought to have been discussed in public session;
- B. Enjoining Defendant Township, going forward, from discussing a matter in nonpublic session unless it is strictly within at least one of the exceptions embodied within N.J.S.A. 10:4-12(b);
- C. Awarding Plaintiff his costs.
- D. Such other relief as the Court deems equitable and just.

SIXTH COUNT
(Failure to keep minutes)

29. Custodian, in her May 13, 2015 correspondence to Plaintiff (Exhibit 3) stated, with respect to executive session minutes “Years 2011-2013 executive session were stored on a computer that was corrupted and are forever lost.”

WHEREFORE, Plaintiff Schmidt demands judgment:

- A. Declaring that Defendant Township violated N.J.S.A. 10:4-14 by failing to keep reasonably comprehensible minutes of all its meetings.
- B. Awarding Plaintiff his costs.
- C. Such other relief as the Court deems equitable and just.

SEVENTH COUNT
(Failure to keep reasonably comprehensible minutes)

- 30. Defendant Township has failed to keep reasonably comprehensible minutes.
- 31. By way of example, executive session minutes of Defendant Township have included:
- 32. At the February 16, 2010 Township meeting an executive session was held which began at 8:15pm and ended at 9:52pm for which the provided executive session minutes state only “the topic of the Emergency Squad was discussed. (Exhibit 3)

33. At the December 16, 2014 Township meeting an executive session was held which began at 8:35pm and ended at 9:22pm for which the provided executive session minutes state only “a discussion was held pertaining to the Reorganization Meeting in January.”

WHEREFORE, Plaintiff Schmidt demands judgment:

- A. Declaring that Defendant Township violated N.J.S.A. 10:4-14 by failing to keep reasonably comprehensible minutes of all its meetings.
- B. Awarding Plaintiff his costs.
- C. Such other relief as the Court deems equitable and just.

Designation of Trial Counsel

Plaintiff designates Albert K. Marmero as trial counsel


Certification Pursuant to R.1:38-7(b)

I certify that confidential personal identifiers have been redacted from documents now submitted to the Court, and will be redacted from all documents submitted in the future

Certification Of No Other Actions

Pursuant to R.4:5-1, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my belief, no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. In addition, I recognize the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in this original certification.

Dated: July 10, 2015



Albert K. Marmero

Verification

John Schmidt, of full age, certifies as follows:

1. I am the Plaintiff who filed the records requests in this matter against the Township of Lumberton and Stephanie Yurko. All of the facts stated in this Verified Complaint to which this Verification is attached are true, and as to those facts that are alleged on information and belief, I believe them to be true.
2. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: July 9, 2015



John Schmidt

EXHIBIT 3

Lumberton

township
1890

April 23, 2015

Dear Mr. Schmidt,

Lumberton Township is in receipt of your April 17, 2015 request under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., seeking certain items. Please accept this as a timely response to the same.

Item #1: The next meeting agenda of the Governing Body of Lumberton.

Response: Your request seeks a document which does not exist. The agenda is typically formalized until two days prior to the meeting.

Item #2: Certificate of appointment for each Class VI member of the Land Development Board.

Response: The Land Development Board does not have Class VI members. With the assumption that you meant Class IV, the Resolutions of appointment are attached.

Item #3: The Contract of the most recent person to hold the position of business Administrator.

Response: The term "business administrator" does not exist in this form of municipal government. The Township operates under a Committee Form of Government and hires a Township Administrator to oversee the daily operations. With the assumption that you meant for the contract for the Township Administrator, that contract is attached.

Item #4: The job posting for the position Administrator to which Mr. Umba is going to be hired.

Response: The job posting is attached for the position of Administrator.

Item #5: The 2014 Salary Ordinance

Response: The Township's yearly salary resolutions are based off of the 2009 Salary Ordinance. The 2009 Salary Ordinance is attached as well as the 2014 Salary Resolution

Item #6: All approved in full or redacted form of closed session meeting minutes of the governing body for the below time periods:

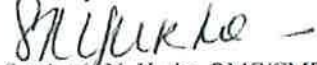
- a. 1/1/2010 to 12/31/2012
- b. 9/1/2014 to 2/28/2015

Response: The requested executive session minutes have not been released and are being reviewed for tentative release at the April 28, 2015 Township Committee Meeting. We request an extension until May 8th to provide responses to #6 and #7.

Item #7: The resolutions or motions which authorized each closed session provided in response to #6 above.

Response: The Resolutions will be provided with the minutes

Sincerely,



Stephanie N. Yurko, RMC/CMR
Municipal Clerk

35 Municipal Drive, Lumberton, NJ 08048
Phone (609)267-3217 Fax (609)267-5566

EXHIBIT 4



May 13, 2015

Mr. Schmidt,

Attached please find the executive session resolutions, executive session minutes and the redaction log for the 2010 executive session meetings.

Years 2011-2013 executive session were stored on a computer that was corrupted and are forever lost.

2014 will be reviewed next week and a resolution will be on the next agenda: May 26, 2015.

Sincerely,

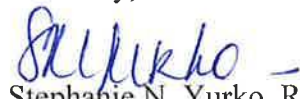

Stephanie N. Yurko, RMC/CMR
Municipal Clerk

EXHIBIT 5

TOWNSHIP OF LUMBERTON

Resolution 2015-005-116

RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN EXECUTIVE SESSION MEETING MINUTES

WHEREAS, the Lumberton Township Committee, as permitted by the Open Public Meetings Act, N.J.S.A. 10:4-6, *et seq.* conducts portions of municipal meetings closed to the public from time to time if permitted by one of the enumerated exceptions in the law; and

WHEREAS, in 2014, the Township Committee conducted such meeting on the following dates

February 18, March 4 & 18, April 1 & 15, May 6 & 20, June 17, July 15,
August 19, September 2 & 16, October 7 & 21, November 13, December 2 & 16.

WHEREAS, in accordance with the Open Public Meetings Act, minutes of closed session meetings must be released to the public when:

- With respect to litigation, negotiations, collective bargaining and attorney-client privileged matters, at the conclusion of said litigation or negotiations where, in the opinion of the solicitor, release is appropriate and will not compromise the Township's ability to engage in future negotiation, reveal litigation tactics or otherwise violate the attorney-client privilege;
- With respect to the acquisition of property at such time as the property is acquired or the acquisition is abandoned;
- With regard to personnel and/or employment relationship matters at such time as the affected employee shall authorize the release of such information, and/or in accordance with South Jersey Pub. Co. v. N.J. Expressway Auth., 124 N.J. 478 (1991);
- With respect to matters required by law to be confidential, public safety, which may affect the receipt of government funds or the imposition of a penalty at such time as the need for confidentiality no longer exists.

WHEREAS, the Township Solicitor reviewed the minutes of closed sessions involving the matters identified above and authorizes release of same, and although certain matters may be identified to remain confidential for the reasons indicated, the Solicitor did not identify any matters requiring redaction in the 2014 minutes; and

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Lumberton, County of Burlington, State of New Jersey that Executive Session

Meetings heretofore held on the foregoing subjects be and they are hereby released to the public.

Adopted: May 26, 2015

A handwritten signature in cursive script, appearing to read "Stephanie N. Yurko", followed by a horizontal line.

Stephanie N. Yurko, RMC/CMR
Municipal Clerk

EXHIBIT 6



Al Marmero <amarmero@longmarmero.com>

Fwd: Executive Minutes and Resolutions

2 messages

NJ Open Government <njgovwatchdog@gmail.com>

Mon, Jun 1, 2015 at 12:05 PM

To: Al Marmero <amarmero@longmarmero.com>

So below is the time frame. This town is so backwards. Just because minutes aren't "released" doesn't mean there not "approved"

I am sending an email.

6. All approved in full or redacted form of the closed session (executive session/non-public) meeting minutes of the Governing Body for the below time periods:

a.) 1/1/2010 to 12/31/2010

b.) 9/1/2014 to 2/28/2015

7. The resolutions or motions which authorized each closed session provided in response to #6 above.

----- Forwarded message -----

From: **Yurko, Stephanie** <SYurko@lumbertontwp.com>

Date: Fri, May 29, 2015 at 3:58 PM

Subject: Executive Minutes and Resolutions

To: NJ Open Government <njgovwatchdog@gmail.com>

Please see attached minutes for the time period 9/1/2014 through 12/31/2014.

2015 executive session minutes have not been released.

Have a great weekend!

Stephanie N. Yurko, RMC/CMR

Municipal Clerk

Lumberton Township

35 Municipal Drive

Lumberton, NJ 08048

609-267-3217 ext. 5