



# New Jersey Libertarian Party

Open Government Advocacy Project

*John Paff, Chairman*

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August 11, 2010

Linda L. Lawhun, Executive Asst. Prosecutor  
Cumberland County Prosecutor's Office  
43 Fayette St  
Bridgeton, NJ 08302 *(via Hand Delivery)*

Robert J. Cicchino, Manager  
Investigation Unit, Office of Compliance Investigation  
Department of Education  
P.O. Box 500  
Trenton, NJ 08625-0500 *(via PDF attachment [robert.cicchino@doe.state.nj.us](mailto:robert.cicchino@doe.state.nj.us))*

Dear Ms. Lawhun<sup>1</sup> and Mr. Cicchino<sup>2</sup>:

I write, both individually and in my capacity as Chairman of the New Jersey Libertarian Party's Open Government Advocacy Project, to complain about the Bridgeton Board of Education having private "pre-meetings" prior to their regularly scheduled meetings.

I arrived at the Board's Bank Street facility at 5:50 p.m. to attend a public meeting that was scheduled for 6 p.m. When I entered the meeting room, I observed and heard several people eating and talking in an adjoining room. A few minutes after I arrived, someone from within the adjoining room closed the door, but I could still hear voices coming from the room. At about 6 p.m. the Board members and some administrative staff exited the adjoining room and took their places on the dais at which time the meeting was called to order.

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<sup>1</sup> The Prosecutor's office has Open Public Meeting Act enforcement powers pursuant to N.J.S.A. 10:4-17. In her July 22, 2008 letter to me regarding the Maurice River Township, Ms. Lawhun advised me "that our office does wish to be informed of alleged violations of the Open Public Meetings Act.

<sup>2</sup> The Office of Fiscal Accountability and Compliance (OFAC) has previously entertained and resolved complaints against local school boards for violating the Open Public Meetings Act. See, e.g. Ewing (Mercer) Board of Education, OFAC Case # 1351.

During the public comment portion of the meeting, I advised the Board that I believed that it was unlawful for an effective majority of the Board to privately meet together in an adjoining room prior to the scheduled meeting. I asked the Board members to publicly comment on my allegation that the private "pre-meeting" violated the Open Public Meetings Act but they all remained mute.

After the meeting, other members of the public who were in attendance informed me that it is a regular practice for the Board to meet privately and share a meal together before every regularly scheduled meeting.

We believe that this is a blatant violation of the Open Public Meetings Act and ask that each of your agencies take appropriate enforcement action.

We greatly appreciate your time in reviewing this matter and forward to learning the results of your investigation.

Sincerely,

A handwritten signature in black ink, appearing to read "John Paff", with a stylized flourish at the end.

John Paff

cc. Angelia Edwards, President and members of the  
Bridgeton Board of Education  
Bank Street Administration Building  
Bridgeton, New Jersey (via Hand Delivery)