



New Jersey Libertarian Party

Open Government Advocacy Project

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Hon. John Washington, Mayor and members of the
Penns Grove Borough Council
West Main & State Streets
Penns Grove, NJ 08069

(via e-mail to pgclerk1@verizon.net)

Dear Mayor Washington and Council members:

I recently featured on my blog¹ two civil cases² in which the Borough of Penns Grove paid settlements to the plaintiffs.

As I'm sure you will agree, lawsuits settlements are of significant public interest and importance. Yet, in my experience, the public and news media rarely become aware of them. This is due to several factors including the amount of time—sometimes many years—that elapse between a lawsuit's filing and the settlement and because in some municipalities, the governing body does not pass a formal, public resolution approving or even recognizing the settlement.

In order to better inform the public, the Township of Andover (Sussex County) recently passed an ordinance that requires its Mayor to publicly report on every lawsuit that settles or otherwise terminates. A copy of that ordinance is enclosed. We believe that Andover Township's ordinance is beneficial because it draws the public's attention to lawsuit settlements thus enabling citizens to better monitor their public officials.

Would the Penns Grove Council pass an ordinance similar or identical to Andover's?

Thank you for your attention to this matter. I look forward to hearing from you.

Sincerely,

John Paff

¹ Please visit my blog at <http://njcivilsettlements.blogspot.com/>

² Joseph Grasso v Penns Grove (Superior Court Docket No. SLM-L-439-09) and Vass Wiggins v. Penns Grove (Federal Civil No. 1:08-cv-06192)

TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY

ORDINANCE NO. 2010-02

**AN ORDINANCE OF THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX
AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING
CHAPTER 3, "ADMINISTRATION OF GOVERNMENT" TO ADD A NEW
SECTION 3-90, "PUBLIC REPORTING OF CIVIL JUDGMENTS AND SETTLEMENTS"
OF THE REVISED GENERAL ORDINANCES**

BE IT ORDAINED, by the Township Committee of the Township of Andover, in the County of Sussex, and State of New Jersey, as follows:

SECTION 1. Chapter 3 "Administration of Government", of the aforesaid Revised General Ordinances is hereby supplemented to include a new Section 3-90 "Public Reporting of Civil Judgments and Settlements":

§ 3-90. Public Reporting of Civil Judgments and Settlements.

Whenever a civil lawsuit that names the Township, any of its departments or divisions or any of its employees or officials as parties is resolved, either by judgment or order of the court or by voluntary settlement, the Mayor or his or her designee shall make every effort to publicly announce the amount and terms of the judgment, order or settlement at the next Regular Council meeting and shall forthwith file a copy of the judgment, order or settlement agreement with the Clerk where it shall remain on file as a public record. Judgments shall not include decisions from the County Board of Taxation.

SECTION 2. All ordinances of the Township of Andover, which are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

NOTICE OF PENDING ORDINANCE

PUBLIC NOTICE is hereby given that the foregoing Ordinance was introduced and passed at first reading at a Regular Meeting of the Township Committee of the Township of Andover held on February 08th 2010. A public hearing regarding same has been scheduled for February 22nd 2010 beginning at 7:30 P.M., at the Municipal Building, 134 Newton-Sparta Road, Andover Township, NJ, at which time all persons interested both for and against said ordinance shall be given an opportunity to be heard concerning same.

Vita Thompson, R.M.C.
Clerk/Administrator

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THE REVISED GENERAL ORDINANCES**

NOTICE OF FINAL ADOPTION

NOTICE is hereby given that the above entitled ordinance was introduced and passed on first reading at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 08th day of February 2010. The same came up for final adoption at a meeting of the Township Committee of the Township of Andover held at the Municipal Building on the 22nd day of February 2010, and, after all persons present were given an opportunity to be heard concerning same, it was finally passed and adopted and will be in full force in the Township according to law.

Vita Thompson, R.M.C.
Clerk/Administrator