

## SALEM COUNTY PROSECUTOR'S OFFICE



JOHN T. LENAHAN  
PROSECUTOR

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WILLIAM J. BRENNAN  
FIRST ASSISTANT PROSECUTOR

DAVID W. CORNMAN  
CHIEF OF COUNTY DETECTIVES

February 18, 2014

John Paff, Chairman NJ Libertarian Party  
Open Government Advocacy Project  
PO Box 5424  
Somerset County, NJ 08875

Re: Your Correspondence dated February 12, 2014  
Concerning the Penns Grove – Carney's Point Board of Education

Dear Mr. Paff:

I am in receipt of your e-mail dated February 12, 2014 were in you identified deficiencies on the part of the Penns Grove - Carney's Point Board of Education with respect to the Open Public Meetings Act. However, as you may be aware on May 16, 2008 (copy attached) I sent a letter to every Municipal Clerk in Salem County reminding them of the specifics of the Open Public Meetings Act and the importance of full compliance.

I have discussed this matter with Mark G. Toscano the attorney for the Penns Grove - Carney's Point School Board and he has assured me that every effort will be made to fully comply.

Should you have any questions with respect to this matter please do not hesitate to contact me.

Sincerely,

John T. Lenahan  
County Prosecutor

/gf

c: William J. Brennan,  
First Assistant Prosecutor  
Thomas A. DeSimone,  
Assistant Prosecutor  
Brian M. Facemyer,  
Chief of County Investigator's

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CHIEF OF COUNTY DETECTIVES

May 16, 2008

I am confident that you are aware the Salem County Prosecutor's Office is empowered to investigate complaints regarding alleged violations of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; N.J.S.A. 10:4-17. The Prosecutor's Office is also authorized to seek the imposition of monetary penalties upon any person who knowingly violates the provisions of the Open Public Meetings Act. The statute mandates a \$100 fine for a first offense and up to a \$500 fine for any subsequent offense. The Superior Court has jurisdiction to enforce these penalties upon complaint of the Prosecutor's Office.

On May 13, 2008, I received a letter from the Chairman of the New Jersey Libertarian Party concerning this office's position with respect to the enforcement of full compliance with the express provisions of the Open Public Meetings Act. The statute mandates that the public policy of the State of New Jersey is to insure that its citizens have a meaningful opportunity to participate in and be aware of the activities of public bodies. The position of the Salem County Prosecutor's Office is to enforce the statute.

Accordingly, I would request and strongly suggest that you review the policies and procedures relating to the Open Public Meeting Act compliance employed by the governing body and the municipal authorities operating within your municipality. Full and complete compliance with all provisions of the Open Public Meetings Act is absolutely necessary to avoid the possibility of monetary sanctions as set forth in the statute.

If you have any questions pertaining to this matter, please feel free to contact Assistant Prosecutor Thomas DeSimone. I urge you to take the appropriate steps to insure full compliance.

Sincerely,

John T. Lenahan  
Prosecutor

JTL:vp

cc: Assistant Prosecutor Thomas A. DeSimone