



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

City of Trenton
Attn: Mayor and City Council
Via Fax only to 609-989-3187

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

- a. The resolutions passed by the Board prior to excluding the public from its meetings (i.e., before going into closed or executive session) were too vague and "must provide the subject matter of the discussions and not simply repeat the language of the statute," and
- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
- c. closed session minutes must "explain on their face and without referencing other meeting minutes or agendas what took place and what action was taken [and] should note the subject matter of the discussion as long as disclosure of that information would not undermine the statutory exemption relied upon by the Board for entering executive session."

Judge Jacobson's ruling as well as other case documents are available at:

<http://njfog.org/2015/06/30/njfog-wins-its-opma-case-against-the-trenton-school-board/>

¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Council to review Judge Jacobson's ruling with its attorney. If the Council and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Council bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

County of Mercer
Attn: Chairman and Board of Freeholders
Via Fax only to 609-392-8625

Re: *OPRA and OPMA compliance*

Dear Chairman and Freeholders:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

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We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

East Windsor Municipal Utilities Authority
Attn: Chairman and Commissioners
Via Fax only to 609-443-3928

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

East Windsor Regional Board of Education
Attn: President and Board Members
Via Fax only to 609-443-8195

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

East Windsor Township
Attn: Mayor and Township Council
Via Fax only to 609-443-8303

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Ewing Township Board of Education
Attn: President and Board Members
Via Fax only to 609-538-0041

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Ewing Township Redevelopment Agency
Attn: Chairman and Commissioners
Via Fax only to 609-538-0729

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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We invite the Agency to review Judge Jacobson's ruling with its attorney. If the Agency and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Agency bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Ewing-Lawrence Sewerage Authority
Attn: Chairman and Commissioners
Via Fax only to 609-890-1902

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Housing Authority
Attn: Chairman and Commissioners
Via Fax only to 609-890-3532

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township
Attn: Mayor and Township Council
Via Fax only to 609-631-8287

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Board of Education
Attn: President and Board Members
Via Fax only to 609-631-4101

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 2
Attn: Chairman and Board of Commissioners
Via Fax only to 609-890-7880

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

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GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 3
Attn: Chairman and Board of Commissioners
Via Fax only to 609-392-2741

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

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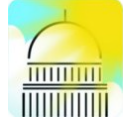
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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 4
Attn: Chairman and Board of Commissioners
Via Fax only to 609-587-4440

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

- a. The resolutions passed by the Board prior to excluding the public from its meetings (i.e., before going into closed or executive session) were too vague and "must provide the subject matter of the discussions and not simply repeat the language of the statute," and
- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
- c. closed session minutes must "explain on their face and without referencing other meeting minutes or agendas what took place and what action was taken [and] should note the subject matter of the discussion as long as disclosure of that information would not undermine the statutory exemption relied upon by the Board for entering executive session."

Judge Jacobson's ruling as well as other case documents are available at:

<http://njfog.org/2015/06/30/njfog-wins-its-opma-case-against-the-trenton-school-board/>

¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 5
Attn: Chairman and Board of Commissioners
Via Fax only to 609-888-5425

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 7
Attn: Chairman and Board of Commissioners
Via Fax only to 609-587-9030

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton Township Fire District No. 8
Attn: Chairman and Board of Commissioners
Via Fax only to 609-586-5454

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hamilton-Chesterfield Fire District
Attn: Chairman and Board of Commissioners
Via Fax only to 609-298-9908

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

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We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hightstown Borough
Attn: Mayor and Borough Council
Via Fax only to 609-371-0267

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

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Judge Jacobson's ruling as well as other case documents are available at:

<http://njfog.org/2015/06/30/njfog-wins-its-opma-case-against-the-trenton-school-board/>

¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Council to review Judge Jacobson's ruling with its attorney. If the Council and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Council bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hightstown Housing Authority
Attn: Chairman and Commissioners
Via Fax only to 609-426-9440

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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We invite the Authority to review Judge Jacobson's ruling with its attorney. If the Authority and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Authority bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hopewell Borough
Attn: Mayor and Borough Council
Via Fax only to 609-466-8511

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hopewell Borough Fire District No. 1
Attn: Chairman and Board of Commissioners
Via Fax only to 609-466-8590

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hopewell Township
Attn: Mayor and Township Committee
Via Fax only to 609-737-1022

Re: *OPRA and OPMA compliance*

Dear Mayor and Committee Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Committee to review Judge Jacobson's ruling with its attorney. If the Committee and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Committee bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hopewell Township Fire District No. 1
Attn: Chairman and Board of Commissioners
Via Fax only to 609-730-1563

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Hopewell Valley Board of Education
Attn: President and Board Members
Via Fax only to 609-737-7415

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Mercer County Improvement Authority
Attn: Chairman and Commissioners
Via Fax only to 609-695-1452

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Mercer County Special Services Board of Education
Attn: President and Board Members
Via Fax only to 609-570-1154

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
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Judge Jacobson's ruling as well as other case documents are available at:

<http://njfog.org/2015/06/30/njfog-wins-its-opma-case-against-the-trenton-school-board/>

¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Mercer County Vocational Technical Board of Education
Attn: President and Board Members
Via Fax only to 609-586-8966

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Pennington Borough
Attn: Mayor and Borough Council
Via Fax only to 609-737-9780

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Pennington Borough Fire District No. 1
Attn: Chairman and Board of Commissioners
Via Fax only to 609-737-7602

Re: *OPRA and OPMA compliance*

Dear Chairman and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Princeton Borough
Attn: Mayor and Borough Council
Via Fax only to 609-688-2031

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Princeton Housing Authority
Attn: Chairman and Commissioners
Via Fax only to 609-924-1663

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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We invite the Authority to review Judge Jacobson's ruling with its attorney. If the Authority and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Authority bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Princeton Regional Board of Education
Attn: President and Board Members
Via Fax only to 609-806-4425

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Robbinsville Board of Education
Attn: President and Board Members
Via Fax only to 609-371-7964

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Robbinsville Township
Attn: Mayor and Borough Council
Via Fax only to 609-918-1533

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Stony Brook Regional Sewerage Authority
Attn: Chairman and Commissioners
Via Fax only to 609-924-2857

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Trenton Board of Education
Attn: President and Board Members
Via Fax only to 609-777-5459

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Trenton Housing Authority
Attn: Chairman and Commissioners
Via Fax only to 609-599--9827

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

Trenton Parking Authority
Attn: Chairman and Commissioners
Via Fax only to 609-393-2032

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

West Windsor Parking Authority
Attn: Chairman and Commissioners
Via Fax only to 609-799-3634

Re: *OPRA and OPMA compliance*

Dear Chairman and Commissioners:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

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- a. The resolutions passed by the Board prior to excluding the public from its meetings (i.e., before going into closed or executive session) were too vague and "must provide the subject matter of the discussions and not simply repeat the language of the statute," and
- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
- c. closed session minutes must "explain on their face and without referencing other meeting minutes or agendas what took place and what action was taken [and] should note the subject matter of the discussion as long as disclosure of that information would not undermine the statutory exemption relied upon by the Board for entering executive session."

Judge Jacobson's ruling as well as other case documents are available at:

<http://njfog.org/2015/06/30/njfog-wins-its-opma-case-against-the-trenton-school-board/>

¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Authority to review Judge Jacobson's ruling with its attorney. If the Authority and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Authority bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

West Windsor Township
Attn: Mayor and Borough Council
Via Fax only to 609-799-1610

Re: *OPRA and OPMA compliance*

Dear Mayor and Council Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

- a. The resolutions passed by the Board prior to excluding the public from its meetings (i.e., before going into closed or executive session) were too vague and "must provide the subject matter of the discussions and not simply repeat the language of the statute," and
- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
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¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Council to review Judge Jacobson's ruling with its attorney. If the Council and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Council bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman



NEW JERSEY FOUNDATION
FOR OPEN GOVERNMENT

July 15, 2016

West Windsor-Plainsboro Regional Board of Education
Attn: President and Board Members
Via Fax only to 609-716-5012

Re: *OPRA and OPMA compliance*

Dear President and Board Members:

The New Jersey Foundation for Open Government (NJFOG) seeks to increase transparency, accountability, honesty and democracy in government at all levels by defending and expanding public access to government records and meetings. To that end, we have filed several lawsuits across the state to challenge various local government agencies' compliance with the Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA).

One of our cases against the Trenton Board of Education¹ resulted in a June 30, 2015 ruling by Mercer County Assignment Judge Mary C. Jacobson which held that:

- a. The resolutions passed by the Board prior to excluding the public from its meetings (i.e., before going into closed or executive session) were too vague and "must provide the subject matter of the discussions and not simply repeat the language of the statute," and
- b. the exceptions allowing for closed sessions, particularly the attorney-client privilege exception embodied within N.J.S.A. 10:4-12(b)7, must be strictly construed in favor of openness and against closure, and
- c. closed session minutes must "explain on their face and without referencing other meeting minutes or agendas what took place and what action was taken [and] should note the subject matter of the discussion as long as disclosure of that information would not undermine the statutory exemption relied upon by the Board for entering executive session."

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¹ New Jersey Foundation for Open Government, Inc. v. Trenton Board of Education, et al, Docket No. MER-L-11-15.

We invite the Board to review Judge Jacobson's ruling with its attorney. If the Board and its legal counsel find that its current OPRA and OPMA policies and procedures are below the standards established by Judge Jacobson's ruling or other court decisions, we ask that the Board bring itself into compliance. Please be advised that we will be submitting OPRA requests to many Mercer County public agencies later this year to see whether and how well they are in compliance.

Thank you for your attention to this matter.

Very truly yours,

NEW JERSEY FOUNDATION FOR OPEN
GOVERNMENT AFFIRMATIVE LITIGATION
COMMITTEE

John Paff

Chairman