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FILED WITH THE COURT

SEP 08 2015

Chambers of
Marc M. Baldwin, J.S.C.

JOHN PAFF
Plaintiff

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
BURLINGTON COUNTY
DOCKET NO BUR-L-2421-09

vs.

LUMBERTON TOWNSHIP
COMMITTEE,
Defendant

CONSENT ORDER

This matter having been brought to the Court by the plaintiff, John Paff, through his attorney, Ted M. Rosenberg, Esquire, and the defendant, Township of Lumberton through its Solicitor, George M. Morris, Esquire of the law firm of Parker McCay P.A., having reviewed this Consent Order and agreed to the relief contained therein; and for good cause shown;

IT IS on this 8TH day of SEPT, 2015 ORDERED by consent as

follows:

1. The Township Committee shall endeavor to approve draft executive minutes by the next meeting. However, absent extraordinary circumstances, all draft executive session minutes shall be approved at the second meeting following the executive session for which the minutes were taken.

2. Annually, prior to April 30th, all executive session minutes from the previous calendar year shall be permanently bound in an executive session minutes volume which volume shall be prepared and maintained in duplicate. One volume shall be retained by the Clerk and the other by the Township Administrator.

3. The Clerk shall provide the Township Solicitor with paper copies of all draft executive session minutes marked as "draft". The draft minutes shall be forwarded by the Clerk to the Township Solicitor within three ("3") days after their drafting.

4. The Solicitor shall maintain a calendaring system to remind him or her to expect receipt of draft executive session minutes from the Clerk and will diligently follow up with the Clerk and secure draft executive session minutes if the Clerk fails to provide them in accordance with paragraph 3.

5. The Solicitor shall retain all draft minutes for executive sessions until the minutes are approved. Once approved, the minutes shall be placed in bound volumes to be stored in both the Clerk's and the Administrator's offices, under such conditions to protect the documents from untimely destruction or damage.

6. The Solicitor shall, prior to April 30th of each year: a) review and redact the executive session minutes from the immediately previous calendar year, b) review the redaction applied to minutes of all other executive sessions that occurred after January 1, 2010 (Note: a portion of the 2011, 2012 and 2013 executive session minutes are lost) and narrow or eliminate those redactions to the extent that the passage of time or occurrence of events allow, and c) prepare an index that explains each redaction in enough detail to "enable other parties to assess the applicability of the privilege" in accordance with applicable law at the time of redaction.

7. The Clerk, within 10 business days after receiving the compilation and index transmitted by the Solicitor in accordance with paragraph 6, shall cause the minutes of executive sessions occurring on or after January 1, 2015, as they appear in the compilation, to be made available to the public, along with the index to the extent that it explains redactions to those minutes, on the page of the Township's Internet site where Township Committee meeting agendas and public meetings minutes are made available.

8. Upon receipt of an Open Public Records Act request for executive session minutes that either a) have not been reviewed by the Solicitor in accordance with paragraph 6 or b) have been reviewed and redacted in accordance with paragraph 6, the Clerk shall immediately refer the request to the Solicitor who will review the requested minutes and advise the Clerk accordingly.

9. In the event that the terms of this Consent Order are violated by any Township Official, now or in the future, the Township shall be responsible to pay any attorneys' fees, costs and/or sanctions attributable to the action or inaction of the Clerk or the Solicitor.

10. The Township shall pay the plaintiff's attorney's fees and costs for this proceeding in the sum of \$1,610.00 within thirty (30) days of the execution of this Consent Order.

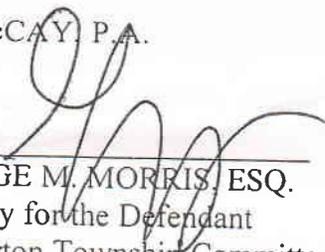
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11. The execution of this Consent Order shall terminate the above litigation except for any enforcement proceedings.

I consent to the form, content, and entry of the within Order.

PARKER McCAY, P.A.

By

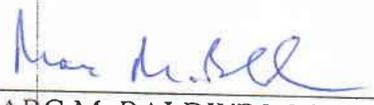


GEORGE M. MORRIS, ESQ.
Attorney for the Defendant
Lumberton Township Committee

By



TED M. ROSENBERG
Attorney for the Plaintiff
John Paff



MARC M. BALDWIN, J.S.C.
MARC M. BALDWIN, P.J.Cv