

John Paff
P.O. Box 5424
Somerset, NJ 08875-5424
Tel. 732-873-1251
Email: paff@pobox.com
Plaintiff

DEPUTY CLERK
SUPERIOR COURT
BURLINGTON COUNTY

2007 JUN 13 A 11:47

FILED & RECEIVED

JOHN PAFF,
Plaintiff,

vs.

MEDFORD TOWNSHIP COUNCIL
Defendant

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CIVIL PART
BURLINGTON COUNTY
DOCKET NO.

Civil Action

BULK L 1609-07

COMPLAINT

Plaintiff John Paff, by way of complaint against the Defendant Medford Township Council states as follows:

Preliminary Statement

1. This is an action under the Open Public Meetings Act ("OPMA"), N.J.S.A. 10:4-6 et seq., challenging the sufficiency of the resolutions typically passed by the Defendant before excluding the public from its meetings.

Parties

2. Plaintiff John Paff is an individual who resides in Franklin Township, Somerset County, New Jersey and receives mail at P.O. Box 5424, Somerset, NJ 08875.

3. Defendant Medford Township Council is a public body as that term is defined by N.J.S.A. 10:4-8(a).

First Count

4. Plaintiff repeats the allegations stated above as if set forth at length herein.

5. In a July 27, 2004 email to Defendant, Plaintiff complained that the Defendant's "June 8, 2004 resolution to go into Executive Session does not comply with the

requirements of the Open Public Meetings Act, specifically N.J.S.A. 10:4-13.” A copy of the July 27, 2004 email is attached as Exhibit Pages 1 and 2.

6. On August 3, 2004, Plaintiff telephoned Defendant to follow up on his July 27, 2004 email and was told that his letter had been sent to Defendant’s attorney for review. A copy of Plaintiff’s August 3, 2004 email confirming that telephone conversation is attached as Exhibit Page 3.

7. On August 6, 2004, Plaintiff faxed a letter to Defendant’s attorney. Accompanying the letter was a copy a July 15, 2004 Order entered in the case of Paff v. Perth Amboy City Council, Docket No. MID-L-3470-04. A copy of Plaintiff’s letter and the Order are attached as Exhibit Pages 4, 5 and 6.

8. On August 24, 2004, Plaintiff conversed on the telephone with Defendant’s attorney. During that conversation, Defendant’s attorney opined that stating “litigation” in a resolution, without more, complies with N.J.S.A. 10:4-13. Copies of a) Plaintiff’s August 24, 2004 email confirming that telephone conversation and b) the Resolution Defendant passed authorizing its August 24, 2004 nonpublic meeting are attached as Exhibit Pages 7, 8 and 9.

9. Attached as Exhibit Pages 10 through 21 are, respectively, the Resolutions Defendant passed authorizing its April 12, 2006, May 9, 2006, May 23, 2006, June 27, 2006, July 25, 2006, August 22, 2006, September 12, 2006, September 26, 2006, October 10, 2006, December 12, 2006 and January 23, 2007 nonpublic meetings.

10. On information and belief, Defendant still uses the same form of resolution to authorize its nonpublic meetings and still describes the topics to be discussed in one or two word phrases such as “litigation” or “attorney-client.”

WHEREFORE, Plaintiff demands judgment:

- A. Declaring that the form of resolution typically passed by Defendant before going into a nonpublic (i.e. closed or executive) meeting does not describe the subjects to be discussed outside of public view precisely enough to satisfy N.J.S.A. 10:4-13.
- B. Declaring and setting forth the minimum amount of detail and specificity that N.J.S.A. 10:4-13 requires Defendant to include within its resolutions that authorize nonpublic meetings.
- C. Enjoining Defendant from passing future resolutions that do not meet the requirements and declarations contained within this Order.
- D. Awarding Plaintiff his costs.
- E. Such other relief as the Court deems equitable and just.

Certification Of No Other Actions

Pursuant to R.4:5-1, it is hereby stated that the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my belief, no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action. In addition, I recognize the continuing obligation of each party to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in this original certification.

Dated: June 11, 2007

John Paff
Plaintiff

To: cmyers28@comcast.net, wjurban@excite.com
From: John Paff <paff@pobox.com>
Subject: Sunshine Law question
Cc: afeit@medfordtownship.com, jballinger@medfordtownship.com, rhunt@pmclaw.com
Bcc:
Attached:

July 27, 2004

Dear Mayor Myers and Deputy Mayor Urban:

I believe that the Council's June 8, 2004 resolution to go into Executive session does not comply with the requirement of the Open Public Meetings Act, specifically N.J.S.A. 10:4-13.

The resolution, as recorded in the minutes, states:

Mayor Myers advised that the purpose of the Executive Session was to discuss legal issues. Mayor Myers called for a motion to go into Executive Session

Mr. Rudder moved to adjourn to Executive Session, seconded by Deputy Mayor Urban.

Roll call vote to go into Executive Session as follows: Ms. Ingelsby, aye, Mr. Rudder, aye, Deputy Mayor Urban, aye and Mayor Myers, aye.

Mayor Myers provided that action may or may not be taken in Executive Session.

N.J.S.A. 10:4-13 states that before going into executive session, a public body must:

first adopt a resolution . . . [s]tating the general nature of the subject to be discussed [and] [s]tating as precisely as possible, the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public.

Thus, the Council cannot legally exclude the public from a meeting unless the subject to be discussed at the closed meeting falls within one of the exceptions listed in N.J.S.A. 10:4-12(b). There is no exception for "legal issues" in that statute. Accordingly, unless one of the statutory exceptions apply, a statement that "legal issues" will be discussed does not justify a closed session. Attorney General F.O. 1976, No. 30. See also *Accardi v. Mayor and Council*, 145 N.J.Super. 532 (L.1976).

Also, the Council's June 8, 2004 resolution does not even address "the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public." Accordingly, the resolution does not comport with N.J.S.A. 10:4-13 on that basis either.

I request, therefore, that you ask your Township's attorney, Mr. Hunt, to review this situation and recommend any corrective action necessary. I would like to be informed of your decision in this matter.

You may be wondering "Who is John Paff and why is he taking an interest in the affairs of a Township where he does not reside?" I am the Secretary of my local Libertarian Party chapter (covering Union, Somerset and Middlesex Counties) and have found, to my dismay, that many if not most New Jersey

municipalities are not complying with the Open Public Meetings Act. I've taken it upon myself to rectify this situation whenever and wherever I encounter it, and have taught myself to file court actions, pro se, to enforce compliance when necessary. (See e.g. Paff v. Perth Amboy City Council, Middlesex County, Docket No. L-3470-04.)

Thank you for your attention to this matter.

Sincerely,

John Paff
P.O. Box 5424
Somerset, NJ 08875
Phone 732-873-1251
Fax 908-325-0129

cc. Clerk, Administrator and Township Attorney

To: jballinger@medfordtownship.com,
From: John Paff <paff@pobox.com>
Subject: Sunshine Law question
Cc: cmyers28@comcast.net, rhunt@pmclaw.com
Bcc:
Attached:

August 3, 2004

Dear Ms. Ballinger:

This is in confirmation of my telephone conversation with Joyce of your office this afternoon. She told me that my July 27 question regarding the Council's compliance with N.J.S.A. 10:4-13 (Open Public Meetings Act) was directed to Township Attorney Hunt and that I may expect a reply after his review is completed.

Thank you for your attention to this matter.

Sincerely,

John Paff
P.O. Box 5424
Somerset, NJ 08875
Phone 732-873-1251
Fax 908-325-0129

cc. Mayor Myers and Mr. Hunt.

John Paff

P.O. BOX 5424
SOMERSET, NEW JERSEY 08875-5424
E-MAIL - PAFF@POBOX.COM

TELEPHONE - 732-873-1251

FAX - 908-325-0129

AUGUST 6, 2004

Richard W. Hunt, Esq.
Medford Township Solicitor (via Fax only 856-596-3170)

Re: Executive Session Resolutions

Dear Mr. Hunt:

I received your voicemail and left you a return message today. We'll probably speak early next week.

In the meantime, I wanted to send you a copy of the order that Hon. Robert A. Longhi, A.J.S.C. entered in my case against Perth Amboy. As you can see, Judge Longhi ordered the city to follow the guidelines in Council of New Jersey State College Locals, NJSFT, AFT/AFL-CIO, Local 2364 v. Trenton State College Bd. of Trustees, 284 N.J. Super. 108 (L.1995) when going into closed session.

I thought that having a copy of this order, even though it is not from Burlington County, might help you in advising the Township.

Thank you for your attention to this matter.

Sincerely,

/s/ John Paff

LITE DEPALMA GREENBERG & RIVAS, LLC
Two Gateway Center, 12th Floor
Newark, New Jersey 07102
(973) 623-3000

FILED

JUL 1 2004

ROBERT A. LONGHI, A.J.S.C.

Attorneys for Defendant Perth Amboy City Council

JOHN PAFF, :
 :
Plaintiff, :
 :
v. :
 :
PERTH AMBOY CITY COUNCIL, :
 :
Defendant. :

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY - LAW DIVISION
DOCKET NO.: L-3470-04 *W*

Civil Action

~~ORDER FOR SETTLEMENT~~

WHEREAS on May 27, 2004 the Court granted Plaintiff's application and entered an order to show cause regarding the Open Public Meeting Act (OPMA), N.J.S.A. 10:4-8, et. seq., and

WHEREAS the parties *appeared before the Court for oral argument* and agreed to enter an *consented oral agreement and the* Order for Settlement; and the Court having *agreed with the terms of the settlement and the entry* of the within Order; *submission of the parties and for good cause shown*

IT IS ON THIS 15 DAY OF July, 2004

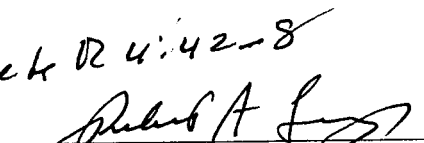
ORDERED that the above captioned matter be and is hereby marked settled between the parties, and it is further *[Signature]*

ORDERED that the defendant Perth Amboy City Council shall comply with N.J.S.A. 10:4-13 and the guidelines set forth in Council of New Jersey State College Locals, NJSFT, AFT/AFL-CIO, Local 2364 v. Trenton State College Board of Trustees, 284 N.J. Super 108 (Law Div. 1995) and shall set forth in any resolution authorizing a closed or executive session meeting

pursuant to the OPMA the general nature of the subject to discussed and state as precisely as possible, the time when and the circumstances under which the discussion conducted in closed session of the public body can be disclosed to the public pursuant, and it is further

ORDERED that a copy of this Order will be filed with the Court and served on all parties within seven (7) days of the date hereof.

*Further ordered that pursuant to DE 4:42-8
Plaintiff is entitled to taxed
costs of \$230 to be paid
by defendant*



Hon. Robert A. Longhi, A.J.S.C.

To: rhunt@pmclaw.com
From: John Paff <paff@pobox.com>
Subject: Open Public Meetings Act
Cc:
Bcc:
Attached:

Mr. Hunt:

This is in confirmation of our telephone call of a few minutes ago.

Your opinion is that a resolution stating that "litigation" is the purpose for going into closed session, without further description (i.e. the caption of the litigation, the parties thereto, etc.), satisfies N.J.S.A. 10:4-13. I disagreed with your opinion and instead believe that the Open Public Meetings Act requires a more precise definition.

If I am mischaracterizing your position, please let me know.

Thank you.

John Paff

P.S. I would greatly appreciate it if you would email me a copy of the resolution that I cited in my OPRA request of yesterday. Thank you.

August 24, 2004

TOWNSHIP OF MEDFORD
RESOLUTION 149-2004
EXCLUSION OF PUBLIC FROM PUBLIC MEETING

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said section and desires to exclude the public from the portion of the meeting at which the Township Council will discuss said subject(s); and

WHEREAS, Section 8 of Chapter 231, Public Law 1975 states that no public body shall exclude the public from any meeting to discuss any matter described in Section 7.b until the public body shall, at a meeting to which the public shall be admitted, first adopt a resolution making certain statements with respect to the subject(s) to be discussed.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that

the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on August 24, 2004.


Joyce F. Frenia, Township Clerk



April 12, 2006

RESOLUTION 103-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on April 12, 2006.


Joyce F. Frenia, Township Clerk

May 9, 2006

RESOLUTION 116-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).


NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Attorney-Client

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I hereby certify that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on the 9th day of May, 2006.


Joyce F. Frenia, Township Clerk

May 23, 2006

RESOLUTION 132-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

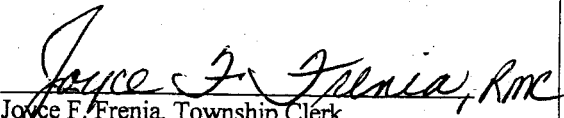
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on May 23, 2006.


Joyce F. Frenia, Township Clerk

June 27, 2006

**TOWNSHIP OF MEDFORD
RESOLUTION 156-2006
AUTHORIZING EXECUTIVE SESSION**

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.

3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the

appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on June 27th, 2006.


Joyce F. Frenia, Township Clerk

July 25, 2006

RESOLUTION 172-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

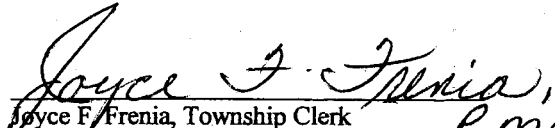
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on July 25, 2006.


Joyce F. Frenia, Township Clerk *Rmc*

August 22, 2006

RESOLUTION 183-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on August 22, 2006.


Joyce F. Frenia, Township Clerk

September 12, 2006

RESOLUTION 193-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation
and
Reorganization

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I hereby certify that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on September 12, 2006.


Joyce F. Frenia, Township Clerk

September 26, 2006

RESOLUTION 200-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation
and
Land Acquisition

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I hereby certify that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on the 26th day of September, 2006.


Joyce F. Frenia, Township Clerk

October 10, 2006

RESOLUTION 206-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

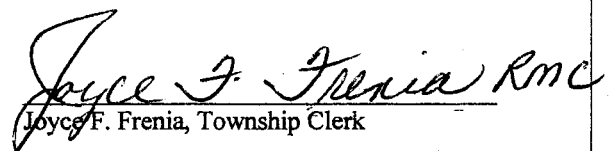
NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on October 10, 2006.


Joyce F. Frenia, Township Clerk

December 12, 2006

RESOLUTION 239-2006

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on December 12, 2006.


Joyce E. Frenia, Township Clerk
RMC

January 23, 2007

RESOLUTION 36-2007

AUTHORIZING EXECUTIVE SESSION

WHEREAS, Section 7.a of Chapter 231, Public Law 1975, otherwise known as the "Open Public Meetings Act," states that except as provided by Section 7.b, all meetings of a public body, such as the Township Council, shall be open to the public at all times; and

WHEREAS, Section 7.b provides that the Township Council may exclude the public only from the portion of a meeting at which the Township Council discusses certain subjects which are listed in said Section; and

WHEREAS, the Township Council desires to discuss certain subject(s) which are listed in said Section and desires to hold an executive session for a portion of the meeting at which the Township Council will discuss said subject(s).

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Medford, in the County of Burlington, State of New Jersey, as follows:

1. That the Township Council hereby declares that the general nature of the subject(s) to be discussed by the Township Council in closed session is as follows:

Litigation
and
Property Acquisition

2. That the Township Council hereby declares that its discussion of the aforementioned subject(s) may be made public at a time when the Township Attorney advises the Township Council that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Township or any other entity with respect to said discussion.
3. That the Township Council, for the aforementioned reasons, hereby declares that the public is excluded from the portion of the meeting during which the above discussion shall take place and hereby directs the Township Clerk to take the appropriate action to effectuate the terms of this resolution.

I hereby certify that the foregoing Resolution was adopted by the Township Council of the Township of Medford, County of Burlington, State of New Jersey, at their meeting held on January 23, 2007.


Joyce F. Frenia, Township Clerk

John Paff

Telephone – 732-873-1251

PO Box 5424
Somerset, NJ 08875-5424
E-mail – CJSC@pobox.com
July 31, 2007

Fax – 908-325-0129

Richard W. Hunt, Esq.
Parker McCay
P.O. Box 974
Marlton, NJ 08053-0974 (via regular mail and email attachment)

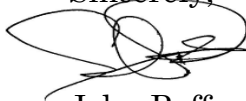
RE: Paff v Medford Township Council
Docket No. BUR-L-1609-07

Dear Mr. Hunt:

Enclosed is the Consent Judgment drafted by you and signed by me. Would you please file it with the Court and send me a copy after it is signed by the judge?

Thank you very much for your kind attention to this matter.

Sincerely,



John Paff

John Paff
P.O. Box 5424
Somerset, New Jersey 08875-5424
Telephone. 732-873-1251
E-mail: paff@pobox.com
Plaintiff

JOHN PAFF,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION, CIVIL PART
Plaintiff(s),	:	BURLINGTON COUNTY
	:	DOCKET NO. L-1609-07
v.	:	
	:	Civil Action
	:	
MEDFORD TOWNSHIP COUNCIL	:	CONSENT JUDGMENT
	:	
Defendant(s).	:	

This matter having been opened to the Court by John Paff, Plaintiff *pro se*, and Richard W. Hunt, Esq., attorney for the Defendant Medford Township Council, and with both parties consenting, it is on the _____ day of _____, 2007

ORDERED that:

1. Effective immediately, the resolutions that N.J.S.A. 10:4-13 requires Defendant to pass shall continue to state the subject matter for Executive Session, and disclose as much information as possible about the topics that will be discussed by Township Council in Executive Session without undermining the N.J.S.A. 10:4-12(b) exceptions authorizing the private meeting.

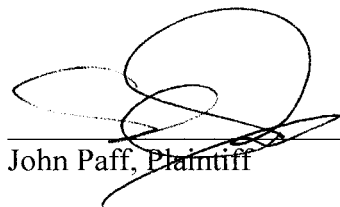
2. Within ten (10) days of the entry of this Consent Judgment, Defendant shall pay Plaintiff \$226.24 to cover his costs (\$200 filing fee and \$26.24 sheriff service fee) plus any additional court filing costs associated with bringing this Consent Judgment before the Court.

3. This Consent Judgment is entered into with no admission of liability or fault on behalf of Medford Township.

4. The within Complaint is dismissed.

Michael J. Hogan, J.S.C.

We consent to the terms of this Consent Judgment:



John Paff, Plaintiff

Date 7/31/07 2007

Richard W. Hunt, Esquire
For the Defendant, Medford Township Council

Date _____ 2007