

NJ Herald

Advocate wants more transparency

By SETH AUGENSTEIN

saugenstein@njherald.com

SPARTA -- A letter from a renowned New Jersey open government advocate has requested some changes to how local board of education meetings operate.

The board, though, already is "two steps ahead" in its planning, according to its members.

John Paff, the chairman of the Open Government Advocacy Project of the state Libertarian Party, had asked the board to make changes updating its meeting protocol to conform to the Open Public Meetings Act. The July 7 letter suggests the board explain the reasons for going into executive session, that it use an updated resolution for adjourning to the closed part of the meeting and that it provide the board's official records request form on the district's Web site.

Those changes already have partially been implemented. Board President Kevin Pollison said he had been researching how well the board complied with the open meetings act for about three months, and was looking to add the remainder of the suggestions and respond to Paff as soon as possible.

In fact, the board already has been reading a new, corrected version of the motion to go into executive session since the June 23 meeting, the minutes of which are not yet available online. The board also has begun the process of posting the records request form on its Web site.

"We certainly are doing it -- as we should be," Pollison said.

Paff said the majority of governing bodies statewide don't follow the Open Public Meetings Act to the letter of the law -- but only a minority blatantly disregard it.

In one such instance, Paff won a 2006 suit against the Monroe Township Board of Education, which conducted its meetings in a similar way to Sparta's school board -- and refused to adopt Paff's changes. In the January 2007 decision, a judge determined the Monroe school board had to make a good-faith effort to provide as much information as possible to the public without jeopardizing the public interest, or privacy of individuals in executive session. That decision was a precedent for boards across the state, but although it applies in Somerset County, it has not been challenged yet in Sussex County. Still, Paff asked the Sparta school board to comply anyway, and they have.

Open public meetings concerns arise from time to time around the state, and even within the county. At last week's Stanhope school board meeting, citizens questioned the topics to be discussed in executive session. The board answered that it was the latest auditor's report, and they would report back in the public part of the meeting about the same topic.

Paff said most of the time, citizens don't make the government accountable to the letter of the law -- but most of the governmental bodies that he contacts voluntarily make the changes once they are made aware of them. Often, the boards themselves just get used to a certain way of operating and need to be spurred to change with the times, he said.

"It's not surprising they don't look at this that much," Paff said.