

Advocate goes after minutes
He claims Warren County freeholders are violating Open Public Meetings Act.
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By SARA K. SATULLO
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WHITE TWP. - An open government advocate is challenging Warren County's policy of not releasing closed-door meeting minutes without freeholder board approval.

John Paff, chairman of the New Jersey Libertarian Party's Open Government Advocacy Project, initially challenged the county for being too vague when going into closed session. Instead of the board just saying it is discussing pending litigation, Paff advocates specifying the litigants' names.

When Paff also requested copies of the minutes for three closed-door sessions May 30, he hit a roadblock he thinks violates state law.

County public information officer Art Charlton told Paff via e-mail the county freeholders must first approve releasing the minutes at their next meeting, June 25, before he could see them.

"So, your position is that I'm not even able to see even redacted minutes of that (Feb. 27, 2008) meeting until at least June 25, 2008, which is nearly 120 days after the meeting was held," Paff wrote back to Charlton.

Paff argues the county's policy means it is not providing requested information promptly to the public, violating the Open Public Meetings Act. He suggested a county employee along with county counsel could make needed redactions and release the minutes.

"The purpose of approving minutes is to make sure what is recorded in the minutes is an accurate and fair representation at the meeting," Paff said.

Steve Marvin, the county administrator, said the board would review the matter at its next meeting but he doesn't see a need to change the policy.

"That's his argument. I don't agree," Marvin said.

Freeholder Director John DiMaio said the board never takes actions behind closed doors.

"Nothing ever, ever gets voted on in executive session," he said.
"It's all in the minutes. It's all per the law."

DiMaio said the board follows the procedures outlined by Marvin and county counsel Joseph Bell. Bell did not return phone messages seeking comment.

"I'm just a layperson so I have to defer to them," DiMaio said. "We are trying to make policy on real issues."

Paff is known throughout the state as an open government advocate. He has raised the issue in more than 90 New Jersey municipalities. Last year, the Somerset County resident won a lawsuit that required a Middlesex County school board to give the most specific reason possible, which didn't harm the public interest, for closed sessions.

Most recently Paff has raised similar issues with success in Washington Borough and Washington and White townships in Warren County.

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