

Libertarian Party of Central New Jersey

*John Paff, Secretary
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June 1, 2006*

Patricia Leonhardt, Secretary
South Bound Brook Board of Education
122 Elizabeth St
South Bound Brook, NJ 08880

Dear Ms. Leonhardt:

The Libertarian Party of Central New Jersey has created an Open Government Task Force of which I am the chairman. The Task Force's goal, as well as my personal goal, is to bring all local government agencies in our tri-county area (Somerset, Middlesex and Union Counties) into full compliance with the Open Public Meetings Act, Open Public Records Act and other open-government statutes and regulations.

Enclosed is a draft civil complaint. Prior to filing the complaint, however, I wish to provide the Board with an opportunity to review this matter. It is my hope that the Board, after review, will agree to adjust its procedure and thus obviate the need for court intervention.

You will note that I have also sent a copy of this letter to the Somerset County Prosecutor's Office in case that office wishes to conduct its own investigation and enforcement proceedings in accordance with N.J.S.A. 10:4-17

I look forward to receiving written communication informing of the Board's specific position regarding this matter by no later than one week after the Board's next public meeting.

Thank you for your attention to this matter.


Task Force Chairman

cc. Thomas J. Chirichella, Esq., Assistant Prosecutor, w/ enc.

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5. The resolution within Exhibit A describes the matters to be discussed outside of public view as “Personnel matter” and “Parental Concern.” The former is too vague to satisfy the requirements of N.J.S.A. 10:4-13(a) and the latter is not a lawful reason to hold a nonpublic meeting.

6. The resolution within Exhibit A fails to set forth the time and circumstances under which the matters discussed outside of public view may be publicly disclosed as required by N.J.S.A. 10:4-13(b).

7. The minutes set forth in Exhibit B are not “reasonably comprehensible” and do not satisfy the requirements of N.J.S.A. 10:4-14.

WHEREFORE, Plaintiff requests:

- A. A declaration that Exhibits A and B are insufficient to satisfy the requirements of the Open Public Meetings Act.
- B. Injunctive relief requiring the Defendant Board’s future closed session resolutions and minutes to meet a level of specificity to be established by the Court.
- C. Such other relief as this Court may deem just.
- D. Costs of suit.

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

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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.

VERIFICATION

I certify that the foregoing statements made by me are true. I understand that if any of the foregoing statements are willfully false, I am subject to punishment.

Dated: June __, 2006

John Paff
Plaintiff

State of New Jersey

ss.

County of _____

On June __, 2006, John Paff appeared before me, a Notary Public of the State of _____, and affixed his signature above in my presence.

(SEAL)

NEW BUSINESS

Negotiations Workshop — discussed workshop; no board members expressed interest in attending.

DARE funding (see correspondence g) — board requested a discussion with the police department regarding the program.

Prompton Food Service — Mrs. Sarboukh requested opening statements for those students with opening money on account. Mrs. Leonhardt will pursue.

Educational Facilities funding — discussed potential changes by state for 'B' districts.

Health Benefits — discussed increase in cost

RECOGNITION OF PUBLIC

Mr. Warrelmann questioned procedures for DARE funding.

Mrs. Rivers discussed an email sent to board members.

ADJOURNMENT TO EXECUTIVE SESSION

Motion presented at 9:20 p.m. to adjourn to Executive Session to discuss:

- a. Personnel matter
- b. Parental concern

MOTION: Mrs. Bolmer

SECOND: Mrs. Sarboukh

VOTE: 6-0

RETURN TO OPEN SESSION

Motion presented at 10:35 p.m. to return to Open Session.

MOTION: Mr. Allen

SECOND: Mrs. Bolmer

VOTE: 6-0

MOTION OF SUPPORT REGARDING GRIEVANCE

Motion to support adherence to RMEA teachers' contract concerning filed grievance.

MOTION: Mrs. Bolmer

SECOND: Mrs. Sarboukh

VOTE: 5-1-0*

Mr. Ambrose voted nay; motion carried.

ADJOURNMENT

Business concluded, motion presented to adjourn the meeting at 10:42 p.m.

MOTION: Mr. Ambrose

SECOND: Mrs. Santora

VOTE: 6-0

Respectfully submitted,

Patricia Leonhardt
Business Administrator/Board Secretary

SOUTH BOUND BROOK BOARD OF EDUCATION
REGULAR MEETING
AUGUST 18, 2005

CLOSED SESSION

A discussion was held regarding:

A personnel matter
Parental concern

Respectfully Submitted,

Patricia Leonhardt
Board Secretary/Business Administrator

South Bound Brook School District

District Office

122 Elizabeth Street

Carol L. Rosevear, Ed. D.
Superintendent of
Schools

South Bound Brook, NJ 08880

Patricia Leonhardt
Business Administrator/Board
Secretary

(732) 356-0018

Fax (732) 356-0621

June 7, 2006

Mr. John Paff
PO Box 5424
Somerset, NJ 08875-5424

Dear Mr. Paff,

Your draft civil complaint has been reviewed by myself as Board Secretary and by the Board Attorney for the South Bound Brook Board of Education. Additionally, in response to your correspondence, we have worked in conjunction with the Somerset County Prosecutor's Office.

We first want to thank you for calling this matter to our attention. Procedures for executive (closed) session will be reviewed, and amended as necessary. This review will include analysis of the motion utilized to enter into executive session and the information included in the executive session minutes.

The South Bound Brook Board of Education prides itself on adhering to all legal requirements, especially those concerning open government.

Sincerely,
/s/ Patricia Leonhardt

School Business Administrator/Board Secretary
South Bound Brook Board of Education

Cc: Dr. Carol Rosevear, Paul Green, Esq., South Bound Brook Board of Education