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Plaintiff, Pro Se

	:	
	:	SUPERIOR COURT OF NEW JERSEY
JOHN PAFF	:	LAW DIVISION, CIVIL PART
Plaintiff,	:	CAMDEN COUNTY
	:	
vs.	:	DOCKET NO.
	:	
BELLMAWR BOROUGH COUNCIL	:	Civil Action
Defendant	:	
	:	COMPLAINT
	:	
	:	

Plaintiff and John Paff ("Paff"), by way of complaint against the Defendant Bellmawr Borough Council ("Council") states as follows:

PARTIES

1. Plaintiff John Paff ("Paff") is an individual who presently resides in Florida, but who was until very recently a lifelong New Jersey resident. Paff is well known as a open government advocate, blogs frequently about open government issues¹ and often appears in

¹ Among the blogs Paff authors is "New Jersey Open Government Notes" (<http://njopengovt.blogspot.com/>), "New Jersey Civil Settlements" (<http://njcivilsettlements.blogspot.com/>) and "Random Notes on NJ Government" (<http://njrandomgovt.blogspot.com/>)

the media² regarding his open government advocacy. Paff is "any person" who, in accordance with N.J.S.A. 10:4-16, is permitted to enforce Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

2. Defendant Bellmawr Borough Council ("Council") is a "public body" that is subject to the Meetings Act.

VENUE

3. Venue is properly laid in Camden County because Defendant Council has its offices in Camden County and because the actions or inactions that form the basis of this lawsuit arose in Camden County.

FIRST COUNT

(Council's failure or refusal to record minutes of its "caucus meetings.")

4. The Council holds two types of recurring public meetings: "Caucus" meetings which are typically held at 5 p.m. on the third Thursday of each month and "Regular" meeting which are typically held at 7 p.m. on the fourth Thursday of each month.

5. The Council does not presently keep or record, and on information and belief has never kept or recorded, minutes of its "Caucus" meetings which violates N.J.S.A. 10:4-14.

WHEREFORE, Plaintiff Paff demands judgment:

² Some recent articles that have feature Paff's advocacy include "Lumberton agrees to safeguard meeting minutes," September 17, 2015 (http://articles.philly.com/2015-09-17/news/66609564_1_new-settlement-missing-minutes-executive), "The 'transparency guru' of New Jersey" May 4, 2015 (http://articles.philly.com/2015-05-04/news/61771681_1_rogue-cops-john-paff-tax-money) and "NJ open records warrior John Paff now a Hall of Famer" September 7, 2014 (<http://www.njspj.org/nj-open-records-warrior-john-paff-now-hall-famer/>).

- A. Declaring that the Council is in violation of N.J.S.A. 10:4-14 for failing to keep or record minutes of its "Caucus" meetings.
- B. Compelling the Council, going forward, to keep or record reasonably comprehensible minutes of its "Caucus" meetings.
- C. Awarding Paff his costs of suit.
- D. Such other relief as the Court deems equitable and just.

SECOND COUNT

(Failure of minutes to specify the manner in which notice was given.)

6. The Council's January 28, 2016, January 4, 2016, November 23, 2015, November 3, 2015 and October 22, 2015 meeting minutes do not contain any language that, in accordance of N.J.S.A. 10:4-10, informs the public that adequate notice of that meeting had been provided, "specifying the time, place, and manner in which such notice was provided."

7. A review of the 2011, 2012, 2013, 2014 and 2015 Council meeting minutes on the Borough's website show that those minutes suffer from the same deficiencies set forth in ¶ 7 above.

8. On information and belief, at each of the meetings identified in ¶¶ 6 and 7 above, the person presiding over the meeting failed to make the public announcement required by N.J.S.A. 10:4-10.

WHEREFORE, Plaintiff Paff demands judgment:

E. Declaring that the Council has violated N.J.S.A. 10:4-10 by failing to set forth in its meeting minutes the specific manner in which public notice of that meeting had been provided.

F. Declaring that the Council violated N.J.S.A. 10:4-10 by failing to publicly announce the specific manner in which public notice of that meeting had been provided.

G. Compelling the Council, going forward, to comply with all of the requirements of N.J.S.A. 10:4-10.

H. Awarding Paff his costs of suit.

I. Such other relief as the Court deems equitable and just.

Certification Pursuant to R.1:38-7(b)

I certify that confidential personal identifiers have been redacted from documents now submitted to the Court, and will be redacted from all documents submitted in the future

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: February 26, 2016

John Paff