

John Paff

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November 2, 2006

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Judith L. Poling, Clerk
Borough of Keyport
70 W Front St
Keyport, NJ 07735 *(via Fax only to 732-739-8738)*

Dear Ms. Poling:

Please accept this letter as my request for government records under the Open Public Records Act¹, Open Public Meetings Act and the common law. I make this request both personally and in my capacity as the New Jersey Libertarian Party's "Open Government Advocate."²

I would like to purchase photocopies of the following documents and have them mailed to me:

1. Today's Courier³ reports that "Representatives of the KBA were called into executive session with the Keyport Borough Council shortly after the filing-cabinet garage was exposed in August. While they refused to say what transpired in meeting they walked out smiling and joking." I would like
 - a. The resolution, as required by N.J.S.A. 10:4-13, that authorized the Borough Council to hold the executive session at which the "filing cabinet garage" incident was privately discussed.
 - b. The minutes of the Borough Council executive session identified in ¶ 1.a above.
2. To the extent that they are not duplicative of the records responsive to ¶ 1 above, I would like the resolutions, as required by N.J.S.A. 10:4-13, that authorized the three (3) most recently held meetings from which the Borough Council excluded the public from a meeting (i.e. went into closed or executive session).

¹I could not find Keyport's official OPRA request form at www.keyportonline.com. If you require me to complete your form, please fax it to me at 908-325-0129.

²The New Jersey Libertarian Party is a longtime advocate of open and transparent government. The NJLP's platform, which can be found at www.njlp.org, states: "We support the public policy behind the Open Public Meetings Act (NJSA 10:4-6) and the Right to Know Law (NJSA 47:1A-1). We note, however, that in actual practice, some individuals in government are reluctant to comply with these laws. We believe that those individuals should be held personally liable for attorney's fees and costs incurred in enforcing the law."

³The Courier, November 2, 2006, "State to Keyport: Do you need help?" by Matthew McGrath

3. To the extent that they are not duplicative of the records responsive to ¶ 1 above, I would like the minutes of the Borough Council's nonpublic (i.e. closed or executive) meetings authorized by each resolution that is within the scope of ¶ 2 above.
4. The most recently filed Financial Disclosure Statement by any person who held the position of municipal public defender in 2005.

I authorize up to six dollars (\$6.00) for fulfillment of this request. If the actual amount required to fulfill this request exceeds this authorization, please inform me of the cost before committing me to pay it.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John Paff", with a large, stylized flourish at the end.

John Paff