

Bond Case Briefs

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OPEN MEETINGS - NEW JERSEY

Opderbeck v. Midland Park Bd. of Educ.

Superior Court of New Jersey, Appellate Division - August 18, 2015 - A.3d - 2015 WL 4997095

Students' father brought action against borough board of education, seeking injunction and alleging board violated Open Public Meetings Act (OPMA) by failing to include attachments to its agendas. The Superior Court entered injunction. Board appealed.

The Superior Court, Appellate Division, held that:

- Board was not required to post agenda on public website, and
- Board was not legally obligated to provide copies of any attachments or other documents referred to in agenda.

Term "agenda," within meaning of requirement under Open Public Meetings Act (OPMA) that borough board of education, as a public body, provide "adequate notice" to public, including by publishing its "agenda," before meeting to conduct official business, did not impose a legal obligation on the board to provide copies of any appendices, attachments, reports, or other documents referred to in its agendas.

Borough board of education was not required to post agenda of its official meetings on its public website under Open Public Meetings Act (OPMA), as OPMA did not state that public bodies were obligated to post agenda on website, but rather provided that no electronic notice was deemed to substitute for, or considered in lieu of, statutory adequate notice, which included publication in two newspapers.