

4. As a County of the State of New Jersey, the County of Warren is mandated to publish notices to the public, which may vary in their frequency and content, ranging from such matters as the Schedule of Meetings of the County Commissioners, its agencies and boards, to Requests for Proposals relating to the County services to the award of contracts, and various other matters which require notice. There are various statutes giving rise to such notice. For example the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., establishes a rigorous statutory framework of the publication of advance notice of meetings of any “public body,” which includes the Warren County Commissioners, and such notice must be “mailed, telephoned, telegraphed, or hand delivered to at least two (2) newspapers which newspapers shall be designated by the public body to receive such notices because they have the greatest likelihood of informing the public within the area of jurisdiction of the public body of such meetings, one of which shall be the official newspaper, where any such has been designated by the public body or if the public body has failed to so designate, where any has been designated by the governing body of the political subdivision whose geographic boundaries are coextensive with that of the public body,” N.J.S.A. 10:4-8(d). This is just one example whereby the County of Warren is required to place notices in its “official newspaper.”

5. N.J.S.A. 35:1-2 establishes the requirements for a “legal newspaper for the publication of official advertisements.” The statute requires that such newspapers are “printed and published in the English language and within the state at least once a week for one year continuously...” Similar requirements exist pursuant to N.J.S.A. 2A:61-1 with respect to the publication of official notices required in connection with County Sheriff’s Office sales.

6. N.J.S.A. 40:23-13 provides that formally “The Board of Chosen Freeholders (now known as the County Commissioners) may by resolution designate an official newspaper or newspapers in which shall be published all advertisements and notices required by law to be published, or may

from time to time, by a majority vote, specify one or more newspapers in which shall be published certain notices and advertisements required by law to be published.”

7. At its reorganization meeting held in January 2024, the County of Warren established The Star-Ledger as its official newspaper and the Daily Record as its alternate official newspaper. As noted on the website of the County of Warren, “The Star-Ledger has been designated as the official newspaper and the Daily Record as the alternate official newspaper, in which shall be published all advertisements and notices required by law to be published on behalf of the County of Warren,” <https://www.warrencountynj.gov/government/public-information>. The Star-Ledger and the Daily Record have been so designated as the official newspaper and the alternate official newspaper, respectively, since 2004 and every year thereafter to date.

8. However, our official newspaper, The Star-Ledger, recently announced publicly that it would no longer print a physical edition of the newspaper, and that it would be available exclusively online. As reported on NJ.com (the online version of The Star-Ledger), “The Star-Ledger will cease publishing a print newspaper and will close its Montville production facility in February 2025. The decision was made by The Star-Ledger’s owner, Newark Morning Ledger Co., due to rising costs, decreasing circulation and reduced demand for print” <https://www.nj.com/news/2024/10/star-ledger-ending-print-edition-and-closing-production-facility-in-2025.html>. The same source notes that physical printing was also ceasing for the Times of Trenton, the South Jersey Times, and the Hunterdon County Democrat.

9. Accordingly, as of February 2025, The Star-Ledger will not be physically printed in the State of New Jersey.

10. The Daily Record is a daily newspaper that is printed and published in New Jersey. Although the County of Warren determined at its reorganization meeting in January 2024 that the Daily Record would serve as an alternate official newspaper for 2024, its availability and

regulating official newspapers, notwithstanding that The Star-Ledger's cessation of physically printing its newspaper as of February, 2025.

b.) such other relief as the Court deems just and appropriate.

BELL, SHIVAS & BELL, P.C.
Attorneys for Plaintiff, County of Warren

/s/ Joseph J. Bell

Joseph J. Bell, Esq.

Dated: November 18, 2024

DESIGNATION OF TRIAL COUNSEL

Joseph J. Bell, Esq., is hereby designated as trial counsel on behalf of Plaintiff in the above-captioned matter.

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 in accordance with Rule 1:38-7(b).

CERTIFICATION PURSUANT TO R. 4:5-1

I hereby certify that this matter is not the subject of any other action pending in any court or arbitration proceeding, nor is any other action or arbitration contemplated. All parties known to Plaintiff who should be joined in this action have been joined.

BELL, SHIVAS & BELL, P.C.
Attorneys for Plaintiff, County of Warren

/s/ Joseph J. Bell

Joseph J. Bell, Esq.

Dated: November 18, 2024

VERIFICATION

I am the authorized representative of the Plaintiff in the above-entitled action. I have read the Verified Complaint and know its contents. The contents of the Verified Complaint which refer or relate to observations made by me, or facts known to me, are true of my own knowledge, except as to matters stated on information and belief, and, as to such matters, they are true to the best of my knowledge and belief.

Dated: 18 NOV. 2024

BY: 

Art Charlton
Director, Warren County Department
of Public Information

EXHIBIT A

ASBURY PARK PRESS
 Circulation
 Daily: 11,513
 Sunday: 13,893
 Digital/Unique Visitors
 APP.com: 1,150,618
 Social Media Followers: 470,700

BURLINGTON COUNTY TIMES
 Circulation
 Daily: 1,956
 Sunday: 2,270
 Digital/Unique Visitors
 BurlingtonCountyTimes.com:
 58,390
 Social Media Followers: 40,800

COURIER NEWS
 Circulation
 Daily: 1,337
 Sunday: 1,472
 Digital/Unique Visitors:
 MyCentralJersey.com: 408,569
 Social Media Followers: 95,600

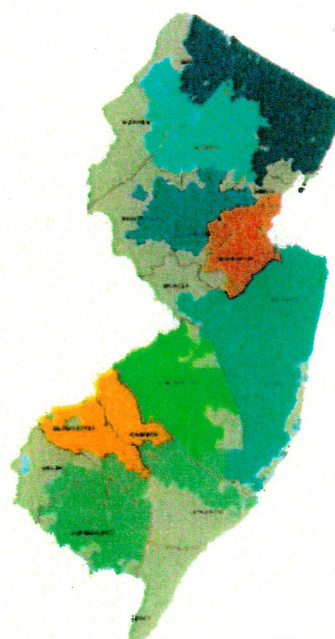
COURIER-POST
 Circulation
 Daily: 3,234
 Sunday: 3,658
 Digital/Unique Visitors
 CourierPostOnline.com: 388,717
 Social Media Followers: 161,300

DAILY JOURNAL
 Circulation
 Daily: 1,113
 (No Sunday paper)
 Digital/Unique Visitors
 TheDailyJournal.com: 42,818
 Social Media Followers: 31,000

DAILY RECORD
 Circulation
 Daily: 1,436
 Sunday: 1,563
 Digital/Unique Visitors
 DailyRecord.com: 143,948
 Social Media Followers: 44,000

HOME NEWS TRIBUNE
 Circulation
 Daily: 2,144
 Sunday: 2,247
 Digital/Unique Visitors
 MyCentralJersey.com: 408,569
 Social Media Followers: 95,600

THE RECORD
 Circulation
 Daily: 14,186
 Sunday: 16,622
 Digital Unique Visitors
 NorthJersey.com: 2,998,352
 Social Media Followers: 767,000



New Jersey

- Asbury Park Press
- Burlington County Times
- Courier News
- Courier-Post
- Daily Journal
- Daily Record
- Home News Tribune
- The Record

Data as of September 2024. *Gross Media Followers: Facebook, Instagram & X

Joseph J. Bell, Esq. ID 016881985
 BELL, SHIVAS & BELL, P.C.
 P.O. Box 220
 150 Mineral Springs Drive
 Rockaway, NJ 07866
 (973) 442-7900 Fax (973) 442-7990
 Attorneys for Plaintiff

COUNTY OF WARREN, <p style="text-align: center;">Plaintiff,</p> v. THE STAR-LEDGER and DAILY RECORD, <p style="text-align: center;">Defendants.</p>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY Docket No. WRN-L- <p style="text-align: center;"><i>Civil Action</i></p> ORDER TO SHOW CAUSE
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THIS MATTER being brought before the Court by Joseph J. Bell, attorneys for Plaintiff, the County of Warren ("Warren County" or the "County"), seeking relief by way of an ORDER TO SHOW CAUSE, based upon the facts set forth in the Verified Complaint filed herewith;

IT IS on this day of _____, 2024, ORDERED that the Defendants appear and show cause on _____, 2024 before the Superior Court, Law Division, at the Warren County Courthouse, 413 Second Street, Belvidere, New Jersey 07823 at _____ o'clock, or as soon thereafter as counsel can be heard, why an Order should not be entered by which the Court enters Declaratory Judgment finding that The Star-Ledger may validly serve as the Official Newspaper for the County of Warren, notwithstanding its impending move to an exclusively online version;

And it is further ORDERED that:

1. A copy of this Order to Show Cause, the Verified Complaint, and accompanying Exhibits, and all Affidavits submitted in support of this application, all of which shall be certified thereon by Plaintiff's attorney to be true copies, shall be served upon the Defendants, personally within ____ days of the date hereof, in accordance with R. 4:4-3, R. 4:4-3 and R. 4:4-4, this Order to Show Cause being original process.

The Plaintiff shall file with this Court a Proof of Service of the documents required by paragraph 2 above to be served on the Defendant no later than three (3) days before the date this matter is scheduled to be heard.

2. Defendants shall file and serve a written response to this Order to Show Cause and the request for entry of injunctive relief and proof of service by _____, 2024. The original documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. You must send a copy of your opposition papers directly to Judge _____, whose address is _____, New Jersey. You must also send a copy of your opposition papers to the Plaintiff's attorney whose name and address appears above. A telephone call will not protect your rights; you must file your opposition and pay the required fee of \$_____ and serve your opposition on your adversary, if you want the court to hear your opposition to the injunctive relief the Plaintiff is seeking.

3. The Plaintiff must file and serve any written reply to the Defendant's Order to Show Cause opposition by _____, 2024. The reply papers must be filed with the Clerk of the Superior Court in the county listed above and a copy of the reply papers must be sent directly to the chambers of Judge_____.

4. If the Defendant does not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default, provided that the Plaintiff files a Proof of Service and a proposed form of Order at least three (3) days prior to the return date.

5. If the Plaintiff has not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

6. Defendant take notice that the Plaintiff has filed a lawsuit against you in the Superior Court of New Jersey. The Verified Complaint attached to this Order to Show Cause states the basis of the lawsuit. If you dispute this Complaint, you, or your attorney, must file a written Answer to the Complaint and Proof of Service within 35 days from the date of service of this Order to Show Cause; not counting the day you received it.

These documents must be filed with the Clerk of the Superior Court in the county listed above. A list of these offices is provided. Include a \$ _____ filing fee payable to the "Treasurer State of New Jersey." You must also send a copy of your Answer to the Plaintiff's attorney whose name and address appear above, or to the Plaintiff. A telephone call will not protect your rights; you must file and serve your Answer (with the fee) or judgment may be entered against you by default. Please note: Opposition to the Order to Show Cause is not an Answer and you must file both. Please note further: if you do not file and serve an Answer within 35 days of this Order, the Court may enter a default against you for the relief Plaintiff demands.

7. If you cannot afford an attorney, you may call the Legal Services office in the county in which you live. A list of these offices is provided. If you do not have an attorney and are not

eligible for free legal assistance you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

8. The Court will entertain argument, but not testimony, on the return date of the Order to Show Cause, unless the Court and parties are advised to the contrary no later than _____ days before the return date.

Dated:

J.S.C.

Joseph J. Bell, Esq. ID 016881985
 BELL, SHIVAS & BELL, P.C.
 P.O. Box 220
 150 Mineral Springs Drive
 Rockaway, NJ 07866
 (973) 442-7900 Fax (973) 442-7990
 Attorneys for Plaintiff

COUNTY OF WARREN, <p style="text-align: center;">Plaintiff,</p> v. THE STAR-LEDGER and DAILY RECORD, <p style="text-align: center;">Defendants.</p>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY Docket No. WRN-L- <p style="text-align: center;"><i>Civil Action</i></p> FINAL ORDER ON ORDER TO SHOW CAUSE
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THIS MATTER being brought before the Court by Joseph J. Bell, attorneys for Plaintiff, the County of Warren ("Warren County" or the "County"), seeking relief by way of an ORDER TO SHOW CAUSE, and the parties having appeared before the Court represented by counsel, based upon the facts set forth in the Verified Complaint filed herewith and any opposition submitted therein and for good cause having been shown;

IT IS on this day of _____, 2024, ORDERED that

- a.) Judgment is entered declaring that the County of Warren may lawfully designate The Star-Ledger as its official newspaper and that such designation is valid and proper under the statutes regulating official newspapers, notwithstanding that The Star-Ledger's cessation of physically printing its newspaper as of February, 2025.
- b.) such other relief as the Court deems just and appropriate is Ordered: _____.

J.S.C.

Dated:

Joseph J. Bell, Esq. ID 016881985
BELL, SHIVAS & BELL, P.C.
P.O. Box 220
150 Mineral Springs Drive
Rockaway, NJ 07866
(973) 442-7900 Fax (973) 442-7990
Attorneys for Plaintiff

<p>COUNTY OF WARREN,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>THE STAR-LEDGER and DAILY RECORD,</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY</p> <p>Docket No. WRN-L-</p> <p style="text-align: center;"><i>Civil Action</i></p>
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**BRIEF IN SUPPORT OF PLAINTIFF'S APPLICATION
FOR AN ORDER TO SHOW CAUSE**

Joseph J. Bell, Esq.
On the Brief

PRELIMINARY STATEMENT

The County of Warren (“Plaintiff” or “Warren County”) is facing a situation concerning the requirements for the publication of official notices that will become absolutely critical early in 2025, if relief is not granted by this Court. Significantly, Warren County is not the only public entity having to face the fact that in this day and age printed newspapers are fast becoming a relic, and the statutes in New Jersey that require publication of legal notices have not caught up to this fast-moving trend. While society at large has moved toward the transmission and consumption of information via online means (and so has the New Jersey Judiciary, as filings are now online and judgments are issued electronically), the statutes establishing the requirements for publication of legal notices, and in particular the designation of an official newspaper, have not kept pace. The most recent case published in New Jersey involving this particular issue was in 2010, when the physical editions of newspapers were still circulating to a much larger extent, and it was not unusual for a person to purchase a newspaper at a retail location or to have one (1) delivered to a home or business. The intervening fourteen (14) years have seen newspaper circulation drop dramatically while online viewing has increased exponentially. This action seeks to permit Warren County to publish its legal notices online, thereby ensuring that such notices actually are available to the public at large, consistent with the intent of the New Jersey Legislature.

STATEMENT OF FACTS

It is undisputed that The Star-Ledger is the official newspaper for Warren County for 2024, and that it will be an exclusively online publication in February 2025. The Daily Record is still physically printed and the Plaintiff is not aware of any plans for that newspaper to cease printing physical editions of the newspaper (at least, at this time), and while the Daily Record is an alternate official newspaper for Warren County for 2024, its circulation is limited to 1,345 subscribers. Its

geographical coverage is almost entirely Morris County, and covers only a minute slice of eastern Warren County. There are newspapers that do circulate in Warren County, such as the Express Times, which, however, are published in Pennsylvania and are therefore statutorily ineligible to serve as official newspapers for the publication of official notices in New Jersey. The circumstances are further set forth in Plaintiff's Complaint and accompanying Certifications to the instant application for emergent and declaratory relief. (Plaintiff's Verified Complaint; Certifications of Art Charlton, James R. Kern III, Michele Lake, and Joseph J. Bell).

LEGAL ARGUMENT

POINT I

IN 2024, IT IS ENTIRELY REASONABLE TO CONCLUDE THAT AN ONLINE NEWSPAPER IS "PRINTED" IN NEW JERSEY AND THAT THE STAR-LEDGER CAN THEREFORE SERVE AS THE OFFICIAL NEWSPAPER OF WARREN COUNTY.

Under current circumstances, it is reasonable for the Court to conclude that an online newspaper meets the requirements of circulating in New Jersey, and therefore such a publication can serve as the official newspaper of a local governing entity such as Warren County. The question of whether the online version of a newspaper can be characterized as being printed in New Jersey (and thereby satisfying the statutory second prong of being "published and printed" in New Jersey¹) was considered by the Appellate Division in Courier Post v. County of Camden, 413 N.J. Super. 372 (App. Div. 2010). In that case, Camden County desired to print its legal notices in The Philadelphia Inquirer, rather than a New Jersey newspaper, and the Appellate Division addressed the County's argument that an online newspaper in Philadelphia can be deemed to be printed in New Jersey:

¹The "published" in New Jersey requirement should not be an issue as the newspaper is published in New Jersey.

Defendants attempt to circumvent this well-established law by arguing that because The Philadelphia Inquirer is available online and may be viewed and printed out from a computer in New Jersey, it should be considered "printed and published" in New Jersey within the meaning of the legal advertising statutes. However, given the unlikelihood of a reader printing out an entire edition of an online newspaper, we cannot reasonably say that a newspaper is "printed" in New Jersey because it is available online.

While the Appellate Division's opinion held sway in 2014, it is less than convincing in 2024. It may be true that a reader is unlikely to print out an entire newspaper on a printer at home, but that is a constrained view of an online publication in 2024. In today's world, books and magazines are widely read online, and indeed the New Jersey Judiciary now effectively operates almost entirely online through the JEDS and eCourts platforms. If "printed" is restricted to its original meaning of being produced on paper with ink, since there was alternative interpretation, then Warren County and counties throughout the State (not to mention public agencies) will be in a gravely unfortunate position of having to publish notices in a newspaper that virtually no person in the County reads. In 1976, the New Jersey Supreme Court took an in-depth look at statutory purpose of official newspapers, in a matter involving a dispute over where a newspaper was published, in order to qualify as an official newspaper, Plainfield v. Courier News, 72 N.J. 171 (1976). Justice Mountain referenced the Legislature's intent as its "...evident wish to have legal advertisements published in local newspapers with community ties." In that decision rendered forty-eight (48) years ago, the Court could not have foreseen that in 2024 Warren County would be almost entirely devoid of physical newspapers. Nonetheless the desire for "community ties" is still applicable, so it would be contrary to the statutory intent if the County of Warren were required to designate as its official newspaper a publication which has essentially no circulation in Warren County.

POINT II

**AN ORDER TO SHOW CAUSE IS WARRANTED, GIVEN THE
IMPENDING DEADLINE FOR THE STAR-LEDGER TO CEASE
PHYSICAL PUBLICATION OF THE NEWSPAPER.**

While the County of Warren is not seeking immediate relief in form of a Declaration by the Courts of its rights with regard to declaring an official newspaper, it does seek to have that determination made upon the return date of the Order to Show Cause, or at such early date as the Court may choose, given the need for Warren County to know how to publish its legal notices in 2025. The standards of relief under Crowe v. De Gioia, 90 N.J. 126 (1982) are well known, and they all apply here. First, the claim is based on a well-settled legal right. Although the nature of the relief may be novel, in the context of online newspapers, the case is fundamentally predicated upon the right of the public to be informed, which is the basis for having official newspapers.

Second, the probability of success favors the Plaintiff, in that there is no reasonable alternative available to the Plaintiff, so judicial relief is essential. This is not a case where the parties can meet halfway. A declaratory judgment is the only practical solution. Third, the harm will be irreparable, and that is the easiest factor to satisfy, as the inability to publish appropriate legal notices would have immediate and serious consequences for the County of Warren. Lastly, any harm to the County will clearly outweigh any adverse to the Defendants, as the only impact to them would be publication or non-publication of legal notices. Overall, there is ample and compelling reason for the Court to grant this Order to Show Cause, so that the County of Warren can take appropriate action at its reorganization meeting in January 2025 to name an official newspaper. In the absence of relief, and the consequent absence of an official newspaper that anyone in Warren County will actually read, the publication of legal notices will be fraught with confusion and uncertainty.

CONCLUSION

For the reasons set forth above, the County of Warren respectfully requests that the Court grant the relief sought in Plaintiff's Order to Show Cause and Complaint in its entirety.

BELL, SHIVAS & BELL, P.C.
Attorneys for Plaintiff, County of Warren

/s/ Joseph J. Bell

Joseph J. Bell, Esq.

Dated: November 18, 2024

Joseph J. Bell, Esq. ID 016881985
 BELL, SHIVAS & BELL, P.C.
 P.O. Box 220
 150 Mineral Springs Drive
 Rockaway, NJ 07866
 (973) 442-7900 Fax (973) 442-7990
 Attorneys for Plaintiff

COUNTY OF WARREN, <p style="text-align: center;">Plaintiff,</p> v. THE STAR-LEDGER and DAILY RECORD, <p style="text-align: center;">Defendants.</p>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY Docket No. WRN-L- <p style="text-align: center;"><i>Civil Action</i></p> <u>CERTIFICATION OF SERVICE</u>
---	--

I certify that the above Verified Complaint, Order to Show Cause, proposed form of Final Order, Brief, and supporting Certifications of James R. Krenn III, Michele Lake, Art Charlton, and Joseph J. Bell have been forwarded to the Clerk of the Superior Court for filing via eCourts.

In addition, the undersigned certifies that copies of the within application have been sent to all parties at their respective addresses (The Star-Ledger, 1 Gateway Center, Newark, New Jersey 07102-5323; Daily Record, 100 Commons Way, Rockaway, New Jersey, 07866-2038) via Fed Ex overnight mail.

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

BELL, SHIVAS & BELL, P.C.
 Attorneys for Plaintiff, County of Warren

/s/ Joseph J. Bell

Joseph J. Bell, Esq.

Dated: November 18, 2024

Joseph J. Bell, Esq. ID 016881985
 BELL, SHIVAS & BELL, P.C.
 P.O. Box 220
 150 Mineral Springs Drive
 Rockaway, NJ 07866
 (973) 442-7900 Fax (973) 442-7990
 Attorneys for Plaintiff

<p>COUNTY OF WARREN,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>THE STAR-LEDGER and DAILY RECORD,</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY</p> <p>Docket No. WRN-L-</p> <p style="text-align: center;"><i>Civil Action</i></p> <p>CERTIFICATION OF MICHELE LAKE</p>
---	---

Michele Lake, of full age, hereby certifies as follows:

1. I am an employee of the Warren County Sheriff's Office Civil Process Unit. I work in the capacity of Senior Execution Clerk and oversee the function of Sheriff's Sales and Civil Process. The majority of my responsibility is processing the foreclosure Sheriff's Sales and all the related work, including but not limited to submitting legal advertising notices for printed publication pursuant to Statute.
2. Before a Sheriff's Sale can move forward to conclusion, there are publication requirements that have to be met pursuant to N.J.S.A. 2A:61-1 and conditions needed that a publication must meet:
 - (a) both printed and published in the county where the real estate to be sold is located, one of which shall be either a newspaper published at the county seat of the county or a newspaper published in the municipality in the county having the largest population according to the latest census, or
 - (b) one printed and published in the county and one circulating in the county, if only one daily newspaper is printed and published in the county, or

(c) one published at the county seat and one circulating in the county, if no daily newspaper is published in the county, or

(d) both circulating in the county, if no newspapers are printed and published in the county.

3. Our office has been advised by Medinah Jones, Operations Supervisor of New Jersey Advance Media that “The Star-Ledger, Times of Trenton, South Jersey Times and Express-Times will cease to print and will be going digitally as of February 2, 2025.”

4. There are no other newspapers in circulation that will meet the publication requirements as set forth in the statute. The only other available papers in Warren County, New Jersey are those printed in New York or Pennsylvania and do not meet the publication requirements for printed publications.

5. The only option available to meet any advertising requirements is the digital advertising.

6. The digital advertising will ultimately be more cost effective than printed, paper publishing.

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

Dated: November 18, 2024

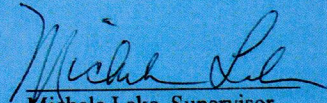
Michele Lake, Supervisor
Sr. Execution Clerk

(c) one published at the county seat and one circulating in the county, if no daily newspaper is published in the county, or

(d) both circulating in the county, if no newspapers are printed and published in the county.

3. Our office has been advised by Medinah Jones, Operations Supervisor of New Jersey Advance Media that "The Star-Ledger, Times of Trenton, South Jersey Times and Express-Times will cease to print and will be going digitally as of February 2, 2025."
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I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


Michele Lake, Supervisor
Sr. Execution Clerk

Dated: November 18, 2024

Joseph J. Bell, Esq. ID 016881985
 BELL, SHIVAS & BELL, P.C.
 P.O. Box 220
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 Rockaway, NJ 07866
 (973) 442-7900 Fax (973) 442-7990
 Attorneys for Plaintiff

COUNTY OF WARREN, <p style="text-align: center;">Plaintiff,</p> v. THE STAR-LEDGER and DAILY RECORD, <p style="text-align: center;">Defendants.</p>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY Docket No. WRN-L- <p style="text-align: center;"><i>Civil Action</i></p> CERTIFICATION OF ART CHARLTON
---	--

Art Charlton, of full age, hereby certifies as follows:

1. I am the Director of the Warren County Public Information Department and work at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, NJ 07823.
2. In the regular course of my duties I am called on to place advertisements in print and electronic media and other outlets to promote Warren County, particularly its tourism industry. As part of my duties to determine the most advantageous publications in which to place advertisements for Warren County government, the county's Bicentennial effort, and the Explore Warren County Tourism Partnership program, I have been in contact with an Account Executive at an entity involved with the publication of a number of newspapers including the Daily Record. Attached to this Certification as Exhibit A is information obtained while looking into print and online display advertising that the Account Executive described as a "coverage map of my New

Jersey publications, including circulation numbers include both single copy sales and home subscribers.” The map also includes the coverage areas for the newspapers.

3. Exhibit A indicates that the daily (non-Sunday) circulation of the Daily Record is 1,435, and that the Daily Record scope of geographic coverage includes only a small sliver of Warren County.

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


Art Charlton

Dated: November 18, 2024

EXHIBIT A

ASBURY PARK PRESS
 Circulation
 Daily: 11,513
 Sunday: 13,893
 Digital/Unique Visitors
 APP.com: 1,150,618
 Social Media Followers: 470,700

BURLINGTON COUNTY TIMES
 Circulation
 Daily: 1,956
 Sunday: 2,270
 Digital/Unique Visitors
 BurlingtonCountyTimes.com:
 58,390
 Social Media Followers: 40,900

COURIER NEWS
 Circulation
 Daily: 1,337
 Sunday: 1,472
 Digital/Unique Visitors:
 MyCentralJersey.com: 408,569
 Social Media Followers: 95,600

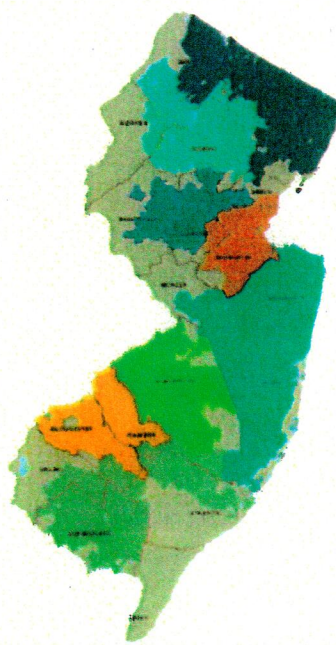
COURIER-POST
 Circulation
 Daily: 3,234
 Sunday: 3,658
 Digital/Unique Visitors
 CourierPostOnline.com: 388,717
 Social Media Followers: 161,300

DAILY JOURNAL
 Circulation
 Daily: 1,113
 (No Sunday paper)
 Digital/Unique Visitors
 TheDailyJournal.com: 42,818
 Social Media Followers: 31,000

DAILY RECORD
 Circulation
 Daily: 1,435
 Sunday: 1,563
 Digital/Unique Visitors
 DailyRecord.com: 143,948
 Social Media Followers: 44,000

HOME NEWS TRIBUNE
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THE RECORD
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 Digital Unique Visitors
 NorthJersey.com: 2,998,352
 Social Media Followers: 767,000



New Jersey

- Asbury Park Press
- Burlington County Times
- Courier News
- Courier-Post
- Daily Journal
- Daily Record
- Home News Tribune
- The Record

Data as of September 2024. Visits/Unique Visitors: Facebook, Instagram and X

Joseph J. Bell, Esq. ID 016881985
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 Attorneys for Plaintiff

COUNTY OF WARREN, <p style="text-align: center;">Plaintiff,</p> v. THE STAR-LEDGER and DAILY RECORD, <p style="text-align: center;">Defendants.</p>	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY Docket No. WRN-L- <p style="text-align: center;"><i>Civil Action</i></p> CERTIFICATION OF JAMES R. KERN III
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James R. Kern III, of full age, hereby certifies as follows:

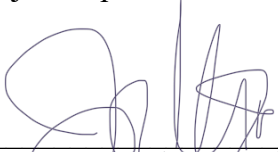
1. I am the Director of the County of Warren Board of County Commissioners. As an elected representative of the residents of the County of Warren, my responsibilities include coordination concerning the publication of notices relating to meetings and agendas of the County Commissioners, the governing legislative body of the County of Warren.
2. Then Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., requires that formal notice and agenda for meetings of the Board of County Commissioners be published for the benefit of the public according to specific requirements which are relevant to the subject matter of this case.
3. At the 2024 Annual Reorganization Meeting for the County Commissioners, *The Star-Ledger* was designated as the official newspaper for the County of Warren. I have been advised that *The Star-Ledger* will cease physical printed publication and shift to exclusively digital online publication and circulation in February 2025.

4. To the best of my knowledge, Warren County does not have a single, dedicated physical newspaper for publication, physical purchase, or circulation which is available throughout the entire county. Instead, residents rely on regional publications for local news. The *New Jersey Herald* primarily serves the northern municipalities, while Pennsylvania-based newspapers, such as *The Express-Times* and *The Morning Call*, are more accessible in southern Warren County. This reliance on neighboring regional papers underscores a gap in comprehensive, county-wide news coverage.

5. Upon information and belief, as of February 2025 the County of Warren will not have any print newspaper publishing options for the publication of official notices regarding meetings of the Board of County Commissioners which would satisfy statutory requirements. Therefore, digital publication of official notices will become the only viable option available to meet any statutory advertising requirements of official notices regarding the meetings of the Board of County Commissioners.

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

Dated: November 18, 2024



James R. Kern III, Director
County of Warren
Board of County Commissioners


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<p>COUNTY OF WARREN,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>THE STAR-LEDGER and DAILY RECORD,</p> <p style="text-align: center;">Defendants.</p>	<p>SUPERIOR COURT OF NEW JERSEY LAW DIVISION: WARREN COUNTY</p> <p>Docket No. WRN-L-</p> <p style="text-align: center;"><i>Civil Action</i></p> <p>CERTIFICATION OF JOSEPH J. BELL</p>
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Joseph J. Bell, of full age, hereby certifies as follows:

1. I am an attorney at law, managing partner of the law firm of Bell, Shivas & Bell, P.C., and County Counsel for the County of Warren. As such, I am familiar with the facts of this matter.
2. In anticipation of The Star-Ledger ceasing physical printing of the newspaper, I have been in communication with the County of Warren, including Marie S. Watters, QPA, Director of Purchasing. Attached as Exhibit A is a true and accurate copy of a letter from Marie S. Watters, QPA, dated November 14, 2024 relative to the issues raised in the above-captioned matter.
3. Attached as Exhibit B is a true and accurate copy of a Press Release dated November 15, 2024 issued by the New Jersey State League of Municipalities, New Jersey School Boards Association, and New Jersey Association of Counties relative to the issues raised in the above-captioned matter.

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


Joseph J. Bell

Dated: November 18, 2024

EXHIBIT A

**PURCHASING DEPARTMENT
COUNTY OF WARREN**
WAYNE DUMONT, JR. ADMINISTRATION BUILDING
165 COUNTY ROAD, 519 SOUTH, ROOM 207
BELVIDERE, N.J. 07823-1949

MARIE S. WATTERS, QPA
DIRECTOR OF PURCHASING



TELEPHONE: (908) 475-6573
FAX: (908) 475-6555

November 14, 2024

To Whom It May Concern:

I am the Purchasing Agent for the Warren County Purchasing Department. One of the requirements, which is also a mandatory law, of the Purchasing Department is to print ads in an official newspaper that is awarded per resolution each year. This paper must also meet the guidelines such as N.J.S.A. 35:1-2.2 which requires the newspaper must be printed in English language, be printed and published within the State, have a general paid circulation in the municipality where their publication office is situated for not less than two years and have been entered for two years as second class mail under US postal laws and regulations. These ads include meeting notices and cancellations, resolutions, municipal land use action, public bidding and many others. With the newspapers ceasing print this leaves local governments across the state scrambling with how to comply with the legal notice requirements under existing law.

In my opinion, the only other option would be to amend the law as it reads now and allow digital advertising. I also believe that this will ultimately be more cost efficient for government entities which helps the taxpayers.

Thank you,

Marie S. Watters

Marie S. Watters, QPA

EXHIBIT B

LOCAL GOVERNMENTS URGE STATE LEADERS TO TAKE ACTION ON LOOMING PUBLIC NOTICE CRISIS

For Immediate Release: November 15, 2024

Contact: New Jersey State League of Municipalities (NJLM)
New Jersey School Boards Association (NJSBA)
New Jersey Association of Counties (NJAC)

Time is of the essence for State leaders to address the State's looming public notice crisis exacerbated by NJ Advance Media's recent announcement that it's terminating daily print publications in January of 2025. With this in mind, the above noted organizations are urging State leaders to enact legislation that will provide local governments with the following options to publish public notices:

1. In a clear and transparent manner on a local government's official website; or,
2. In a database created and maintained by the State of New Jersey; or,
3. On a website or digital publication maintained by the traditional press or an online news publication.

Our non-partisan coalition, which represents school districts, municipalities, and county governments from across the State submit that these recommendations will allow local governments to comply with the notice requirements under the law in a timely, cost effective, and efficient manner. Moreover, these recommendations will streamline an antiquated process and replace it with a more contemporary and flexible method for publishing legal notices that may also save valuable taxpayer dollars.

In general, current law requires local purchasing officials, clerks of the board, planning departments, improvement authorities, and other local government officials to publish onerous written information and legal notices in various newspaper publications. Such notices typically include contract awards, contract addendums, meeting notices, RFP and RFQ notices, election notices, and much more. Public officials have long decried that publishing these voluminous documents in newspapers is costly, time consuming, and outdated. Importantly note that long before NJ Advanced Media's announcement, local officials found it difficult to comply with the notice requirements under the law as the newspaper industry has grown increasingly digitized and struggled to retain staff, resources, and publications.

For the reasons set forth above, we're again urging State leaders to act swiftly in enacting these recommendations as they will also allow local governments to comply with the law before annual reorganization meetings in January of 2025 when counties, municipalities, school districts, and more must designate an official newspaper for publishing public notices. *Please do not hesitate to contact Mike Cerra with NJLM at 609-695-3481, Jonathan Pushman with NJSBA at 609-695-7600, or John Donnadio with NJAC at 609-394-3467 with any questions or concerns.*

Civil Case Information Statement

Case Details: WARREN | Civil Part Docket# L-000411-24

Case Caption: COUNTY OF WARREN VS THE STAR-LEDGER

Case Initiation Date: 11/18/2024

Attorney Name: JOSEPH J BELL JR

Firm Name: BELL, SHIVAS & BELL, P.C.

Address: 150 MINERAL SPRINGS DR PO BOX 220
ROCKAWAY NJ 07866

Phone: 9734427900

Name of Party: PLAINTIFF : County of Warren

Name of Defendant's Primary Insurance Company
(if known): None

Case Type: OTHER decl judg re officla notice newspaper requiements

Document Type: Verified Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? NO

Does this case involve claims related to COVID-19? NO

Are sexual abuse claims alleged by: County of Warren? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? YES

If yes, is that relationship: Business

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO **Medical Debt Claim?** NO

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 in accordance with *Rule 1:38-7(b)*

11/18/2024
Dated

/s/ JOSEPH J BELL JR
Signed

