

**OPEN PUBLIC RECORDS ACT REQUEST FORM TOWNSHIP OF GREEN**

***P.O. Box 65, 150 Kennedy Road***



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***Tranquility, N.J. 07879***

***908-852-9333***

***'n***





* gREEN **TOWNSHIP•**

***clerkadmin@greentwp.com***

***-GREEN* TOWNSHIP.**

**Important Notice**

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

**Requestor Information – Please Print**

**Payment Information**

First Name

MI

Last Name

E-mail Address

Mailing Address

City

State

NJ

Zip

Telephone

FAX

Preferred Delivery:

Pick

Up

US Mail

On-Site

Inspect

Fax

E-mail YES

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**If you are requesting records containing personal information, please circle one**: Under penalty of N.J.S.A. 2C:28-3, I certify that I ***HAVE / HAVE NOT*** been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

Signature

Date

Maximum Authorization Cost $

Select Payment Method

Cash

Check Money Order

Fees:

Letter size pages - $0.05

per page

Legal size pages - $0.07

per page

Other materials (CD, DVD,

etc) – actual cost of material

Delivery: Delivery / postage fees

additional depending upon

delivery type.

Extras: Special service charge dependent upon request.

**Record Request Information:** Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

**AGENCY USE ONLY**

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Est. Document Cost

Est. Delivery Cost

Est. Extras Cost

Total Est. Cost

Deposit Amount

Estimated Balance

Deposit Date

**Disposition Notes**Custodian: If any part of request cannot be
delivered in seven business days,
detail reasons here.

In Progress

Open

Denied

Closed

Filled

Closed

Partial

Closed

**Tracking Information**

**Final Cost**

Tracking #

Total

Rec’d Date

Deposit

Ready Date

Balance Due

Total Pages

Balance Paid

**Records Provided**

**Custodian Signature**

**Date**

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**DEPOSITS**

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of $5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

**YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):**

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If
multiple records are requested, be specific as to which exemption(s) apply to each record. **Response is due to requestor as soon as
possible, but no later than seven business days**.)

**N.J.S.A. 47:1A-1.1**

Inter-agency or intra-agency advisory, consultative or deliberative material

Legislative records

Law enforcement records:

Medical examiner photos

* Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be

disclosed)

* Victims’ records

Trade secrets and proprietary commercial or financial information

Any record within the attorney-client privilege

Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security

* Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the

building or facility or persons therein

* Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic

data or software

Information which, if disclosed, would give an advantage to competitors or bidders

Information generated by or on behalf of public employers or public employees in connection with:

Any sexual harassment complaint filed with a public employer Any grievance filed by or against an employee

Collective negotiations documents and statements of strategy or negotiating

* Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk

management office

Information that is to be kept confidential pursuant to court order

Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency

Social security numbers

Credit card numbers

Unlisted telephone numbers

Drivers’ license numbers

Certain records of higher education institutions:

Research records

Questions or scores for exam for employment or academics

Charitable contribution information

Rare book collections gifted for limited access

Admission applications

Student records, grievances or disciplinary proceedings revealing a students’ identification

Biotechnology trade secrets  **N.J.S.A. 47:1A-1.2**

Convicts requesting their victims’ records **N.J.S.A. 47:1A-2.2**

Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) **N.J.S.A. 47:1A-3.a.**

Public defender records  **N.J.S.A. 47:1A-5.k.**

Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges

created by State Constitution, statute, court rule or judicial case law **N.J.S.A. 47:1A-9**

* Personnel and pension records (however, the following information must be disclosed:

 An individual’s name, title, position, salary, payroll record, length of service, date of separation and the reason for such

separation, and the amount and type of any pension received

When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person

duly authorized by this State or the US, or when authorized by an individual in interest

Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information  **N.J.S.A. 47:1A-10**

**N.J.S.A. 47:1A-1**

“a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it

has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy.”

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Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision “is neither a preface nor

a preamble.” Rather, “the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why

” “Specifically, it imposes an

OPRA was adopted, as preambles typically do; instead, it focuses on the law’s implementation.

obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests.”

**Executive Order No. 21 (McGreevey 2002)**

Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or

consequences of potential acts of sabotage or terrorism.

Records exempted from disclosure by State agencies’ proposed rules.

**Executive Order No. 26 (McGreevey 2002)**

Certain records maintained by the Office of the Governor

Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing

Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging

Discrimination, Harassment or Hostile Environments

Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation

Information in a personal income or other tax return

Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed

* Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or

licensing

* Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those

records are made confidential by regulation or EO 9.

**Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order,**

**Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.**

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

**REQUEST FOR RECORDS UNDER THE COMMON LAW**

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the

box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

Yes, I am also requesting the documents under common law.

If the information requested is a

contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing

disclosure.

"public record" under common law and the requestor has a legally recognized interest in the subject matter

Please set forth your interest in the subject matter contained in the requested material:

***Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.***

1. All government **records are subject to public access under the Open Public Records Act (“OPRA”), unless specifically**

exempt.

2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted

electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the ***Name of Agency***, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.

3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or

other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.

4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of

any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the ***Name of Agency.***

5. ***You may be charged a 50% or other deposit when a request for copies exceeds $25.*** The ***Name of Agency***

custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of $5.00 require a deposit of 100% of estimated fees.

6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New

Jersey, any other state, or the United States, **and** who is seeking government records containing personal information **pertaining to the person’s victim or the victim’s family.** This includes anonymous requests for said information.

7. By law, the ***Name of Agency*** must notify you that it grants or denies a request for access to government records within

seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.

8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.

9. If the ***Name of Agency*** is unable to comply with your request for access to a government record, the custodian will

indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated

copy.

10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to

respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your

request.

11. If your request for access to a government record has been denied or unfilled within the seven (7) business days

required by law, you have a right to challenge the decision by the ***Name of Agency*** to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (**“**GRC**”**) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at *grc@dca.state.nj.us*, or at their web site at [*www.state.nj.us/grc*](http://www.state.nj.us/grc). The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

12. Information provided on this form may be subject to disclosure under the Open Public Records Act.