

**TOWNSHIP OF CLINTON
HUNTERDON COUNTY**

Brian K. Mullay
Mayor



William Close
Acting Township Administrator

September 22, 2025

Via E-Mail [opra+request-79385-3e12d494@requests.opramachine.com]

Kida Nedakh

Re: Open Public Records Act Request

Dear Kida Nedakh:

Please be advised that the Township is exercising its right to implement a “special service charge” pursuant to N.J.S.A. 47:1A-5(c) for the cost of compiling, reviewing and redacting any potentially responsive materials, and the Section of the Township Code Booke 38-2G (attached to letter). Accommodating your request will require an “extraordinary expenditure of time and effort” of Township resources. If you still wish to receive the potentially responsive materials, the Township will be charging you for the Township’s estimated cost of the Confidential Employee, Julia’s time that will likely be expended in fulfilling your OPRA request. The Township estimates that Julia will expend approximately 26 hours in pulling the responsive materials, reviewing/redacting same, and preparing the responsive materials for production. Julia’s hourly rate is **\$28.84**. As such, you will be charged **\$749.84** if you still wish to receive the responsive materials.

In the event that you still wish to receive the responsive materials, you must remit the **\$749.84** cost of fulfilling your request at this juncture. Kindly submit a check made payable to the Township of Clinton. If we do not receive same by the close of business on September 30th, 2025, we will treat your request as abandoned and close out your request.

Thank you for your anticipated cooperation.

Very truly yours,

Lindsay Heller

Lindsay Heller
Acting Township Clerk

1225 Route 31 South
Lebanon, NJ 08833
Phone: (908) 735-8800 | Fax: (908) 735-8156
website: www.clintontwpnj.gov

Chapter 38. Records, Public

§ 38-1. Access to records; conditions.

The public records of the Township of Clinton shall be accessible for examination and copying in accordance with N.J.S.A. 47:1A-1 et seq., upon the terms and conditions as hereinafter provided. Such inspection shall be made only at reasonable times during business hours and without interference with the conduct of the affairs of the office or other place where such records are kept or maintained.

§ 38-2. Records access fees.

Copies shall be made available for purchase upon the payment of fees in accordance with N.J.S.A. 47:1A-1 et seq., which shall be based upon the total number of pages or parts thereof to be purchased without regard to the number of records being copied:

A. In-person request:

- (1) First page to 10th page: \$0.75 per page.
- (2) Eleventh page to 20th page: \$0.50 per page.
- (3) All pages over 20 pages: \$0.25 per page.

B. Mail request, normal copy fee, plus:

- (1) First page: \$5.
- (2) Second page to 10th page: \$0.75 per page.
- (3) Eleventh page to 20th page: \$0.50 per page.
- (4) All pages over 20 pages: \$0.25 per page.

C. Fax request: normal copy fee, plus \$1 per page.

D. Color copying:

- (1) Eight and one-half inches by 11 inches: \$1 per page.
- (2) Eight and one-half inches by 14 inches: \$1.50 per page.
- (3) Eleven inches by 17 inches: \$3 per page.

E. Miscellaneous fees.

[Amended 8-11-2004 by Ord. No. 853-04]

- (1) Fees established.
 - (a) Master Plan: \$45 each.
 - (b) Land Use Book (Zoning Ordinance): \$40 each.

- (c) Video tape copies: \$25 each.
 - (d) Photographs (maximum of 8 1/2 inches by 11 inches): \$10 per photo.
 - (e) Copies of audiofiles on a CD: \$5.
Amended 5-11-2005 by Ord. No. 874-05]
- (2) The above amounts shall have added to them the amount of postage required to mail these items via first class mail.

F. Maps:

- (1) Print copies:
- (a) Thirty-six inches by 42 inches: \$5 per sheet.
 - (b) Twenty-four inches by 36 inches: \$5 per sheet. This shall include the Clinton Township Street Map and the Clinton Township Zoning Map.
Amended 5-11-2005 by Ord. No. 874-05]
 - (c) Eleven inches by 17 inches: \$1 per sheet.
- (2) Digital map files (DWF format):
- (a) Tax Map zipped on 3.5" floppy disk: \$25 per sheet.
 - (b) Tax Map (per sheet) on CD: \$30 per sheet.
 - (c) Tax Map, complete set (TIF format) on CD: \$25.
- (3) Map disclaimer. For all data contained herein, Clinton Township makes no representations of any kind, including but not limited to the warranties of merchantability, accuracy or fitness for a particular use, nor are such warranties to be implied with respect to the digital data provided.

G. Special service charges.

[Added 4-26-2006 by Ord. No. 906-06]

- (1) Purpose. The purpose of this subsection is to set forth the Township's fee schedule for the Township's special service charges to be assessed in appropriate circumstances.
- (2) Definitions. As used in this subsection, "special service charge" shall mean a charge, in addition to the actual cost of duplicating the government record(s), which shall reflect the expense associated with extensive use of Township information, technology or resources, or the extensive clerical or supervisory assistance by Township personnel necessary to accommodate requests to inspect, examine and/or provide copies of the record(s), and as defined by the Open Public Records Act, N.J.S.A. 47:1A-5c. and 47:1A-5d.
- (3) Special service charges.
- (a) A special service charge may be applied by the custodian of records or his/her designee in the following circumstances:
 - [1] When the nature, format, manner of collation or volume of a government record embodied in the form of printed matter to be copied is such that the record cannot be reproduced by ordinary copying equipment in ordinary business size;
 - [2] When a request is for a government record in a medium not routinely used by the Township;
 - [3] When a request is for a government record not routinely developed or maintained by the Township;
 - [4] When a request for a government record requires a substantial amount of manipulation or programming of information technology by the Township and the cost

of such manipulation or programming is not otherwise included in the fee or fees listed in § **38-2**; or

- [5] When the request for copying, inspection or examination of a government record involves an extraordinary expenditure of time and effort to accommodate.
- (b) The special service charge rate for supervisory, programming and/or clerical services shall be charged per hour and as follows:
 - [1] The hourly rate shall be the hourly wage of the employee conducting the supervisory, programming and/or clerical services as set by the Township by salary and wage ordinance and/or collective bargaining agreement(s) from time to time.
 - [2] The hourly wages of salaried personnel shall be calculated by dividing the employee's annual salary as set by the Township Council by salary and wage ordinance and/or collective bargaining agreement(s) by 26 (weeks) and then dividing that biweekly pay by the number of hours worked in a biweekly period.