

Cassidy L. Swanson

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City of Woodbury
GLOUCESTER CO.
WOODBURY, N. J.

City of Woodbury

City Hall

33 Delaware Street

Woodbury, NJ 08096

(856) 845-1300

June 3, 2022

Via email only (opra+request-30357-4c13cc3a@requests.opramachine.com)

Patrick Duff

**Re: Open Public Records Act/Common Law Records Request
All email communications with any representative for Nova Farms
and Atria Dispensary LLC**

Dear Mr. Duff:

The City of Woodbury Records Custodian received your request for records pursuant to the Open Public Records Act (OPRA) and the New Jersey common law right of access, dated March 23, 2022, on March 24, 2022. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA was April 4, 2022. We previously responded to Parts 1 and 2 of your request and requested an extension of time, until June 3, 2022, to further process Parts 3 and 4 of your request.

Your records request was as follows:

From: Patrick Duff <opra+request-30357-4c13cc3a@requests.opramachine.com>

Sent: Wednesday, March 23, 2022 9:15 PM

To: Daneen Fuss <dfuss@Woodbury.nj.us>

Subject: OPRA request - All email communications with any representative for Nova Farms and Atria Dispensary LLC.

Dear Woodbury City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

All email communications and attachments with any representative for Nova Farms and Atria Dispensary LLC to or from all council members,
Solicitor, Mayor and the clerk from 11-1-21 through today.

All of Phil Hagerty's and Mayor Sickel's emails with the following terms from 11-1-21 through today:

"Cannabis"

"BestBuds"

"148"

"135"

"Nova Farms"

"Atria"

"Marijuana"

"\$10,000"
"Lawsuit"
"Discrimination"
"Fire Department"
"Funds"
"Disband"
"Certifications"
"Fire"

A copy of all tort claim notices filed from 1-1-19 through today as well as a copy of any settlement agreements. Please include all attachments as well.

A copy of the insurance bond for the city of Woodbury.

Yours faithfully,

Patrick Duff

Response to Part 3

A search of our available records has identified the following as responsive to your request:

Woodbury City Tort Claim Notices & Settlement Agreements (213 pages)

Copies of the identified records are enclosed. Please note that, after consultation with the City Solicitor, these records have been redacted as follows:

Privacy/Personal/Juvenile Information. Part(s) of the identified record(s) containing personal and/or juvenile information and/or images for which identified persons have a reasonable expectation of privacy have been redacted. N.J.S.A. 47:1A-1; Executive Order No. 21 (McGreevey 2002); *Paff v. Ocean County Prosecutor's Office*, 235 N.J. 1 (2018); *Brennan v. Bergen County Prosecutor's Office*, 233 N.J. 330 (2018); *In the Matter of the New Jersey State Fireman's Association*, 230 N.J. 258 (2017); *Burnett v. County of Bergen*, 198 N.J. 408 (2009); *North Jersey Media Group v. Township of Nutley*, slip op., Docket No. A-3483-14T3 (App. Div. September 30, 2016); *Nelson v. N.J. Department of Law & Public Safety*, No. 2013-124 (GRC 2014); *Merino v. Borough of Ho-Ho-Kus*, No. 2003-110 (GRC 2004).

HIPAA/Protected Health Information. The identified record(s) or portions thereof are not subject to disclosure because they contain protected health information exempt from disclosure pursuant to the Privacy Rule implemented pursuant to the Health Insurance Portability and Accountability Act of 1996 and Executive Order No. 26, paragraph 4.b.1 (McGreevey 2002) (exempting from disclosure "information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation").

Response to Part 4

Further processing of this part of your request requires an additional seven (7) business day extension, until June 14, 2022, to further process as we are awaiting receipt of records from a third-party.

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 City of Woodbury 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 P.O. 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. The GRC 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.

Very truly yours,

Cassidy Swanson
Acting Municipal Clerk
Community Events Coordinator
Neighborhood Preservation Coordinator
City of Woodbury
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