

Cassidy L. Swanson

Acting Municipal Clerk

(856) 845-1300 x146

cswanson@woodbury.nj.us



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

City of Woodbury

City Hall

33 Delaware Street

Woodbury, NJ 08096

(856) 845-1300

April 4, 2022

Via email only (opra+request-30014-85679409@requests.opramachine.com)

Patrick Duff

**Re: Open Public Records Act/Common Law Records Request
Supplemental Response – Items 3 and 5**

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 7, 2022, on March 8, 2022. By email dated March 9, 2022, received on March 10, 2022, you supplemented your request. Accordingly, the initial seven (7) business day deadline to respond to your initial request under OPRA was March 17, 2022. By email on March 17, 2022, we responded to Items 1, 4 and 6 of your request, and requested a seven (7) business day extension, until March 28, 2022, to further process Items 2, 3 and 5 of your request. By correspondence dated March 21, 2022, we responded to Item 2 of your request. On March 28, 2022, we provided our supplemental response to Items 3 and 5 of your request.

By email on March 29, 2022, you replied to our response as follows:

From: Patrick Duff <opra+request-30014-85679409@requests.opramachine.com>

Sent: Tuesday, March 29, 2022 10:00 AM

To: Cassidy Swanson <cswanson@woodbury.nj.us>

Subject: Internal review of OPRA request - All resolutions sponsoring cannabis facilities in Woodbury.

Dear Cassidy Swanson,

This request is valid and your demand for costs is not warranted. I want to give you one more opportunity to fill this request before I must seek redress through an order to show cause filed with the Superior Court. Please fill the remainder of the request.

Yours sincerely,

Patrick Duff

Via email on March 30, 2022, we requested that you clarify your reply:

Hello Mr. Duff,

Please clarify if this is in regards to items 3 and 5, or different items of your request.

Best,

Cassidy Swanson

Your response on March 30, 2022 was as follows:

From: Patrick Duff <opra+request-30014-85679409@requests.opramachine.com>

Sent: Wednesday, March 30, 2022 11:00 AM

To: Cassidy Swanson <cswanson@Woodbury.nj.us>

Subject: Re: Internal review of OPRA request - All resolutions sponsoring cannabis facilities in Woodbury.

Dear Cassidy Swanson,

You have already filled items 1 and 2 of the request. #4 is a simple recording. #3 and 5 are seeking communications and lists those being sought. I will limit #5 to the dates of 12-2-21 through today. #3 still request the same dates.

Yours sincerely,

Patrick Duff

Please allow this to serve as our response to your clarification.

Item 4

In our initial March 17, 2022 response to your request, we advised (1) that due to the size of the audio files they cannot be sent via e-mail; (2) the two audio files responsive to Items 4 and 6 of your request are available via flash drive for \$1.00; and (3) the flash drive is available for pickup at Woodbury City Hall located at 33 Delaware Street. As of this date, you have neither picked up the flash drive nor requested that the flash drive be sent via first class mail. Please note that additional fees for postage will be applicable if you want the flash drive sent via first class mail.

Items 3 and 5

After consultation with the City Solicitor, we have determined that your March 30, 2022 limitation of Item 5 of your original request does not in any significant way minimize the time required to further process your request. In fact, it would add to the estimated special service charge since it would require IT running a second records search, at a higher rate than the Deputy Clerk rate, then collating and compiling the new results, instead of simply excluding records not within the scope of your request. Please be assured, however, that any a refund will be given for any estimated time in excess of the estimated time.

In order to proceed with fulfilling your request, we require a deposit in the amount of \$297.60 representing the total estimated special service charge.

Kindly respond in writing with your acceptance or rejection of this estimated charge. We will not begin to further process this request until we receive your written acceptance. If you accept the estimated special service charge, please forward a check in the amount of \$297.60 payable to the "City of Woodbury." If you reject the estimated charge and you wish to challenge the special service charge, you have a right to challenge the decision.

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
(856) 845-1300 x 146 cswanson@woodbury.nj.us