



BOROUGH OF BOUND BROOK

230 Hamilton St. • Bound Brook, NJ 08805
(732) 356-0833 • Fax: (732) 356-8990
www.boundbrook-nj.org

Jasmine D. McCoy
Borough Clerk/ Assistant Administrator

May 9, 2023

Via Email ([opra+request-37358-76267dcb@requests.opramachine.com])

[Anonymous]

Re: OPRA Request – Supplemental Response

Dear Anonymous:

In follow-up to the Borough of Bound Brook's (the "Borough") amended initial response, dated February 23, 2023 and supplemental responses dated March 9, 2023, March 23, 2023, April 10, 2023, and April 24, 2023 to your Open Public Records Act ("OPRA") request, enclosed are additional documents responsive to your request. Specifically enclosed are:

- DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. attorney invoices for periods ending 11/20 through 1/22;
- Marmero Law, LLC attorney invoices for periods ending 11/21 through 11/22;
- McElroy, Deutsch, Mulvaney & Carpenter, LLP attorney invoices for periods ending 12/21 through 10/22;
- Shain Schaffer, P.C. attorney invoices for periods ending 2/22 through 10/22;
- Wilentz, Goldman & Spitzer, P.A. attorney invoices for periods ending 8/20 and 12/21.
- Vaughn Index for the aforementioned invoices.

Please be advised that certain entries have been redacted for information which contains attorney-client communications and attorney work-product. See N.J.S.A. 47:1A-1.1 OPRA specifically provides that a "government record" shall not include "any record within the attorney-client privilege." Ibid. Notably, OPRA permits records to be redacted to remove any information protected by the attorney-client privilege. See Rodriguez v. Kean University, GRC Complaint No. 2013-323 (Oct. 2014) ("[A] custodian may redact [attorney or consultant bills or invoices] to remove any information protected by attorney-client privilege."). In addition, New Jersey law exempts from public disclosure attorney work-product, consisting of "the mental impressions, conclusions, opinions, or legal theories" shared by legal counsel. Id. (citing N.J.S.A. 47:1A-1.1 and N.J.S.A. 47:1A-9); see also Scheeler v. Twp. of Galloway, GRC Complaint No. 2012-151 (July 2013); O'Boyle v. Bor. of Longport, 218 N.J. 168 (2014); Keddie v. Rutgers, State Univ., 148 N.J. 36 (1997).



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In addition, some of the records you seek are subject to the privacy interests protected and set forth in N.J.S.A. 47:1A-1, which provides that “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.” Serrano v. South Brunswick Twp., 358 N.J. Super. 352, 368-69 (App. Div. 2003). Here, as indicated in the accompanying Vaughn Index, certain portions of the Wilentz, Goldman & Spitzer, P.A. attorney invoices have been redacted as to omit bank account and routing number information.

The Borough will continue to respond to your request on a rolling basis. The Borough requires an additional two weeks, or until about Monday May 22, 2023, to provide an additional response.

Very truly yours,



Jasmine D. McCoy
Borough Clerk / Assistant Administrator