

WALL TOWNSHIP PUBLIC SCHOOLS
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY
PO Box 1199
Wall, New Jersey 07719-1199

Brian J. Smyth
Business Administrator/Board Secretary

Phone: 732-556-2016
FAX: 732-556-2102

March 10, 2023

Betsy Cross
Re: OPRA 23-130
opra+request-40487-88a3f8b8@requests.opramachine.com

Dear Ms. Cross,

The Wall Township Board of Education, (District) is in receipt of your emailed request that is dated March 1, 2023, wherein you requested record as follows:

“Records requested:

- 1) All exhibits and documents given to the Wall BOE F&F Committee from Brown & Brown for a mid-year review on January 7, 2023.
- 2) Any e:Mails and letters from Brown & Brown to Brian Smyth starting 1/1/2020 2/28/2023 with ALL ATTACHMENTS included with these e:mails. Keyword "Brian", "Insurance".
- 3) 2019 - 2020 Budget vs. actual account (Health Benefits).
- 4) 2020 - 2021 Budget vs. actual account (Health Benefits).
- 5) 2021 - 2022 Budget vs. actual account (Health Benefits).
- 6) 2022 - 2023 Budget vs. actual account (Health Benefits).
- 7) any exhibits showing the savings over being self Insured for 2020 - 2023.”

In response to item 1, please know that the record is exempt as advisory, consultative, or deliberative material in accordance with the deliberative process privilege pursuant to NJSA 47:1A-1.1.

In response to items 2, 3, 4, 5, and 6, your request will require additional time as your request spans multiple school years. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A 47:1A-5i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied." Your request requires an extension of time until March 17, 2023.

In response to item 7, please be advised that to the extent that you have not identified a specific record, we deem your request to be overly broad. Please see *MAG Entertainment, LLC v. Division of Alcohol Beverage Control*, 375 N.J. Super. 534 (App. Div. 2005). The custodian is not required to research files to determine which records, if any, might be responsive to a broad and unclear OPRA request.

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 Wall Township Board of Education 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, be-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.

Sincerely,



Brian J. Smyth
Records Custodian

BJS/dc