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Solicitor

NANCY J. POWER
Township Clerk

August 28, 2024

Thomas
opra+request-63813-d4ed8c4d@requests.opramachine.com

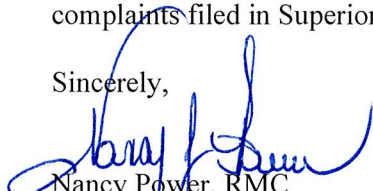
Dear Thomas:

The Township of Gloucester received your Open Public Records Act (OPRA) request on August 19, 2024. The official Records Custodian, Nancy Power, received your OPRA request on August 20, 2024. As such, the seven (7) business day deadline to respond to your request is August 29, 2024. This response to your request is being provided to you on the 6th business day after the custodian's receipt of said request.

The response to your referenced request is being denied for the attached reasons. In addition, I, Nancy Power, Clerk of the Township of Gloucester, concur with the attached correspondence from Sgt. Nicholas Katz for the CAD and MVC Reports pertaining to Case #2024-29635 which has been denied pursuant to N.J.S.A. 47:1A-3(a).

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 Township of Gloucester 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 to the following 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,



Nancy Power, RMC
Township Clerk



David J. Harkins
CHIEF OF POLICE
FBI NA #247

DEDICATED TO SERVICE • COMMITTED TO EXCELLENCE

To: Township Clerk N. Power

From: Sgt. Nicholas Katz

Date: August 28th, 2024

Re: OPRA Request- Thomas

Mrs. Power,

For the OPRA request from Thomas, as per your request for the CAD and MVC report pertaining to Case # 2024-29635 has been denied pursuant to N.J.S.A. 47:1A-3(a). All inquiries pertaining to this incident should be referred the Camden County Prosecutors Office. Please contact me if you have any questions regarding the information supplied.

Professionally,

Sgt. Nicholas Katz

Administrative Services Division

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of Gloucester Township, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to Gloucester Township.
5. ***You may be charged a 50% or other deposit when a request for copies exceeds \$25.*** Gloucester Township custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, ***and*** who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, Gloucester Township must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If Gloucester Township is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. 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 Gloucester Township 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 PO 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 Council 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.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.