



City of Linden
UNION COUNTY, NEW JERSEY

OFFICE OF CITY CLERK
City Hall – 301 North Wood Avenue
(908) 474-8452
Fax: (908) 474-8451

Joseph C. Bodek, RMC, RPPO
City Clerk

Jennifer Honan
Deputy City Clerk

December 3, 2019

Tracey Birch
Opra+request-7996-998f1082@requests.opramachine.com

File Number: 2019-1086

Re: OPRA Request – Minutes

Dear Tracey Birch:

The City of Linden received your Open Public Records Act (OPRA) request on November 19, 2019. The official Records Custodian, Joseph C. Bodek, received your OPRA request on November 19, 2019. As such, the seventh (7th) business day deadline to respond to your request is Friday, November 29, 2019. This response to your request is being provided to you on the 9th business day after the custodian's receipt of said request.

You requested the following: See Attached

Please be advised that the City of Linden does not have any records in regards to your request. The November meeting minutes have not been approved yet by city council. The minutes will be up for approval in the December Council Meeting, and will be able to be release to the public.

If you feel that your request for access to a government record has been improperly denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision of the City of Linden to deny access. I have attached information, from the Government Records Council regarding the process to file a complaint.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Joseph C. Bodek", is written over a circular official stamp. The stamp contains the number "17" and some illegible text.

Joseph C. Bodek
Custodian of Records
City Of Linden

New Jersey Government Records Council ("GRC")



What to do if your request for a record has been denied

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes that he or she has been unlawfully denied access to a public record either to file a complaint with the GRC or to file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking such actions.

To file a complaint with the GRC:

- Visit the GRC's website at www.nj.gov/grc for information and to register your complaint. In the alternative, you may contact the GRC by telephone at 1-866-850-0511 or by e-mail at government.records@dca.nj.gov.
- When you file the written complaint, the GRC will offer both you and the public agency non-adversarial, impartial mediation. If mediation is not accepted or is not successful, the GRC will investigate the complaint.
- In some cases, the GRC can award attorney's fees to a complainant or impose a fine against a records custodian.
- There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

- A requestor may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a filing fee, and you must serve the lawsuit papers on the appropriate parties.
- The court will schedule a hearing to resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of the Superior Court.
- If you are successful, you may be entitled to reasonable attorney's fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.
- Filing suit in Superior Court may result in a faster resolution, because the courts adjudicate cases every day, whereas the GRC only meets once a month.

Government Records Council, P.O. Box 819, Trenton, New Jersey 08625-0819

Talia Pena-Marin

#2019-1689

From: Joe Bodek
Sent: Monday, November 18, 2019 9:25 AM
To: Jennifer Honan; Talia Pena-Marin
Subject: FW: OPRA request - Caucus Minutes

-----Original Message-----

From: Tracey Birch [mailto:opra+request-7996-998f1082@requests.opramachine.com]
Sent: Saturday, November 16, 2019 12:31 PM
To: Joe Bodek
Subject: OPRA request - Caucus Minutes

Dear Linden City,

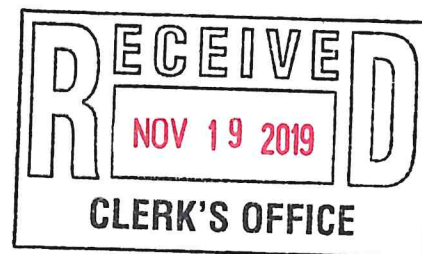
This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

The unredacted minutes from the 11/12/19 Caucus Meeting.

Yours faithfully,

Tracey Birch



Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-7996-998f1082@requests.opramachine.com

Is jbodek@linden-nj.org the wrong address for OPRA requests to Linden City? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=linden_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:
https://opramachine.com/request/caucus_minutes

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.