



OCEAN COUNTY BOARD OF SOCIAL SERVICES

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March 15, 2023
CRG:116

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president.cwalocal1088@gmail.com

Patricia Self, President
CWA Local 1088
1130 Hooper Avenue
Toms River, NJ 08753

Re: OPRA Request Received March 6, 2023

Dear Ms. Self:

The Ocean County Board of Social Services (OCBSS) received your Open Public Records Act (OPRA) request on March 6, 2023. Your request has been forwarded to me as the alternate custodian of records for response. As such, the seven (7) day business deadline to respond to your request is March 15, 2023. This response is being provided to you on March 15, 2023, the seventh business day after we received your request. In compliance with your request, the documents responsive to your request are being provided via email.

You have requested the following government records:

1. Documents delineating the number of clients our agency has annually serviced, respectively, between January 1, 2019 to present broken out by each year.
2. Documents delineating the dates overtime was offered within our agency and the costs of same, respectively, between January 1, 2019 to present broken out by each year.
3. Documents delineating the titles of all employees of our agency, respectively, between January 1, 2019 to present broken out by each year.
4. Documents delineating the number of employees within each of the titles amongst all of the employees of our agency, respectively, between January 1, 2019 to present broken out by each year.
5. Documents delineating the number of vacancies within our agency, respectively, between January 1, 2019 to present broken out by each year.
6. Documents delineating the number of staff turnovers (e.g. retirements, resignations, removals, deaths), respectively, between January 1, 2019 to present broken out by each year.
7. Documents delineating the number of overdue cases within our agency, respectively, between

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THIS AGENCY DOES NOT DISCRIMINATE ON THE BASIS OF RACE, CREED, COLOR, NATIONAL ORIGIN, AGE, ANCESTRY, NATIONALITY, MARITAL, OR DOMESTIC PARTNERSHIP OR CIVIL UNION STATUS, SEX, GENDER, IDENTITY OR EXPRESSION, DISABILITY, LIABILITY FOR MILITARY SERVICE, AFFECTIONAL OR SEXUAL ORIENTATION, ATYPICAL CELLULAR OR BLOOD TRAIT, GENETIC INFORMATION (INCLUDING THE REFUSAL TO SUBMIT TO GENETIC TESTING).

January 1, 2019 to present broken out by each year by the type of cases (e.g., SNAP, TANF, Medicaid, etc.).

The following index identifies and details documents we have located which respond to your request:

(A) List of all records responsive to Complainant's OPRA Request (include # of pages for each record).	(B) List the Records Retention Period and disposition Schedule for each responsive record to the Complainant's OPRA request.	(C) List of all records provided to Complainant, <i>with redactions or in their entirety</i> (include the date such records were provided).	(D) If records were disclosed <i>with redactions</i> give a general nature description of the redactions.	(E) If records were denied <i>in their entirety</i> give a general nature description of the record.	(F) List the legal explanation and statutory citation for the denial of access to records <i>with redactions or in their entirety</i>.
(2) Documents delineating the dates overtime was offered within our agency and the costs of same, respectively, between January 1, 2019 to present broken out by each year.	Must be retained by Agency for two (2) years.	Overtime Spreadsheets: 12/20/2019; 12/31/2020; 12/31/2021; 12/30/2022; 2/24/2023	No redactions	N/A	N/A
(3) Documents delineating the titles of all employees of our agency, respectively, between January 1, 2019 to present broken out by each year.	Must be retained by Agency for two (2) years.	Personnel Detail Sheets for 2019, 2020, 2021, 2022 and 2023	No redactions	N/A	N/A
(4) Documents delineating the number of employees within each of the titles amongst all of employees of our agency, respectively, between January 1, 2019 to	Must be retained by Agency for two (2) years.	Personnel Detail Sheets for 2019, 2020, 2021, 2022 and 2023	No redactions	N/A	N/A

present broken out by each year					
(5) Documents delineating the number of vacancies with within our agency, respectively, between January 1, 2019 to present broken out by each year	Must be retained by Agency for two (2) years.	Personnel Detail Sheets for 2019, 2020, 2021, 2022 and 2023	No redactions	N/A	N/A
(6) Documents delineating the number of staff turnovers (e.g., retirements, resignations, removals, deaths), respectively, between January 1, 2019 to present broke out by each year	Must be retained by Agency for three (3) years.	Employee Activity Reports 2019, 2020, 2021, 2022 and 2023	No redactions	N/A	N/A
(7) Documents delineating the number of overdue cases within our agency, respectively, between January 1, 2019 to present broken out by each year by the type of cases (e.g., SNAP, TANF, Medicaid, etc.)	There is no retention period for Agency Timeliness Reports.	Weekly Timeliness Reports beginning 4/27/2020; 2021; 2022; 2023. Note: Records prior to 4/27/2020 are unavailable and appear to have been lost or otherwise compromised during a data transfer.	N/A	N/A	N/A

With regard to request number 1, "Documents delineating the number of clients our agency has annually serviced, respectively, between January 1, 2019 to present broken out by year", your request is unclear and overly broad. The requestor must identify the records sought. The request may not be a broad generic description of documents that requires the custodian to search the Agency's files and analyze, compile and collate the requested information.

Because your request is unclear and overly broad it is not a proper OPRA request. "The requestor must identify the records sought with specificity. The request may not be a broad, generic description of documents that requires the custodian to search the agency's files and 'analyze, compile and collate' the requested information." Bart v. Passaic County Public Housing Agency, 406 N.J. Super. 445, 451 (App. Div. 2009). If a request does not name specifically identifiable records or is overly broad, a custodian may deny access pursuant to well-established case law. See MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005); Bent v. Twp. of Stafford Police Dept. Custodian of Records, 381 N.J. Super. 30 (App. Div. 2005); N.J. Builders Ass'n v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007); Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

OPRA is not intended as a research tool but rather as an avenue for citizens to obtain specific government records. OPRA does not countenance "[w]holesale requests for general information," MAG, supra, 375 N.J. Super. at 549 or open-ended demands "for every document a public agency has on file." Bent, supra, 381 N.J. Super. at 37. Rather, "OPRA requires a party requesting access to a public record to specifically describe the document sought," Gannett New Jersey Partners, L.P. v. County of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005), so that the records may be readily and reasonably identified within the short time frame within which government custodians must respond. Bent, supra, 381 N.J. Super. at 36-37."

Under OPRA "agencies are only obligated to disclose identifiable government records." Burke v. Brandes, 429 N.J. Super. 169, 174 (App. Div. 2012), citing MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, supra, 375 N.J. Super. at 549. A records custodian's obligation under OPRA has been aptly described as follows: "[T]he custodian is obligated to search her files to find the identifiable government records listed in the ... OPRA request However, the Custodian is not required to research her files to figure out which records, if any, might be responsive to a broad or unclear OPRA request." Burnett v. Cnty. of Gloucester, 415 N.J. Super. 506, 515 (App. Div. 2010) (quoting Donato v. Twp. of Union, GRC 2005-182, Interim Order (Jan. 31, 2007)). Nothing in OPRA requires a custodian to conduct research among its records and correlate data from various government records in the custodian's possession. Lagerkvist v. Office of the Governor, 440 N.J. Super. 230 (App. Div. 2015).

This request is unclear, overly broad, vague and requires extensive research which is not required by OPRA. Thus, your request does not identify specific government records, is overbroad and complex. Such a request is not encompassed by OPRA. See New Jersey Builders Association vs. the New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 180 (App. Div. 2007); Bent v Stafford Police Department, 381 NJ Super. 30, 37 (App. Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA request.

Right of Appeal

If you wish to challenge a decision of the Custodian of Records denying access to a government record, you may:

- 1) Institute a proceeding to challenge the decision by filing an action in the Superior Court of New Jersey; or
- 2) File a Complaint with the Government Records Council in the Department of Community Affairs.

Thank you.

Very truly yours,

OCEAN COUNTY BOARD OF SOCIAL SERVICES



Colleen R. Golin
Board Counsel
Alternate Custodian of Records

/jn

cc: Ms. Meredith Sheehan, Director/Ms. Jennifer Hagendoorn, Deputy Director
OPRA File