



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

May 19, 2020

Mr. William Bailey  
Opra+request-10534-f6088440@requests.opramachine.com

File Number: 2020-317

Re: OPRA Request – Records

Dear Mr. William Bailey:

The City of Linden received your Open Public Records Act (OPRA) request on April 2, 2020. The official Records Custodian, Joseph C. Bodek, received your OPRA request on April 6, 2020.

You requested the following: See Attached

Please be advised that items number 1 & 2, the City of Linden does not have any records in regards to your request.

3. Currently, your request fails to identify with reasonable clarity the specific government records sought, as is required by Bent V. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div. 2005). At this time, we request clarification of your item 3 of your OPRA request as it is overly broad we need you to specify “all attorney invoices”. Please respond in writing and identify the specific government records sought so that we may process your request. Failure to provide written clarification of your request will result in the closure of this OPRA request.

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,

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](http://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](mailto: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*

## Joe Bodek

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**From:** William Bailey <opra+request-10534-f6088440@requests.opramachine.com>  
**Sent:** Thursday, April 02, 2020 3:40 PM  
**To:** Joe Bodek  
**Subject:** OPRA request - Emails & Attorney Invoices

2020-317

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:

- ① I would like a copy of all emails with the subject: "Dog, dog solutions" from January 1, 2020 through April 2, 2020 from the mayor.
- ② I would like a copy of all emails with the subject: "phone cracking" from January 1, 2020 through April 2, 2020 from the mayor and the police chief.
- ③ I would like a copy of all attorney invoices from January 1, 2020 through April 2, 2020

Yours faithfully,

William Bailey

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Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:  
opra+request-10534-f6088440@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](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/emails\\_attorney\\_invoices](https://opramachine.com/request/emails_attorney_invoices)

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.

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# City of Linden

Union County, New Jersey  
Department of Police  
City Hall - 301 North Wood Avenue  
Linden, New Jersey 07036  
(908) 474-8500



Derek Armstead  
MAYOR

Dave R. Hart  
CHIEF OF POLICE

Joseph Bodek, City Clerk  
City of Linden  
301 N. Wood Avenue  
Linden, NJ 07036

April 28, 2020

RE: OPRA Requestor: William Bailey

OPRA #2020-317

Sir:

In response to the Open Public Records Act request filed by William Bailey, there are no emails available with the subject "Dog, dog solutions" from January 1, 2020 through April 2, 2020 from the Mayor, as well as, with the subject "phone cracking" from January 1, 2020 through April 2, 2020 from the Mayor and the Police Chief. Finally, with regard to a copy of all attorney invoices from January 1, 2020 through April 2, 2020, our office does not have access to attorney invoices. Should you have any questions, please do not hesitate to contact me.

Respectfully,

Lt. Robert Sanchez  
Support Services Division  
(908) 474-8677  
rsanchez@lpdnj.org

CC:  
Chief David Hart  
Captain Abdul Williams

