



Red Bank Borough Public Schools

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Eileen Gorga
Business Administrator/Board Secretary



January 12, 2022

VIA EMAIL: opra+request-28194-802ec40c@requests.opramachine.com
Monmouth County Electricians

Re: OPRA Request dated December 4, 2021

Dear Sir/Madam:

I write in furtherance of my correspondence to you, dated December 14, 2021, in response to your request for records from the Red Bank Borough Board of Education ("Board" and/or "District"), pursuant to the Open Public Records Act ("OPRA") dated and received via email on December 14, 2021.

OPRA allows custodians to seek extensions of time within which to respond, pursuant to N.J.S.A. 47:1A-5i. Specifically, OPRA states that, "the requestor shall be advised when the record can be made available. If the record is not made available by that time, access shall be deemed denied." In relation to your request, this office requested such an extension until Friday, January 14, 2022. Accordingly, the Board's response to your request is set forth below.

More specifically, your OPRA request seeks access to "[e]veryone who has been paid or employed by the Board in the last year (1/1/21-present)." The aforementioned request seeks *information* rather than identifiable *records*. Requests pursuant to OPRA must seek specifically identifiable *records*, not *information*. See MAG Entertainment LLC v. Div. of ABC, 375 N.J. Super. 534 (App. Div. 2005); and New Jersey Builder's Association v. New Jersey Council on Affordable Housing, (App. Div. 2007). The Board is not required to perform research on behalf of the requester, only to produce specific records identified by the requester. Likewise, the Board is not required to create new documents in order to respond to an OPRA request. See Sussex Commons Assocs., LLC v. Rutgers, 210 N.J. 531, 544 (2012).

Notwithstanding the foregoing, the Board generated a report of all staff members employed by and/or paid by the Board from January 1, 2021 through December 14, 2021. Enclosed please find the above-mentioned report, which is being provided to you in a good faith effort to comply with your request.

As the documents identified above are being provided to you in electronic format only, there is no charge associated with your request. The foregoing information and the enclosed documents constitute a full and complete answer to your OPRA request and therefore, your OPRA request is closed.

Sincerely,

A handwritten signature in blue ink that reads 'Eileen Gorga'.

Eileen Gorga
Business Administrator/
Board Secretary