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February 24, 2023

Via Email (opra+request-40332-d46d2350@requests.opramachine.com)

Stephen Clark

Re: Township of Clark- OPRA request-Follow up on previous request

Dear Mr. Clark:

The Township of Clark is in receipt of your request pursuant to the Open Public Records Act ("OPRA") and common law right of access received on February 23, 2023. As such, the seven (7) business day deadline to respond to your request is March 6, 2023. This response to your request is being provided to you on the 1st business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

1. On 2/13/23, a request was made for All policies, rules, regulations, memorandums issued by the Township of Clark and all of its departments (ie: Public works, Police, Administration, etc) regarding the usage of cellular telephone, township of personally owned, during work hours or while in the performance of their duties. In response, you sent an "excerpt from our Personnel Policy" forwarded by a Donna Mazzuco. Responding to that request by sending an excerpt from a document does not satisfy the request since you failed to provide the actual records as required. Please provide the actual page(s) of the Personnel Policy in which that excerpt was obtained from.
2. Also requested were the policies, rules, memorandums issued by the Township departments, such as Public Works Department, Police Department, Fire Department, etc. but you did not provide us with any of those records. Can you

please confirm that said records were not provided because none of the Township's individual departments currently have or previously issued memos, policies or rules regarding cellular telephone usage?

The following records are being provided in their entirety and are responsive to your request.

1. Telephone and Personal Communication Usage Policy of the Township of Clark Policy and Procedure Manual (2 pages).

Your request for the policies, rules, memorandums issued by the Township departments, such as Public Works Department, Police Department, Fire Department, etc. regarding cellular telephone usage is denied because the Township does not maintain retrievable records that are responsive to your request.

These records are being transmitted to you electronically via email to the following address as per your request: opra+request-40332-d46d2350@requests.opramachine.com

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 Clark 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 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.

Sincerely,

By: s/Christina M. DiPalo
Christina M. DiPalo, Esq.
La Corte, Bundy, Varady & Kinsella
for Municipal Clerk, Township of Clark

cc: Edith Merkel, Township Clerk (Via Email: clerk@ourclark.com)