



MANCHESTER TOWNSHIP

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OFFICE OF THE TOWNSHIP CLERK

SABINA T. SKIBO, RMC
TOWNSHIP CLERK

SAMUEL F. FUSARO, JR.
CRAIG WALLIS
JAMES A. VACCARO, SR.
CHARLES L. FRATTINI, SR.
JOAN BRUSH

April 24, 2018

RE: OPRA Request No. 2018-164

Dear Sir or Madam:

You sent an OPRA request to the Township of Manchester by email on or about April 11, 2018. The official Records Custodian, Deputy Township Clerk, Jodi Pellicano, received your OPRA request on April 23, 2018. As such, the seven (7) business day deadline to respond to your request is May 2, 2018. (See N.J.S.A. 47:1A-5i).

Please note that your request was sent to an individual employee email, and that employee is on a leave of absence. The correct email for sending OPRA requests is clerk@manchestertwp.com. The reason the Township requests use of this email for OPRA requests is to manage requests when an individual employee is not in the office. This email is the email published on the Township website and it is distributed to multiple Township employees. This is a reasonable procedure for the receipt of OPRA requests that does not impose an undue burden on parties seeking disclosure of government records under OPRA. (See Paff v. City of East Orange, 407 N.J. Super 221, 229 (App. Div., certif. denied, 200 N.J. 476 (2009))).

Your OPRA request sought access to the following:

1. Full roster list of all Manchester police officers' names, ranks, corresponding badge numbers, and length of time with the department.
2. Any and all Manchester Police Department policies referencing and in regards to the practice of police officers identifying themselves by name and/or badge number to members of the general public when requested, and/or by individuals the police officers make contact with in the course of their duties, when requested by those individuals.
3. Any and all Manchester Police Department policies referencing and in regards to the display of name tags, name plates, name patches, badges, and/or badge numbers.
4. Any and all Manchester Police Department policies referencing and in regards to the conduct of police officers when engaging/making contact with the public.
5. Any and all Manchester Police Department training records within the last 365 days referencing it's officer's knowledge of Constitutional Rights and/or the legality of public photography.

Your request requires additional time beyond the seven (7) business days to fulfill because your request is voluminous in nature. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

Your request requires an extension of fourteen business days beyond May 2, 2018 making the response date Tuesday, May 22, 2018.

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 [insert name of Agency] 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 GRC 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,


Jodi L. Pellicano, RMC
Deputy Township Clerk