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NEW JERSEY LEGISLATURE
JOINT COMMITTEE ON ETHICAL STANDARDS

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March 7, 2025

Roman Broszkowski

Via e-mail only – opra+request-72067-7ba6aa93@requests.opramachine.com

RE: OPRA Request 1 of 2, dated February 14, 2025

Dear Mr. Broszkowski:

This correspondence responds to your Open Public Records Act (OPRA) request dated Friday, February 14, 2025. Your request was received electronically and delivered to the Joint Legislative Committee on Ethical Standards (Joint Committee) Records Custodian the same day. On Wednesday, February 26, 2025, the Joint Committee responded to indicate that it was still researching your request.

You requested the following: “Any documents related to the June 29, 2021 request for an ethics complaint filed by Sue Altman against Nicholas Scutari concerning his employment as City of Linden municipal prosecutor that was filed with the Joint Legislative Committee of Ethical Standards.”

Your request for “any documents related to the June 29, 2021 request for an ethics complaint filed by Sue Altman against Nicholas Scutari...” is denied for being overly broad, vague, and failing to identify with reasonable clarity the specific government record(s) sought. “A records request must be well defined so that the custodian knows precisely what records are sought. The request should not require the records custodian to undertake a subjective analysis to understand the nature of the request.” *Paff v. Galloway Tp.*, 229 N.J. 340, 355 (2017). “While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records ‘readily accessible for inspection, copying, or examination.’ N.J.S.A. 47:1A-1.” *Mag Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J.Super 534, 546 (2005).

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Insofar as your request seeks confidential records, that request is denied. Pursuant to N.J.S.A. 47:1A-1.1, "any record within the attorney-client privilege" is not considered to be a government record for which disclosure can be compelled under OPRA. Additionally, records containing "inter-agency advisory, consultative or deliberative material" are not considered to be a government record for which disclosure can be compelled under OPRA.

Thank you for contacting the Joint Legislative Committee for Ethical Standards. Please acknowledge receipt of this response and direct any questions to the undersigned.

Sincerely,

Katelyn McElmoyl Metz

Katelyn McElmoyl Metz

Assistant Counsel to the

Joint Legislative Committee on Ethical Standards