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April 20, 2022

BY EMAIL

Mr. Sean Sullivan
Reporter
NJ Advance Media

Re: Requests under OPRA

Dear Mr. Sullivan:

This letter is in response to your requests under the Open Public Records Act dated April 7, 2022 and April 15, 2022 as follows:

OPEN PUBLIC RECORDS ACT REQUEST DATED APRIL 7, 2022

- Any communications (including email or written) between Clark Township or Clark officials and its Joint Insurance Fund (JIF) regarding the 2020 settlement with former Police Lt. Antonio Manata.

Without conceding that any such communications exist, such information is exempt under OPRA because "... [a] government record shall not include the following information which is deemed to be confidential for the purposes of P.L.1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented: ... information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office." N.J.S. 47:1A-1.1.

- Receipts for payments made to the JIF during 2020.

It is unclear what you mean by "Receipts." I have enclosed an accounting of payments made to the JIF during 2020 entitled "Detail Vendor Activity Report," dated April 11, 2022. Should the term "Receipts" have a different meaning, kindly advise and elaborate.

- Any claims made by the township to the JIF during 2020.

Without conceding that any such communications exist, such information is exempt under OPRA because "... [a] government record shall not include the following information which is deemed to be confidential for the purposes of P.L.1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented: ... information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office." N.J.S. 47:1A-1.1.

- A copy of Clark Township's current policy with the JIF.

Without conceding that any such communications exist, such information is exempt under OPRA because "... [a] government record shall not include the following information which is deemed to be confidential for the purposes of P.L.1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented: ... information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office." N.J.S. 47:1A-1.1.

- A copy of the video and/or audio recording of the February 3, 2020 special council meeting.

The Clerk has addressed or is addressing this request by separate email or letter.

OPEN PUBLIC RECORDS ACT REQUEST DATED APRIL 15, 2022

- I am seeking a copy of the December 20, 2019 letter from Ben Schulman of Summit Risk Services to Mayor Bonaccorso, Chief Matos and other township officials regarding the claim related to the settlement with Antonio Manata.

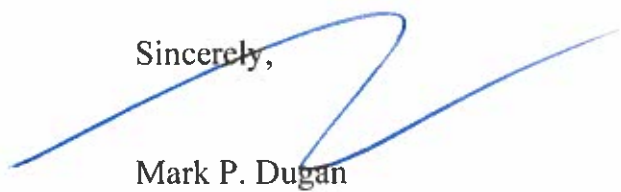
Without conceding that any such communications exist, such information is exempt under OPRA because "... [a] government record shall not include the following information which is deemed to be confidential for the purposes of P.L.1963, c. 73 (C.47:1A-1 et seq.) as amended and supplemented: ... information which is a communication between a public agency and its insurance carrier, administrative service organization or risk management office." N.J.S. 47:1A-1.1.

Mr. Sean Sullivan
April 20, 2022
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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 <https://nam12.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.state.nj.us%2Fgrc&data=04%7C01%7Cmpd%40tbwdlaw.com%7C1f03b64cfe504a8abdeb08d969857a9f%7C5f51087d3109471d86b1eddc5fcf066a%7C0%7C0%7C637656844432475041%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6IklhaWwiLCJXVCI6Mn0%3D%7C1000&sdata=4RVjHVjJikvJOH%2F%2FIcpc4cP1V6Es1RgahK18CAOPq6g%3D&reserved=0>. 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.

I trust that the foregoing has been responsive.

Sincerely,



Mark P. Dugan

c Clerk, Township of Clark
Business Administrator,
Township of Clark

April 11, 2022
09:16 AM

TOWNSHIP OF CLARK
Detail Vendor Activity Report By Vendor Name

Page No: 1

Vendor Range: NJ MUN SELF INS JOINT INS.FUND to NJ MUN SELF INS JOINT INS.FUND Status: Active
Report Type: All Include Open Requisitions: N
Threshold Amount: 0.00 Include Tax Id: Y Contracts: N Bid: Y State: Y Other: Y Exempt: Y
Date Range Type: Both First Enc Date Range: 01/01/20 to 12/31/20 Paid Date Range: 01/01/20 to 12/31/20

Vendor #	Name	Status	1099 Type	Tax Id	1099					
First	P.O. #	Item Description	Prch. Type	Status	Invoice					
Enc Date	Contract Id	Account Type	Charge Account	Account Description	Amount					
N0017	NJ MUN SELF INS JOINT INS.FUND Active									
01/03/20	20-00034	1 1ST INSTALLMENT ASSESSMENT	Other	Pd Ck: 26310 01/14/20	75,371.00					
		Budget 0-01-23-210-223		Ins. & Bonding: Misc. Other Expenses						
02/25/20	20-00598	1 SECOND INSTALLMENT ASSESSMENT	Other	Pd Ck: 26620 02/27/20	75,371.00					
		Budget 0-01-23-210-223		Ins. & Bonding: Misc. Other Expenses						
04/07/20	20-00957	1 THIRD INSTALLMENT ASSESSMENT	Other	Pd Ck: 26805 04/07/20	75,371.00					
		Budget 0-01-23-210-223		Ins. & Bonding: Misc. Other Expenses						
06/01/20	20-01471	1 FOURTH INSTALLMENT ASSESSMENT	Other	Pd Ck: 27274 06/01/20	75,369.00					
		Budget 0-01-23-210-223		Ins. & Bonding: Misc. Other Expenses						
Total Open P.O.: Bid:		0.00	State:	0.00	Other:	0.00	Exempt:	0.00	All:	0.00
Total Paid P.O.:		0.00		0.00		301,482.00		0.00		301,482.00
Vendor P.O. Total:		0.00		0.00		301,482.00		0.00		301,482.00

Total Vendors:	1	Total Open P.O.:	0.00	Total Paid P.O.:	301,482.00	Total Open & Paid:	301,482.00
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