

OR-535

-----Original Message-----

From: Willie Cardinales <opra+request-67206-be427ef7@requests.opramachine.com>

Sent: Thursday, September 26, 2024 12:46 PM

To: Town Clerk <townclerk@twpofwashington.us>

Subject: OPRA request - Municipal personnell, volunteers and contractors

RECEIVED

SEP 26 2024

TOWNSHIP CLERK

Caution: External E-mail

Dear Washington Township (Bergen),

Please accept this electronic request for public records made under OPRA and the common law right of access. I am not required to fill out an official form or use a particular software platform to submit my request per NJSA 47:1A-6(f), which states that an email from a requestor including all of the information required on the adopted form shall suffice in place of a completed form as a valid government record request.

I HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

I WILL NOT use the requested government records for a commercial purpose.

I AM NOT seeking records in connection with a legal proceeding.

Records requested:

Personnel files, payroll records, and personnel records (other than what is prohibited under OPRA) of municipal employees, officials, staff, personnel, volunteers, independent contractors, interns, externs, associates, and affiliates between January 2013 and January 2024.

roster of all municipal employees, officials, staff, personnel, volunteers, independent contractors, interns, externs, associates, and affiliates including name, badge/PIN/ID number, rank/title, status, etc., demographic information about the gender and race/ethnicity, Salary history, performance reviews or information, benefits information such as leave balances and usage dates, date of hire of each person if available for each person between January 2013 and January 2024.

My preferred delivery method for response(s) to this request is by E-mail as attachments. Please confirm you have received this request. If you are not the custodian of records, please forward my request to that person and provide their email address to me for future reference.

Yours faithfully,

WCardinales

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:

opra+request-67206-be427ef7@requests.opramachine.com

Is townclerk@twpofwashington.us the wrong address for OPRA requests to Washington Township (Bergen)? If so, please contact us using this form:

https://urldefense.proofpoint.com/v2/url?u=https-3A_opramachine.com_change-5Frequest_new-3Fbody-3Dwashington-5Ftownship-5Fbergen&d=DwlFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_Cdp gnVfiiMM&r=xe6LILGY4fBqf2qF2SfWyQPyzkOmFj7ck01xsbiI5ts&m=7qyHBqR-B2XchUZN4isbTBno9jtYgGWItlmwEGx-x1pR1QbWhlRtK6ub-9xgMkNx&s=odOB78jR_NetligZSEAWxweJgozEzpSWUFCrml2Lp7o&e=

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Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

"OPRAMachine's mission is to give people easy and affordable access to New Jersey public

records.

For more information, contact us at: (732) 707-1628 or PO Box 3180, New Brunswick, NJ 08903."



350 Hudson Ave, Twp. of Washington, NJ 07676-4799, Tel: 201-664-44256 Fax 201-664-8281
Office of the Township Clerk, Susan Witkowski



October 9, 2024/OR535-Part 1 of 2

Willie Cardinales

Sent electronically to:

Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>

Dear Mr. Cardinales,

The Twp. of Washington received your Open Public Records Act (OPRA) request on September 26, 2024. The official Records Custodian, Susan Witkowski received your OPRA request on September 26, 2024. As such, the seven (7) business day deadline to respond to your request was October 7, 2024. This response to your request is being provided to you on the 9th business day after the custodian's receipt of said request.

The table below identifies the records that being denied in whole or in part as well as the legal basis for each denial, as is required by N.J.S.A. 47:1A-6.

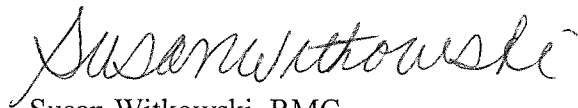
List of all records responsive to OPRA request (include the number of pages for each record).	List of all records provided, <u>with redactions</u> , or denied in their entirety.	If records are disclosed with redactions, give a general nature description of the redactions.	If records were denied in their entirety, give a general nature description of the record.	List the legal explanation and statutory citation for the denial of access to records in their <u>entirety</u> or <u>with redactions</u> .
Payroll records January 2013- January 2024 4011 pages (Please refer to letter of 10.09.2024 Special Service Charge Part 2 of 2)	Payroll records ***** Personnel files Personnel records	SSN Home address		<u>N.J.S.A.</u> 47:1A-5 (a)
			***** Personnel records/files	<u>N.J.S.A.</u> 47:1A-10

* A list of OPRA's exemptions is attached to this response letter.

These records will be transmitted to you via E-mail as attachments as per your request. Pursuant to N.J.S.A. 47:1A-5.c., the cost associated with this request as per my letter of October 9 regarding Special Service Charge.

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 Washington 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,

A handwritten signature in cursive script that reads "Susan Witkowski".

Susan Witkowski, RMC

Custodian of Records

201-664-4425

switkowski@twpofwashington.us

Susan Witkowski

From: Susan Witkowski
Sent: Wednesday, October 9, 2024 4:42 PM
To: Willie Cardinales
Cc: Cornelia Lisa
Subject: RE: OPRA 535 responses
Attachments: OPRA Exemptions (Sept 2024)(P.L. 2024, c.16).pdf

My apologies, this file was not attached.

Susan Witkowski, RMC
Twp. of Washington (Bergen County)
350 Hudson Avenue
Township of Washington, NJ 07676
Phone: 201-664-4425
Fax: 201-664-8281
clerk@twpofwashington.us
visit our website at www.twpofwashington.us

From: Susan Witkowski
Sent: Wednesday, October 9, 2024 1:45 PM
To: Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>
Cc: Cornelia Lisa <clisa@twpofwashington.us>
Subject: OPRA 535 responses

Mr. Cardinales,
Please see attached responses to your OPRA request.
Sue

Susan Witkowski, RMC
Twp. of Washington (Bergen County)
350 Hudson Avenue
Township of Washington, NJ 07676
Phone: 201-664-4425
Fax: 201-664-8281
clerk@twpofwashington.us
visit our website at www.twpofwashington.us



350 Hudson Ave, Twp. of Washington, NJ 07676-4799, Tel: 201-664-44256 Fax 201-664-8281
Office of the Township Clerk, Susan Witkowski



October 9, 2024/OR535 - **Part 2 of 2**

Willie Cardinales

Sent electronically to:

Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>

Dear Mr. Cardinales,

The Twp. of Washington received your Open Public Records Act (OPRA) request on September 26, 2024. The official Records Custodian, Susan Witkowski received your OPRA request on September 26, 2024. As such, the seven (7) business day deadline to respond to your request was October 7, 2024. This response to your request is being provided to you on the 8th business day after the custodian's receipt of said request.

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

Records requested:

Please note I have broken out your request in order to respond accordingly

~Personnel files, **(payroll records-see below)*, and personnel records (other than what is prohibited under OPRA) of municipal employees, officials, staff, personnel, volunteers, independent contractors, interns, externs, associates, and affiliates between January 2013 and January 2024.

Personnel records and "files" are exempted under N.J.S.A. 47:1A-10 as noted in Part 1 of 2 OPRA535 response, please refer to my letter of October 9, 2024 regarding Special Service Charge for payroll records.

~roster of all municipal employees, officials, staff, personnel, volunteers, independent contractors, interns, externs, associates, and affiliates including name, badge/PIN/ID number, rank/title, status, etc., demographic information about the gender and race/ethnicity

No such government record.

~Salary history/*payroll records/ date of hire of each person if available for each person between January 2013 and January 2024

Please see attached documents as requested.

~performance reviews or information

Personnel records and "files" are exempted under N.J.S.A. 47:1A-109 as noted in Part 1 of 2 OPRA535 response, please find attached payroll records as requested.

~benefits information such as leave balances and usage dates

No such government record.

These records are being transmitted to you via electronic format as per your request. Pursuant to N.J.S.A. 47:1A-5.b., the cost associated with this request is no charge.

This OPRA is considered complete.

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 Washington 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,

A handwritten signature in cursive script that reads "Susan Witkowski".

Susan Witkowski, RMC

Township Clerk

P: 201-664-4425/F: 201-664-8281

switkowski@twpofwashington.us



350 Hudson Ave, Twp. of Washington, NJ 07676-4799, Tel: 201-664-4425 Fax 201-664-8281
Office of the Township Clerk, Susan Witkowski



October 9, 2024/ OPRA 535

Willie Cardinales

Sent electronically to:

Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>

Dear Mr. Cardinales,

The Township of Washington received your Open Public Records Act (OPRA) request on September 26, 2024. The official Records Custodian, Susan Witkowski received your OPRA request on September 26, 2024. As such, the seven (7) business day deadline to respond to your request is October 7, 2024. This response to your request is being provided to you on the 9th business day after the custodian's receipt of said request.

OPRA allows public agencies to impose special service charges whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this section is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or when fulfilling a request requires an extraordinary expenditure of time and effort. See N.J.S.A. 47:1A-5.c. Special service charges must be based upon the actual direct cost of providing the copy or copies.

OPRA mandates that the requestor shall have the opportunity to review and object to the charge prior to it being incurred. See N.J.S.A. 47:1A-5.c. As such, a detailed estimate is provided below:

Payroll Manager/\$32.00 per hour/2 hours

Assistant to the Clerk/\$30.00 per hour/11.5 hours

Cost of case of paper/\$30.99

TOTAL ESTIMATED SPECIAL SERVICE CHARGE AMOUNT DUE: \$439.99

(cash or checks made payable to: Twp. of Washington, we do not accept credit cards)

Kindly respond in writing with your acceptance or rejection of this estimated charge. We will not begin to process this request until we receive your written acceptance.

If you reject the estimated charge and you wish to challenge the special service charge, you have a right to challenge the decision. 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,

Susan Witkowski, RMC

Township of Washington

switkowski@twpofwashington.us

201-664-4425

Susan Witkowski

02535

From: Susan Witkowski
Sent: Thursday, October 10, 2024 3:46 PM
To: Willie Cardinales
Subject: RE: Internal review of OPRA request - Communications (EXCLUDING EMAILS) from construction persons

Mr. Cardinales,

There were no records attached, as I sent the letter regarding the special service charges due to the voluminous amount, my apologies for the misunderstanding.

Sue

Susan Witkowski, RMC
Twp. of Washington (Bergen County)
350 Hudson Avenue
Township of Washington, NJ 07676
Phone: 201-664-4425
Fax: 201-664-8281
clerk@twpofwashington.us
visit our website at www.twpofwashington.us

-----Original Message-----

From: Susan Witkowski
Sent: Thursday, October 10, 2024 3:42 PM
To: Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>
Subject: RE: Internal review of OPRA request - Communications (EXCLUDING EMAILS) from construction persons

Mr. Cardinales,

Thank you for response as well and I will attach to your request.

I had sent you two emails with attachments, no records were provided with the first email and the second email I had attached the OPRA exemptions.

Sue

Susan Witkowski, RMC
Twp. of Washington (Bergen County)
350 Hudson Avenue
Township of Washington, NJ 07676
Phone: 201-664-4425
Fax: 201-664-8281
clerk@twpofwashington.us
visit our website at www.twpofwashington.us

-----Original Message-----

From: Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>

Sent: Thursday, October 10, 2024 3:06 PM

To: Susan Witkowski <switkowski@twpofwashington.us>

Subject: Internal review of OPRA request - Communications (EXCLUDING EMAILS) from construction persons

Caution: External E-mail

Dear Susan Witkowski,

thank you for the response.

as i am a researcher and not someone who stands to profit, i cannot justify to myself to pay the fees you requested at this time.

otherwise, your letters seem to suggest that some records from the above list was provided or attached already but do not see them.

Yours sincerely,

Willie Cardinales

-----Original Message-----

My apologies, this file was not attached.

Susan Witkowski, RMC

Twp. of Washington (Bergen County)

350 Hudson Avenue

Township of Washington, NJ 07676

Phone: 201-664-4425

Fax: 201-664-8281

[email address]

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From: Susan Witkowski
Sent: Wednesday, October 9, 2024 1:45 PM
To: Willie Cardinales
<[OPRA #67211 email]>
Cc: Cornelia Lisa <[email address]>
Subject: OPRA 535 responses

Mr. Cardinales,

Please see attached responses to your OPRA request.

Sue

Susan Witkowski, RMC

Twp. of Washington (Bergen County)

350 Hudson Avenue

Township of Washington, NJ 07676

Phone: 201-664-4425

Fax: 201-664-8281

[2][email address]

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References

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WmeWQXA9&s=TQ9oC2BDu2jX-yqVb5nCNVkySgENZlLiwmY92J_MDrE&e=

2. [mailto:\[email address\]](mailto:[email address])

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Please use this UNIQUE email address for all replies to this request and no other:
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Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Susan Witkowski

02 535

From: Willie Cardinales <opra+request-67211-19a049e7@requests.opramachine.com>
Sent: Thursday, October 10, 2024 4:49 PM
To: Susan Witkowski
Subject: RE: Internal review of OPRA request - Communications (EXCLUDING EMAILS) from construction persons

Caution: External E-mail

Dear Susan Witkowski,

thank you for clarifying. based on our exchanges, i am concluding as follows:

because it is not feasible for me to pay a fee at this time, the records that require the fee won't be provided.

you also requested an extension for other items in the list, which i have no objections to. those records will be provided on/before the new deadline.

Yours sincerely,

Willie Cardinales

-----Original Message-----

Mr. Cardinales,

There were no records attached, as I sent the letter regarding the special service charges due to the voluminous amount, my apologies for the misunderstanding.
Sue

Susan Witkowski, RMC
Twp. of Washington (Bergen County)
350 Hudson Avenue
Township of Washington, NJ 07676
Phone: 201-664-4425
Fax: 201-664-8281
[email address]

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Please use this UNIQUE email address for all replies to this request and no other:
opra+request-67211-19a049e7@requests.opramachine.com

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Our privacy and copyright policies:

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Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Susan Witkowski

From: Willie Cardinales <opra+request-67206-be427ef7@requests.opramachine.com>
Sent: Thursday, October 31, 2024 9:35 AM
To: Town Clerk
Subject: Internal review of OPRA request - Municipal personnell, volunteers and contractors

Caution: External E-mail

Dear Washington Township (Bergen),

Response to this request is long overdue. By law, under all circumstances, Washington Township (Bergen) should have responded by now.

Please only respond to this thread for this request. Responding to any other thread or email even if associated with this website or user will result in this user being unable to read the response.

Thank you!

Yours faithfully,

Willie Cardinales

Please use this UNIQUE email address for all replies to this request and no other:
opra+request-67206-be427ef7@requests.opramachine.com

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