

From: @x
To: @x ; @x ; @x
Subject: Amendments to OPRA/OPMA Bills
Date: Thursday, June 14, 2018 9:47:14 AM
Attachments: [S107 Amendments.pdf](#)
[S106 Amendments.pdf](#)

Attached are the proposed amendments to Senator Weinberg's OPRA/OPMA bills and below is the OLS description of the changes.

Please review and provide your thoughts.

If you are so inclined you can listen to today's 1pm Senate State Government Committee hearing at http://www.njleg.state.nj.us/media/live_audio.asp. You will need to refresh the link, maybe several times, until you see LISTEN. Click on Listen to for the hearing. There may be moments of silence.

Lori

From: Couture, Louis
Sent: Wednesday, June 13, 2018 7:00 PM
To: Lori Buckelew
Subject: Amendments to S106 and S107

Hi Lori,

As promised, please find attached the draft amendments for tomorrow.

Here are the OLS descriptions:

S106 PROPOSED COMMITTEE AMENDMENTS :

The committee proposes to amend the bill to:

- permit members of public bodies to communicate privately with independent consultants or advisors about matters on an agenda;
- require that the Legislature keep comprehensive, rather than reasonably comprehensible, minutes of its meetings;
- clarify that minutes shall be made available to the public within 15 business days after its next meeting;
- provides municipalities with 5,000 or less inhabitants, boards of education with 500 or less pupils, and public authorities with less than \$10 million in assets will have 20 business days after the next meeting to make the amendments available to the public;
- permits a public body to vote in favor of a reasonable delay in making the minutes available due to an emergency;
- requires the Legislature to record its voting sessions;
- requires subcommittees to prepare reports of meetings that are closed to the public;
- removes language concerning a public body keeping reports of meetings of subcommittees.

S107 PROPOSED COMMITTEE AMENDMENTS:

The committee proposes to amend the bill to:

- remove a provision permitting volunteer fire companies or departments to contract with a municipal governing body to have its clerk serve as the fire company's records custodian;
- exclude volunteer fire companies and departments from the definition of "public agency" and "quasi-governmental agency";
- exempt from disclosure any portion of a document that discloses personal identifying information of minors, except when permitted by law for the New Jersey Motor Vehicle Commission, or when driver information is disclosed to insurance companies for use in connection with claims investigation activities, antifraud activities, rating or underwriting;
- remove a provision that would have included interns and volunteer employees in the definition of "public employee";
- permit a public agency to charge a special service charge whenever a person requests a paper copy of a record that is available electronically after the person was advised that the record may be emailed at no charge to the requestor or advised as to the specific location that the record may be accessed online;
- removes the requirement that the *sole* purpose of a requestor's request must be harassment in order to file a petition in court against the requestor;
- incorporates into the "New Jersey Open Data Initiative" law, N.J.S.A.52:18A-234.1 et seq, rather than creating a new section of law, the requirement that the State maintain a single, searchable Internet website providing certain State agency information;
- requires the Office of Information Technology to develop and maintain a searchable, online database to which units of local government may submit any government record for retention on the database;
- updates certain provisions to current law and updates references to specific dates; and
- makes a technical correction.

Let me know what you think. You can share the description with other groups, but please refrain from sharing the documents with people outside the League.

Thanks,

Louis Couture
NJ Senate Democratic Office

From: [Galland, Kevin](#)
To: [@xx](#)
Subject: FW: MCANJ Statement OPMA OPRA
Date: Thursday, June 14, 2018 1:03:42 PM

FYI

From: Galland, Kevin
Sent: Thursday, June 14, 2018 12:15 PM
To: Mitchell, Shane ([@xx](#); [@xx](#))
Cc: Zawadski, Dina ([@xx](#)); Diane Pflugfelder (clerk@libertytownship.org); Gore, Eileen ([@xx](#); [@xx](#) dszabo@bernards.org); [@xx](#) Denise Cafone ([@xx](#))
Subject: MCANJ Statement OPMA OPRA

Good Afternoon Shane:

Just wanted to reach out to you to let you know that the email below, sent by the current President of the MCANJ, is the opinion of one individual who happens to be the current President of the Association. Unfortunately, the content of the email was created without input from the balance of the MCANJ Executive Board, nor did the balance of the Board have the opportunity to review and/or discuss its content prior to its release.

My personal opinion was not to take a position on the amendments as I believe our meeting of April 30th was the foundation for moving forward in a positive manner. To express a negative position would not be new news and would only reestablish/reinforce our prior adversarial relationship. It goes without saying that our Association, representing Municipal Clerks, would have extreme difficulty in supporting any OPRA legislation, but we are committed to working with the Senator in the future to express, at a minimum, our differences.

Regards on behalf of the following MCANJ Executive Board:

Kevin Galland – 1st V.P.

Diane Pflugfelder – 2nd V.P.

Kim Marie White – Secretary

Denise Szabo – Immediate Past President

Joel Popkin – MCANJ Executive Director

From: Dina Zawadski [<mailto:@xx>]
Sent: Wednesday, June 13, 2018 5:16 PM
To: [@xx](#)
Cc: Galland, Kevin; Diane Pflugfelder; [@xx](#); [@xx](#); [@xx](#); Lori Buckelew ([@xx](#))
Subject: statement

Good afternoon:

As President of MCANJ Association, we held many discussions with the Executive Board and MCANJ representatives, MCANJ does not believe a realistic solution is feasible and does not seem that our substantial differences can be resolved unless the amendments being proposed tomorrow address our previous concerns. At this time we still oppose these bills. The costs and practical burden of your legislation, discussed at length in the past are simply too much to overcome in attempting to reach a consensus on the existing legislation.

Thank you.

Dina L. Zawadski, RMC,CMC

Township Clerk

MCANJ President

Public Information Officer

1011 Cooper St.

Deptford, NJ 08096

xxxxxxxxx@xxxxxxxxxxxxx.xxx

(p) 856-686-2203

(fax) 856-845-8804

~~~~~  
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~~~~~

From: @x
To: @x
Subject: FW: OPRA Seminar April 16, 2018
Date: Friday, April 13, 2018 9:01:20 AM
Attachments: [image001.png](#)
[image003.png](#)
[DOCSLIB-#651139-v1-OPRA Presentation April 2018.DOC](#)

Fyi ☺

*Danielle Holland-Htut, Program Specialist
New Jersey State League of Municipalities
222 West State Street Trenton, NJ 08608
Phone: 609-695-3481 ext 118
Fax: 609-695-0151
[xxxxxxxx@xxxxxx.xxx](#)*

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From: Carl Woodward [mailto:@x]
Sent: Thursday, April 12, 2018 12:16 PM
To: Danielle Holland; Lewis Scheindlin (@x)
Subject: OPRA Seminar April 16, 2018

Danielle,

Attached please find my update on OPRA cases for 2017 and the first quarter of 2018. It should be available for distribution to the attendees, either in hard copy or on-line, or both. I will not be using a Powerpoint, but will refer to various decisions summarized therein.

Please contact me with any questions. Looking forward to seeing you on Monday.

Kindest regards,

Carl R. Woodward, III
Carella, Byrne, Cecchi, Olstein,
Brody & Agnello, P.A.
5 Becker Farm Road
Roseland, New Jersey 07068
Phone: (973) 994-1700
Fax: (973) 994-1744

Email: xxxxxxx@xxxxxxxxxxx.xxx

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From: xxxxxx@xxxxxx.xxx
To: xxxxxx@xxxxxx.xxx
Subject: FW: Talking Points on OPRA/OPMA
Date: Thursday, June 14, 2018 11:38:35 AM
Attachments: [image001.png](#)
[image003.png](#)
[passanate.docx](#)

From: Lori Buckelew
Sent: Thursday, June 14, 2018 11:38 AM
To: xxxxxxxxxxxx@xxxxxxxxxxxxx.xxx
Cc: Michael F. Cerra <xxxxxx@xxxxxx.xxx>
Subject: Talking Points on OPRA/OPMA

Mayor,

As you requested, attached are some talking points on OPRA/OPMA. If you have any questions or need additional information please do not hesitate contact on my cell 732-895-9611. I will be heading down to the Statehouse shortly.

Lori

Lori Buckelew
Senior Legislative Analyst
NJ League of Municipalities
609.695.3481 x112

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From: [@x](#)
To: [@x](#)
Cc: [@x](#)
Subject: FW: URGENT: Opposition to S-106 (OPMA) & S-107 (OPRA)
Date: Thursday, June 14, 2018 10:48:01 AM
Attachments: [OPMA-OPRAResolutions.pdf](#)

FYI.

From: Lisa Tilton [mailto:xxxxxxx@xxxxxxxxxxxxx.xxx]
Sent: Thursday, June 14, 2018 10:43 AM
To: xxxxxxxx@xxxxx.xxx; xxxxxxxx@xxxxx.xxx; xxxxxxxx@xxxxx.xxx; SenCruzPexxx@xxxxx.xxx; xxxxxxxxxx@xxxxx.xxx
Cc: xxxxxxxxxx@xxxxxxxxxxxxx.xxx; Michael F. Cerra <xxxxxx@xxxxxx.xxx>; Michael J. Darcy, CAE <xxxxxx@xxxxxx.xxx>; xxxxxx@xxxxxxxxxxxxx.xxx; Steve Martinelli Sr. <xxxxxxxxxxxx@xxxxxxxxxxxxx.xxx>; David Turner <xxxxxxxx@xxxxxxxxxxxxx.xxx>; xxxxxxxx@xxxxxxxxxxxxx.xxx; Dominic DiYanni <xxxxxxxx@xxxxxx.xxx>; xxxxxxxxxxxxxxxx@xxxxxxxxxxx.xxx; xxxxxx@xxxxxxxxxxxxx.xxx; johnmorrissey5@comcast.net
Subject: URGENT: Opposition to S-106 (OPMA) & S-107 (OPRA)

Dear Senators:

Senator James Beach,
Senator Shirley K. Turner,
Senator Chris A. Brown,
Senator Nilsa Cruz-Perez,
Senator Samuel D. Thompson,

Please accept this email on behalf of Buena Vista Township Mayor Chuck Chiarello and Township Committee regarding the proposed legislation S-106 and S-107 slated for discussion today at the Senate Government, Wagering, Tourism & Historic Preservation Committee.

Buena Vista Township vehemently opposes the legislative proposals regarding the Open Public Meetings Act (OPMA) and Open Public Records Act (OPRA) as stated in Bills S-106 and S-107. Enactment of these bills as proposed would increase and pose unfunded mandates on municipalities in order to comply with the new standards. Reforms can be made to recognize the burden on local governments while honoring the intent of these Acts.

Buena Vista Township has previously opposed and continues to oppose proposed legislation to the Open Public Meetings Act and Open Public Records Act as described in the attached adopted resolutions. The Township strongly requests you take these resolutions under consideration and reject Senate Bill Nos. 106 and 107 and draft new legislation to modernize OPMA and OPRA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

Thank you for your time and consideration.

Lisa A. Tilton, RMC/CMR
Township Clerk / Registrar
Planning / Zoning Board Secretary
Insurance Fund Commissioner
Buena Vista Township
890 Harding Highway
PO Box 605
Buena, NJ 08310
856-697-2100 Ext. 11
Fax: 856-697-8651
www.buenavistanj.com

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From: @x
To: @x
Subject: FW: URGENT: Opposition to S-106 (OPMA) & S-107 (OPRA)
Date: Thursday, June 14, 2018 10:46:54 AM
Attachments: OPMA-OPRAResolutions.pdf

From: Lisa Tilton [mailto:xxxxxxx@xxxxxxxxxxxxxxx.xxx]
Sent: Thursday, June 14, 2018 10:43 AM
To: xxxxxxxx@xxxxx.xxx; xxxxxxxx@xxxxx.xxx; xxxxxxxx@xxxxx.xxx; SenCruzPexxx@xxxxx.xxx; xxxxxxxx@xxxxx.xxx
Cc: xxxxxxxx@xxxxxxxxxxxxxxx.xxx; Michael F. Cerra <xxxxxx@xxxxxx.xxx>; Michael J. Darcy, CAE <xxxxxx@xxxxxx.xxx>; xxxxxx@xxxxxxxxxxxxxxx.xxx; Steve Martinelli Sr. <xxxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>; David Turner <xxxxxx@xxxxxxxxxxxxxxx.xxx>; xxxxxxxx@xxxxxxxxxxxxxxx.xxx; Dominic DiYanni <xxxxxx@xxxxxx.xxx>; xxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx; xxxxxx@xxxxxxxxxxxxxxx.xxx; johnmorrissey5@comcast.net
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From: @x
To: @x
Subject: Fwd: MCANJ Statement OPMA OPRA
Date: Thursday, June 14, 2018 1:13:04 PM

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: "Galland, Kevin" <xxxxxxx@xxxx.xx>
Date: 6/14/18 1:03 PM (GMT-05:00)
To: Lori Buckelew <xxxxxxx@xxxxxx.xxx>
Subject: FW: MCANJ Statement OPMA OPRA

FYI

From: Galland, Kevin
Sent: Thursday, June 14, 2018 12:15 PM
To: Mitchell, Shane (@x; @x)
Cc: Zawadski, Dina (@x; Diane Pflugfelder (clerk@libertytownship.org); Gore, Eileen (@x; @x dszabo@bernards.org;
@x Denise Cafone (@x)
Subject: MCANJ Statement OPMA OPRA

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Diane Pflugfelder – 2nd V.P.

Kim Marie White – Secretary

Denise Szabo – Immediate Past President

From: Dina Zawadski [<mailto:xxx>]
Sent: Wednesday, June 13, 2018 5:16 PM
To: [xxx](#)
Cc: Galland, Kevin; Diane Pflugfelder; [xxx](#); [xxx](#); [xxx](#); Lori Buckelew ([xxx](#))
Subject: statement

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Township Clerk
MCANJ President
Public Information Officer
1011 Cooper St.
Deptford, NJ 08096
xxxxxxxx@xxxxxxxxxxx.xxx

(p) 856-686-2203
(fax) 856-845-8804

~~~~~

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From: [Paul Tomasko](#)
To: [@x](#); [@x](#)
Subject: Fwd: Memorandum on proposed OPRA and OPMA legislation
Date: Tuesday, February 6, 2018 4:02:15 PM
Attachments: [\[16178061\] Comments to S1045-217.pdf](#)
[Comments to S1046-217.pdf](#)

Mike and Lori,
FYI.
Are the OPMA and OPRA bills still being pushed?
Thanks,
Paul

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

From: Stephanie Wehmann <[@.](#)>
To: Paul Tomasko <[@.](#)>
Cc: Nancy Wehmann <[@.](#)>
Sent: Tue, Feb 6, 2018 3:14 pm
Subject: FW: Memorandum on proposed OPRA and OPMA legislation

From: John L. Shahdanian II [<mailto:@x>]
Sent: Tuesday, February 06, 2018 2:35 PM
To: Stephanie Wehmann <[@x](#)>; Boro Clerk <[@x](#)>
Subject: Memorandum on proposed OPRA and OPMA legislation

Mayor Tomasko:

Attached please find the memoranda regarding the pending bills on OPRA/OPMA.

Regards,

John Shahdanian



JOHN L. SHAHDANIAN II
CHASAN LAMPARELLO MALLON & CAPPUZZO, PC
300 LIGHTING WAY, SUITE 200
SECAUCUS, NEW JERSEY 07094

201-809-6038

201-348-6633

[@x](#)

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From: [Carl Woodward](#)
To: [Danielle Holland \(x\)](#); [LewisScheindlin \(x\)](#)
Subject: OPRA Seminar April 16, 2018
Date: Thursday, April 12, 2018 12:15:55 PM
Attachments: [DOCSLIB-#651139-v1-OPRA Presentation April 2018.DOC](#)

Danielle,

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Please contact me with any questions. Looking forward to seeing you on Monday.

Kindest regards,

Carl R. Woodward, III
Carella, Byrne, Cecchi, Olstein,
Brody & Agnello, P.A.
5 Becker Farm Road
Roseland, New Jersey 07068
Phone: (973) 994-1700
Fax: (973) 994-1744
Email: [xxxxxxx@xxxxxxxxxx.xxx](#)

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From: @x
To: @x
Subject: Personal Email under OPRA
Date: Thursday, April 12, 2018 9:56:19 AM
Attachments: [Gettler v Wantage - OPRA Email Accounts.pdf](#)
[DAndrea v NJ Civil Service - GRC Decision.pdf](#)

Paul,

Attached to this email please find two pdf documents. The first is [William Gettler v. Twp. of Wantage](#), a decision from the GRC. This case reviews the issue of redacting personal emails from an OPRA request. The GRC analyzes disclosure using the Burnett factors and likens personal email addresses to unlisted phone numbers, thus making it proper to redact such information.

The second pdf attached is the GRC's final decision in [James D'Andrea v. NJ Civil Service Commission](#). This case upheld the Gettler ruling and reiterated that personal email addresses should be redacted from OPRA requests.

If you have any questions or if there is anything else I can assist with, please let me know.

Regards,
Frank

Frank Marshall, Esq., Staff Attorney
New Jersey State League of Municipalities
609-695-3481 extn 137
222 West State St.
Trenton, NJ 08608

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YouTube: <http://bit.ly/1P7GsVR>

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From: [@x](#)
To: [@x](#)
Subject: RE: MCANJ Statement OPMA OPRA
Date: Thursday, June 14, 2018 1:20:29 PM

Huh?

From: Lori Buckelew
Sent: Thursday, June 14, 2018 1:13 PM
To: Michael F. Cerra <xxxxxx@xxxxx.xxx>
Subject: Fwd: MCANJ Statement OPMA OPRA

Sent from my T-Mobile 4G LTE Device

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To: Lori Buckelew <xxxxxxxx@xxxxx.x>
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From: Galland, Kevin
Sent: Thursday, June 14, 2018 12:15 PM
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Good Afternoon Shane:

Just wanted to reach out to you to let you know that the email below, sent by the current President of the MCANJ, is the opinion of one individual who happens to be the current President of the Association. Unfortunately, the content of the email was created without input from the balance of the MCANJ Executive Board, nor did the balance of the Board have the opportunity to review and/or discuss its content prior to its release.

My personal opinion was not to take a position on the amendments as I believe our meeting of April 30th was the foundation for moving forward in a positive manner. To express a negative position would not be new news and would only reestablish/reinforce our prior adversarial relationship. It goes without saying that our Association, representing Municipal Clerks, would have extreme difficulty in supporting any OPRA legislation, but we are committed to working with the Senator in

the future to express, at a minimum, our differences.

Regards on behalf of the following MCANJ Executive Board:

Kevin Galland – 1st V.P.

Diane Pflugfelder – 2nd V.P.

Kim Marie White – Secretary

Denise Szabo – Immediate Past President

Joel Popkin – MCANJ Executive Director

From: Dina Zawadski [<mailto:xxx>]
Sent: Wednesday, June 13, 2018 5:16 PM
To: xxx
Cc: Galland, Kevin; Diane Pflugfelder; xxx; xxx; xxx; Lori Buckelew (xxx)
Subject: statement

Good afternoon:

As President of MCANJ Association, we held many discussions with the Executive Board and MCANJ representatives, MCANJ does not believe a realistic solution is feasible and does not seem that our substantial differences can be resolved unless the amendments being proposed tomorrow address our previous concerns. At this time we still oppose these bills. The costs and practical burden of your legislation, discussed at length in the past are simply too much to overcome in attempting to reach a consensus on the existing legislation.

Thank you.

Dina L. Zawadski, RMC,CMC
Township Clerk
MCANJ President
Public Information Officer
1011 Cooper St.
Deptford, NJ 08096
xxxxxxxxx@xxxxxxxxxxxxx.xxx

(p) 856-686-2203
(fax) 856-845-8804

~~~~~  
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**From:** [xxxxxxx@xxxxxx.xxx](mailto:xxxxxxx@xxxxxx.xxx)  
**To:** [xxxxx@xxxxxxxx.xxx](mailto:xxxxx@xxxxxxxx.xxx)  
**Subject:** RE: OPRA In Depth: Privacy and Law Enforcement Issues  
**Date:** Wednesday, April 18, 2018 3:16:14 PM  
**Attachments:** [ScheidlinLeague2018.pptx](#)  
[DOCSLIB-#651139-v1-OPRA Presentation April 2018.DOC](#)

---

Good Afternoon Edith,

For this particular seminar I am not able to offer a refund. I can send you the information from the seminar(see attached ) and I will absolutely forward your questions onto the speakers so they can answer you directly.

Danielle Holland-Htut, Program Specialist  
New Jersey State League of Municipalities  
222 West State Street Trenton, NJ 08608  
Phone: 609-695-3481 ext 118  
Fax: 609-695-0151  
[xxxxxxx@xxxxxx.xxx](mailto:xxxxxxx@xxxxxx.xxx)

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

From: Clerk's Dept. [<mailto:xxxxxx@xxxxxxxxxx.x>]  
Sent: Tuesday, April 17, 2018 4:40 PM  
To: Danielle Holland  
Subject: FW: OPRA In Depth: Privacy and Law Enforcement Issues  
Importance: High

To: D. Holland, NJLM  
From: Edith Merkel, Township Clerk, Township of Clark  
Re: OPRA questions  
Date: April 17, 2018

The Tax Collector and I were registered for yesterday's class. Flooding and poor visibility made it too dangerous for us to make the trip. The PO is sitting on my desk, ready to be paid. Is the township obligated to pay even though we could not get there? If so, can we have a credit to attend a class at a later date?

Please ask the presenters: Carl Woodward, Esq. and Lew Scheindlin, Esq. to address the following concerns:

1. Within the Tax Office I have received Oprah requests for all delinquent balances on properties, overpayments on properties, tax sale properties and list of open Tax Liens.

I am aware, according to State Statute that we are required to provide this information.

My concerns:

1. After filing such OPRA requests as listed above, I have received numerous calls from residents:

- a. Senior Citizens that had delinquent balances for taxes were receiving calls or letters from someone claiming to be representing the tax office of Clark - and advising them that they were at risk of losing their property for this delinquency.
- b. A resident, that had an open lien on his property, came to the office very irate- saying that someone knocked on their door saying that they were going to have their house taken away for an open lien. The resident was extremely upset because his teenage daughter was home alone when this person came and really made her nervous.
- c. Residents are receiving soliciting calls offering their services - to help them obtain a refund for an overpayment on their taxes.

These are only a few of the scenarios. It concerns me that this information is being used to take advantage of our citizens. Since our responsibility as Tax Collector's is to protect and serve the tax payer, I feel we need to address this concern. There has to be a way to fulfill the requests while protecting the homeowners.

Any input would be greatly appreciated.

Thank you  
Laura Caliguire  
Tax Collector  
Township of Clark

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

From: xxx@xxx.xxxxx.xx.xx <xxx@xxx.xxxxx.xx.xx>  
Sent: Thursday, March 01, 2018 2:31 PM  
To: Clerk's Dept. <xxxxxx@xxxxxxxxx.xxx>  
Subject: OPRA In Depth: Privacy and Law Enforcement Issues

Dear Municipal Clerk:

On April 16, 2018 at the DoubleTree Hotel in Tinton Falls from 8:30a.m. to 12:30p.m. the NJ League of Municipalities will have a seminar titled "OPRA In Depth: Privacy and Law Enforcement Issues." This seminar will discuss two critical areas of OPRA: the statute's privacy provision, and OPRA's requirements governing law enforcement records. Topics to be discussed with regard to privacy issues include: the application of OPRA's privacy exemption to various government records and information contained in government records; recent case law developments concerning OPRA and privacy interests; and the procedures that public bodies should follow when in receipt of an OPRA request that presents a privacy issue. The seminar will also provide an in depth review of OPRA and law enforcement records. This includes an overview of the statute's provisions concerning investigatory and security records, and also a discussion of recent court cases on the public's access to law enforcement records, such as police reports and videos from dashcams, bodycams and surveillance cameras. In addition, there will be a discussion of other recent notable OPRA opinions issued by the courts.

Presenters:

- Carl Woodward, Esq, League Associate Counsel, Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C.
- Lew Scheindlin, Esq, Former Assistant Attorney General for OPRA, New Jersey Division of Law, Office of Attorney General, Firm of Lewis A. Scheindlin, Esq.

Member Rate: \$70.00\* / Non-Member: \$90.00 \*Member rate applies to: Municipalities, State, County, and Municipal Utilities & Authorities.

CEU's - CMFO/CCFO-4.0 Off Mgmt/Anc; CTC-4.0 Gen/Sec; CPWM-4.0 Govt;RMC-4.0 Rec; QPA- 4.0 Off Admin/Gen Duties; RPPO/RPPS-4.0 M/S; CRP-3.0 Classroom;CPA-4.0PD;NJCLE-4.0;PACLE-3.5\*

Registration: [www.njslom.org/seminars/](http://www.njslom.org/seminars/)

More Information: 609-695-3481 ext 118 or xxxxxxxx@xxxxxx.xxx

DISTRIBUTION: Municipal Clerk, Chief Financial Officer, Tax Collector / County Freeholder Board Clerk, Chief Financial Officer / Authority Officials / Fire District Officials / Procurement Officials



**From:** [@x](#)  
**To:** [@x](#); [@x](#); [@x](#); [@x](#); [@x](#)  
**Cc:** [@x](#); [@x](#); [@x](#); [@x](#)  
**Subject:** Scheeler Decision- NJ Citizen OPRA requests  
**Date:** Wednesday, May 16, 2018 10:19:58 AM  
**Attachments:** [a2092-15a2704-15a2716-15.pdf](#)

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All,

The Appellate Division, today, issued its opinion in Scheeler v. Cape May (consolidated with other cases.) This was a published decision. The court found that OPRA requests are not limited to NJ residents but available to all. A copy of the decision is attached.

“We conclude that the reference to "citizens" – found in N.J.S.A. 47:1A-1 and nowhere else in OPRA — expresses the Legislature's general intent to make New Jersey government records open to the public, rather than expressing an intent to limit access to only New Jersey residents or domiciliaries. Because the more specific provisions of OPRA refer to "any person," and because OPRA is to be construed broadly to achieve the Legislature's over-arching goal of making public records freely available, we conclude that the right to request records under OPRA is not limited to "citizens" of New Jersey.”

Frank Marshall, Esq., Staff Attorney  
New Jersey State League of Municipalities  
609-695-3481 extn 137  
222 West State St.  
Trenton, NJ 08608

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YouTube: <http://bit.ly/1P7GsVR>

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**From:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxxxxx@xxxxxxxxxxxxx.xxx](mailto:xxxxxxxxxx@xxxxxxxxxxxxx.xxx)  
**Cc:** [xxxxxx@xxxxxx.xxx](mailto:xxxxxx@xxxxxx.xxx)  
**Subject:** Talking Points on OPRA/OPMA  
**Date:** Thursday, June 14, 2018 11:37:32 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[passanate.docx](#)

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Mayor,

As you requested, attached are some talking points on OPRA/OPMA. If you have any questions or need additional information please do not hesitate contact on my cell 732-895-9611. I will be heading down to the Statehouse shortly.

Lori

Lori Buckelew  
Senior Legislative Analyst  
NJ League of Municipalities  
609.695.3481 x112

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**From:** [Lisa Tilton](#)  
**To:** [@x](#); [@x](#); [@x](#); [@x](#); [@x](#)  
**Cc:** [@x](#); [@x](#); [@x](#); [@x](#); [Steve Martinelli Sr.](#); [David Turner](#); [@x](#); [Dominic DiYanni](#); [@x](#)  
**Subject:** URGENT: Opposition to S-106 (OPMA) & S-107 (OPRA)  
**Date:** Thursday, June 14, 2018 10:45:53 AM  
**Attachments:** [OPMA-OPRAResolutions.pdf](#)

---

Dear Senators:

Senator James Beach,  
Senator Shirley K. Turner,  
Senator Chris A. Brown,  
Senator Nilsa Cruz-Perez,  
Senator Samuel D. Thompson,

Please accept this email on behalf of Buena Vista Township Mayor Chuck Chiarello and Township Committee regarding the proposed legislation S-106 and S-107 slated for discussion today at the Senate Government, Wagering, Tourism & Historic Preservation Committee.

Buena Vista Township vehemently opposes the legislative proposals regarding the Open Public Meetings Act (OPMA) and Open Public Records Act (OPRA) as stated in Bills S-106 and S-107. Enactment of these bills as proposed would increase and pose unfunded mandates on municipalities in order to comply with the new standards. Reforms can be made to recognize the burden on local governments while honoring the intent of these Acts.

Buena Vista Township has previously opposed and continues to oppose proposed legislation to the Open Public Meetings Act and Open Public Records Act as described in the attached adopted resolutions. The Township strongly requests you take these resolutions under consideration and reject Senate Bill Nos. 106 and 107 and draft new legislation to modernize OPMA and OPRA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

Thank you for your time and consideration.

Lisa A. Tilton, RMC/CMR  
Township Clerk / Registrar  
Planning / Zoning Board Secretary  
Insurance Fund Commissioner  
Buena Vista Township  
890 Harding Highway  
PO Box 605  
Buena, NJ 08310  
856-697-2100 Ext. 11  
Fax: 856-697-8651  
[www.buonavistanj.com](http://www.buonavistanj.com)

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