From: xxxxxxxx@xxxx.xxx
To: xxxxx.xxxxxx@xxx.xx.xxx; xxxxxxxxx@xxxxxxxxxxxx.xxx
Subject: More Attendee Questions for OPRA WEbinar
Date: Monday, May 11, 2020 11:35:22 AM
Attachments: image001.png
image003.png
OPRA Questions.docx
Importance: High

Happy Monday Morning,

I received a bunch of questions from attendees over the weekend for the OPRA webinar on Friday. I have attached them here.

"See you" both Friday.

See the League COVID-19 page for all our resources and communications.

Danielle Holland-Htut, MPA | Continuing Education/Special Programs Manager
New Jersey State League of Municipalities
222 West State Street ,Trenton, NJ 08608
Phone: 609-695-3481 ext 118

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From: Suzanne Branagan
To: [redacted]
Subject: abuse of OPRA process & harassment
Date: Thursday, May 7, 2020 3:44:55 PM

Are legislators seriously consider amending current legislation to include protections for municipalities from requests that are an abuse of the OPRA process and constitutes harassment?

Susan A. Branagan, RMC
Deputy Municipal Clerk
Township of Marlboro
1979 Township Drive
Marlboro, NJ 07746-2247

Office: 732-536-0200 ext.: 1235
Fax: 732-972-6928

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*Department of Public Works (DPW): Monday to Friday 7:00am - 3:00pm. Phone 732 536-0188. DPW office is the 2nd left off Township Drive (Public Works Way).

*Engineering, Planning and Zoning Divisions: Monday to Friday 8:30am to 4:30pm. Monday to Thursday, enter through the Town Hall Administration Building main lobby. On Fridays, access through the Employee Entrance to Town Hall administrative offices.

*Construction Code Enforcement Division (Building Permits): Monday to Friday 8:00am 4:30pm. Phone 732 536-0200 ext. 1800. Enter through the back entrance of Town Hall.

*Department of Recreation: Monday to Friday 8:00am - 4:30pm. Phone 732 617-0100. Located in the Recreation Center at 1996 Rec reation Way.

*The Marlboro Township Division of Police is open 24/7 and is located at 1979 Township Drive in the Justice Center. Call 732 536-0100. In the event of an emergency dial 9-1-1.

*All other Township offices are open Monday to Thursday 8:30am - 4:30pm. Phone 732 536-0200.

=====-=====-=====-=====-=====

From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxxxxxxxxxxxx.xxx
Cc: xxxxxx@xxxxxxxxxx.xxx; xxxxxx@xxxx.xxx
Subject: RE: OPRA
Date: Friday, February 7, 2020 3:04:50 PM
Attachments: mcanj resolution v3.docx

Mayor,

As requested, attached is a copy of the sample resolution. If you have any questions or need additional information please do not hesitate to contact me.

Have a nice weekend,
Lori

From: Albert Kelly [mailto:x@x]
Sent: Wednesday, February 5, 2020 8:44 AM
To: Michael F. Cerra <x@x>
Subject: OPRA

Please forward a copy of the OPRA legislation to me, thank you.

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From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxx.xxx
Subject: s_180 opra study commission
Date: Tuesday, January 28, 2020 3:12:34 PM
Attachments: s_180 opra study commission.docx

Shirley

Please prepare the attached letter for the sponsor (Sen Corrado) of S-180 on letterhead. Please scan and email me the letter back to me.

Any questions, let me know.

Thanks,
Lori

From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxx.xxx
Subject: s_180 opra study commission
Date: Tuesday, January 28, 2020 3:08:19 PM
Attachments: s_180 opra study commission.docx

Shirley

Attached is our position paper on S180 for the files.

Lori

From: xxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxx.xxx
Subject: s_180 opra study commission
Date: Tuesday, January 28, 2020 11:57:11 AM
Attachments: s_180 opra study commission.docx

Suggestions in tracking

From: xxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxx.xxx
Subject: s_180 opra study commission
Date: Tuesday, January 28, 2020 11:52:02 AM
Attachments: s_180 opra study commission.docx

My revisions.

From:	xxxxxxxxx@xxxxxx.xxx
To:	xxxxxxxxx@xxxx.xxx
Subject:	RE: s_180 opra study commission
Date:	Tuesday, January 28, 2020 11:10:21 AM
Attachments:	s_180 opra study commission.docx

Edits and one comment in tracking.

From: Lori Buckelew
Sent: Tuesday, January 28, 2020 10:38 AM
To: Jon Moran; Michael F. Cerra; Frank Marshall
Subject: s_180 opra study commission

Please review and advise

Thanks

From: xxxxxxxxx@xxxx.xxx
To: xxxxxx@xxxx.xxx; xxxxxx@xxxx.xxx; xxxxxxxxx@xxxxxx.xxx
Subject: s_180 opra study commission
Date: Tuesday, January 28, 2020 10:38:06 AM
Attachments: s_180 opra study commission.docx

Please review and advise

Thanks

From: xxxxxxxxx@xxxx.xxx
To: xxxxxx@xxxx.xxx
Subject: OPRA Resolution
Date: Thursday, January 16, 2020 12:15:46 PM
Attachments: mcanj resolution v3.docx

As requested

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxx@xxxxxxxxxxxx.xxx
Subject: OPRA Resolution
Date: Wednesday, January 8, 2020 5:07:08 PM
Attachments: image001.png
image003.png
mcanj resolution v3.docx

Hi Mayor,

Attached is a copy of the OPRA resolution calling for a study commission. Also, here is the link to Senator Weinberg's op/ed piece - https://www.nj.com/opinion/2020/01/no-need-for-a-study-delay-opra-reform-bill-is-ready-to-go-senator-says.html

If you have any questions or need additional information please let me know.

Thanks,
Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Carl Woodward
To: Danielle Holland; Caruso, Frank
Subject: RE: Following Up on OPRA Seminar For NJLM -April 15, 2020
Date: Tuesday, January 7, 2020 3:49:59 PM
Attachments: image001.png
image003.png
PUBLIC RECORDS.DOCX

Danielle,

Thanks for answering my questions about the content of the program. Accordingly, I have attached a copy of the OPRA Update I used at the November League conference, together with the following description:

The seminar will include a review of recent OPRA and common law right of access court and GRC decisions (see attached) to be updated prior to the seminar date. Registrants will be invited to submit questions in advance for the lecturers to respond to. Questions will also be taken directly at the seminar.

Please let me know if you need anything else.

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: *xxxxxxxxx@xxxxxxxxxxxx.xxx*

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From: Danielle Holland <[redacted]>
Sent: Monday, January 6, 2020 2:09 PM
To: Carl Woodward <[redacted]>; Caruso, Frank <Frank.Caruso@dca.nj.gov>
Subject: Following Up on OPRA Seminar For NJLM -April 15, 2020
Importance: High

Good Afternoon Carl and Frank,
I am following up on a conversation we had in December regarding an OPRA seminar on April 15, 2020 at the Doubletree Hotel in Tinton Falls from 9:00am-12:30pm.

We are looking at doing a similar program to what you did at the November Conference along with resubmitted questions from the audience. Could you both give me a write up of what you plan to speak about? You can indicate what OPRA Decisions or Court cases you plan to discuss. I will need this by as soon as possible so I can get everything submitted for credits.

If you have any questions please let me know.

Thank you so much!

Danielle Holland-Htut, MPA | Continuing Education/Special Programs Manager
New Jersey State League of Municipalities
222 West State Street ,Trenton, NJ 08608
Phone: 609-695-3481 ext 118

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From: [redacted]
To: [redacted]
Subject: FW: WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA
Date: Tuesday, January 7, 2020 1:01:15 PM
Attachments: R19294 Study Commission to Review the Open Public Records Act.pdf

---

From: Margiotta, Paul [mailto:xxxxxxxxxx@xxxxxxxxxxxx.xxx]
Sent: Thursday, November 7, 2019 2:32 PM
To: Mike DeLamater (xxxx.xxxxxxxxx@xx.xxx) <xxxx.xxxxxxxxx@xx.xxx>; senwexxxxxx@xxxxx.xxx; Caruso, Frank <xxxxx.xxxxxx@xxx.xxxxx.xx.xx>; executivedirector@NJClerks.org; Lori Buckelew <xxxxxxxxx@xxxx.xxx>; Asm. Chris DePhillips (xxxxxxxxxxxxx@xxxxx.xxx) <xxxxxxxxxxxxx@xxxxx.xxx>; Asm. Rooney (xxxxxxxxx@xxxxx.xxx) <AsmRoonex@xxxxx.xxx>; Kristin Corrado (xxxxxxxxxx@xxxxx.xxx) <xxxxxxxxxx@xxxxx.xxx>; Frank Marshall <xxxxxxxxx@xxxxxx.xxx>; Michael J. Darcy, CAE <xxxxxx@xxxx.xxx>; Michael F. Cerra <mcerra@njlm.org>; Assemblyman Coughlin <xxxxxxxxxxx@xxxxx.xxx>; xxxxxxxxxx@xxxxx.xxx
Subject: WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA

Good afternoon

Please see attached.

Paul

Paul V. Margiotta, RMC, CMC, MMC
Township Clerk
Township of Wayne - New Jersey
OFFICE OF THE TOWNSHIP CLERK

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From: xxxxxxxxx@xxxx.xxx
To: xxx@xxxxxxxxxx.xxx
Subject: OPRA Resolution
Date: Monday, January 6, 2020 4:39:56 PM
Attachments: image001.png
image003.png
mcanj resolution v3.docx

Hi Frank,

Thanks for the call earlier today. Attached is a copy of the sample resolution, in word, calling for an OPRA study commission.

If you have any questions or need additional information please let me know.

Thanks
Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From:	Lisa Passione
To:	[redacted]
Subject:	Resolution 2019-160 in Support of Study Commission to review OPRA - Cinnaminson Township
Date:	Friday, December 20, 2019 2:13:03 PM
Attachments:	2019-160 Support Study Commission to Review OPRA.pdf

Dear Ms. Buckelew,

Please find attached Resolution 2019-160 in support of a study commission to review the Open Public Records Act that was approved at the December 16, 2019 Township Committee meeting of Cinnaminson Township for your consideration.

Thank you for your time.

Lisa A. Passione, RMC

Municipal Clerk
Cinnaminson Township
1621 Riverton Road
Cinnaminson, NJ 08077
(856)735-2397

www.cinnaminsonnj.org

From: xxxxxx@xxxx.xxx
To: xxxxxx@xxxxxxxxxxxxxx.xxx
Subject: RE: NJ.com OPRA in NJ Municipalities
Date: Tuesday, December 17, 2019 11:44:42 AM
Attachments: image001.png
2018-10 - OPRA Study Commission.docx

Hi Olivia, I'm copying Lori Buckelew, who is our point person on this issue and formerly a municipal clerk. She can speak to more specifics.

I can tell you that concerns being cited in the resolution are ones that we hear statewide and it's certainly a recurrent issue. The concept of a task force goes back to a resolution passed at the League conference in 2018 (see attached). There is legislation to do so…sponsored by Assemblyman Ron Dancer in the Assembly and Senator Corrado in the Senate. To date, neither bill has advanced and we hope to see some advancement in 2020. The resolution that was passed is likely based on a template resolution prepared by the Municipal Clerks Association and in which we have also shared. Lori may be able to pinpoint the number, but the League is copied on the resolutions and they are coming in fast, especially considering they were only distributed last month.

mike

From: Olivia Rizzo [mailto:xxxxxx@xxxxxxxxxxxxxx.xxx]
Sent: Tuesday, December 17, 2019 10:50 AM
To: Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: NJ.com OPRA in NJ Municipalities

Hi Michael,

I'm working on a story about the effectiveness of OPRA in NJ municipalities. At a recent township committee meeting, Montgomery Township passed a resolution asking for a commission to review the open public records act. The main points in their resolution are that OPRA's are costly for them to fulfill, and they are often overwhelmed by requests from companies that send out junk mail to their residents.

Do you know of any other towns that have expressed similar issues or if the league has any information about a commission for OPRA being formed?

You can reach me via email or on my cell phone 609-649-2991.

Thanks,
Olivia

Olivia Rizzo | Reporter
NJ Advance Media
cell: 609-649-2991
413 Riverview Plaza | Trenton, NJ 08611

From:	Allan Susen
To:	Joel Popkin; Kevin Galland
Cc:	Lori Buckelew
Subject:	OPRA Study Commission
Date:	Wednesday, December 11, 2019 10:48:46 AM
Attachments:	rs2019-192 Call for study commission to review OPRA.docx

---

My email to you on Friday, December 6th; had our Resolution #2019-192 attached. That resolution contained a typographical error in paragraph two; which has been corrected. The attached Resolution #2019-192 is correct.

I apologize for this error.

Allan R. Susen, RMC/MMC
Borough of Haledon
Municipal Clerk/Administrator

Telephone: 973-595-7766, ext. 103
FAX: 973-790-4781
xxxxxx@xxxxxxxxxxxxx.xxx

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxx; xxxxxxxxxxxxxxxx@xxxxxxxx.xxx; xxxxx@xxxxxxxxxx.xxx
Subject: OPRA needs to be re-examined, according to local governments
Date: Friday, December 6, 2019 10:27:32 AM

OPRA needs to be re-examined, according to local governments

By Lisa Broadt

Posted Nov 27, 2019 at 3:01 PM

Local governments say OPRA is "fraught with abuse and misuse." Bordentown City, Florence, Willingboro are among municipalities asking for OPRA reform.

Bordentown City, Florence and Willingboro are among the local governments calling for a re-examination of the Open Public Records Act.

Better known as OPRA, the act was established in 2002 to allow the public easier access to government records. OPRA makes exceptions to safeguard privacy, personal information and information protected by attorney-client privilege.

But Bordentown City, Florence and Willingboro say the act has gone beyond its intended goal of creating an "uncomplicated process for obtaining the records and eliminating bureaucratic red tape."

OPRA has been "fraught with abuse and misuse," is burdensome to municipal staff and costly for taxpayers, the local governments said in their resolutions, which are based on a form resolution provided by the New Jersey League of Municipalities.

As such, the act needs comprehensive reform, according to Bordentown, Florence, Willingboro and other municipalities throughout the state that are asking for the creation of a commission to study the effect of OPRA on local governments.

In Willingboro, OPRA requests have multiplied over the years, reaching 555 requests in 2017, 598 requests in 2018 and 475 requests in 2019, as of Sept. 1, according to Township Clerk Sarah Wooding.

Mayor Martin Nock said the volume of work is unsustainable for the clerk and township staff.

"The township clerk has said she is getting inundated with OPRA requests, and we've had to hire additional people," Nock said Monday. "It takes time for the staff to research OPRA requests and return the requests within a timeline of seven days."

Local governments have seven business days to respond to OPRA requests but may request additional time, under OPRA.

Still, Nock noted, OPRA "is clearly important for the public" to be able to "question what we as elected officials are doing."

"Clearly we make decisions and vote on things that the public has the right to know about," Nock said.

But Walter M. Luers, president of the New Jersey Foundation for Open Government, has a different take and described the resolutions as "completely unnecessary."

"I'm disappointed these towns are rubber stamping and passing these. Clerks in these towns have a lot of duties but no one is complaining about tax foreclosures or pet licensing or all the duties granted or compelled by the Legislature," Luers said Monday. "People are entitled to access information and documents and almost all the clerks do a good job. When you consider the hundreds of thousands or millions of OPRAs received a year and only a couple hundred end up in litigation — it's a solution in search of a problem."

"Problems are extraordinarily rare," he added. "Almost everyone acts reasonably."

Luers said he believes the resolutions are being used for "political posturing" in opposition to state legislation that would strengthen OPRA and the Open Public Meetings Act. Introduced in 2018, the bills would die if they are not signed this year.

"The timing is important," Luers said.

The resolutions passed by local governments have been sent on to state lawmakers including Assemblyman Herb Conaway, D-7 of Delran; Assemblywoman Carol Murphy, D-7, of Mount Laurel, Sen. Troy Singleton, D-7, of Delran; and Senate President Stephen Sweeney, D-3, of West Deptford.

The proposed commission would include mayors, municipal clerks and managers, attorneys, police chiefs, open government advocates, privacy experts, members of the media, citizens and other stakeholders, according to the resolutions.

The New Jersey Foundation for Open Government is a nonprofit dedicated to protecting and expanding public access to government records and meetings.

https://www.burlingtoncountytimes.com/news/20191127/opra-needs-to-be-re-examined-according-to-local-governments

From: Matthew Watkins
To: Lori Buckelew
Cc: xxxxxxxx@xxxxx.xxx
Subject: Maureen"s OPRA paper
Date: Thursday, December 5, 2019 5:03:22 PM
Attachments: Capstone.docx
OPRA Presentation.pptx

Lori,

Here is Maureen's OPRA paper. You recall that you guided her and I think this came out very nicely. I'd love to see this published in a League Magazine – I'm sure she can edit it to length.

Anyway, I wanted you to see her end product. I'm very proud of her work and hope we can share it with the rest of the municipal world.

Matt

Matthew U. Watkins,
Township Administrator
Township of Bloomfield
1 Municipal Plaza
Bloomfield, NJ 07003
(o) 973-680-4006
xx@xx

From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxx.xxxxx.xx.xx
Subject: RE: OPRA
Date: Tuesday, December 3, 2019 4:42:02 PM
Attachments: mcanj resolution v3.docx

Hi Lynnette,

Not at all. The sample resolution is attached in word.

Lori

From: Lynnette Iannarone [mailto:xxxxx@xxx.xxxxx.xx.xx]
Sent: Tuesday, December 03, 2019 3:57 PM
To: Lori Buckelew
Subject: OPRA

Hello Lori,
Is it too late for submission of resolutions regarding Senate Bill S-107?
Sorry for the delay.

Lynnette A. Iannarone
Municipal Clerk/Registrar
Township of Brick
732-262-1002

This email has been scanned for spam and malware by The Email Laundry.

From: [redacted]
To: [redacted]
Subject: Delivered: Resolution Calling for Study to Review OPRA
Date: Friday, November 22, 2019 11:36:44 AM

Your message has been delivered to the following recipients:

[redacted]

Subject: Resolution Calling for Study to Review OPRA

From: [redacted]
To: [redacted]
Subject: FW: NJLM Conference - Recent OPRA Decisions
Date: Friday, November 15, 2019 11:53:46 AM
Attachments: image001.png
image003.png
PUBLIC RECORDS.DOCX

Danielle,

For Wed Nov 20 OPRA session

Thanks
Lori

From: Carl Woodward [mailto:[redacted]]
Sent: Friday, November 15, 2019 11:52 AM
To: Lori Buckelew; Caruso, Frank
Subject: RE: NJLM Conference - Recent OPRA Decisions

Lori,

Frank and I have spoken about our presentation next week. As in the past, I am enclosing the case summaries I will be referring to in the presentation. I think that the League may make them available online. If so, please feel free to do so.

Kindest regards,

Carl Woodward

From: Lori Buckelew [mailto:xxxxxxxxx@xxxx.xxx]
Sent: Tuesday, October 22, 2019 12:01 PM
To: Carl Woodward <xxxxxxxxx@xxxxxxxxxxxx.xxx>; Caruso, Frank <Frank.Caruso@dca.nj.gov>
Subject: RE: NJLM Conference - Recent OPRA Decisions

Carl and Frank,

I had the wrong session open in my book when I sent the email below. The *Recent OPRA Decision* conference session is Wednesday, November 20 at 2:00 p.m.

Sorry for any confusion.

Lori

From: Lori Buckelew
Sent: Tuesday, October 22, 2019 12:00 PM
To: 'Carl Woodward'; Caruso, Frank
Subject: NJLM Conference - Recent OPRA Decisions

Carl and Frank,

Thank you for agreeing to be panelist on the Wednesday, November 20, 9:00 a.m. *Recent OPRA Decisions* conference session. As we quickly approach the conference I am reaching out go over a few items.

First, as reminder, the conference session room will include a head table with appropriate number of chairs, lectern with microphone, and a microphone in the center aisle for question and answers. **If you wish to do a PowerPoint presentation please let me know no later than October 30**. The League will arrange for a table and screen. **You will need to bring your own projector, laptop, and 20' extension cord**. You can order projectors, electrical extension cords, and internet connections from the Convention Center for a fee.

If you are doing a PowerPoint presentation please send me a copy so we can post it to the web for folks to access at the conference.

If you would like a conference call before the session with the other members of the panel, all of whom are copied on this email, please let me know and I can facilitate a conference call.

As always, if you have any questions or need additional information please do not hesitate to contact me.

Thank you,

Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Carl Woodward
To: "Lori Buckelew"; Caruso, Frank
Subject: RE: NJLM Conference - Recent OPRA Decisions
Date: Friday, November 15, 2019 11:51:46 AM
Attachments: image001.png
image003.png
PUBLIC RECORDS.DOCX

Lori,

Frank and I have spoken about our presentation next week. As in the past, I am enclosing the case summaries I will be referring to in the presentation. I think that the League may make them available online. If so, please feel free to do so.

Kindest regards,

Carl Woodward

From: Lori Buckelew [mailto:xxxxxxxxx@xxxx.xxx]
Sent: Tuesday, October 22, 2019 12:01 PM
To: Carl Woodward <xxxxxxxxx@xxxxxxxxxxxx.xxx>; Caruso, Frank <Frank.Caruso@dca.nj.gov>
Subject: RE: NJLM Conference - Recent OPRA Decisions

Carl and Frank,

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Sorry for any confusion.

Lori

From: Lori Buckelew
Sent: Tuesday, October 22, 2019 12:00 PM
To: 'Carl Woodward'; Caruso, Frank
Subject: NJLM Conference - Recent OPRA Decisions

Carl and Frank,

Thank you for agreeing to be panelist on the Wednesday, November 20, 9:00 a.m. *Recent OPRA Decisions* conference session. As we quickly approach the conference I am reaching out go over a few items.

First, as reminder, the conference session room will include a head table with appropriate number of chairs, lectern with microphone, and a microphone in the center aisle for question and answers. **If you wish to do a PowerPoint presentation please let me know no later than October 30**. The League will arrange for a table and screen. **You will need to bring your own projector, laptop, and 20' extension cord**. You can order projectors,

electrical extension cords, and internet connections from the Convention Center for a fee.

If you are doing a PowerPoint presentation please send me a copy so we can post it to the web for folks to access at the conference.

If you would like a conference call before the session with the other members of the panel, all of whom are copied on this email, please let me know and I can facilitate a conference call.

As always, if you have any questions or need additional information please do not hesitate to contact me.

Thank you,

Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From:	Ann H. Bistritz
To:	xxxxxxxxxx@xxxxx.xxx; xxxxxxxxxxx@xxxxx.xxx; xxxxxxxxxx@xxxxx.xxx; xxxxx.xxxxxx@xxx.xxxxx.xx.xx; xxxxxxxxxxxxxxxx@xxxxxxxx.xx; xxxxxxxxx@xxxx.xxx; Asm. D.O. Auth; Sen. D.O. Cardinale; Asw.D.O. Schepisi
Subject:	OPRA Resolution
Date:	Wednesday, November 13, 2019 4:16:51 PM
Attachments:	Study Commission OPRA 2019.doc

Please see attached.

Thank you for your time and consideration.

Gratefully,

Ann B

--
Ann H. Bistritz CMC RMC CMR
Clerk Admin.
Borough of Harrington Park
85 Harriot Avenue
Harrington Park, NJ 07640
201-768-1700
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From: xxxxxxxxx@xxxx.xxx
To: xxxxxxx@xxxxxxxxxxxxxxx.xxx
Subject: RE: OPRA/OPMA Resolution
Date: Friday, November 8, 2019 11:12:36 AM
Attachments: mcanj resolution v3.docx

Hi Lisa,

Attached is the word document.

Have a great weekend,
Lori

From: Lisa Dority [mailto:xxxxxxx@xxxxxxxxxxxxxxx.xxx]
Sent: Friday, November 08, 2019 11:10 AM
To: Lori Buckelew
Subject: OPRA/OPMA Resolution

Is possible to email me the same resolution in Word format?

Thank you.

Lisa L. Dority, RMC
Deputy Municipal Clerk
Clerk's Office
Township of Winslow
609-567-0700 ext. 8001

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From:	xxxxxx@xxxx.xxx
To:	xxxxxxxxx@xxxx.xxx
Subject:	FW: WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA
Date:	Thursday, November 7, 2019 3:21:21 PM
Attachments:	image001.png image003.png R19294 Study Commission to Review the Open Public Records Act.pdf

---

Help from Wayne!

Download the 2019 Conference app to view the Annual Conference schedule and exhibit listing.

Michael J. Darcy, CAE | Executive Director
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extn 116
c-609-510-9472

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From: Margiotta, Paul [mailto:xxxxxxxxxx@xxxxxxxxxxxxx.xxx]
Sent: Thursday, November 07, 2019 2:32 PM
To: Mike DeLamater (xxxx.xxxxxxxxx@xx.xxx); xxxxxxxxxx@xxxxx.xxx; Caruso, Frank; xxxxxxxxxxxxxxxxx@xxxxxxxx.xxx; Lori Buckelew; Asm. Chris DePhillips (Axxxxxxxxxxxx@xxxxx.xxx); Asm. Rooney (xxxxxxxxx@xxxxx.xxx); Kristin Corrado (xxxxxxxxxx@xxxxx.xxx); Frank Marshall; Michael J. Darcy, CAE; Michael F. Cerra; Assemblyman Coughlin; xxxxxxxxxx@xxxxx.xxx
Subject: WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA

Good afternoon

Please see attached.

Paul

Paul V. Margiotta, RMC, CMC, MMC
Township Clerk
Township of Wayne - New Jersey
OFFICE OF THE TOWNSHIP CLERK

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From:	Margiotta, Paul
To:	Mike DeLamater (xxxx.xxxxxxxxx@xx.xxx) ; xxxxxxxxxxx@xxxxx.xxx; Caruso, Frank; xxxxxxxxxxxxxxxx@xxxxxxxx.x; xxxxxxxxxx@xxxx.xxx; Asm. Chris DePhillips (xxxxxxxxxxxxx@xxxxx.xxx); Asm. Rooney (xxxxxxxxx@xxxxx.xxx) ; Kristin Corrado(xxxxxxxxxx@xxxxx.xxx); Frank Marshall(xxxxxxxxx@xxxxxx.xxx); Michael Darcy(xxxxxx@xxxxxx.xxx) ; Michael F. Cerra; Assemblyman Coughlin; xxxxxxxxxx@xxxxx.xxx
Subject:	WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA
Date:	Thursday, November 7, 2019 2:31:56 PM
Attachments:	R19294 Study Commission to Review the Open Public Records Act.pdf

Good afternoon

Please see attached.

Paul

Paul V. Margiotta, RMC, CMC, MMC
Township Clerk
Township of Wayne - New Jersey
OFFICE OF THE TOWNSHIP CLERK

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From:	Margiotta, Paul
To:	Mike DeLamater (xxxx.xxxxxxxxx@xx.xxx) ; xxxxxxxxxxx@xxxxx.xxx; Caruso, Frank; xxxxxxxxxxxxxxxx@xxxxxxxx.x; xxxxxxxxxx@xxxx.xxx; Asm. Chris DePhillips (xxxxxxxxxxxxx@xxxxx.xxx); Asm. Rooney (xxxxxxxxx@xxxxx.xxx) ; Kristin Corrado(xxxxxxxxxx@xxxxx.xxx); Frank Marshall(xxxxxxxxx@xxxxxx.xxx); Michael Darcy(xxxxxx@xxxxxx.xxx) ; Michael F. Cerra; Assemblyman Coughlin; xxxxxxxxxx@xxxxx.xxx
Subject:	WAYNE Reso 294 CALLING FOR A STUDY COMMISSION TO REVIEW THE OPRA
Date:	Thursday, November 7, 2019 2:31:55 PM
Attachments:	R19294 Study Commission to Review the Open Public Records Act.pdf

Good afternoon

Please see attached.

Paul

Paul V. Margiotta, RMC, CMC, MMC
Township Clerk
Township of Wayne - New Jersey
OFFICE OF THE TOWNSHIP CLERK

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From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxxxxxxxxxx.xxx
Subject: RE: MCANJ News - OPRA/OPMA
Date: Wednesday, November 6, 2019 9:30:00 AM
Attachments: mcanj resolution v3.docx

Hi Daina,

Attached is the resolution in word. If you have any questions or need additional information please do not hesitate to contact me.

Thanks
Lori

From: Harvey Cedars Clerk [mailto:xxxxx@xxxxxxxxxxxx.xxx]
Sent: Tuesday, November 05, 2019 2:53 PM
To: Lori Buckelew
Subject: Fwd: MCANJ News - OPRA/OPMA

Hi Lori,
Do you have the sample OPRA/OPMA resolution in Word format? If so, can you please email it to me for distribution?
Thank you,
Daina

Daina Dale, Municipal Clerk/Registrar/Utility Collector
xxxxx@xxxxxxxxxxxx.xxx
609.361.6000 #3
fax 609.494.2335
Borough of Harvey Cedars
PO Box 3185
Harvey Cedars, NJ 08008

---------- Forwarded message ---------
From: **MCANJ IT Committee** <xxxxxxxxxxxx@xxxxxxxx.xxx
Date: Tue, Nov 5, 2019 at 11:18 AM
Subject: MCANJ News - OPRA/OPMA
To: <xxxxxxx@xxxxxxxx.xxx

Dear MCANJ members:

I hope that you are enjoying a festive fall. The colors are so brilliant this year.

On 18 October 2019 you received a NJLM Weekly Round-Up email.
Within the body of that email was a section addressing the joint efforts
of NJLM and MCANJ regarding OPRA/OPMA Update & Sample Resolution.

I understand that your offices are busy and these daily updates can
easily be overlooked, so MCANJ is taking the time to pull the OPRA/OPMA

Update & Sample Resolution portion out of that email and forward to you directly.

Please take the time to complete the fill-in-the blanks of the Resolution and ask your Governing Bodies to adopt it this year. Once adopted please forward a certified copy to those listed as well as Joel Popkin, MCANJ Executive Director.

Thank you for your time and dedication to stand up for the Municipal Clerk's accountability and responsibilities on this OPRA/OPMA issue.

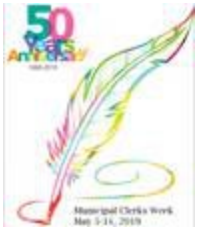
d. OPRA/OPMA Update & Sample Resolution

Recently, Senator Weinberg noted that she has been working for more than two years to update the outdated Open Public Records Act (OPRA) and Open Public Meetings Act (OPMA) and will continue to address them during lame duck, presumably through her bills S-106 (OPMA) and S-107 (OPRA). In response to this, the League and Municipal Clerks Association of New Jersey has prepared a sample resolution calling for a study commission to review the almost 20-year-old law.

The sample resolution also asks for information on your municipal experience with OPRA, including the number of requests, approximate staff hours staff and attorney fees your municipality has incurred responding to OPRA requests. We respectfully request that you consider adopting the sample resolution and forward a copy to your State Senator, Assembly Representatives as well as Senate President Sweeney, Assembly Speaker Coughlin, Senator Weinberg, and Governor Murphy.

Contact: Lori Buckelew, Senior Legislative Analyst, xxxxxxxxx@xxxx.xxx 609-695-3481, ext. 112.

Diane M Pflugfelder RMC, MMC
Municipal Clerk/Administrator
Township of Liberty
349 Mountain Lake Road
Great Meadows, N.J. 07838
Telephone: 908.637.4579
Fax: 908.637.6916



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means that absent some specific privilege, all such communications are considered a public record and are subject to publication and/or dissemination to the public upon request.

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxxxxx@xxxxxx.xxx
Subject: RE: OPRA/OPMA Update & Sample Resolution
Date: Wednesday, November 6, 2019 9:28:49 AM
Attachments: mcanj resolution v3.docx

Good Morning Allyson,

Attached is the sample resolution in word. If you have any questions or need additional information please let me know.

Lori

From: Allyson M. Cinquegrana [mailto:xxxxxxxxxxxx@xxxxxx.xxx]
Sent: Tuesday, November 05, 2019 5:58 PM
To: Lori Buckelew
Subject: OPRA/OPMA Update & Sample Resolution
Importance: High

Hi Lori:

Do you have the sample resolution in a Word format as opposed to PDF? If so, would you please forward it to me. Fair Haven has a Council Meeting on November 12th and I would like to list it for discussion. Thank you.

Allyson M. Cinquegrana, RMC/CMR
Borough Clerk/Assistant Administrator/Deputy Registrar
Borough of Fair Haven
732-747-0241, ext**. *221**
732-747-6962 fax
xxxxxxxxxxx@xxxxxx.xxx

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxxxxxxxxxxx.xxx
Subject: RE: OPRA resolution
Date: Monday, November 4, 2019 9:21:56 AM
Attachments: image001.png
image003.png
mcanj resolution v3.docx

Good Morning Ben,

Attached is a copy of the sample resolution in word. If you have any questions or need additional information please do not hesitate to contact me.

Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Ben Angeli [mailto:xxxxxxxxx@xxxxxxxxxxxxx.xxx]
Sent: Monday, November 04, 2019 8:49 AM
To: Lori Buckelew
Subject: OPRA resolution

Would it be possible to get a version of the Resolution in a Word document?

Ben Angeli, RMC
City of Salem
City Administrator/Clerk
856-935-0373 Ext. 219
Cell: 609-774-6498
xxxxxxxxx@xxxxxxxxxxxxx.xxx

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxxxxxxxxx@xxxxx.xxx
Cc: xxxxxxxxx@xxxxx.xxx
Subject: Sample Resolution on OPRA/OPMA
Date: Tuesday, October 29, 2019 10:55:13 AM
Attachments: image002.png
image006.png
mcanj resolution v3.docx

Hi Judy,

Apologizes I thought I sent this out yesterday but it was in my draft folder.

Attached is a word copy of the sample OPRA/OPMA resolution.

If you have any questions or need additional information please do not hesitate to contact me.

Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxxxxxxxxxxxxx.xxx
Subject: RE: OPRA Resolution
Date: Tuesday, October 29, 2019 9:20:43 AM
Attachments: mcanj resolution v3.docx

Good morning Madam President,

Attached is a copy of the resolution as a word document and here is the link to the pdf – https://www.njlm.org/DocumentCenter/View/8049/MCANJ-Resolution-v3

I am surprise folks are asking because in the alert we note that "*In response to this, the League and Municipal Clerks Association of New Jersey has prepared a sample resolution calling for a study commission to review the almost 20-year-old law*."

I have received a few phone calls with folks asking what is the timeframe. My response is sooner than later as the bill can be posted as early as December.

Let me know if you need additional information or have any questions. Also, I will keep you posted on any resolutions we receive back.

Lori

From: Diane Pflugfelder [mailto:xxxxx@xxxxxxxxxxxxxxx.xxx]
Sent: Tuesday, October 29, 2019 8:51 AM
To: Lori Buckelew
Subject: OPRA Resolution

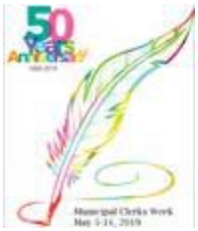
Good morning Ma'am

Hope all is fall and Halloween festive with you and yours.

MCANJ members are asking we what MCANJ is doing
in response to OPRA. NJLM sent the Resolution out.
Now I can't find the darn thing.
Can you sent it to me so I may prepare an eblast to the
Membership?
Sorry to impose but my mind is spinning
Thank you !!!!

Diane M Pflugfelder RMC, MMC

Municipal Clerk/Administrator
Township of Liberty
349 Mountain Lake Road
Great Meadows, N.J. 07838
Telephone: 908.637.4579
Fax: 908.637.6916



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From:	xxxxxxxxx@xxxx.xxx
To:	xxxxxxxxxx@xxxxxxxxxx.xxx
Subject:	RE: OPRA Sample Resolution
Date:	Friday, October 25, 2019 12:57:50 PM
Attachments:	image003.png image004.png mcanj resolution v3.docx

Hi Karen,

Hope all is well. Attached is the sample resolution as a word document. If you have any questions or need additional information please do not hesitate to contact me.

Have a nice weekend,
Lori

From: Karen Carnevale [mailto:xxxxxxxxxx@xxxxxxxxxx.xxx]
Sent: Friday, October 25, 2019 12:40 PM
To: Lori Buckelew
Subject: OPRA Sample Resolution

Hi Lori,
I hope this email finds you well. I'd like to know if the sample resolution re: OPRA that was included in the email blast today could be forwarded to me in word format? If not, I'll retype it and place it on our upcoming agenda on 11.12.19. Thank you for your assistance.

Best,

Karen

Karen J. Carnevale R.M.C.
Municipal Clerk
Township of West Orange
66 Main Street, Room 101
West Orange. NJ 07052
Phone (973) 325-4155
Fax (973) 731-1196
x@xx

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From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxxxxxxxxxxxxx.xxx
Subject: RE: OPRA Sample Resolution
Date: Friday, October 25, 2019 12:56:49 PM
Attachments: mcanj resolution v3.docx

Hi Lori,

Attached is the sample resolution as a word document. If you have any questions or need additional information please let me know.

Have a nice weekend,
Lori

From: Frankford Clerk [mailto:xxxxx@xxxxxxxxxxxxxxx.xxx]
Sent: Friday, October 25, 2019 12:38 PM
To: Lori Buckelew
Subject: OPRA Sample Resolution

Hello Lori! I am the clerk up at Frankford Township and read a recent e-mail regarding a sample resolution to review the 20 year old OPRA law.

I was able to download the document but unfortunately it is a PDF so I cannot customize it to reflect Frankford.

Are you able to send me that document in Word format?

Thanks, Lori!

--
Regards,
Lori Nienstedt, CMR
Acting Municipal Clerk/Office Manager
151 US 206
Augusta, NJ 07822
(973) 948-5566 (Phone)
(973) 948-2612 (Fax)

From: xxxxxxxxx@xxxxxx.xxx
To: xxxxxxxxx@xxxx.xxx
Subject: RE: OPRA Resolution
Date: Thursday, October 17, 2019 10:28:17 AM
Attachments: image001.png
image003.png
mcanj resolution v2.docx

One typo, otherwise it looks good to me.

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

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From: Lori Buckelew
Sent: Thursday, October 17, 2019 10:21 AM
To: Michael F. Cerra; Jon Moran; Frank Marshall
Subject: OPRA Resolution

Attached is the sample resolution we are going to send to members in conjunction with the Municipal Clerks Association. Before it goes live any last comments or suggestions.

Thanks
Lori

From: xxxxxxxxx@xxxx.xxx
To: xxxxxx@xxxx.xxx; xxxxxx@xxxx.xxx; xxxxxxxxx@xxxxxx.xxx
Subject: OPRA Resolution
Date: Thursday, October 17, 2019 10:20:46 AM
Attachments: mcanj resolution v2.docx

Attached is the sample resolution we are going to send to members in conjunction with the Municipal Clerks Association. Before it goes live any last comments or suggestions.

Thanks
Lori

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxxxxxxxxxxx@xxxxx.xxx; xxxxxxxxx@xxxxx.xxx ; xxxxxxxxxxx@xxxxx.xxx ; xxxxxxxxxxxx@xxxxx.xxx ; xxxxx@xxxxxxxxxxx.xxx
Cc: xxxxxxxxxx@xxxxxxxxx.xxx; xxxxx@xxxxxxxxxxx.xxx
Subject: OPRA/OPMA Draft Resolution
Date: Tuesday, September 24, 2019 4:46:48 PM
Attachments: image001.png
image003.png
mcanj resolution v2.docx

Last call for any changes to the attached resolution. The attached resolution incorporates the suggested changes I received to date. Our goal is to send the attached resolution out on Monday, September 30.

[redacted]

Let me know if you have any comments, suggestions, or concerns.

Thanks
Lori

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

NJLM is subject to the Open Public Records Act; any email sent or received may be subject to a records request.

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxx@xxxxxxx.xxx
Subject: Draft OPRA Resolution
Date: Friday, August 30, 2019 4:13:18 PM
Attachments: mcanj resolution v1.docx

Hi Dominic,

As we discussed attached please find a draft of the joint NJLM & MCANJ resolution on OPRA. Please let me know your thoughts.

Thank you and have a nice Labor Day weekend,
Lori

From:	x@x
To:	x@x
Cc:	x@x
Subject:	OPRA OPMA
Date:	Tuesday, July 9, 2019 2:18:10 PM
Attachments:	image009.png image011.png privacy_study_commission_report_homeaddress_phonenos.pdf privacy_study_commission_public_hearing_transcripts.pdf privacy_study_commission_report_122004.pdf Oppose S-106 S-107 njlm.pdf mcanj 0619 s106 s107.pdf

---

Michaelle,

It was a pleasure speaking with you earlier today on the OPRA and OPMA bills. Following up on our conversation attached please find:

- NJLM Letter to Senators on S-106 & S-107
- Municipal Clerks Association of New Jersey letter to Senators on S-106 & S-107
- Finale Report of the Privacy Study Commission
- Privacy Study Commission Report on Home Addresses & Phone Numbers
- Privacy Study Commission Public Hearing Transcript

The contact information for Immediate Past President of the Municipal Clerks Association Kevin Galland, Woodland Park Municipal Clerk, is 973-345-8100 x100 or xxxxxxxx@xxxx.xx

The legislation creating the OPRA Study Commission is A4894.

If you have any questions or need additional information please do not hesitate to contact me.

Lori

NJLM has recently changed its web and email addresses to njlm.org (previously njslom.org). Please update your email safe lists and saved web bookmarks.

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

NJLM is subject to the Open Public Records Act; any email sent or received may be subject to a records request.

From: Michael Vrancik
To: Michael F. Cerra; John Donnadio; Lori Buckelew; Allen Weston; John Burns
Subject: RE: OPRA/OPMA Bills Up Thursday
Date: Tuesday, June 18, 2019 5:28:46 PM

[redacted]

[redacted]

-----Original Message-----
From: Michael F. Cerra [mailto:xxxxxx@xxxx.xxx]
Sent: Tuesday, June 18, 2019 5:11 PM
To: John Donnadio <xxxxxxxxx@xxxx.xxx>; Lori Buckelew <xxxxxxxxx@xxxx.xxg>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <mvrancxx@xxxxx.xxx>
Subject: RE: OPRA/OPMA Bills Up Thursday

[redacted]

-----Original Message-----
From: John Donnadio [mailto:xxxxxxxxx@xxxx.xxx]
Sent: Tuesday, June 18, 2019 5:10 PM
To: Lori Buckelew <xxxxxxxxx@xxxx.xxx>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <xxxxxxxx@xxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: RE: OPRA/OPMA Bills Up Thursday

[redacted]!

John G. Donnadio, Esq.
Executive Director
New Jersey Association of Counties
Government Finance Officers Association of New Jersey
150 West State Street
Trenton, New Jersey 08608
Telephone (609) 394-3467
www.njac.org

-----Original Message-----
From: Lori Buckelew <xxxxxxxxx@xxxx.xxx>
Sent: Tuesday, June 18, 2019 5:06 PM
To: John Donnadio <xxxxxxxxx@xxxx.xxx>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <xxxxxxxx@xxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: OPRA/OPMA Bills Up Thursday

See below....bills are up!

-----Original Message-----
From: xxxxxx@xxxxxxxx.xxx [mailto:xxxxxx@xxxxxxxx.xxx]
Sent: Tuesday, June 18, 2019 5:02 PM
To: Lori Buckelew
Subject: Senate: Board List For 06-20-19 (Revised)

You are a subscriber to GovNetNJ.com Email Alerts. A document was recently posted on GovNetNJ.com that references one or more bills in your tracking lists:

Date/Time: 06/18/2019 04:53p
Description: Senate: Board List For 06-20-19 (Revised)
Tracked Bills: S106 S107 S1318 S1611 S3502 S3739 S3818 S3883 S3901 A2004 S2673

S106 - Makes various changes to law addressing meetings of public bodies to provide public with greater access to meetings and information about meetings.

S107 - Makes certain access changes to open public records act; establishes State public finance website and creates program for development of local websites; makes appropriation.

S1318 - Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain crimes and offenses, including domestic violence

S1611 - Authorizes municipalities to establish program for public or private financing of certain energy, water, and storm resiliency projects under PACE program through use of voluntary special assessments for certain property owners.

S3502 - Allows alcoholic beverages to be consumed outdoors in Atlantic City Tourism District.

S3739 - Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

S3818 - Modifies powers and duties of New Jersey Infrastructure Bank.

S3883 - Modifies procedure for change to manner of holding certain municipal elections.

S3901 - Extends the application deadlines for the Grow NJ Assistance Program and the State and local Economic Redevelopment and Growth Grant Programs.

A2004 - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

S2673 - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

For complete details, log on to www.GovNetNJ.com.
If you have any questions or need assistance, please call 1-800-GOVNET-9.

From: [redacted]
To: [redacted]; [redacted]; [redacted]; [redacted]; [redacted]
Subject: RE: OPRA/OPMA Bills Up Thursday
Date: Tuesday, June 18, 2019 5:10:30 PM

[redacted]

[redacted]-----
From: John Donnadio [mailto:xxxxxxxxx@xxxx.xxx
Sent: Tuesday, June 18, 2019 5:10 PM
To: Lori Buckelew <xxxxxxxxx@xxxx.xxx>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <xxxxxxxx@xxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: RE: OPRA/OPMA Bills Up Thursday

[redacted]

John G. Donnadio, Esq.
Executive Director
New Jersey Association of Counties
Government Finance Officers Association of New Jersey
150 West State Street
Trenton, New Jersey 08608
Telephone (609) 394-3467
www.njac.org

-----Original Message-----
From: Lori Buckelew <xxxxxxxxx@xxxx.xxx>
Sent: Tuesday, June 18, 2019 5:06 PM
To: John Donnadio <xxxxxxxxx@xxxx.xxx>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <xxxxxxxx@xxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: OPRA/OPMA Bills Up Thursday

See below....bills are up!

-----Original Message-----
From: xxxxxx@xxxxxxxx.xxx [mailto:xxxxxx@xxxxxxxx.xxx]
Sent: Tuesday, June 18, 2019 5:02 PM
To: Lori Buckelew
Subject: Senate: Board List For 06-20-19 (Revised)

You are a subscriber to GovNetNJ.com Email Alerts. A document was recently posted on GovNetNJ.com that references one or more bills in your tracking lists:

Date/Time: 06/18/2019 04:53p
Description: Senate: Board List For 06-20-19 (Revised)
Tracked Bills: S106 S107 S1318 S1611 S3502 S3739 S3818 S3883 S3901 A2004 S2673

S106 - Makes various changes to law addressing meetings of public bodies to provide public with greater access to meetings and information about meetings.

S107 - Makes certain access changes to open public records act; establishes State public finance website and creates program for development of local websites; makes appropriation.

S1318 - Permits counties and non-governmental, community-based agencies to establish family justice centers which provide coordinated, multi-agency governmental and non-governmental assistance to victims of certain

crimes and offenses, including domestic violence

S1611 - Authorizes municipalities to establish program for public or private financing of certain energy, water, and storm resiliency projects under PACE program through use of voluntary special assessments for certain property owners.

S3502 - Allows alcoholic beverages to be consumed outdoors in Atlantic City Tourism District.

S3739 - Establishes new liability standards in sexual abuse lawsuits filed against public entities and public employees.

S3818 - Modifies powers and duties of New Jersey Infrastructure Bank.

S3883 - Modifies procedure for change to manner of holding certain municipal elections.

S3901 - Extends the application deadlines for the Grow NJ Assistance Program and the State and local Economic Redevelopment and Growth Grant Programs.

A2004 - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

S2673 - Requires municipality to pay certain nonresidential property tax appeal refunds in equal installments over period of three years.

For complete details, log on to www.GovNetNJ.com.
If you have any questions or need assistance, please call 1-800-GOVNET-9.

From: John Donnadio
To: Lori Buckelew; Allen Weston; JohnBurns; Michael Vrancik; Michael F.Cerra
Subject: RE: OPRA/OPMA Bills Up Thursday
Date: Tuesday, June 18, 2019 5:09:51 PM

[redacted]

John G. Donnadio, Esq.
Executive Director
New Jersey Association of Counties
Government Finance Officers Association of New Jersey
150 West State Street
Trenton, New Jersey 08608
Telephone (609) 394-3467
www.njac.org

-----Original Message-----
From: Lori Buckelew <xxxxxxxxx@xxxx.xxx>
Sent: Tuesday, June 18, 2019 5:06 PM
To: John Donnadio <xxxxxxxxx@xxxx.xxx>; Allen Weston <xxxxx@xxxx.xxx>; John Burns <xxxxxx@xxxxx.xxx>; Michael Vrancik <xxxxxxxx@xxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
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If you have any questions or need assistance, please call 1-800-GOVNET-9.

From: [redacted]
To: [redacted]; [redacted]; [redacted]; [redacted]; [redacted]
Subject: OPRA/OPMA Bills Up Thursday
Date: Tuesday, June 18, 2019 5:06:11 PM

See below....bills are up!

-----Original Message-----
From: xxxxxx@xxxxxxxx.xxx [mailto:xxxxxx@xxxxxxxx.xxx]
Sent: Tuesday, June 18, 2019 5:02 PM
To: Lori Buckelew
Subject: Senate: Board List For 06-20-19 (Revised)

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For complete details, log on to www.GovNetNJ.com.
If you have any questions or need assistance, please call 1-800-GOVNET-9.

From: [redacted]
To: [redacted]; [redacted]; [redacted]
Subject: Item C - OPRA/OPMA
Date: Tuesday, June 18, 2019 2:40:04 PM

FYI, below (item c) is the alert we sent out to our membership regarding the OPRA/OPMA bills.

From: NJLM Daily Update [mailto:[redacted]]
Sent: Tuesday, June 18, 2019 2:18 PM
To: Lori Buckelew
Subject: Daily Update - Legislative Alert

newsletter header

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June 18, 2019

Legislative Alert

a. Legislature Introduces FY 2020 Budget Bills

Yesterday in Trenton, the State Senate and the General Assembly introduced and advanced identical bills that would authorize State appropriations for the 2020 Fiscal Year that begins on July 1. S-2020/A-5600 would appropriate $38.7 billion. The bill assumes strong corporate and sales tax receipts. It also assumes that many of the Governor's proposed revenue enhancements will not be implemented.

The bills would add important funding for a number of programs in individual municipalities. They also include increased Transitional Aid monies (A total of $114.5 million would be available.) and $48 million for a new 'Shared Services and School District Consolidation Study and Implementation Grant' program. The bill would increase funding for the State's 'Complete Count Commission' to strengthen support for the 2020 Census.

The budget bills accept the Administration's proposed diversion of Energy Tax Receipts (ETR) 'lockbox' revenues. Until last year, the ETR had always been funded through taxes (Sales and Corporate) levied on energy supplying utilities. Instead, the upcoming budget would again deliver level ETR, as well as CMPTRA funding, with Income Tax dollars.

We expect both Houses to pass an FY 2020 Appropriations bill on Thursday. We will continue our analysis and keep you advised on the bill and the Governor's response.

Contact: Jon Moran, Senior Legislative Analyst, xxxxxx@xxxx.xxx, 609-695-3481 x121.

b. League Supports Taxpayer Equity Liability Standards Bill

On Monday, the Senate Judiciary Committee and the Assembly Budget Committee approved S-3739 and A-5392 respectively. This legislation will establish liability standards in sexual abuse lawsuits filed against public entities and public employees. As amended, this bill will apply the same standards to public employees and entities as will be applied to private, non-profit organizations, per the recent revisions in P.L. 2019, c.120. The League **supports** this important correction to the current statute.

Both committees accepted amendments suggested by a coalition that includes the League, the Association of Counties, the School Boards Association and the MEL-JIF to assure that public and private entities are treated alike. S-3739/A-5392 address a shortcoming in the recent amendments made by PL 2019, c.120. Both bills now stand at 2nd reading and could be voted on as soon as Thursday.

We commend the efforts of the respective sponsors, Senators Vitale and Scutari and Assemblywomen Quijano and Murphy to assure justice for the victims of these heinous acts. Aware of the problem, local governments are today, more vigilant and fully committed to doing all that can be done to prevent abuse and to expose offenders. These efforts include background checks on employees and volunteers; immediate investigation when abuse is suspected; and, immediate action when abuse is reported.

This legislation is critical for local governments and we urge you to contact your legislators and ask for their support of S-3739 and A-5392.

Contact: Michael F. Cerra, Assistant Executive Director, xxxxxx@xxxx.xxx, 609-695-3481 x120.

c. OPMA and OPRA Bills Advance

Yesterday, by a vote of 6 yes and 5 abstentions, the Senate Budget and Appropriations Committee amended and released S-106, which amends the Open Public Meetings Act (OPMA), and S-107, which amends the Open Public Records Act (OPRA). We are currently reviewing the amendments and will provide an update shortly. While we thank Senator Weinberg for the strides she has taken to address our concerns with the bills and appreciate the amendments made to address privacy issues, commercial requests, and relief for some of the abuse towns have seen firsthand under OPRA, the League must continue to oppose the bills.

We continue to have concerns with both bills, in particular, subjecting subcommittees to certain provisions under OPMA, expanding the definition of government record, continuing mandatory prevailing attorney fees under OPRA, and expanding OPMA to include prevailing attorney fees.

Both bills could be before the full Senate as early as Thursday. We urge you to contact and ask your State Senator to oppose S-106 and S-107.

Contact: Lori Buckelew, Senior Legislative Analyst, xxxxxxxxx@xxxxxx.xxx, 609-695-3481 x112.

d. Assembly Committee Releases Bill That Would Negatively Impact Local Affordable Housing Efforts

Yesterday, A-4414, a bill which the League opposes, was reported out of the Assembly Housing and Community Development Committee with a committee substitute. The League understands the need for affordable housing, and appreciates legislative efforts to come up with a solution for this important issue. However, the one-size-fits-all approach contemplated by A-4414 fails to effectively address the issue and will instead lead to unintended consequences.

The Committee Substitute of A-4414 would require developers of residential housing with 30 or more newly-constructed residential units to provide a specific set aside for low, moderate, and middle income housing or pay a fee. This required set-aside limits a municipality's ability to negotiate with a developer and may limit the financial viability of a project, thus reducing the number of available housing units.

S-3056, the Senate companion for A-4414 has been referred to the Senate Community and Urban Affairs Committee but has not been scheduled for a hearing. We urge our members to reach out to your legislators and ask them to oppose A-4414/S-3056.

Contact: Frank Marshall, Esq., League Staff Attorney, xxxxxxxxx@xxxx.xxx, 609-695-3481 x137.

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Email not displaying correctly? View it in your browser.

From: [redacted]
To: [redacted]
Subject: OPRA Proposed Amendments
Date: Tuesday, June 11, 2019 3:27:27 PM
Attachments: image001.png
image003.png
N209_0001.pdf

Stephan,

As we discussed.

Lori

NJLM has recently changed its web and email addresses to njlm.org (previously njslom.org). Please update your email safe lists and saved web bookmarks.

Lori Buckelew | Senior Legislative Analyst
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Galland, Kevin
To: Diane Pflugfelder (xxxxxxxxxxxxxxxxxx@xxxxx.xxx); Gore, Eileen (xxxxx@xxxxxxxxxx.xxx); xxxxxxxxxx@xxxxx.xxx ; xxxxxxxxxxx@xxxxx.xxx ; xxxxx@xxxxxxxxxxx.xx; xxxxxxxxxx@xxxxxxxxx.xx; xxxxx@xxxxxx.xx; xxxxxxxx@xxxx.xxx
Subject: FW: Updated OPRA Amendments
Date: Tuesday, June 4, 2019 7:09:05 PM
Attachments: N209_0001.pdf

Please see page 24 of the attachment.

From: Galland, Kevin
Sent: Tuesday, June 04, 2019 7:02 PM
To: 'xxxxxxxxx@xxxxx.xxx'
Subject: FW: Updated OPRA Amendments

Thank you Shane and please thank the Senator for me. The revision is certainly a compromise and that's what makes our meetings worthwhile.

As you are aware I believe the proposed Committee should take on this task now, but a 24 month delay needs to be seen as a half-a-loft is better than none.

Best regards and enjoy your summer,

Kevin Galland
Administrator/Municipal Clerk
Borough of Woodland Park
5 Brophy Lane
Woodland Park, NJ 07424
973-345-8100 ext. 201
Fax 973-345-8194

From: Mitchell, Shane [mailto:xxxxxxxxx@xxxxx.xx]
Sent: Tuesday, June 04, 2019 4:18 PM
To: Galland, Kevin
Subject: Updated OPRA Amendments

Hey Kevin,

Hope you're doing well! As mentioned, we're putting in a study commission to review the law and make recommendations. Otherwise, this should be the same as the last document I sent. Senator Weinberg is going to try to move this through Senate Budget Committee this month (perhaps as early as the 13th), but is not going to try to move the bill on the floor until at least the fall.

Happy to discuss any time!

Best,

--

Shane Mitchell
Legislative Director
Senator Loretta Weinberg
Senate Majority Leader
(201) 928-0100

~~~~~~

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~~~~~~

From: Mitchell, Shane
To: [redacted]
Subject: Updated OPRA Amendments
Date: Tuesday, June 4, 2019 4:23:12 PM
Attachments: N209_0001.pdf

Hey Lori,

Hope you're doing well! We've been working with individual members of the budget committee to try to get the votes to move S106 and S107. Here's where we are right now with S107. The Senator is going to try to get these up in SBA in June (perhaps as early as the 13th), though she does not intend to put either bill up for a floor vote before the fall, at the earliest.

Happy to discuss these changes any time! I am available to explain where the changes come from/what we intend by them. The tweaks are relatively minor, I think, except for the new section 16 where we basically swallow Dancer's OPRA study commission bill whole.

Best,
--
Shane Mitchell
Legislative Director
Senator Loretta Weinberg
Senate Majority Leader
(201) 928-0100

From: Trishka Cecil
To: Michael Darcy (x@x.x); William Kearns; Frank Marshall
Cc: Michael F. Cerra (x@x.x)
Subject: CONFIDENTIAL re OPRA
Date: Saturday, March 16, 2019 3:11:31 PM

CONFIDENTIAL DELIBERATIVE DOCUMENT—NOT A PUBLIC RECORD

Hi,

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Regards,

Trishka

[redacted]

From: TOM DUNN
To: "Frank Marshall"
Cc: Trishka Waterbury Cecil Esq .
Subject: RE: Facebook OPRA Case
Date: Friday, February 15, 2019 4:12:19 PM
Attachments: image001.png
image003.png
2018-10 LGLR.pdf

Frank,
I have attached the October Law Review in which we reported on both the Larkin case and the Gelber case that came to different conclusions. I don't know whether either of them have been appealed, but there certainly were no Appellate decisions reported on them in our January edition. The January edition did contain a squib about *Carter v. Franklin Fire Dist. No. 1* (Unpub. App. Div. Oct. 3, 2018) https://scholar.google.com/scholar_case?case=11074235840564658428. That case deals with a little different fact pattern: PAC emails on a Fire District's server which were declared not to be public records. We are currently in the process of preparing for the April edition and, in the 48 cases we have assigned to the editors for summary, there appear to be none that deal with similar issues.
I am forwarding the thread to Trishka in case she knows of any cases or other information on Facebook and OPRA.
Regards,
Tom

From: Frank Marshall <[redacted]
Sent: Friday, February 15, 2019 2:06 PM
To: [redacted]
Subject: Facebook OPRA Case

Tom,

Back in October you asked for a copy of the Larkin v. Glen Rock case (see, below). You were going to publish them in the law review. I have had a few questions about this issue recently and was wondering if you put together any other information on the topic that I could pass along.

Thanks,
Frank

From: TOM DUNN [mailto:[redacted]]
Sent: Wednesday, October 17, 2018 2:12 PM
To: Trishka Waterbury Cecil Esq.; Frank Marshall; 'Carl R. Woodword, III Esq'
Subject: LARKIN V GLEN ROCK

"Would any of you have immediately available the opinion in Larkin v. Glen Rock – a Facebook OPRA case—that we discussed in the amicus committee and at the ILGA Board meeting? If so can you send me a pdf ASAP? Sorry for the procrastination but apparently my copy of the case got swallowed by the internet.
Steve Kleinman has given me an opinion by Judge Mizdol in which – under somewhat similar, but

different, facts—she came to a different conclusion. I want to publish them both in the Law Review and would like to have the Larkin case today or tomorrow if possible."

NJLM has recently changed its web and email addresses to njlm.org (previously njslom.org). Please update your email safe lists and saved web bookmarks.

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

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From:	xxxxxx@xxxxxx.xxx
To:	xxxxxxxxx@xxxxxx.xxx
Cc:	xxxxxx@xxxxxx.xxx
Subject:	FW: OPRA
Date:	Monday, January 7, 2019 1:40:01 PM
Attachments:	image001.png image003.png N06_0063.docx

[redacted]

Michael J. Darcy, CAE | Executive Director
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extn 116
c-609-510-9472

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From: Paul Anzano [mailto:xxxxxxx@xxx.xxx]
Sent: Monday, January 07, 2019 1:18 PM
To: Michael J. Darcy, CAE; Michael F. Cerra; Michele.Hovan
Subject: FW: OPRA

Three M's Please take a look and offer me any comments you may have. This is what Senator Cryan is willing to introduce in response to my discussion with him about that electronic fence company and its' lawyer requesting pet licensing information and then suing if the government entity is a day late with no subsequent attempt to resolve the request. Thank you. Paul

---

From: Cohen, Jessica [mailto:xxxxxx@xxxxx.xxx]
Sent: Monday, January 07, 2019 12:55 PM
To: xxxxxxx@xxx.xxx
Subject: FW: OPRA

Please take a read….

From: xxxxxx@xxxxxx.xxx
To: xxxxxxxxx@xxxxxx.xxx; xxxxxxxxx@xxxxxx.xxx
Cc: xxxxxx@xxxxxx.xxx
Subject: FW: OPRA
Date: Monday, January 7, 2019 1:17:28 PM
Attachments: N06_0063.docx

Lori and Frank, Please review attached. Looks like Cryan will drop this soon.

mike

From: Paul Anzano [mailto:x@x]
Sent: Monday, January 7, 2019 1:18 PM
To: Michael J. Darcy, CAE <x@x>; Michael F. Cerra <mcerra@njslom.org>; Michele.Hovan <x@x>
Subject: FW: OPRA

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From: Cohen, Jessica [mailto:xxxxxx@xxxxx.xxx]
Sent: Monday, January 07, 2019 12:55 PM
To: xxxxxxx@xxx.xxx
Subject: FW: OPRA

Please take a read….

From: Paul Anzano
To: Michael J. Darcy, CAE; Michael F. Cerra; Michele.Hovan
Subject: FW: OPRA
Date: Monday, January 7, 2019 1:15:30 PM
Attachments: N06_0063.docx

Three M's Please take a look and offer me any comments you may have. This is what Senator Cryan is willing to introduce in response to my discussion with him about that electronic fence company and its' lawyer requesting pet licensing information and then suing if the government entity is a day late with no subsequent attempt to resolve the request. Thank you. Paul

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Subject: FW: OPRA

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