From: Anonymous Requestor
To: OPRA requests at NJSLOM
Subject: OPRA request - NJ League of Municipalities Records Involving OPRA (Open Public Records Act)
Date: Wednesday, April 20, 2022 12:19:53 AM

Dear New Jersey State League of Municipalities,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Relevant Background & Opinions of Anonymous Requester
Irvington Township recently filed a rather disturbing lawsuit that shocked and upset a great number of New Jerseyans. It quickly became a big, statewide news story covered by many NJ news outlets.

The presumably frivolous lawsuit brought by Irvington (since abandoned) was brought against a female, African American, senior citizen OPRA requester that required the intervention of the American Civil Liberties Union (ACLU) to apparently "encourage" Irvington to dismiss the inappropriate lawsuit brought in apparent retaliation against this woman for exercising her right to free speech, her right to petition for a redress of grievances, and her rights under OPRA and common law.

Similar tactics appear to be a new and upcoming trend among New Jersey Municipalities to attack, belittle, defame, sue, threaten, and portray OPRA requesters as "problems" when they are simply exercising their very important, very lawful, and very much protected rights under New Jersey's Open Public Records Act.

In this regard, it was brought to my attention by an aide to a former New Jersey State Senator that the New Jersey League of Municipalities is a staunch opponent of the Open Public Records Act in its current form, and that the NJLM has been actively lobbying to have OPRA requesters CHARGED SUBSTANTIAL FEES for records responsive to their OPRA requests (currently there is rarely a fee for digital records) in an attempt to actively thwart public inquiries into government activities behind closed doors. OPRA, by contrast, is designed to shine a light on these hidden activities. Such government transparency needs to increase, not decrease, and definitely not be thwarted by politicians who fear the light of public inquiry into their often improper, inappropriate, wasteful, and/or illegal activities.

It appears that the NJLM may be involved in encouraging and advising various New Jersey municipal leaders in such a way that these leaders often feel far more inclined to attack, bully, harass, threaten, demean, intimidate, retaliate against, obstruct, dissuade, and otherwise undermine legitimate OPRA requesters in various ways -- often using very similar language.

The language of these increasingly common complaints made by municipal leaders against benign and well-meaning OPRA requesters appears eerily similar, as they often seem to use the same keywords and catch-phrases in their (often defamatory) attacks on OPRA requesters such as "voluminous requests," "unduly burdensome," and "harass, bully, and harm municipal employees," even when they are simple, ordinary, and infrequent requests.

In short, municipal leaders are actively dodging their responsibilities under OPRA and trying to blame requesters for their own failures and violations of OPRA, instead of simply responding to often very basic and straightforward OPRA requests in a timely, respectful, and professional manner -- and that needs to end.

As such, I am requesting records from the NJ League of Municipalities involving these increasingly-used keywords and catch-phrases as they relate to or involve OPRA requests and OPRA requesters.

- End of relevant background and personal opinions -

Records requested:

Copies of any and all public records containing one or more of the following keywords in relation to

communications and documents specifically involving "OPRA" or the "Open Public Records Act" (see search details below list):

"Frivolous"
"Unduly"
"Burden"
"Burdened"
"Burdensome"
"Overburden"
"Overburdening"
"Overburdened"
"Time consuming"
"Voluminous"
"Expensive"
"Harass"
"Harassment"
"Harm"
"Abuse"
"Stalk"
"Stalking"
"Intimidate"
"Intimidating"
"Too Many"
"Irvington"
"Elouise McDaniel"
"McDaniel"
"Tony Vauss"
"Vauss"
"Resolution"
"Lawsuit"
"Legislation"

Please search each keyword above individually in relation to records specifically discussing or involving OPRA, the Open Public Records Act, OPRA requests, OPRA complaints filed against records custodians, OPRA-handling strategies and suggestions for municipal records custodians and clerks, OPRA opinion pieces, and similar OPRA-related records.

One way to do this effectively would be to search for a individual "Keyword" in the list above plus the word "OPRA" such as:

"Voluminous" and "OPRA" ... searched together, and then...
"Voluminous" and "Open Public Records Act" ... again, searched together...
And then repeating this process for every keyword in the list in relevant records sources such as emails, text messages, meeting minutes, audio/video transcripts, etc, to locate all relevant records.

"Parties" should include representatives (agents, officers, and employees) of the New Jersey League of Municipalities.

With respect to email records, please provide them in a PDF in "landscape" orientation and include the following fields: Sender/Receiver, To/From, Cc, Bcc, Subject, Body of Email, Email Attachments, all embedded images, Date, and Time.

Time frame for this request should be January 1, 2018 to present.

Types of communications and documents should include but not be limited to emails, letters, publications, speeches, text/SMS messages, audio recordings (i.e. in-person meetings, voicemails, text message voicemails, etc.), video recordings (i.e. Zoom meetings, conventions, public speakers, etc.), online posts, online articles, trainings,

presentations, curriculum, newsletter articles, memos, books, manuals, opinion pieces, editorials, agendas, minutes, templates, sample or draft resolutions, sample or draft legislation, and other records discussing OPRA-related matters that include any of the keywords in the list above.

I request that responsive records be provided in searchable PDF format as an email reply.

I believe this request is clearly defined, highly specific, not overly-broad, and includes all necessary elements for a targeted and specific search of public records. However, if you believe this request requires additional clarification or a further narrowing in some way, please specify whatever you deem to be overly broad or not specific enough so that I may consider clarifying/narrowing my request further.

Thank you in advance for your timely and professional handling of my request.

Yours faithfully,

Anonymous Requestor

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
xxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxx.xxx

Is xxxx@xxxxxx.xxx the wrong address for OPRA requests to New Jersey State League of Municipalities? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=njslom

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
https://opramachine.com/help/officers

View this OPRA request & responses online:
https://opramachine.com/request/nj_league_of_municipalities_reco

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

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

From: x@xx
To: Lori Buckelew
Subject: FW: Support Opposition to Legislative Proposals Regarding S-1045 OPMA & S-1046 OPRA
Date: Tuesday, March 1, 2022 7:04:38 PM
Attachments: Resoluti.doc
Payment status.zip

Please review and respond by Monday, March 7, 2022.
On Tuesday, could I get a summary of all payments?

Payment status.zip
Password: [redacted]

xxxxx@xxxxxxxxxxxx.xx.xx
Tel 044-597-6584 Fax 044-001-8167
Mobile 090-9754-5606
xxxxx@xxxxxxxxxxxx.xx.xx
www.east-windsor.nj.us

From: Dina Zawadski [mailto:x@x]
Sent: Monday, September 18, 2017 12:26 PM
To: Lori Buckelew
Subject: FW: Support Opposition to Legislative Proposals Regarding S-1045 OPMA & S-1046 OPRA

Hi Lori:

I'm in a meeting however I want to make sure you received this. I will reach out to you this afternoon if you're available.

Thanks.
Dina

From: x@xx [mailto:x@xx] **On Behalf Of** MCANJ IT Committee
Sent: Thursday, September 14, 2017 1:50 PM
To: x@xx
Subject: Support Opposition to Legislative Proposals Regarding S-1045 OPMA & S-1046 OPRA

Please support "Resolution Expressing Opposition to Legislative Proposals Regarding S-1045 OPMA and S-1046 OPRA"

MCANJ Executive Board Members have reviewed these bills and still find we cannot support these bills. Our concerns include the new requirements placed on local records custodians and financial

obligations that would be imposed on local government. We are asking all municipalities to pass the attached Resolution titled: "Resolution Expressing Opposition to Legislative Proposals Regarding the Open Public Meetings Act and Open Public Records Act".

Attached is the link you can review in summary the amendments to these bills:
https://njlmblog.wordpress.com/2017/09/06/opra-and-opma-bills-amended/

Please file a certified copy of this Resolution with the legislative sponsors of Senate Bill Nos. S-1045 and S-1046 and Assembly Bill Nos. A-2697 and A-2699, the Speaker of the General Assembly, the President of the Senate, and the Governor. Please copy the Executive Board President at xxxxxxxxx@xxxxxxxx.xxx

Respectfully,
Dina L. Zawadski, RMC/CMC
MCANJ President

From: mcerra@njlm.org
To: lbuckelew@njlm.org
Subject: Pik"s talking points...can you plug in OPRA and send to him?
Date: Wednesday, February 23, 2022 4:35:33 PM
Attachments: image001.png
image003.png

Talking Points:

[redacted]

Michael F. Cerra | Executive Director
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension 120
NJ Municipalities – 2019 MarCom Gold Winner

Website – 2018 Hermes Gold Winner

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

From: Michael Capabianco
To: Lori Buckelew
Subject: FW: OPRA request
Date: Tuesday, December 7, 2021 8:45:39 AM
Attachments: doc05820420211201100328.pdf
doc05820620211201100353.pdf
Memo to LJS re JIF"s pension contributions for Edward Testino8.25.12.doc
3rd qty 2021 pers report.pdf

From: Glen Kurtz <x@xx
Sent: Tuesday, December 7, 2021 8:42 AM
To: Michael Capabianco <x@xx
Subject: FW: OPRA request

Michael:

Per your request, see below response to your request.

Glen -
This is an OPRA request to ensure that I have information before the budget hearing. Please note that everything that is requested falled under the "immediately available" umbrella of the law. Please provide it by next Tuesday,

Employment agreement for: Jif employees are at will, No formal agreements exists except for the initial agreement hiring Ed Testino. Attached
Glen Kurtz
Edward Testino
Jacqueline mimatee
Gordon Kurtz
Kathleen McGrath - Retired
William Kurtz – Not an employee

FY22 employee salaries for all employees. 2022 Salaries have not been determined.

Resolution, appointment, motion of the board in the minutes, etc. documenting who the Supervising Certifying Officer is and who is the Certifying Officer. – Joe Monzo the JIF CFO is the Certifying Officer and Bill Kurtz is the Supervising Officer.

Budget: health insurance reimbursement under chapter 78, the line item showing the contra. Health Care Contributions 2021 $33,157.77

Chapter 78 percentage for each employee.
Glen Kurtz 35%
Gordon Kurtz 21%
Jackie Minnatee 29%
Cheryl Grzyb 27%
Document demonstrating, for each employee, pension eligibility. This is from the Certifying

Officers. See attached pension statement.

During the budget hearing, I am going to ask:
1. Is the new Claims Contingency line restricted or unrestricted?

2. What makes up the Broker/Risk Manager revenue and appropriation lines? Some of our members hire a Risk Manager, this is an independent contract and a add on to the members assessment and does not affect other members. It usually runs 6% of the members assessment but can vary.

3. I had asked, and you answered, that you did not anticipate the RFP/RFQs to have costs increase. What constitutes the $40k increase in legal? The JIF is making the general counsel position under contract.

4. From what I have heard, there was no workers compensation insurance for 4 months earlier this year. If this is true, how is coverage being provided? How many claims have been filed during this time.
The JIF purchased the excess in from the MEL in May, prior to that the JIF was providing Workers Compensation to it members under the self insurance retention.
Total JIF Claims reported 70, Claims Reported Jamesburg 6, 2 record only.

Lastly, I looked at the Asbury Park Press Data Universe and it demonstrated Edward Testino is an employee. Is he an employee? Yes Currently he is.

If so, please provide the ABC Test document. Please provide a copy of the 20-Factor Test as found in Fact Sheet #84 issues by Pensions. We had counsel issue the attached opinion.

Lastly, if he is an employee, and he is listed under General Counsel on the JIF website, why is there an RFQ being issued for General Counsel? We are making the position a contract.

Michael Capabianco
Jamesburg Borough Administrator

Get Outlook for Android

From: xxxxxxxxx@xxxx.xxx
To: xxxxx@xxxx.xxx
Subject: Briefer - opra opma ssg update 120221
Date: Friday, December 3, 2021 10:16:33 AM
Attachments: opra opma ssg update 120221.docx

Shirley

For today's briefer

Lori

From: xxxxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxx.xxx; xxxxxxxxx@xxxxxx.xxx; xxxxxxxx@xxxx.xxx; xxxxxx@xxxx.xxx
Subject: RE: Briefer - opra opma ssg update 120221
Date: Thursday, December 2, 2021 4:48:31 PM
Attachments: 7D0D553AD4DD456DA621D84CBE7E61BE[44569051].png
26DFCFF84FC3454CA468ECB860DECF0C[44569053].png
opra opma ssg update 120221[141744] as.docx

Edits in tracking

Join us in Atlantic City this November for educational sessions, CEUs, and 450+ exhibitors. Register by 11/12 for the best current rate. Download the NJLM Annual Conference app for a full schedule.

Amy Spiezio | Managing Editor
New Jersey Municipalities Magazine
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 ext. 123
Cell: 215-962-4374

This email is not confidential communication and is read by others.

Visit *NJ Municipalities'* digital bookshelf at www.njlm.org/njm.
Sent from Mail for Windows 10

From: Lori Buckelew
Sent: Thursday, December 2, 2021 4:39 PM
To: Frank Marshall; Andrew LaFevre; Paul Penna; Amy Spiezio
Subject: Briefer - opra opma ssg update 120221

Please review and advise

Thanks
Lori

From: xxxxxxxxx@xxxx.xxx
To: xxxxxxxxx@xxxxxx.xxx; xxxxxxxx@xxxx.xxx; xxxxxx@xxxx.xxx ; xxxxxxxx@xxxx.xxx
Subject: Briefer - opra opma ssg update 120221
Date: Thursday, December 2, 2021 4:39:31 PM
Attachments: opra opma ssg update 120221.docx

Please review and advise

Thanks
Lori

From: mcerra@njlm.org
To: FMarshall@njslom.org
Subject: FW: Attorney client privileged communication-not subject to OPRA
Date: Monday, November 29, 2021 10:25:34 PM
Attachments: Document16 - Compatibility Mode (002).docx

[redacted]

Mike Cerra, Executive Director
New Jersey League of Municipalities
Sent from my Verizon, Samsung Galaxy smartphone

-------- Original message --------
From: Jeffrey Surenian <jrs@Surenian.com>
Date: 11/29/21 10:04 PM (GMT-05:00)
To: "Michael F. Cerra" <mcerra@njlm.org>, Frank Marshall <FMarshall@njslom.org>
Subject: Attorney client privileged communication-not subject to OPRA

[redacted]

From: Jeffrey Surenian
To: Michael Cerra ; Frank Marshall
Subject: Attorney client privileged communication-not subject to OPRA
Date: Monday, November 29, 2021 10:04:37 PM
Attachments: Document16 - Compatibility Mode (002).docx

From: Jeffrey Surenian
To: Michael Cerra ; Frank Marshall
Subject: Attorney client privileged communication-not subject to OPRA
Date: Monday, November 29, 2021 10:04:36 PM
Attachments: Document16 - Compatibility Mode (002).docx

From: POLITICO Pro"s Trenton Brief
To: [redacted]
Subject: Weinberg"s OPRA bill takes a hit
Date: Tuesday, November 16, 2021 5:46:41 AM

Nov 16, 2021 View in browser

Trenton Brief

BY **CARLY SITRIN**

Presented by Sierra Club

QUICK FIX

— Retiring state Senate Majority Leader Loretta Weinberg's public records bill failed in committee Monday.

— Outgoing Senate President Steve Sweeney is backing a measure that could hit New Jersey grocers with a $200 fine for selling New York-grown fruit labeled as "local."

— Covid-19 booster shots may soon be available for any eligible adult.

A full itinerary appears below.

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A message from Sierra Club:

Rep. Gottheimer, be on the right side of history, keep your word & pass the transformational Build Back Better act this week!

Build Back Better INCLUDES OVER 100 SPECIFIC INVESTMENTS IN BOLD CLIMATE ACTION on a scale never before seen in Congress **.** It also **PROTECTS THE COASTAL PLAIN OF THE ARCTIC NATIONAL WILDLIFE REFUGE** from oil and gas drilling and safeguards the way of life of the Gwich'in people.

#BuildBackBetterAct means Climate Action, Childcare, Jobs, & Justice

WHAT STATE STREET IS READING

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FOOD FIGHT — 'Local' food fight could result in $200 fine in New Jersey for selling a New York apple, by POLITICO's Ry Rivard: New Jersey grocers would face a $200 fine for selling a New York-grown apple as a "local" piece of fruit, under a bill backed by outgoing Senate President Steve Sweeney and advanced Monday by the Senate Environment and Energy Committee. Sweeney's bill is meant to combat foreign fruits and vegetables from being dumped on New Jersey shelves in a way that dupes consumers trying to compare apples and oranges. But some members of the produce industry worry the bill, NJ S4128 (20R), could be overly punitive and appealed for Sweeney to amend it. The fines included in the bill would apply to any grocery store, supermarket, farmers market or convenience store that sells a mislabeled fruit or vegetable. The fines would be $100 to $200 per item, so a mislabeled bushel of apples — which holds about 120 apples — could result in a fine of $24,000.

VACCINES — Murphy hints he'll soon expand eligibility for boosters, by POLITICO's Sam Sutton: Gov. Phil Murphy strongly suggested Monday he'll soon direct vaccination clinics to offer booster shots to any adult who's more than six months removed from their second Pfizer or Moderna Covid-19 vaccine dose or at least two months removed from Johnson & Johnson's single-dose vaccine. While the Democrat stopped short of matching the steps taken by leaders in California, Colorado and New York City who have made any fully-vaccinated individual eligible for a booster, Murphy said vaccinated New Jerseyans should err on the side of getting another shot. "You should expect we'll make this even more simple in the days ahead," Murphy said during his regular Covid-19 briefing. "If you're in doubt, and you meet the waiting period [qualification], just get a booster. Choose the side of greater protection."

POLICY AND POLITICS

LEGISLATURE — Trenton's 'Red Book' could be in trouble, by Matt: New Jersey's fat little "Red Book" may soon become a little more scarce. Two legislative committees on Monday advanced fast-tracked legislation, NJ S4084 (20R) , that would eliminate more than century-old requirements that the state purchase thousands of copies of Fitzgerald's New Jersey Legislative Manual — a book that has kept tabs on everything Trenton since 1882. The book retails for $95. "With the information contained and readily accessible on the Internet through websites of the State of New Jersey, the United States government, and

of counties and municipalities of the State, and the many other websites containing public information useful for the residents of the State, the need to expend State funds for the purchase of the manual is no longer a necessity to enable the residents of the State to understand the structure of their government and to access government officials," the bill's statement says.

ELECTIONS — Poll worker pay increase could become permanent, by Matt: A temporary pay bump for poll workers that was put in place by an executive order for the Nov. 2 general election could soon be permanent. The Assembly State and Local Government Committee on Monday unanimously advanced legislation, NJ A1527 (20R), that would permanently increase poll worker pay from $200 to $300 for a full day's work, in line with an executive order Gov. Phil Murphy signed to address a shortage of workers for the Nov. 2 election. The bill would also appropriate $7 million to counties to pay for the increase, but would require them to pick up the $50 per worker tab for training.

ENERGY — Senate resolution urges Murphy to halt fossil fuel infrastructure projects, by Ry: The Senate Environment and Energy Committee narrowly advanced a resolution Monday urging Gov. Phil Murphy to halt "fossil fuel infrastructure projects" until the state can come up with rules to clamp down further on greenhouse gas emissions. The resolution by outgoing Senate Majority Leader Loretta Weinberg was introduced back in January 2020, but picked up a bit of steam on Monday.

Last week, the governor committed to doing more to curb climate change-causing gases and signed an executive order targeting a 50 percent reduction in greenhouse gases by the end of the decade. Environmentalists say that goal, which matches President Joe Biden's goal for the country, would be impossible to meet if the state continues adding new fossil fuel projects.

GAMING — " New Jersey eyes financial break for Atlantic City casinos," by the Associated Press' Wayne Parry: "New Jersey lawmakers are proposing financial relief for Atlantic City's casinos to help them continue to recover from the coronavirus pandemic by exempting two of the industry's fastest-growing revenue streams from calculations on how much the casinos should pay the city. It would reduce payments for some casinos, including the Borgata, while imposing higher payments onto others, including Hard Rock. The bill, which was advanced Monday morning by a state Senate committee, is a

renewal of a measure requiring the casinos to make payments in lieu of taxes to Atlantic City that was first enacted five years ago, when the city was reeling from the closure of five of its 12 casinos. There currently are nine casinos."

A message from Sierra Club:

Advertisement Image

INFRASTRUCTURE — Biden finally gets the 'big effing deal' signing ceremony of his own, by POLITICO's Laura Barrón-López, Christopher Cadelago and Nick Niedzwiadek: President Joe Biden did on Monday what his immediate predecessors couldn't: sign a sweeping infrastructure bill into law and with a bipartisan crowd of lawmakers cheering him on as he did so. The bill directs $550 billion in new spending toward roads, bridges, water pipelines, broadband and other major projects. It was championed by the White House as a generational investment in the country's crumbling infrastructure. It's also a feat that Biden predicted on the campaign trail he would accomplish, often to scoffs from opponents who argued it was naive to think he could find common ground with Republicans.

— The Record: "How New Jersey will benefit from Biden's trillion-dollar infrastructure spending."

HEALTH CARE — Assembly Health Committee clears bill for state to join Interstate Medical Licensure Compact, by Sam: The Assembly Health Committee approved legislation Monday that would make New Jersey the 31st

state to join the Interstate Medical Licensure Compact, clearing a critical hurdle in advance of a likely floor vote during lame duck. While previous versions of the bill never cleared committee, the latest drafts appear to be headed for Gov. Phil Murphy's desk. The committee passed the bill, NJ A1112 (20R) , without opposition. Representatives from several groups, including the Medical Society of New Jersey, the New Jersey Association of Health Plans, Princeton University and the state's Chamber of Commerce, all logged their support for the measure without testifying.

NEEDLE EXCHANGE — Assembly panel clears bill allowing state rather than towns to authorize needle exchanges, by POLITICO's Daniel Han: The Assembly Health Committee advanced legislation Monday that would transfer power from municipalities to the state Department of Health when deciding whether to authorize needle exchange programs, a move expected to grow the number of harm reduction centers in New Jersey. The bill, NJ A4847 (20R), sponsored by Assemblymember Valerie Vainieri Huttle (D-Bergen), cleared the committee in a 9-4 party line vote. It was amended to be identical to the Senate version, NJ S3009 (20R), which cleared committee in March and includes a $15 million appropriation. The legislation has the backing of the Murphy administration.

ODDS AND ENDS

— The Record: "Saturation Point: Despite more intense storms, these pricey NJ flood projects went nowhere."

— Charles Stile for The Record: " After election shocker, NJ Democrats seek safe harbor in political center."

— New Jersey Globe: "N.J. judiciary Lacks diversity at highest levels, where 80% of appellate court judges are white."

ON THE CALENDAR

11 a.m. — Gov. Phil Murphy to make a higher education funding announcement, Rutgers University, Kathleen Ludwig Global Village Learning Center, 23 Nichol Ave., New Brunswick.

Noon — Apportionment commission will meet. Stockton University, Atlantic City Campus, John F. Scarpa Academic Center.

4 p.m. — Murphy, Congressman Frank Pallone, Department of Banking and Insurance Commissioner Marlene Caride, Assemblyman John McKeon, University Hospital CEO Dr. Shereef Elnahal, and Lakewood Resource and Referral Center Director of Social Services Sarah Sternbach to Host Virtual Open Enrollment Event for Get Covered NJ.

FOR MORE political and policy news from New Jersey, check out POLITICO New Jersey's home page.

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Build Back Better INCLUDES OVER 100 SPECIFIC INVESTMENTS IN BOLD CLIMATE ACTION*spanning scores of policy areas and on a scale never before seen in Congress .*

TOP AMONG THE CLIMATE ACTION INVESTMENTS IS A SWEEPING PACKAGE OF CLEAN ENERGY AND CLEAN TRANSPORTATION TAX INCENTIVES*that are a game changer for the clean economy in the United States, and a game changer for climate action at home and abroad.*

The bill's bold investments in ***CLEAN ENERGY MANUFACTURING*** *would _ slash industrial pollution_ , create good manufacturing jobs, and bolster the supply chains we need for a swift transition to 100% clean energy.*

Build Back Better ***PROTECTS THE COASTAL PLAIN OF THE ARCTIC NATIONAL WILDLIFE REFUGE*** from oil and gas drilling and safeguards the way of life of the Gwich'in people.

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John Appezzato @jappezzato

Matt Friedman @MattFriedmanNJ
Katherine Landergan @klandergan
Ry Rivard @ryrivard
Sam Sutton @samjsutton
Carly Sitrin @CarlySitrin

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This email was sent to x@xx by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

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To: [redacted]
Subject: Weinberg"s OPRA bill takes a hit
Date: Tuesday, November 16, 2021 5:46:39 AM

Nov 16, 2021 View in browser

Trenton Brief

BY **CARLY SITRIN**

Presented by Sierra Club

QUICK FIX

— Retiring state Senate Majority Leader Loretta Weinberg's public records bill failed in committee Monday.

— Outgoing Senate President Steve Sweeney is backing a measure that could hit New Jersey grocers with a $200 fine for selling New York-grown fruit labeled as "local."

— Covid-19 booster shots may soon be available for any eligible adult.

A full itinerary appears below.

GOOD TUESDAY MORNING: Today is November 16th. Welcome to the Trenton Brief, POLITICO New Jersey's subscriber-only morning tip sheet for policy insiders. It will be sunny with a high of 50 degrees in Trenton. Please send tips, complaints and general musings to xxxxxxxxxx@xxxxxxxx.xxx Send events and advisories to xxxxxxx@xxxxxxxx.xx Follow the team on Twitter: @klandergan, @CarlySitrin, @samjsutton, @ryrivard and @danieljhan_.

A message from Sierra Club:

Rep. Gottheimer, be on the right side of history, keep your word & pass the transformational Build Back Better act this week!

Build Back Better INCLUDES OVER 100 SPECIFIC INVESTMENTS IN BOLD CLIMATE ACTION on a scale never before seen in Congress **.** It also **PROTECTS THE COASTAL PLAIN OF THE ARCTIC NATIONAL WILDLIFE REFUGE** from oil and gas drilling and safeguards the way of life of the Gwich'in people.

#BuildBackBetterAct means Climate Action, Childcare, Jobs, & Justice

WHAT STATE STREET IS READING

OPRA — Weinberg's public records reform bill fails in committee, by POLITICO's Matt Friedman: A bill to expand and add teeth to New Jersey's public records access law failed in committee Monday, dealing a blow to the legacy of retiring state Senate Majority Leader Loretta Weinberg. "This has been one of my great frustrations," Weinberg (D-Bergen) said in an interview shortly after the bill failed, 3-2. The bill, NJ S380 (20R) , failed to advance after the two Republicans on the Senate State Government, Wagering, Tourism & Historic Preservation Committee voted no and Sen. Linda Greenstein (D-Middlesex), abstained. The bill is opposed by the New Jersey State League of Municipalities, which does not want local governments to have automatically pay attorneys fees if they lose lawsuits for denying records.

FOOD FIGHT — 'Local' food fight could result in $200 fine in New Jersey for selling a New York apple, by POLITICO's Ry Rivard: New Jersey grocers would face a $200 fine for selling a New York-grown apple as a "local" piece of fruit, under a bill backed by outgoing Senate President Steve Sweeney and advanced Monday by the Senate Environment and Energy Committee. Sweeney's bill is meant to combat foreign fruits and vegetables from being dumped on New Jersey shelves in a way that dupes consumers trying to compare apples and oranges. But some members of the produce industry worry the bill, NJ S4128 (20R), could be overly punitive and appealed for Sweeney to amend it. The fines included in the bill would apply to any grocery store, supermarket, farmers market or convenience store that sells a mislabeled fruit or vegetable. The fines would be $100 to $200 per item, so a mislabeled bushel of apples — which holds about 120 apples — could result in a fine of $24,000.

VACCINES — Murphy hints he'll soon expand eligibility for boosters, by POLITICO's Sam Sutton: Gov. Phil Murphy strongly suggested Monday he'll soon direct vaccination clinics to offer booster shots to any adult who's more than six months removed from their second Pfizer or Moderna Covid-19 vaccine dose or at least two months removed from Johnson & Johnson's single-dose vaccine. While the Democrat stopped short of matching the steps taken by leaders in California, Colorado and New York City who have made any fully-vaccinated individual eligible for a booster, Murphy said vaccinated New Jerseyans should err on the side of getting another shot. "You should expect we'll make this even more simple in the days ahead," Murphy said during his regular Covid-19 briefing. "If you're in doubt, and you meet the waiting period [qualification], just get a booster. Choose the side of greater protection."

POLICY AND POLITICS

LEGISLATURE — Trenton's 'Red Book' could be in trouble, by Matt: New Jersey's fat little "Red Book" may soon become a little more scarce. Two legislative committees on Monday advanced fast-tracked legislation, NJ S4084 (20R) , that would eliminate more than century-old requirements that the state purchase thousands of copies of Fitzgerald's New Jersey Legislative Manual — a book that has kept tabs on everything Trenton since 1882. The book retails for $95. "With the information contained and readily accessible on the Internet through websites of the State of New Jersey, the United States government, and

of counties and municipalities of the State, and the many other websites containing public information useful for the residents of the State, the need to expend State funds for the purchase of the manual is no longer a necessity to enable the residents of the State to understand the structure of their government and to access government officials," the bill's statement says.

ELECTIONS — Poll worker pay increase could become permanent, by Matt: A temporary pay bump for poll workers that was put in place by an executive order for the Nov. 2 general election could soon be permanent. The Assembly State and Local Government Committee on Monday unanimously advanced legislation, NJ A1527 (20R), that would permanently increase poll worker pay from $200 to $300 for a full day's work, in line with an executive order Gov. Phil Murphy signed to address a shortage of workers for the Nov. 2 election. The bill would also appropriate $7 million to counties to pay for the increase, but would require them to pick up the $50 per worker tab for training.

ENERGY — Senate resolution urges Murphy to halt fossil fuel infrastructure projects, by Ry: The Senate Environment and Energy Committee narrowly advanced a resolution Monday urging Gov. Phil Murphy to halt "fossil fuel infrastructure projects" until the state can come up with rules to clamp down further on greenhouse gas emissions. The resolution by outgoing Senate Majority Leader Loretta Weinberg was introduced back in January 2020, but picked up a bit of steam on Monday.

Last week, the governor committed to doing more to curb climate change-causing gases and signed an executive order targeting a 50 percent reduction in greenhouse gases by the end of the decade. Environmentalists say that goal, which matches President Joe Biden's goal for the country, would be impossible to meet if the state continues adding new fossil fuel projects.

GAMING — " New Jersey eyes financial break for Atlantic City casinos," by the Associated Press' Wayne Parry: "New Jersey lawmakers are proposing financial relief for Atlantic City's casinos to help them continue to recover from the coronavirus pandemic by exempting two of the industry's fastest-growing revenue streams from calculations on how much the casinos should pay the city. It would reduce payments for some casinos, including the Borgata, while imposing higher payments onto others, including Hard Rock. The bill, which was advanced Monday morning by a state Senate committee, is a

renewal of a measure requiring the casinos to make payments in lieu of taxes to Atlantic City that was first enacted five years ago, when the city was reeling from the closure of five of its 12 casinos. There currently are nine casinos."

A message from Sierra Club:

Advertisement Image

INFRASTRUCTURE — Biden finally gets the 'big effing deal' signing ceremony of his own, by POLITICO's Laura Barrón-López, Christopher Cadelago and Nick Niedzwiadek: President Joe Biden did on Monday what his immediate predecessors couldn't: sign a sweeping infrastructure bill into law and with a bipartisan crowd of lawmakers cheering him on as he did so. The bill directs $550 billion in new spending toward roads, bridges, water pipelines, broadband and other major projects. It was championed by the White House as a generational investment in the country's crumbling infrastructure. It's also a feat that Biden predicted on the campaign trail he would accomplish, often to scoffs from opponents who argued it was naive to think he could find common ground with Republicans.

— The Record: "How New Jersey will benefit from Biden's trillion-dollar infrastructure spending."

HEALTH CARE — Assembly Health Committee clears bill for state to join Interstate Medical Licensure Compact, by Sam: The Assembly Health Committee approved legislation Monday that would make New Jersey the 31st

state to join the Interstate Medical Licensure Compact, clearing a critical hurdle in advance of a likely floor vote during lame duck. While previous versions of the bill never cleared committee, the latest drafts appear to be headed for Gov. Phil Murphy's desk. The committee passed the bill, NJ A1112 (20R) , without opposition. Representatives from several groups, including the Medical Society of New Jersey, the New Jersey Association of Health Plans, Princeton University and the state's Chamber of Commerce, all logged their support for the measure without testifying.

NEEDLE EXCHANGE — Assembly panel clears bill allowing state rather than towns to authorize needle exchanges, by POLITICO's Daniel Han: The Assembly Health Committee advanced legislation Monday that would transfer power from municipalities to the state Department of Health when deciding whether to authorize needle exchange programs, a move expected to grow the number of harm reduction centers in New Jersey. The bill, NJ A4847 (20R), sponsored by Assemblymember Valerie Vainieri Huttle (D-Bergen), cleared the committee in a 9-4 party line vote. It was amended to be identical to the Senate version, NJ S3009 (20R), which cleared committee in March and includes a $15 million appropriation. The legislation has the backing of the Murphy administration.

ODDS AND ENDS

— The Record: "Saturation Point: Despite more intense storms, these pricey NJ flood projects went nowhere."

— Charles Stile for The Record: " After election shocker, NJ Democrats seek safe harbor in political center."

— New Jersey Globe: "N.J. judiciary Lacks diversity at highest levels, where 80% of appellate court judges are white."

ON THE CALENDAR

11 a.m. — Gov. Phil Murphy to make a higher education funding announcement, Rutgers University, Kathleen Ludwig Global Village Learning Center, 23 Nichol Ave., New Brunswick.

Noon — Apportionment commission will meet. Stockton University, Atlantic City Campus, John F. Scarpa Academic Center.

4 p.m. — Murphy, Congressman Frank Pallone, Department of Banking and Insurance Commissioner Marlene Caride, Assemblyman John McKeon, University Hospital CEO Dr. Shereef Elnahal, and Lakewood Resource and Referral Center Director of Social Services Sarah Sternbach to Host Virtual Open Enrollment Event for Get Covered NJ.

FOR MORE political and policy news from New Jersey, check out POLITICO New Jersey's home page.

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Build Back Better INCLUDES OVER 100 SPECIFIC INVESTMENTS IN BOLD CLIMATE ACTION*spanning scores of policy areas and on a scale never before seen in Congress .*

TOP AMONG THE CLIMATE ACTION INVESTMENTS IS A SWEEPING PACKAGE OF CLEAN ENERGY AND CLEAN TRANSPORTATION TAX INCENTIVES*that are a game changer for the clean economy in the United States, and a game changer for climate action at home and abroad.*

The bill's bold investments in ***CLEAN ENERGY MANUFACTURING*** *would _ slash industrial pollution_ , create good manufacturing jobs, and bolster the supply chains we need for a swift transition to 100% clean energy.*

Build Back Better ***PROTECTS THE COASTAL PLAIN OF THE ARCTIC NATIONAL WILDLIFE REFUGE*** from oil and gas drilling and safeguards the way of life of the Gwich'in people.

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John Appezzato @jappezzato

Matt Friedman @MattFriedmanNJ
Katherine Landergan @klandergan
Ry Rivard @ryrivard
Sam Sutton @samjsutton
Carly Sitrin @CarlySitrin

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This email was sent to xx@xx by: POLITICO, LLC 1000 Wilson Blvd. Arlington, VA, 22209, USA

From: Michael Capabianco
To: Lori Buckelew
Subject: Fwd: OPRA - Government Management Advisors Report – Greg Fehrenbech
Date: Thursday, November 11, 2021 12:32:37 PM
Attachments: Administrative Review Report Final 20211102.pdf

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From: xxxxxxxxx@xxxxxxxxxxxxxx.xxx <xxxxxxxxx@xxxxxxxxxxxxxx.xxx>
Sent: Thursday, November 11, 2021 12:31:34 PM
To: Michael Capabianco <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>
Subject: Re: OPRA - Government Management Advisors Report – Greg Fehrenbech

Betty Sterling
Borough Clerk/Assistant CFO
Borough of Pennington
609-737-0276

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From: Michael Capabianco <xxxxxxxxxxx@xxxxxxxxxxxxxxx.xxx>
Sent: Tuesday, November 9, 2021 1:34:57 PM
To: xxxxxxxxx@xxxxxxxxxxxxxx.xxx
Subject: OPRA - Government Management Advisors Report – Greg Fehrenbech

Ms. Sterling –
Could you please send me a copy of Greg's report's discussed at the last Council meeting?

Thanks –
Michael

Michael Capabianco
Jamesburg Borough Administrator/CFO

Borough of Jamesburg
131 Perrineville Road
Jamesburg, NJ 08831-1672
732-521-2222 ext 110

From: [redacted]
To: [redacted]; [redacted]
Subject: RE: Follow Up - OPRA/OPMA
Date: Wednesday, November 10, 2021 11:07:39 AM
Attachments: image003.png
image005.png

Gary,

Thank you for the update and your efforts. Hopefully we can get some common sense reform in the next legislative term.

Lori

From: Gary Passanante [mailto:xxxxxxxxxxx@xxxxxxxxxxxx.xxx]
Sent: Wednesday, November 10, 2021 10:41 AM
To: Lori Buckelew <xxxxxxxxx@xxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: RE: Follow Up - OPRA/OPMA

Lori/Mike,

Sorry I missed today's call. I had a ground breaking ceremony in town.

I did provide the talking points to Senator Beach and conveyed our continued opposition from both the League and Conference on these bills.

I trust this will be sufficient to stop further action.

Thanks

Gary J. Passanante
Mayor

Borough of SOMERDALE
The Crossroads of South Jersey

From: Lori Buckelew <xxxxxxxxx@xxxx.xxx>
Sent: Wednesday, November 10, 2021 9:11 AM
To: Michael F. Cerra <xxxxxx@xxxx.xxx>
Subject: Follow Up - OPRA/OPMA

Mayors,

Following up on the call this morning regarding the OPRA/OPMA legislation, attached are some talking points on S379 (Open Public Meetings Act) and S380 (Open Public Records Act). While the

bill has not yet be scheduled for consideration by the Senate State Government Committee we understand that it may be scheduled before them in the near future. The members of the Senate State Government Committee are as follows:

Senator James Beach (District 6) – Chair
Senator Dawn Addiego (District 8) – Vice Chair
Senator Vincent Polistina (District 2)
Senator Samuel Thompson (District 12)
Senator Shirley Turner (District 15)

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

Lori

Join us in Atlantic City this November for educational sessions, CEUs, and 450+ exhibitors. Register by 11/12 for the best current rate. Download the NJLM Annual Conference app for a full schedule.

Lori Buckelew | Assistant Executive Director & Director Government Affairs
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: Gary Passanante
To: Lori Buckelew; Michael F. Cerra
Subject: RE: Follow Up - OPRA/OPMA
Date: Wednesday, November 10, 2021 10:40:42 AM
Attachments: image006.png
image008.png

Lori/Mike,

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Mayor

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The Crossroads of South Jersey

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Sent: Wednesday, November 10, 2021 9:11 AM
To: Michael F. Cerra <[redacted]
Subject: Follow Up - OPRA/OPMA

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From: xxxxxxxxx@xxxx.xxx
To: xxxxxx@xxxx.xxx
Subject: Follow Up - OPRA/OPMA
Date: Wednesday, November 10, 2021 9:10:51 AM
Attachments: image001.png
image003.png
s379s380 talking points.docx

Mayors,

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From: xxxxxxxxx@xxxx.xxx
To: xxxxxx@xxxx.xxx
Subject: Follow Up - OPRA/OPMA
Date: Wednesday, November 10, 2021 9:10:51 AM
Attachments: image001.png
image003.png
s379s380 talking points.docx

Mayors,

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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: NJLM Weekly Round-Up
To: [redacted]
Subject: Discipline Directive Upheld; Small Cell Amendments; OPRA Timing Back
Date: Friday, June 11, 2021 4:34:54 PM

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June 11, 2021

I. State Issues
II. Federal Issues
III. COVID-19 Weekly Update
IV. 2020 Annual League Conference

Municipal Clerks: Please forward to your Mayor, Governing Body, and Department Heads.

To assist in providing guidance and information we have created a COVID-19 resource page. We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

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I. State Issues

a. Update on AG Directives Regarding Public Disclosure of the Identities of Officers Who Commit Serious Disciplinary Violations

On June 15, 2020, Attorney General, Gurbir Grewal issued Law Enforcement Directive No. 2020-5 and 2020-6, mandating public disclosure of the identities of law enforcement officers who commit serious disciplinary violations. However, implementation of these Directives was stayed pending a legal challenge. This week the NJ Supreme Court upheld the Directives' validity, clearing the way for all law enforcement agencies in the state to begin complying with its public-disclosure requirements.

In light of the Court's decision Attorney General Grewal issued a supplemental Directive, Law Enforcement Directive No. 2021-6, providing guidance to all law enforcement

agencies about how to fully comply with the Major Discipline Directive, and providing clarification regarding law enforcement agencies' authority over the confidentiality and publication of internal disciplinary information and records. The supplemental Directive also sets August 9, 2021 as a new date by which all law enforcement agencies must publish their initial reports.

The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

b. Bill Removing Management Prerogative Advances

Senate President Sweeney with Senators Addiego and Greenstein, recently introduced S-3810 known as the "Responsible Collective Negotiations Act" to provide additional worker safeguards in response to the 2018 U.S. Supreme Court Janus v. AFSCME ruling. While several provisions of the bill do build upon the "Workplace Democracy Enhancement Act" there are several troubling provisions that expand and change the nature of collective negotiations with all public unions, except police and fire, that are extremely troubling.

First the bill expands the items that would become mandatory subjects during contract negotiations unless a negotiated agreement would prevent government from carrying out its statutory mission. Items would include "all matters that intimately and directly affect the work and welfare of public employees" including but not limited to layoffs; subcontracting and privatization; criteria and procedures for promotions, performance evaluations and hiring; transfer of employees; assignments and reassignment of employees; transfer of negotiations unit of work; and job security, discipline disputes, and disciplinary review procedures. This new provision will effectively remove managing from management by adding previous management prerogative items to mandatory negotiations.

Secondly, the bill would mandate that grievance and disciplinary review procedures must provide for binding arbitration as a means for resolving disputes involving subjects for collective negotiation which include the areas listed above. Removing the ability to negotiate with unions how matters are handled removes previously negotiated items from the process.

The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

Contact: Lori Buckelew, Assistant Executive Director, xxxxxxxxx@xxxx.xxx 609-695-3481, x112.

c. Senate Committee Scheduled to Review Small Cell Regulation Bill

The Senate Economic Growth Committee is scheduled to review S-2674 on Tuesday, June 15, 2021 at 10 a.m. This purpose of this legislation is to provides for uniform regulation of small wireless facility deployment in the state and mirrors, and in some cases beyond, current Federal law. The Assembly companion of this bill, A-1116, was reported out of committee with amendments and is set for second reading in the Assembly. It is anticipated that there will be committee amendment to S-2674 to allow it to conform to amendments already made to its Assembly companion. There may, however, be additional amendments from the Senate committee.

The League (NJLM) and the Conference of Mayors (NJCM) met regularly with industry representatives and, as a result, the Assembly Appropriations Committee amended the bill to address many of the concerns raised by the NJLM and NJCM. We appreciate the work of Assemblywoman Carol Murphy in responding to many of the concerns we raised.

As noted above, other amendments may be forthcoming and we believe more work can be done to ensure all communities have access to broadband internet. We are hopeful that we can continue to work with the bills' sponsors and all stakeholders to develop and fair and rational bill.

For more information on S-2674/A-1116 and an overview the underlying matter of small cell deployment please see the League's recent blog post.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

d. A-2401 - Responsible Dog Ownership Act

On Wednesday, the League testified in opposition to A-2401, the "Responsible Dog Ownership Act" as introduced. While the League has previously opposed this as overly broad, we are working with the sponsor on amendments regarding the enforcement of and definitions of large dog; issues regarding invisible fencing, homeowners associations' prohibitions against fences; as well as fees and penalty ranges for violations. The Committee amended and released the bill. The amendments to the Assembly bill addressed a majority of the League's concerns such as permitting the use of invisible fencing and other fence compliance options for residents of condominiums, townhouses, apartments, and other rental properties; allowing municipalities to allocate monies from dog licenses for enforcement of the bill's provisions; creation of a dedicated trust fund for enforcement of the bill's provisions; and increasing penalties for daily violation of Responsible Dog ordinance.

The Senate companion S-3607 has not yet been amended to address the League's concerns and is scheduled to be heard in the Senate Environment and Energy Committee next week. The League will review potential amendments and determine if the concerns have been addressed.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

e. S-1 Passes Senate

Last week S-1, which would encourage shared services, passed the full Senate. We thank Senate President Sweeney for the various amendments to the bill to address our concerns. We appreciate the civil service reforms and are optimistic they will make sharing of services much easier for civil service and non-civil service towns. We also appreciate the amendments to the process for the study and possible recommendations to

be more transparent and provide appropriate protections to municipalities. Unfortunately, the penalty of loss of state aid enacted for not adopting recommended shared services remains.

Contact: Lori Buckelew, Assistant Executive Director, xxxxxxxxx@xxxx.xxx, 609-695-3481, x112.

f. NJDEP Launches Online Toolkit to Help Communities Integrate Climate Resilience & Adaptation Into Local Land-Use Planning

This week the New Jersey Department of Environmental Protection (NJDEP) announced the launch of the Resilient NJ: Local Planning for Climate Change Toolkit. The Toolkit is meant to assist municipalities with creating a climate change-related vulnerability assessment and developing local climate resilience strategies as required by changes to the Municipal Land Use Law pursuant to P.L. 2021, c. 6, signed by Governor Murphy in February.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

g. GRC Issues Special Statement Regarding Reverting Back to Statutory OPRA Response Times Due To Termination of Public Health Emergency

Government Records Council (GRC), Executive Director Frank Caruso issued a Special Statement this week regarding the signing of P.L. 2021, c.103, which resulted in the termination of the State's COVID-19 public health emergency and reinstated the statutory response time frame under the Open Public Records Act (OPRA).

The Special Statement reminds records custodians that they should return to responding to OPRA requests under the statutory time frames. An exception to this when a requestor is seeking records directly related to an agency's COVID-19 response.

We suggest that you review this Special Statement with your municipal clerk and municipal attorney for more information, and to ensure compliance with OPRA.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

II. Federal Issues

a.DLGS Provides Application for Municipalities Under 50,000 Population Coronavirus-19 State and Local Recovery Funds.

This week, the Division of Local Government Services (DLGS) posted the application portal for municipalities with a population under 50,000 to apply for funding allocated in the American Rescue Plan. For more information, please read the League's recent blog post.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110.

b. Highlight Municipal Infrastructure Needs and Successes with #LeadWithInfrastructure

As Congress debates the details of an infrastructure package with the Biden

Administration, including how it is paid for, it is critical that New Jersey municipalities highlight infrastructure needs and successes on social media and tag federal members.

Using the hashtags #RebuldWithUs and #LeadWithInfrastructure, please share pictures, graphics and descriptions of local infrastructure needs and success stories on your social media accounts. Examples of tweets can be viewed on the League's Social Media Sample Page.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

c. FEMA Issues Request for Information Regarding Climate Change and Underserved Communities

The Federal Emergency Management Agency (FEMA) has issued a Request for Information (RFI) to receive input from the public on specific FEMA programs, regulations, collections of information, and policies for the agency to consider modifying, streamlining, expanding, or repealing in light of recent Executive Orders.

FEMA seeks input by June 21, 2021 to determine whether:

1. Agency programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups;
2. Additional agency actions are required to bolster resilience to climate change; and
3. Agency programs, policies, and activities address the disproportionately high and adverse climate-related impacts on disadvantaged communities.

Municipalities can provide written comments up to June 21, 2021 through the Federal eRulemaking Portal, Docket ID: FEMA-2021-0011.

In addition to written comments, FEMA is hosting a webinar **to collect verbal comments.** The webinar will be open to anyone and will be held on Tuesday, June 15 at 2 p.m.

FEMA suggests that useful feedback includes specific programs, regulations, information collections and/or policies that could benefit from reform. Additionally, feedback should refer to specific barriers to participation; address how to improve risk perception; offer actionable data; and specify viable alternatives to existing approaches that meet statutory obligations.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

III. COVID-19 Weekly Update

a. New Guidance on Masks

Since terminating the COVID-19 public health and state of emergency, and signing legislation expiring all COVID-19 executive orders, Governor Murphy continues to promote the vaccination programs to reach the goal of having 4.7 million New Jerseyans fully vaccinated by June 30. According to the Center for Disease Control (CDC) New Jersey ranks 6th among all states with 72% of all residents eligible for vaccination having received at least their first shot. There are approximately 1,800 vaccination sites across the state.

In addition, the State's Department of Health released their guidance for summer camps with changes made pursuant to recent CDC updates. As part of the guidance, wearing a mask outdoors will not be required for either campers or staff. The State does strongly encourage unvaccinated individuals to wear a mask when in crowds and during situations that include sustained contact with others.

COVID Data for June 11, 2021:

- 194 new positive cases for a total of 889,799 confirmed cases
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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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We suggest that you review this Special Statement with your municipal clerk and municipal attorney for more information, and to ensure compliance with OPRA.

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FEMA seeks input by June 21, 2021 to determine whether:

1. Agency programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups;
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Municipalities can provide written comments up to June 21, 2021 through the Federal eRulemaking Portal, Docket ID: FEMA-2021-0011.

In addition to written comments, FEMA is hosting a webinar **to collect verbal comments.** The webinar will be open to anyone and will be held on Tuesday, June 15 at 2 p.m.

FEMA suggests that useful feedback includes specific programs, regulations, information collections and/or policies that could benefit from reform. Additionally, feedback should refer to specific barriers to participation; address how to improve risk perception; offer actionable data; and specify viable alternatives to existing approaches that meet statutory obligations.

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The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

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Secondly, the bill would mandate that grievance and disciplinary review procedures must provide for binding arbitration as a means for resolving disputes involving subjects for collective negotiation which include the areas listed above. Removing the ability to negotiate with unions how matters are handled removes previously negotiated items from the process.

The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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FEMA seeks input by June 21, 2021 to determine whether:

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Municipalities can provide written comments up to June 21, 2021 through the Federal eRulemaking Portal, Docket ID: FEMA-2021-0011.

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FEMA suggests that useful feedback includes specific programs, regulations, information collections and/or policies that could benefit from reform. Additionally, feedback should refer to specific barriers to participation; address how to improve risk perception; offer actionable data; and specify viable alternatives to existing approaches that meet statutory obligations.

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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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Secondly, the bill would mandate that grievance and disciplinary review procedures must provide for binding arbitration as a means for resolving disputes involving subjects for collective negotiation which include the areas listed above. Removing the ability to negotiate with unions how matters are handled removes previously negotiated items from the process.

The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

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The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

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Municipalities can provide written comments up to June 21, 2021 through the Federal eRulemaking Portal, Docket ID: FEMA-2021-0011.

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IV. 2020 Annual League Conference

Municipal Clerks: Please forward to your Mayor, Governing Body, and Department Heads.

To assist in providing guidance and information we have created a COVID-19 resource page. We will continue to update the page as we get pertinent information and include announcements in our Daily Updates.

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I. State Issues

a. Update on AG Directives Regarding Public Disclosure of the Identities of Officers Who Commit Serious Disciplinary Violations

On June 15, 2020, Attorney General, Gurbir Grewal issued Law Enforcement Directive No. 2020-5 and 2020-6, mandating public disclosure of the identities of law enforcement officers who commit serious disciplinary violations. However, implementation of these Directives was stayed pending a legal challenge. This week the NJ Supreme Court upheld the Directives' validity, clearing the way for all law enforcement agencies in the state to begin complying with its public-disclosure requirements.

In light of the Court's decision Attorney General Grewal issued a supplemental Directive, Law Enforcement Directive No. 2021-6, providing guidance to all law enforcement

agencies about how to fully comply with the Major Discipline Directive, and providing clarification regarding law enforcement agencies' authority over the confidentiality and publication of internal disciplinary information and records. The supplemental Directive also sets August 9, 2021 as a new date by which all law enforcement agencies must publish their initial reports.

The Supreme Court decision along with Directive No. 2021-6 should be carefully reviewed with your chief of police, municipal attorney, and records custodian to ensure compliance with the new mandates.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

b. Bill Removing Management Prerogative Advances

Senate President Sweeney with Senators Addiego and Greenstein, recently introduced S-3810 known as the "Responsible Collective Negotiations Act" to provide additional worker safeguards in response to the 2018 U.S. Supreme Court Janus v. AFSCME ruling. While several provisions of the bill do build upon the "Workplace Democracy Enhancement Act" there are several troubling provisions that expand and change the nature of collective negotiations with all public unions, except police and fire, that are extremely troubling.

First the bill expands the items that would become mandatory subjects during contract negotiations unless a negotiated agreement would prevent government from carrying out its statutory mission. Items would include "all matters that intimately and directly affect the work and welfare of public employees" including but not limited to layoffs; subcontracting and privatization; criteria and procedures for promotions, performance evaluations and hiring; transfer of employees; assignments and reassignment of employees; transfer of negotiations unit of work; and job security, discipline disputes, and disciplinary review procedures. This new provision will effectively remove managing from management by adding previous management prerogative items to mandatory negotiations.

Secondly, the bill would mandate that grievance and disciplinary review procedures must provide for binding arbitration as a means for resolving disputes involving subjects for collective negotiation which include the areas listed above. Removing the ability to negotiate with unions how matters are handled removes previously negotiated items from the process.

The bill would treat the communications between the union and its members regarding collective negotiations, administration of collective negotiations agreements, investigation of grievances, other workplace related complaints and issues, or any other matters within the scope of the duty of fair representation as confidential communications. Further, such communications would not be subject to disclosure under the discovery rules of New Jersey administrative agencies, including, but not limited to the Office of Administrative Law and PERC or pursuant to N.J.S.A. 2A:23B-17, and other applicable state laws authorizing arbitrators, presiding at labor arbitrations, issuing subpoenas. Public employers' communication would remain disclosable, failing to provide public employers those same rights and creating an unleveled playing field.

The bill now stands at second reading in the Senate. We anticipate the Assembly companion, A-5862, to be before Assembly Appropriations Committee soon. We urge you contact your Senator and Assembly representative to urge them to vote no.

Contact: Lori Buckelew, Assistant Executive Director, xxxxxxxxx@xxxx.xxx 609-695-3481, x112.

c. Senate Committee Scheduled to Review Small Cell Regulation Bill

The Senate Economic Growth Committee is scheduled to review S-2674 on Tuesday, June 15, 2021 at 10 a.m. This purpose of this legislation is to provides for uniform regulation of small wireless facility deployment in the state and mirrors, and in some cases beyond, current Federal law. The Assembly companion of this bill, A-1116, was reported out of committee with amendments and is set for second reading in the Assembly. It is anticipated that there will be committee amendment to S-2674 to allow it to conform to amendments already made to its Assembly companion. There may, however, be additional amendments from the Senate committee.

The League (NJLM) and the Conference of Mayors (NJCM) met regularly with industry representatives and, as a result, the Assembly Appropriations Committee amended the bill to address many of the concerns raised by the NJLM and NJCM. We appreciate the work of Assemblywoman Carol Murphy in responding to many of the concerns we raised.

As noted above, other amendments may be forthcoming and we believe more work can be done to ensure all communities have access to broadband internet. We are hopeful that we can continue to work with the bills' sponsors and all stakeholders to develop and fair and rational bill.

For more information on S-2674/A-1116 and an overview the underlying matter of small cell deployment please see the League's recent blog post.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

d. A-2401 - Responsible Dog Ownership Act

On Wednesday, the League testified in opposition to A-2401, the "Responsible Dog Ownership Act" as introduced. While the League has previously opposed this as overly broad, we are working with the sponsor on amendments regarding the enforcement of and definitions of large dog; issues regarding invisible fencing, homeowners associations' prohibitions against fences; as well as fees and penalty ranges for violations. The Committee amended and released the bill. The amendments to the Assembly bill addressed a majority of the League's concerns such as permitting the use of invisible fencing and other fence compliance options for residents of condominiums, townhouses, apartments, and other rental properties; allowing municipalities to allocate monies from dog licenses for enforcement of the bill's provisions; creation of a dedicated trust fund for enforcement of the bill's provisions; and increasing penalties for daily violation of Responsible Dog ordinance.

The Senate companion S-3607 has not yet been amended to address the League's concerns and is scheduled to be heard in the Senate Environment and Energy Committee next week. The League will review potential amendments and determine if the concerns have been addressed.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

e. S-1 Passes Senate

Last week S-1, which would encourage shared services, passed the full Senate. We thank Senate President Sweeney for the various amendments to the bill to address our concerns. We appreciate the civil service reforms and are optimistic they will make sharing of services much easier for civil service and non-civil service towns. We also appreciate the amendments to the process for the study and possible recommendations to

be more transparent and provide appropriate protections to municipalities. Unfortunately, the penalty of loss of state aid enacted for not adopting recommended shared services remains.

Contact: Lori Buckelew, Assistant Executive Director, xxxxxxxxx@xxxx.xxx, 609-695-3481, x112.

f. NJDEP Launches Online Toolkit to Help Communities Integrate Climate Resilience & Adaptation Into Local Land-Use Planning

This week the New Jersey Department of Environmental Protection (NJDEP) announced the launch of the Resilient NJ: Local Planning for Climate Change Toolkit. The Toolkit is meant to assist municipalities with creating a climate change-related vulnerability assessment and developing local climate resilience strategies as required by changes to the Municipal Land Use Law pursuant to P.L. 2021, c. 6, signed by Governor Murphy in February.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

g. GRC Issues Special Statement Regarding Reverting Back to Statutory OPRA Response Times Due To Termination of Public Health Emergency

Government Records Council (GRC), Executive Director Frank Caruso issued a Special Statement this week regarding the signing of P.L. 2021, c.103, which resulted in the termination of the State's COVID-19 public health emergency and reinstated the statutory response time frame under the Open Public Records Act (OPRA).

The Special Statement reminds records custodians that they should return to responding to OPRA requests under the statutory time frames. An exception to this when a requestor is seeking records directly related to an agency's COVID-19 response.

We suggest that you review this Special Statement with your municipal clerk and municipal attorney for more information, and to ensure compliance with OPRA.

Contact: Frank Marshall, Esq., Associate General Counsel, xxxxxxxxx@xxxx.xxx609-695-3481, x137.

II. Federal Issues

a.DLGS Provides Application for Municipalities Under 50,000 Population Coronavirus-19 State and Local Recovery Funds.

This week, the Division of Local Government Services (DLGS) posted the application portal for municipalities with a population under 50,000 to apply for funding allocated in the American Rescue Plan. For more information, please read the League's recent blog post.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110.

b. Highlight Municipal Infrastructure Needs and Successes with #LeadWithInfrastructure

As Congress debates the details of an infrastructure package with the Biden

Administration, including how it is paid for, it is critical that New Jersey municipalities highlight infrastructure needs and successes on social media and tag federal members.

Using the hashtags #RebuldWithUs and #LeadWithInfrastructure, please share pictures, graphics and descriptions of local infrastructure needs and success stories on your social media accounts. Examples of tweets can be viewed on the League's Social Media Sample Page.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

c. FEMA Issues Request for Information Regarding Climate Change and Underserved Communities

The Federal Emergency Management Agency (FEMA) has issued a Request for Information (RFI) to receive input from the public on specific FEMA programs, regulations, collections of information, and policies for the agency to consider modifying, streamlining, expanding, or repealing in light of recent Executive Orders.

FEMA seeks input by June 21, 2021 to determine whether:

1. Agency programs and policies perpetuate systemic barriers to opportunities and benefits for people of color and other underserved groups;
2. Additional agency actions are required to bolster resilience to climate change; and
3. Agency programs, policies, and activities address the disproportionately high and adverse climate-related impacts on disadvantaged communities.

Municipalities can provide written comments up to June 21, 2021 through the Federal eRulemaking Portal, Docket ID: FEMA-2021-0011.

In addition to written comments, FEMA is hosting a webinar **to collect verbal comments.** The webinar will be open to anyone and will be held on Tuesday, June 15 at 2 p.m.

FEMA suggests that useful feedback includes specific programs, regulations, information collections and/or policies that could benefit from reform. Additionally, feedback should refer to specific barriers to participation; address how to improve risk perception; offer actionable data; and specify viable alternatives to existing approaches that meet statutory obligations.

Contact: Paul Penna, Legislative Analyst, xxxxxx@xxxx.xxx, 609 695-3481, x110**.**

III. COVID-19 Weekly Update

a. New Guidance on Masks

Since terminating the COVID-19 public health and state of emergency, and signing legislation expiring all COVID-19 executive orders, Governor Murphy continues to promote the vaccination programs to reach the goal of having 4.7 million New Jerseyans fully vaccinated by June 30. According to the Center for Disease Control (CDC) New Jersey ranks 6th among all states with 72% of all residents eligible for vaccination having received at least their first shot. There are approximately 1,800 vaccination sites across the state.

In addition, the State's Department of Health released their guidance for summer camps with changes made pursuant to recent CDC updates. As part of the guidance, wearing a mask outdoors will not be required for either campers or staff. The State does strongly encourage unvaccinated individuals to wear a mask when in crowds and during situations that include sustained contact with others.

COVID Data for June 11, 2021:

- 194 new positive cases for a total of 889,799 confirmed cases
- 4 new confirmed deaths for a total of 23,639 confirmed deaths
- The rate of transmission is at 0.80
- 1,263 cases linked to 281 school outbreaks since August 2020
- 9,124,192 vaccine doses have been administered, including 5,120,177 who have received at least one dose and 4,344,033 who are fully vaccinated. 55% are Pfizer, 41% Moderna, and 4% J&J.

Vaccine Information

As a reminder, the vaccination incentive Vax Pass under the new "Vax and Visit NJ" continues. Homebound residents who have not yet connected with their local health department, or a home health agency, and who need an in-home vaccination should visit www.covid19.nj.gov/homeboundvax or contact the call center at 855-568-0545.

Contacts:

- Mike Cerra, Executive Director, xxxxxx@xxxx.xxx, 609-695-3481, x120.
- Lori Buckelew, Assistant Executive Director, xxxxxxxxx@xxxx.xxx, 609-695-3481, x112.

IV. 2020 Annual League Conference

a. It's Not Too Late!

We hope that the NJLM Virtual Conference allowed you to look back and forward on the challenges of the day, be it the COVID-19 pandemic, social and restorative justice or how to balance the competing interests in preparing for your 2021 budget. While we expect to be back in-person in Atlantic City in 2021, the virtual conference offers a unique benefit. The content of the approximately 80 programs and 145 virtual exhibitor booths will be available on-demand through October 31, 2021.

Anyone who is registered can simply log in to the Conference website to view any of the programs or visit any of the exhibitor booths. And for those who did not attend, it's not too late. We will continue to accept registrations for access to the Conference site. Those who register now will not be able to apply for CEUs but will have full access to all programs and exhibit booths. And please continue to visit the exhibitors who chose to support the 105th Annual Conference by stopping by their booths. You can contact exhibitors directly with any questions or comments by simply using the "Request Information" button on each booth. This will generate an automatic email to the exhibitor and they will contact you with a reply.

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From: x@xx
To: x@xx
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 4:19:51 PM
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image007.png
image009.png
image011.png

Mike made a change and is reviewing now.

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

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Shirley Cade | Legislative/Administrative Support
New Jersey State League of Municipalities
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609-695-3481 extension 114

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From: Ciara Bradley
Sent: Friday, June 11, 2021 4:18 PM
To: Michael F. Cerra <x@xx; Amy Spiezio <x@xx; Shirley Cade <x@xx
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

Ok let's get this out before 4:30

Ciara S. Bradley | Legislative Administrator
New Jersey State League of Municipalities
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Trenton, NJ 08608
P: (609) 695-3481 x128
F: (609) 695-0151
xxxxxxxx@xxxx.xxx
www.njlm.org

From: Michael F. Cerra <x@xx>

Sent: Friday, June 11, 2021 4:12 PM
To: Amy Spiezio <x@xx>; Shirley Cade <x@xx>
Cc: Ciara Bradley <x@xx>
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

ok

From: Amy Spiezio
Sent: Friday, June 11, 2021 3:57 PM
To: Shirley Cade <x@xx>; Michael F. Cerra <x@xx>
Cc: Ciara Bradley <x@xx>
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

Sorry! How about:

[redacted]

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Amy Spiezio | Managing Editor
New Jersey Municipalities Magazine
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 ext. 123
Cell: 215-962-4374

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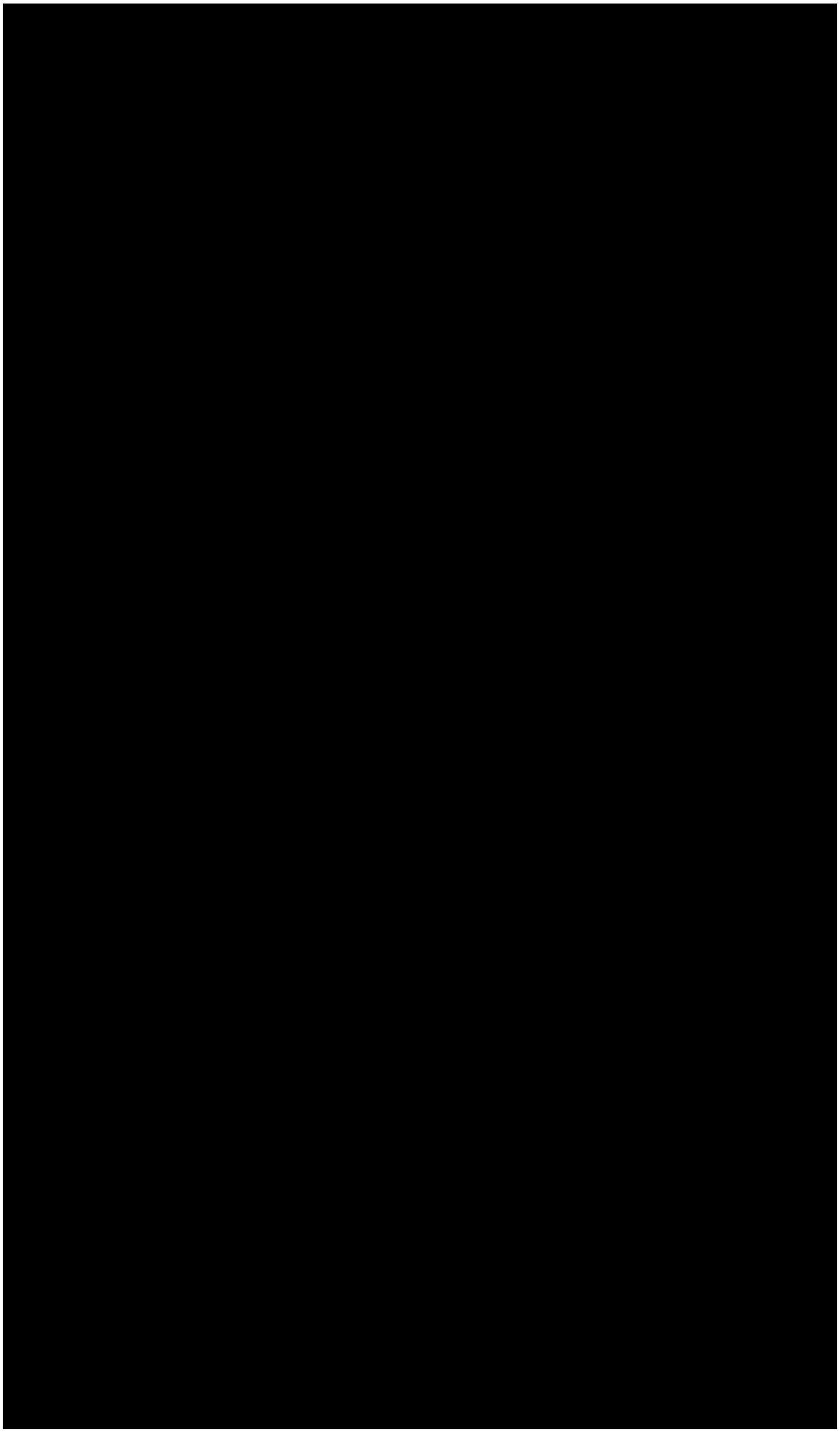

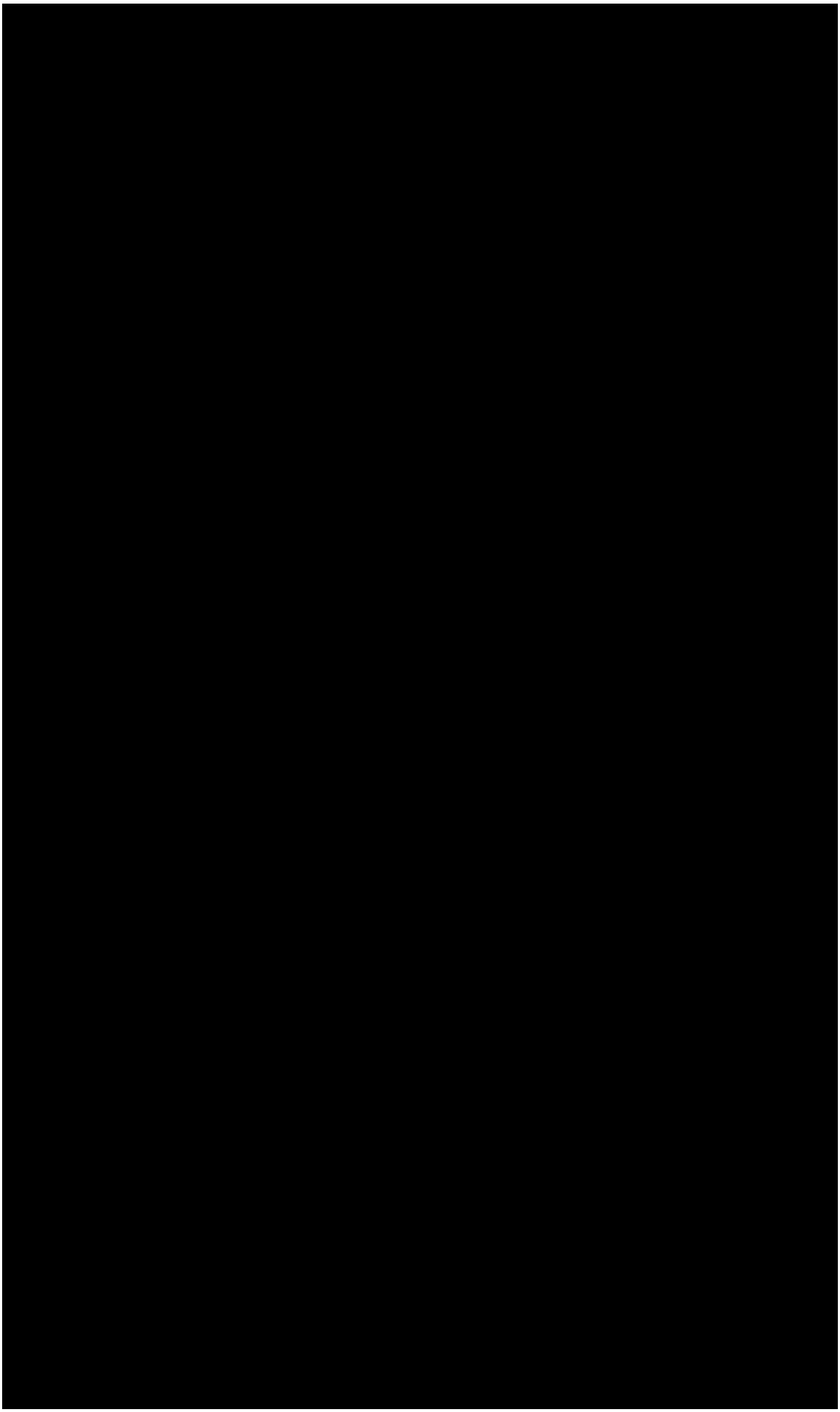

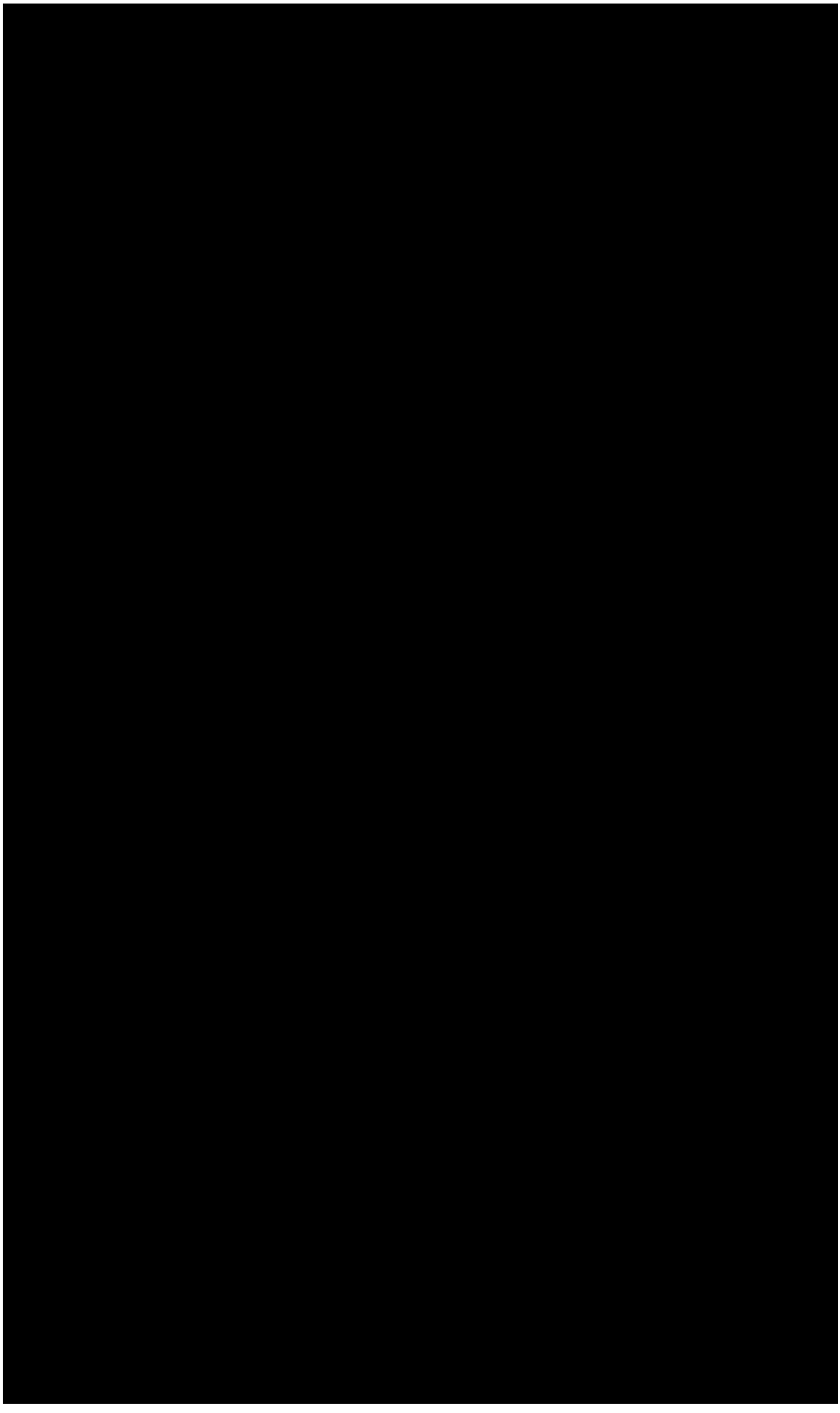

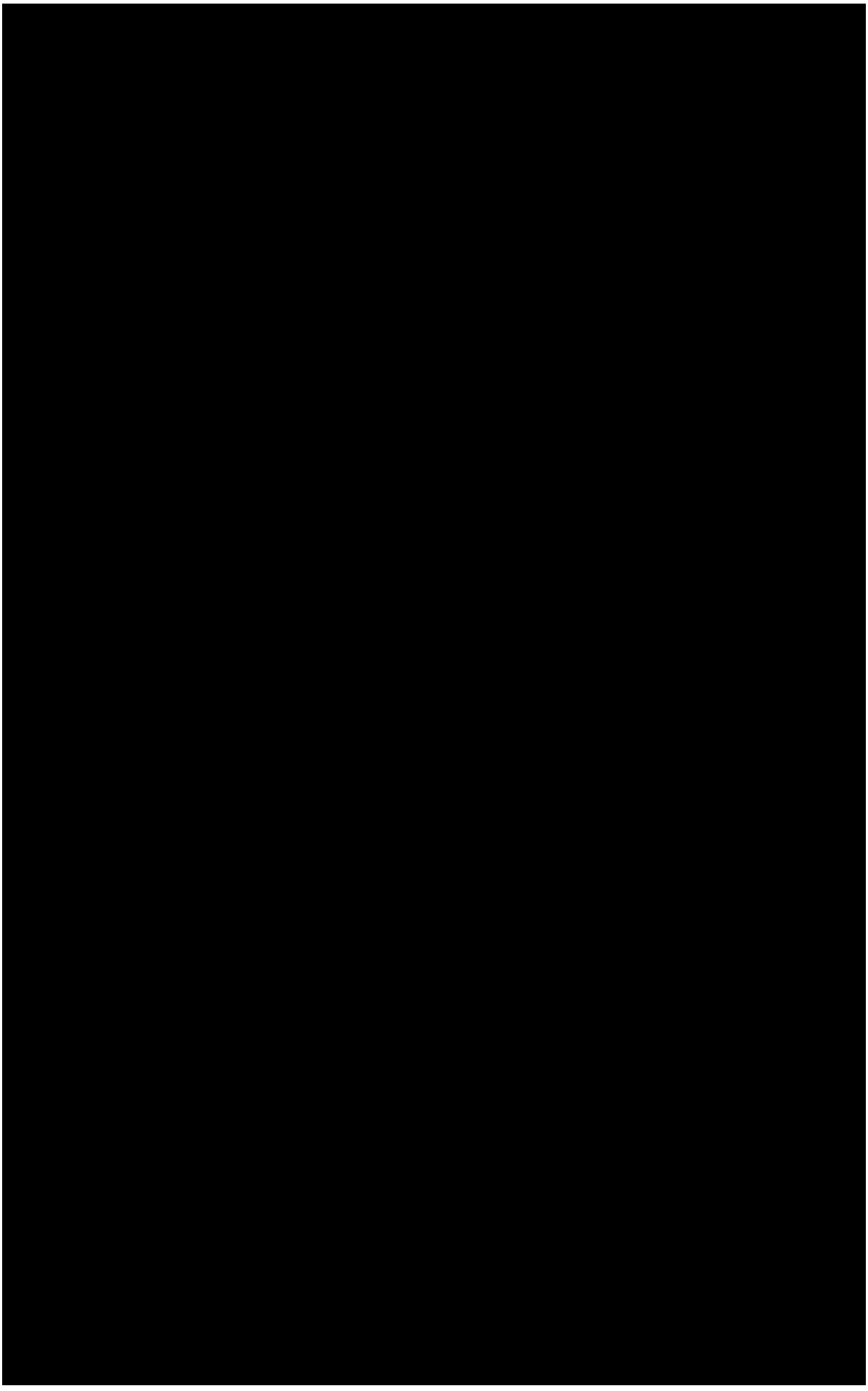

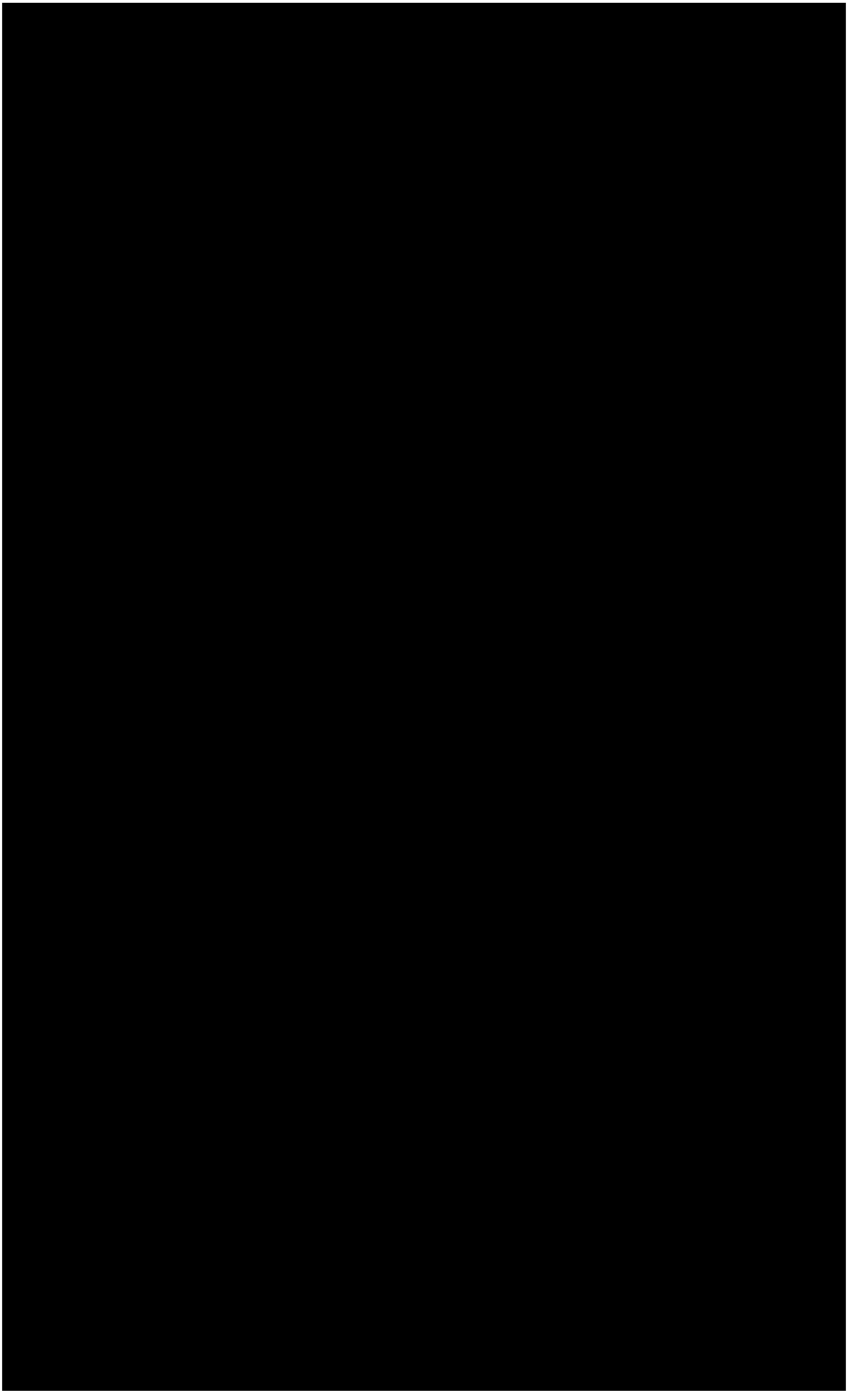

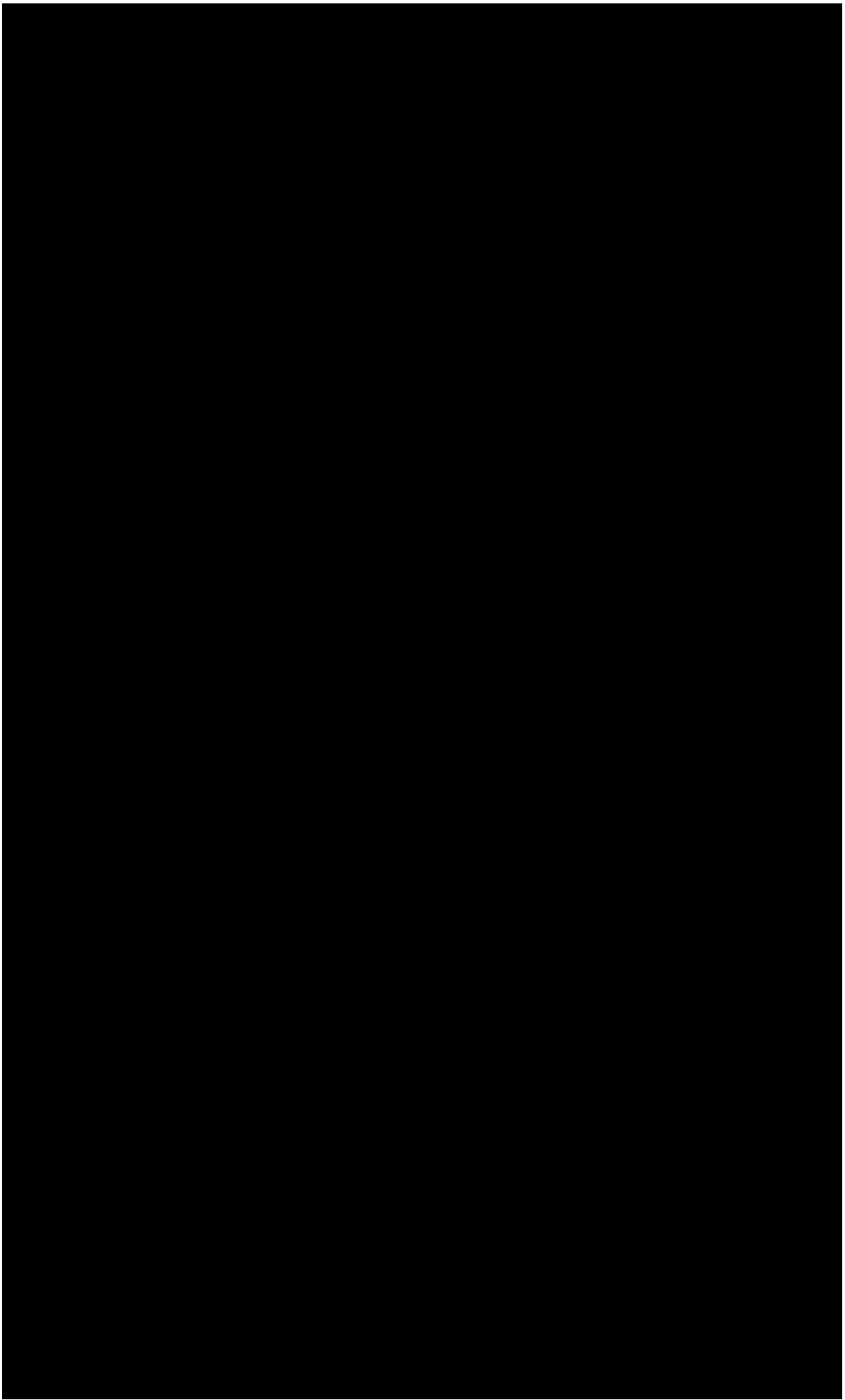

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image005.png
image007.png

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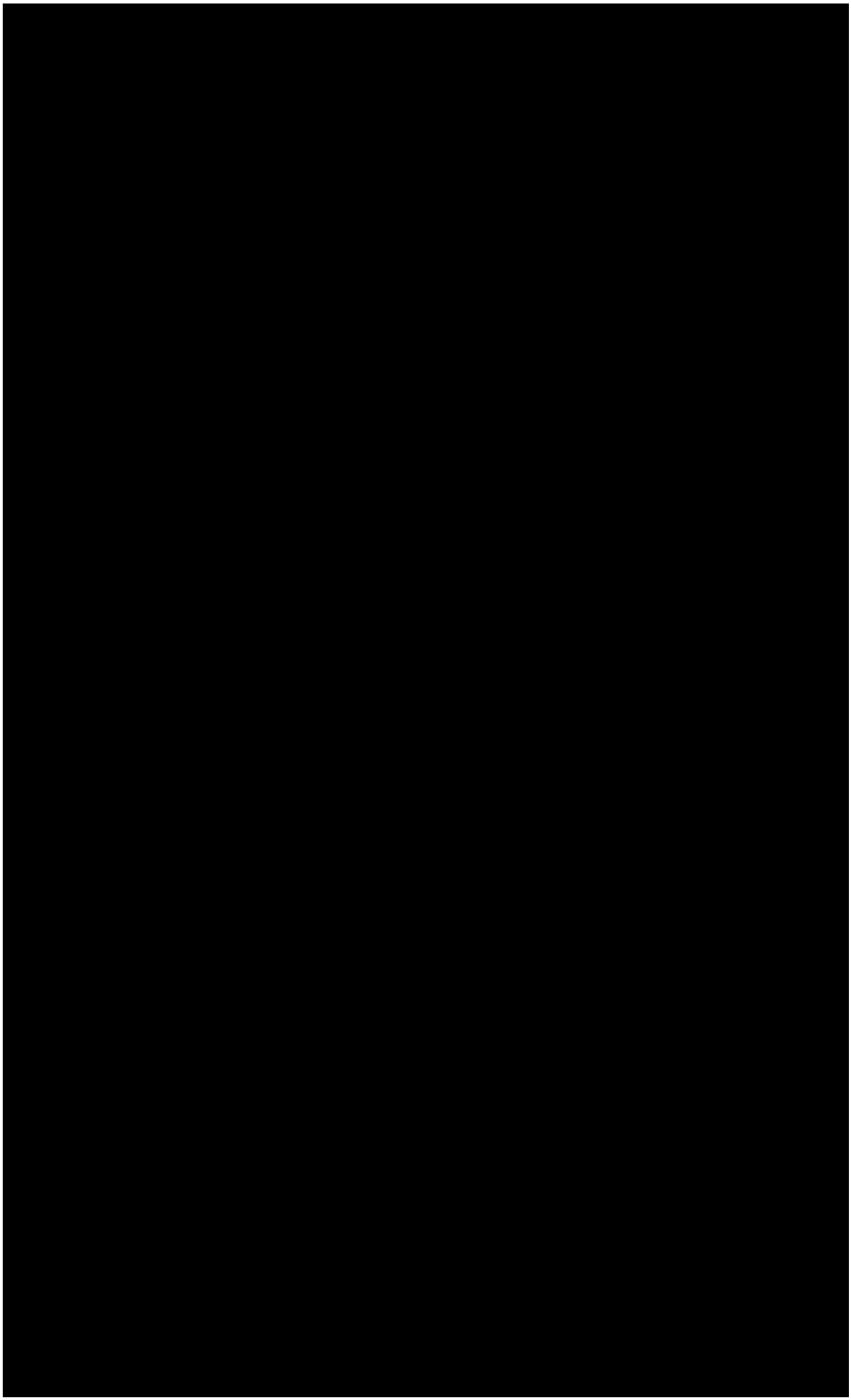

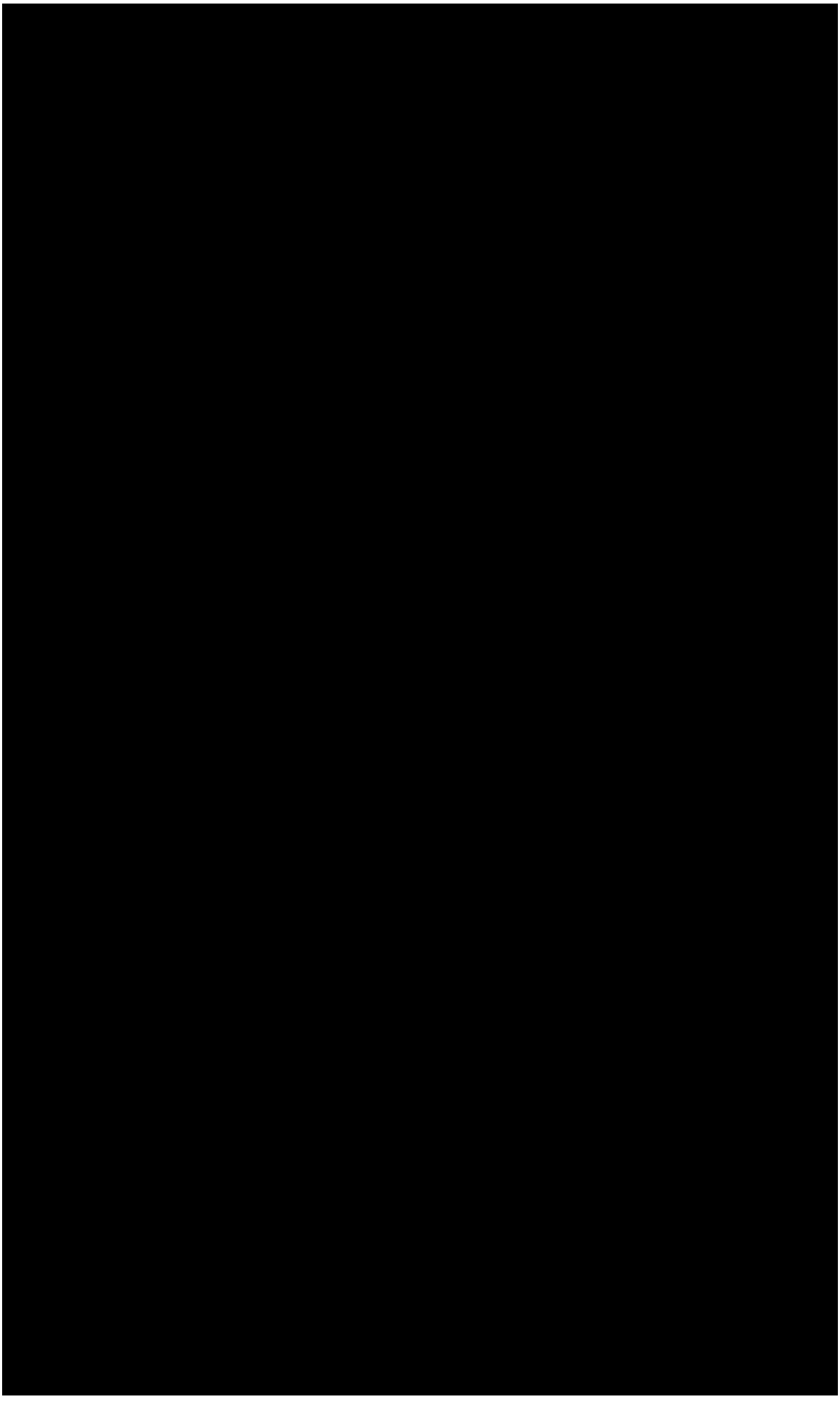

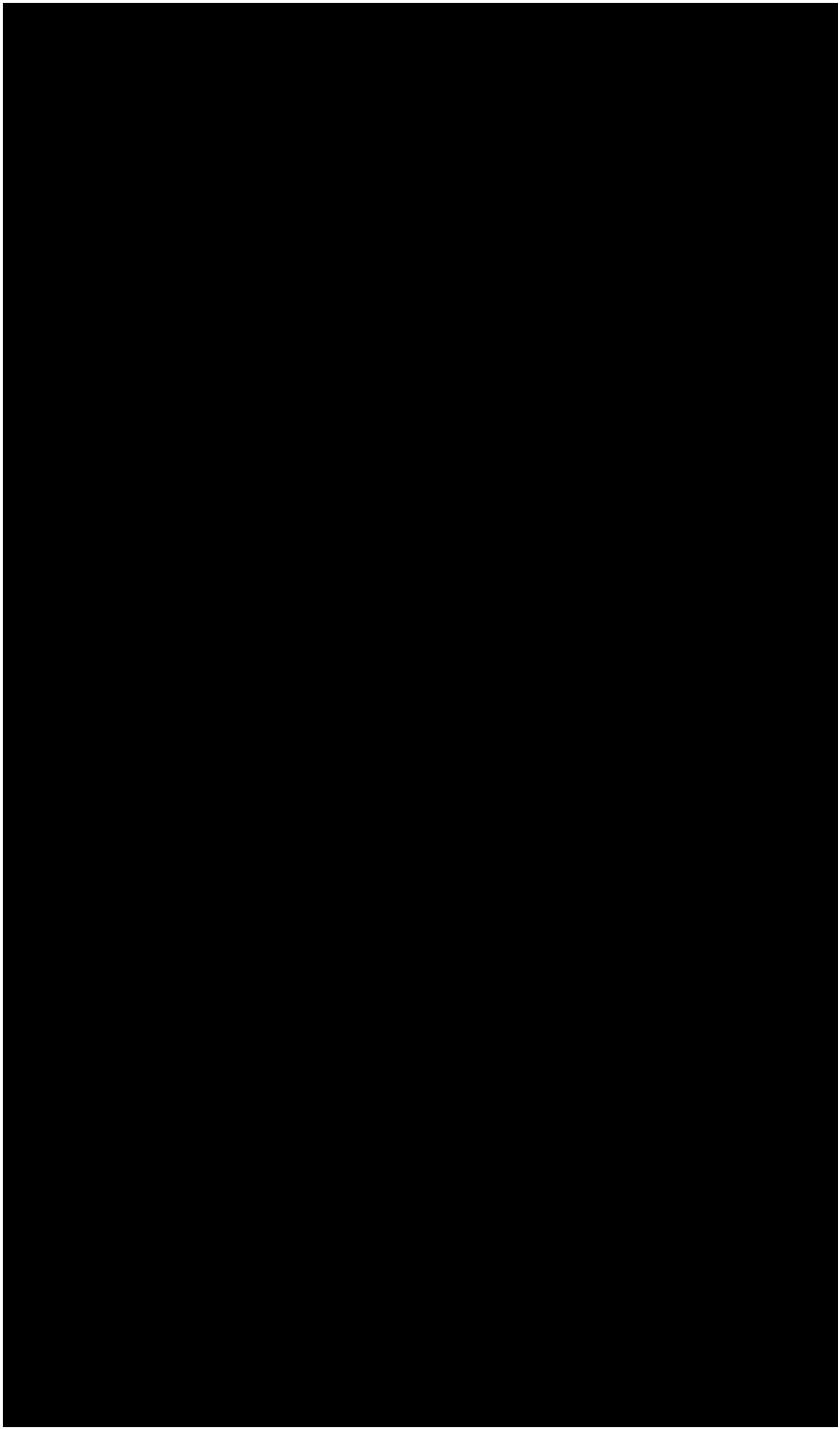

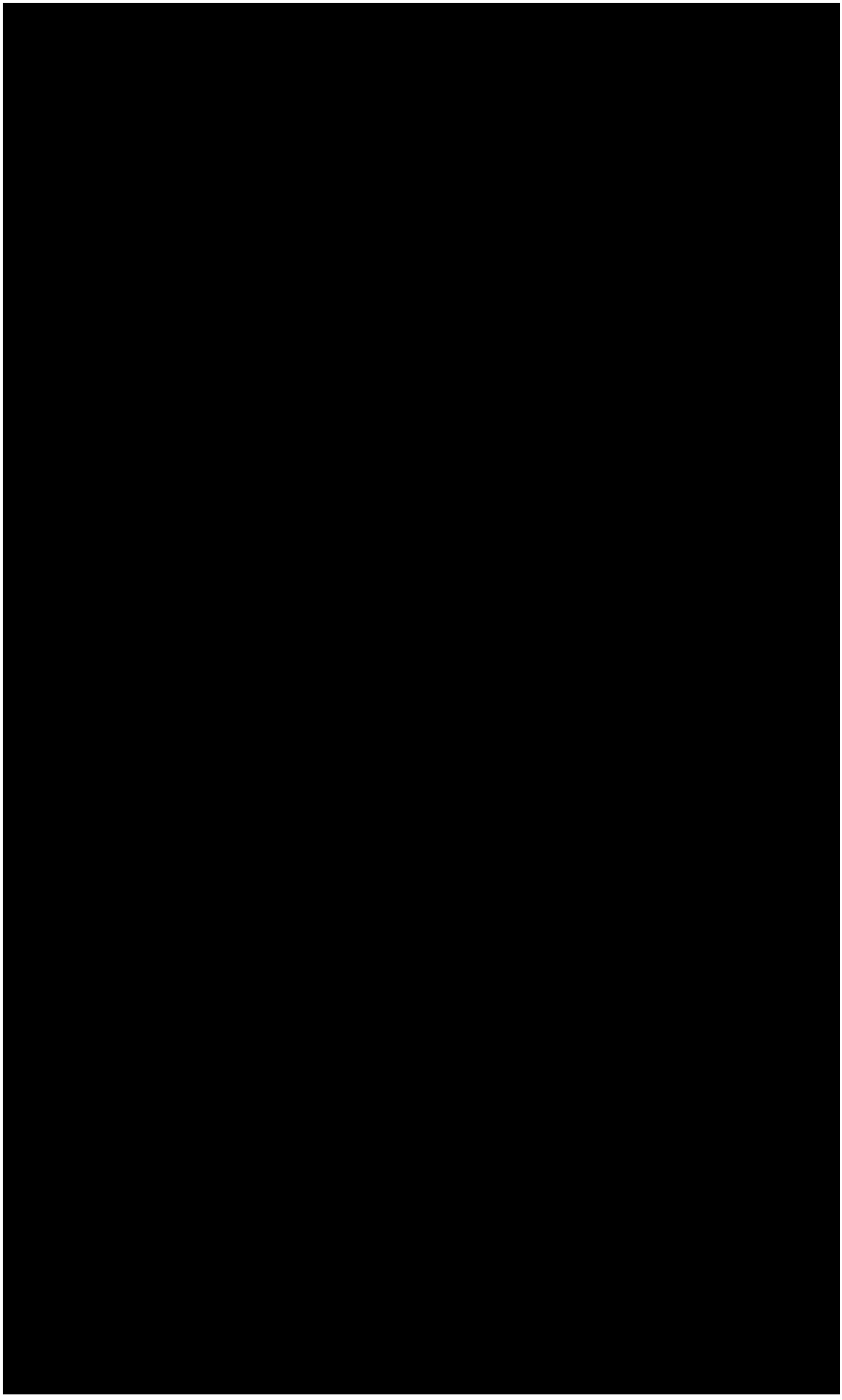

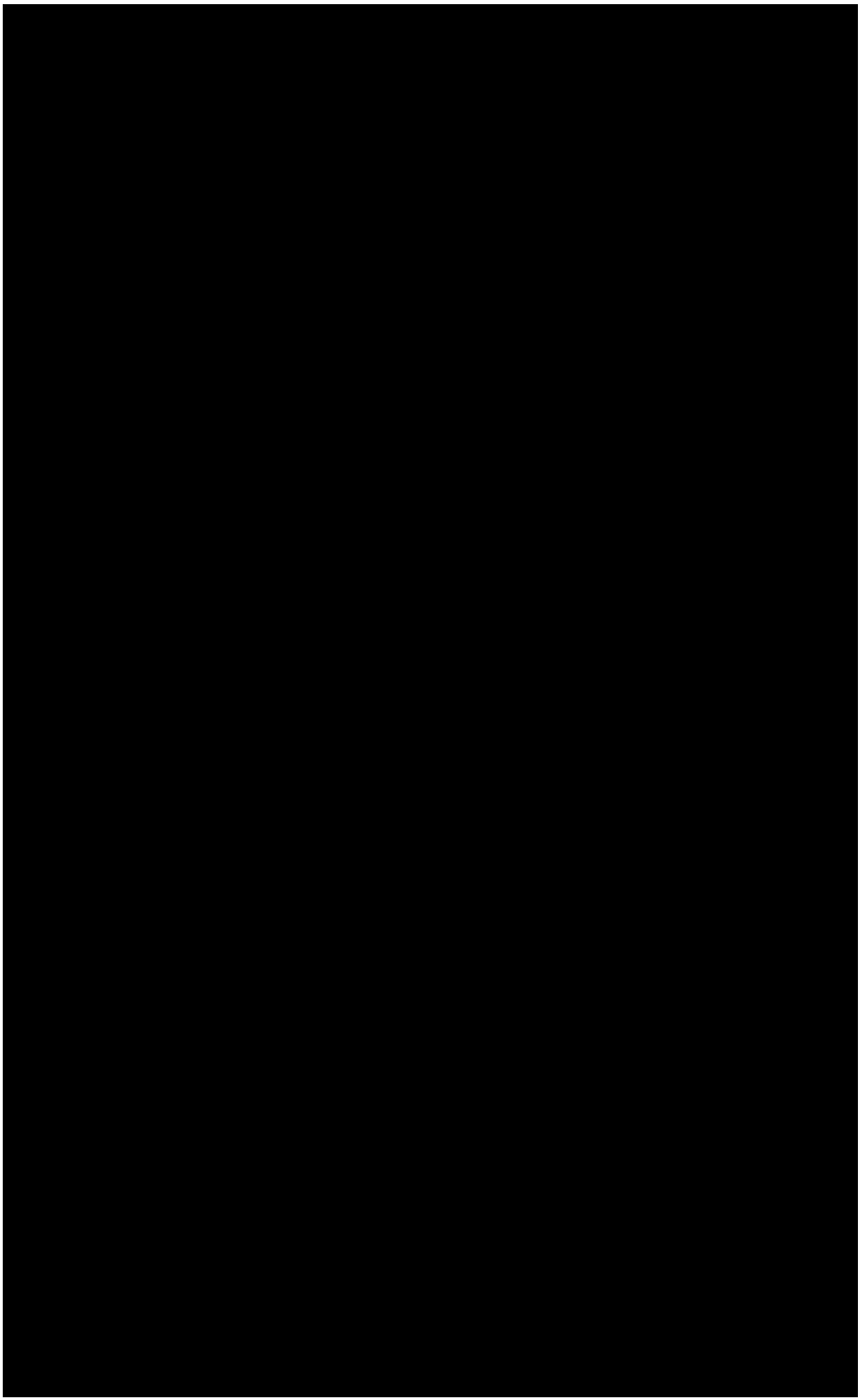

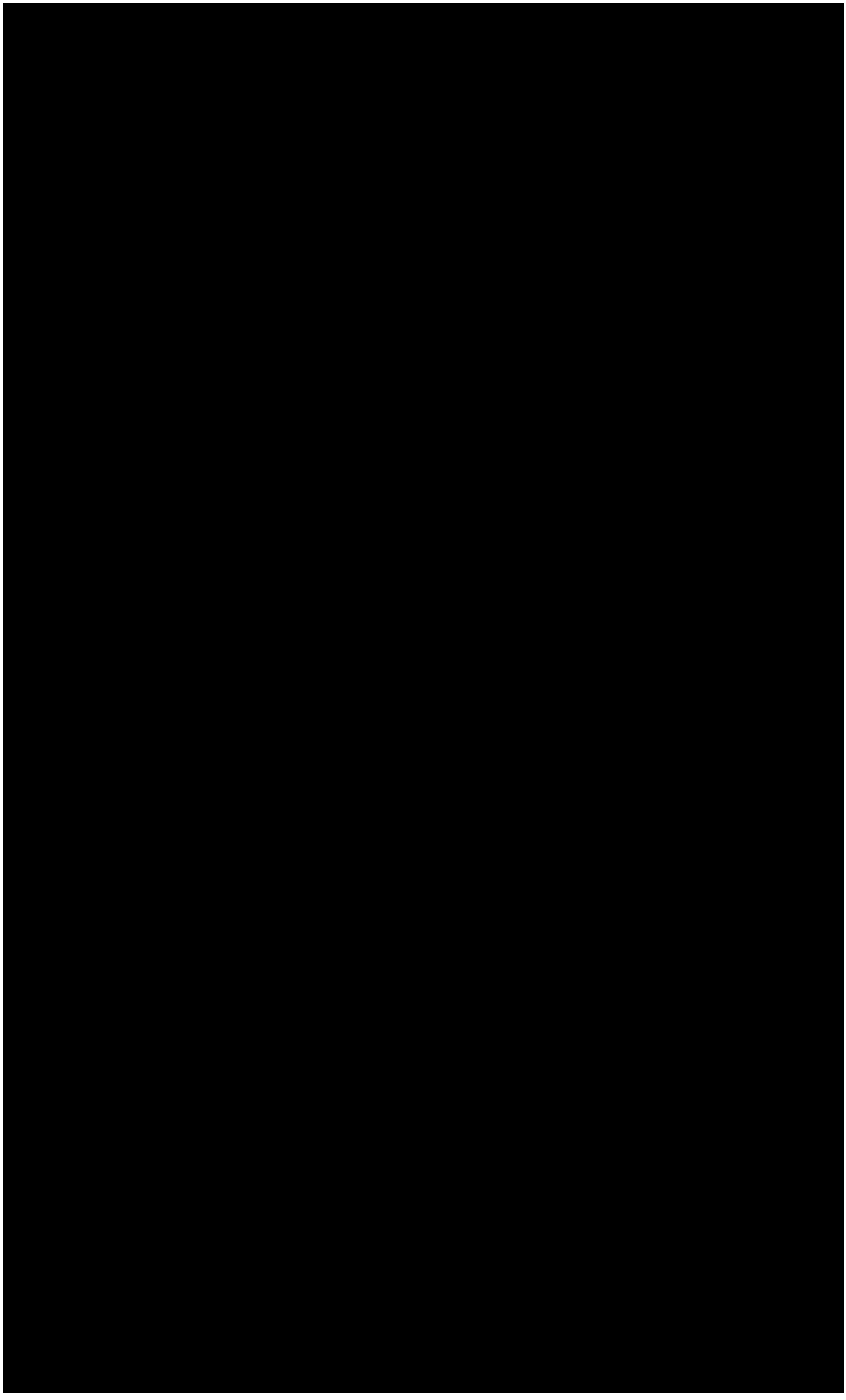

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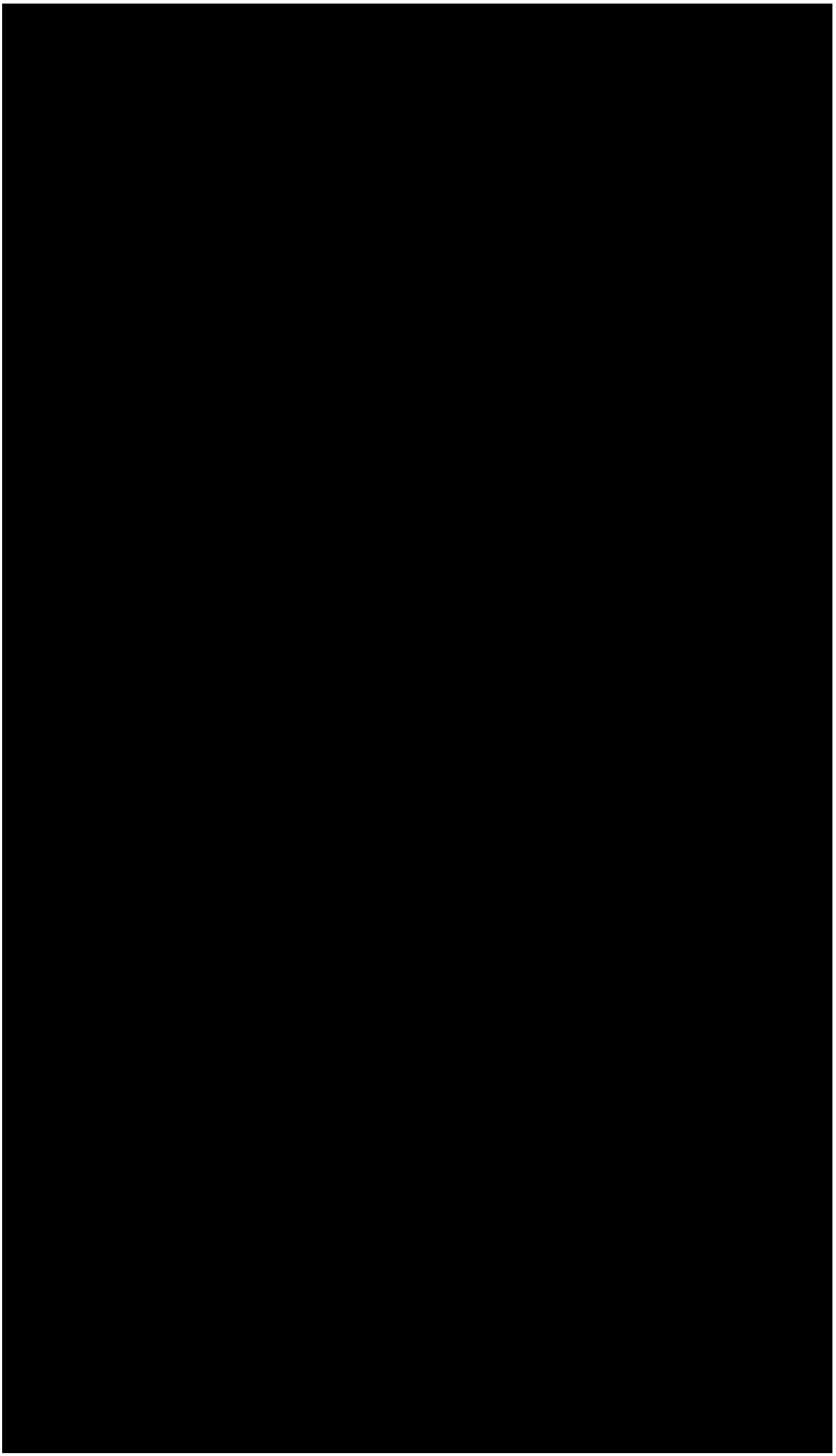

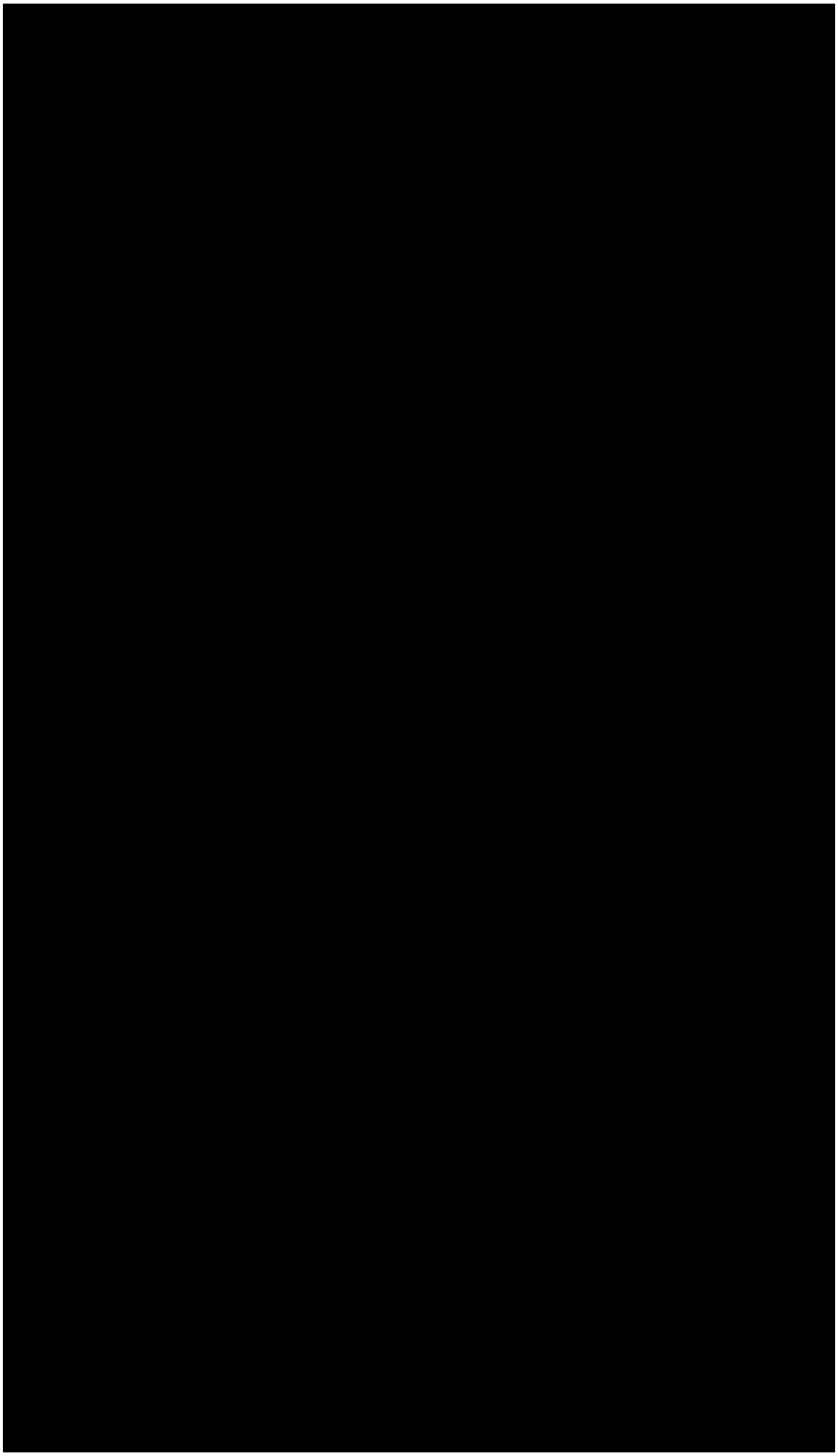

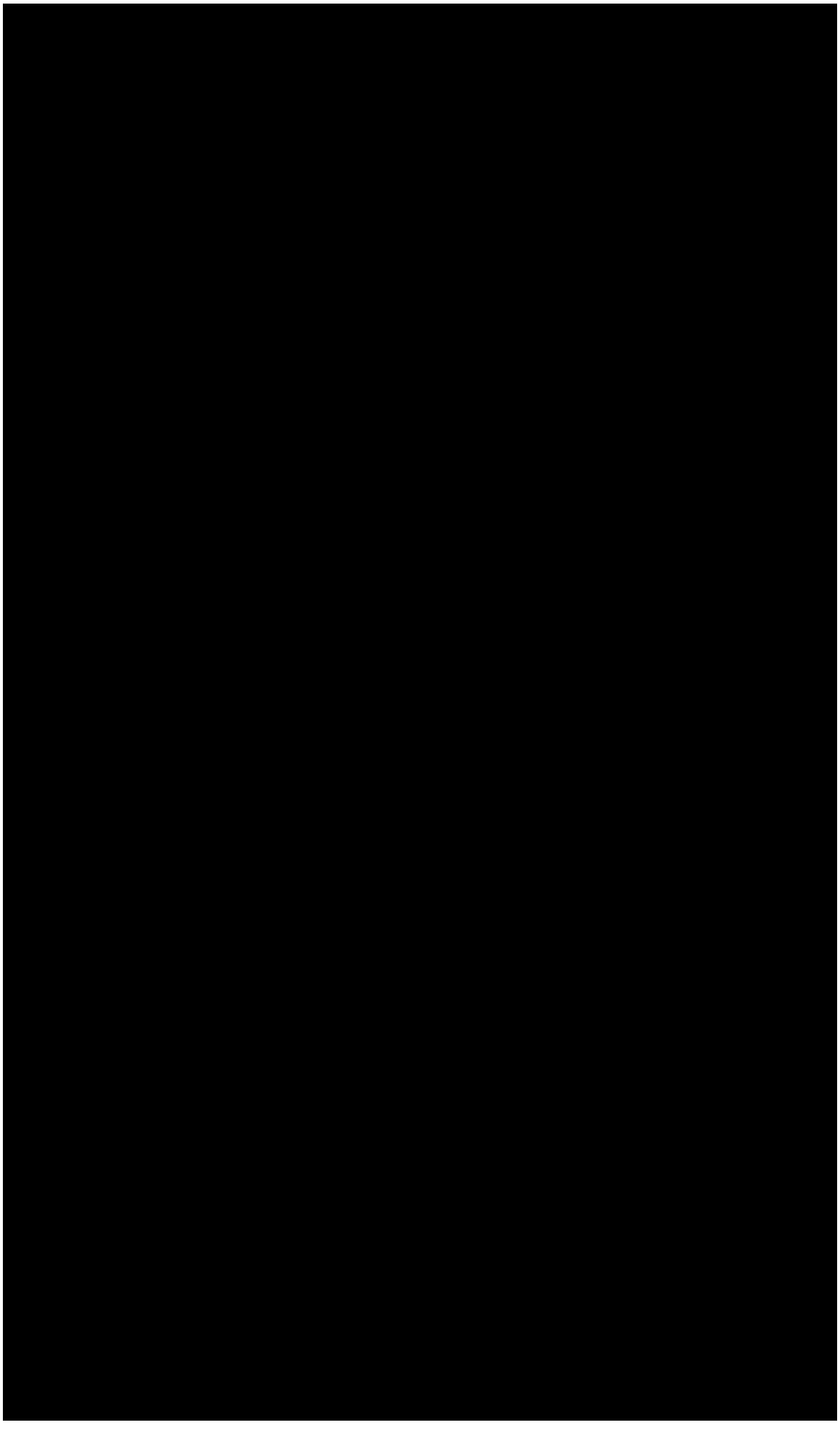

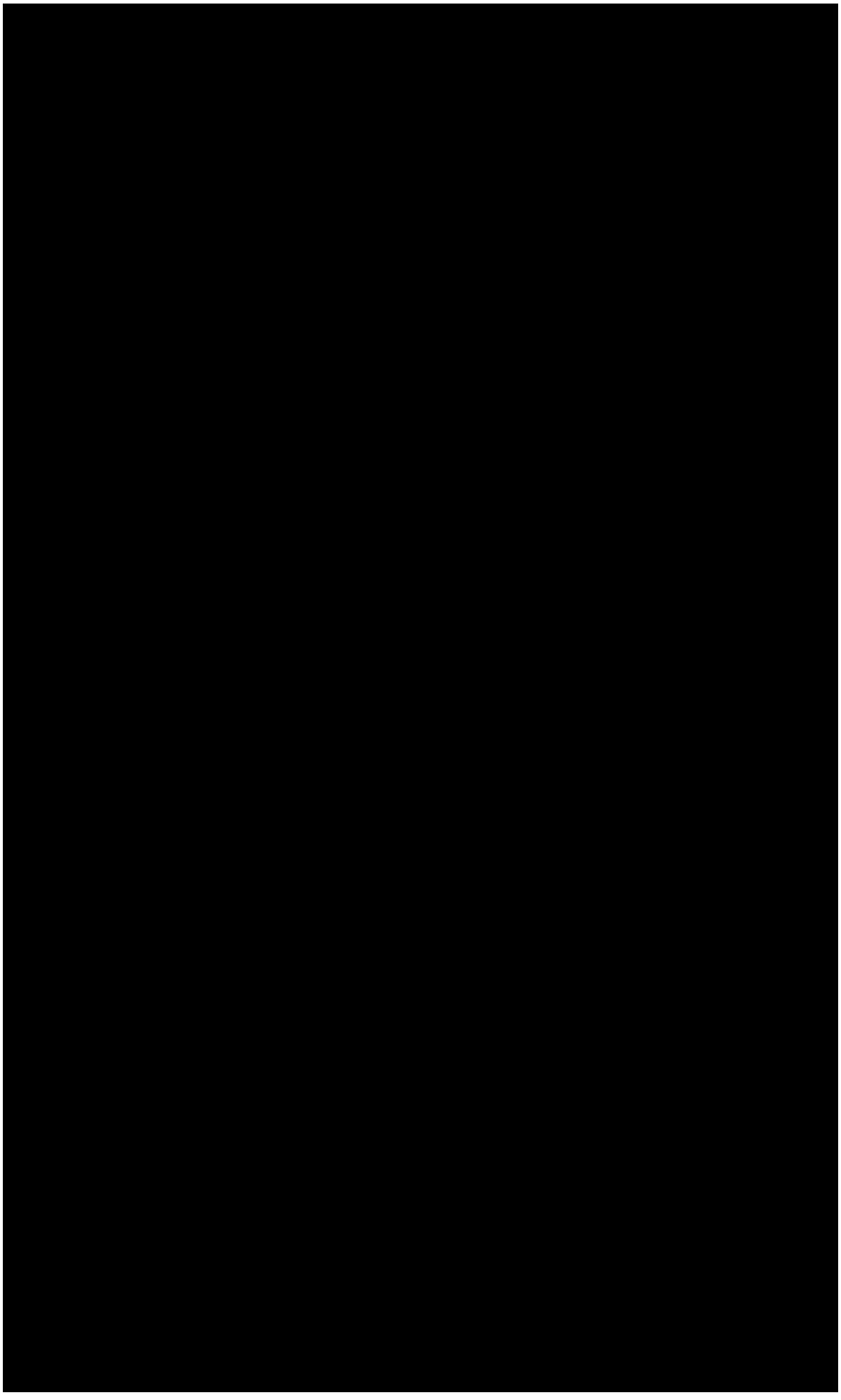

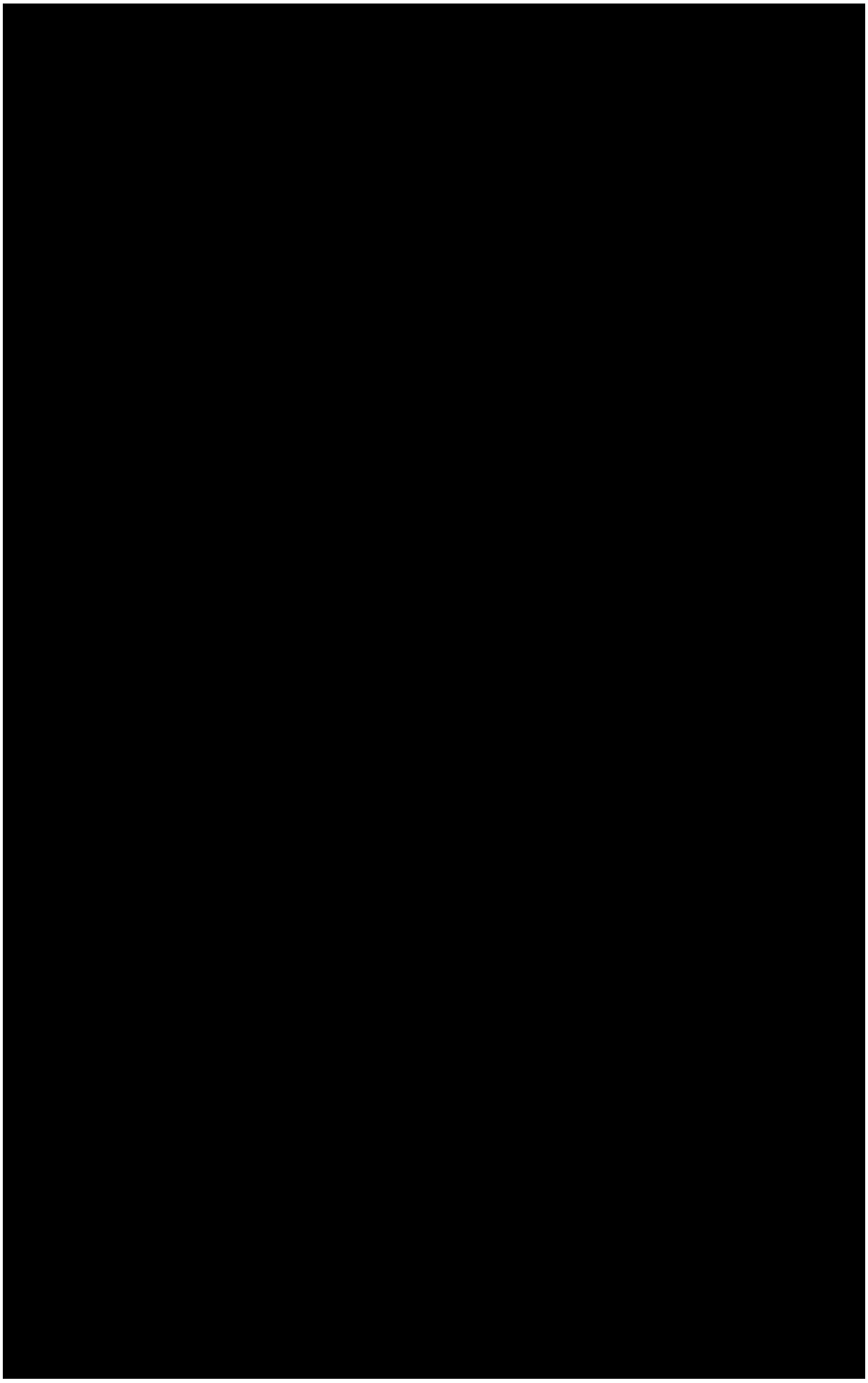

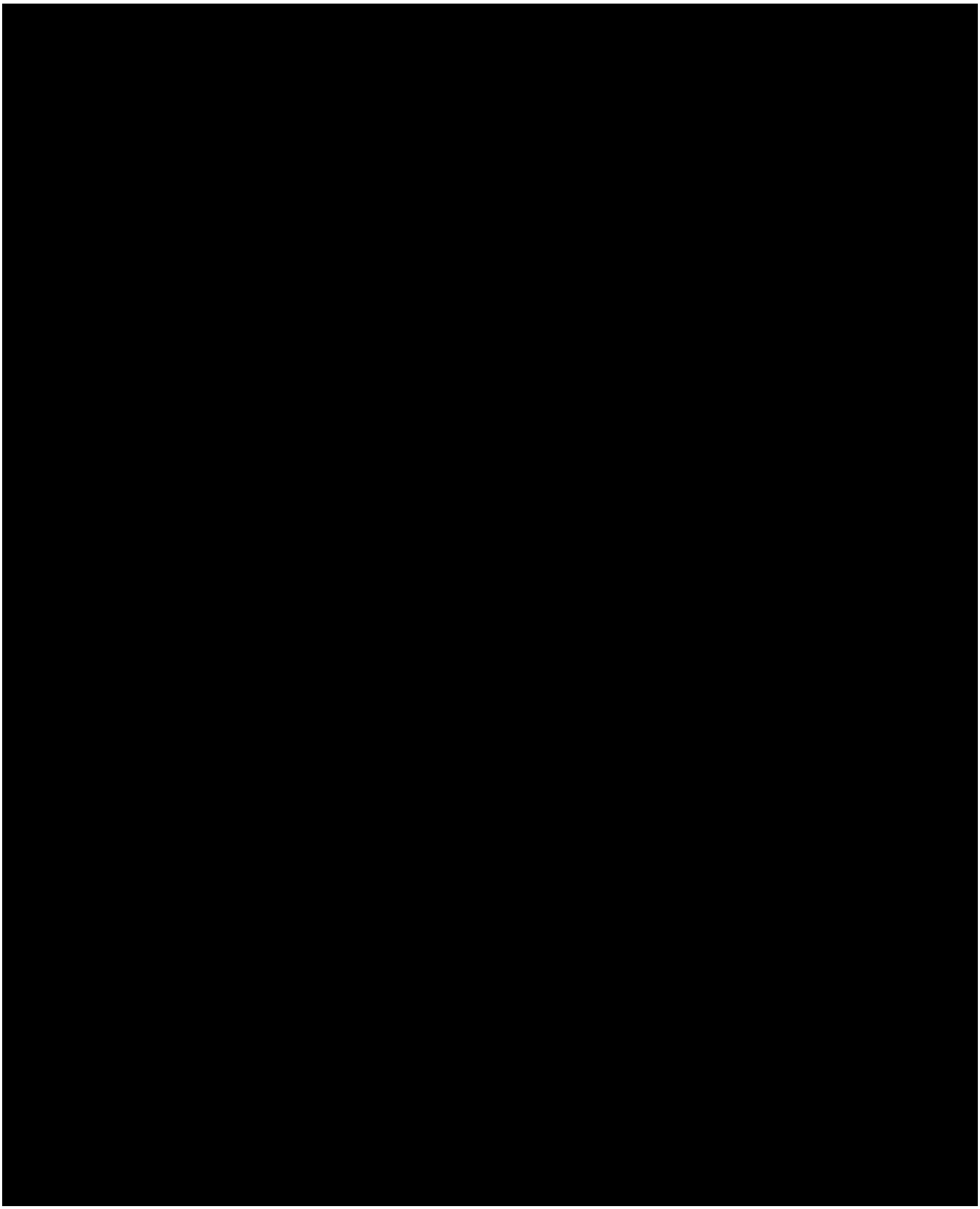

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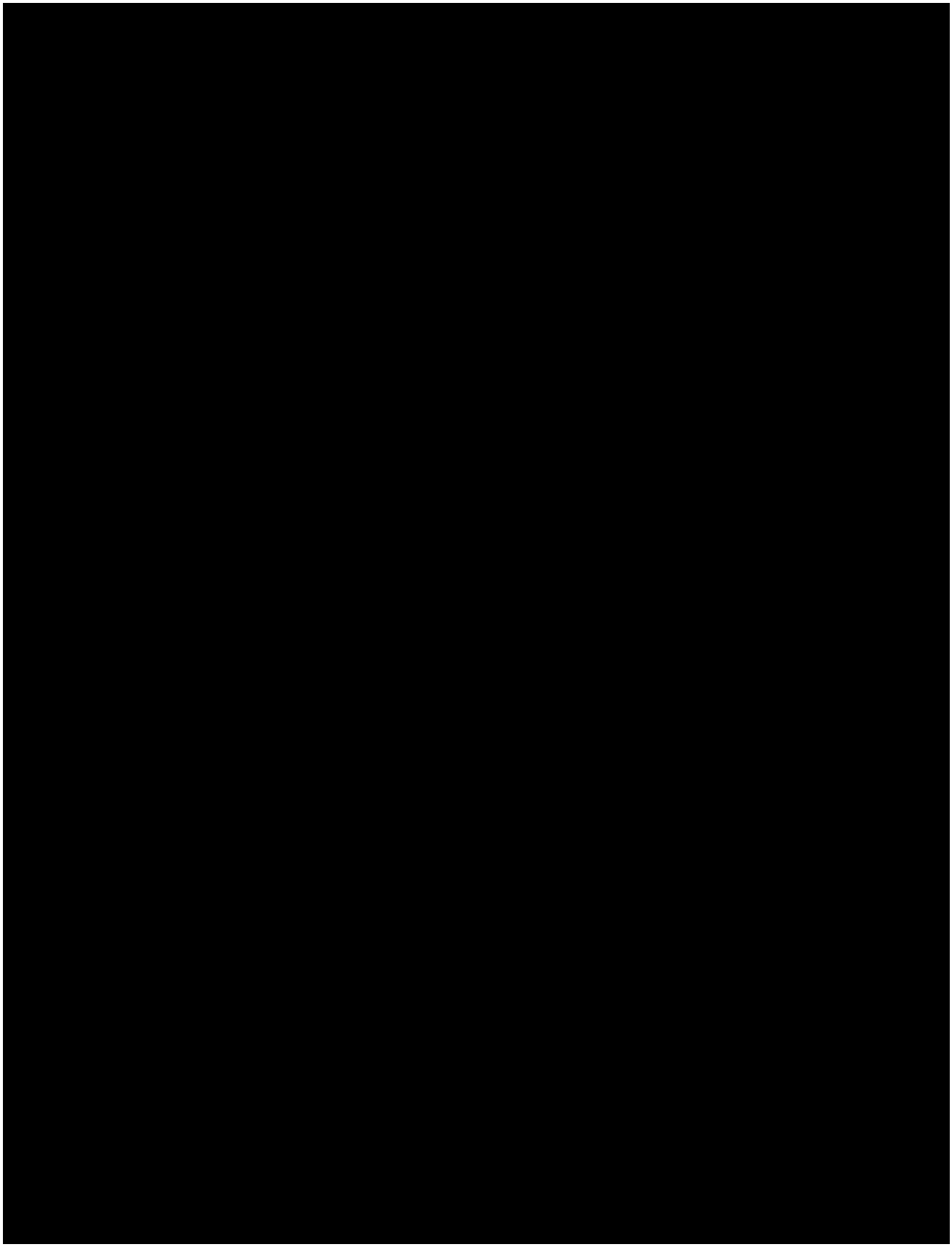
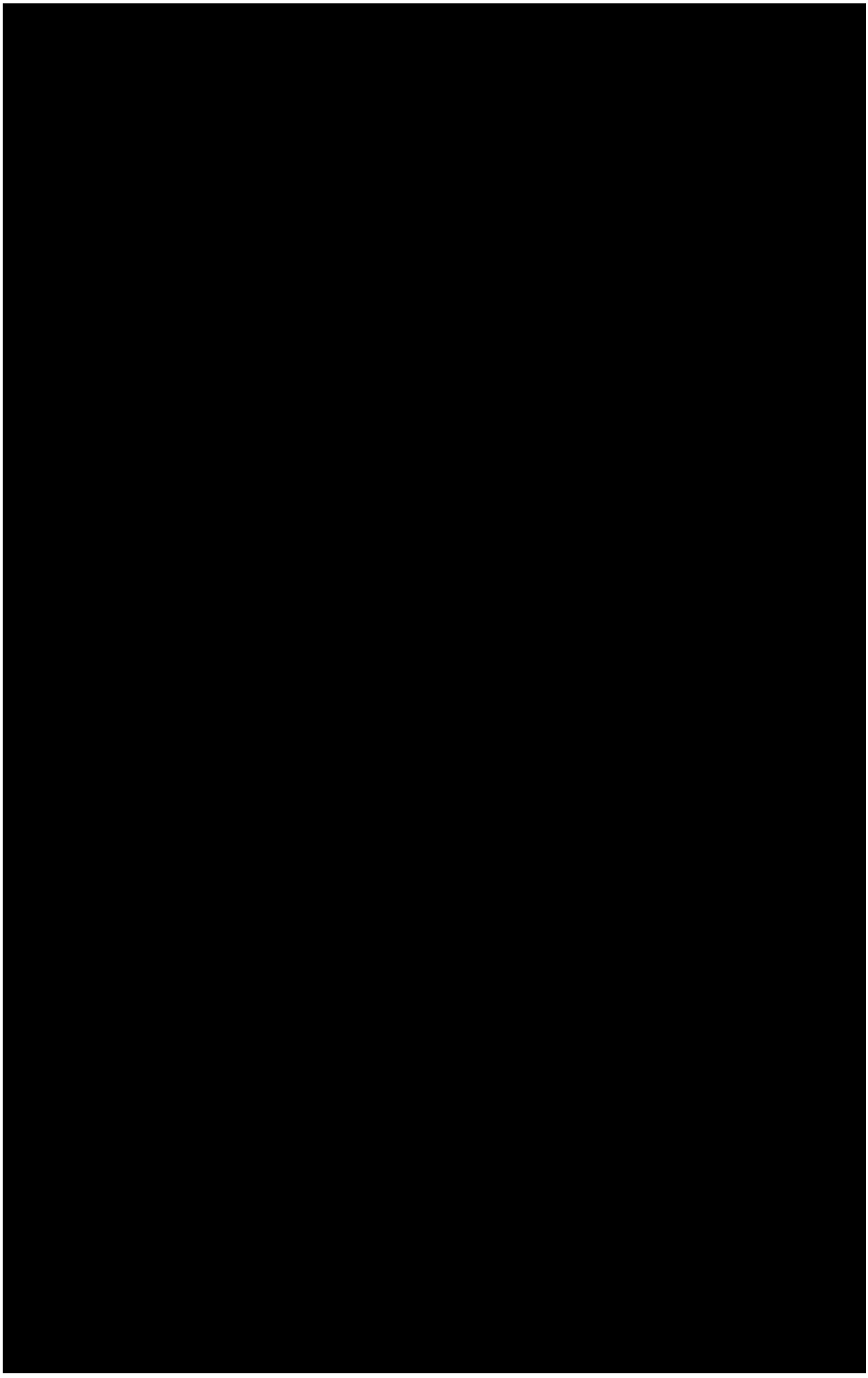
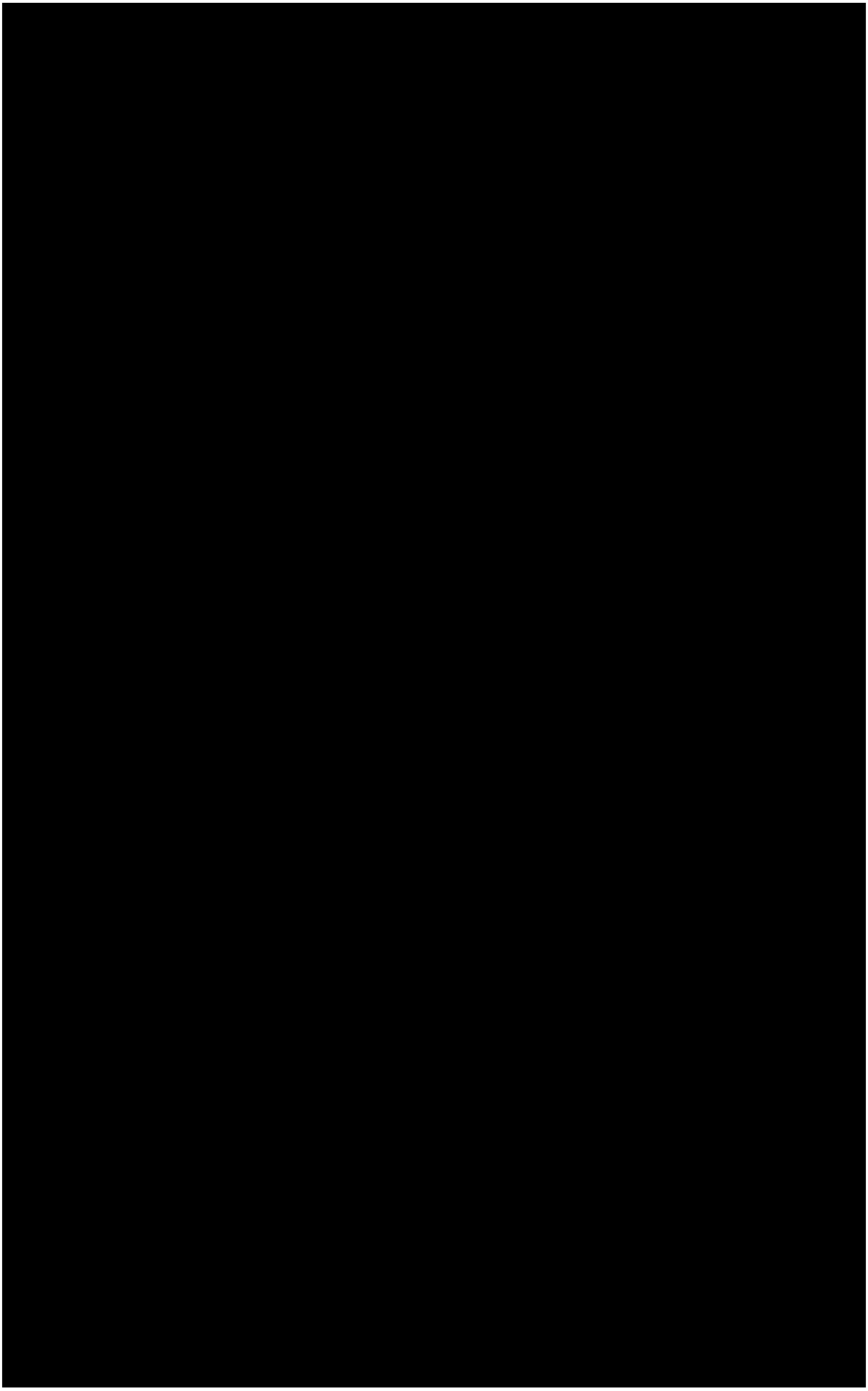
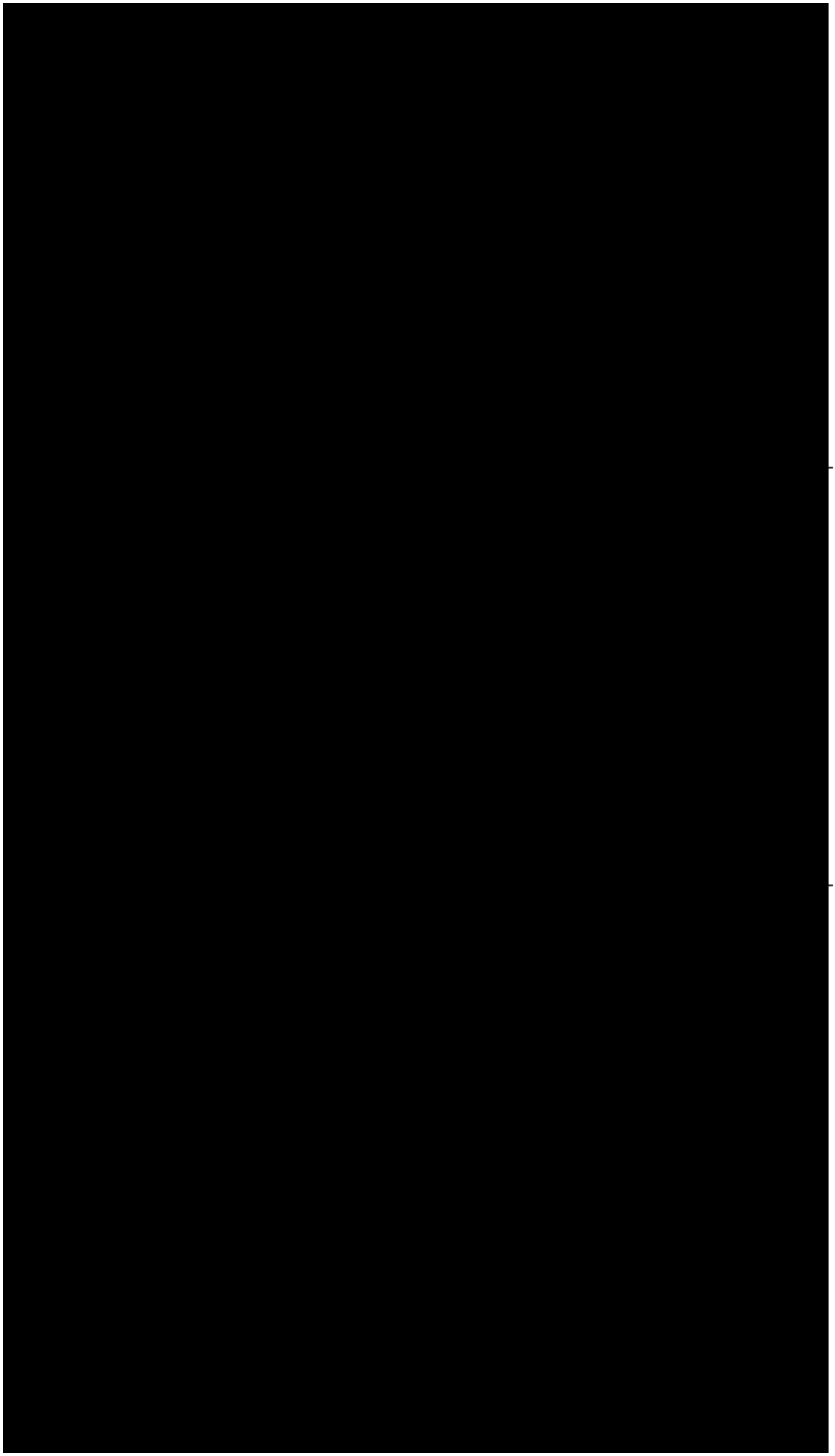
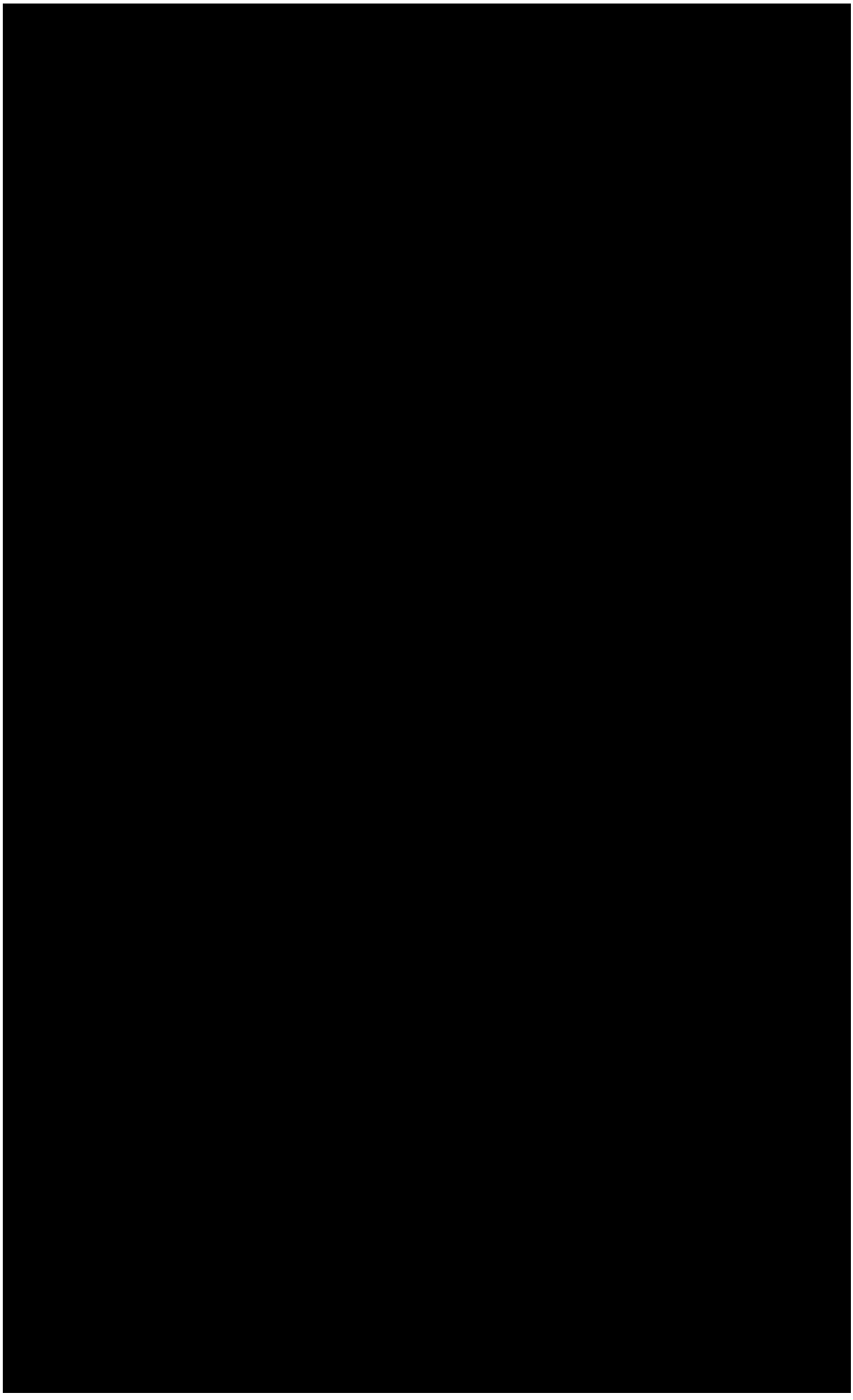
Subject: Discipline Directive Upheld; Small Cell Amendments; OPRA Timing Back
Date: Friday, June 11, 2021 4:16:52 PM

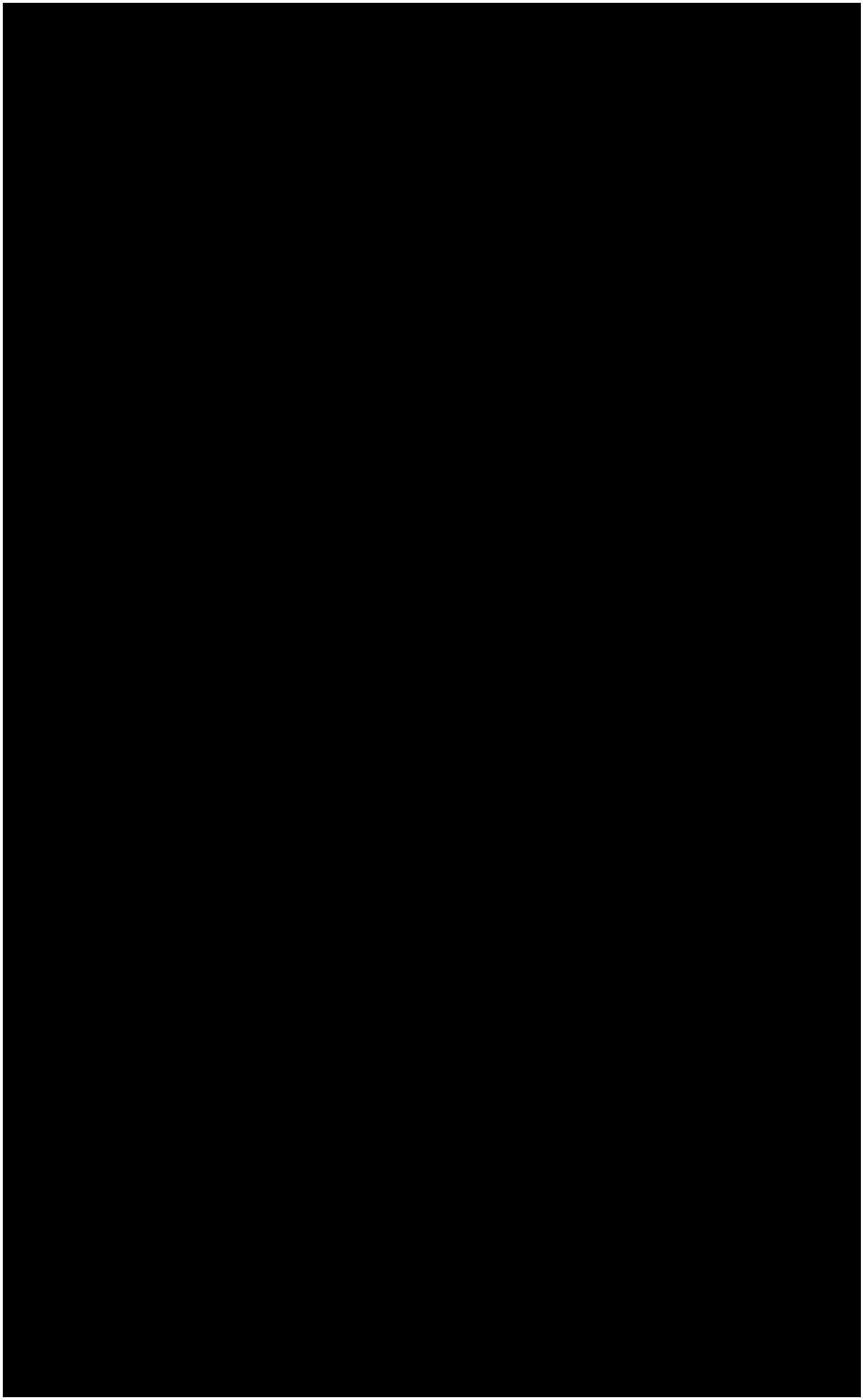




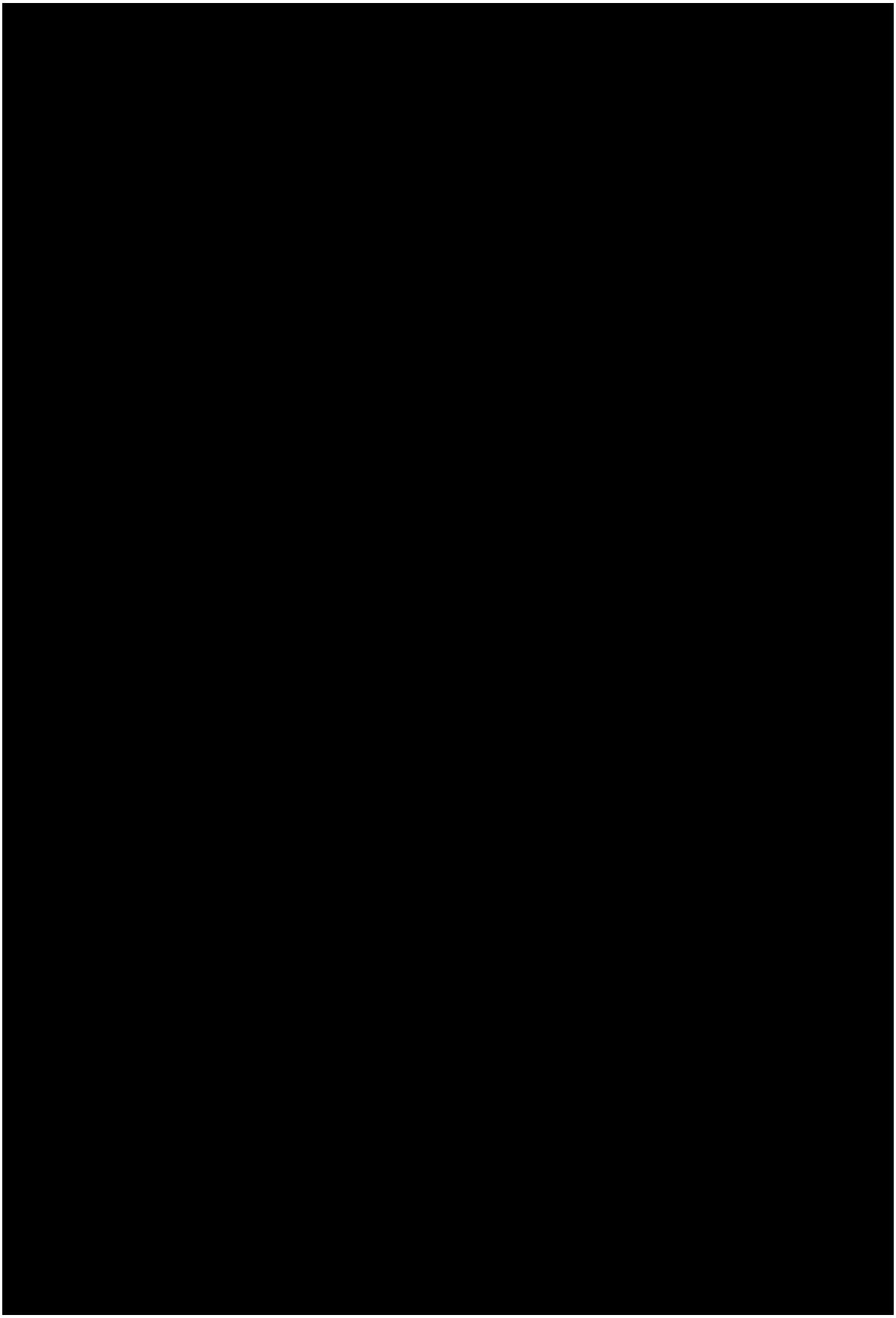


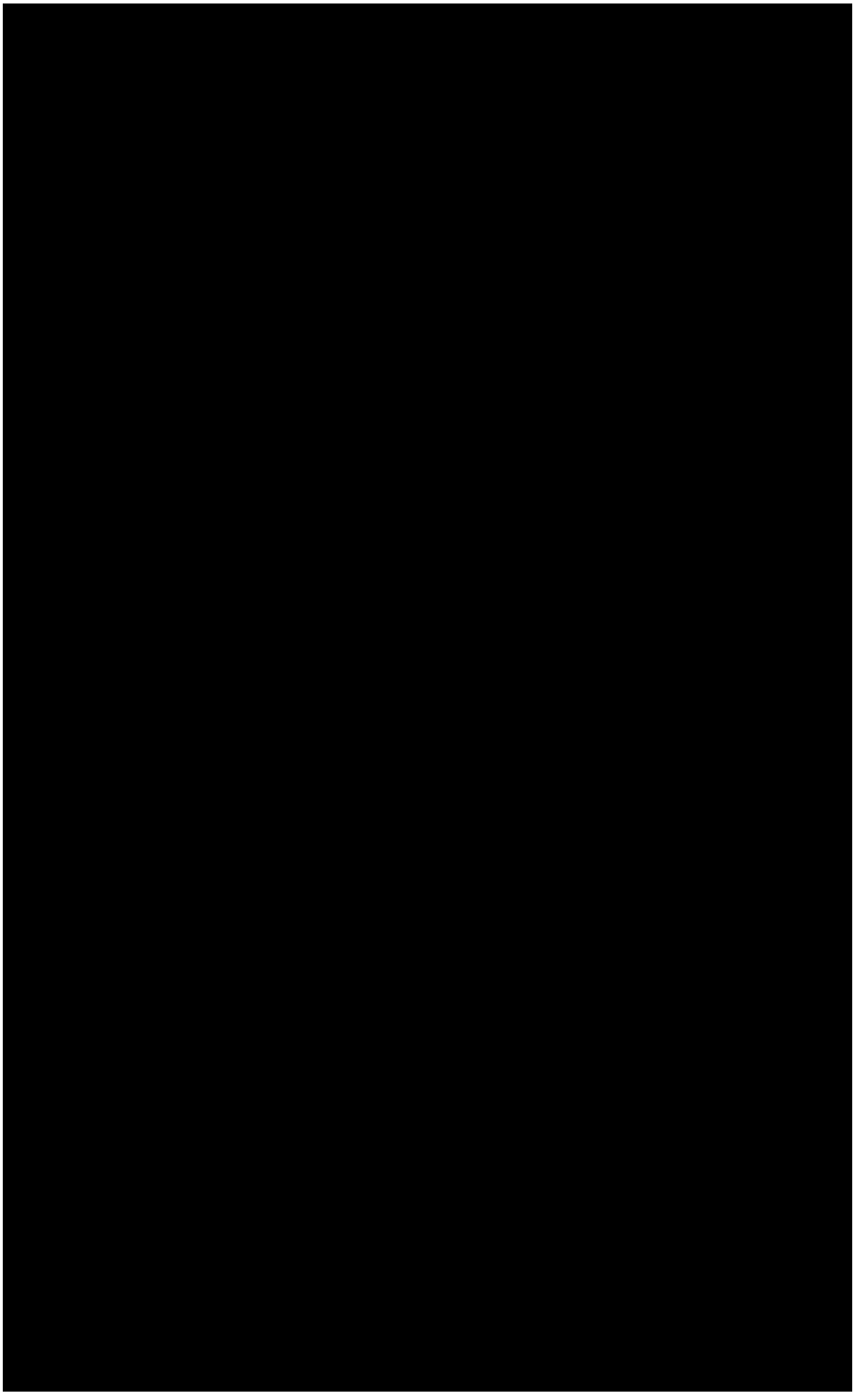


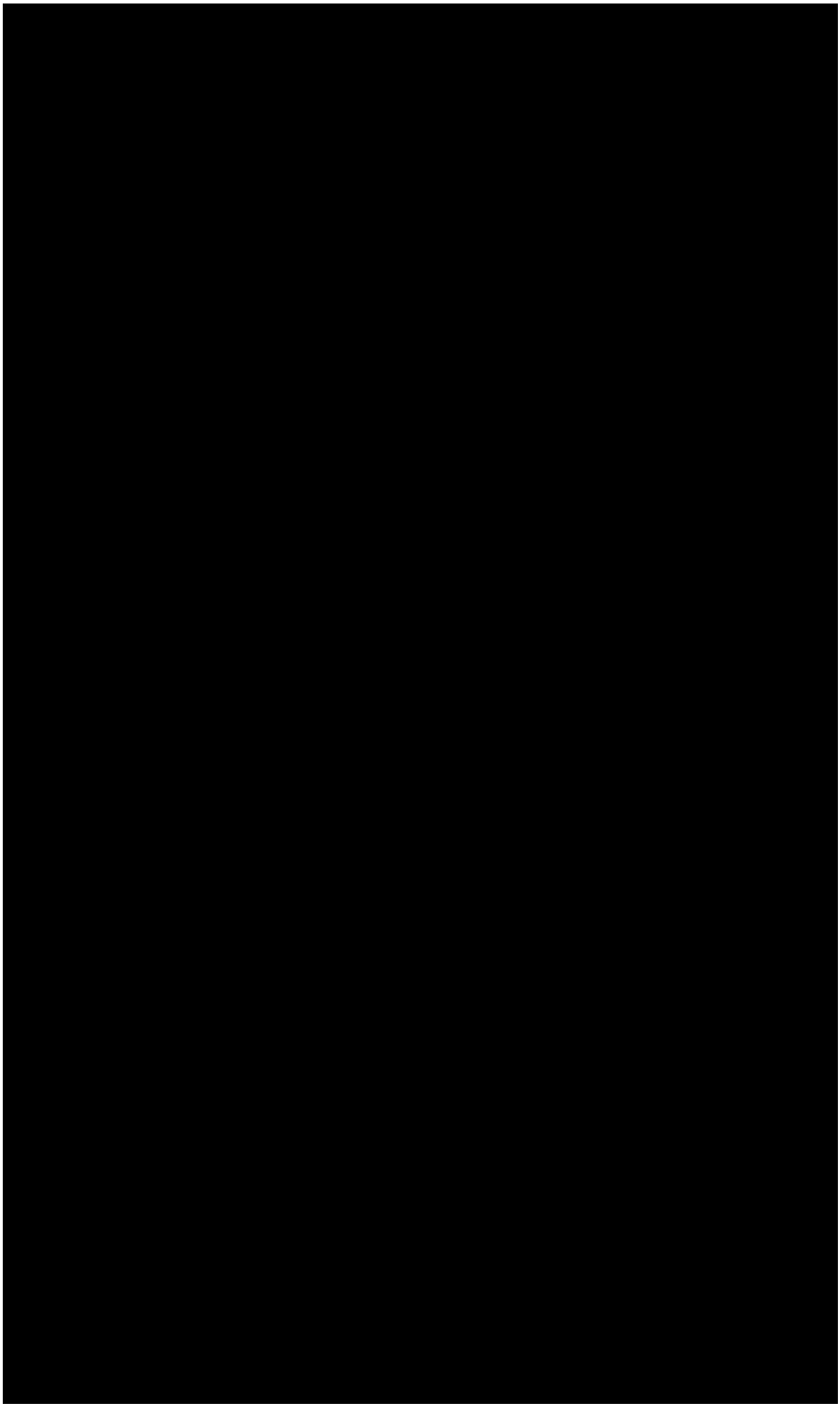


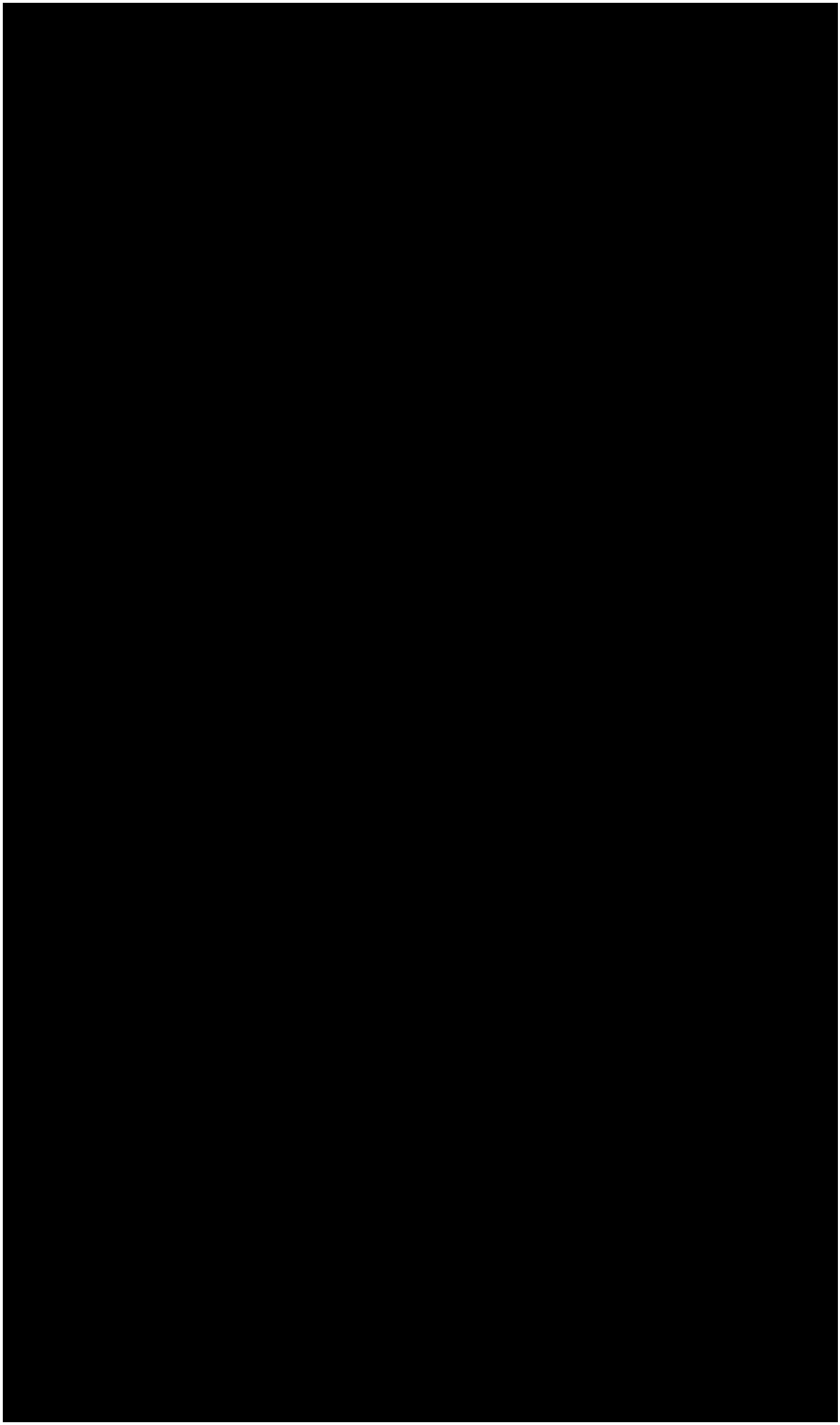


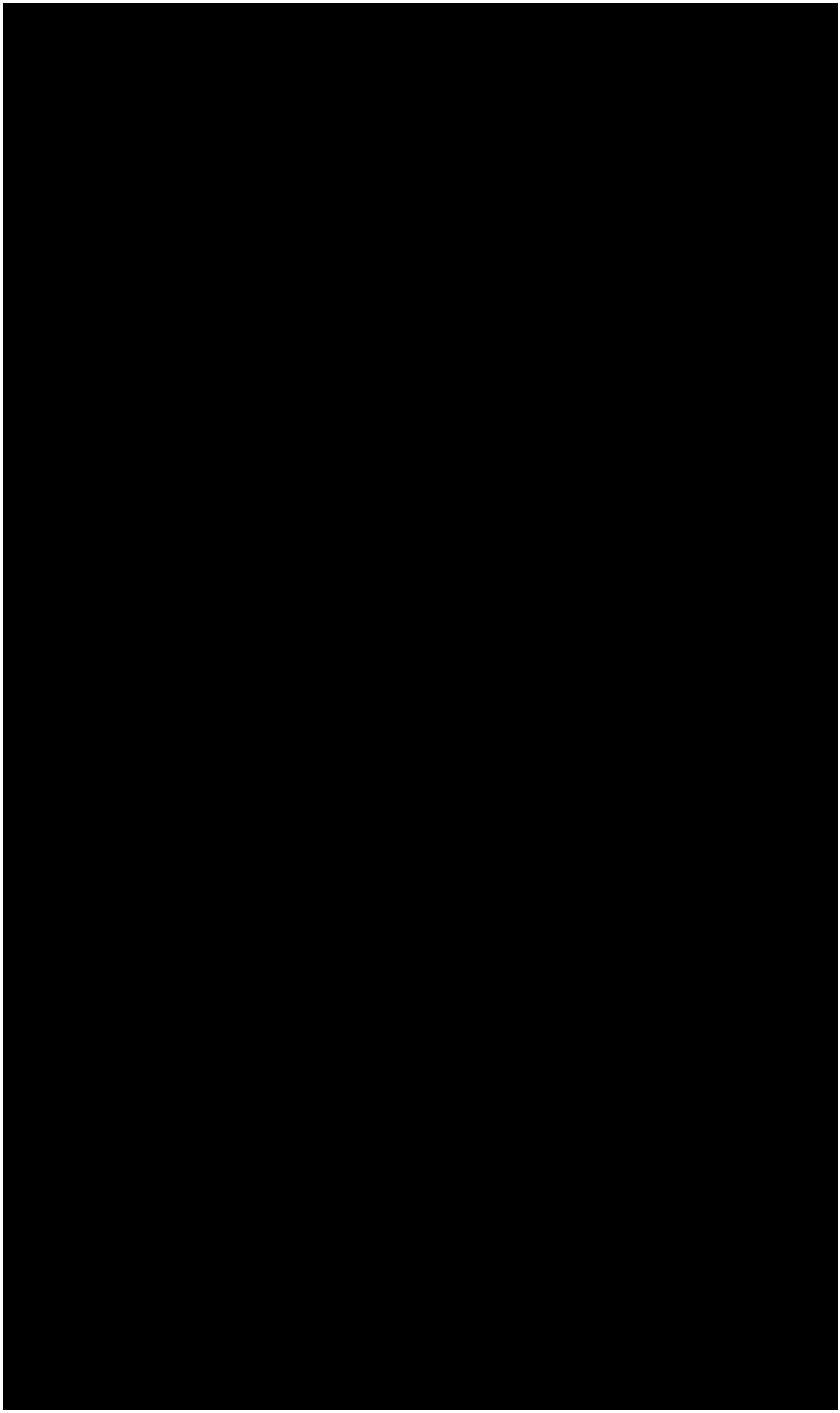
From: NJLM Weekly Round-Up
To: [redacted]
Subject: Discipline Directive Upheld; Small Cell Amendments; OPRA Timing Back
Date: Friday, June 11, 2021 4:15:09 PM

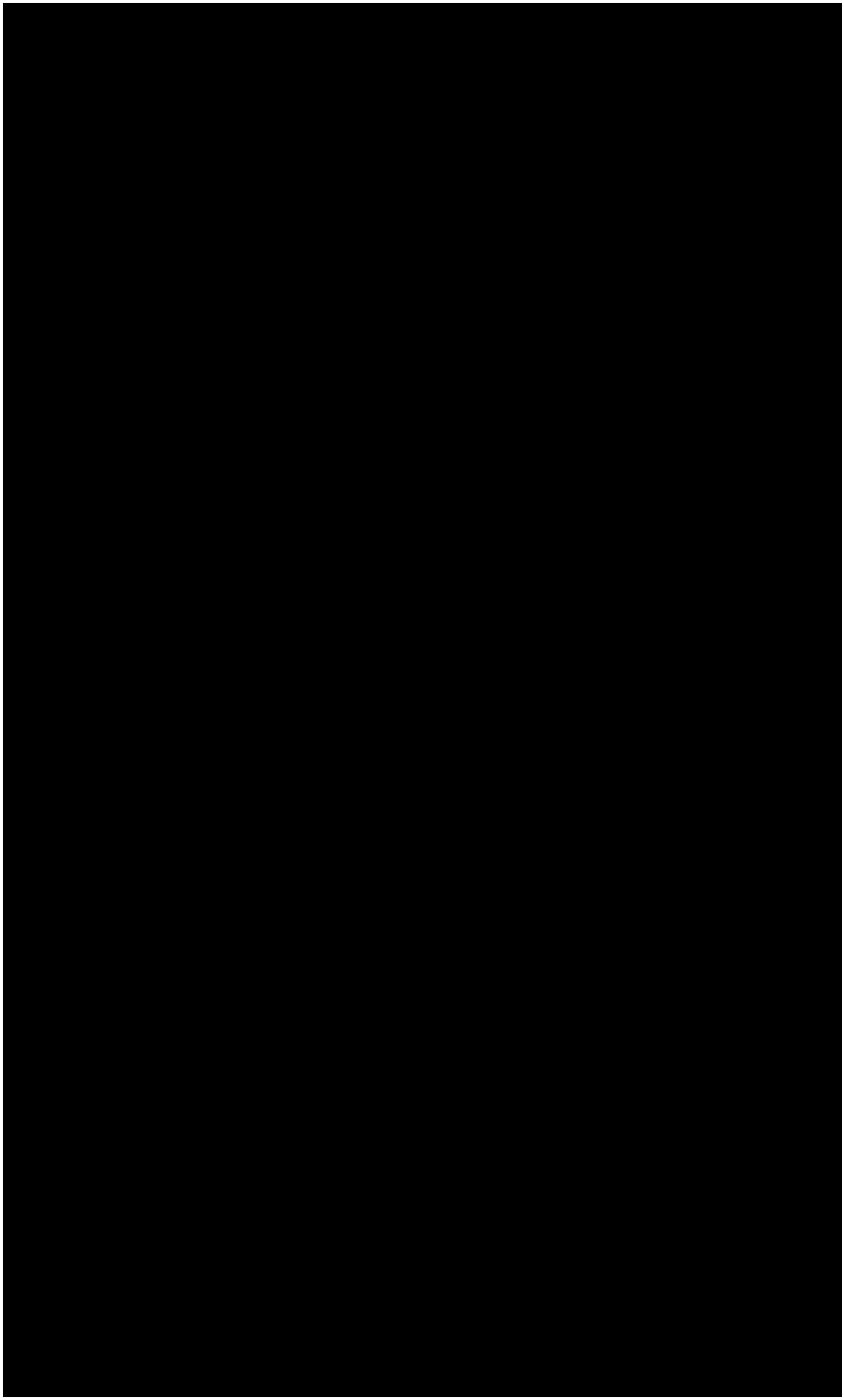












From: [redacted]
To: [redacted]; [redacted]
Cc: [redacted]
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 4:12:04 PM
Attachments: image005.png
image007.png
image009.png
image011.png

---

ok

From: Amy Spiezio
Sent: Friday, June 11, 2021 3:57 PM
To: Shirley Cade <[redacted]; Michael F. Cerra <[redacted]
Cc: Ciara Bradley <[redacted]
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

Sorry! How about:

[redacted]

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Amy Spiezio | Managing Editor
New Jersey Municipalities Magazine
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 ext. 123
Cell: 215-962-4374

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From: Shirley Cade
Sent: Friday, June 11, 2021 3:53 PM
To: Michael F. Cerra
Cc: Ciara Bradley; Amy Spiezio
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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609-695-3481 extension 114

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From: NJLM Weekly Round-Up [mailto:x@xx]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <x@xx >
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

newsletter header

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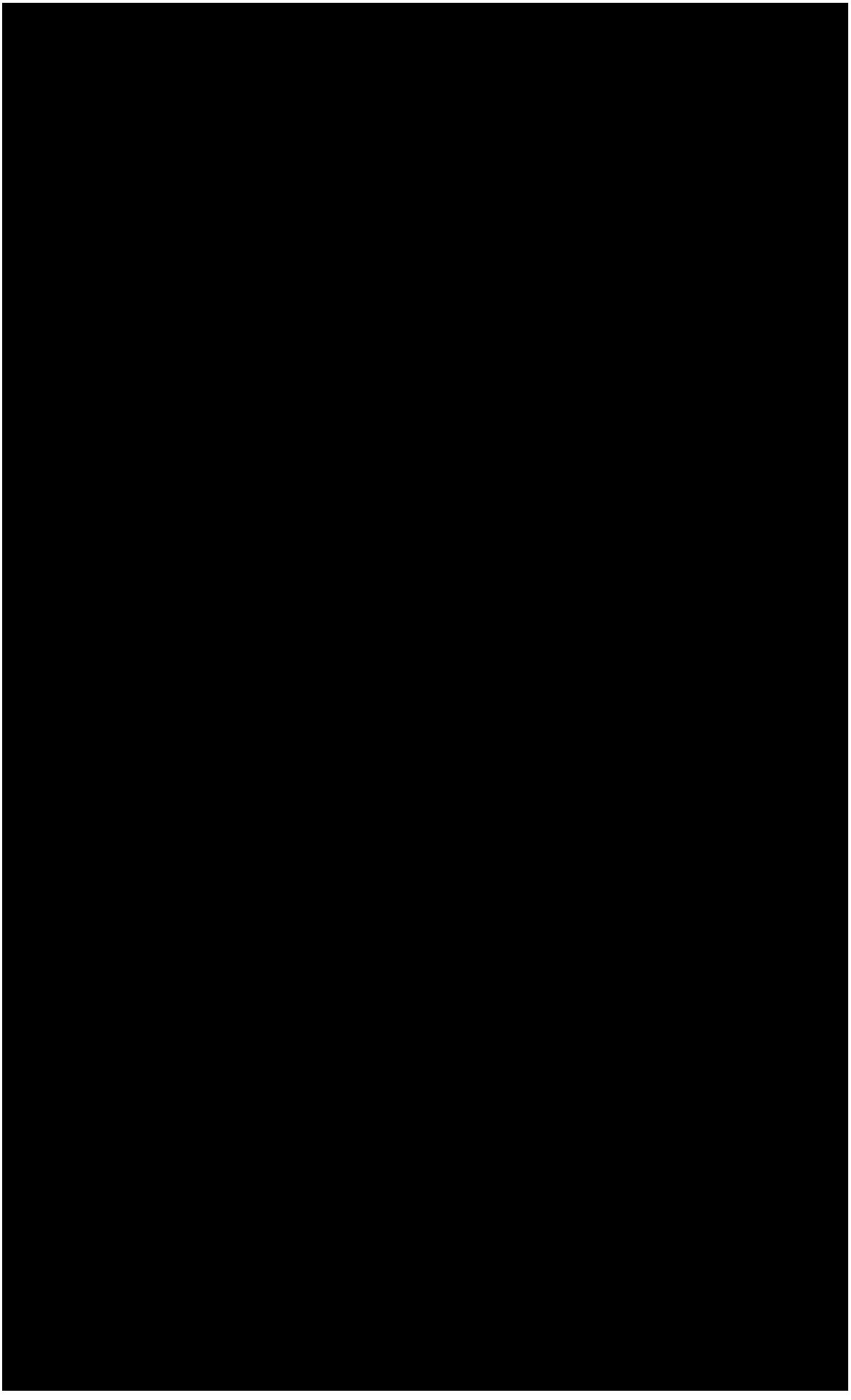

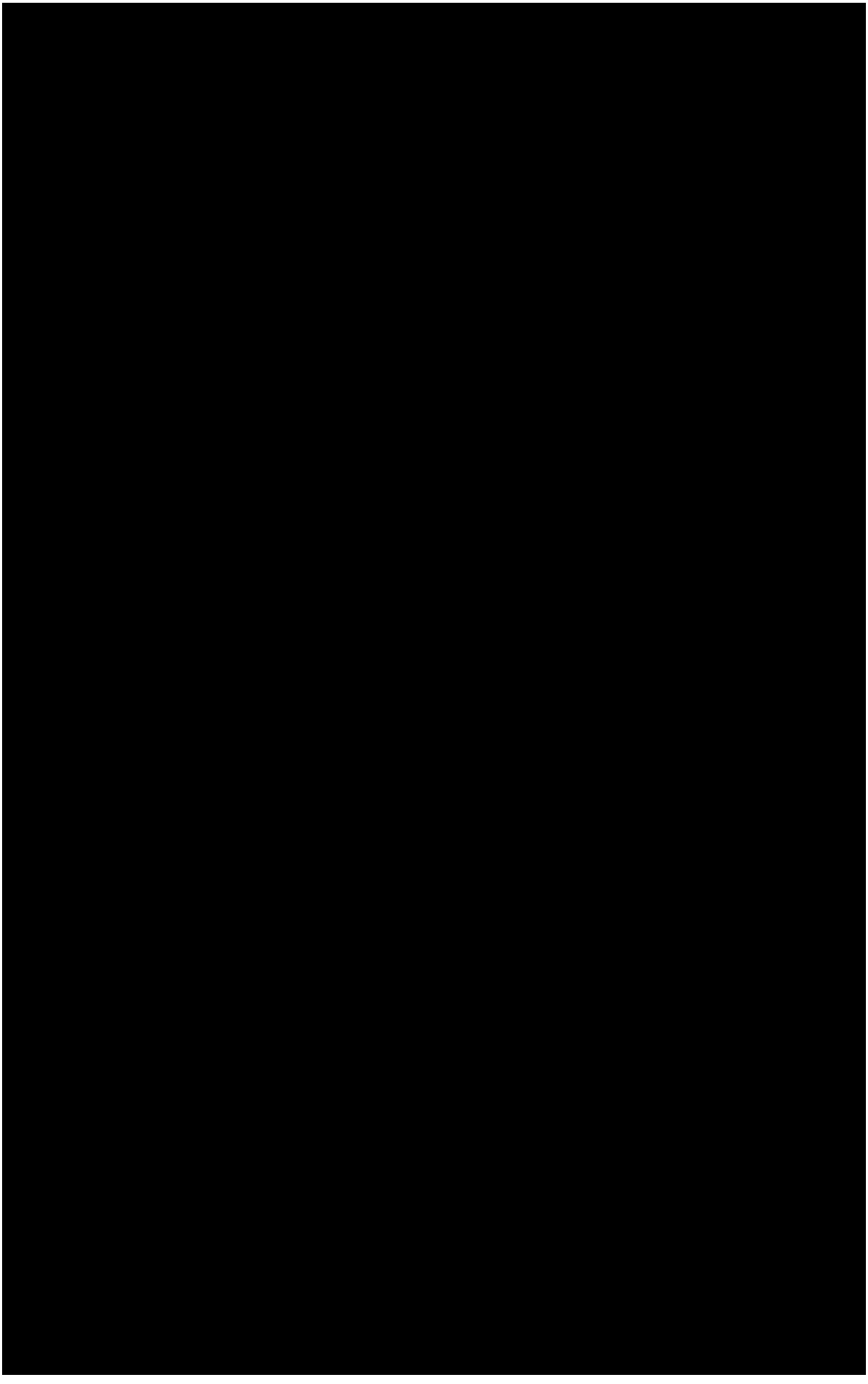

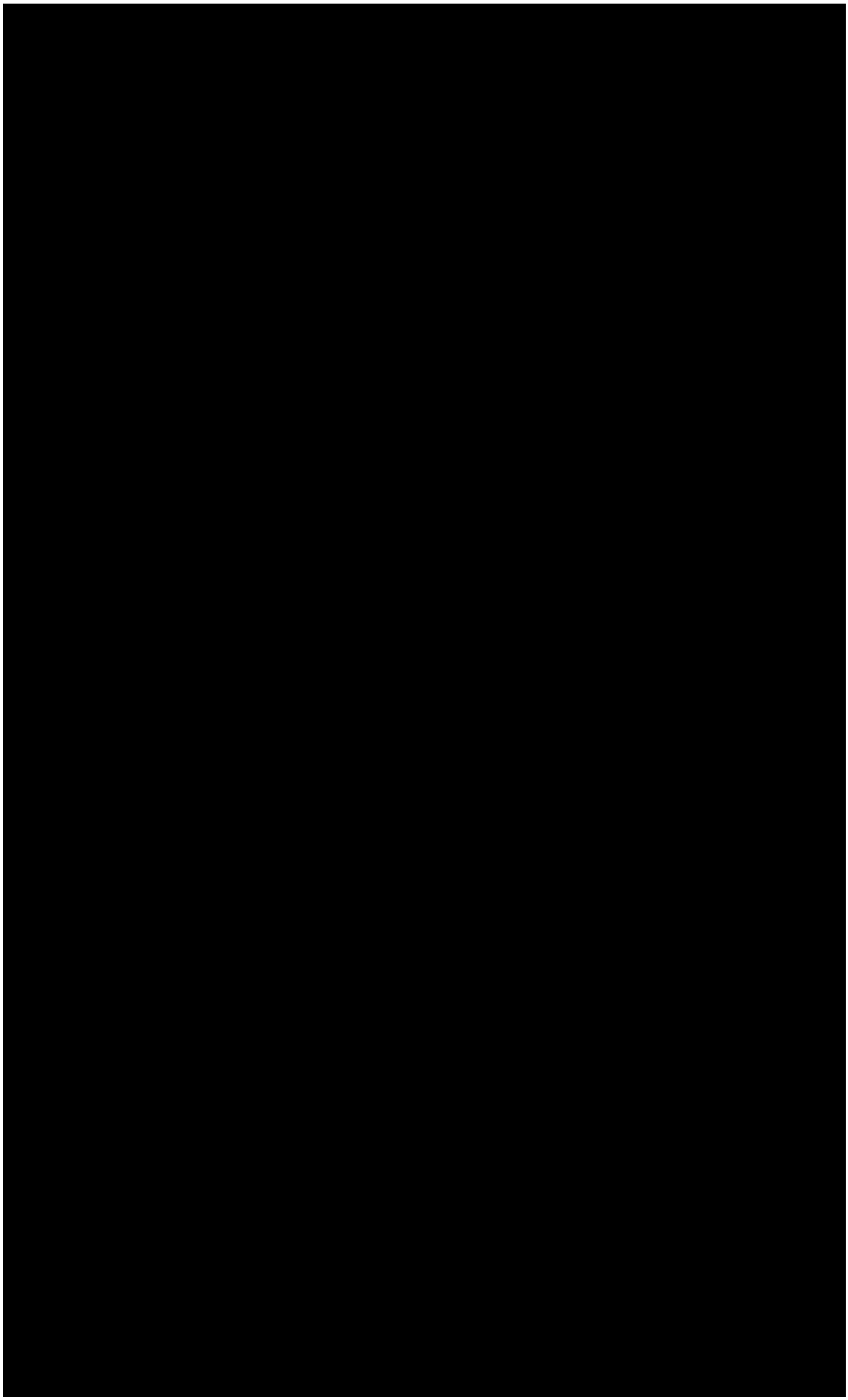

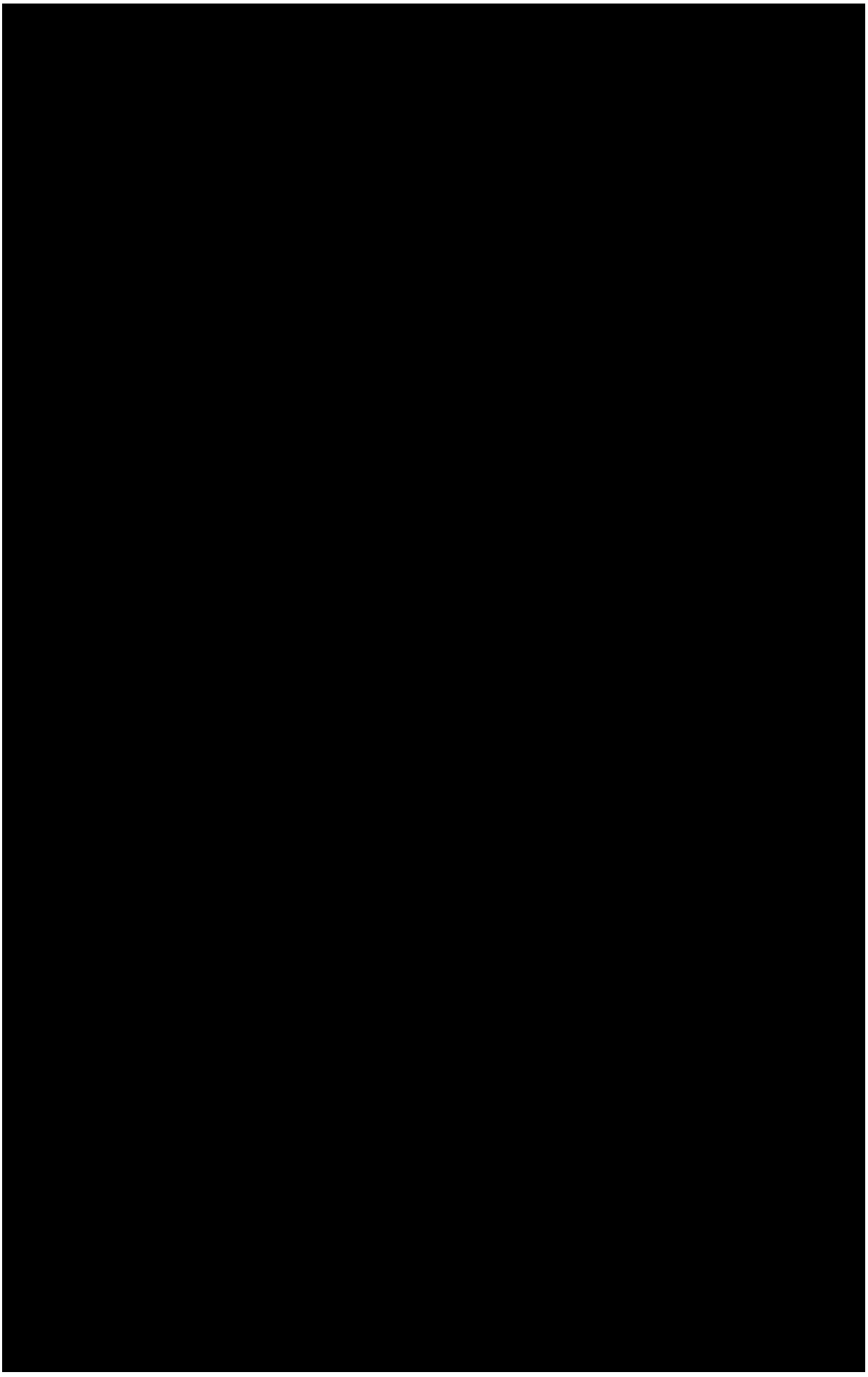

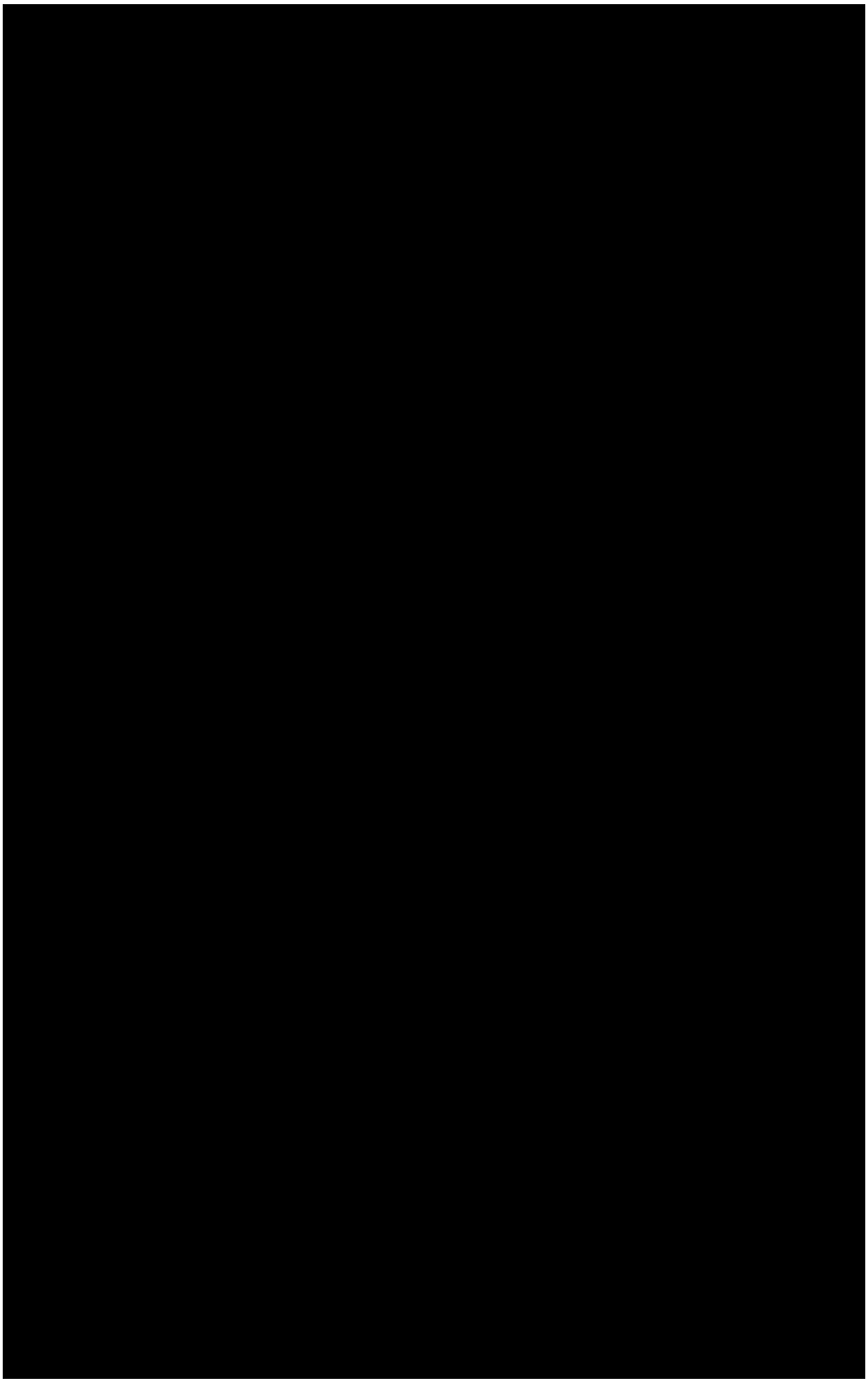

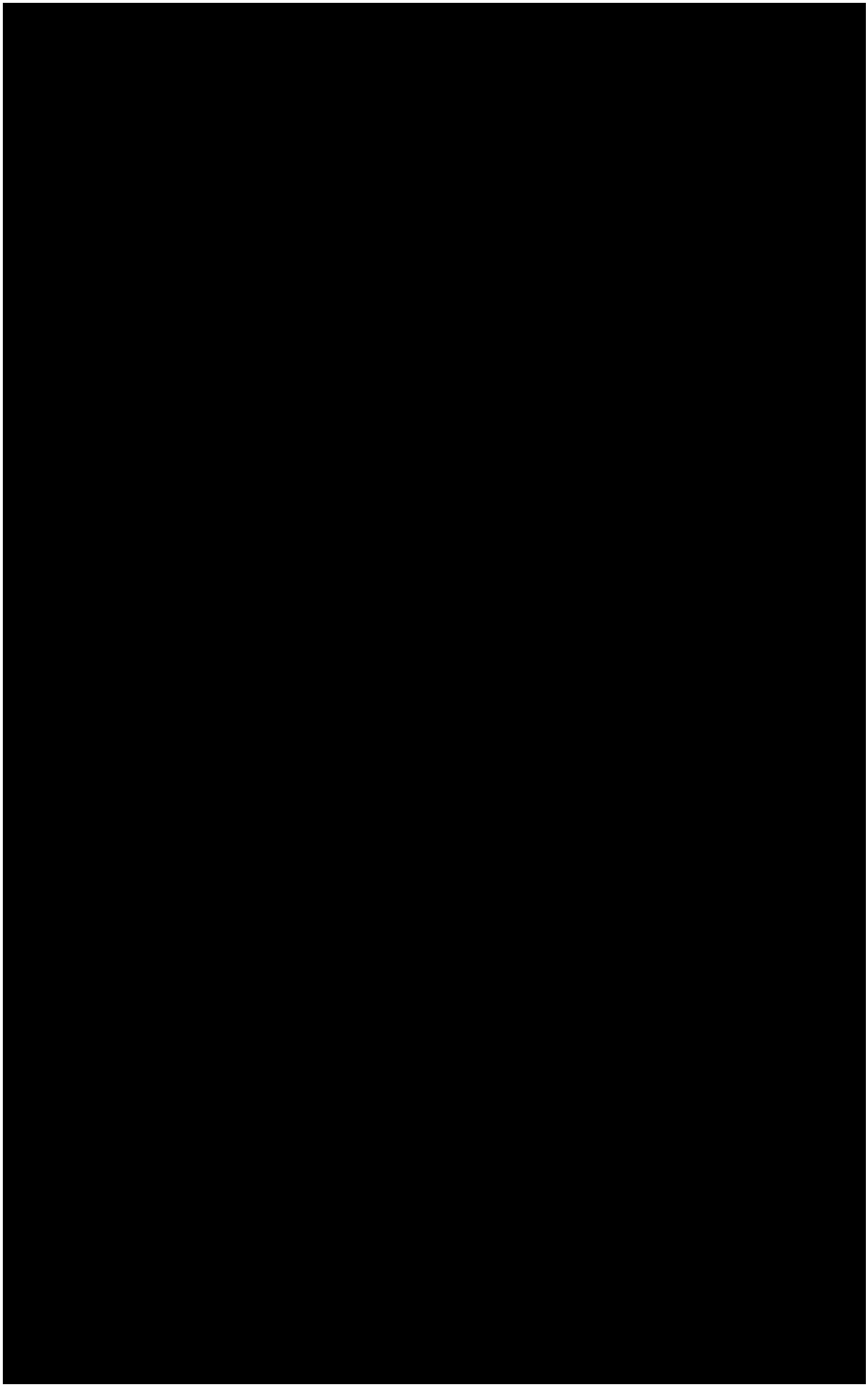

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From: mcerra@njlm.org
To: scade@njlm.org
Cc: cbradley@njlm.org; aspiezio@njlm.org
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 4:11:27 PM
Attachments: image001.png
image003.png

[redacted]

[redacted]

From: Shirley Cade
Sent: Friday, June 11, 2021 3:54 PM
To: Michael F. Cerra <mcerra@njlm.org>
Cc: Ciara Bradley <cbradley@njlm.org>; Amy Spiezio <aspiezio@njlm.org>
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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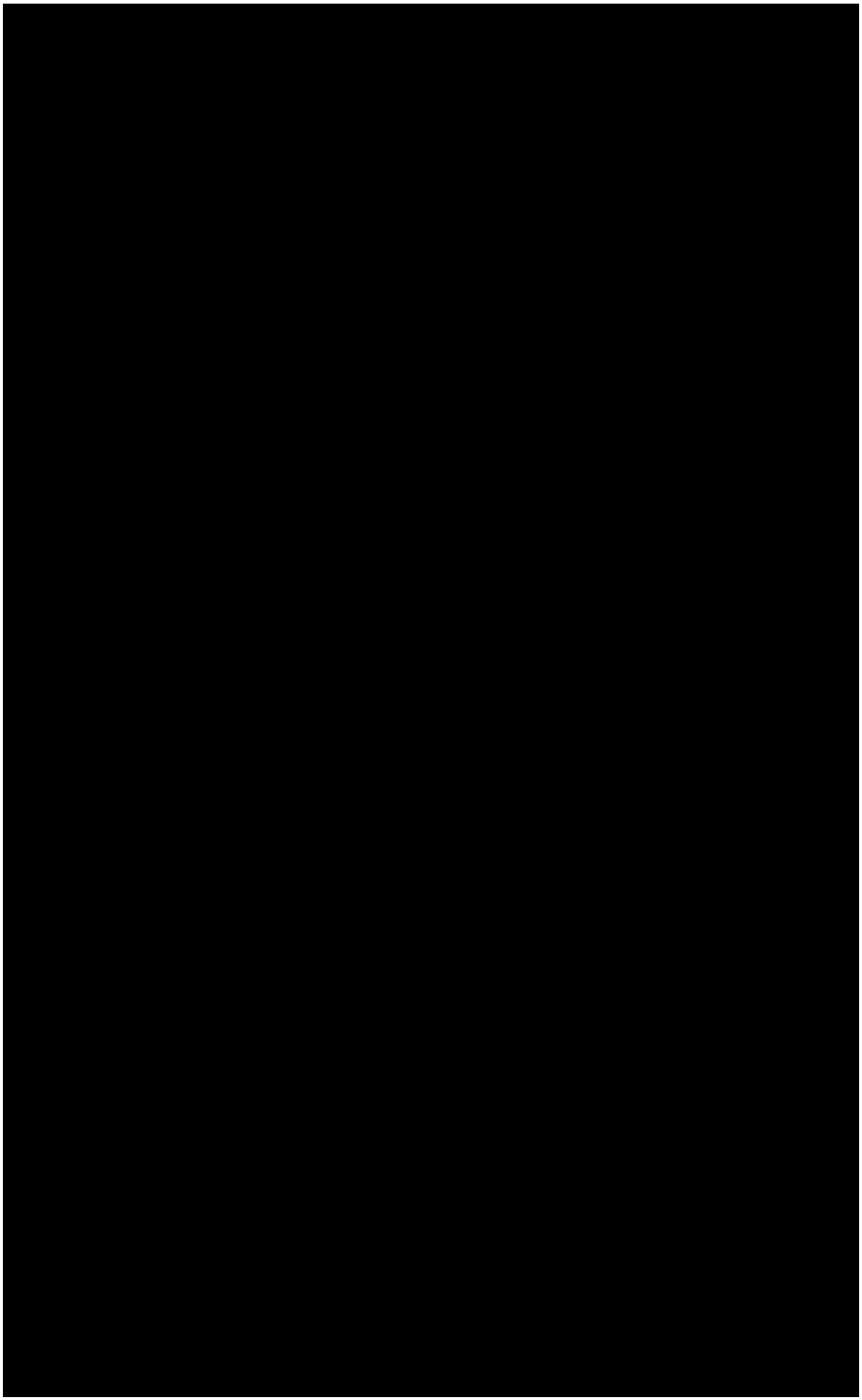
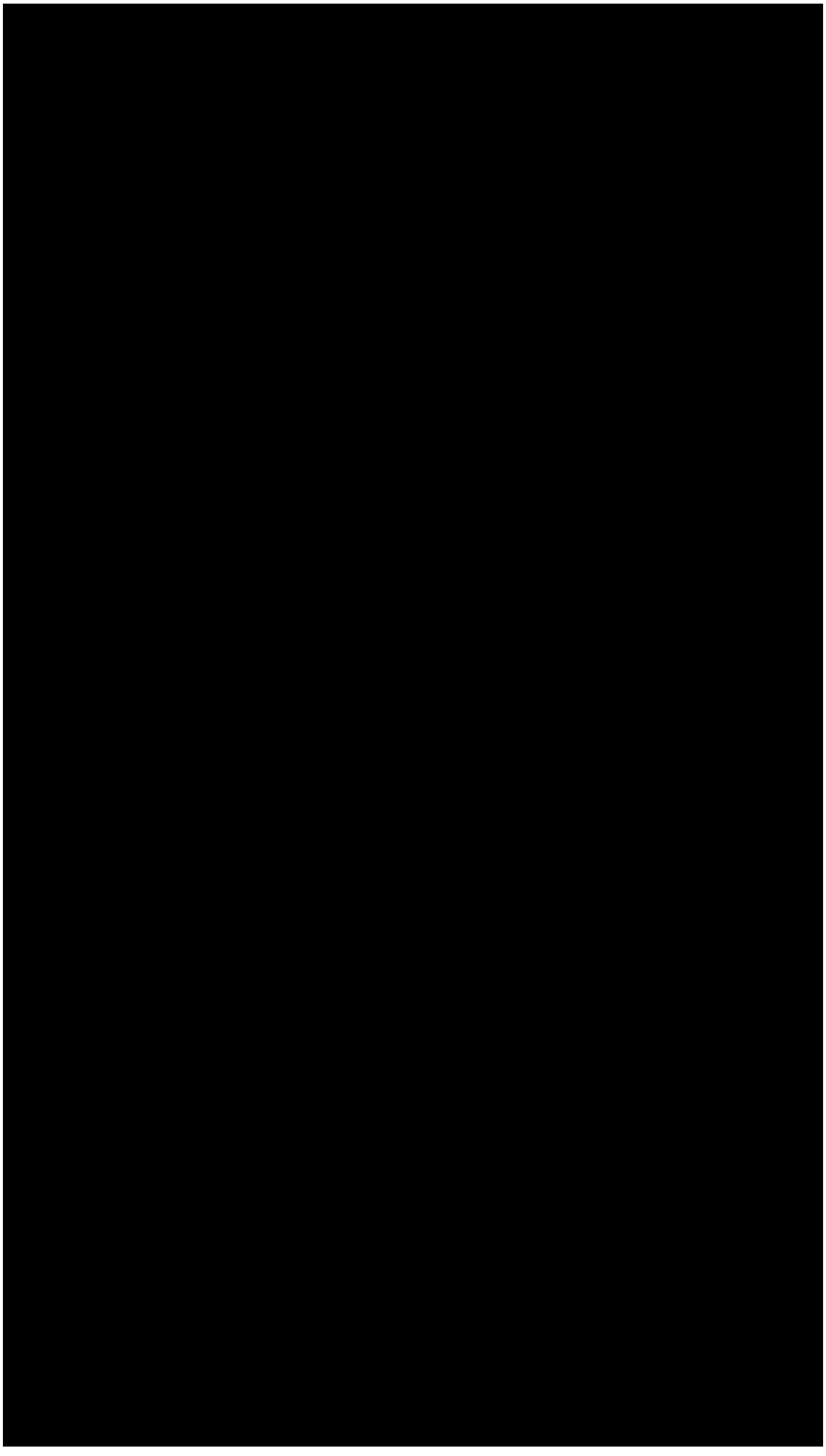
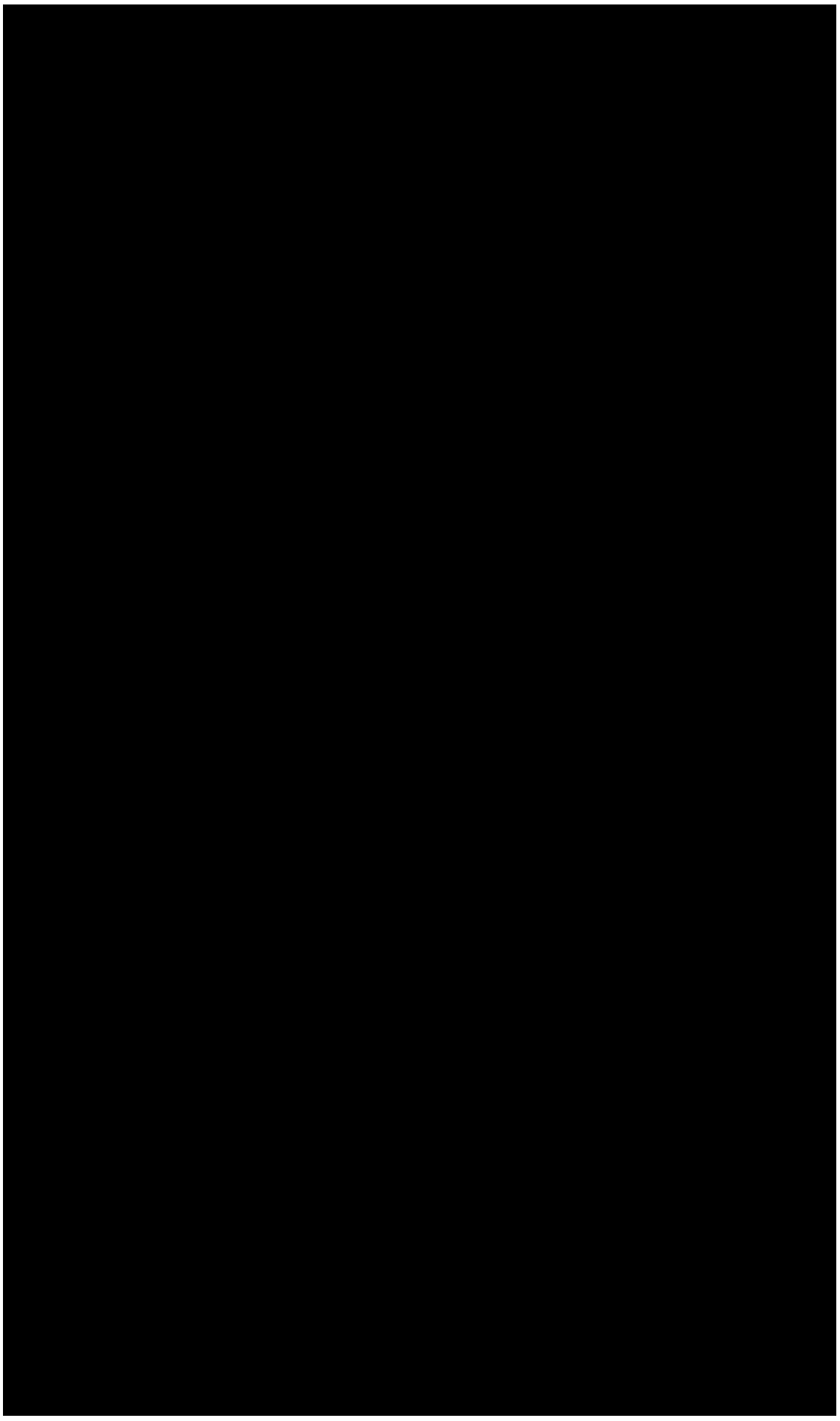
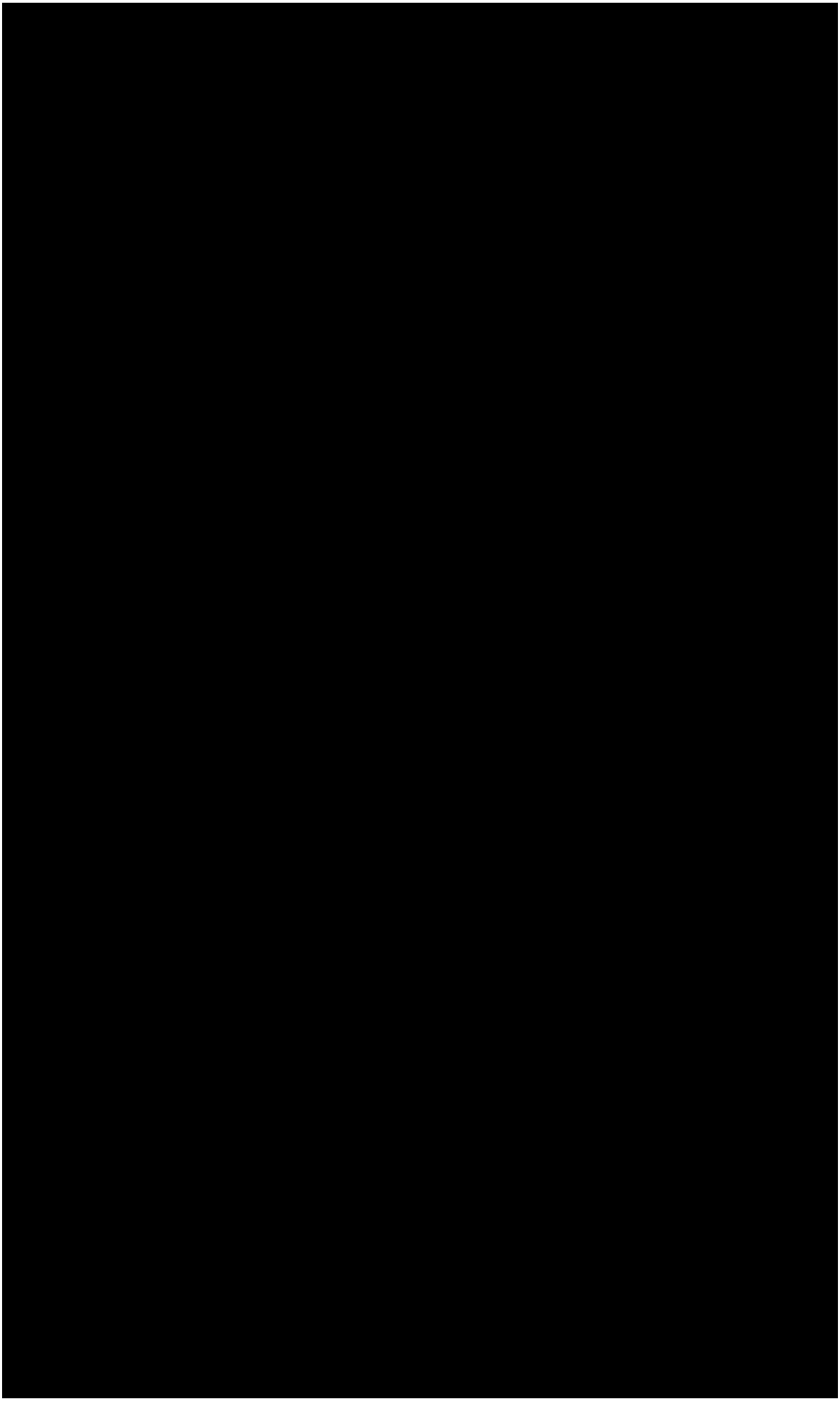
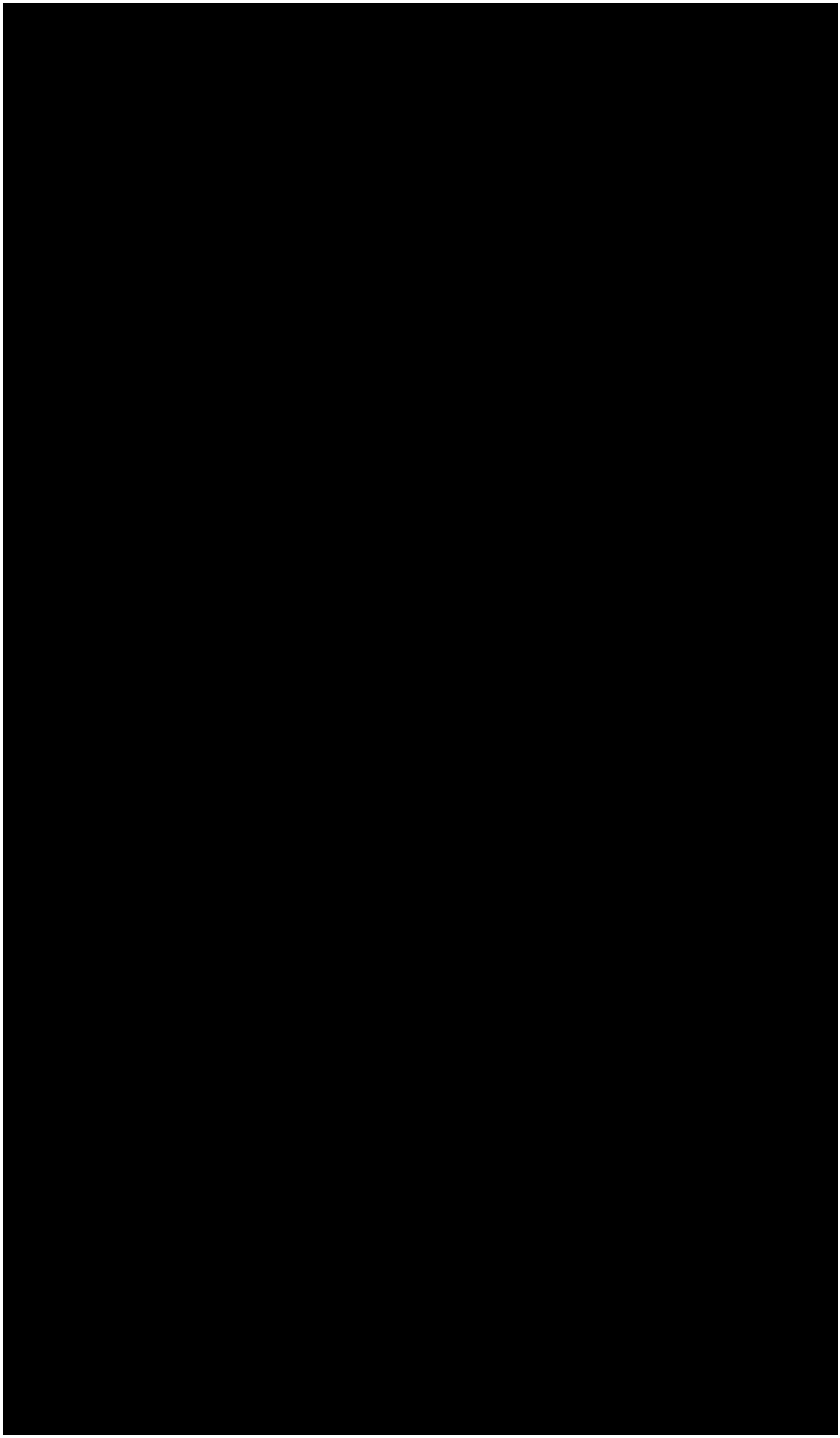
From: NJLM Weekly Round-Up [mailto:noreply@civicplus.com]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <scade@njlm.org>
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

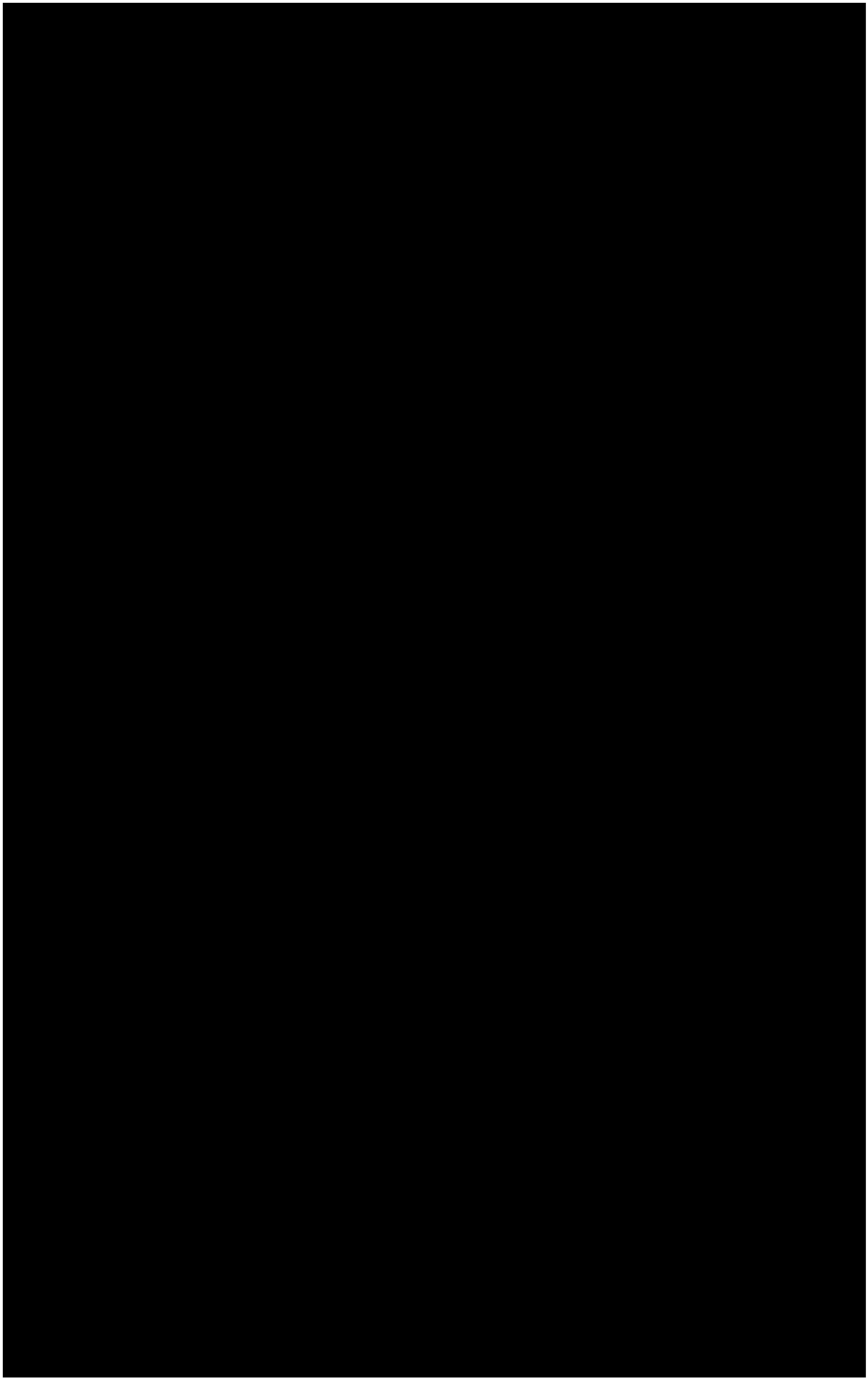












From: [redacted]
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Cc: [redacted]
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Date: Friday, June 11, 2021 4:11:20 PM
Attachments: image001.png
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[redacted]

From: Shirley Cade
Sent: Friday, June 11, 2021 3:54 PM
To: Michael F. Cerra <[redacted]
Cc: Ciara Bradley <[redacted]; Amy Spiezio <[redacted]
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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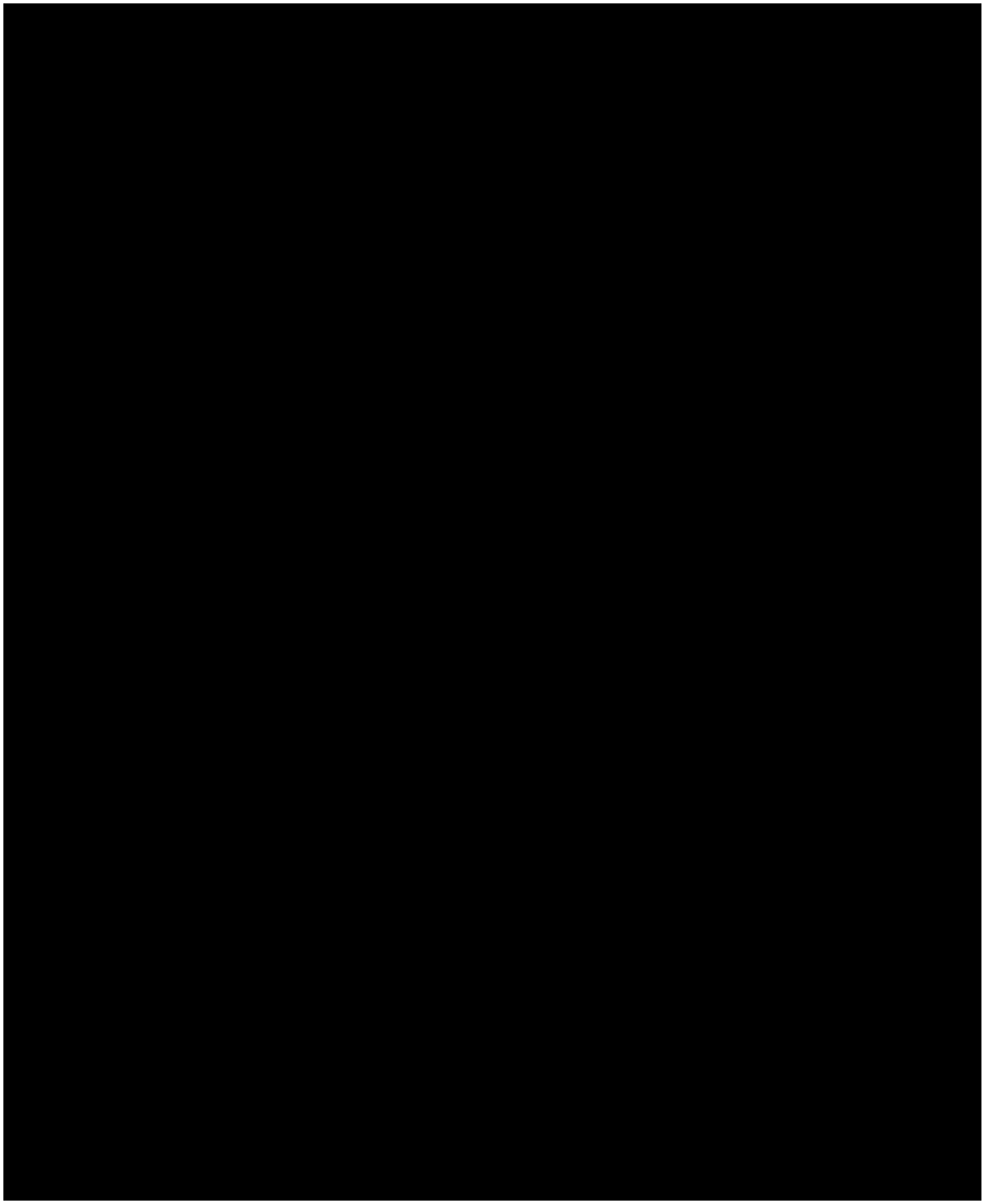
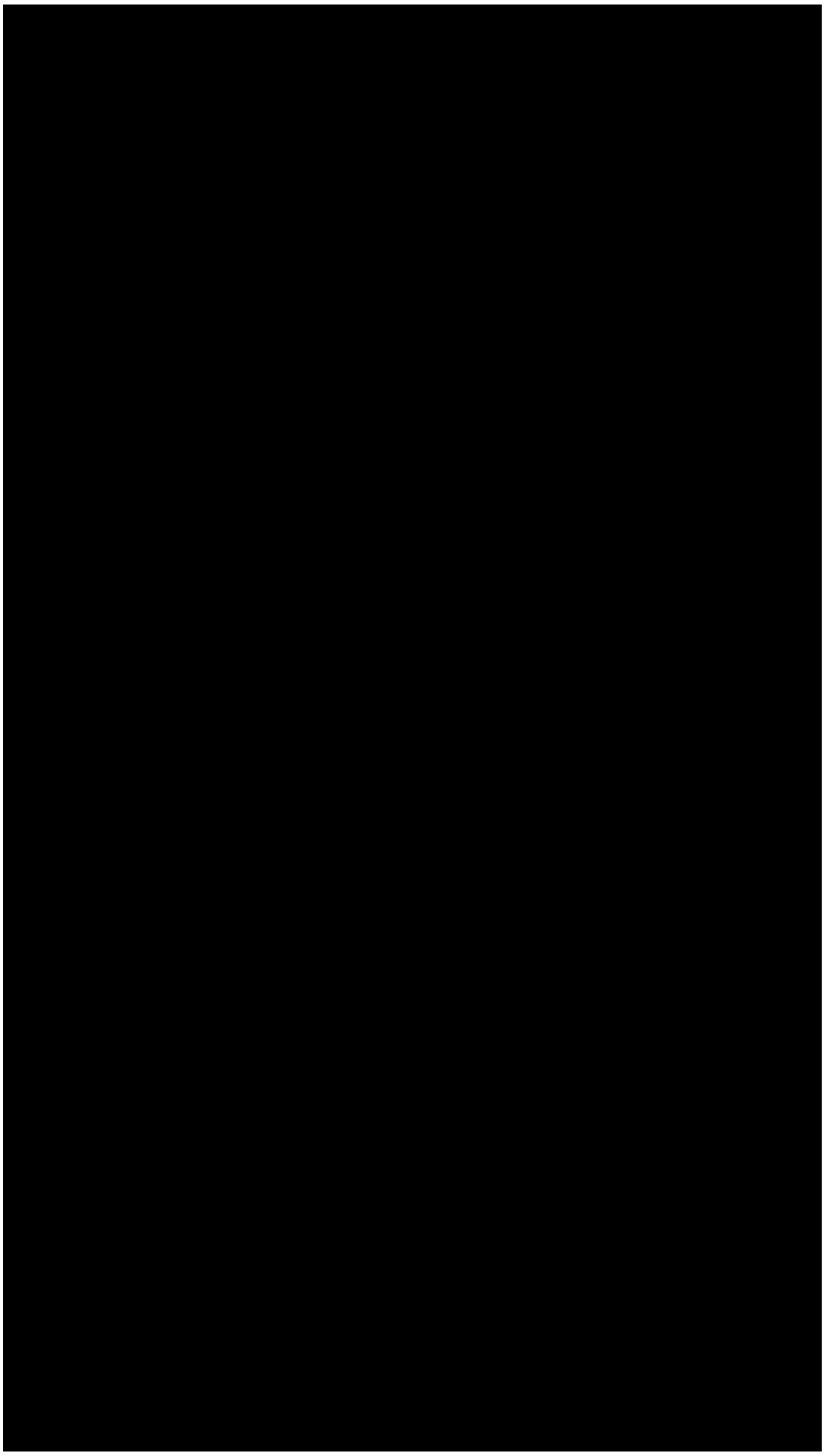
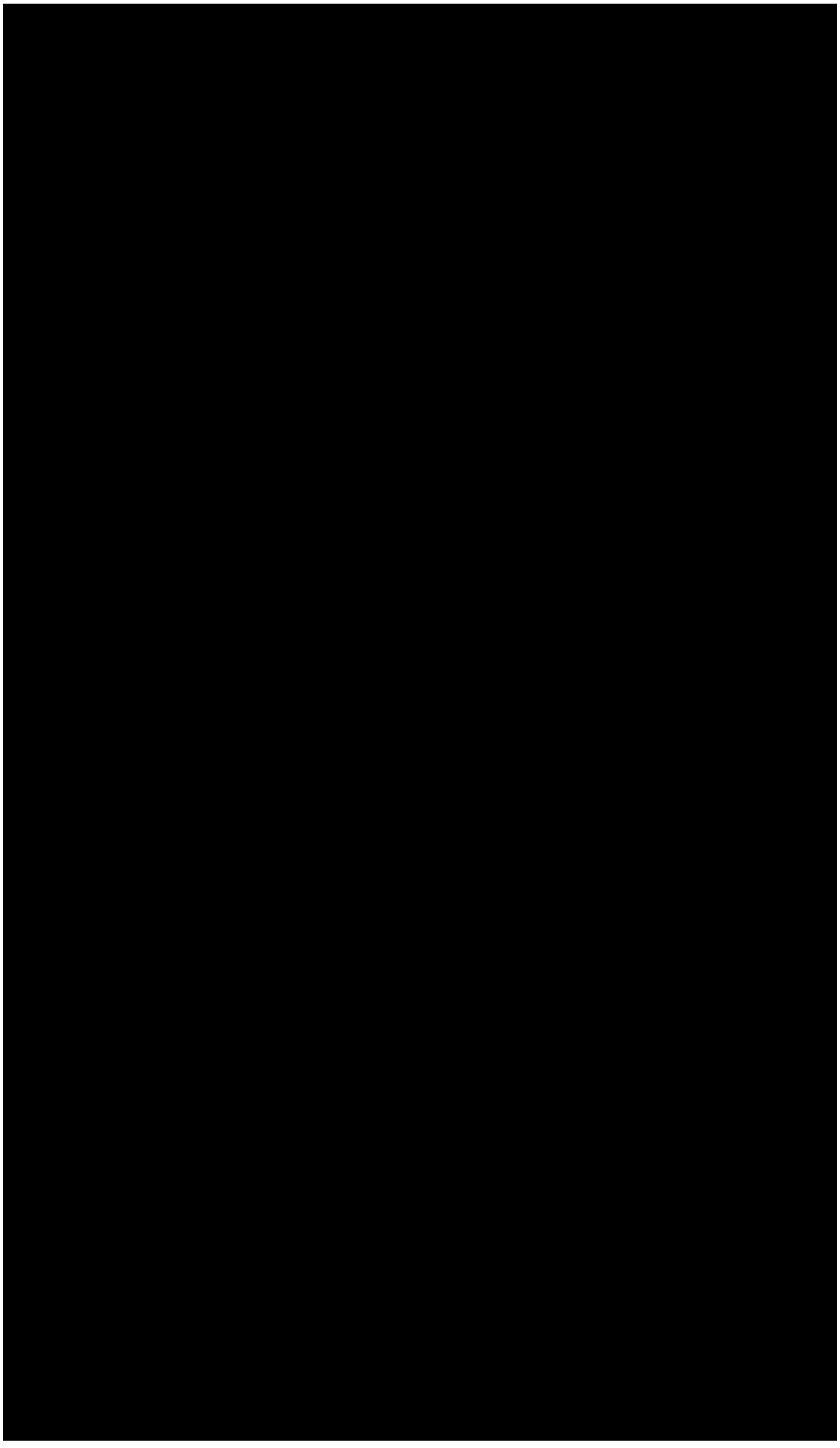
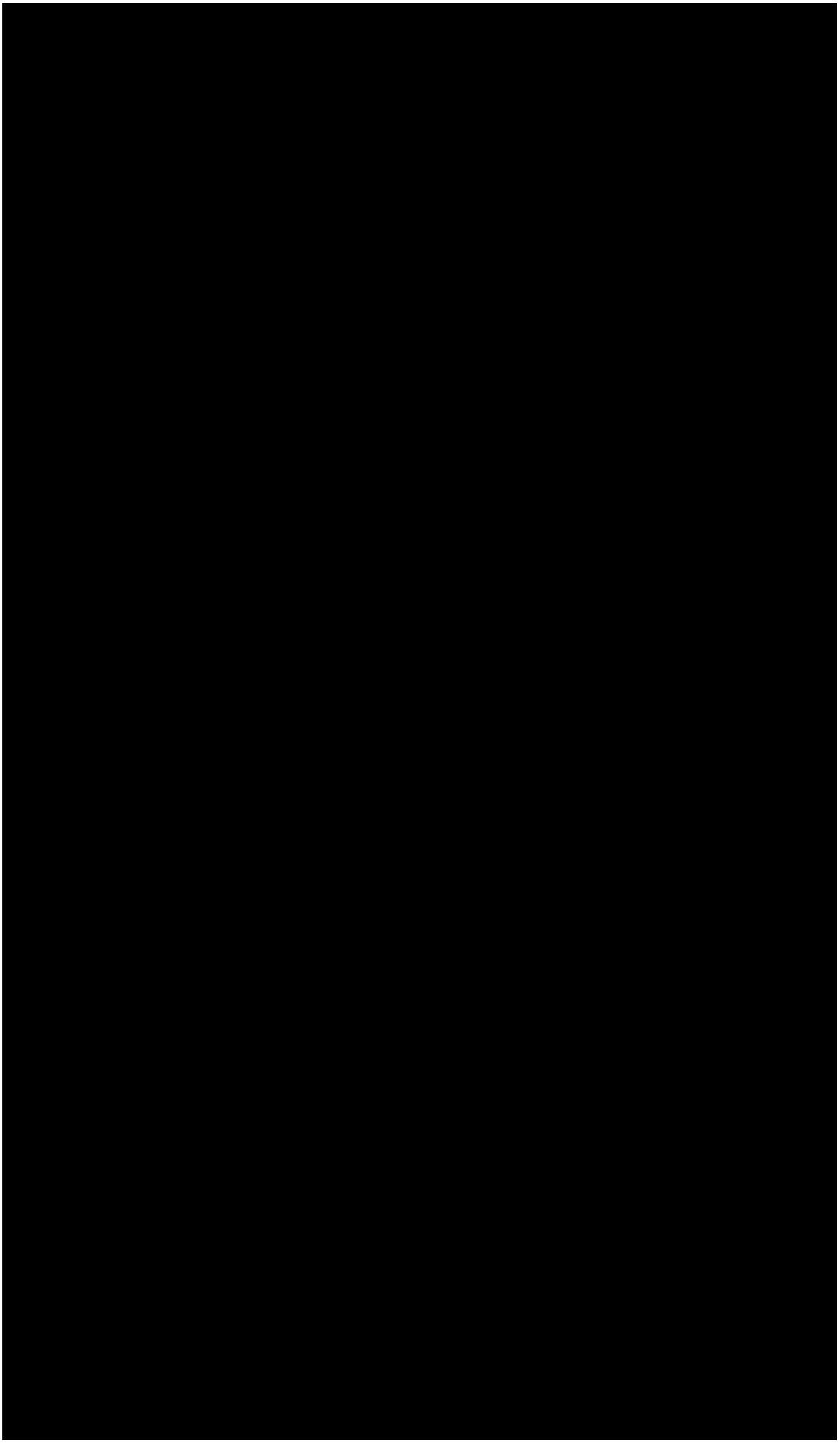
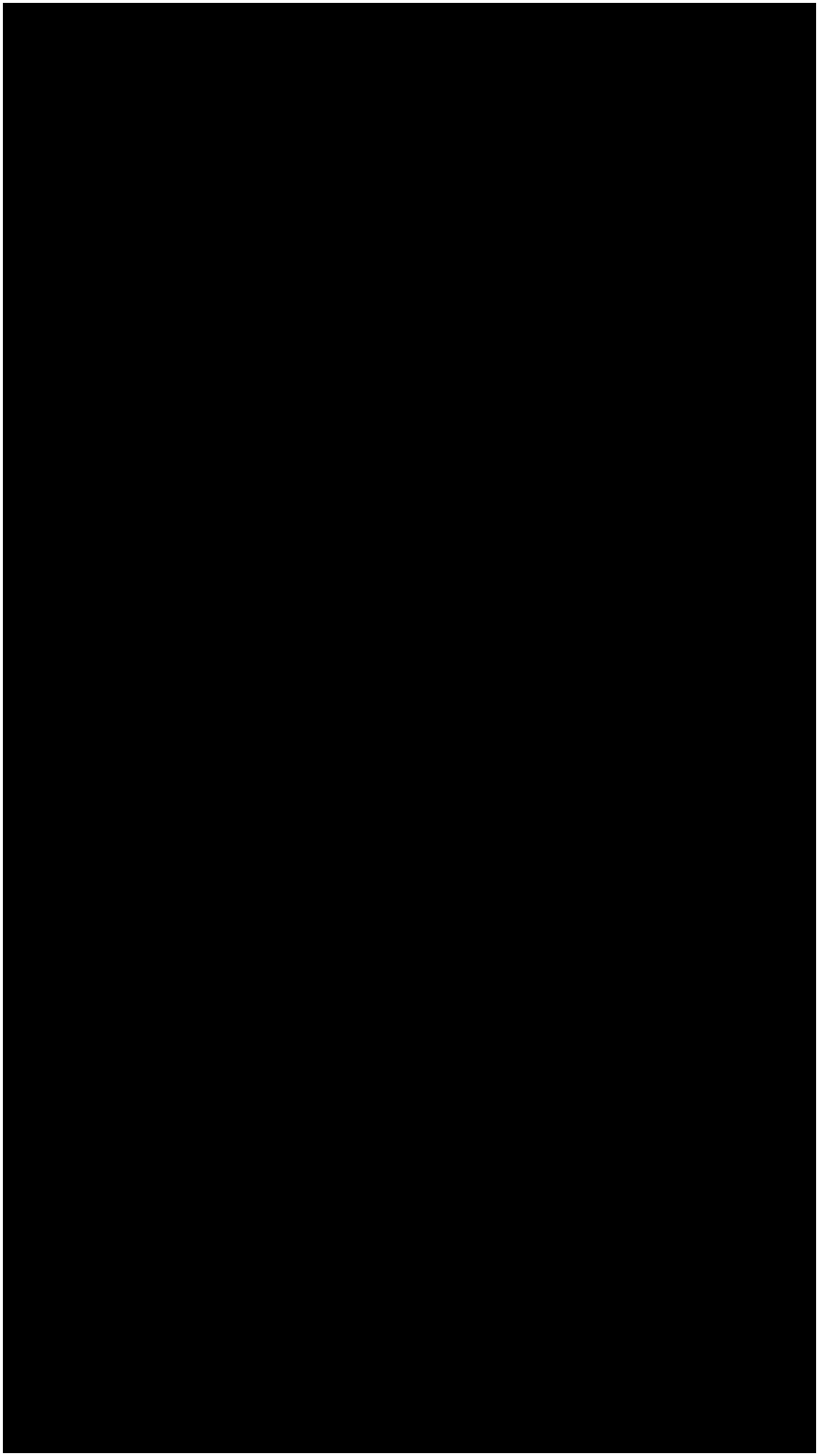
From: NJLM Weekly Round-Up [mailto:[redacted]]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <[redacted]>
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

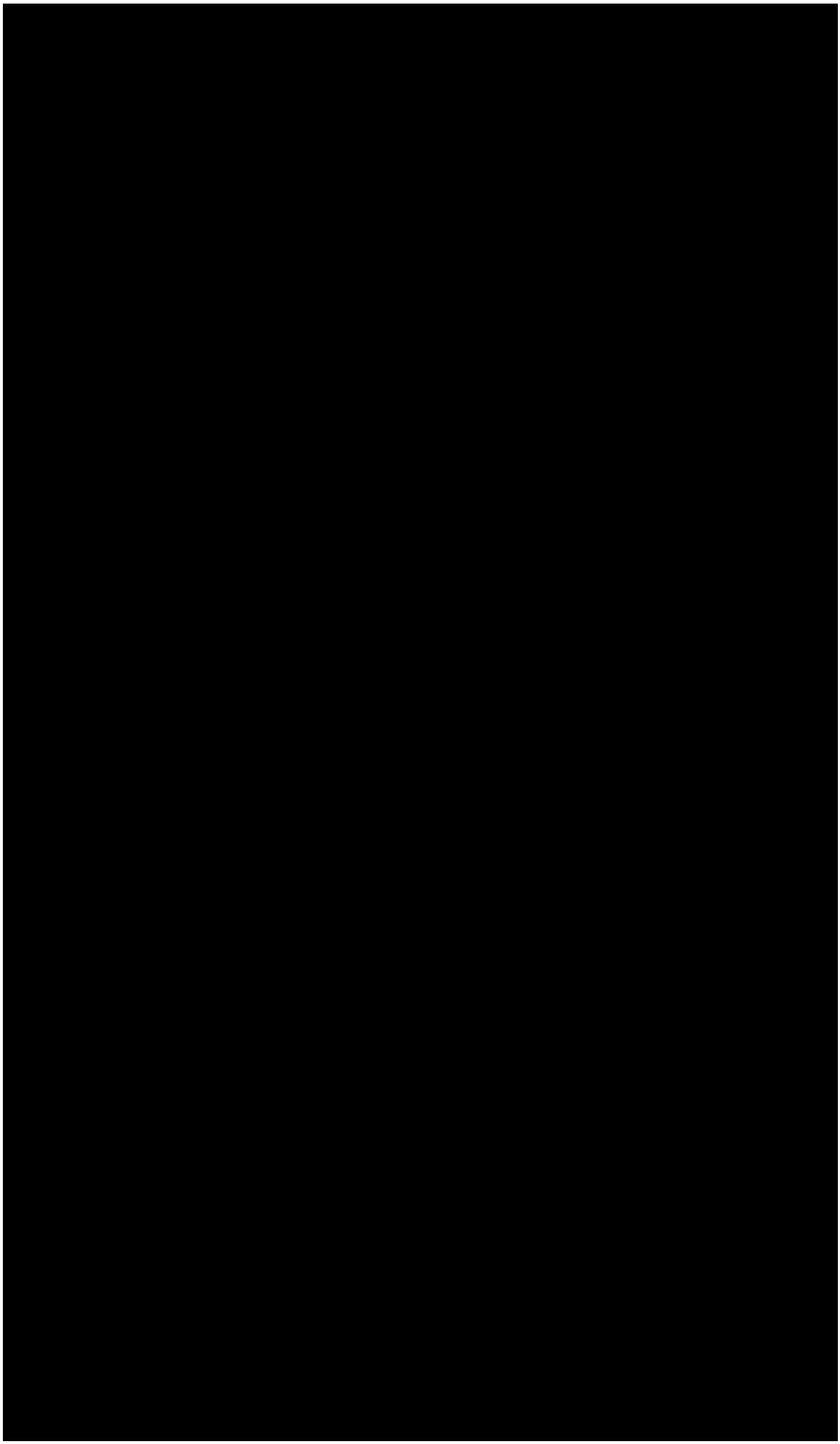












From: x@xx
To: x@xx; x@xx; x@xx
Cc: x@xx
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 4:02:54 PM
Attachments: image001.png
image003.png
image005.png
image007.png

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From: Ciara Bradley
Sent: Friday, June 11, 2021 4:00 PM
To: Amy Spiezio <x@xx; Shirley Cade <x@xx; Michael F. Cerra <x@xx
Cc: Lori Buckelew <x@xx
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

[redacted]

Ciara S. Bradley | Legislative Administrator
New Jersey State League of Municipalities
222 West State Street
Trenton, NJ 08608
P: (609) 695-3481 x128
F: (609) 695-0151
xxxxxxxx@xxxx.xxx
www.njlm.org

From: Amy Spiezio <[redacted]>
Sent: Friday, June 11, 2021 3:57 PM
To: Shirley Cade <[redacted]>; Michael F. Cerra <[redacted]>
Cc: Ciara Bradley <[redacted]>
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

Sorry! How about:

[redacted]

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New Jersey Municipalities Magazine
New Jersey State League of Municipalities
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Sent: Friday, June 11, 2021 3:53 PM
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Cc: Ciara Bradley; Amy Spiezio
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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From: NJLM Weekly Round-Up [mailto:x@xx]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <x@xx >
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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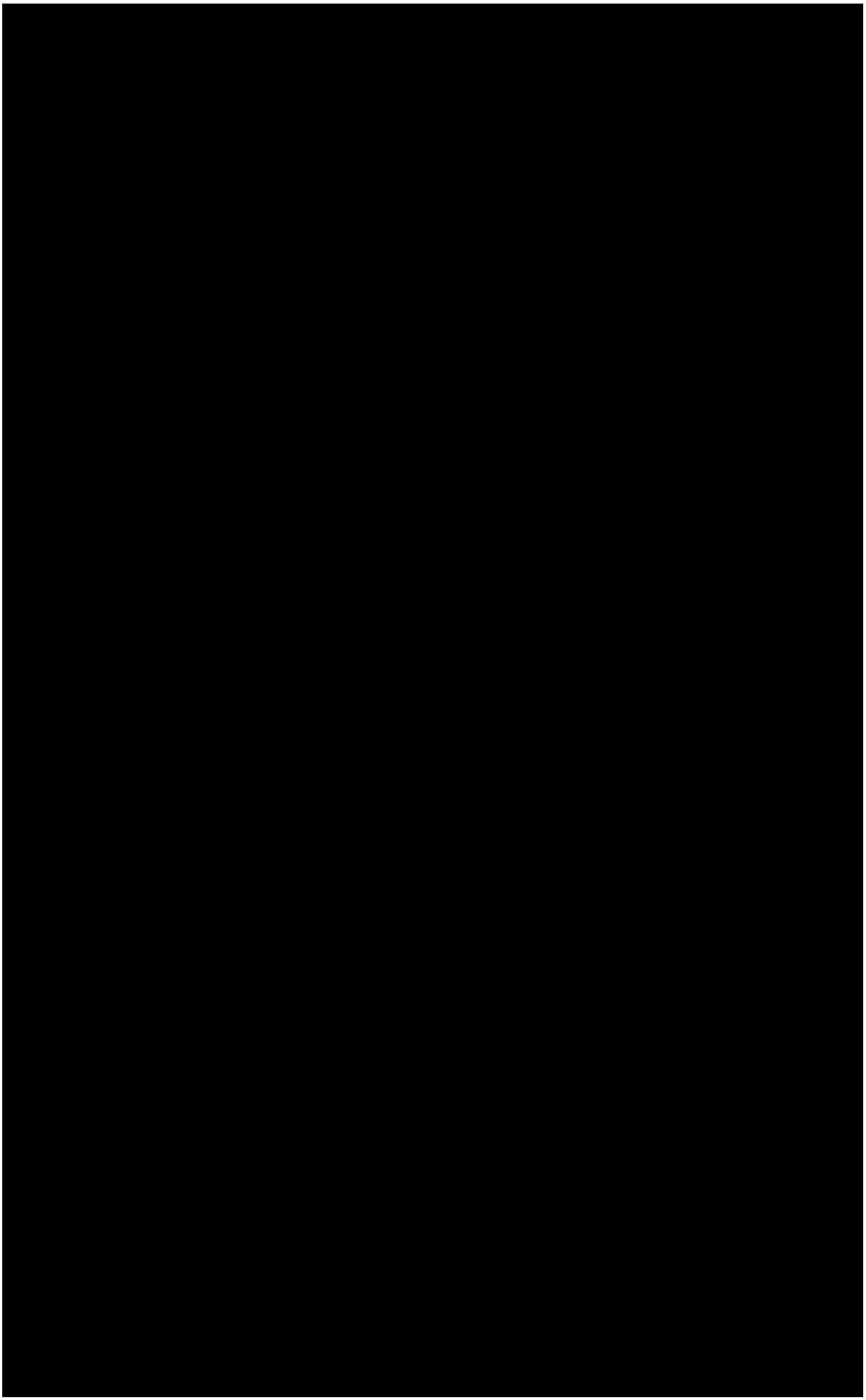

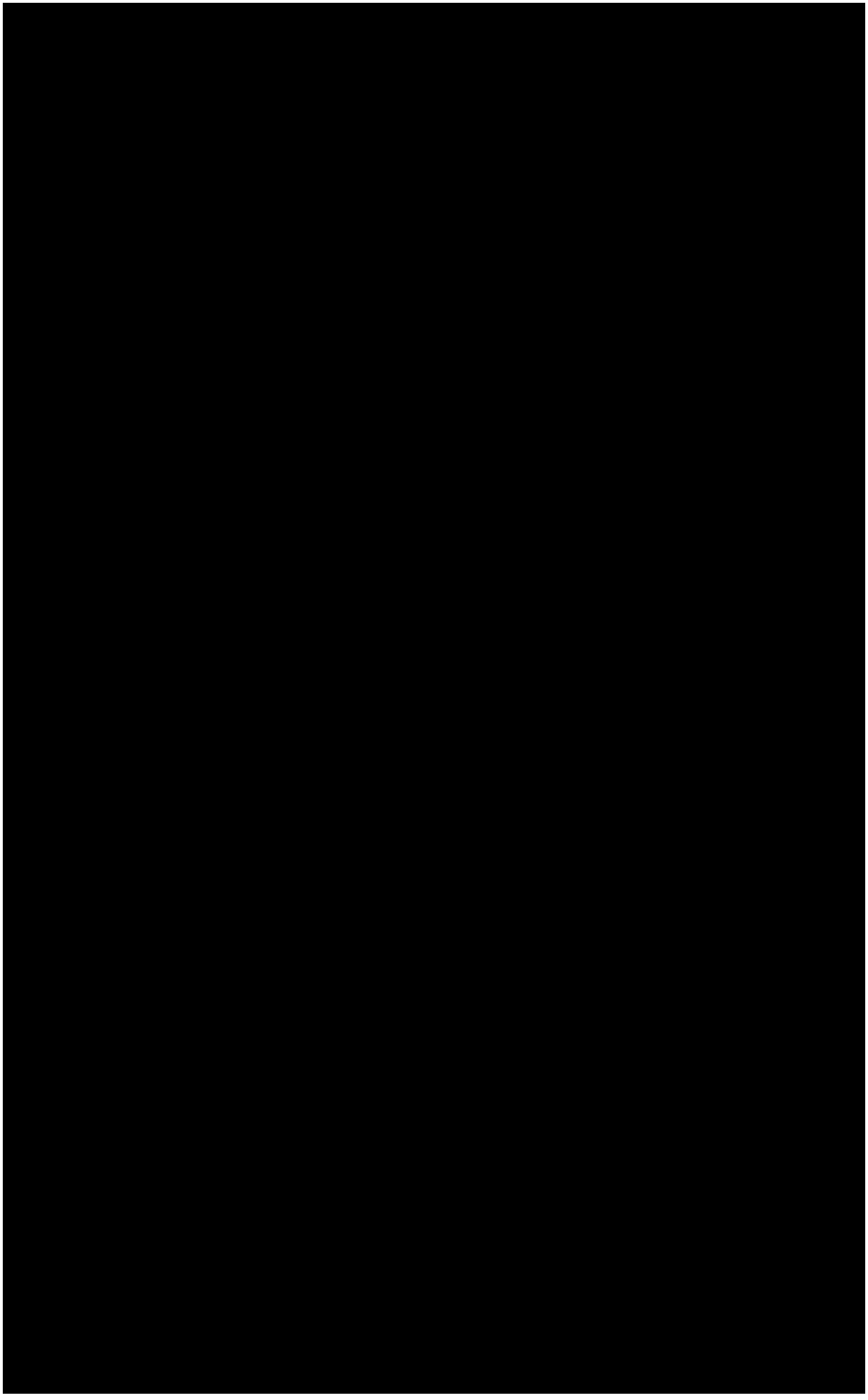

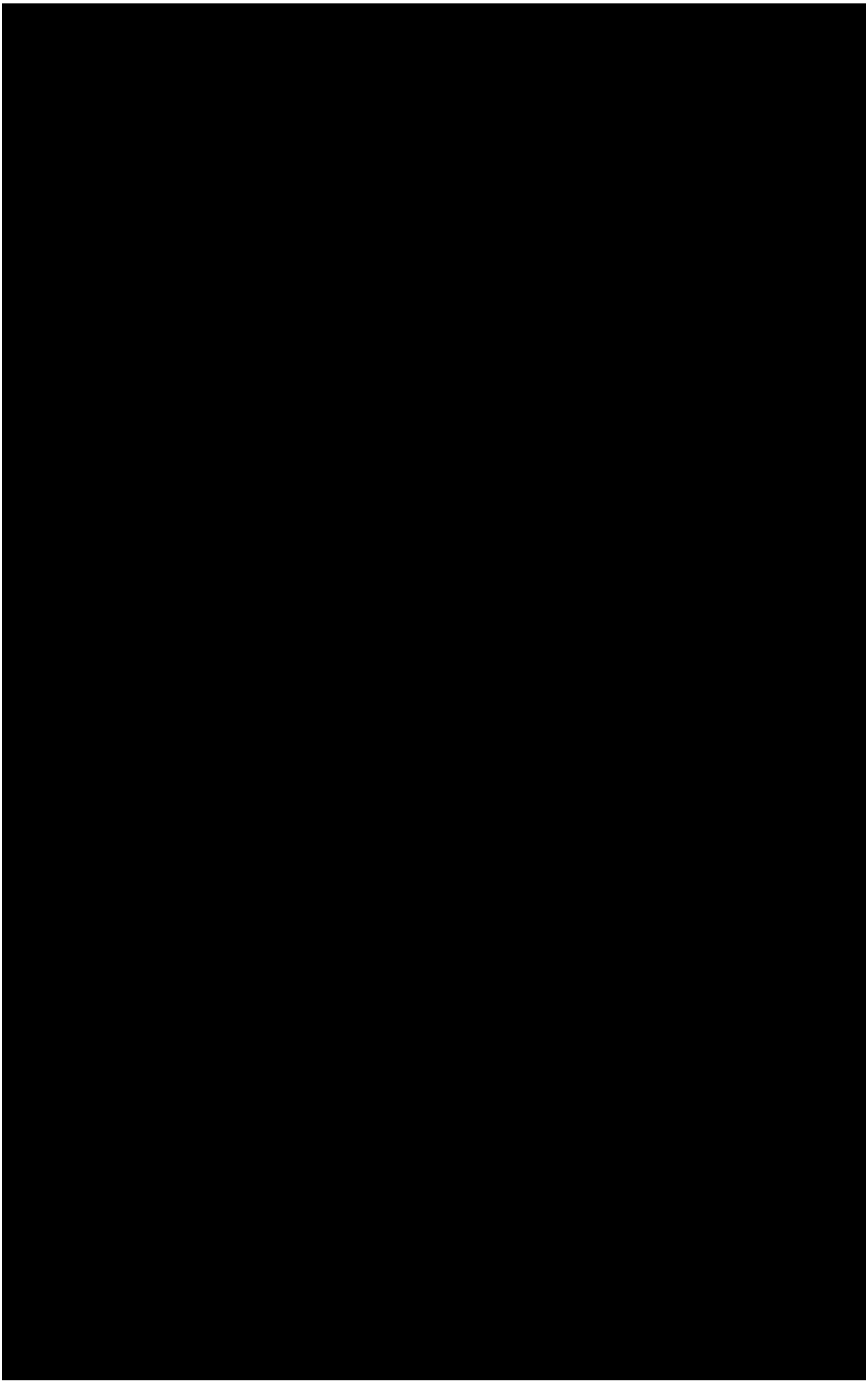

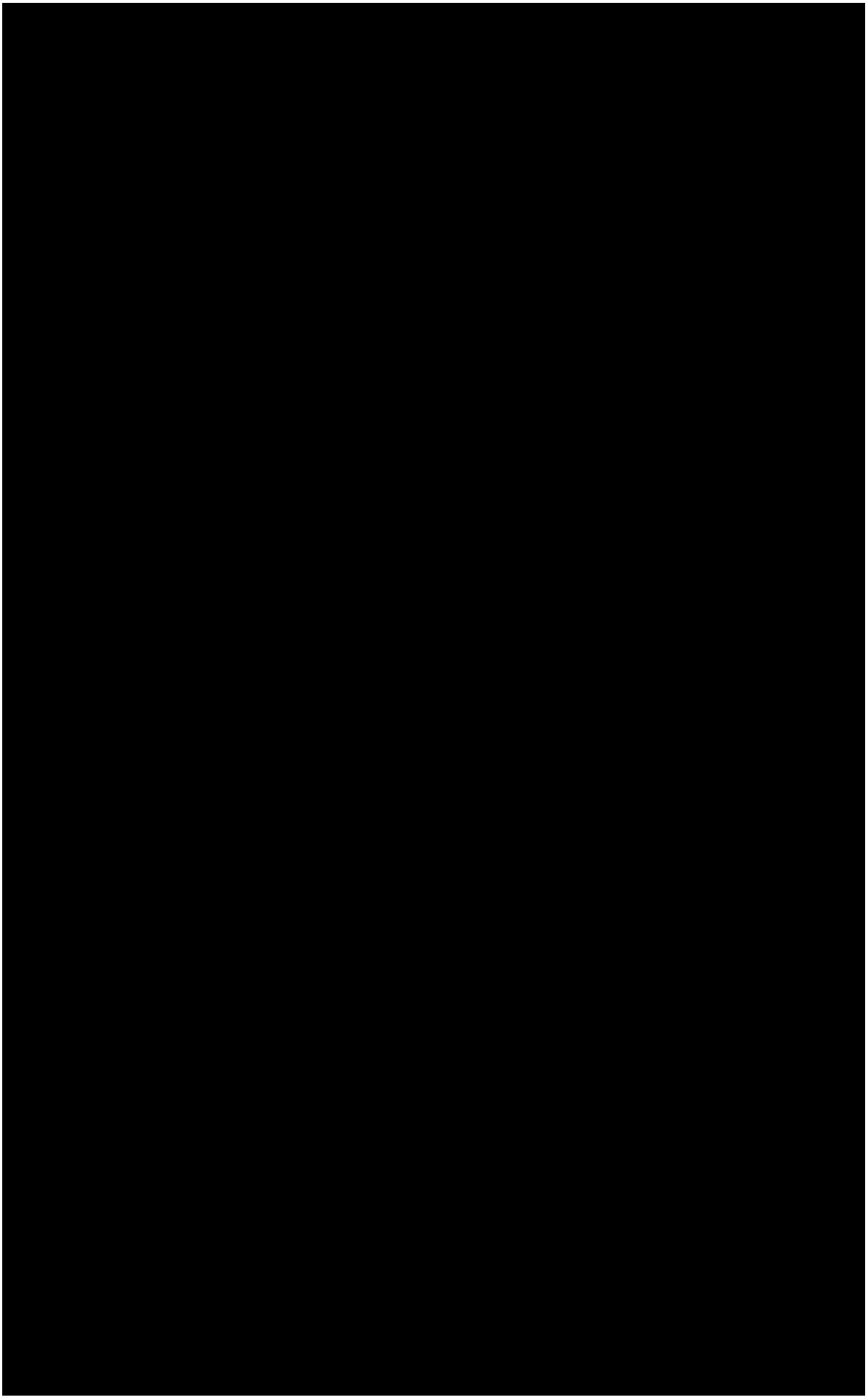

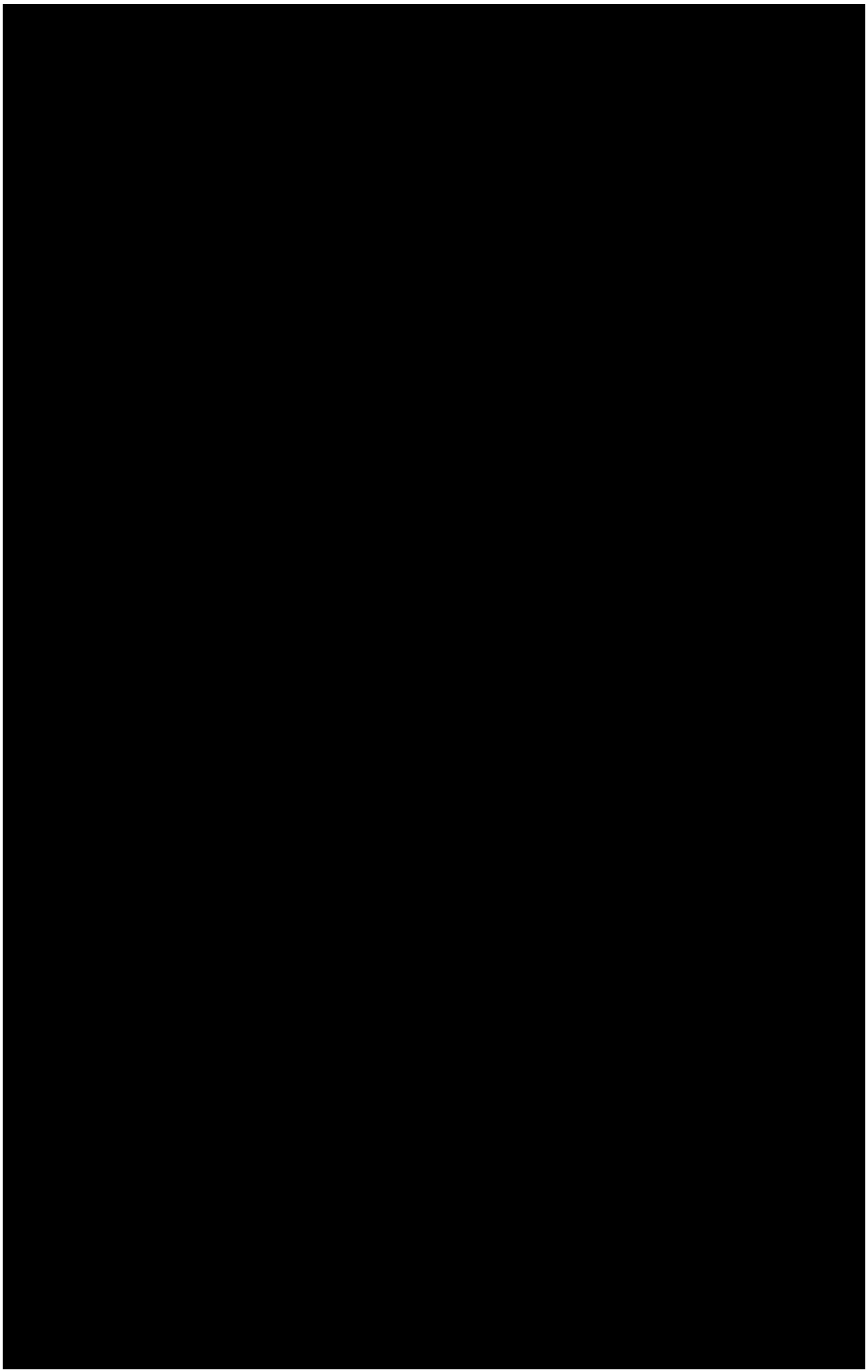

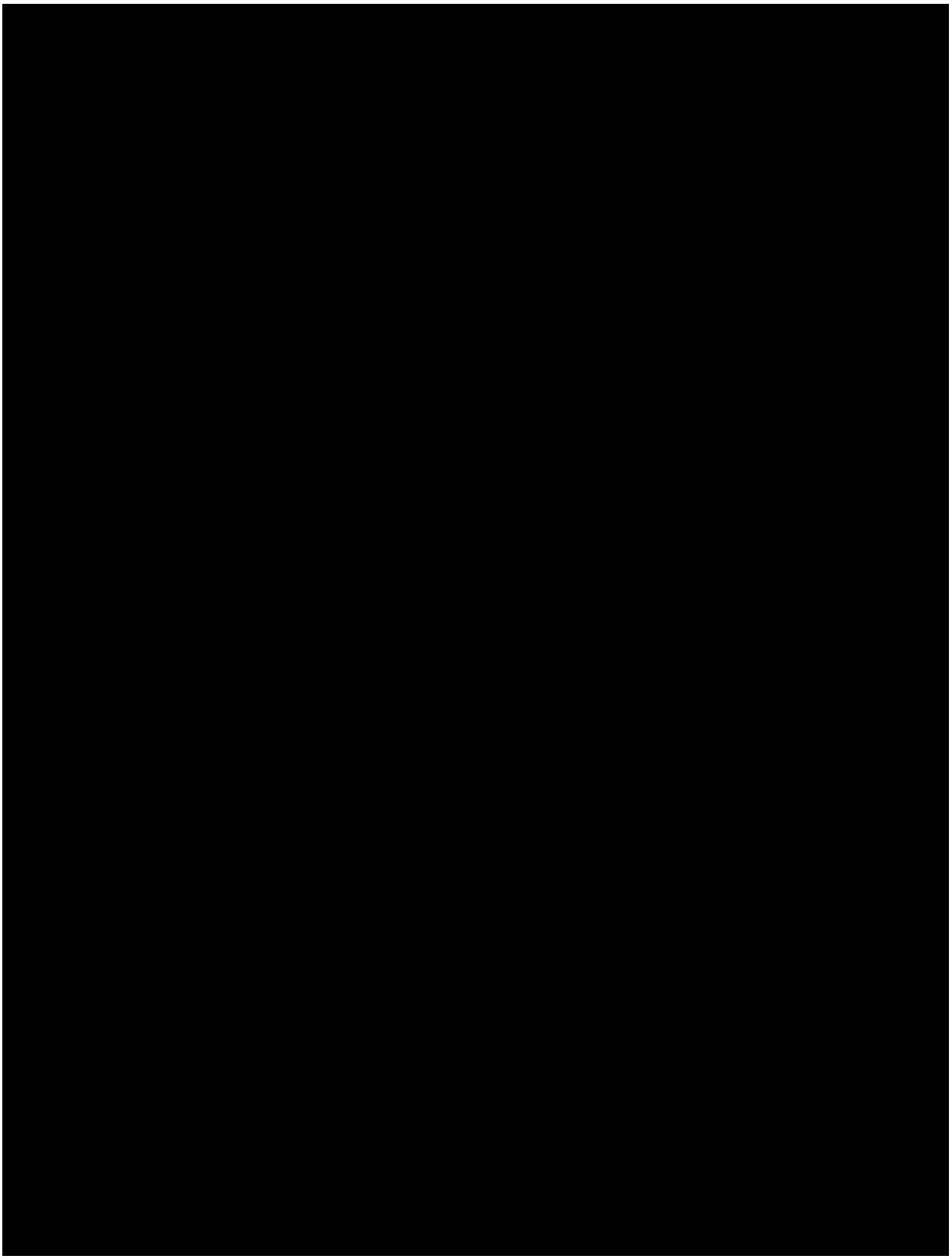

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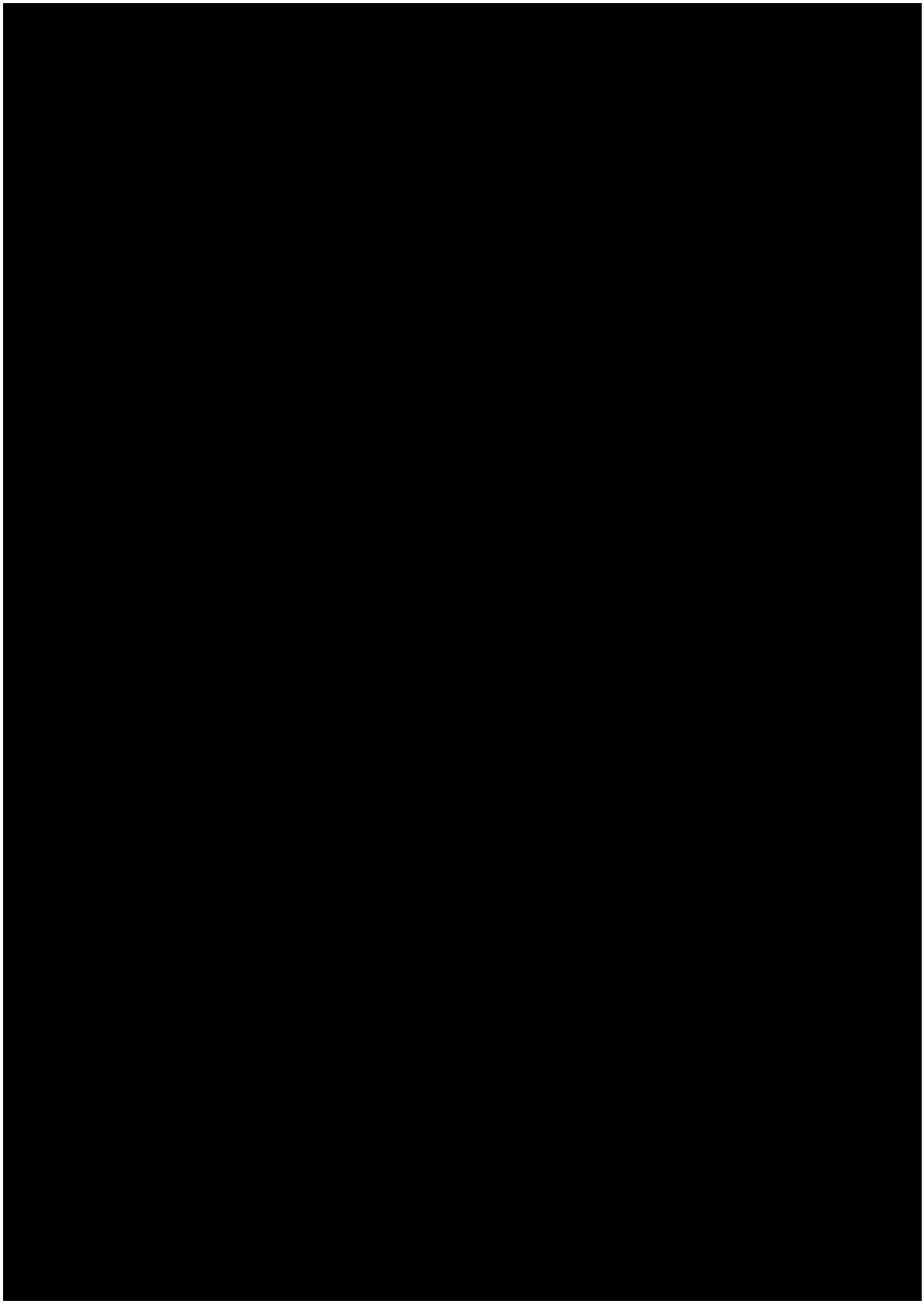
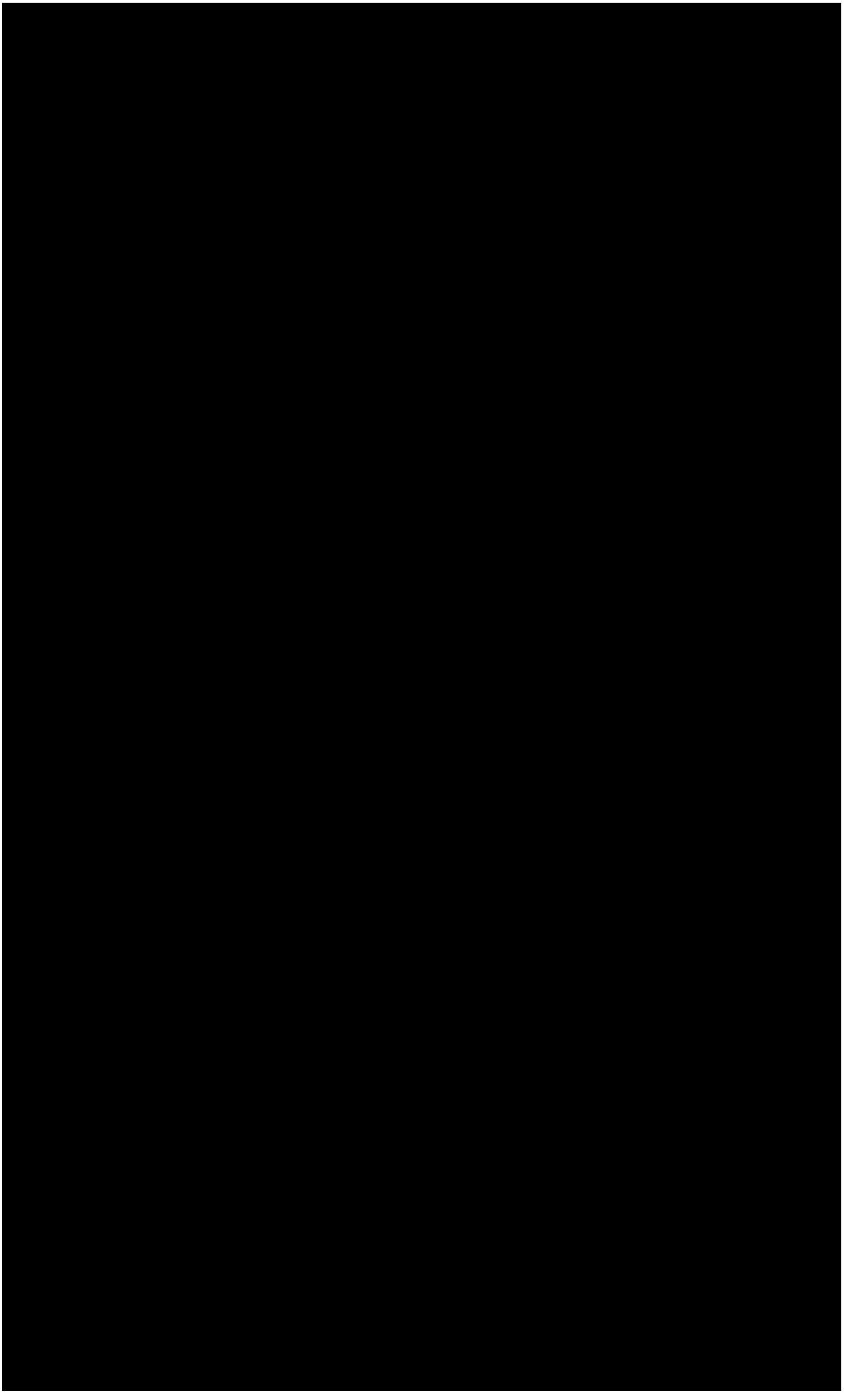
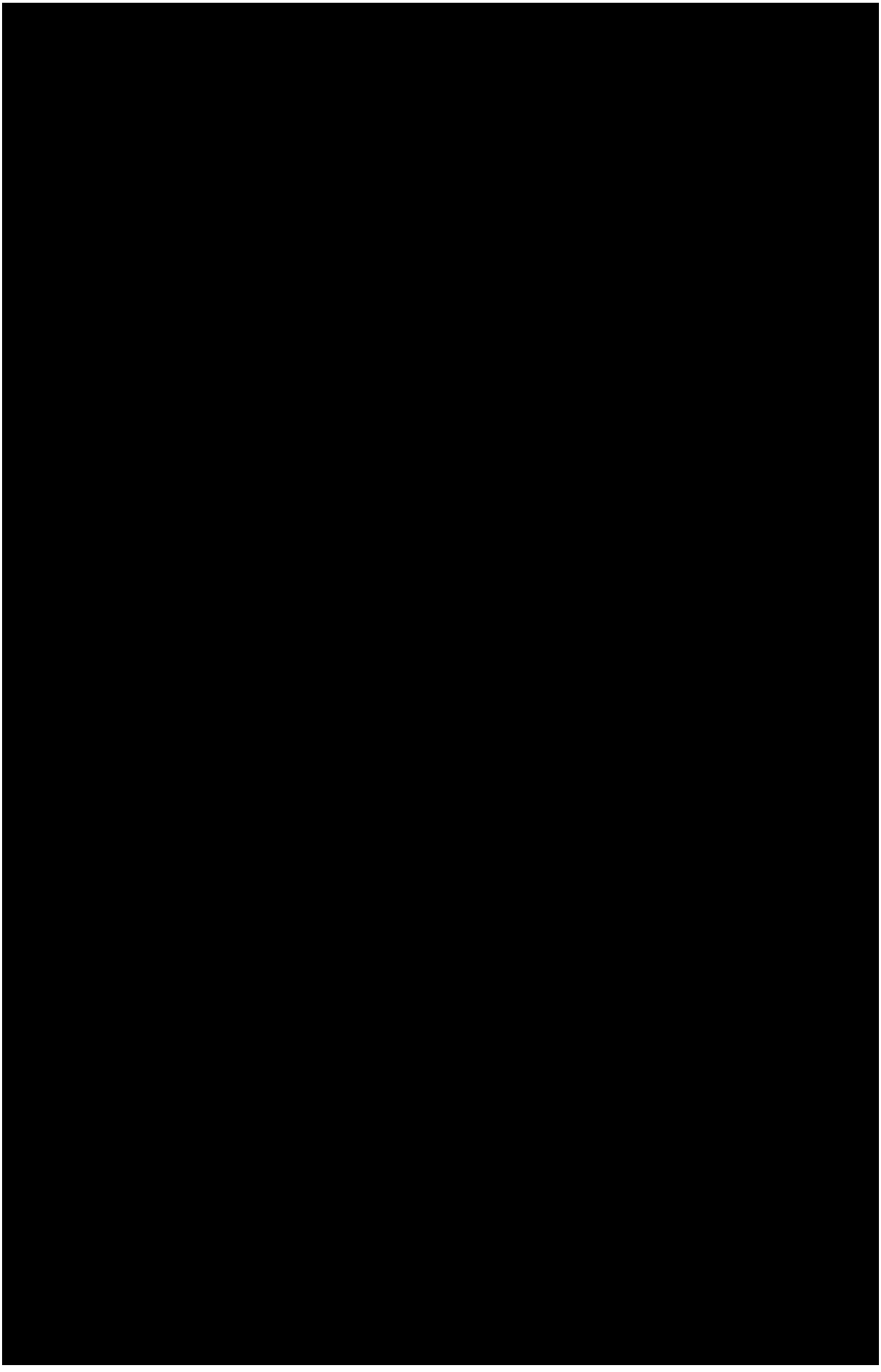
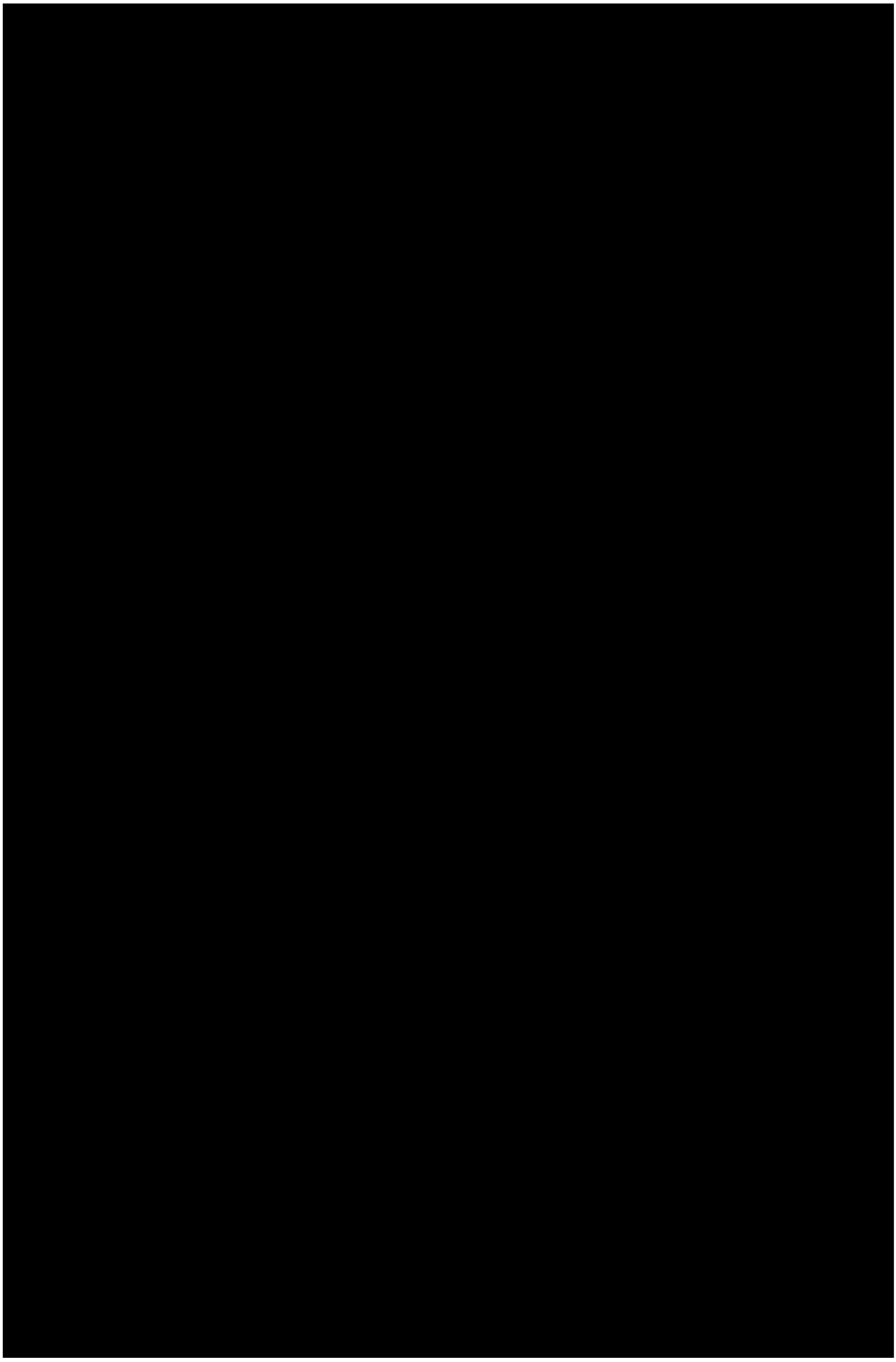
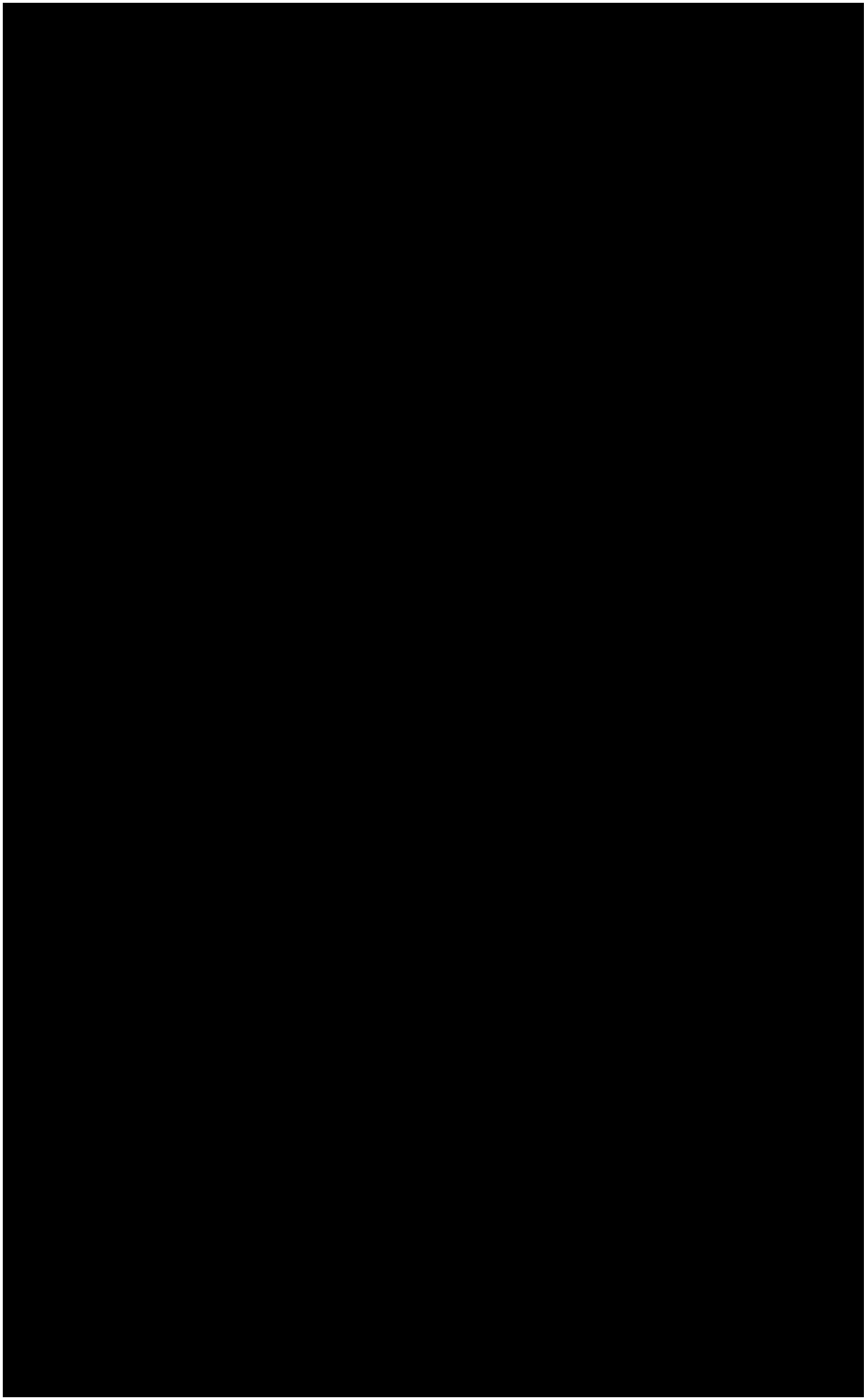
To: [redacted]
Subject: Discipline Directive Upheld; Small Cell Amendments; OPRA Timing Back
Date: Friday, June 11, 2021 4:01:52 PM

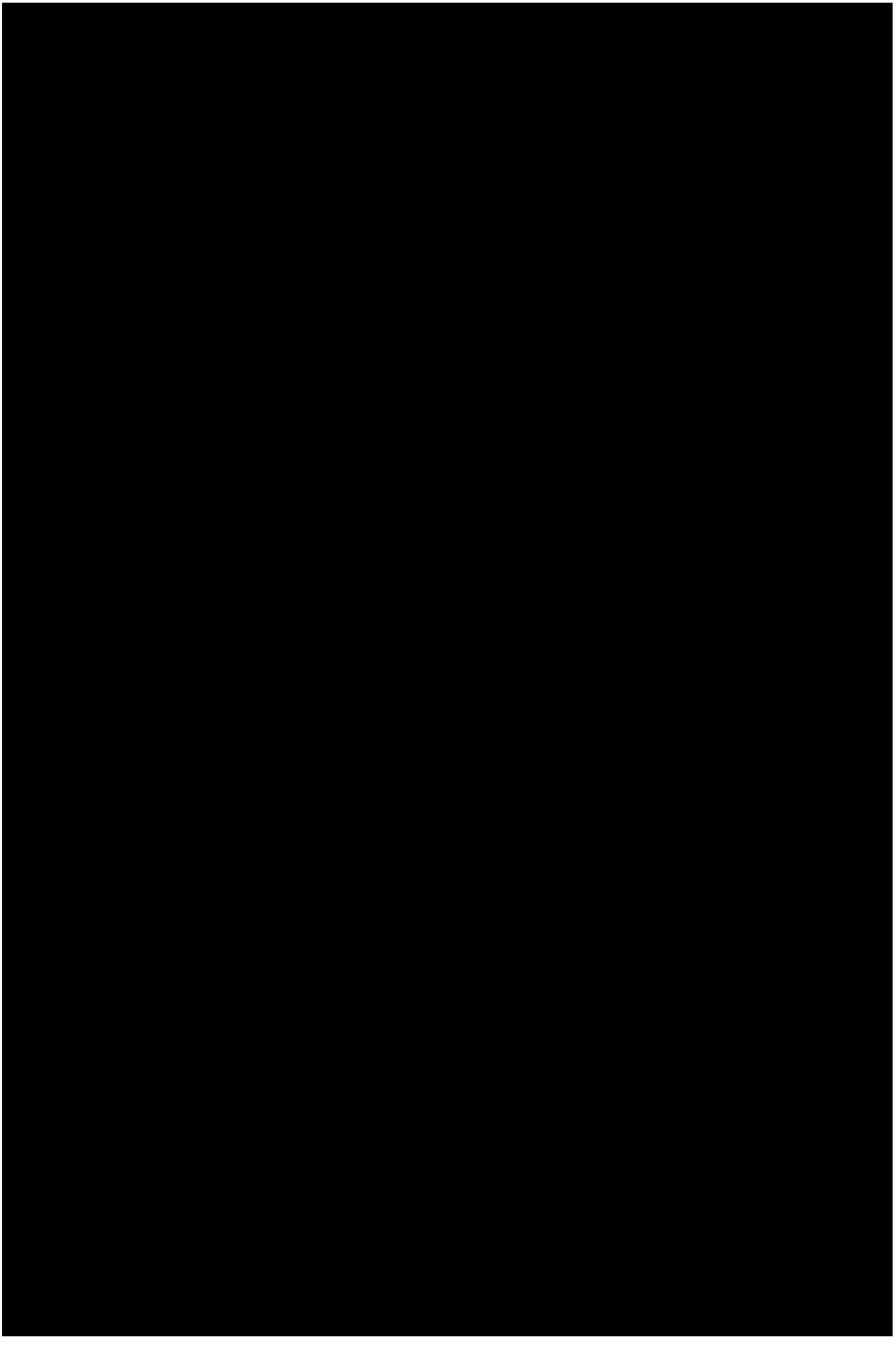












From:	x@xx
To:	x@xx; x@xx; x@xx
Cc:	x@xx
Subject:	RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date:	Friday, June 11, 2021 3:59:32 PM
Attachments:	image005.png image007.png image009.png image011.png

[redacted]

Ciara S. Bradley | Legislative Administrator
New Jersey State League of Municipalities
222 West State Street
Trenton, NJ 08608
P: (609) 695-3481 x128
F: (609) 695-0151
xxxxxxxx@xxxx.xxx
www.njlm.org

From: Amy Spiezio <x@xx
Sent: Friday, June 11, 2021 3:57 PM
To: Shirley Cade <x@xx; Michael F. Cerra <x@xx
Cc: Ciara Bradley <x@xx
Subject: RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

Sorry! How about:

[redacted]

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

Amy Spiezio | Managing Editor
New Jersey Municipalities Magazine
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 ext. 123
Cell: 215-962-4374

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Sent from Mail for Windows 10

From: Shirley Cade

Sent: Friday, June 11, 2021 3:53 PM
To: Michael F. Cerra
Cc: Ciara Bradley; Amy Spiezio
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

With Amy's edits but the subject is a tad long the last word Return doesn't fit.

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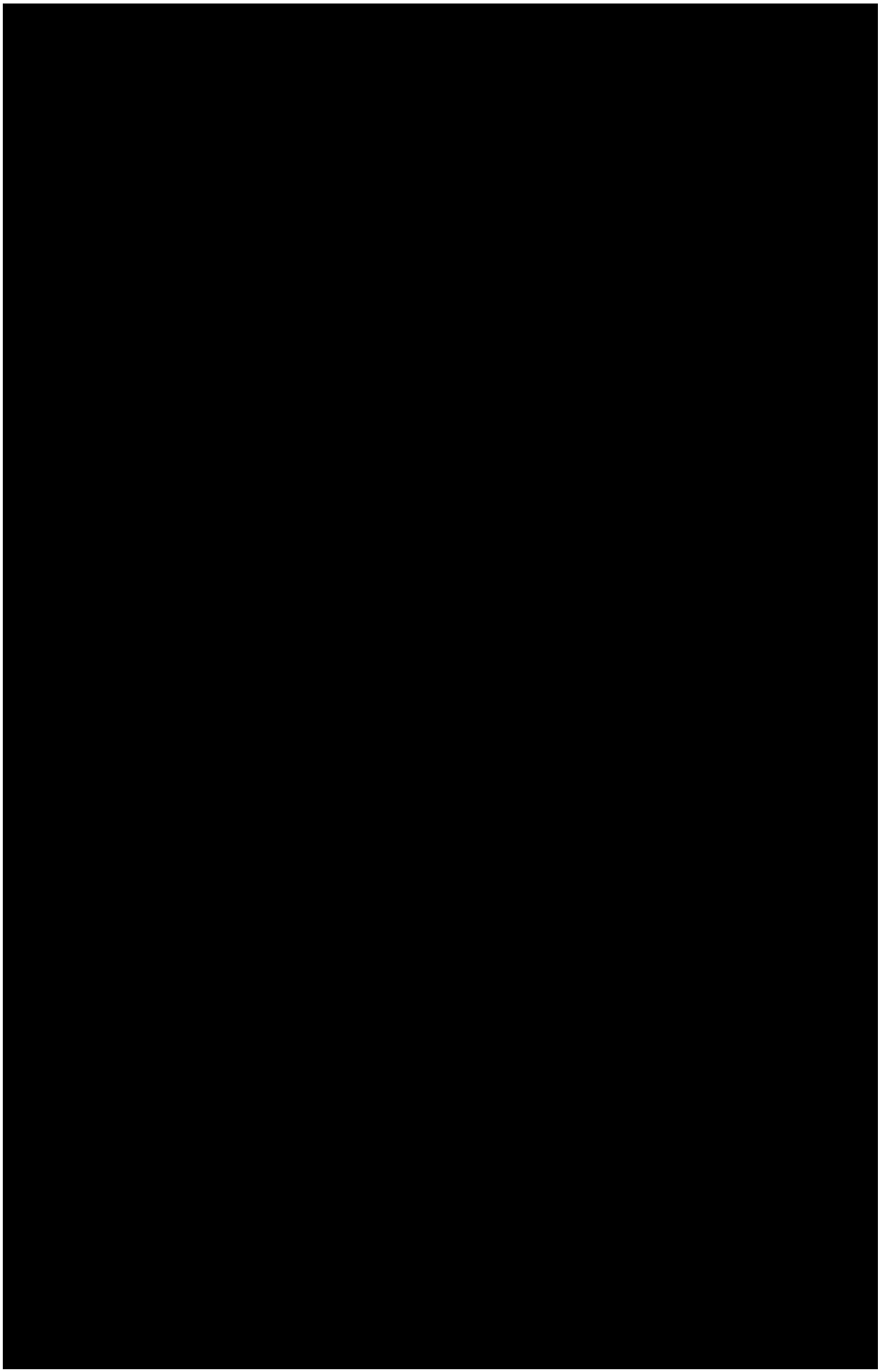
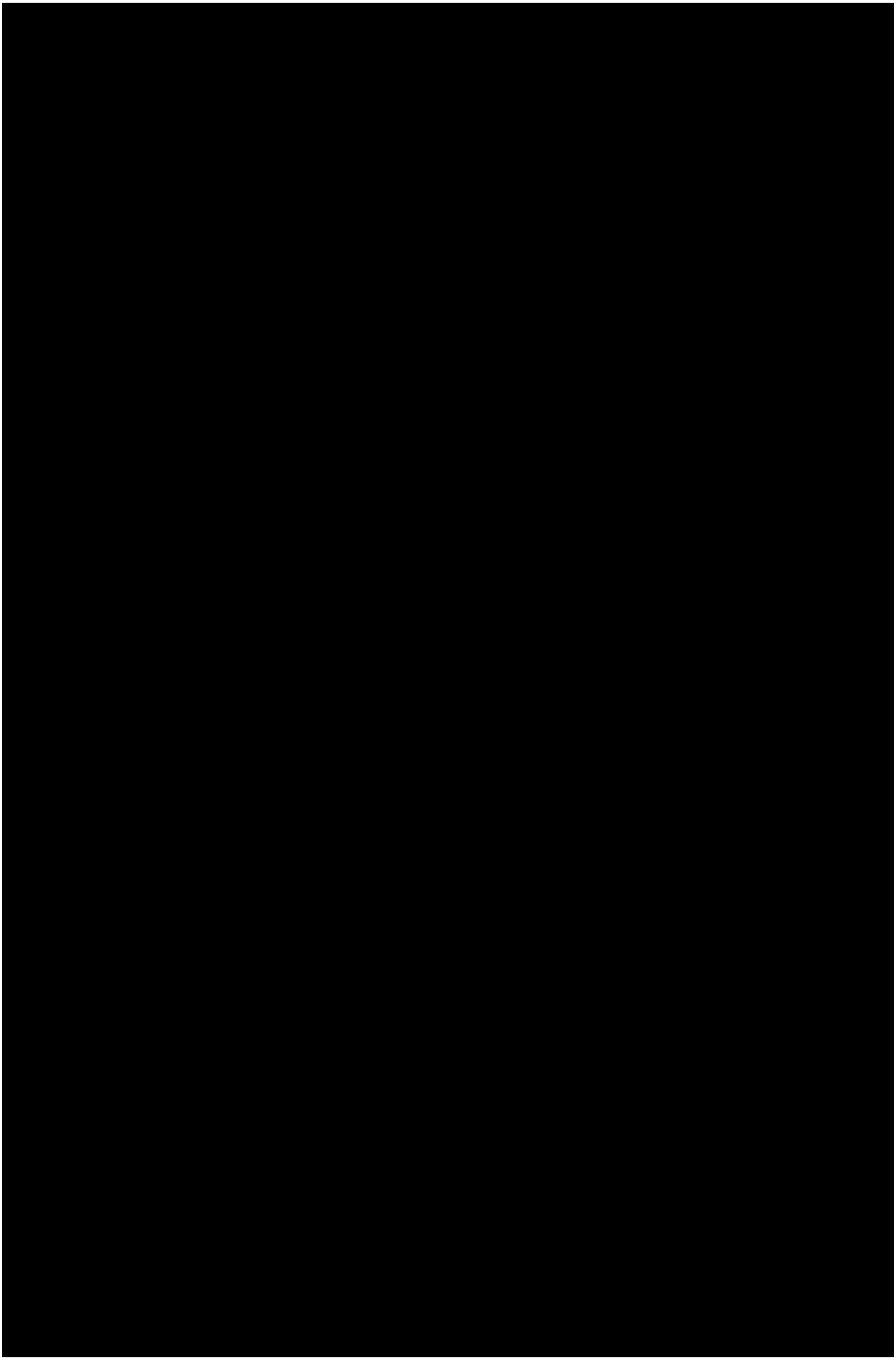
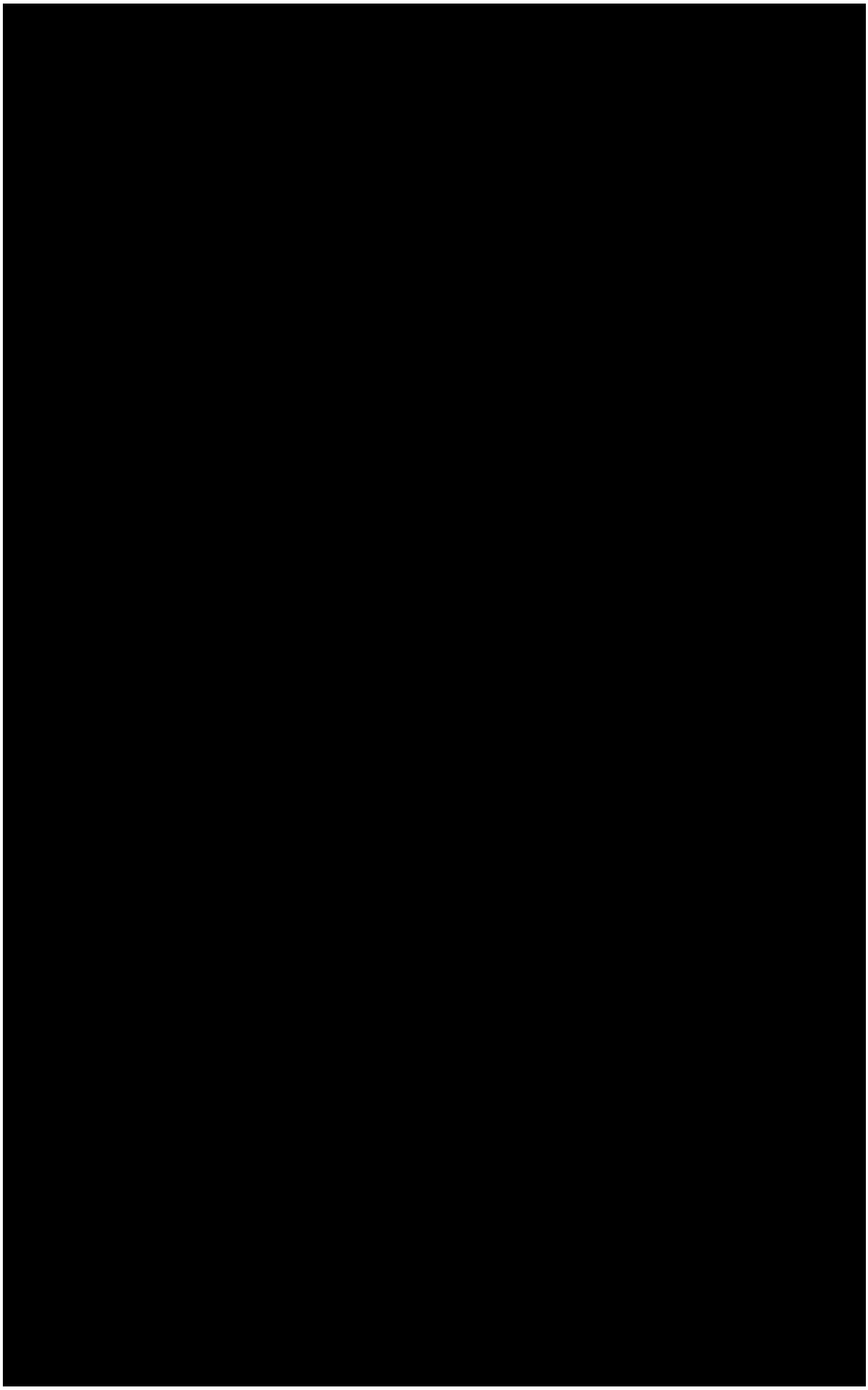
Shirley Cade | Legislative/Administrative Support
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension 114

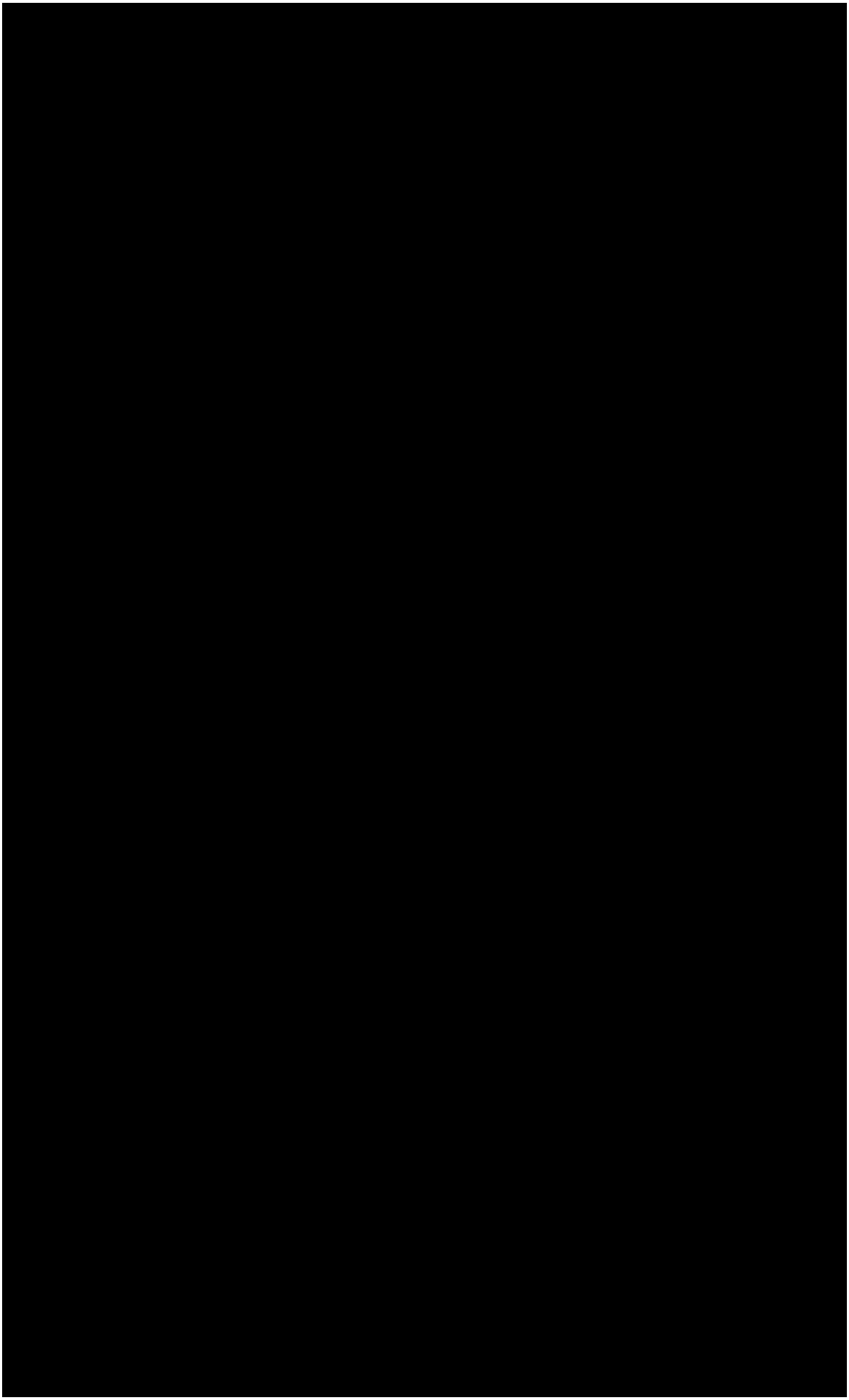
NJLM is subject to the Open Public Records Act; any email sent or received may be subject to a records request.

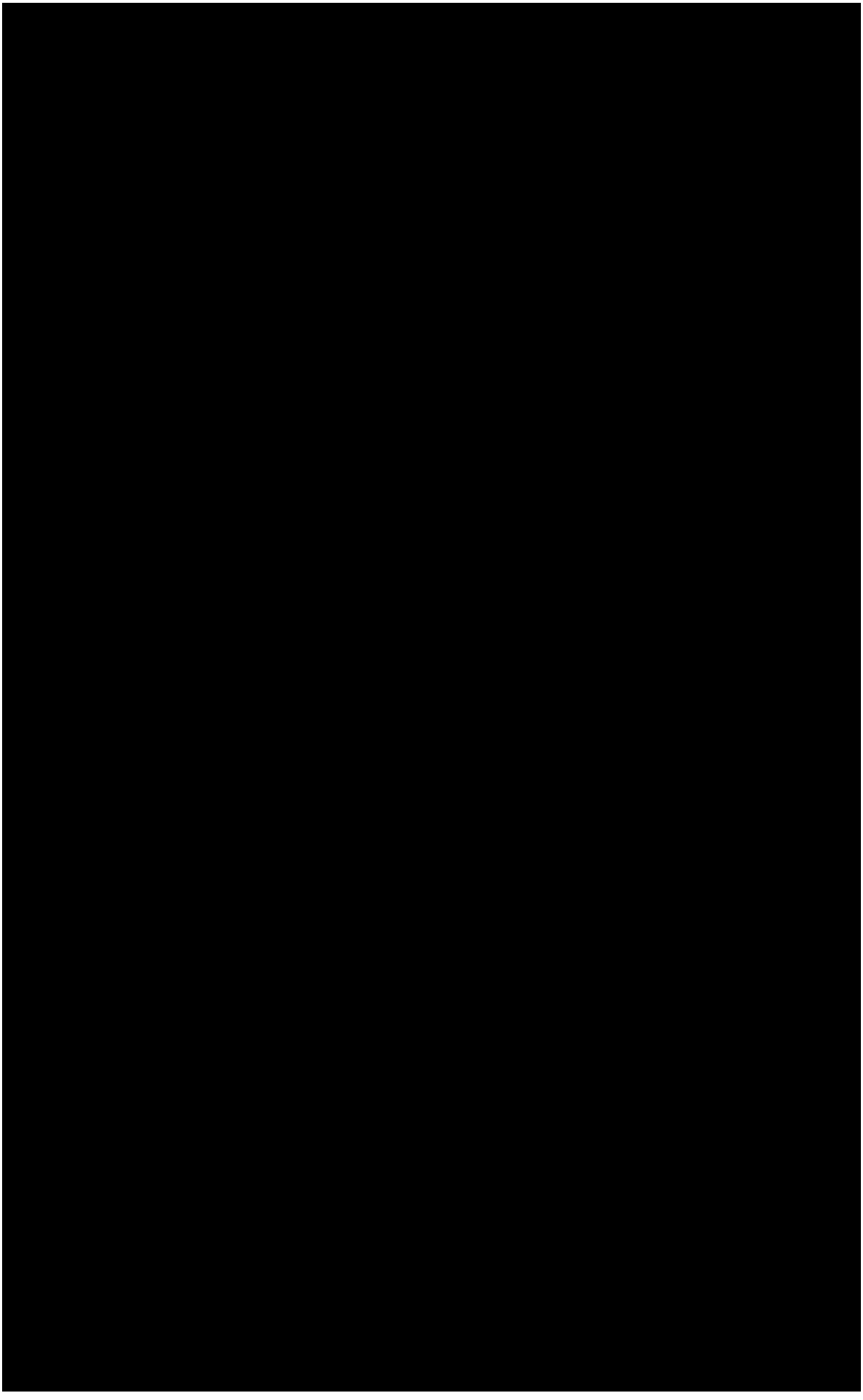
From: NJLM Weekly Round-Up [mailto:x@xx]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <x@xx>
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

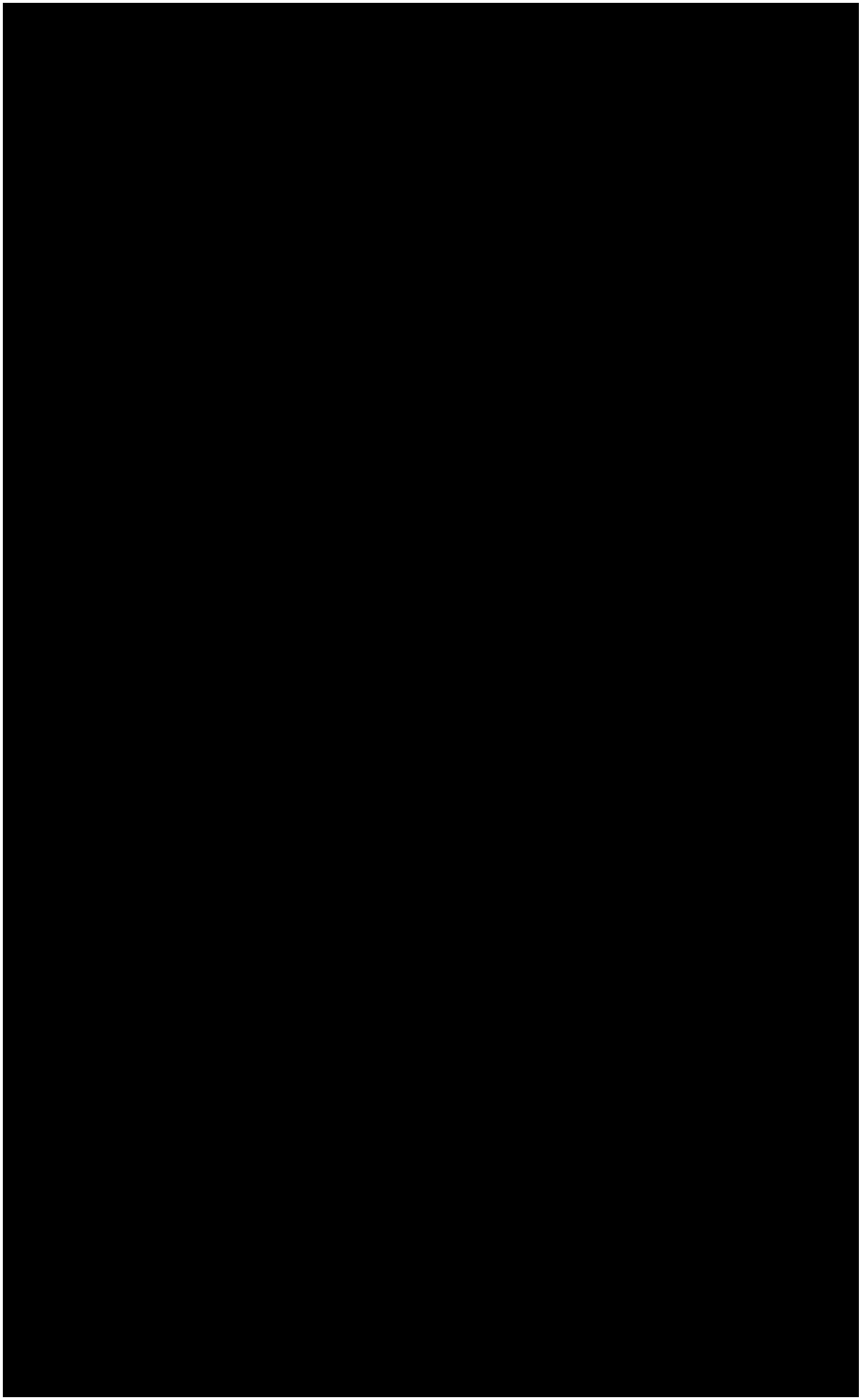












From:	[redacted]
To:	[redacted]; [redacted]
Cc:	[redacted]
Subject:	RE: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date:	Friday, June 11, 2021 3:57:28 PM
Attachments:	image001.png image003.png 7D0D553AD4DD456DA621D84CBE7E61BE[19491635].png 26DFCFF84FC3454CA468ECB860DECF0C[19491637].png

Sorry! How about:

[redacted]

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Amy Spiezio | Managing Editor
New Jersey Municipalities Magazine
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 ext. 123
Cell: 215-962-4374

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Sent from Mail for Windows 10

From: Shirley Cade
Sent: Friday, June 11, 2021 3:53 PM
To: Michael F. Cerra
Cc: Ciara Bradley; Amy Spiezio
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

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New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608

609-695-3481 extension 114

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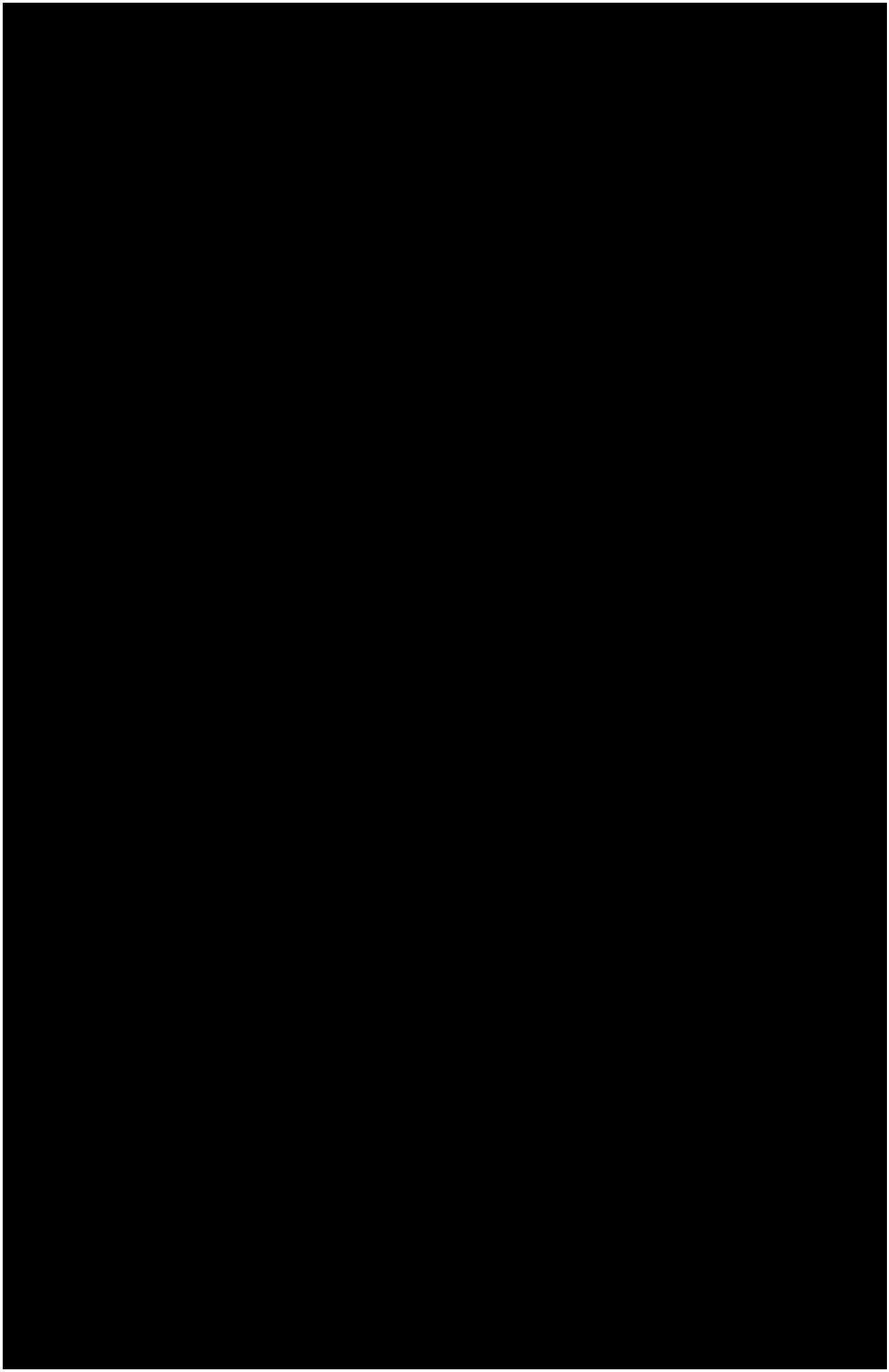
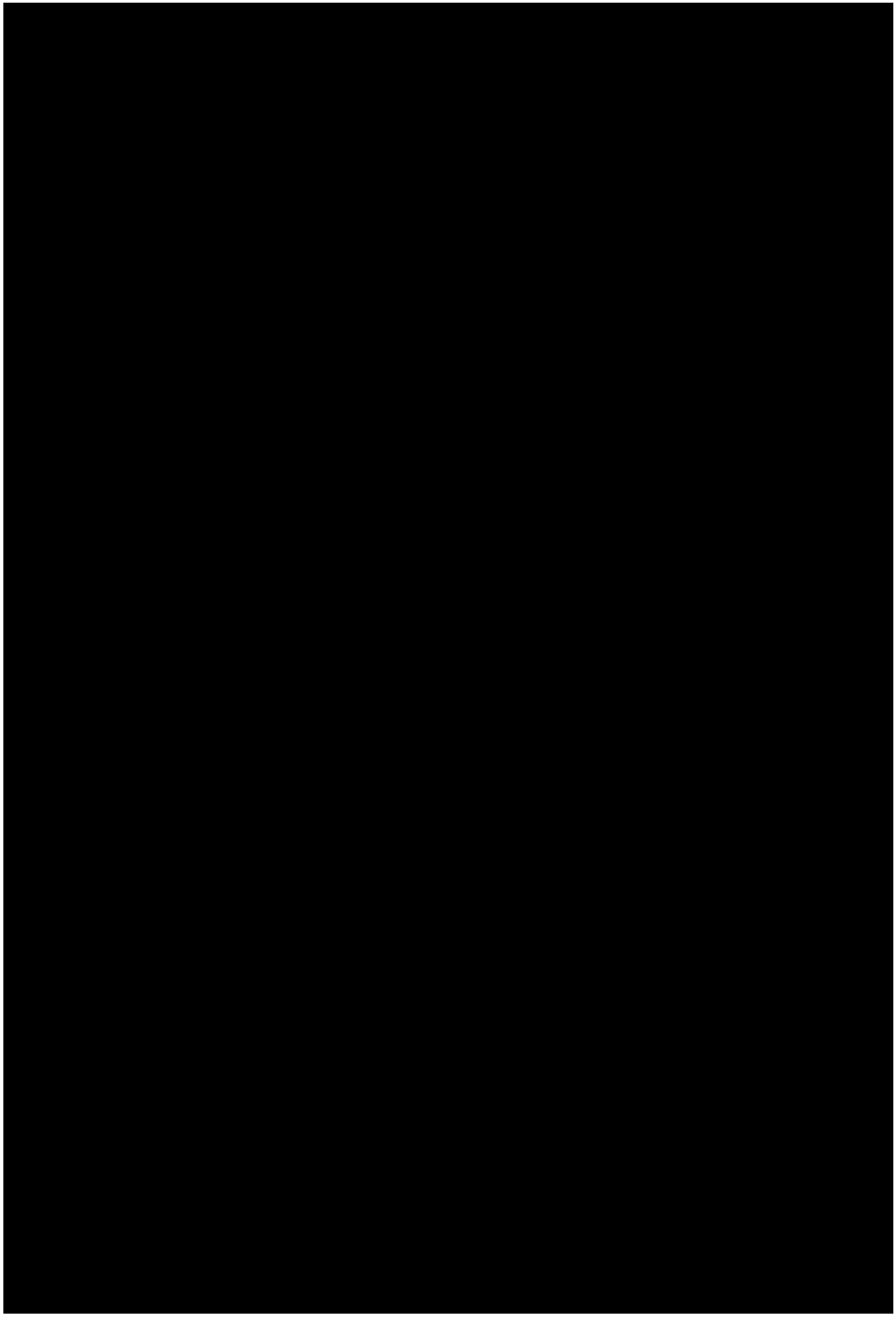
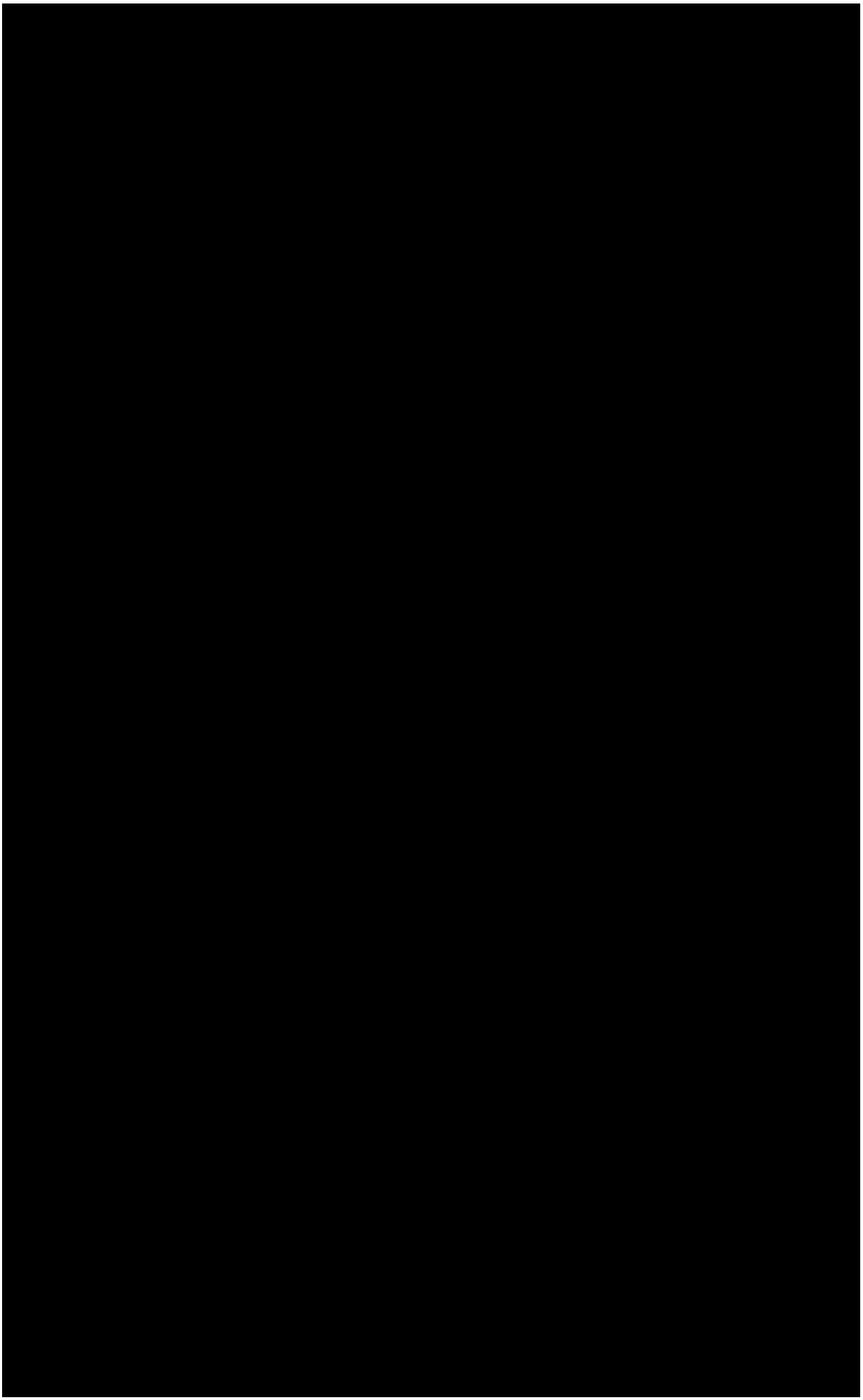
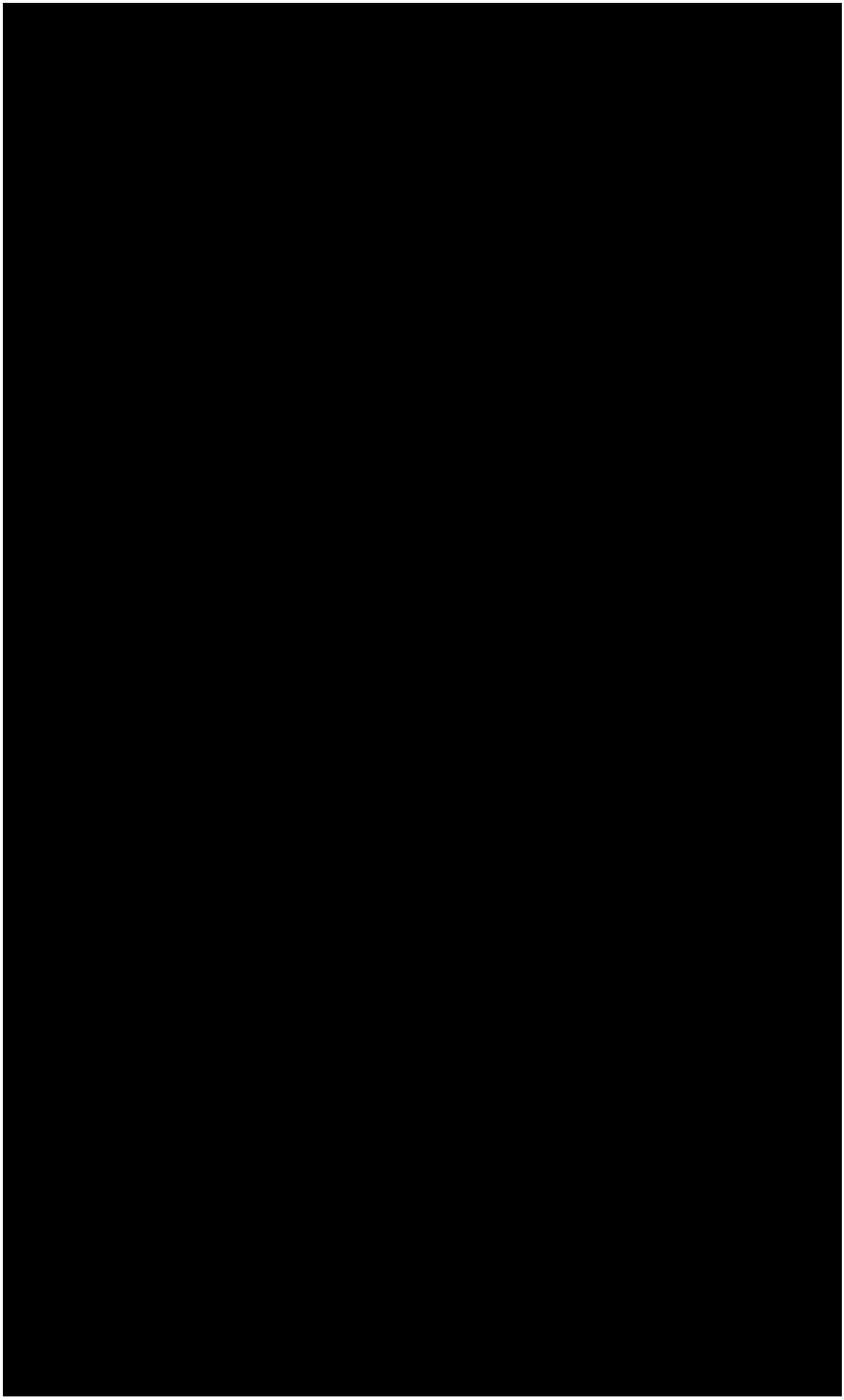
From: NJLM Weekly Round-Up [mailto:noreply@civicplus.com]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <scade@njlm.org>
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

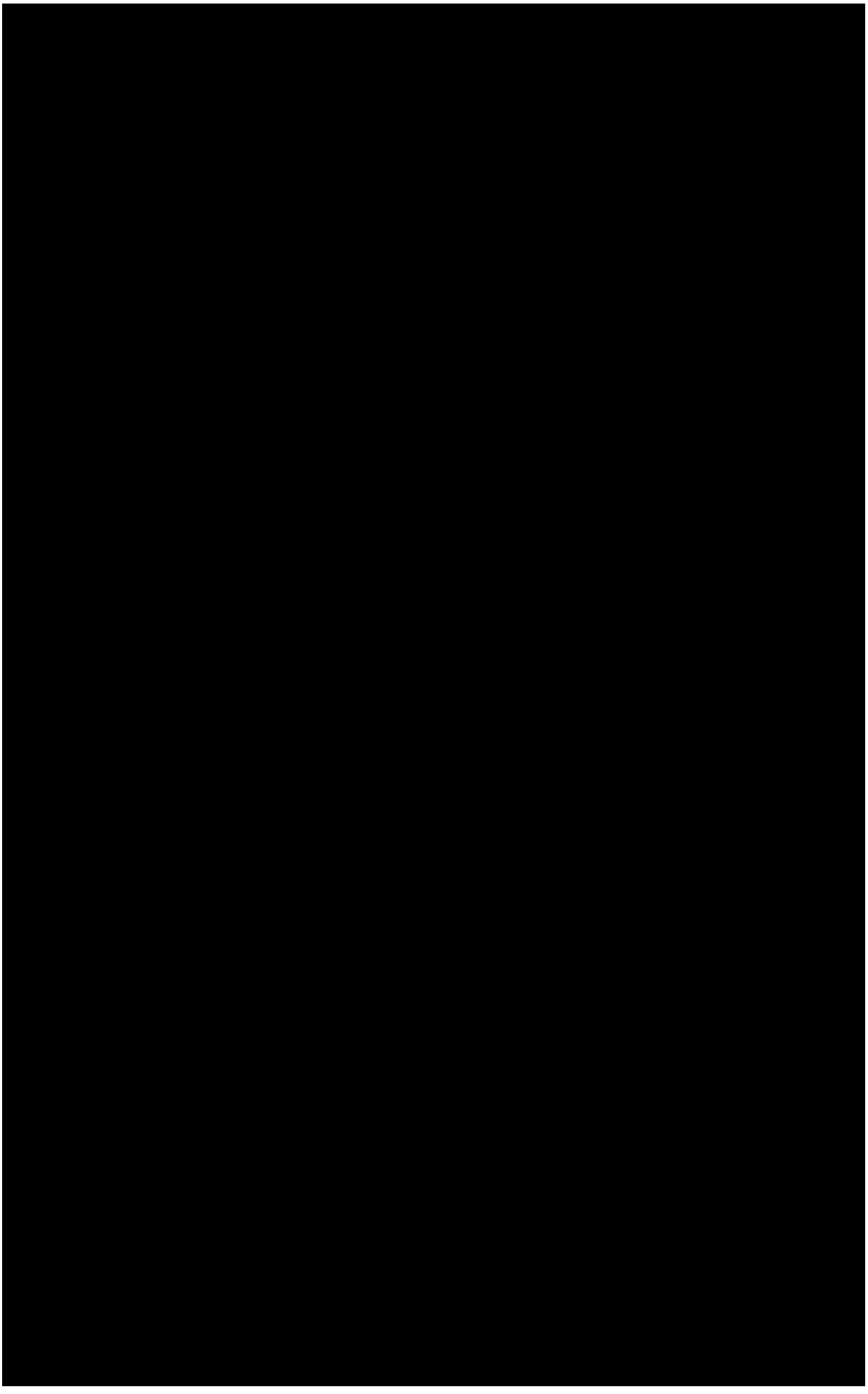
newsletter header

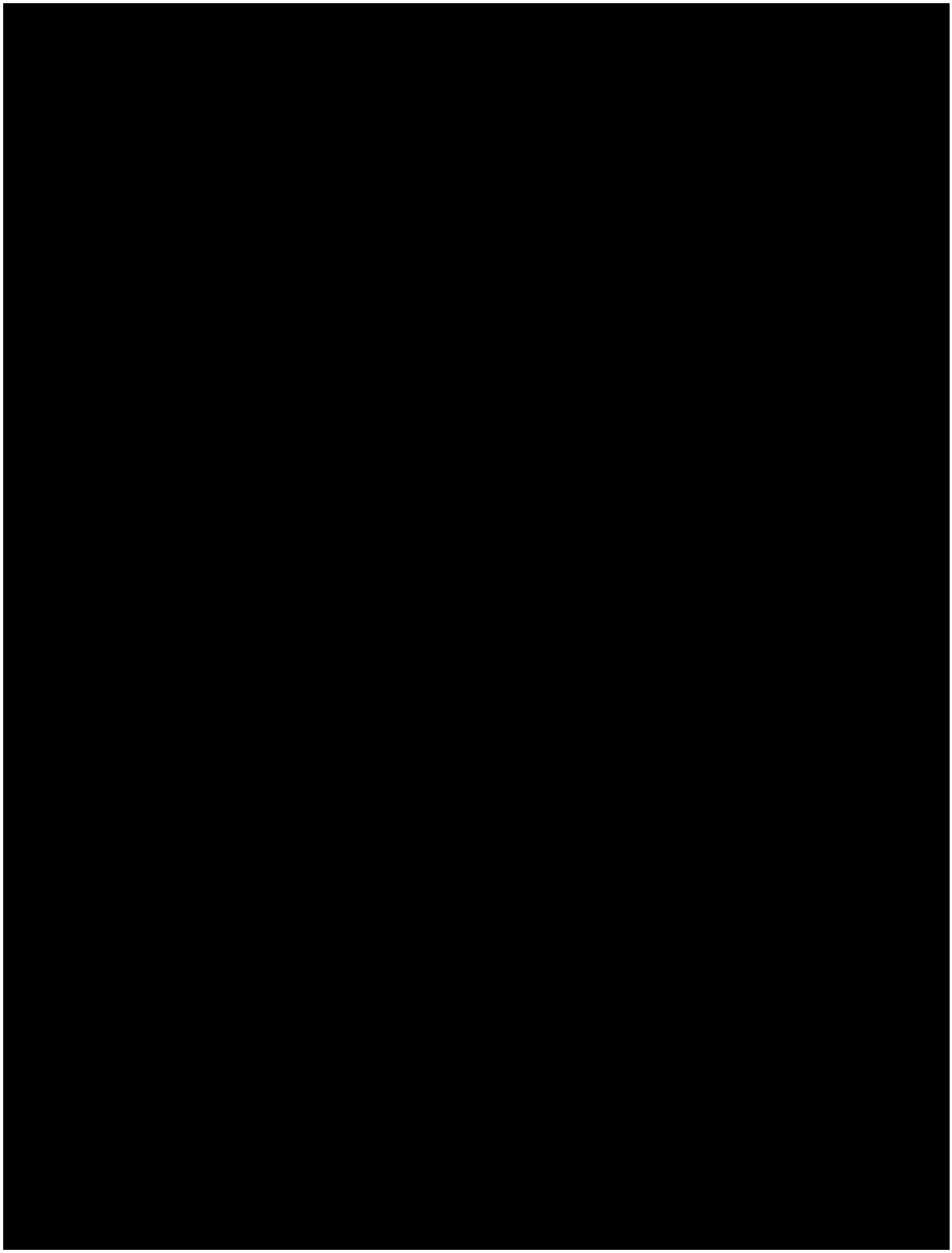












From: x@x
To: x@x
Cc: x@x; x@x
Subject: FINAL TEST FW: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 3:53:40 PM
Attachments: image001.png
image003.png

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New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension 114

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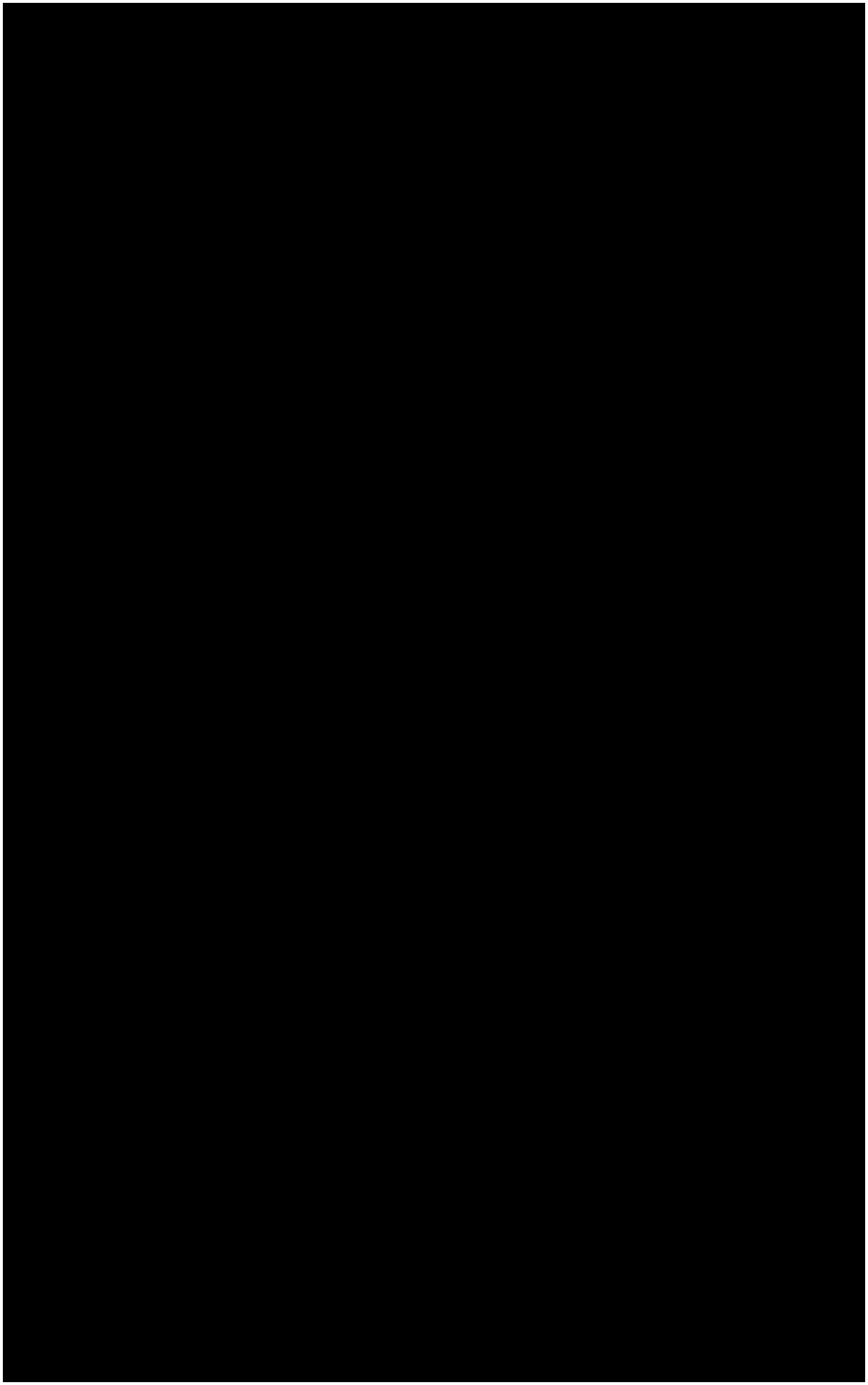
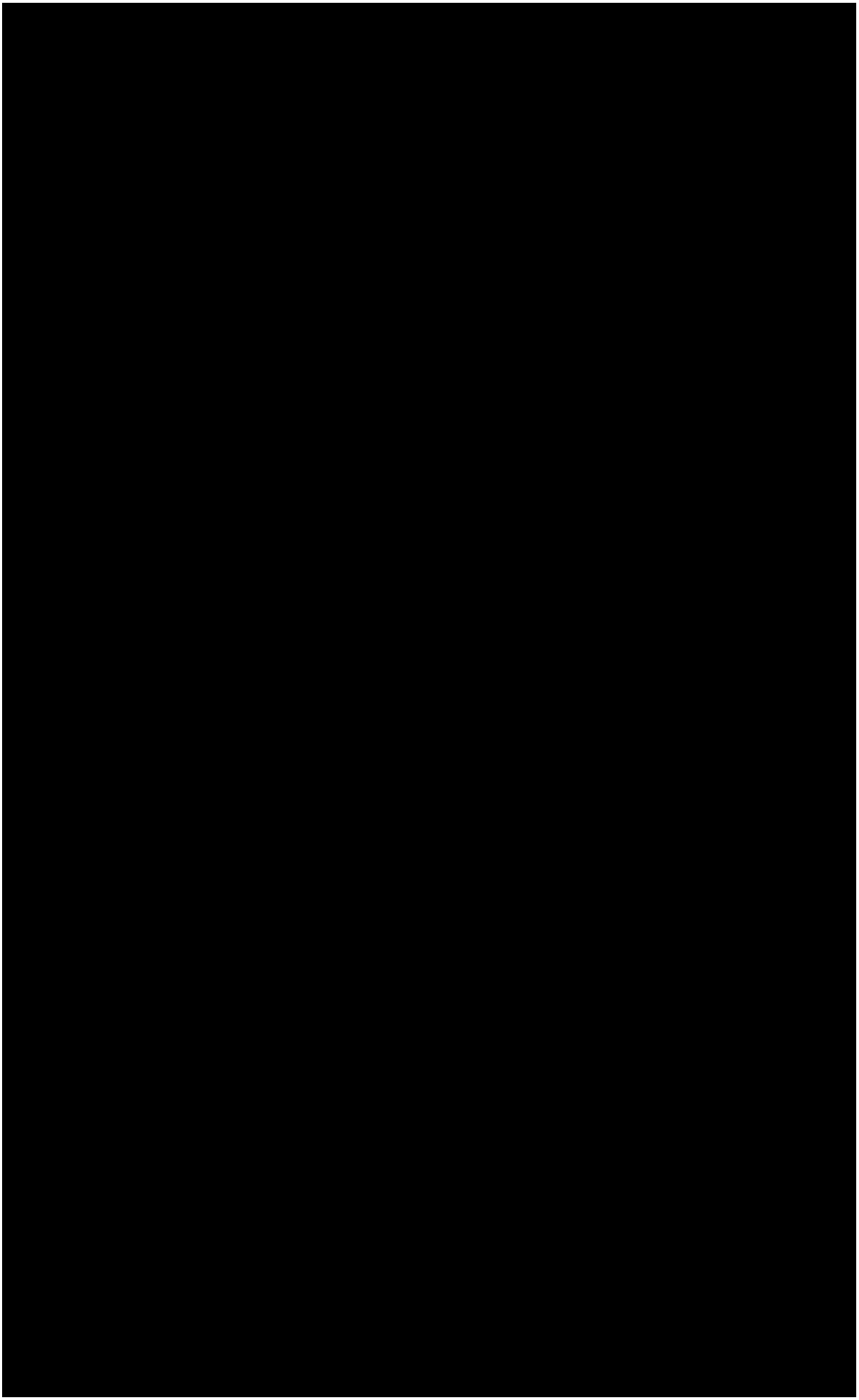
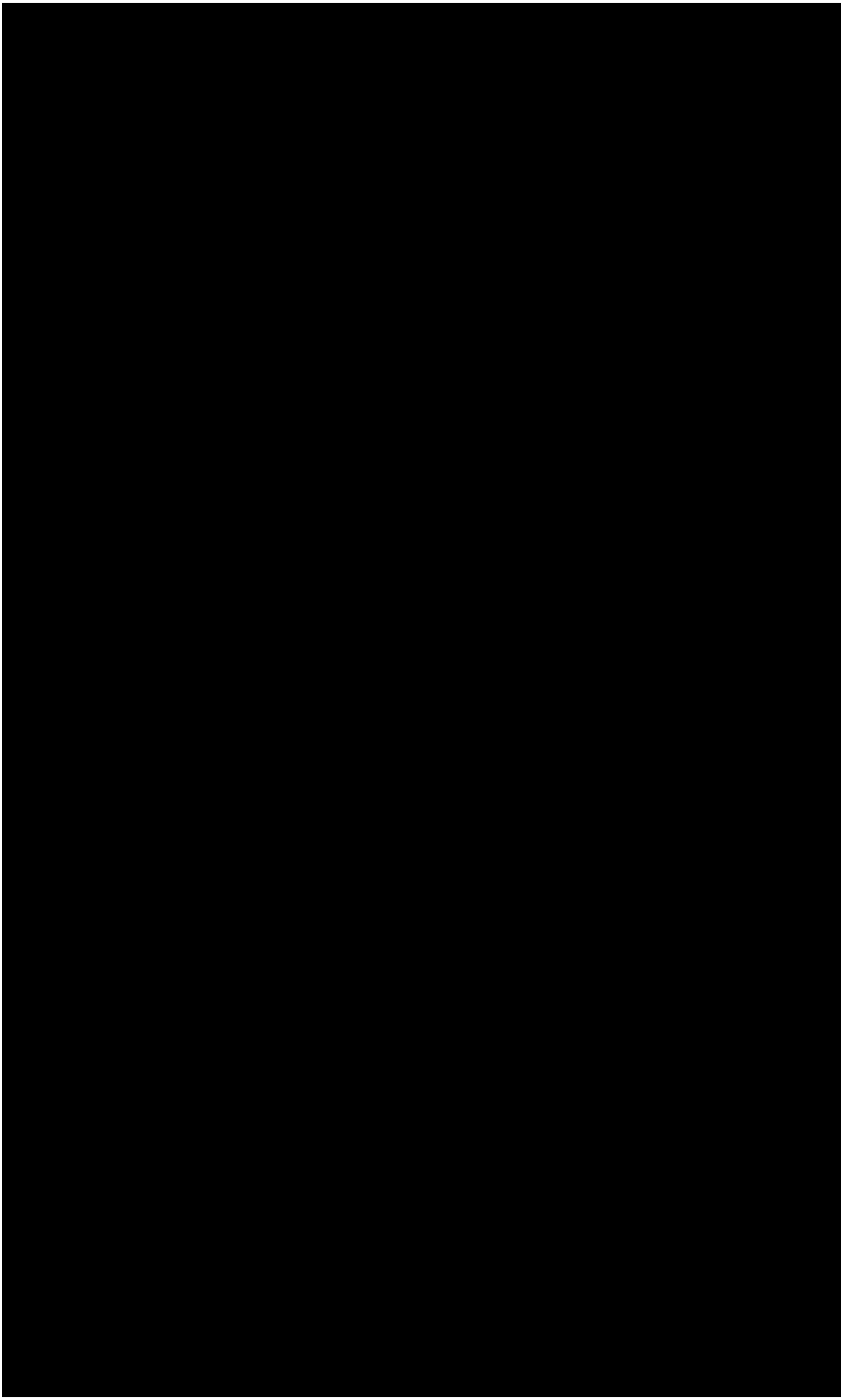
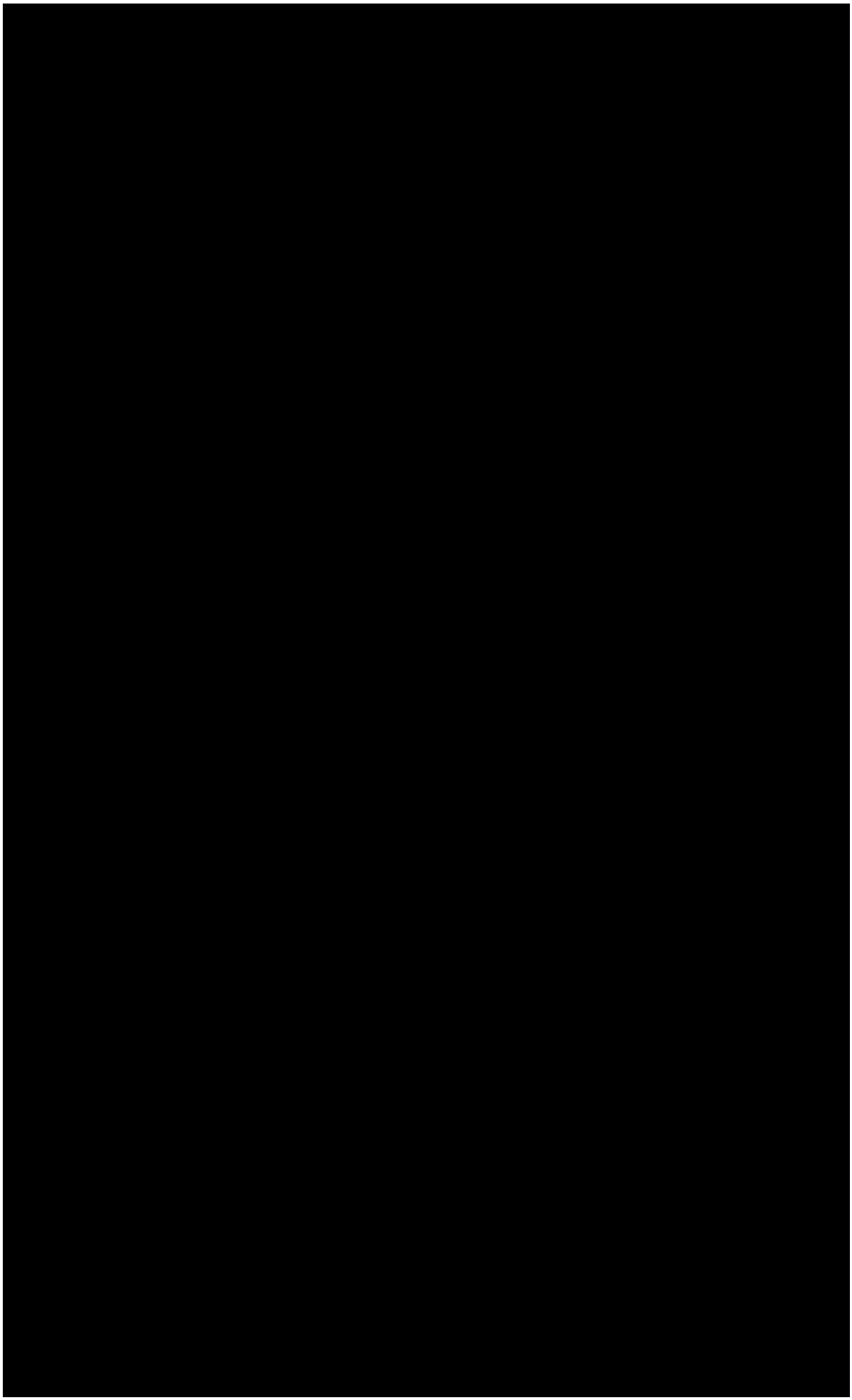
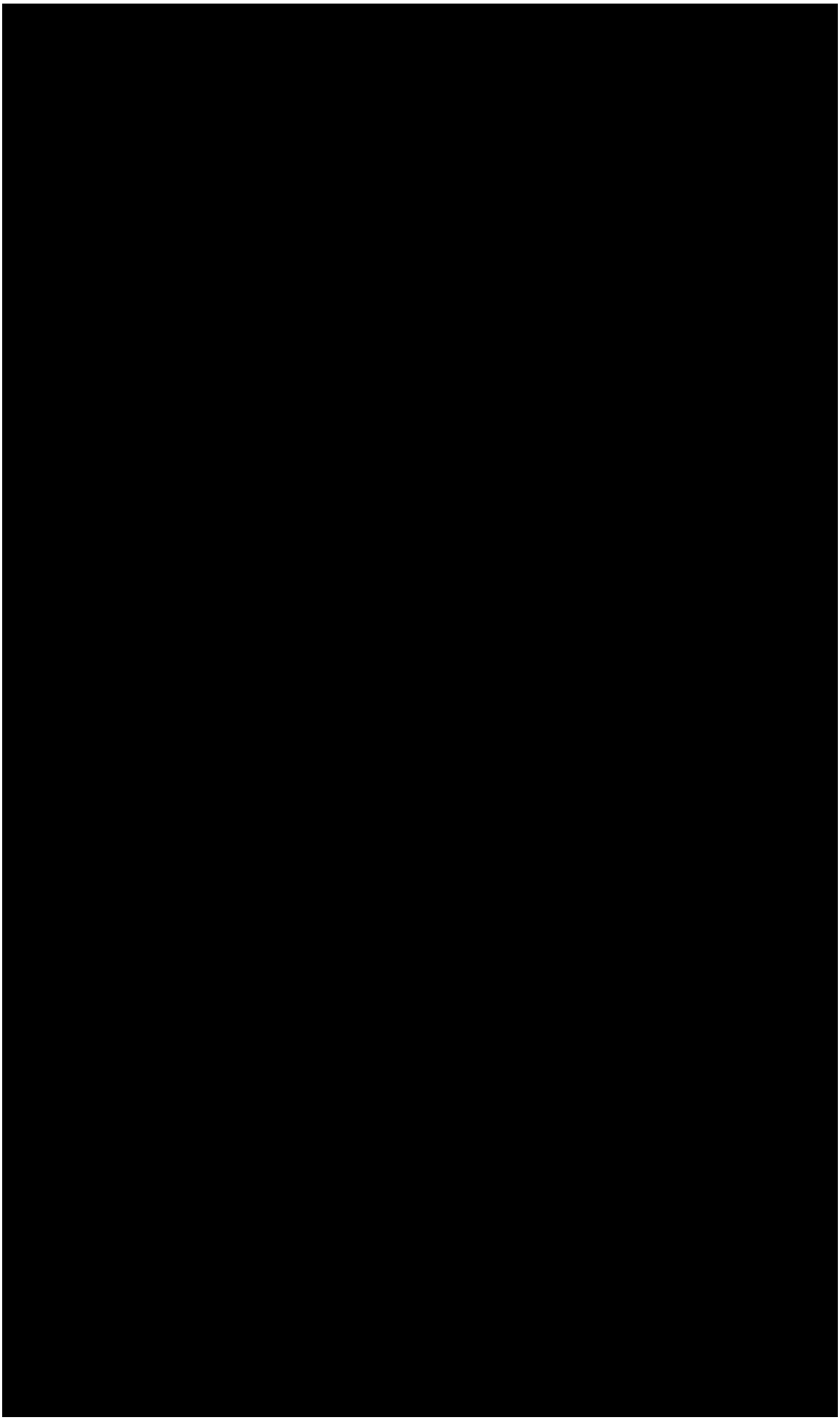
From: NJLM Weekly Round-Up [mailto:x@x]
Sent: Friday, June 11, 2021 3:50 PM
To: Shirley Cade <x@x>
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret

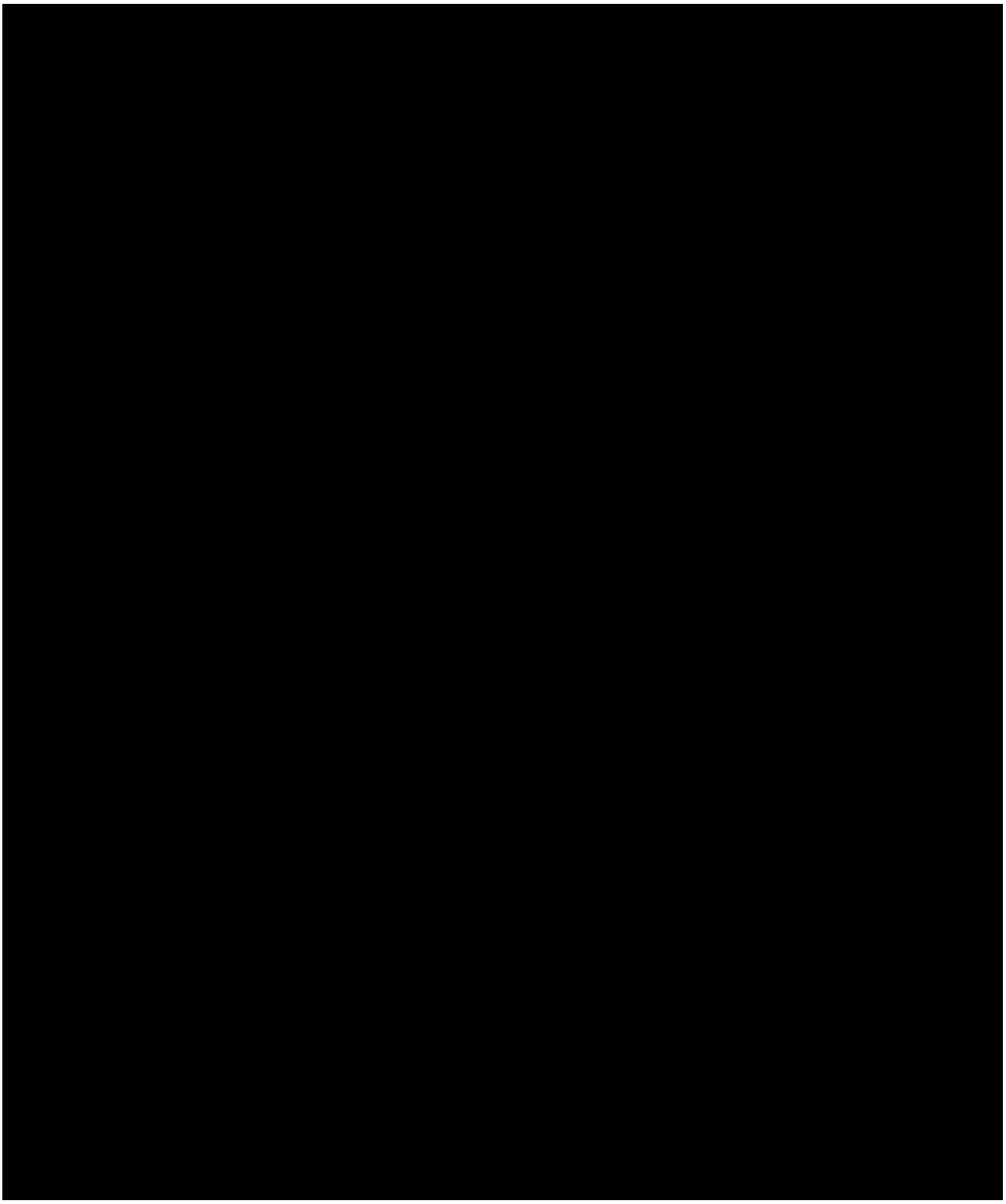




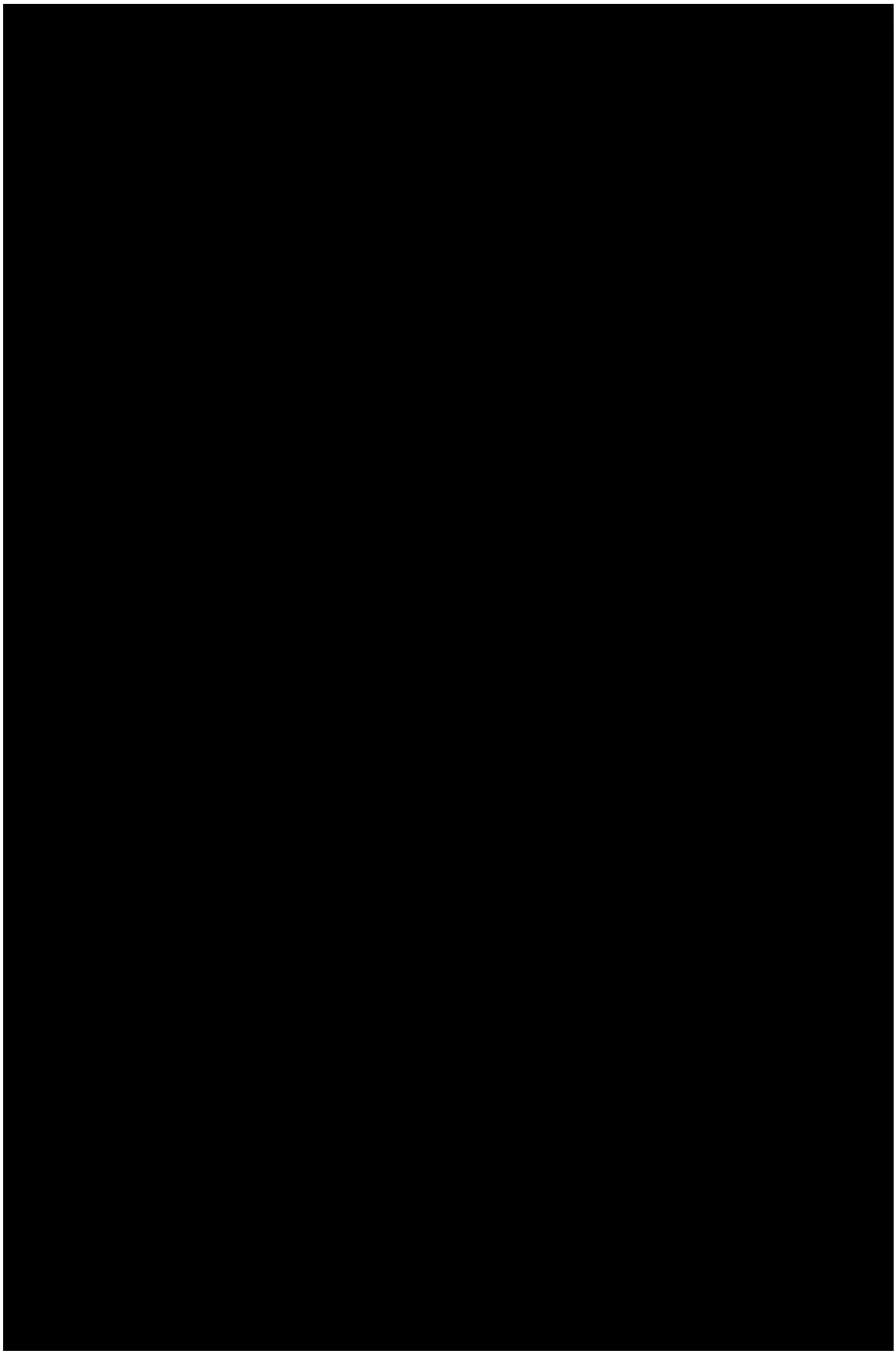


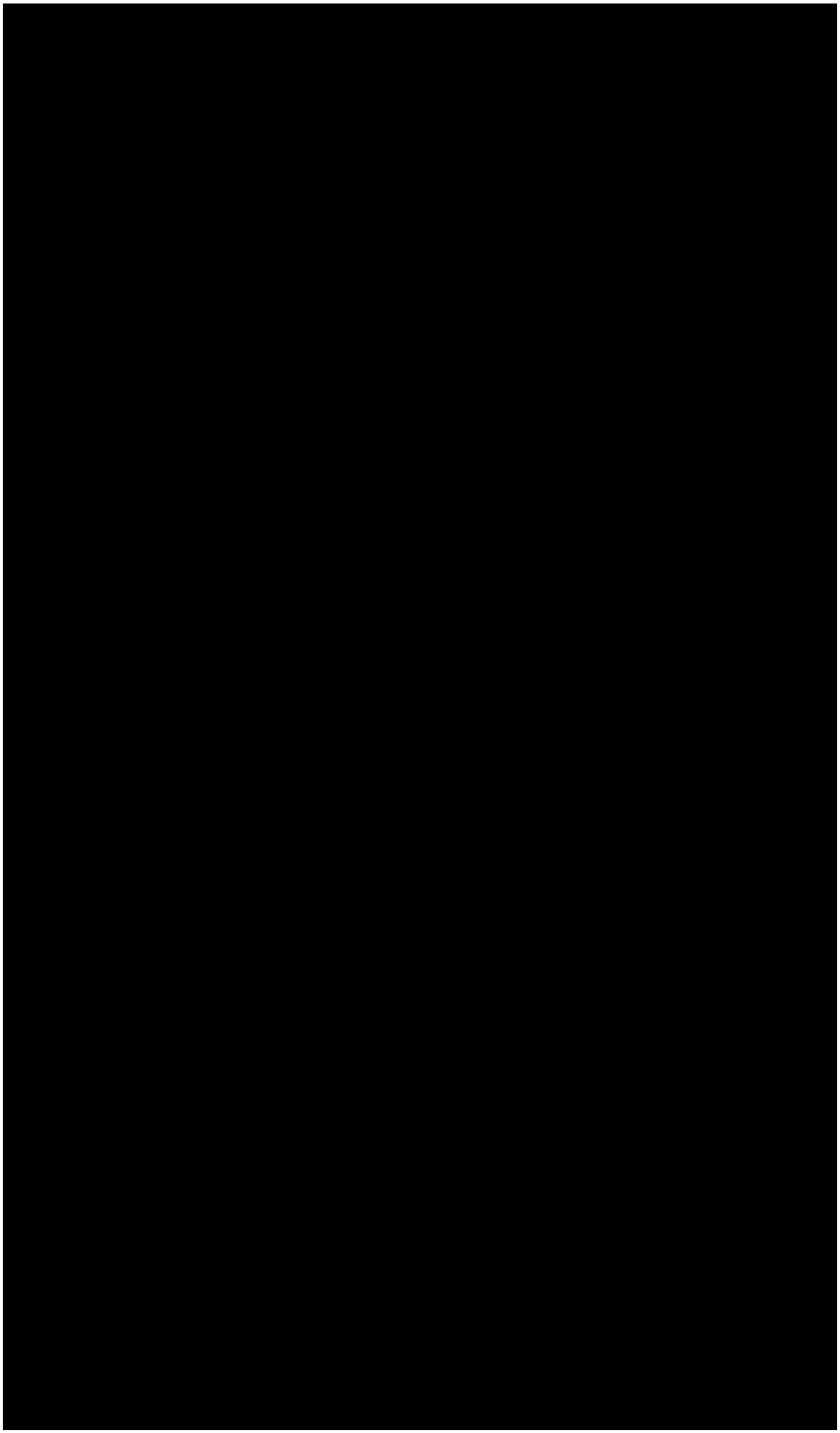


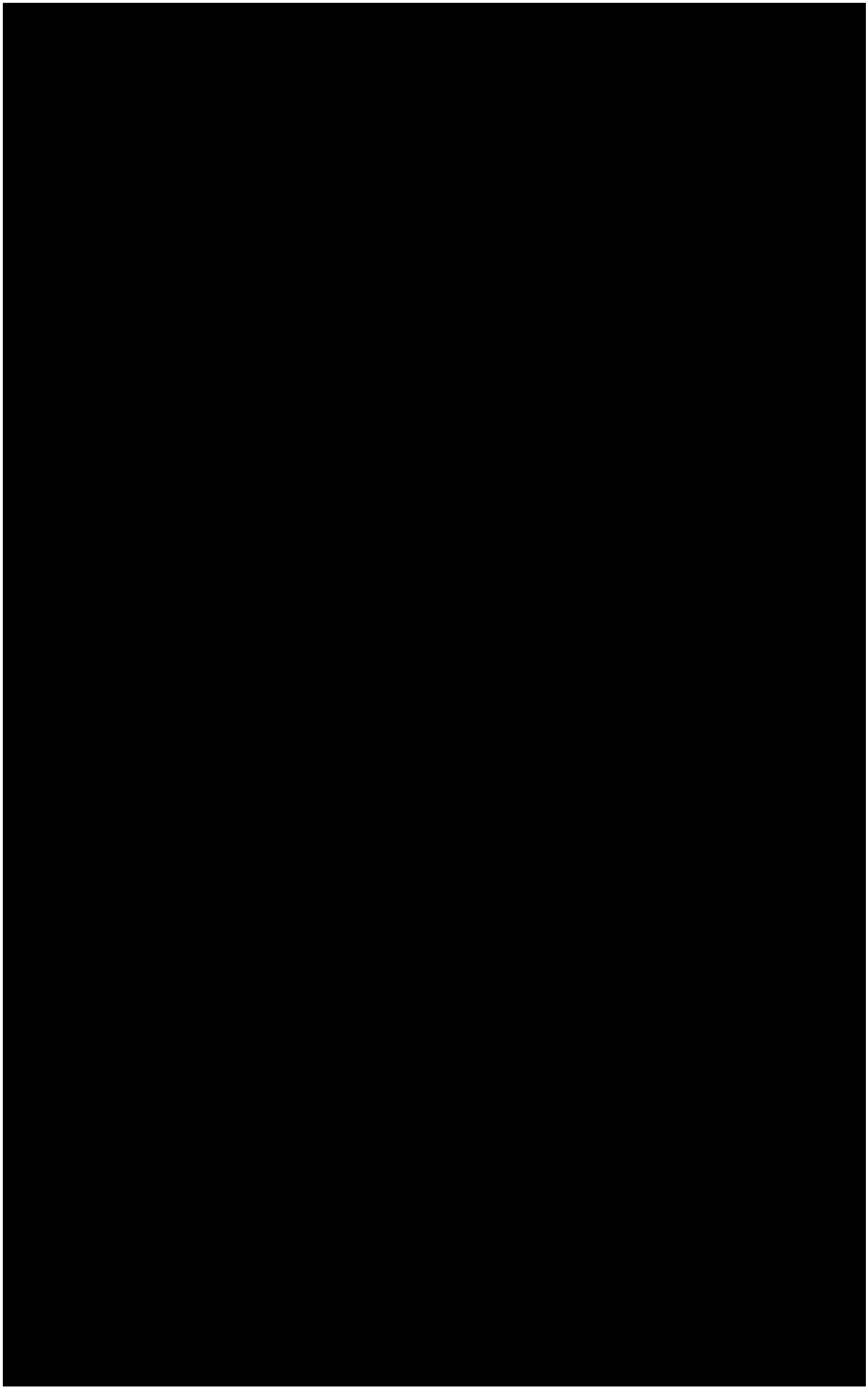


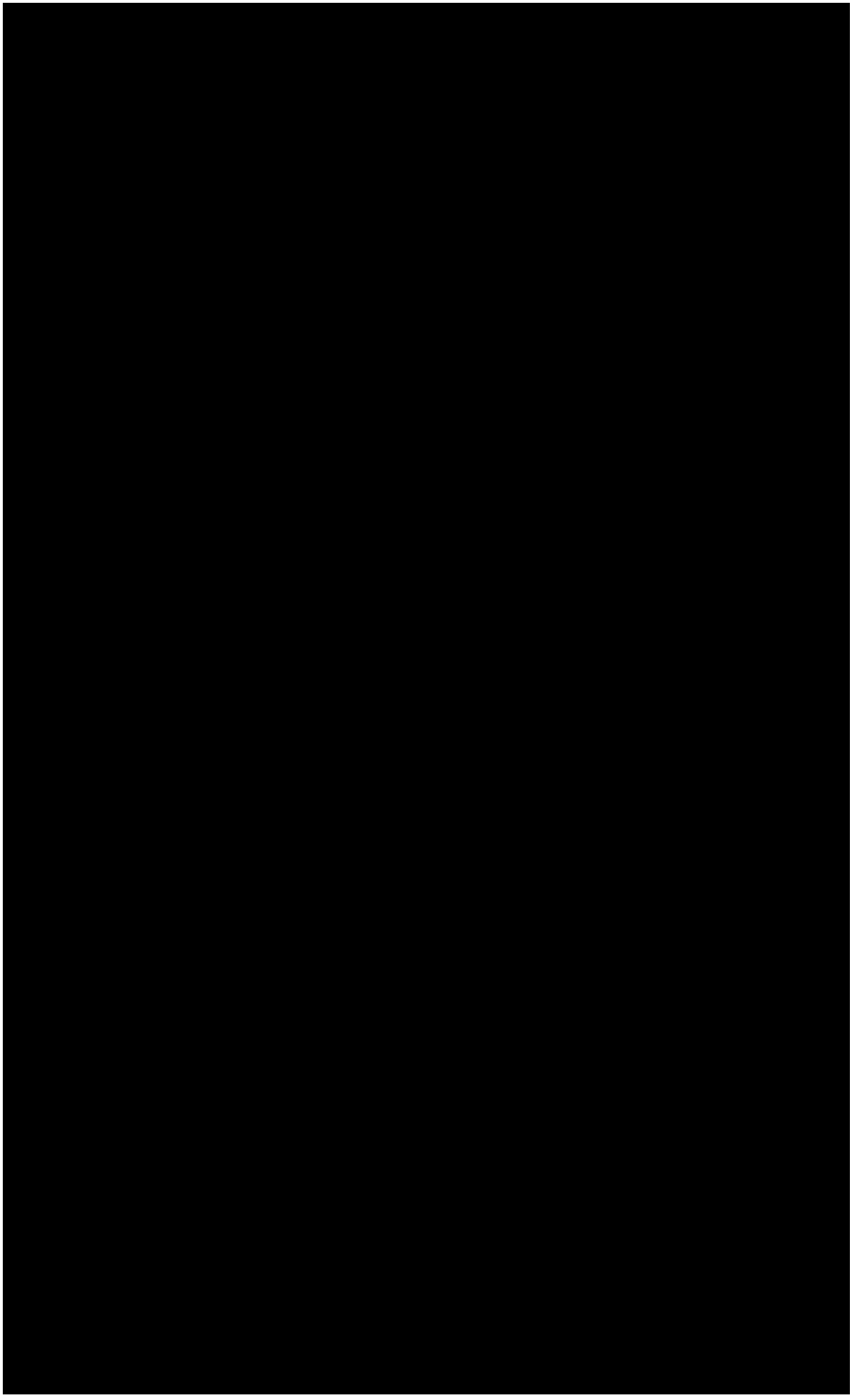


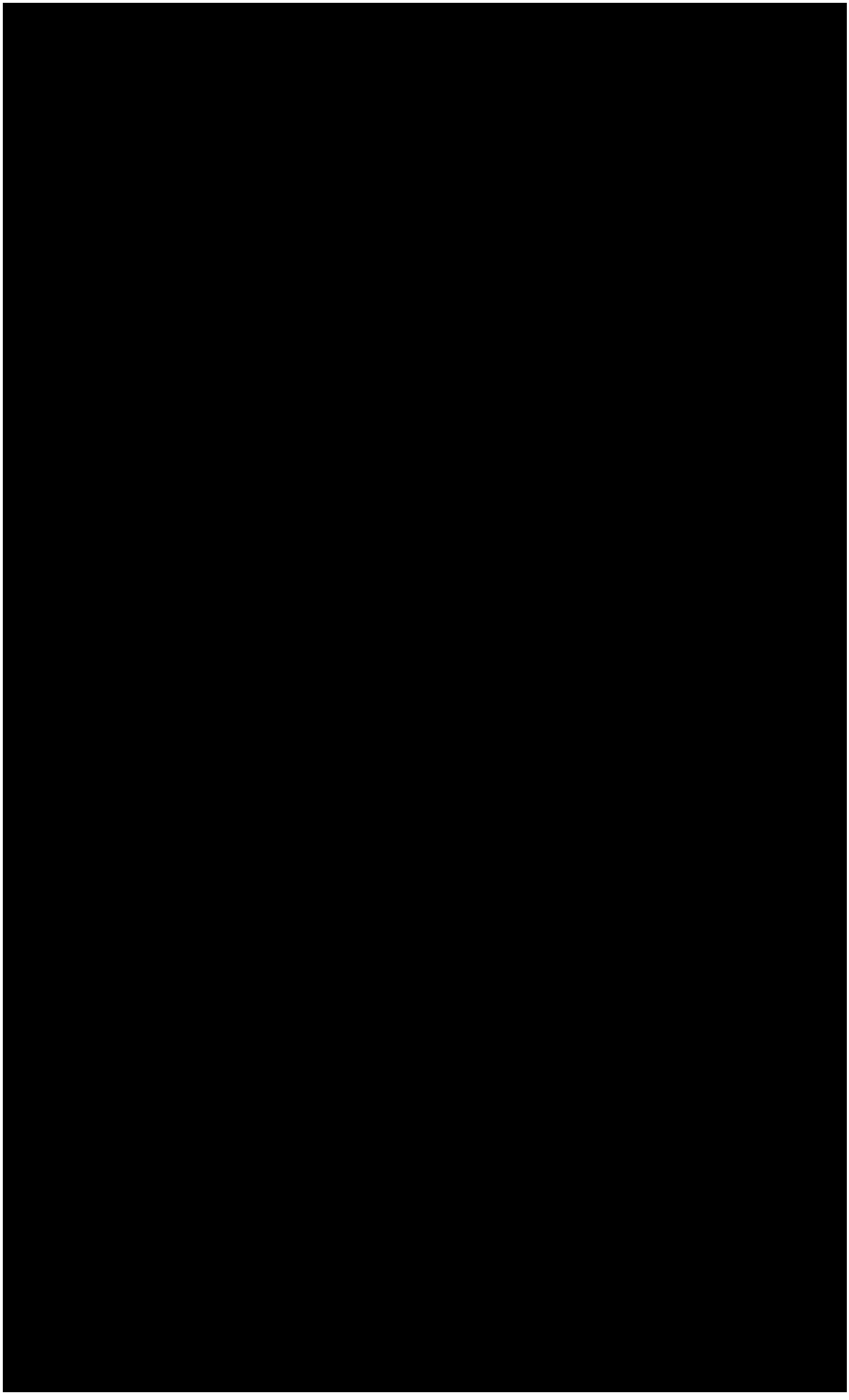
From: NJLM Weekly Round-Up
To: [redacted]
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 3:49:58 PM

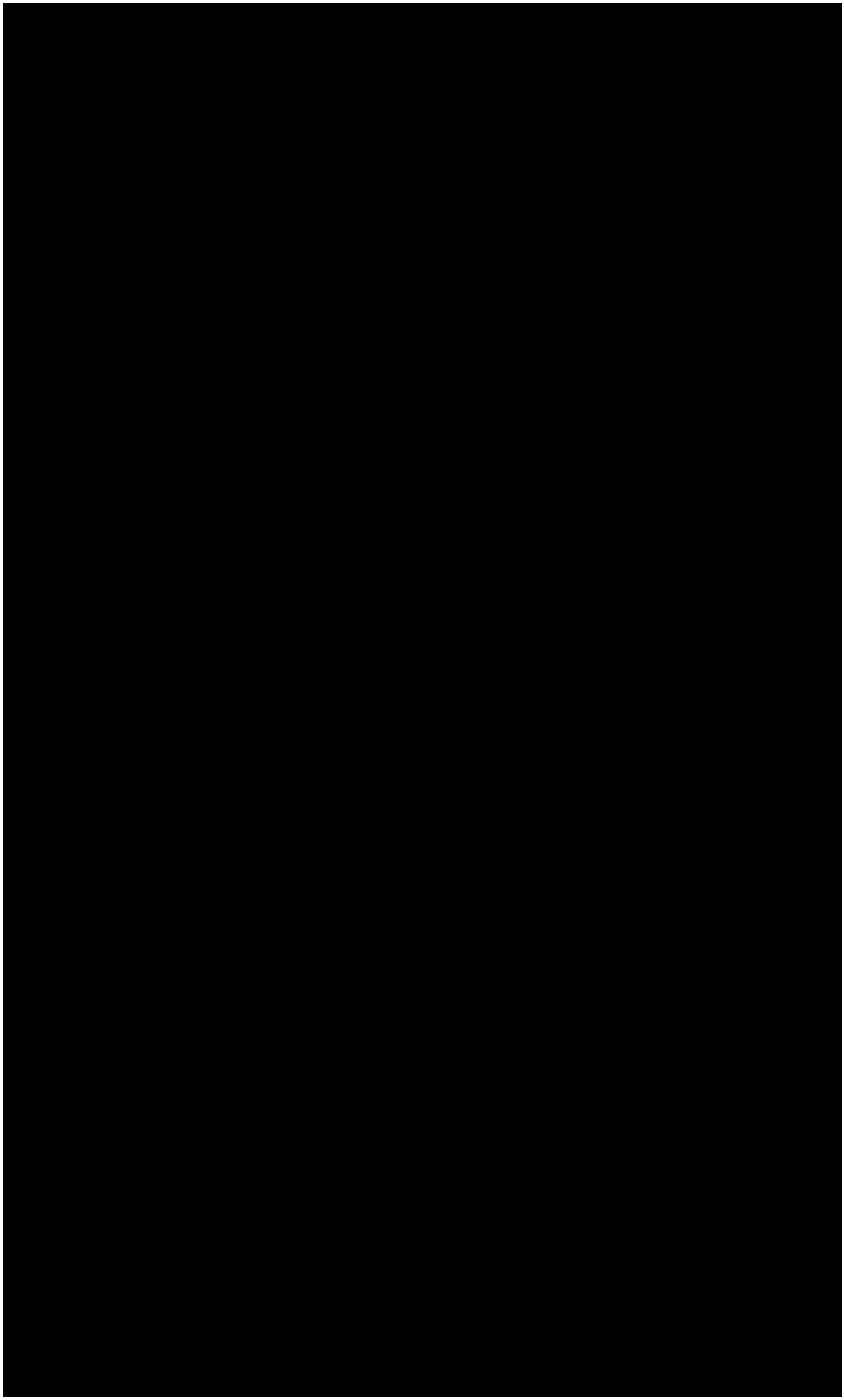




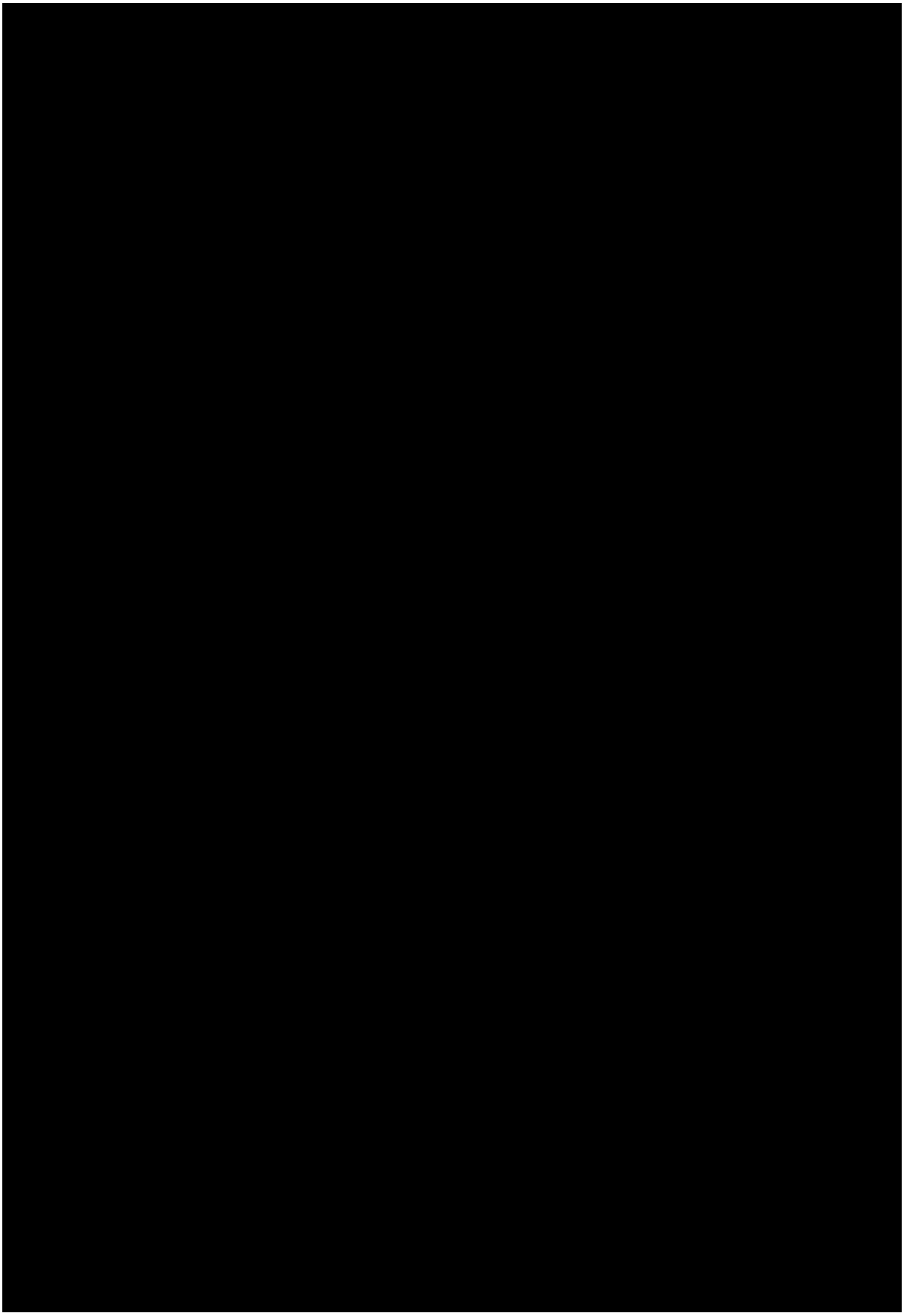


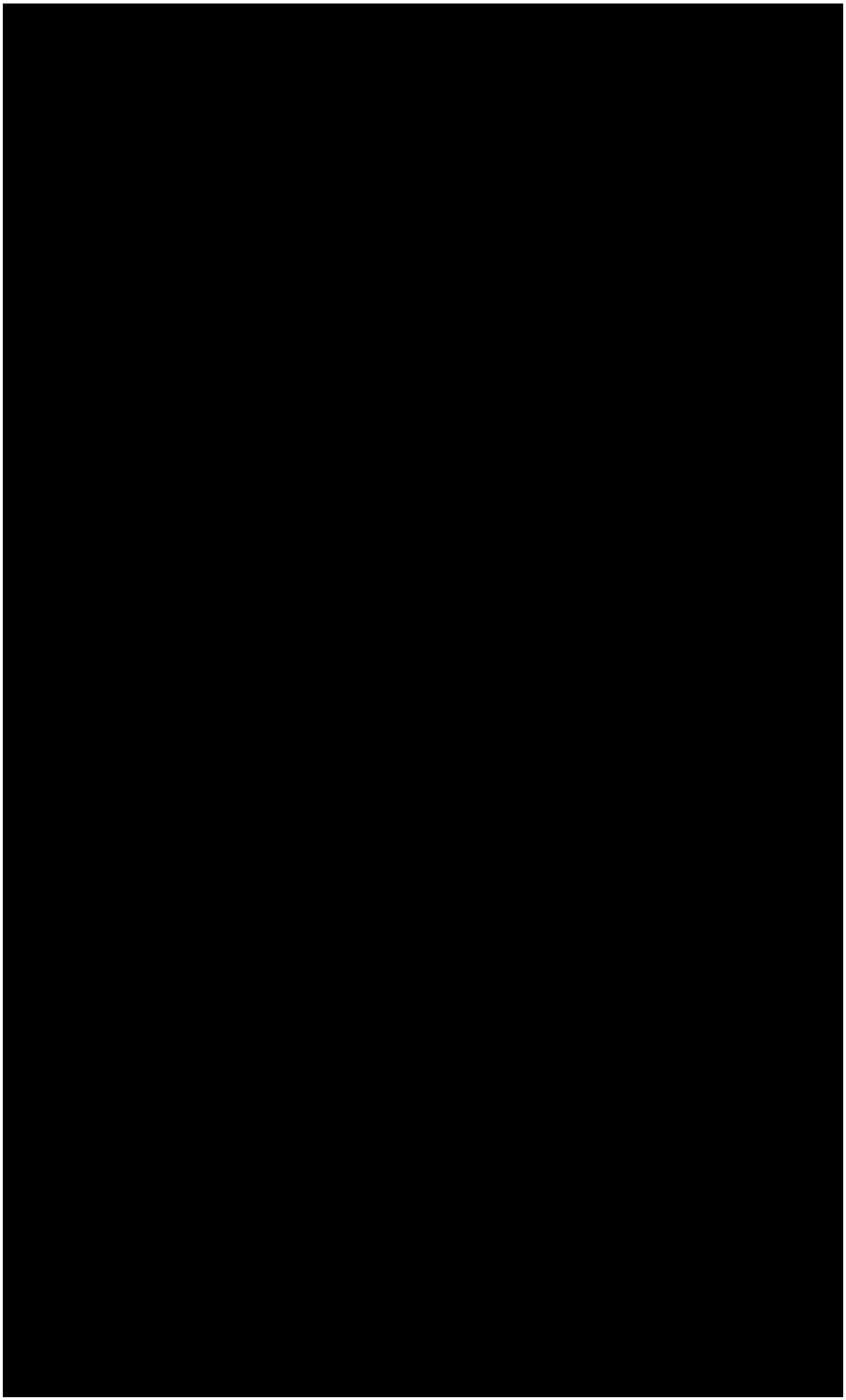


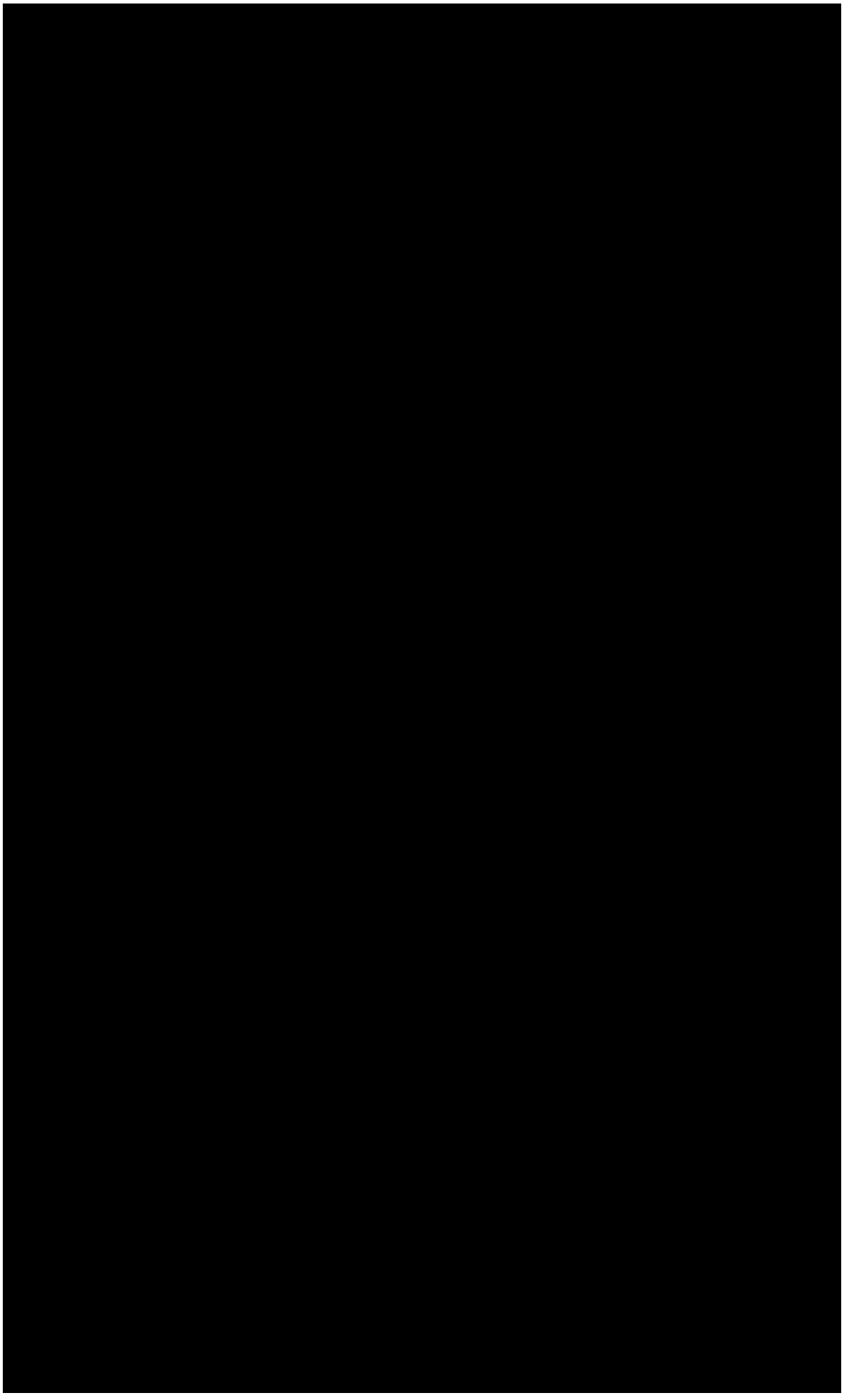


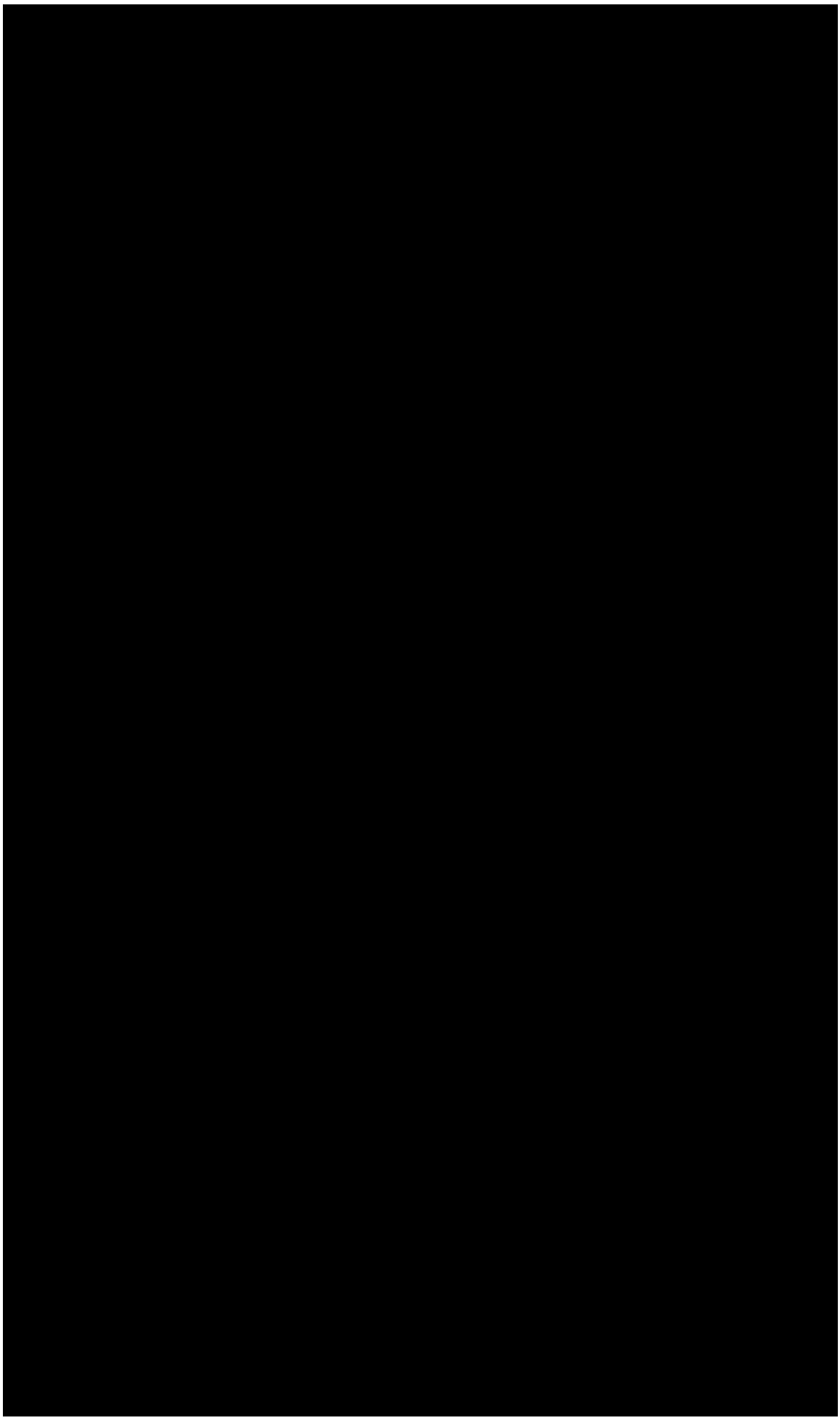


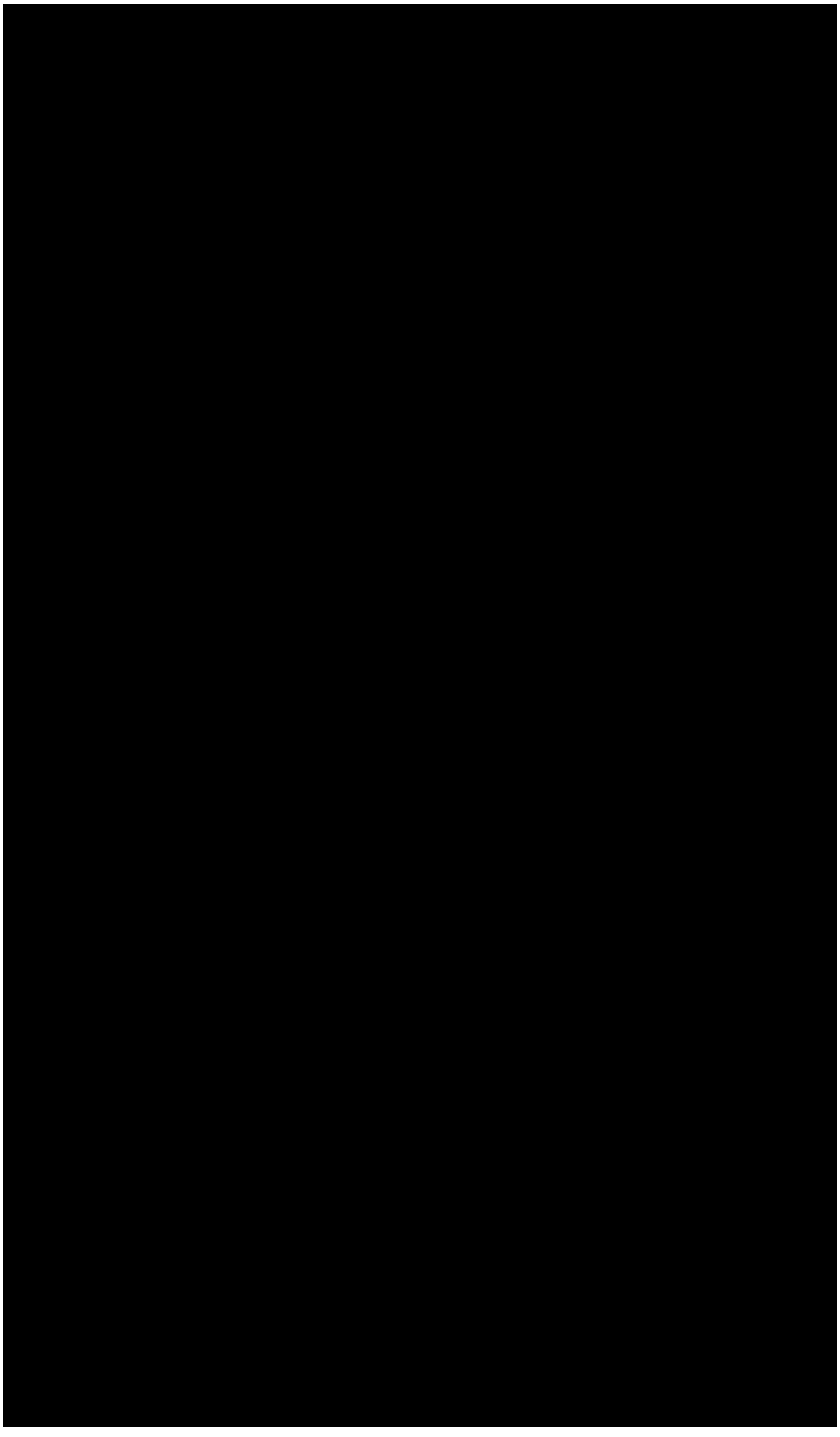
From: NJLM Weekly Round-Up
To: [redacted]
Subject: Discipline Directive Upheld; Small Cell Regulation Amended; OPRA Timing Ret
Date: Friday, June 11, 2021 3:36:49 PM

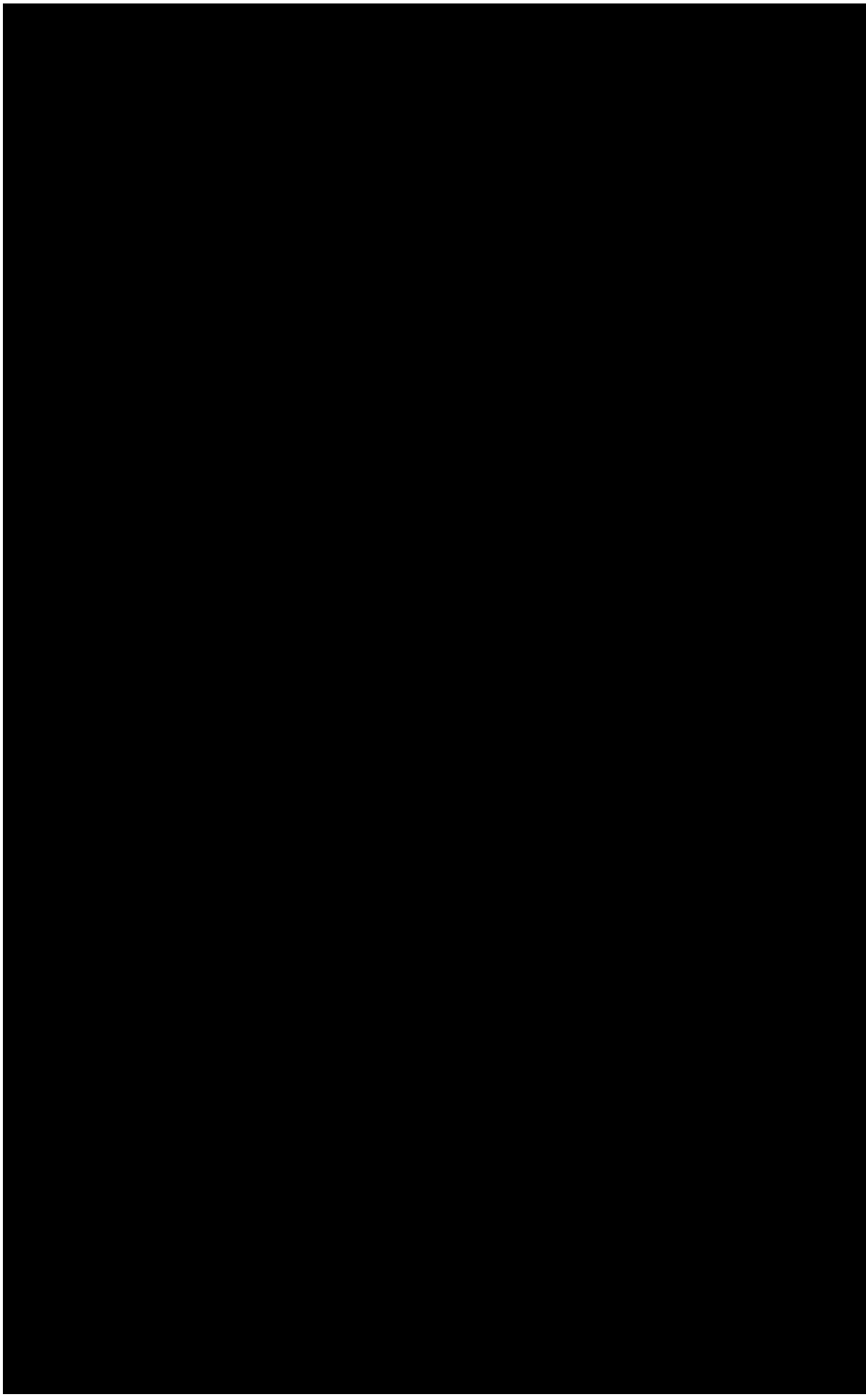












From: [redacted]
To: [redacted]
Subject: RE: OPRA request - Correspondence to Nutley Township on the Cannabis law.
Date: Friday, May 21, 2021 1:53:52 PM

Mr. Moore,

Thank you for taking the time yesterday to call and clarify your records request. Based on our conversation it has been determined that the League does not have any records responsive to your request. With this response your OPRA request is now considered satisfied and complete.

If you have any questions please feel free to reach out to me directly.

Yours truly,
Frank Marshall

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

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

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-----Original Message-----
From: Frank Marshall
Sent: Wednesday, May 19, 2021 1:28 PM
To: Rory Moore
Subject: RE: OPRA request - Correspondence to Nutley Township on the Cannabis law.

Mr. Moore,

Please allow this email to serve as confirmation of your request for records made to the New Jersey State League of Municipalities, under the Open Public Records Act ("OPRA") and common law. Your request, dated May 18, 2021, and received on May 19, 2021, asks for "a copy of the documents concerning the New Jersey League of Municipalities sent to the Township of Nutley."

This request, as currently presented, fails to specifically identify the documents sought and is both overly broad and vague. At this time, your request cannot be fulfilled without additional clarification.

Please respond with additional details regarding the documents you are requesting, so that I may attempt a search for responsive records. For example, if you are seeking email communications between the League and the Township of Nutley, please provide a date range, and/or the names of individual addressees, and if possible specific keywords.

Please be advised that any time frame in which the League has to respond to your OPRA request is paused while we seek clarification from you.

Please give me a call so that we may discuss this further and your request can be clarified.

Yours truly,
Frank Marshall

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

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-----Original Message-----
From: Rory Moore [mailto:xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxx].xxx
Sent: Tuesday, May 18, 2021 7:55 PM
To: OPRA
Subject: OPRA request - Correspondence to Nutley Township on the Cannabis law.

Dear New Jersey State League of Municipalities,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.
Records requested:

"OPRA's clear purpose . . . is 'to maximize public knowledge about public affairs to ensure an informed citizenry and to minimize the evils inherent in a secluded process.'" Educ. Law Ctr. v. N.J. Dep't of Educ., 198 N.J. 274, 284 (2009) (quoting Mason v. City of Hoboken, 196 N.J. 51, 64 (2008)).

On the public record at the 5/18/2021 Nutley Board of Commissioners, Mayor Tucci stated the Township received documents from the New Jersey League of Municipalities on Cannabis legislation in New Jersey. Tucci stayed the League provided guidance for the proposed legislation. Tucci indicated the documents were sent, very recently.

I seek a copy of the documents concerning the New Jersey League of Municipalities sent to the Township of Nutley.

Yours faithfully,

Rory Moore

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxx.xxx

Is xxxx@xxxxxx.xxx the wrong address for OPRA requests to New Jersey State League of Municipalities? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=njslom

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
https://opramachine.com/help/officers

View this OPRA request & responses online:
https://opramachine.com/request/correspondence_to_nutley_townshi

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

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

From: [redacted]
To: [redacted]
Subject: RE: OPRA request - Correspondence to Nutley Township on the Cannabis law.
Date: Friday, May 21, 2021 1:53:52 PM

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Frank Marshall

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Frank Marshall

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To: OPRA
Subject: OPRA request - Correspondence to Nutley Township on the Cannabis law.

Dear New Jersey State League of Municipalities,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.
Records requested:

"OPRA's clear purpose . . . is 'to maximize public knowledge about public affairs to ensure an informed citizenry and to minimize the evils inherent in a secluded process.'" Educ. Law Ctr. v. N.J. Dep't of Educ., 198 N.J. 274, 284 (2009) (quoting Mason v. City of Hoboken, 196 N.J. 51, 64 (2008)).

On the public record at the 5/18/2021 Nutley Board of Commissioners, Mayor Tucci stated the Township received documents from the New Jersey League of Municipalities on Cannabis legislation in New Jersey. Tucci stayed the League provided guidance for the proposed legislation. Tucci indicated the documents were sent, very recently.

I seek a copy of the documents concerning the New Jersey League of Municipalities sent to the Township of Nutley.

Yours faithfully,

Rory Moore

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxx.xxx

Is xxxx@xxxxxx.xxx the wrong address for OPRA requests to New Jersey State League of Municipalities? If so, please contact us using this form:
https://opramachine.com/change_request/new?body=njslom

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https://opramachine.com/help/officers

View this OPRA request & responses online:
https://opramachine.com/request/correspondence_to_nutley_townshi

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

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

From: [redacted]
To: [redacted]
Subject: RE: OPRA request - Correspondence to Nutley Township on the Cannabis law.
Date: Wednesday, May 19, 2021 1:27:58 PM

Mr. Moore,

Please allow this email to serve as confirmation of your request for records made to the New Jersey State League of Municipalities, under the Open Public Records Act ("OPRA") and common law. Your request, dated May 18, 2021, and received on May 19, 2021, asks for "a copy of the documents concerning the New Jersey League of Municipalities sent to the Township of Nutley."

This request, as currently presented, fails to specifically identify the documents sought and is both overly broad and vague. At this time, your request cannot be fulfilled without additional clarification.

Please respond with additional details regarding the documents you are requesting, so that I may attempt a search for responsive records. For example, if you are seeking email communications between the League and the Township of Nutley, please provide a date range, and/or the names of individual addressees, and if possible specific keywords.

Please be advised that any time frame in which the League has to respond to your OPRA request is paused while we seek clarification from you.

Please give me a call so that we may discuss this further and your request can be clarified.

Yours truly,
Frank Marshall

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

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

-----Original Message-----
From: Rory Moore [mailto:[redacted]
Sent: Tuesday, May 18, 2021 7:55 PM
To: OPRA
Subject: OPRA request - Correspondence to Nutley Township on the Cannabis law.

Dear New Jersey State League of Municipalities,

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xxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxx.xxx

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https://opramachine.com/change_request/new?body=njslom

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https://opramachine.com/help/officers

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https://opramachine.com/request/correspondence_to_nutley_townshi

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To: [redacted]
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Date: Wednesday, May 19, 2021 1:27:58 PM

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Yours truly,
Frank Marshall

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

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From: Rory Moore [mailto:[redacted]
Sent: Tuesday, May 18, 2021 7:55 PM
To: OPRA
Subject: OPRA request - Correspondence to Nutley Township on the Cannabis law.

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Rory Moore

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xxxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxx.xxx

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https://opramachine.com/change_request/new?body=njslom

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https://opramachine.com/help/officers

View this OPRA request & responses online:
https://opramachine.com/request/correspondence_to_nutley_townshi

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

From: Rory Moore
To: OPRA requests at NJSLOM
Subject: OPRA request - Correspondence to Nutley Township on the Cannabis law.
Date: Tuesday, May 18, 2021 7:55:04 PM

Dear New Jersey State League of Municipalities,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.
Records requested:

"OPRA's clear purpose . . . is 'to maximize public knowledge about public affairs to ensure an informed citizenry and to minimize the evils inherent in a secluded process.'" Educ. Law Ctr. v. N.J. Dep't of Educ., 198 N.J. 274, 284 (2009) (quoting Mason v. City of Hoboken, 196 N.J. 51, 64 (2008)).

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xxxxxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxx.xxxxxxxxxxx.xxx

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https://opramachine.com/change_request/new?body=njslom

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https://opramachine.com/request/correspondence_to_nutley_townshi

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

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

From: xxxxxxxxx@xxxxxx.xxx
To: xxxxx@xxxxxxxx.xxx
Subject: RE: OPRA question - Municipal
Date: Thursday, April 15, 2021 4:28:31 PM
Attachments: image001.png
image003.png
Ord_17-2019.pdf
Reso_356_2020_Extra_Duty_(amended).pdf
340CDCFD.pdf

Tyler,

Here is some of the information I have. The other information we talked about was a draft copy of legislation and regulations that would have capped administrative fees and also would have clarified the ability of non-police officers ("Flaggers") to work the extra duty covering construction sites.

Frank

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

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

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

From: Tyler Prime [mailto:xxxxx@xxxxxxxx.xxx]
Sent: Thursday, April 15, 2021 4:19 PM
To: Frank Marshall
Subject: Re: OPRA question - Municipal

Frank,

I am sorry to be the squeaky wheel. Would you please get back to me on the extra duty issue? I need to respond to the Township of Medford and they are waiting on the information you had indicated you had. I would appreciate it.

Thank you,

Tyler

Tyler T. Prime, Esquire

Kindly forward all physical correspondence to our South Jersey Office.

South Jersey Office
14000 Horizon Way, Suite 325
Mount Laurel, New Jersey 08054
Phone: (856) 273-8300 x302
Fax: (856) 273-8383

North Jersey Office
2 University Plaza, Suite 109
Hackensack, New Jersey 07601
Phone: (201) 883-1010
Fax: (856) 273-8383

E-Mail: [redacted]
Web: www.primelaw.com

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On Mon, Apr 12, 2021 at 2:20 PM Tyler Prime <xxxxx@xxxxxxxx.xxx> wrote:

> Hi Frank,
>
> If possible would you have a chance to get back to me on this issue this week? I would greatly appreciate it so that I can finalize guidance to the Township./
>
> **Tyler T. Prime, Esquire**
>
> *Kindly forward all physical correspondence to our South Jersey Office.*
>
> **South Jersey Office**
> 14000 Horizon Way, Suite 325
> Mount Laurel, New Jersey 08054
> Phone: (856) 273-8300 x302
> Fax: (856) 273-8383
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> 2 University Plaza, Suite 109
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> Phone: (201) 883-1010
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On Tue, Mar 30, 2021 at 4:55 PM Tyler Prime <xxxxx@xxxxxxxx.xxx> wrote:

> Hi Frank,
>
> Just following up on the extra duty issue. Thank you!
>
> **Tyler T. Prime, Esquire**
>
> *Kindly forward all physical correspondence to our South Jersey Office.*
>
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> 14000 Horizon Way, Suite 325
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On Wed, Mar 24, 2021 at 3:16 PM Tyler Prime <xxxxx@xxxxxxxx.xxx> wrote:

> > Frank,
> >
> > Thank you for your time today - any clarity on Extra Duty fees / costs I would appreciate!
> >
> > **Tyler T. Prime, Esquire**

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On Thu, Mar 11, 2021 at 5:27 PM Tyler Prime <xxxxx@xxxxxxxx.xxx> wrote:

> Hi Frank,
>
> My name is Tyler Prime and my firm represents Mansfield Township and Medford Township in Burlington County. I was hoping to see if the LOM had any guidance on the latest round of OPRA requests for property record cards. The draft response being circulated is copy and pasted below. I think some parts of this are problematic and would like to discuss it with you if you have a minute.
>
> Much appreciated,
>
> Tyler
>
> "Dear membership:
> In response to the various requests you may have received from requestors under the Open Public Records Act (OPRA) for copies of property record cards for your entire municipality, the AMANJ, after consulting with various stakeholders, suggests that the following language, through a memo or email from you, be forwarded to your municipal Attorney and your municipal Clerk. It is your municipality's role and responsibility to respond to the requests and the below language and information would facilitate your assistance in helping the municipality so respond. Some of the below language has

already, or will soon be, used by certain municipalities responding to these recently received requests.
****

"Property record cards can be categorized as either residential or commercial record cards. In accordance with Executive Order 26, residential property record cards are not subject to disclosure, as they constitute information that describes a natural person's assets, namely, their real property.

Your request for this information is further complicated by the provisions of the recently enacted ***Daniel's Law***, which regulates the release of information that contains the home address of any active or retired Judge, Prosecutor, or Law Enforcement Officer.

Finally, a homeowners' reasonable expectation of privacy is expressly recognized in the N.J. Division of Taxation's Appraisal Manual (a source formally recognized by our courts), which designates information on Property Record Cards as "confidential," "for the property record only," and "not [to] be discussed or used for any other purpose." Appraisal Manual, vol. 1, p. I-5

Accordingly, your request for property record cards related to residential properties is hereby denied.

With respect to property record cards for all township's commercial properties, there are multiple commercial record cards. As many of these property record cards contain confidential information that is not disclosable under OPRA, each card would need to be reviewed and possibly redacted by the tax assessor's office. We estimate that it will take approximately 20 (twenty) minutes to review each card, redact the confidential information, and prepare copies of the disclosable portion of the record card. We are in the process of preparing an estimate of the cost to do this work for you to approve before we commence the work. Finally, there may be certain properties that present security issues before they can be released. These also have to be reviewed.

Thank you.

****

County Presidents: Please forward to your association members.

Thanks and stay safe,

Michele Hennessey, CTA"

Tyler T. Prime, Esquire

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E-Mail: x@x
Web: www.primelaw.com

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From: Diane Pflugfelder
To: Lori Buckelew
Subject: RE: Our view: OPRA delays must end — New Jersey deserves transparent government | Editorial
Date: Tuesday, March 23, 2021 10:39:38 AM
Attachments: image005.png
image006.png
image008.png

Thank you for sharing such great news. lol
It aint your fault.

Unrelated question:
I am going crazy to locate information on the restrictions that a municipality has for spending the coronavirus stimulus money. Are you aware of any such direction?
Thank you and enjoy a great day!!

I'm goanna miss your updates 1 July 2021!

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: Lori Buckelew [mailto:xxxxxxxxx@xxxx.xxx]
Sent: Monday, March 22, 2021 9:10 PM
To: Eileen Gore; Kim White; Denise Cafone (xxxxxxx@xxxxxxxxxxx.xxx); 'lsaxxxxxxx@xxxxx.xxx'; Diane

EDITORIALS

Our view: OPRA delays must end — New Jersey deserves transparent government | Editorial

USA TODAY Network Atlantic Group Editorial Board

“Advisory, consultative or deliberative material.”

“No responsive records.”

A terrorism threat was cited.

These three responses are among a litany given to USA TODAY Network New Jersey reporters over the last year in response to public records inquiries. When lawmakers sought to borrow $10 billion to shore up the state budget, the pandemic's urgency was cited as voters were bypassed.

COVID-19 has proven an able cloak, covering pledges of transparent government in this year of pandemic.

Gov. Phil Murphy — and many of his peers inside the Garden State and out — has pledged to run the response to the COVID crisis with transparency. More than a year since the pandemic began, however, we have ample evidence that hasn't proven to be the case.

As veteran state house correspondent Dustin Racioppi reported earlier this week, public records requests made over the last year have been frequently postponed, denied — or postponed for weeks and later denied.

And it's not only records and data that the state and other government bodies have declined to share. Within the last week, the Murphy administration hasn't cooperated in legislative hearings on the reopening of New Jersey schools or its handling of nursing homes during the pandemic.

C.J. Griffin, an attorney who has represented the USA TODAY Network, said the pattern of lacking transparency impacts public trust.

"There becomes a point where you can see how someone who is less trusting of government, who is less trusting of science" will become even more skeptical, Griffin told Racioppi. "There’s a better way of doing things that would help people be better assured and comforted and have more trust in government."

Transparency during COVID?: Here are the things the Murphy administration refuses to

share

The Murphy administration, for its part, has said state agencies are working to respond to public records requests and pointed to more than 170 COVID-19 briefings and 300 media interviews the governor has given in the last year as demonstrations of its commitment to transparency.

Still, as we mark the 16th annual Sunshine Week — a national effort undertaken by news organizations to promote civic transparency and good government — we call on state and local government to double down on efforts to share important data and documents — and to cooperate with inquiries — with renewed vigor.

The governor last week acknowledged his administration's imperfection and said it would work to improve on measures of transparency.

"We are doing, I promise you, our level best to be transparent in every single way," Murphy said. "I'm not suggesting we're perfect, but that is what we're committed to. And maybe it's a question of time. Maybe it's something that we are committed to making sure something is disclosed and is transparent, which we are, but maybe not as fast as some people would like. But we will get there."

We hope so.

In the meantime, we also need the state's pandemic punt on Open Public Records Act deadlines to end. A year ago, citing a "war with a virus," Murphy signed a bill that lifted a seven-day deadline for responses to public record requests. The intent of that legislation was, lawmakers said, to provide flexibility to government record-keepers in a response to unusual circumstances created by the pandemic.

A July revision to that bill passed unanimously in the state Senate but has languished in the Assembly. We urge members of that body to consider the revision — which would address delays in responses to routine records requests — now.

To that end, we strongly encourage our readers to directly contact their Assembly representatives and urge their support.

New Jersey deserves more transparent government.

https://www.njherald.com/story/opinion/editorials/2021/03/19/opra-delays-must-end-new-jersey-deserves-transparent-government/4745673001/?fbclid=IwAR1NGrgSZRZLUY6tSdOuPjMS7VBXSGzGp-IxgaE8zRT1_a1KdwZVilAjnBg

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

Lori Buckelew | Assistant Executive Director & Director Government Affairs
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Levi J. Kool
To: [redacted]
Subject: FW: OPRA Request - PRC
Date: Tuesday, March 23, 2021 10:34:14 AM
Attachments: image001.png

Hi Frank,

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <xxxx@xxxxxxxxxxxxxxxxx.xxx>
Sent: Tuesday, March 23, 2021 10:31 AM
To: Levi J. Kool <xxx@xxxxxxxxxxxxxxxx.xxx>
Subject: RE: OPRA Request - PRC

Hello Levi,

[redacted]

Thank you,

Rebecca P
Data Manager
NJPropertyRecords, LLC

174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Levi J. Kool <xxx@xxxxxxxxxxxxxxxx.xxx >
Sent: Tuesday, March 23, 2021 10:29 AM
To: NJ Property Records <xxxx@xxxxxxxxxxxxxxxxx.xxx >
Subject: OPRA Request - PRC

Good Morning Rebecca,

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <info@njpropertyrecords.com>
Sent: Tuesday, March 23, 2021 9:00 AM
To: Stephanie Wehmann <swehmann@alpinenj.org>
Cc: William Yirce <wYirce@alpinenj.org>
Subject: RE: OPRA Request - PRC

Hello,

[redacted]

Thank you,

Rebecca P

Data Manager
NJPropertyRecords, LLC
174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Stephanie Wehmann <xxxxxxxx@xxxxxxxx.xxx>
Sent: Monday, March 22, 2021 11:54 AM
To: NJ Property Records <xxxx@xxxxxxxxxxxxxxxx.xxx>
Cc: William Yirce <xxxxxx@xxxxxxxx.xxx>
Subject: RE: OPRA Request - PRC

Rebecca,

[redacted]

Sincerely,

Stephanie Wehmann, RMC, CMR
Borough Clerk
Deputy Municipal Registrar of Vital Statistics
Recycling Administrator
Borough of Alpine
100 Church Street
Alpine, NJ 07620-1095

201-784-2900 ext 19
xxxxxxxx@xxxxxxxx.xxx

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appended.

From: Stephanie Wehmann
Sent: Friday, March 05, 2021 2:10 PM
To: NJ Property Records <xxxx@xxxxxxxxxxxxxxxx.xxx >
Cc: William Yirce <xxxxxx@xxxxxxxx.xxx>; Marilyn Hayward <xxxxxxxx@xxxxxxxx.xxx >
Subject: RE: OPRA Request - PRC

Good afternoon Rebecca,

[redacted]

Thank you.

Sincerely,

Stephanie Wehmann, RMC, CMR
Borough Clerk
Deputy Municipal Registrar of Vital Statistics
Recycling Administrator
Borough of Alpine
100 Church Street
Alpine, NJ 07620-1095

201-784-2900 ext 19
xxxxxxxx@xxxxxxxx.xxx

Please consider the environment before printing

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From: NJ Property Records <xxxx@xxxxxxxxxxxxxxxx.xxx >
Sent: Thursday, February 25, 2021 10:35 AM
To: Stephanie Wehmann <xxxxxxxx@xxxxxxxx.xxx >

Cc: William Yirce <xxxxxx@xxxxxxxx.xxx>
Subject: OPRA Request - PRC

Hello,

[redacted]

Thank you,

Rebecca P
Data Manager
NJPropertyRecords, LLC
174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Levi J. Kool
To: [redacted]
Subject: FW: Property Record Card OPRA Response
Date: Tuesday, March 23, 2021 10:20:30 AM

Good morning Frank,

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: Levi J. Kool
Sent: Monday, March 22, 2021 12:41 PM
To: Yancy Wazirmas ([redacted]) <ywazirmas@cityofenglewood.org>; Stephanie Wehmann <[redacted]; Karen Hughes (khughes@westwoodnj.gov) <[redacted]
Cc: David S. Lafferty <[redacted]; Russell Huntington <rrh@huntingtonbailey.com>; Bill Yirce ([redacted]) <[redacted]; SHolbig@westwoodnj.gov; Claire Psota <[redacted]
Subject: FW: Property Record Card OPRA Response

Good afternoon all,

[redacted]

Thank you,

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: Levi J. Kool
Sent: Monday, March 22, 2021 12:29 PM
To: [redacted]
Subject: Property Record Card OPRA Response

Good afternoon Angela,

[redacted]

[redacted]

[redacted]

Have a great day.

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <info@njpropertyrecords.com>
Sent: Friday, March 19, 2021 11:56 AM
To: Levi J. Kool <ljk@huntingtonbailey.com>
Subject: RE: Property Record Card OPRA Request

[redacted]

[redacted]

Thank you,

Rebecca P

Data Manager
NJPropertyRecords, LLC
174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Levi J. Kool <[redacted]>
Sent: Friday, March 19, 2021 11:56 AM
To: NJ Property Records <[redacted]>
Subject: RE: Property Record Card OPRA Request

[redacted]

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <[redacted]>
Sent: Friday, March 19, 2021 11:54 AM
To: Levi J. Kool <[redacted]>
Subject: RE: Property Record Card OPRA Request

[redacted]

From: Levi J. Kool <[redacted]>
Sent: Friday, March 19, 2021 11:54 AM
To: NJ Property Records <[redacted]>
Subject: RE: Property Record Card OPRA Request

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <[redacted]>
Sent: Friday, March 19, 2021 11:52 AM
To: Levi J. Kool <[redacted]>
Subject: RE: Property Record Card OPRA Request

[redacted]

Thank you,

Rebecca P
Data Manager
NJPropertyRecords, LLC
174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Levi J. Kool <[redacted]>
Sent: Friday, March 19, 2021 11:39 AM
To: NJ Property Records <[redacted]>
Subject: RE: Property Record Card OPRA Request

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Thank you,

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: NJ Property Records <[redacted]>
Sent: Friday, March 19, 2021 11:26 AM
To: Levi J. Kool <[redacted]>
Subject: RE: Property Record Card OPRA Request

Hello Levi,

[redacted]

Thank you,

Rebecca P
Data Manager
NJPropertyRecords, LLC
174 Lamington Road
P.O. Box 180
Oldwick, NJ 08858
www.NJPropertyRecords.com

From: Levi J. Kool <[redacted]>
Sent: Friday, March 19, 2021 11:20 AM
To: NJ Property Records <[redacted]>
Subject: Property Record Card OPRA Request

Good morning,

[redacted]

[redacted]

[redacted]

Levi J. Kool, Esq.

Huntington Bailey, LLP
373 Kinderkamack Road
Westwood, NJ 07675

Ph: 201 666 8282
F: 201 666 9625

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From: [redacted]
To: [redacted]
Subject: Our view: OPRA delays must end — New Jersey deserves transparent government | Editorial
Date: Monday, March 22, 2021 9:10:19 PM
Attachments: image001.png
image003.png

EDITORIALS

Our view: OPRA delays must end — New Jersey deserves transparent government | Editorial

USA TODAY Network Atlantic Group Editorial Board

“Advisory, consultative or deliberative material.”

“No responsive records.”

A terrorism threat was cited.

These three responses are among a litany given to USA TODAY Network New Jersey reporters over the last year in response to public records inquiries. When lawmakers sought to borrow $10 billion to shore up the state budget, the pandemic's urgency was cited as voters were bypassed.

COVID-19 has proven an able cloak, covering pledges of transparent government in this year of pandemic.

Gov. Phil Murphy — and many of his peers inside the Garden State and out — has pledged to run the response to the COVID crisis with transparency. More than a year since the pandemic began, however, we have ample evidence that hasn't proven to be the case.

As veteran state house correspondent Dustin Racioppi reported earlier this week, public records requests made over the last year have been frequently postponed, denied — or postponed for weeks and later denied.

And it's not only records and data that the state and other government bodies have declined to share. Within the last week, the Murphy administration hasn't cooperated in legislative hearings on the reopening of New Jersey schools or its handling of nursing homes during the pandemic.

C.J. Griffin, an attorney who has represented the USA TODAY Network, said the pattern of lacking transparency impacts public trust.

"There becomes a point where you can see how someone who is less trusting of government,

who is less trusting of science" will become even more skeptical, Griffin told Racioppi. "There's a better way of doing things that would help people be better assured and comforted and have more trust in government."

Transparency during COVID?: Here are the things the Murphy administration refuses to share

The Murphy administration, for its part, has said state agencies are working to respond to public records requests and pointed to more than 170 COVID-19 briefings and 300 media interviews the governor has given in the last year as demonstrations of its commitment to transparency.

Still, as we mark the 16th annual Sunshine Week — a national effort undertaken by news organizations to promote civic transparency and good government — we call on state and local government to double down on efforts to share important data and documents — and to cooperate with inquiries — with renewed vigor.

The governor last week acknowledged his administration's imperfection and said it would work to improve on measures of transparency.

"We are doing, I promise you, our level best to be transparent in every single way," Murphy said. "I'm not suggesting we're perfect, but that is what we're committed to. And maybe it's a question of time. Maybe it's something that we are committed to making sure something is disclosed and is transparent, which we are, but maybe not as fast as some people would like. But we will get there."

We hope so.

In the meantime, we also need the state's pandemic punt on Open Public Records Act deadlines to end. A year ago, citing a "war with a virus," Murphy signed a bill that lifted a seven-day deadline for responses to public record requests. The intent of that legislation was, lawmakers said, to provide flexibility to government record-keepers in a response to unusual circumstances created by the pandemic.

A July revision to that bill passed unanimously in the state Senate but has languished in the Assembly. We urge members of that body to consider the revision — which would address delays in responses to routine records requests — now.

To that end, we strongly encourage our readers to directly contact their Assembly representatives and urge their support.

New Jersey deserves more transparent government.

https://www.njherald.com/story/opinion/editorials/2021/03/19/opra-delays-must-end-new-jersey-deserves-transparent-government/4745673001/?fbclid=IwAR1NGrgSZRZLUY6tSdOuPjMS7VBXSGzGp-IxgaE8zRT1_a1KdwZVilAjnBg

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

Lori Buckelew | Assistant Executive Director & Director Government Affairs
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608
609-695-3481 extension #112

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From: Raymond J. Went, Jr.
To: xxxxxxxxx@xxxx.xxx
Subject: OPRA - Daniels Law
Date: Friday, March 19, 2021 2:14:34 PM
Attachments: image001.png
3820_001.pdf
471A-5 Custodian of government records to permit inspectionexamination and copy.pdf

---

Frank:

[redacted]

Thanks,

Raymond J. Went, Jr., Esquire
Nehmad Davis & Goldstein, PC, Counselors at Law
4030 Ocean Heights Avenue
Egg Harbor Township, NJ 08234
Telephone: 609.927.1177, Ext. 109
Cell: 609.703.0767
[redacted]
LinkedIn: **www.linkedin.com/in/raywent**
www.ndglegal.com

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From: Steven P. Goodell
To: Frank Marshall; John C. Gillespie; Michael F. Cerra; TrishkaCecil; Richard Cushing; William Kearns; Janice Kovach; Michael Pasquale; Sharon Dragan; Douglas Heinold Esquire; Michele Donato, Esq
Cc: Michael J. Coskey
Subject: Re: OPRA Request-Property Record Cards
Date: Thursday, March 18, 2021 12:37:45 PM
Attachments: Blogpost-Property Record Cards-Daniel's Law.docx

---

All,

As I mentioned Tuesday on our Zoom call, Mike Coskey from our office has looked into the Property Record Card/Daniel's Law/OPRA issue and prepared a blog post (attached), which we think nicely summarizes the law. Please feel free to consider it as you see fit.

Steve

Steven P. Goodell, Esquire
Shareholder-Government

PARKER McCAY P.A.
O: 609-620-7812
C: 609-903-7571

3840 Quakerbridge Rd, Suite 200
Hamilton, NJ 08619
P:609-896-4222. F:609-896-9023
www.parkermccay.com

On Mar 15, 2021, at 2:10 PM, John C. Gillespie <jgillespie@parkermccay.com> wrote:

Ok by me; but I need to get off the call at 3:30.

John C. Gillespie, Esquire
Shareholder
Municipal, Government and Redevelopment

PARKER McCAY P.A.
O: 856-985-4083
[illegible]

From: Richard Cushing <xxxxxxxx@xxxxxxx.xxx>
Sent: Monday, March 15, 2021 2:06 PM
To: Trishka Cecil <xxxxxxx@xxxxxx.xxx>
Cc: John C. Gillespie <xxxxxxxxxx@xxxxxxxxxxx.xxx>; William Kearns <xxxxxxxxxxxxx@xxxxxxxxxxx.xxx>; Steven P. Goodell <sgoodell@parkermccay.com>;

Frank Marshall <xxxxxxxxx@xxxxxx.xxx>; Janice Kovach <jkovach@clintonnj.gov>; Michael F. Cerra <xxxxxx@xxxx.xxx>; Michael Pasquale <xxxxxxxxx@xxxxxxxxxxxx.xxx>; Michele Donato, Esq <xxxxxxx@xxxxxxxxxxxxxxxx.xxx>; Douglas Heinold Esquire <xxxxxxxx@xxxxxxx.xxx>; Sharon Dragan <x.xxxxxx@xxxxxx.xxx>
Subject: Re: OPRA Request-Property Record Cards

***** External message -- Please use caution. *****

3?

Sent from my iPhone

> On Mar 15, 2021, at 1:31 PM, Trishka Cecil <xxxxxxx@xxxxxx.xxx> wrote:
>
> External Sender.
>
> I have a meeting at 2 pm. Any possibility of doing it later?
>
> *Trishka Waterbury Cecil, Esq.*
> **MASON, GRIFFIN & PIERSON, PC**
> Counsellors at Law | Since 1955
> 101 Poor Farm Road
> Princeton, NJ 08540
> Main: 609-921-6543 | Direct: 609-436-1211 | **Cell: 908-528-4747**
> x@xx
> visit our website: www mgplaw.com
>
> PLEASE NOTE THAT DUE TO THE COVID-19 CRISIS, I AM WORKING REMOTELY. THE BEST WAY TO REACH ME IS VIA EMAIL OR BY CALLING MY CELL (908-528-4747).
>
> This email transmission and any accompanying material contain confidential and/or privileged information from the law firm of Mason, Griffin & Pierson, P.C. This communication is covered by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521 and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, copying or use of this communication is strictly prohibited. Please reply to the sender if you have received this email in error, and then delete it. Thank you.
>
> ---
>
> **From:** John C. Gillespie <xxxxxxxxxx@xxxxxxxxxxx.xxx>
> **Sent:** Monday, March 15, 2021 1:04 PM
> **To:** 'William Kearns' <xxxxxxxxxxxx@xxxxxxxxxxx.xxx>; Steven P. Goodell <xxxxxxxx@xxxxxxxxxxx.xxx>
> **Cc:** Frank Marshall <xxxxxxxxx@xxxxxx.xxx>; Trishka Cecil

<xxxxxxx@xxxxxx.xxx >; Richard Cushing <xxxxxxxx@xxxxxxx.xxx >; Janice Kovach <xxxxxxx@xxxxxxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx >; Michael Pasquale <xxxxxxxxx@xxxxxxxxxxxx.xxx >; Michele Donato, Esq <xxxxxxx@xxxxxxxxxxxxxxx.xxx >; Douglas Heinold Esquire <xxxxxxxx@xxxxxxx.xxx >; Sharon Dragan <x.xxxxxx@xxxxxx.xxx >
Subject: RE: OPRA Request-Property Record Cards

Frank: Should we set tomorrow at 2pm for this? what's the platform?

John C. Gillespie, Esquire
Shareholder
Municipal, Government and Redevelopment

PARKER McCAY P.A.
O: 856-985-4083
x@xx

From: William Kearns <xxxxxxxxxxxx@xxxxxxxxxx.xxx >
Sent: Monday, March 15, 2021 12:54 PM
To: Steven P. Goodell <xxxxxxxx@xxxxxxxxxx.xxx >
Cc: John C. Gillespie <xxxxxxxxxx@xxxxxxxxxx.xxx >; Frank Marshall <xxxxxxxxx@xxxxxx.xxx >; Trishka Cecil <xxxxxxx@xxxxxx.xxx >; Richard Cushing <xxxxxxxx@xxxxxxx.xxx >; Janice Kovach <xxxxxxx@xxxxxxxxx.xxx>; Michael F. Cerra <xxxxxx@xxxx.xxx >; Michael Pasquale <xxxxxxxxx@xxxxxxxxxxxx.xxx >; Michele Donato, Esq <xxxxxxx@xxxxxxxxxxxxxxx.xxx >; Douglas Heinold Esquire <xxxxxxxx@xxxxxxx.xxx >; Sharon Dragan <x.xxxxxx@xxxxxx.xxx >
Subject: Re: OPRA Request-Property Record Cards

***** External message -- Please use caution. *****

Tomorrow would be good for me.

William J Kearns Jr.
Attorney at Law
Helmer Conley & Kasselman
Willingboro NJ 08046
Sent from my iPhone

On Mar 15, 2021, at 11:33 AM, Steven P. Goodell <sgoodell@parkermccay.com> wrote:

I'm free today and tomorrow

Steven P. Goodell, Esquire
Shareholder-Government

PARKER McCAY P.A.
O: 609-620-7812
C: 609-903-7571

3840 Quakerbridge Rd, Suite 200
Hamilton, NJ 08619
P:609-896-4222. F:609-896-9023
www.parkermccay.com

On Mar 15, 2021, at 11:32 AM, John C. Gillespie <jgillespie@parkermccay.com> wrote:

I'm clear today at 2:30; and tomorrow I can do between 1 and 2:30. [redacted]

John C. Gillespie, Esquire
Shareholder
Municipal, Government and Redevelopment

PARKER McCAY P.A.
O: 856-985-4083
jgillespie@parkermccay.com

From: Frank Marshall <FMarshall@njslom.org>
Sent: Monday, March 15, 2021 11:12 AM

To: Trishka Cecil <trishka@mgplaw.com>; 'Richard Cushing' <RCushing@GKLEGAL.COM>
Cc: Janice Kovach <jkovach@clintonnj.gov>; Michael F. Cerra <mcerra@njlm.org>; Michael Pasquale <mpasquale@mpasqualelaw.com>; Michele Donato, Esq <mdonato@micheledonatoesq.com>; Steven P. Goodell <sgoodell@parkermccay.com>; Douglas Heinold Esquire <dheinold@rclawnj.com>; Sharon Dragan <s.dragan@mgplaw.com>; John C. Gillespie <jgillespie@parkermccay.com>; William Kearns, Esq <williamkearns@helmerlegal.com>
Subject: RE: OPRA Request-Property Record Cards

***** External message -- Please use caution. *****

Trishka, Dick, and Mike P.,

[redacted] Does anyone have availability today after 2pm? Or tomorrow after Noon?

Thanks,
Frank

P.S. I added Mike Cerra to this email chain. I see he was supposed to be added but his email was incorrect.

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

Frank Marshall, Esq. | Associate General Counsel
New Jersey State League of Municipalities
222 West State Street, Trenton, NJ 08608

609-695-3481 x. 137
<image001.png>
<image002.jpg>
<image003.png>
<image004.jpg>

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From: Trishka Cecil
[mailto:xxxxxxx@xxxxxx.xxx]
Sent: Monday, March 15, 2021 10:42 AM
To: 'Richard Cushing'; Frank Marshall
Cc: Janice Kovach; Michael Cerra; Michael Pasquale; Michele Donato, Esq; Steven Goodell, Esq; Douglas Heinold Esquire; Sharon Dragan; John Gillespie; William Kearns, Esq
Subject: RE: OPRA Request-Property Record Cards

[redacted]

[redacted]

Trishka Waterbury Cecil, Esq.
MASON, GRIFFIN & PIERSON, PC
Counsellors at Law | Since 1955
101 Poor Farm Road
Princeton, NJ 08540
Main: 609-921-6543 | Direct: 609-436-1211 | **Cell: 908-528-4747**
[redacted]
visit our website: www mgplaw.com

PLEASE NOTE THAT DUE TO THE COVID-19 CRISIS, I AM WORKING REMOTELY. THE BEST WAY TO REACH ME IS VIA EMAIL OR BY CALLING MY CELL (908-528-4747).

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From: Richard Cushing <xxxxxxxx@xxxxxxx.xxx>
Sent: Saturday, March 13, 2021 2:27 PM
To: Frank Marshall <xxxxxxxxx@xxxxxx.xxx>
Cc: Janice Kovach <xxxxxxx@xxxxxxxxx.xxx>; Michael Cerra <xxxxx@xxxxxx.xxx>; Michael Pasquale <xxxxxxxxx@xxxxxxxxxxxx.xxx>; Michele Donato, Esq <xxxxxxx@xxxxxxxxxxxxxxx.xxx>; Steven Goodell, Esq <xxxxxxxx@xxxxxxxxxx.xxx>; Douglas Heinold Esquire <xxxxxxxx@xxxxxxx.xxx>; Sharon Dragan <x.xxxxxx@xxxxxx.xxx>; John Gillespie <xxxxxxxxxx@xxxxxxxxxx.xxx>; Trishka Cecil <xxxxxxx@xxxxxx.xxx>; William Kearns, Esq <xxxxxxxxxxxxx@xxxxxxxxxx.xxx>
Subject: Fwd: OPRA Request-Property Record Cards

Frank: [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Dick

Sent from my iPhone

Begin forwarded message:

> **From:** Richard Cushing <xxxxxxxx@xxxxxxx.xxx >
> **Date:** March 13, 2021 at 2:07:04 PM EST
> **To:** Ceil Covino <xxxxxxx@xxxxxxxxx.xxx>
> **Cc:** Fran Kuczynski <xxxxxxxxxx@xxxxxxxxx.xxx>, Rich Phelan <xxxxxxx@xxxxxxxxx.xxx>, Louise Hartzog <xxxxxxxx@xxxxxxxxx.xxx>, "Matthew P. Lyons" <xxxxxx@xxxxxxx.xxx >, Leslie Parikh <xxxxxxx@xxxxxxx.xxx >, "Tara St. Angelo" <xxxxxxxxx@xxxxxxx.xxx >
> **Subject: Re: OPRA Request- Property Record Cards**
>
> Fran: [redacted]

[redacted]

[redacted]

[redacted]

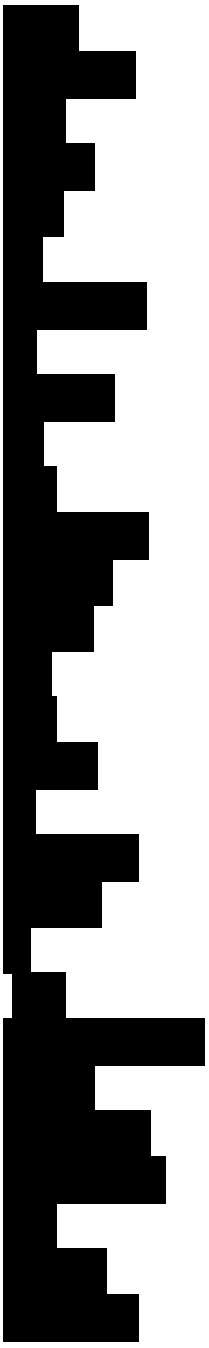
Dick

Sent from my iPhone

> On Mar 13, 2021, at 12:52 PM, Ceil Covino <xxxxxxx@xxxxxxxxx.xxx> wrote:
>
> External Sender.
>
> Crazy this opra stuff. They better put the money up front
>
> Sent from my iPhone
>
> > On Mar 13,

2021,
at
12:46
PM,
Fran
Kuczynski
<xxxxxxxxxx@xxxxxxxxx.xxx>
wrote:

Ceil/Richard/Rich



[redacted]

[redacted]

[redacted]

Thank you.
Fran

Frances S. Kuczynski, Assessor
Town of Clinton
43 Leigh Street
Clinton, NJ 08809
908-735-8616

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From: Microsoft Outlook
To: [redacted]
Subject: Relayed: NJLM OPRA & OPMA legislation
Date: Wednesday, March 17, 2021 5:27:17 PM

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

[redacted]

Subject: NJLM OPRA & OPMA legislation

From: [redacted]
To: [redacted]
Subject: NJLM OPRA & OPMA legislation
Date: Wednesday, March 17, 2021 5:27:11 PM
Attachments: image001.png
image003.png

Matt,

As we discussed below is the letter we submitted last legislative term on Senator Weinberg's OPRA and OPMA legislation:

Although the League of Municipalities is a strong proponent of openness and transparency in government we must **oppose** S-106, which amends the Open Public Meetings Act, and S-107, which amends the Open Public Meetings Act. Over the past several years the League has met with the sponsors and other stakeholders to discuss our concerns with the proposed amendments. We thank Senator Weinberg for the strides taken to address some of our concerns with the bills. We appreciate the intent to modernize the government records process and support the amendments addressing privacy issues and commercial requests.

But we still have major concerns with the bills as drafted.

The bills do not address the expenses municipalities currently incur and will incur under the new provisions. Currently complying with the Open Public Records Act (OPRA) municipalities have had to hire additional staff, incur increasing legal expense to ensure compliance, and expended funds defending litigation based on existing Government Record Council (GRC) and conflicting case law. In addition, some of the new provisions, especially under the Open Public Meetings Act (OPMA), establish bureaucratic processes for public meetings without consideration for operations or meeting the needs of our residents.

The amendments to OPMA will add mandatory prevailing attorney fees for violations for OPMA and the OPRA legislation continues the mandatory prevailing attorney fees for violations of OPRA. We have witnessed firsthand how the mandatory prevailing attorney fees under OPRA have created a cottage industry for attorneys and we are extremely concerned that mandatory prevailing attorney fees under OPMA will create an even greater cottage industry. We strongly believe that the courts and GRC need the flexibility to award reasonable attorney fees based on the given circumstances of a particular case, not a statutory mandate.

The amendments to OPMA will lead to litigation and undermine the subcommittee process by requiring the governing body to take public action determining what subcommittees are open to the public or what subcommittees will remain closed to the public. We are concerned, while not the intent of the bill, that municipalities will be sued based on a policy decision not to make a subcommittee open to the public because the decision was not based on the statutory exceptions in OPMA. Subcommittees are designed to digest and vet information informally and do not expend public funds nor make binding decisions. That power remains with the governing body. The new provisions of OPMA will undermine the

intent of subcommittees.

The amendments to OPRA expand the definition of government record to include records "required by law to be made, maintained or kept on file." While not subject to a fine, a municipal clerk would violate OPRA for not providing a record that was required to made (old budget, minutes) but which cannot be located in the archives. This definition expansion goes against the entire intent of OPRA. OPRA was signed into law to provide access to records in the possession of the government, not to provide access to records that do not exist.

Finally, both bills continue to exempt the Legislature from many requirements of the Open Public Meetings Act and all of the requirements of the Open Public Records Act. The League has strongly argued that in the interest of transparency and openness, the various exceptions in the Open Public Meetings Act and Open Public Records Act that apply to the legislature and the legislators should be removed. The rules that the Legislature makes applicable to other governmental bodies should apply equally to all governmental levels and officials.

Accordingly we oppose S-106 and S-107.

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

Lori Buckelew | Assistant Executive Director & Director Government Affairs
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: Caruso, Frank
To: Lori Buckelew
Cc: Frank Marshall
Subject: RE: Lebanon Borough OPRA
Date: Wednesday, March 10, 2021 4:13:50 PM
Attachments: image001.png

Hi Lori,

The inquiry response I have sent out on this issue is as follows:

> Thank you for contacting the NJ Government Records Council ("GRC"). The information provided by the GRC is guidance and does not constitute legal advice or a final decision of the GRC regarding whether a particular record is exempt from disclosure or not since the provisions of the Open Public Records Act ("OPRA") are applied to the specific facts of the request and/or complaint. The GRC cannot tell you exactly how to respond to an official OPRA records request because your response must depend on the specific facts of the records request.
>
> Generally, OPRA provides that ". . . government records shall be readily accessible for inspection, copying, or examination . . . with certain exceptions . . ." N.J.S.A. 47:1A-1. There are 25 specific exemptions from disclosure included in OPRA.
>
> Additionally, OPRA defines a government record as a record "made, maintained or kept on file . . . or that has been received in the course of . . . official business . . ." N.J.S.A. 47:1A-1.1. Also, OPRA requires a custodian to grant or deny access as soon as possible but no later than seven (7) business days from receipt of the request. N.J.S.A. 47:1A-5(i). OPRA further requires that custodians inform requestors of the lawful basis for any denial of government records. N.J.S.A. 47:1A-6.
>
> Regarding your inquiry, the GRC was unable to locate any particular complaint directly addressing the disclosability of “Property Record Cards.” About the closest possible set of cases were those involving Shawn Hopkins. He submitted a number of OPRA requests to different agencies for their CAMA data and filed multiple denial of access complaints thereafter. In some of those cases there were arguments made regarding the relationship between the database information and property record cards. Ultimately, the Council held in favor of disclosure; you can review some of those decisions on the GRC’s Prior Decision Search page. https://www.nj.gov/grc/decisions/search/index.shtml.
>
> Additionally, while the GRC understands your concerns regarding Daniel’s Law, please note that the Governor signed into law P.L.2021, c.24 on February 22, 2021. This legislation delayed the effective date of Daniel’s Law until December 10, 2021. Thus, it is possible that the language previously enacted on November 20, 2020 may not currently apply based on the February 22 amendment. To this end, you may want to contact your Borough attorney for legal advice on how to proceed.

Sincerely,

Frank F. Caruso
Government Records Council
Executive Director
Tel: (609) 341-3479 | Fax: (609) 633-6337
http://www.state.nj.us/grc/

This correspondence contains advisory, consultative and deliberative material and is intended solely for the person(s) shown as recipient(s).

From: Lori Buckelew <xxxxxxxxx@xxxx.xxx>
Sent: Wednesday, March 10, 2021 4:03 PM
To: Caruso, Frank <xxxxx.xxxxxx@xxx.xx.xxx>
Subject: [EXTERNAL] FW: Lebanon Borough OPRA

From: Karen Romano [mailto:xxxxx@xxxxxxxxxx.xxx]
Sent: Wednesday, March 10, 2021 12:46 PM
To: Lori Buckelew <xxxxxxxxx@xxxx.xxx >
Subject: Lebanon Borough OPRA

Good Afternoon Lori,

I am reaching out with the hope you can advise me on how to answer the attached OPRA request from Rebecca P of NJ Property Records.

This OPRA seems to be circulating across Hunterdon County. I have attached the OPRA, a response from the Tewksbury Township Attorney, Hunterdon County Tax Board,
Statewide insurance and the Tax NJ Tax association. They all share the opinion this involves the Daniel Law.

I want to make sure I response accurately and timely.

Thank you in advance for your help!

Sincerely,
Karen

BOROUGH OF LEBANON
HUNTERDON COUNTY N.J.

Karen M Romano
Administrator/Clerk
6 High St.
Lebanon, NJ 08833
908-236-2425
Fax 908-236-2939
Notice of Confidentiality: This e-mail and its attachments (if any) are intended solely for the use of the addressees hereof. In addition, this message and the attachments (if any) may contain information that is confidential, privileged and exempt from disclosure under applicable law. If you are not the intended recipient of this message, you are prohibited from reading, disclosing, reproducing, distributing, disseminating or otherwise using this transmission. Delivery of this message to any person other than the intended recipient is not intended to waive any rights or privilege. If you have received this message in error, please promptly notify the sender by reply e-mail and immediately delete this message from your system.

From: xxxxxxxxxxxxxxxxxxxxxxx@xxxxx.xxx <xxxxxxxxxxxxxxxxxxxxxxx@xxxxx.xxx>
Sent: Wednesday, March 10, 2021 12:07 PM
To: Karen Romano <xxxxx@xxxxxxxxxxx.xxx>
Subject: Message from KM_C364e

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From:	[redacted]
To:	[redacted]
Subject:	CEU Application for OPRA Webinar
Date:	Wednesday, February 24, 2021 10:57:49 AM
Attachments:	image001.png image003.png OPRA4.23.doc DCA APP.2012.opra.doc
Importance:	High

Good Morning Shannon.

Attached here is the CEU application for and OPRA we are doing on April 23. Let me know if it is approved as indicated.

Thank you,

2020 NJLM Virtual Conference: View sessions on-demand now! *If you missed Conference week but would like view to sessions on-demand, registration remains open. Access to the on-demand content and exhibit hall is available through November 1, 2021. #njleague*

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

Follow us

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From: FMarshall@njslom.org
To: CWoodward@carellabyrne.com
Subject: League OPRA Request
Date: Wednesday, January 13, 2021 2:38:06 PM
Attachments: image009.png
image011.png
OPRA Request to NJ League of Municipalities 01-08-21.pdf
Beth Rogers - OPRA Request Response Ltr.docx
Model Terms and Conditions.pdf

Carl,

[redacted]

Thanks,
Frank

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

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

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

From: Montalvo, Eve E. on behalf of O"Mara, Lori
To: [redacted]
Subject: OPRA Records Request - (#39-2020 - F. Marshall)
Date: Tuesday, December 29, 2020 10:07:09 AM
Attachments: Testimony from Haran Rashes - A. 1116 - ATU 12.10.20.pdf
12-10-2020 CTIA Support NJ A1116 Small Cells.pdf
WIA Testimony ATU 12-10-20.pdf

Dear Mr. Marshall,

This email responds to your Open Public Records Act (OPRA) request dated Wednesday, December 23, 2020. Your request was received electronically and delivered to the Office of Legislative Services Records Custodian on Wednesday, December 23, 2020.

You have requested any written comments submitted to the Assembly Telecommunications and Utilities Committee meeting regarding A1116 held on Thursday, December 10, 2020. The attached information from the Committee meeting is responsive to your request.

Thank you for contacting the Office of Legislative Services. Please acknowledge receipt of this response and direct any questions about the response to the OLS Records Custodian.

Lori O'Mara-Van Driesen
Records Custodian
Office of Legislative Services

From: [redacted]
Sent: Wednesday, December 23, 2020 12:50:22 PM (UTC-05:00) Eastern Time (US & Canada)
To: OPRAOLS
Subject: OPRAOLS Records Request Form results

FirstName: Frank

MI:
LastName: Marshall
Company: NJ League of Municipalities
MailingAddress: 222 W. State Street
City: Trenton
State: NJ
Zip: 08608
email: x@xx
AreaCode: 609
Number: 6953481
Extension: 137
Delivery: E-Mail
Certify: HAVE NOT
Max_Cost: 1
payment_method: Check
Date: Wednesday, December 23, 2020
Time: 12:50:22 PM

RecordRequestInformation:

This request is being made under the Open Public Records Act and the common law. I seek any written comments submitted to the Assembly Telecommunications and Utilities Committee regarding A-1116, for the Committee hearing on December 10, 2020.

From: Montalvo, Eve E. on behalf of O"Mara, Lori
To: [redacted]
Subject: OPRA Records Request - (#37 - 2020 - F. Marshall)
Date: Friday, December 18, 2020 9:52:12 AM
Attachments: 2020 12 14 - A1135 S357 S624 - SBA Ltr.pdf
A1135 SKM_C45812121416310.pdf
A1135_S357_S624_CenterForNonProfits_Statement_SBA_12152020.pdf
S357 S624 A1135 Eicher.pdf
S624 SKM_C45812121416270.pdf
A1135 Allen.pdf
A1135 Czipo.pdf
A1135 Marshall.pdf
S357 A1135 Shehady.pdf
S357 Buteas.pdf
S357 Chebra.pdf
S357 Eicher.pdf
S357 Gunn.pdf
S357 Marshall.pdf
S624 Marshall.pdf

Dear Mr. Marshall,

This email responds to your Open Public Records Act (OPRA) request dated Wednesday, December 16, 2020. Your request was received electronically and delivered to the Office of Legislative Services Records Custodian on Wednesday, December 16, 2020.

You have requested copies of written comments and any attachments submitted to the Senate Budget and Appropriations Committee on Tuesday, December 15, 2020 on bills A1135, S357 and S624. The attached information from the Committee meeting is responsive to your request.

Thank you for contacting the Office of Legislative Services. Please acknowledge receipt of this response and direct any questions about the response to the OLS Records Custodian.

Lori O'Mara-Van Driesen
Records Custodian
Office of Legislative Services

From: x@x
Sent: Wednesday, December 16, 2020 10:47:26 AM (UTC-05:00) Eastern Time (US & Canada)
To: OPRAOLS
Subject: OPRAOLS Records Request Form results

FirstName: Frank
MI:
LastName: Marshall
Company: NJ League of Municipalities
MailingAddress: 222 W. State Street
City: Trenton
State: NJ
Zip: 08608
email: xxxxxxxxx@xxxx.xxx
AreaCode: 609
Number: 6953481
Extension: 137
Delivery: E-Mail
Certify: HAVE NOT
Max_Cost: $
payment_method: Check
Date: Wednesday, December 16, 2020
Time: 10:47:26 AM

RecordRequestInformation:

This request is being made under the Open Public Records Act and the common law seeking copies of written comments and any attachments submitted to the Senate Budget and Appropriations Committee for their December 15, 2020 hearing, related to bills A-1135, S-357, & S-624. Kindly deliver these records via email to xxxxxxxxx@xxxx.xxx. If there are any questions please contact me at 609-695-3481 x. 137.