

From: @x
To: @x
Cc: @x
Subject: RE: OPRA Request for Conference Registrants
Date: Monday, December 3, 2018 1:40:34 PM
Attachments: [2018 Reg by Company #1.pdf](#)
[2018 Reg by Reg Type #2.pdf](#)

Frank,

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	[REDACTED]
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[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	
[REDACTED]	[REDACTED]	

From: Frank Marshall
Sent: Monday, December 03, 2018 11:50 AM
To: Marie Johnson
Cc: Johnnifer Harris
Subject: OPRA Request for Conference Registrants

Marie & Johnnifer,

We received an OPRA request asking for the, "Record including title and municipality of all those registered to attend the 2018 Conference." Is this something that is easily available? Give me a call to discuss further.

Thanks!
Frank

Frank Marshall, Esq., Staff Attorney
New Jersey State League of Municipalities

609-695-3481 extn 137

222 West State St.

Trenton, NJ 08608

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From: xxxxxx@xxxxxx.xxx
To: xxxxxx@xxxxxx.xxx
Cc: xxxxxxxx@xxxxxx.xxx
Subject: FW: OPRA request
Date: Monday, December 3, 2018 9:13:32 AM
Attachments: [SeminarOPRA.docx](#)

Fyi.

From: Sobko, Katie [mailto:xxxxxx@xxxxxxxxxxxxx.xxx]
Sent: Monday, December 3, 2018 9:06 AM
To: OPRA <xxxxxx@xxxxxx.xxx>
Subject: OPRA request

Please confirm receipt of this request via response e-mail. Thanks for your help.

Katie

Katie Sobko
Reporter

NorthJersey.com | The Record

PART OF THE USA TODAY NETWORK

North Jersey Media Group

1 Garret Mountain Plaza

Woodland Park, NJ 07424

Office: 973-569-7111

Cell: 973-271-8867

Fax: 201-457-2520

xxxxxx@xxxxxxxxxxxxx.xxx

www.NorthJersey.com

From: [Sobko, Katie](#)
To: [xxxx@xxxxxx.xxx](#)
Subject: OPRA request
Date: Monday, December 3, 2018 9:06:10 AM
Attachments: [SeminarOPRA.docx](#)

Please confirm receipt of this request via response e-mail. Thanks for your help.

Katie

Katie Sobko
Reporter

NorthJersey.com | The Record

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Fax: 201-457-2520

[xxxxx@xxxxxxxxxxxxx.xxx](#)

www.NorthJersey.com

From: [@x](#)
To: [@x](#)
Subject: FW: opra
Date: Thursday, November 29, 2018 11:21:11 AM

Can you respond?

From: Conrad, Ted [mailto:[@x](#)]
Sent: Thursday, November 29, 2018 11:20 AM
To: Michael F. Cerra <[@x](#)>
Subject: opra

Hi Mike,

Hope all is well.

Some of our members are interested in sponsoring legislation to limit the commercialization of OPRA. Is there any outstanding legislation addressing this issue, or does the League recommend a way to accomplish this?

Thanks
Ted

Theodore Conrad
Research Associate
Senate Republican Office
o. 609-847-3600
c. 201-320-7588
[@x](#)

From: [Conrad, Ted](#)
To: [Michael F. Cerra](#)
Subject: opr
Date: Thursday, November 29, 2018 11:19:49 AM

Hi Mike,

Hope all is well.

Some of our members are interested in sponsoring legislation to limit the commercialization of OPRA. Is there any outstanding legislation addressing this issue, or does the League recommend a way to accomplish this?

Thanks

Ted

Theodore Conrad
Research Associate
Senate Republican Office
o. 609-847-3600
c. 201-320-7588
✉

From: @x
To: @x
Subject: OPRA Case Law
Date: Thursday, October 25, 2018 1:08:55 PM
Attachments: [BOLKIN v. Borough of Fair Lawn, NJ Appellate Div. 2014.pdf](#)
[Rich Bernstein v. Borough of Allendale GRC Decision 2004-195.pdf](#)
[2009 WL 1562967 Atlantic County SPCA v Absecon.pdf](#)

This communication is not legal advice and all information contained within should be review with legal counsel for further guidance.

The matter of disclosure of dog and cat license applications under OPRA is not definitive but unpublished case law has determined that dog and cat license applications are government records that must be disclosed under OPRA. Attached are two court cases dealing with the disclosure of dog and cat license applications.

Bolkin v. Fair Lawn is an unpublished appellate court decision that seemingly overturned the GRC's prior holding in Bernstein v Allendale (also attached) which indicated that information contained in dog and cat license applications was exempt from OPRA under the privacy exemption. This decision is unique in that the requestor's use of the dog and cat license information was for political speech purposes.

Atlantic Count SPCA v. Absecon, another unpublished decision, ruled prior to Bolkin, that dog and cat license applications were not exempt from OPRA disclosure. In this case the requestor's purpose for getting the documents was to monitor animal owners.

Regards,
Frank

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

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From: xxxxxx@xxxxxx.xxx
To: xxxxxxxx@xxxxxx.xxx, xxxxx@xxxxxx.xxx
Cc: xxxxxxxxxx@xxxxxx.xxx
Subject: opra opma sba 101918
Date: Friday, October 19, 2018 9:50:26 AM
Attachments: [opra opma sba 101918.docx](#)

Slightly revised opra item. Make it item b under State. Move Frank's forthcoming code enforcement item to c.

From: [xxxxxxxx@xxxxx.xxx](#)
To: [xxxxxxxx@xxxxx.xxx](#)
Cc: [xxxxxx@xxxxxx.xxx](#); [xxxxx@xxxxxx.xxx](#)
Subject: Briefer - opra opma sba 101918
Date: Friday, October 19, 2018 9:40:23 AM
Attachments: [opra opma sba 101918.docx](#)

Ciara,

Please include the attached post on OPRA/OPMA in this week's briefer.

Thank you,
Lori

From: [@x](#)
To: [@x](#)
Subject: FW: OPRA/OPMA Amendments in Committee, October 15
Date: Thursday, October 18, 2018 10:11:06 AM

From: Veronica Laureigh [mailto:[@x](#)]
Sent: Tuesday, October 16, 2018 7:57 PM
To: NJLM Legislation <[@x](#)>
Subject: Re: OPRA/OPMA Amendments in Committee, October 15

Do you have a draft resolution that we can use to voice our opposition to the OPRA/OPMA proposed legislation

Thank you

Veronica Laureigh
Municipal Clerk/Administrator
Township of Lacey
818 Lacey Road
Forked River, NJ 08731
609-693-1100, ext. 2200
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On Mon, Oct 8, 2018 at 11:43 AM, NJ League of Municipalities <[xxxxxxxx@xxxxxxxxxxxxx](#)> wrote:

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OPRA & OPMA Bills in Committee

On Monday, October 15 the Senate Budget and Appropriations Committee will consider two significant bills. [S-106](#), makes various changes to the law addressing meetings of public bodies. This bill aims to provide the public with greater access to meetings and information about meetings. [S-107](#), makes certain access changes to the open public records act; establishes State public finance website and creates a program for the development of local websites. S-107 also makes an appropriation. We

anticipate additional amendments will be made to these bills.

The League **opposes** both these bills because of the mandates it places on local governments.

Please take action and reach out to the Senate Budget and Appropriations Committee.

For a summary of the League's continued objections and contact information for the Committee, please [see the League's Town Crier post of October 5.](#)

Thank you.

NJ League of Municipalities

[222 West State Street](#)

[Trenton, NJ 08608](#)

(609) 695-3481

(609) 695-0151—Fax

[xxxxxxxxxxx@xxxxxx.xxx](#)

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From: [Veronica Laureigh](#)
To: [@x](#)
Subject: Re: OPRA/OPMA Amendments in Committee, October 15
Date: Tuesday, October 16, 2018 7:56:47 PM

Do you have a draft resolution that we can use to voice our opposition to the OPRA/OPMA proposed legislation

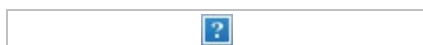
Thank you

Veronica Laureigh
Municipal Clerk/Administrator
Township of Lacey
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609-693-1100, ext. 2200
Fax: 609-693-0526
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www.laceytownship.org

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From: [@x](#)
To: [@x](#)
Cc: [@x](#)
Subject: OPRA OPMA bills
Date: Thursday, October 11, 2018 10:49:30 AM
Attachments: [image005.png](#)
[image007.png](#)
[Blog post on OPRA & OPMA bills, October 2018.pdf](#)

Also, as discussed in the call this morning, here is background information on the OPRA and OPMA bills, which are scheduled for consideration by the Senate Budget and Appropriations Committee.

Please contact your State Senators and ask they oppose S-106 and S-107.

Here are the members of the Senate Budget Committee. If you click on their names, it will take you to their contact information.

We suggest you contact the members of the Senate Budget and Appropriations Committee to express your concerns with the legislation.

[Sarlo, Paul A.](#) - Chair
[Stack, Brian P.](#) - Vice-Chair
[Addiego, Dawn Marie](#)
[Bucco, Anthony R.](#)
[Cruz-Perez, Nilsa](#)
[Cunningham, Sandra B.](#)
[Diegnan, Patrick J.](#)
[Greenstein, Linda R.](#)
[O'Scanlon, Declan J.](#)
[Oroho, Steven V.](#)
[Ruiz, M. Teresa](#)
[Singleton, Troy](#)
[Thompson, Samuel D.](#)

Thank you,

mike

Michael F. Cerra,
Assistant Executive Director &
Director, Government Affairs
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Thank you,

mike

Michael F. Cerra,
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Thank you,

mike

Michael F. Cerra,
Assistant Executive Director &
Director, Government Affairs
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From: [Bruce Harris](#)
To: [@x](#); [@x](#)
Subject: Re: OPRA/OPMA Amendments in Committee, October 15
Date: Monday, October 8, 2018 12:33:10 PM

Hi,

Thanks for the update. I have been following various versions of these bills for several years (I was told that, under Christie, they had no chance). I have long been an advocate of transparency and open government, but I think these bills fail to reflect the limitations of municipal government, where the elected officials and members of the various boards and commissions are volunteers. I also think some of the requirements are unnecessarily restrictive and don't reflect the realities of small towns. So, here are a few things I would add to the objections you listed:

1. Agendas - the requirement that items be added to a published agenda only if failure to do so would result in "substantial harm to the public interest" is too restrictive. It is not unusual for things, such as a community group's seeking to conduct an activity on public property and not having thought to get the necessary approval in time, to come up at the last minute. Failure to add the item would not cause "substantial harm" - but it could mean the group can't have a beneficial event.
2. Section 5, exceptions. The revision to what is considered "anticipated litigation" is too narrow if it limits the exception to possible litigation over contracts. For instance, sometimes we have tort claim matters that need to be discussed in closed session and have nothing to do with contracts.
3. Section 7, rules on minutes. We try very hard to get minutes approved and posted on our website promptly. But, since we have only one staff person who does the minutes of the Planning Board, Zoning Board, Historic Preservation Commission, Environmental Commission and Shade Tree Commission, sometimes there's a delay due to workload. This occurs in particular when the Planning Board, which meets twice a month, has a difficult application. In such cases, minutes may not be ready within 15 or 20 days after the next meeting - especially for the Planning Board. I think a time limit of 45 to 60 days after the meeting is more reasonable.
4. Section 7, video and audio recording. This seems to require that all meetings of commission be recorded on video if the municipality has the capability. This would amount to an unfunded mandate. We are already having a hard time finding volunteers to record Council meetings (which we broadcast live as well), and usually are not able to find someone to record/broadcast other commission meetings. So, we would have to pay.

In addition, some of the commissions meet in conference rooms that are not equipped with video or audio recording capabilities.

5. OPRA. One thing that needs to be excluded from OPRA is the list of those who have signed up to receive agendas, etc. electronically. We are happy to provide those materials electronically, but some residents are reluctant to sign up because of the recent ruling that the email list has to be provided in response to an OPRA request.

The point that the requirements of the proposed bill should be imposed on the Legislature is excellent - especially when it comes to agendas, which they seem to love to keep secret.

Thanks,
Bruce
Bruce A. Harris

Mayor

Chatham Borough

54 Fairmount Avenue

Chatham, NJ 07928

973.635.0674 x 213

973.417.2964 (cell)

From: NJ League of Municipalities <xxxxxxx@xxxxxxxxxxx>
Sent: Monday, October 8, 2018 11:43 AM
To: Bruce Harris
Subject: OPRA/OPMA Amendments in Committee, October 15

View this in your browser<<http://www.njslom.org/list.aspx?MID=24>>

[New Jersey League of Municipalities]
OPRA & OPMA Bills in Committee

On Monday, October 15 the Senate Budget and Appropriations Committee will consider two significant bills. S-106<https://www.njleg.state.nj.us/2018/Bills/S0500/106_R1.PDF>, makes various changes to the law addressing meetings of public bodies. This bill aims to provide the public with greater access to meetings and information about meetings. S-107<https://www.njleg.state.nj.us/2018/Bills/S0500/107_R1.PDF>, makes certain access changes to the open public records act; establishes State public finance website and creates a program for the development of local websites. S-107 also makes an appropriation. We anticipate additional amendments will be made to these bills.

The League opposes both these bills because of the mandates it places on local governments. Please take action and reach out to the Senate Budget and Appropriations Committee. For a summary of the League's continued objections and contact information for the Committee, please see the League's Town Crier post of October 5. <<https://njlmblog.wordpress.com/2018/10/05/opra-opma-bills/>>

Thank you.

NJ League of Municipalities
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From: [The Town Crier](#)
To: [@x](#)
Subject: [New post] OPRA & OPMA Bills
Date: Friday, October 5, 2018 4:10:11 PM

New post on **The Town Crier**



OPRA & OPMA Bills

by [njlmblog](#)

correct size blog



We anticipate that the Senate Budget and Appropriations Committee will soon be considering two significant bills. [S-106](#) makes various changes to law addressing meetings of public bodies. This bill aims to provide public with greater access to meetings and information about meetings. [S-107](#) makes certain access changes to open public records act; establishes State public finance website and creates a program for development of local websites. S-107 also makes an appropriation. We anticipate additional amendments will be made to these bills.

We appreciate the strides the sponsors have taken to address concerns we have raised, through the proposed amendments. They represent real progress in addressing both the privacy issues surrounding OPRA and the issue of commercial request for records. However, as discussed in more detail below, we still have major concerns with the bills and must continue to oppose S-106 and S-107.

1. Subcommittees (OPMA): The definition of subcommittees has been changed to “any subordinate committee of a public body, except the Legislature, regardless of label, that is formally created by that body, comprised of two or more members, but less than a quorum, of the public body, and recognized by the public body as a subcommittee thereof.” Subcommittees would be required to prepare at least quarterly reports of their meetings that must include; the number of meetings held since the last report, the names of members of the subcommittee, and a concise statement of the matters discussed. Every subcommittee must file at least one report with the public body. A subcommittee report is available for public access in the same manner as minutes of a meeting of the public body. If the subcommittee has given an oral report at a meeting of the public body then they are not required to submit the written report for that quarter. The public body must determine if a subcommittee meeting is open to the public. If the meeting is open to the public, adequate notice must be provided. **The purpose of subcommittees is to make recommendations to the governing body for the governing body to take**

action. Subcommittees are designed to digest and vet information informally. Subcommittees do not expend public funds nor make binding decisions. That power remains with the governing body. By their very nature, subcommittees are advisory, deliberative, and consultative. Just as advisory, deliberative and consultative material is exempted from the Open Public Records Act so should subcommittees remain not subject to the provisions of the Open Public Meetings Act.

2. Prevailing Attorney Fees (OPMA & OPRA): The OPRA bill continues to mandate prevailing attorney fees for violation of OPRA, and the OPMA bill is changing prevailing attorney fees from permissive to mandatory. **The League strongly believes that the Courts and the Government Records Council need the flexibility to award reasonable attorney's fees based on the given circumstances of a particular case.**

3. Exemption of the Legislature (OPMA & OPRA): 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 legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials.**

We suggest you contact the members of the Senate Budget and Appropriations Committee to express your concerns with the legislation.

[Sarlo, Paul A.](#) - Chair

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[Addiego, Dawn Marie](#)

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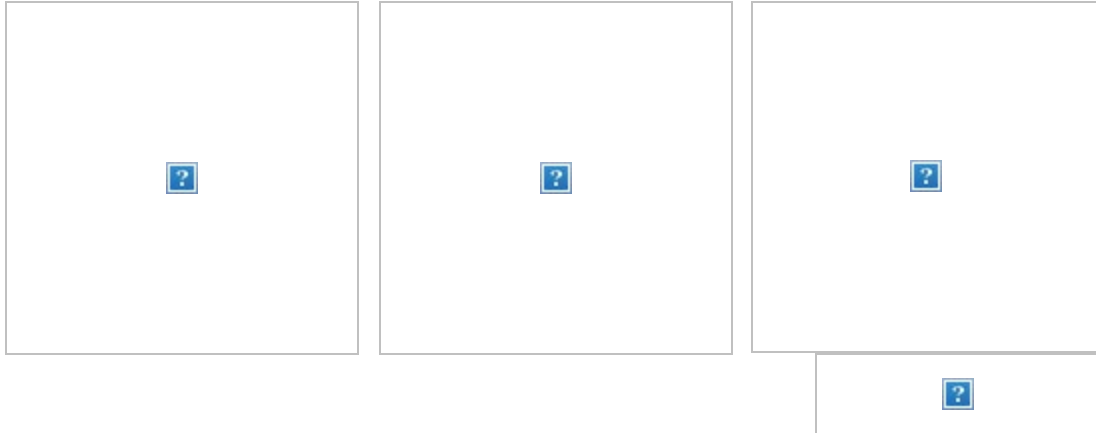
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[Singleton, Troy](#)

[Thompson, Samuel D.](#)

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

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From: [The Town Crier](#)
To: [@x](#)
Subject: [New post] OPRA & OPMA Bills
Date: Friday, October 5, 2018 4:10:10 PM

New post on **The Town Crier**



OPRA & OPMA Bills

by [njlmblog](#)

correct size blog



We anticipate that the Senate Budget and Appropriations Committee will soon be considering two significant bills. [S-106](#) makes various changes to law addressing meetings of public bodies. This bill aims to provide public with greater access to meetings and information about meetings. [S-107](#) makes certain access changes to open public records act; establishes State public finance website and creates a program for development of local websites. S-107 also makes an appropriation. We anticipate additional amendments will be made to these bills.

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[Addiego, Dawn Marie](#)

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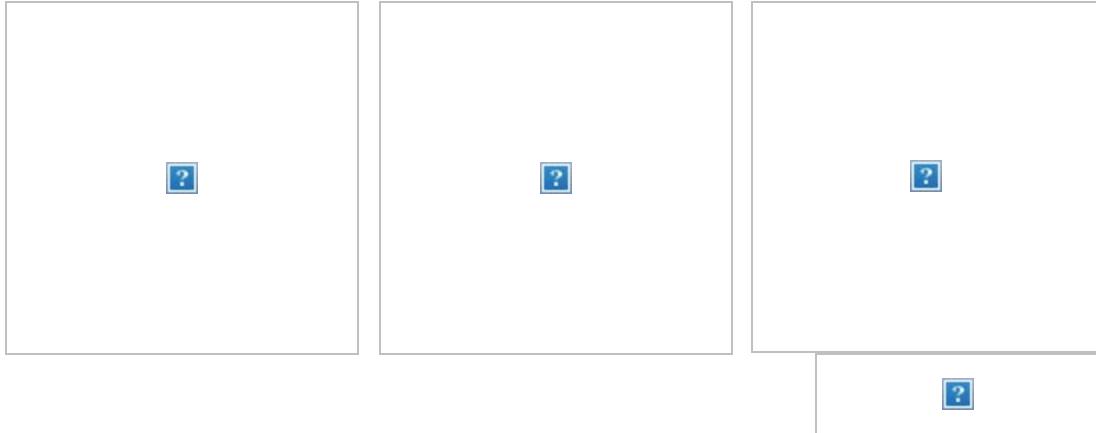
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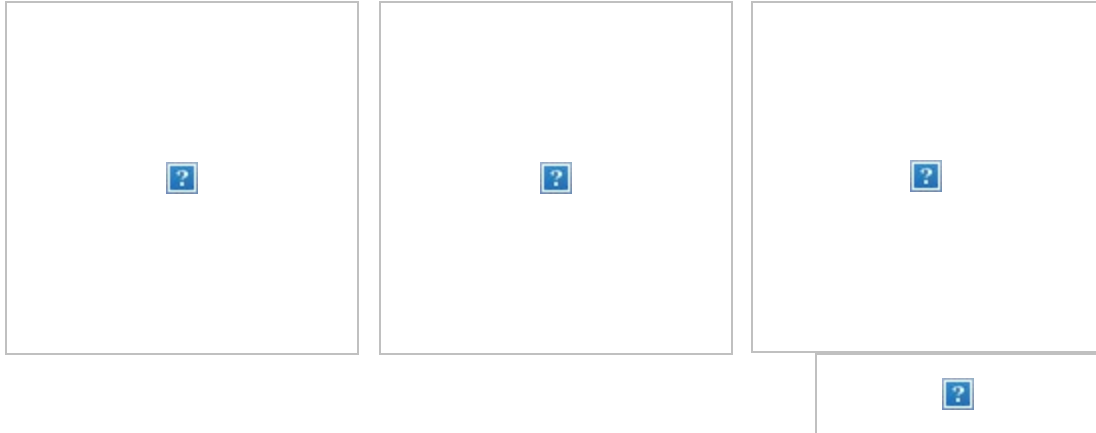
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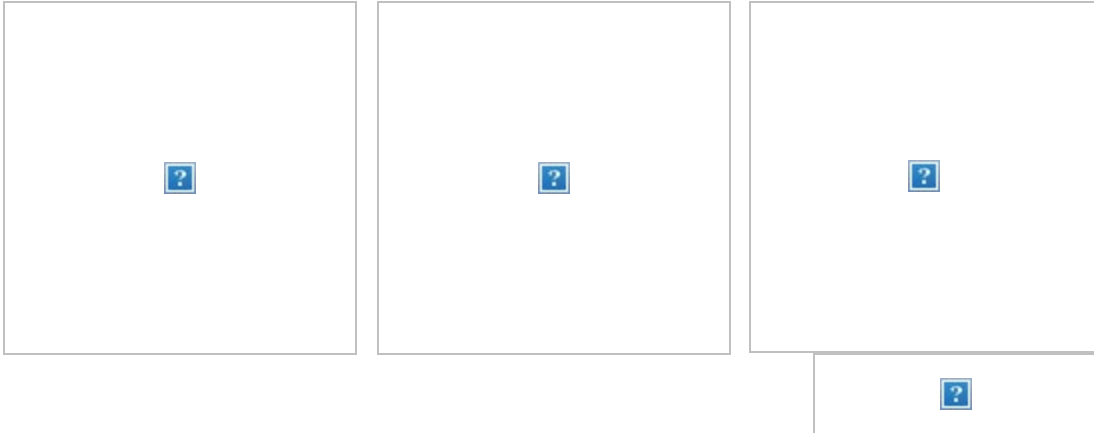
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To: [@xx](#)
Subject: [New post] OPRA & OPMA Bills
Date: Friday, October 5, 2018 4:09:59 PM

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OPRA & OPMA Bills

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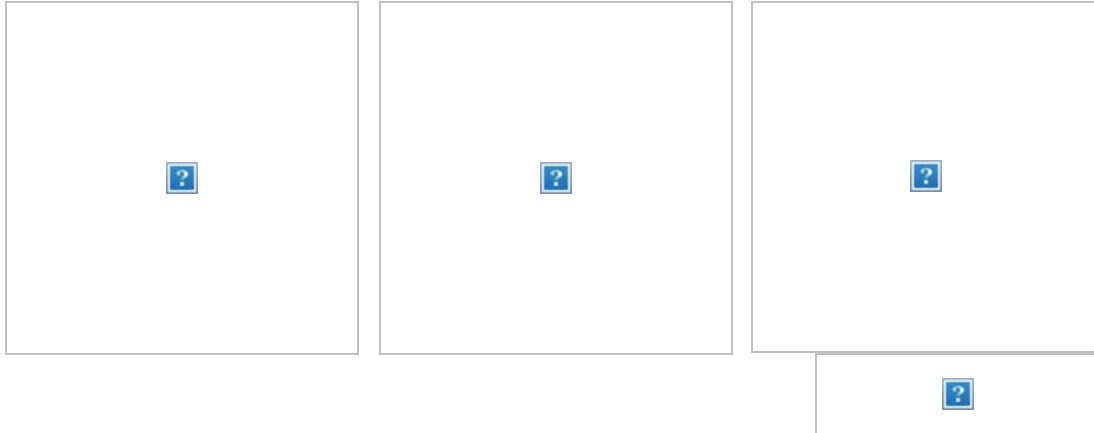
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To: xxxxxxxx@xxxxxx.xxx
Cc: xxxxxx@xxxxxx.xxx
Subject: Blog Post - opma opma sba 100518
Date: Friday, October 5, 2018 4:05:54 PM
Attachments: [opma opma sba 100518.docx](#)

Ciara

Please post the attached blog post and provide Mike C with the link.

Thank you
Lori

From: xxxxxxxx@xxxxxx.xxx
To: xxxxxxxx@xxxxxx.xxx; xxxxx@xxxxxx.xxx
Cc: xxxxxx@xxxxxx.xxx
Subject: Briefer - opra opma sba 100518
Date: Friday, October 5, 2018 10:32:14 AM
Attachments: [opra opma sba 100518.docx](#)

Please add the attached to today's briefer. Also, Shirley please add the names of the Senate Budget Appropriations Committee. Any questions see me.

Thanks
Lori

From: xxxxxx@xxxxxx.xxx
To: xxxxxxxxx@xxxxxx.xxx
Subject: opra opma sba 100518
Date: Friday, October 5, 2018 11:20:59 AM
Attachments: [opra opma sba 100518.docx](#)

Some suggestions in tracking.

From: xxxxxxxx@xxxxx.xxx
To: xxxxxxxx@xxxxx.xxx
Subject: RE: briefer - opra opma sba 100518
Date: Friday, October 5, 2018 10:23:01 AM
Attachments: [opra opma sba 100518.docx](#)

Looks good, one suggestion and one question.

From: Lori Buckelew
Sent: Friday, October 05, 2018 10:16 AM
To: Jon Moran; Michael F. Cerra; Frank Marshall
Subject: briefer - opra opma sba 100518

Please review and advise

Thanks
Lori

From: [xxxxxxxx@xxxxx.xxx](#)
To: [xxxxxx@xxxxx.xxx](#); [xxxxxx@xxxxx.xxx](#); [xxxxxxxx@xxxxx.xxx](#)
Subject: briefer - opra opma sba 100518
Date: Friday, October 5, 2018 10:16:03 AM
Attachments: [opra opma sba 100518.docx](#)

Please review and advise

Thanks

Lori

From: @x
To: @x
Subject: RE: NJLM OPRA decision
Date: Wednesday, September 5, 2018 10:41:11 AM
Attachments: Fair Share Housing Center v NJSLOM - 207 NJ 489.pdf

Attached is a copy of the decision.

From: Michael J. Darcy, CAE
Sent: Wednesday, September 05, 2018 10:38 AM
To: Frank Marshall
Subject: NJLM OPRA decision

Frank

Do you have a copy of the NJLM OPRA decision? I want to give it to the bank as part of our discussion on GUDPA.

Thanks

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

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From: [The Town Crier](#)
To: [xxxxxxxx@xxxxxx.xxx](#)
Subject: [New post] Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA
Date: Wednesday, August 15, 2018 11:28:37 AM

New post on **The Town Crier**



Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA

by [njlmblog](#)

correct size blog



On Monday, the State Supreme Court issued its ruling in [Paff v. Ocean County Prosecutor's Office](#). In this case the Court was asked to determine whether or not dash camera recordings, made in compliance with a municipal police chief's general order, are subject to OPRA disclosure. The Court in a 4-3 decision ruled that dash camera recordings are exempt from disclosure as such recordings are excluded from OPRA's definition of government record as it is a criminal investigatory record.

This case involved a denial of an OPRA request for police dash camera footage, from an incident where a driver attempted to elude police. During the apprehension of the driver, a police canine was deployed. The officer's decision to deploy the dog was drawn into question which led to an internal investigation and criminal charges against the officer. The OPRA requestor challenged the withholding of the footage, relying on the municipal police chiefs order that police use dash cameras to record certain incidents. Arguing that chiefs order meant the dash camera footage was "required by law" to be made.

While OPRA generally favors disclosure there are several categories of records that OPRA excludes from its definition of government records. Criminal investigatory records are one of those items specifically excluded. Criminal investigatory records are defined as "a record which is not required by law to be made, maintained or kept on file that is held by a law enforcement agency which pertains to any criminal investigation or related civil enforcement proceeding." In this case, the underlying question at hand was whether or not the dash camera recordings were "required by law to be made." This question was recently addressed in another State Supreme Court decision, [N. Jersey Media Grp., Inc. v. Township of Lyndhurst](#), where use of force reports were requested under OPRA.

In Lyndhurst, the Court ruled that use of force reports should be disclosed under OPRA after it was determined that a State Attorney General Directive ordering all law

enforcement agencies to create and maintain such reports carried the force of law and were therefore “required by law to be made.” The Court distinguished the Lyndhurst decision from the case at hand; finding that even though the dash camera recordings were made in accordance with a municipal police chief’s order, unlike a directive from the Attorney General, the police chief’s order does not carry the force of law. Therefore the dash camera recordings were not “required by law” to be made and were exempt from disclosure under OPRA.

This ruling, when viewed in conjunction with the Lyndhurst decision, effectively means that all police dash camera footage pertaining to a criminal investigation are exempt from disclosure under OPRA. This of course could change if the use of police dash cameras becomes mandated, either through legislation or through a directive from the Attorney General.

While the Court determined the dash camera recordings were exempt from disclosure under OPRA, it did not analyze or reach a determination of disclosure under the common law right to access. Instead, the Court remanded the case to the trial court where disclosure under the common law would be reviewed. The Court did however briefly comment on how similar the matter was to the Lyndhurst decision, where it found that under the common law, dash camera recordings of a police shooting should be made public. This was done after applying a balancing test in which the Court found there would be only minimal if any impact on the ongoing investigation. And, police involved shootings are of such great interest to the public that any impact to the investigation was outweighed in favor of disclosure.

Although the Court reached the determination that dash camera recordings are excluded from disclosure under OPRA by way of the criminal investigatory records exemption, it nonetheless addressed two other issues raised on appeal, providing additional insight into exemptions from OPRA.

The Court first examined OPRA’s “investigations in progress” exemption, which exempts records from being disclosed when (1) they pertain to an investigation in progress by a public agency, (2) disclosure would be inimical to the public interest, and (3) the records were not available to the public before the investigation began.

In short order the Court found that the first and third requirement of the investigation in progress exemption was satisfied. However, the Court found that the second requirement had not been met as the Ocean County Prosecutor failed to provide any support that disclosure of the dash camera recordings would undermine its investigation. The Court also found that there was strong public interest in the interaction of police officers with the public and therefore disclosure would be favored.

The second additional issue addressed by the Court involved the application of OPRA’s privacy clause, which would exempt disclosure under OPRA. The privacy clause of OPRA instructs a public agency to refrain from disclosing, “a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy.” In addition, in the case at hand, the defendant had personally objected to the release of the dash camera recording over privacy concerns.

The Court was unpersuaded by this as it ruled that there was no reasonable expectation of privacy as the incident in the dash camera recording took place in public and there was no other specific reasoning given for the privacy concerns, only a generic objection.

The Court indicated that there could in fact be circumstances where a person's reasonable expectation of privacy would warrant withholding of a police video. However, the facts of the matter at hand were examined there was no expectation of privacy, and therefore withholding or redacting the video under the privacy exemption was not warranted.

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

[njlmblog](#) | August 15, 2018 at 3:28 pm | Tags: [Dash Camera Footage](#), [OPRA](#) | Categories: [Uncategorized](#) | URL: <https://wp.me/p7xPny-mq>

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[njlmblog](#) | August 15, 2018 at 3:28 pm | Tags: [Dash Camera Footage](#), [OPRA](#) | Categories: [Uncategorized](#) | URL: <https://wp.me/p7xPny-mq>

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To: [xxxxxxxxx@xxxxxxxx.xxx](#)
Subject: [New post] Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA
Date: Wednesday, August 15, 2018 11:28:35 AM

New post on **The Town Crier**



Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA

by [njlmblog](#)

correct size blog



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To: [xxxxxx@xxxxxx.xxx](#)
Subject: [New post] Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA
Date: Wednesday, August 15, 2018 11:28:32 AM

New post on **The Town Crier**



Court Rules That Police Dash Camera Footage Pertaining to Investigations Exempt From OPRA

by [njlmblog](#)

correct size blog



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Date: Wednesday, August 15, 2018 11:28:23 AM

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by [njlmblog](#)

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From: @x
To: @x
Subject: OPRA/OPMA
Date: Tuesday, July 31, 2018 12:06:25 PM
Attachments: image001.png
image003.png

Mayor,

Below is our letter to Senate State Government Committee on the OPRA/OPMA bills. The outstanding issues are highlighted. I have also made some notes for your consideration in red. If you have any questions or need additional information please let me know.

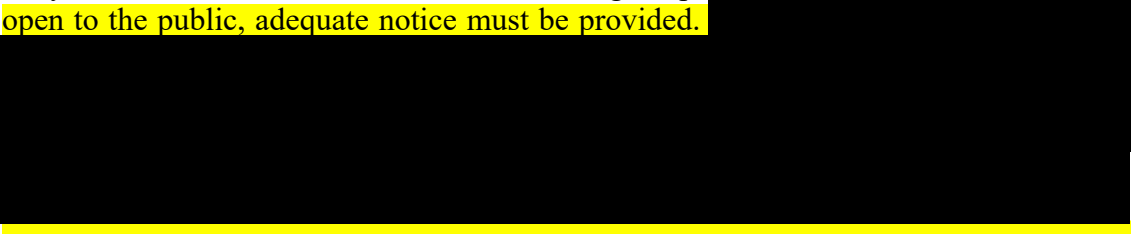
Lori

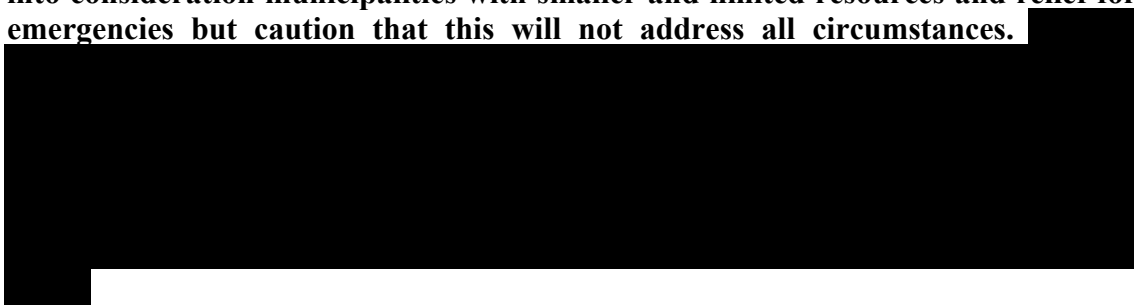
Re: S-106 and S-107
Amendments to the Open Public

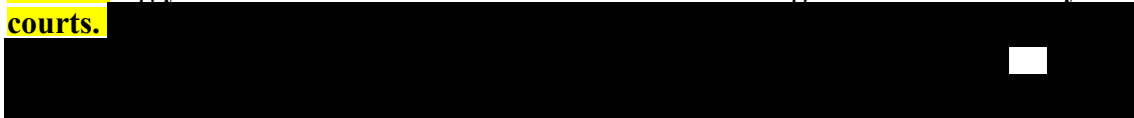
Meetings Act and Open Public Records Act

The League of Municipalities opposes S-106 and S-107, which make amendments to both the Open Public Meetings Act (OPMA) and the Open Public Records Act (OPRA). Over the past several years the League has met with the sponsors to discuss our concerns with the proposed amendments. We appreciate the strides the sponsors have taken to address issues through the proposed amendments, such as addressing both the privacy issues surrounding OPRA and the issue of commercial request for records.

However, as discussed in more detail below, we still have major concerns with the bills and must continue to oppose S-106 and S-107.

- 1. Subcommittees (OPMA):** The definition of subcommittees has been changed to “any subordinate committee of a public body, except the Legislature, regardless of label, that is formally created by that body, comprised of two or more members, but less than a quorum, of the public body, and recognized by the public body as a subcommittee thereof.” Subcommittees would be required to prepare at least quarterly reports of their meetings that must include; the number of meetings held since the last report, the names of members of the subcommittee, and a concise statement of the matters discussed. Every subcommittee must file at least one report with the public body. A subcommittee report is available for public access in the same manner as minutes of a meeting of the public body. If the subcommittee has given an oral report at a meeting of the public body then they are not required to submit the written report for that quarter. The public body must determine if a subcommittee meeting is open to the public. If the meeting is open to the public, adequate notice must be provided.
- 

- 
2. Release of Minutes (OPMA): The bill would require that minutes be made available as soon as possible but no later than 15 days after the next meeting of the public body occurring after the meeting for which the minutes were prepared. **The League appreciates the intent of this provision, however, this mandated requirement will be challenging in smaller municipalities and in municipalities with limited resources, or when other circumstances arise which make it impossible or impractical to comply with a strict timeframe. As noted in the Appellate Division ruling in Kean Federation of Teachers v. Morell, the words “promptly available” were endorsed by the Legislature when OPMA was first adopted, as those words provided a sense of open-endedness. This open-ended term allows for a fact specific determination of when minutes should be made available and provides the necessary flexibility needed before endorsing and releasing minutes. To create a strict deadline for releasing minutes would undermine the purpose of minutes and reduce this crucially important record to nothing more than a ministerial function. We appreciate the sponsors’ willingness to amend the legislation to take into consideration municipalities with smaller and limited resources and relief for emergencies but caution that this will not address all circumstances.**
- 

3. Expands the definition of Government Records (OPRA): The bill expands the definition of government record to include a record that is “required by law to be made, maintained or kept on file.” Currently, if an OPRA request is received for a document that does not exist, the OPRA request is denied and there is no violation of OPRA. **By expanding the definition, a Records Custodian will be in violation of OPRA if the record was required to be made (e.g. an old municipal budget) but they are unable to locate the archived record. The bill does provide protections to limit the Record Custodian’s liability but the Records Custodian will still be in violation of OPRA. We strongly believe this should be addressed in the legislation and not by the courts.**
- 

- [REDACTED]
4. Municipal Clerks as Volunteer Fire Company Records Custodian (OPRA): The bill would permit a municipality to enter into an agreement with their volunteer fire company/department where the municipal clerk would serve as the Records Custodian for the volunteer fire company/department. **The League is concerned with the implementation and practical issues that would arise from this well intended provision. By their very definition, most volunteer fire companies/departments are independent from the municipality. They have their own headquarters, leadership, and policies and procedures. How will the records custodian be able to ascertain if a record exist or access the records? We appreciate the sponsors' willingness to amend the legislation to exempt fire companies from OPRA in line with the recent NJ Supreme Court decision in Robert A. Verry v. Franklin Fire District No. 1.** [REDACTED]
 5. Expand definition of public employee (OPRA): The bill would expand the definition of public employee to include interns and volunteers. **The League is concerned that this provision is too broad, unnecessary, and otherwise ambiguous. Currently, any work product of an intern is subject to OPRA under the definition of a government record. However, we question who will fall under the definition of volunteer. For example, is it the member of the volunteer first aid squad that is a non-profit or the Little League football coach? We appreciate the sponsors' willingness to remove intern and volunteer from the definition.** [REDACTED]
 6. Prevailing Attorney Fees (OPMA & OPRA): The OPRA bill continues to mandate prevailing attorney fees for violation of OPRA, and the OPMA bill is changing prevailing attorney fees from permissive to mandatory. **The League strongly believes that the Courts and the Government Records Council need the flexibility to award reasonable attorney's fees based on the given circumstances of a particular case.** [REDACTED]
 7. Exemption of the Legislature (OPMA & OPRA): 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 legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials.**

Accordingly we oppose S-106 and S-107.

Lori Buckelew
Senior Legislative Analyst
NJ League of Municipalities
609.695.3481 x112

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From: [@x](#)
To: [@x](#)
Subject: FW: OPRA
Date: Monday, July 30, 2018 2:16:29 PM
Attachments: [AdvisoryOpinionNo2006-01 - Use of Official OPRA Forms.pdf](#)
[407 NJ Super 230 - Renna v County of Union - use of official OPRAForms.pdf](#)

Anthony, See below and attached,

mike

From: Frank Marshall
Sent: Monday, July 30, 2018 2:14 PM
To: Michael F. Cerra <[@x](#)>; Lori Buckelew <lbuckelew@njslom.org>
Subject: RE: OPRA

Mike,

Attached are two items. The first is GRC Advisory Opinion No. 2006-01, this is the GRC's position that all OPRA requests must be on official OPRA forms. This Advisory Opinion, however, was struck down by the Appellate Division in [Renna v. County of Union](#) (also attached) because the court determined that the OPRA does not require request be on official forms, but simply that a request be in writing.

-Frank

From: Michael F. Cerra
Sent: Monday, July 30, 2018 1:44 PM
To: Frank Marshall; Lori Buckelew
Subject: FW: OPRA

From: Cancro, Anthony [<mailto:@x>]
Sent: Monday, July 30, 2018 1:21 PM
To: Michael F. Cerra <[@x](#)>
Subject: OPRA

Hello Michael. I seem to recall a ruling overriding the GRC about ORPA requests *not* having to be on a "official" OPRA form. Would you happen to have a copy of that ruling?

Thanks Anthony

Anthony Cancro
Township Administrator
Township of Plainsboro

641 Plainsboro Road
Plainsboro, NJ 08536
609.799.0909 ext 1103
xxxxxxx@xxxxxxxxxxxxx.xxx
<http://www.plainsboronj.com>

From: @x
To: @x ; @x
Subject: RE: OPRA
Date: Monday, July 30, 2018 2:14:13 PM
Attachments: [AdvisoryOpinionNo2006-01 - Use of Official OPRA Forms.pdf](#)
[407 NJ Super 230 - Renna v County of Union - use of official OPRAForms.pdf](#)

Mike,

Attached are two items. The first is GRC Advisory Opinion No. 2006-01, this is the GRC's position that all OPRA requests must be on official OPRA forms. This Advisory Opinion, however, was struck down by the Appellate Division in [Renna v. County of Union](#) (also attached) because the court determined that the OPRA does not require request be on official forms, but simply that a request be in writing.

-Frank

From: Michael F. Cerra
Sent: Monday, July 30, 2018 1:44 PM
To: Frank Marshall; Lori Buckelew
Subject: FW: OPRA

From: Cancro, Anthony [mailto:@x]
Sent: Monday, July 30, 2018 1:21 PM
To: Michael F. Cerra <@x>
Subject: OPRA

Hello Michael. I seem to recall a ruling overriding the GRC about ORPA requests *not* having to be on a "official" OPRA form. Would you happen to have a copy of that ruling?

Thanks Anthony

Anthony Cancro
Township Administrator
Township of Plainsboro
641 Plainsboro Road
Plainsboro, NJ 08536
609.799.0909 ext 1103
xxxxxxx@xxxxxxxxxxxxx.xxx
<http://www.plainsboronj.com>

From: @x
To: @x
Cc: @x
Subject: Follow up #2, S106 & S107, OPRA/OPMA
Date: Tuesday, June 26, 2018 10:35:16 AM
Attachments: [image005.png](#)
[image007.png](#)
[Blog post on OPRA & OPMA bills, June 2018.pdf](#)

Mayors,

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You can also this as well from this link: <https://njimblog.wordpress.com/2018/06/21/amendments-to-opra-and-opma-advance-in-senate/>

Mike

Michael F. Cerra,
Assistant Executive Director &
Director, Government Affairs
NJ League of Municipalities
222 West State Street
Trenton, NJ 08608
(609) 695-3481 x120
(609) 695-0151--Fax
[xxxxxx@xxxxxx.xxx](#)

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From: [The Town Crier](#)
To: [@x](#)
Subject: [New post] Amendments to OPRA and OPMA Advance in Senate
Date: Thursday, June 21, 2018 10:04:52 AM

New post on **The Town Crier**



Amendments to OPRA and OPMA Advance in Senate

by [njlmblog](#)

correct size blog



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[njlmblog](#) | June 21, 2018 at 2:00 pm | Tags: [OPMA](#), [OPRA](#) | Categories: [Uncategorized](#) | URL: <https://wp.me/p7xPny-lP>

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To: [@x](#)
Subject: [New post] Amendments to OPRA and OPMA Advance in Senate
Date: Thursday, June 21, 2018 10:04:50 AM

New post on **The Town Crier**



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by [njlmblog](#)

correct size blog



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To: [@x](#)
Subject: [New post] Amendments to OPRA and OPMA Advance in Senate
Date: Thursday, June 21, 2018 10:04:49 AM

New post on **The Town Crier**



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by [njlmblog](#)

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“any subordinate committee of a public body, except the Legislature, regardless of label, that is formally created by that body, comprised of two or more members, but less than a quorum, of the public body, and recognized by the public body as a subcommittee thereof.” Subcommittees would be required to prepare at least quarterly reports of their meetings that must include the number of meetings held since the last report, the names of members of the subcommittee, and a concise statement of the matters discussed. Every subcommittee must file at least one report with the public body. If the subcommittee has given an oral report at a meeting of the public body then they are not required to submit the written report for that quarter. The public body must determine if a subcommittee meeting is open to the public. If the meeting is open to the public, adequate notice must be provided.

The purpose of subcommittees is to make recommendations to the governing body for the governing body to take action. Subcommittees digest and vet information informally but do not expend public funds nor make binding decisions. That power remains with the governing body. By their very nature, subcommittees are advisory, deliberative, and consultative. Advisory, deliberative and consultative materials are exempted from the Open Public Records Act and thus subcommittees remain not subject to the provisions of the Open Public Meetings Act.

2. Expands the definition of Government Records (OPRA): The bill expands the definition of government record to include a record that is “required by law to be made, maintained or kept on file.” Currently, if an OPRA request is received for a document that does not exist, the OPRA request is denied and there is no violation of OPRA. **By expanding the definition, a Records Custodian will be in violation of OPRA if the record was required to be made (e.g. an old municipal budget) but they are unable to locate the archived record. The bill does provide protections to limit the Record Custodian’s liability but the Records Custodian will still be in violation of OPRA. We strongly believe this should be addressed in the legislation and not by the courts.**
3. Prevailing Attorney Fees (OPMA & OPRA): The OPRA bill continues to mandate prevailing attorney fees for violation of OPRA, and the OPMA bill is changing prevailing attorney fees from permissive to mandatory. **Courts and the Government Records Council need the flexibility to award reasonable attorney’s fees based on the given circumstances of a particular case.**
4. Exemption of the Legislature (OPMA & OPRA): 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. **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 legislation makes applicable to other governmental bodies should apply equally to all governmental levels and officials.**

The bills have been referenced to the Senate Budget and Appropriations Committee. Senator Weinberg made a commitment to continue to work with the stakeholders, including the League, over the summer, to address the remaining issues.

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

3481, x112.

[njlmblog](#) | June 21, 2018 at 2:00 pm | Tags: [OPMA](#), [OPRA](#) | Categories: [Uncategorized](#) | URL:
<https://wp.me/p7xPny-lP>

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From: [The Town Crier](#)
To: [@x](#)
Subject: [New post] Amendments to OPRA and OPMA Advance in Senate
Date: Thursday, June 21, 2018 10:04:41 AM

New post on **The Town Crier**



Amendments to OPRA and OPMA Advance in Senate

by [njlmblog](#)

correct size blog



On June 14, by a vote of 4-0, the Senate State Government Committee amended and released [S-106](#), which revises the Open Public Meetings Act (OPMA), and [S-107](#), which revises the Open Public Records Act (OPRA). The League testified, along with the New Jersey Association of Counties and the School Boards Association, in opposition.

The bills were amended as follows:

S-106 (OPMA)

- Permits legal counsel or independent consultants or advisors to communicate privately to members of the governing body during a meeting about matters on an agenda;
- Requires the Legislature to keep comprehensive, rather than reasonably comprehensible, minutes of its meetings;
- Clarifies that minutes must be available to the public as soon as possible but no later than 15 business days after the next meeting;
- Provides municipalities with 5,000 or fewer residents, according to the most recent census, a board of education with 500 or less pupils and public authorities with less than \$100 million in assets will have 20 business days after the next meeting to make their minutes available to the public;
- Permits a governing body to vote in favor of a reasonable delay in making the minutes available by the mandatory 15 or 20-day deadline. Prior to taking such a vote, the governing body must announce and provide a detailed explanation of the reason for the delay. The minutes must contain the explanation. The amendments also defined “emergency” to mean “any sudden, unexpected, or unforeseeable event or condition, natural or man-made, which interferes with the conduct of normal business operations of a public body for three or more calendar days. Without limiting the generality of the foregoing, an emergency may arise when a condition such as any one or more of the following arises: forces of the natural

elements, fire, explosions, epidemics, power failures, labor disputes, transportation failures, war, riots, civil disturbances, and other acts of lawlessness or violence.”

- Requires the Legislature to record its all of its public meetings;
- Requires subcommittees to prepare reports of meetings that are closed to the public; and
- Removes the language requiring subcommittee reports to be open in the same manner as minutes.

S-107 (OPRA)

- Amends the definition of “public agency” and “quasi-governmental agency” to exclude volunteer fire company or volunteer fire department or volunteer first aid, rescue or ambulance squad. As a result, also removed the provision that permitted a volunteer fire company/department to contract with municipality to have the municipal clerk serve as the fire company’s records custodian;
- Exempts from disclosure any portion of a document that discloses personal and identifying information of minors, except when permitted by law for the New Jersey Motor Vehicle Commission, or when driver information is disclosed to insurance companies for use in connection with claims investigation activities, antifraud activities, rating or underwriting;
- Removes interns and volunteers employees from the definition of “public employees”;
- Permits a public agency to charge a special service charge whenever
 - a person requests a paper copy of record that is available electronically after they were advised that the record may be emailed at no charge or
 - A person is advised as to the specific online location of the record;
- Removes the requirement that the *sole* purpose of a person’s request must be to harass a public agency in order for the agency to file a petition in court against the requestor;
- Incorporates into the “New Jersey Open Data Initiative” law rather than creating a new section of law, the requirement that the State maintain a single, searchable Internet website providing certain State agency information;
- Requires the Office of Information Technology, in consultation with Department of Community Affairs, Government Records Council, a representative from Municipal Clerks Association of New Jersey, New Jersey Association of Counties and the League, to develop and maintain a searchable, online database to which units of local government may submit any government record for retention on the database

Over the past several years, the League has met with the sponsors to discuss our concerns with the proposed amendments. We appreciate the strides the sponsors have taken to address issues through the proposed amendments, such as addressing both the privacy issues surrounding OPRA and the issue of commercial request for records.

However, we still have major concerns with the bills and must continue to oppose S-106 and S-107.

In addition to some technical concerns with the amendments, our concerns include:

1. Subcommittees (OPMA): The definition of subcommittees has been changed to

“any subordinate committee of a public body, except the Legislature, regardless of label, that is formally created by that body, comprised of two or more members, but less than a quorum, of the public body, and recognized by the public body as a subcommittee thereof.” Subcommittees would be required to prepare at least quarterly reports of their meetings that must include the number of meetings held since the last report, the names of members of the subcommittee, and a concise statement of the matters discussed. Every subcommittee must file at least one report with the public body. If the subcommittee has given an oral report at a meeting of the public body then they are not required to submit the written report for that quarter. The public body must determine if a subcommittee meeting is open to the public. If the meeting is open to the public, adequate notice must be provided.

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[njlmblog](#) | June 21, 2018 at 2:00 pm | Tags: [OPMA](#), [OPRA](#) | Categories: [Uncategorized](#) | URL: <https://wp.me/p7xPny-lP>

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From: [xxxxxxxx@xxxxx.xxx](#)
To: [xxxxxxxx@xxxxx.xxx](#)
Cc: [xxxxxx@xxxxx.xxx](#)
Subject: Blog Post - OPRA/OPMA
Date: Wednesday, June 20, 2018 2:21:20 PM
Attachments: [s106_s107_blog_061918.docx](#)

Ciara,

Please prepare the attached blog post but please check with Mike C before posting. Given what is in the pipeline it may be posted today or tomorrow.

Thank you,
Lori

From: [xxxxxx@xxxxxx.xxx](#)
To: [xxxxxxxx@xxxxxx.xxx](#); [xxxxxx@xxxxxx.xxx](#); [xxxxxxxx@xxxxxx.xxx](#)
Cc: [xxxxxx@xxxxxx.xxx](#)
Subject: RE: Blog - OPRA/OPMA Amendments
Date: Tuesday, June 19, 2018 4:22:46 PM
Attachments: [s106_s107_blog_061918.docx](#)

[My revisions.](#)

From: Lori Buckelew
Sent: Tuesday, June 19, 2018 4:13 PM
To: Jon Moran <[@xx](#)>; Michael F. Cerra <[@xx](#)>; Frank Marshall <[@xx](#)>
Cc: Michael J. Darcy, CAE <[@xx](#)>
Subject: Blog - OPRA/OPMA Amendments

Please review and advise

Thanks
Lori

From: @x
To: @x
Cc: @x
Subject: RE: Amendments to OPRA/OPMA
Date: Tuesday, June 19, 2018 4:19:47 PM

Joe,

Please see below....I added an "o" to your name...

From: Lori Buckelew
Sent: Tuesday, June 19, 2018 4:18 PM
To: @x @x
Subject: Amendments to OPRA/OPMA

Cindy and Joe,

Below is a **DRAFT** recap of the OPRA/OPMA bills.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

S-106 (OPMA)

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

S-107 (OPRA)

- [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

I [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Microsoft-Public
To: C#
Subject: Unifiable: Amendments to CPM/CPMs
Date: Tuesday, June 18, 2008 4:57:40 PM
Address: amendments-to-cpm-cpm@msdn.com

Your message to [xxxxxxxxxx@xxxxxxxxxx.us](#) couldn't be delivered.
jsabatinio wasn't found at byramtwp.

Bucklew	Office 365	Jobatario
Action Required		Recipient

How to Fix It

The address might be misspelled or might not exist. Try one or more of the following:

- 5** **Reply to the recipient's address, then resend the message.** If you're using Outlook, open this non-delivery report message and click the **Reply** button. Then click the **Reply to** button to send this message, and then click the **To send this message again, click here** link located just below the message preview window. In the To: field, type the recipient's email address (or click the link for any address suggestions). After typing the complete address, click the **Send** button. Outlook will send the message to the recipient's address. If you're using Outlook or Outlook on the web, follow this standard way to resend the message: Just be sure to delete and retype the recipient's address.
 - 6** **Remove the recipient from the recipient Auto-Complete list.** If you're using Outlook, click the **Remove from Auto-Complete list** link on the web. Follow the steps in the **Remove the recipient** from the recipient Auto-Complete list "section" of the **Outlook** help article. Then resend the message to the recipient's address. If you're using Outlook on the web, follow the steps in the **Remove the recipient** from the recipient Auto-Complete list "section" of the **Outlook** help article.
 - 7** **Contact the recipient by some other means.** Use a phone, for example, to call the recipient and discuss using the right address. Ask if they've set up an email forwarding rule that could be forwarding your message.
- If the problem continues, ask the recipient to let you know their email address about the problem, and give them the email and the name of the server that you're trying to connect to. It's likely that only the recipient's email address can fix this problem.

If the problem continues, ask the recipient to tell their email admin about the problem, and give them the error (and the name of the server that reported it) shown below. It's likely that only the recipient's email admin can fix this problem.

Was this helpful? [Send feedback to Microsoft](#)

[More Info for Email Admins](#)

Statute code: SGO 5-4.7

This error occurred because a message was sent to an email address hosted by Office 365, but the address doesn't exist in the receiving organization's Office 365 directory. Directory Based Edge Blocking (DBEB) is enabled by default, and DBEB rejects messages addressed to recipients who don't exist in the receiving organization's Office 365 directory. This error is reported by the recipient domain's email server, but most often it can be fixed by the person who sent the message. If the steps in the [How to Fix It](#) section above don't fix the problem, and you're the email admin for the recipient, try one or more of the following:

Check that the email address exists and is correct - Confirm that the recipient address exists in your Office 365 directory, is correct, and is accepting messages.

Synchronize your directories - Make sure directory synchronization is working correctly, and that the recipient's email address exists in both Office 365 and in your on-premises

Check for errant forwarding rules - Check for forwarding rules for the original recipient

Far might be trying to forward the message to an invalid address. Forwarding can be set up by an admin via mail flow rules or mailbox forwarding address settings, or by the recipient via the [Forwarding or Auto Reply](#) buttons.

Make sure the recipient has a valid license - Make sure the recipient has an Office 365 license assigned to their email address. This is important because without a valid license, the recipient will not be able to access their email.

License assigned to them. The recipient's email address can use the Office 365 Admin Center to assign a license to them (Users > Active Users > Select the recipient > Assigned License > Edit).

Make sure that mail flow settings and MX records are correct - Misconfigured mail flow or MX record settings can cause this error. Check your Office 365 mail flow settings to make

Make sure your domain and any mail flow connectors are set up correctly. Also, work with your domain registrar to make sure the MX records for your domain are set up correctly.

For more information and additional tips to fix this issue, see [this article](#).

Original Message Details

Created Date: 6/19/2016 8:17:46 PM
Sender Address: scott@scott.com
Recipient Address: scott@scott.com
Subject: Amendments to CPRA/CPMA

Error Details

Reported error: 550 5.4.7 [0]: Recipient address rejected:
Access denied [CVGCC01F7008asp-
g001.prod.protection.outlook.com]
QIN generated by: 54494C20-6485201-nampr02.prod.outlook.com
Removal request: CVGCC01F7008asp.outlook.com

Measurements

[illegible]

Original Message Headers

•

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [xxxxxxxx@xxxxx.xxx](#)
To: [xxxxxx@xxxxx.xxx](#); [xxxxxx@xxxxx.xxx](#); [xxxxxxxx@xxxxx.xxx](#)
Cc: [xxxxxx@xxxxx.xxx](#)
Subject: Blog - OPRA/OPMA Amendments
Date: Tuesday, June 19, 2018 4:13:04 PM
Attachments: [s106_s107_blog_061918.docx](#)

Please review and advise

Thanks

Lori

From: [@x](#)
To: [@x](#)
Subject: FW: MCANJ Statement OPMA OPRA
Date: Monday, June 18, 2018 9:32:29 AM

From: Galland, Kevin [mailto:[@x](#)]
Sent: Thursday, June 14, 2018 1:03 PM
To: Lori Buckelew
Subject: FW: MCANJ Statement OPMA OPRA

FYI

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

Good Afternoon Shane:

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Regards on behalf of the following MCANJ Executive Board:

Kevin Galland – 1st V.P.

Diane Pflugfelder – 2nd V.P.

Kim Marie White – Secretary

Denise Szabo – Immediate Past President

Joel Popkin – MCANJ Executive Director

From: Dina Zawadski [mailto:[@x](#)]
Sent: Wednesday, June 13, 2018 5:16 PM

To: @XX
Cc: Galland, Kevin; Diane Pflugfelder; @XX; @XX;
@XX; Lori Buckelew (@XX)
Subject: statement

Good afternoon:

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

Thank you.

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

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

~~~~~  
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~~~~~

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

Huh?

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

Sent from my T-Mobile 4G LTE Device

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

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

FYI

From: Galland, Kevin
Sent: Thursday, June 14, 2018 12:15 PM
To: Mitchell, Shane ([@x](#)); 'x'
Cc: Zawadski, Dina ([@x](#)); Diane Pflugfelder ([@x](#)); Gore, Eileen ([@x](#)); [@x](#); [@x](#); [@x](#); Denise Cafone ([@x](#))
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Kim Marie White – Secretary

Denise Szabo – Immediate Past President

Joel Popkin – MCANJ Executive Director

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

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xxxxxxxxx@xxxxxxxxxxxxx.xxx

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(fax) 856-845-8804

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---

**From:** @x  
**To:** @x  
**Subject:** Fwd: MCANJ Statement OPMA OPRA  
**Date:** Thursday, June 14, 2018 1:13:04 PM

---

Sent from my T-Mobile 4G LTE Device

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

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

FYI

---

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

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Kim Marie White – Secretary

Denise Szabo – Immediate Past President

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**From:** Dina Zawadski [<mailto:xxx>]  
**Sent:** Wednesday, June 13, 2018 5:16 PM  
**To:** [xxx](#)  
**Cc:** Galland, Kevin; Diane Pflugfelder; [xxx](#); [xxx](#); [xxx](#); Lori Buckelew ([xxx](#))  
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(fax) 856-845-8804

~~~~~  
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~~~~~

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

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FYI

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

Good Afternoon Shane:

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

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

Regards on behalf of the following MCANJ Executive Board:

Kevin Galland – 1<sup>st</sup> V.P.

Diane Pflugfelder – 2<sup>nd</sup> V.P.

Kim Marie White – Secretary

Denise Szabo – Immediate Past President

Joel Popkin – MCANJ Executive Director

---

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

Good afternoon:

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

Thank you.

***Dina L. Zawadski, RMC,CMC***

Township Clerk

MCANJ President

Public Information Officer

1011 Cooper St.

Deptford, NJ 08096

[xxxxxxxxx@xxxxxxxxxxxxx.xxx](mailto:xxxxxxxxx@xxxxxxxxxxxxx.xxx)

(p) 856-686-2203

(fax) 856-845-8804

~~~~~  
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~~~~~

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

---

FYI.

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

Dear Senators:

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

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

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

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

Thank you for your time and consideration.

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

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

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

Dear Senators:

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

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

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

Thank you for your time and consideration.

Lisa A. Tilton, RMC/CMR

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

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

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Dear Senators:

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

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

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

Thank you for your time and consideration.

Lisa A. Tilton, RMC/CMR  
Township Clerk / Registrar  
Planning / Zoning Board Secretary  
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**From:** @X  
**To:** @X; @X; @X  
**Subject:** Amendments to OPRA/OPMA Bills  
**Date:** Thursday, June 14, 2018 9:47:14 AM  
**Attachments:** [S107 Amendments.pdf](#)  
[S106 Amendments.pdf](#)

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

Please review and provide your thoughts.

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

Lori

---

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

Hi Lori,

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

Here are the OLS descriptions:

S106 PROPOSED COMMITTEE AMENDMENTS :

The committee proposes to amend the bill to:

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

#### S107 PROPOSED COMMITTEE AMENDMENTS:

The committee proposes to amend the bill to:

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

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

Thanks,

Louis Couture  
NJ Senate Democratic Office

**From:** [John Burns](#)  
**To:** [xxxxxxxxx@xxxxxx.xxx](#)  
**Subject:** Join WebEx meeting in progress: OPMA/OPRA Legislation  
**Date:** Wednesday, June 13, 2018 2:10:53 PM  
**Importance:** High

---

Hello,

My WebEx meeting is in progress.

### **OPMA/OPRA Legislation**

Wednesday, June 13, 2018

2:00 pm | Eastern Daylight Time (New York, GMT-04:00) | 1 hr

Meeting number (access code): 407 121 682

Meeting password: Meeting

[Join Meeting](#)

### **Join from a video system or application**

Dial [xxxxxxxxx@xxxxxxxxxxx.xxx](#)

You can also dial 173.243.2.68 and enter your meeting number.

### **Join by phone**

**+1-415-655-0002** US Toll

[Global call-in numbers](#)

[Can't join the meeting?](#)

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Still in Dr office, will call when done, have some concerns with linking to blog.

June 13, 2018

[REDACTED]  
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[REDACTED]

---

**From:** Lori Buckelew  
**Sent:** Wednesday, June 13, 2018 9:39 AM  
**To:** Michael F. Cerra <xxxxxx@xxxxxx.xxx>  
**Subject:** OPRA/OPMA

For membership alert:

- [REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
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- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** [@x](#)  
**To:** [@x](#)  
**Subject:** RE: OPRA/OPMA  
**Date:** Wednesday, June 13, 2018 10:43:10 AM

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Thoughts?

June 13, 2018

Re: Legislative Alert

Revisions to OPRA & OPMA Scheduled for Senate Committee Consideration

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Lori Buckelew  
**Sent:** Wednesday, June 13, 2018 9:39 AM  
**To:** Michael F. Cerra <xxxxxx@xxxxxx.xxx>  
**Subject:** OPRA/OPMA

For membership alert:

- [REDACTED]
- [REDACTED]
- [REDACTED]

**From:** [@x](#)  
**To:** [@x](#)  
**Subject:** OPRA/OPMA  
**Date:** Wednesday, June 13, 2018 9:39:17 AM

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For membership alert:

- [REDACTED]  
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[REDACTED]  
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[REDACTED]

**From:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**Cc:** [xxxxx@xxxxx.xxx](mailto:xxxxx@xxxxx.xxx)  
**Subject:** Fw: WebEx meeting invitation: OPMA/OPRA Legislation  
**Date:** Wednesday, June 13, 2018 9:02:08 AM  
**Attachments:** [WebEx Meeting.ics](#)

---

Frank for today's 2pm call on OPRA/OPMA.

---

**From:** John Burns <xxxxxxxx@xxxxx.xxx>  
**Sent:** Monday, June 11, 2018 5:00 PM  
**To:** Lori Buckelew  
**Subject:** WebEx meeting invitation: OPMA/OPRA Legislation

Hello,

John Burns invites you to join this WebEx meeting.

### **OPMA/OPRA Legislation**

Wednesday, June 13, 2018

2:00 pm | Eastern Daylight Time (New York, GMT-04:00) | 1 hr

Meeting number (access code): 407 121 682

Meeting password: Meeting

Add to Calendar

When it's time, [join the meeting](#).

### **Join from a video system or application**

Dial [xxxxxxxx@xxxxxxxxxxxxx.xxxxx.xxx](tel:xxxxxxxx@xxxxxxxxxxxxx.xxxxx.xxx)

You can also dial 173.243.2.68 and enter your meeting number.

### **Join by phone**

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**From:** [John Burns](#)  
**To:** [xxxxxxxxx@xxxxxx.xxx](#)  
**Subject:** WebEx meeting invitation: OPMA/OPRA Legislation  
**Date:** Monday, June 11, 2018 5:00:03 PM  
**Attachments:** [WebEx\\_Meeting.ics](#)

---

Hello,

John Burns invites you to join this WebEx meeting.

### **OPMA/OPRA Legislation**

Wednesday, June 13, 2018

2:00 pm | Eastern Daylight Time (New York, GMT-04:00) | 1 hr

Meeting number (access code): 407 121 682

Meeting password: Meeting

**Add to Calendar**

When it's time, [join the meeting](#).

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Dial [xxxxxxxxx@xxxxxxxxxxx.xxx](#)

You can also dial 173.243.2.68 and enter your meeting number.

### **Join by phone**

**+1-415-655-0002** US Toll

[Global call-in numbers](#)

[Can't join the meeting?](#)

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**From:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxx@xx.xxxxxxxx.xx.xx](mailto:xxxxxxx@xx.xxxxxxxx.xx.xx)  
**Subject:** FW: OPRA Question regarding tax records  
**Date:** Tuesday, April 24, 2018 4:16:41 PM  
**Attachments:** [Tax Collector's letter - OPRA.pdf](#)

---

**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 10:58 AM  
**To:** 'Government Records Council' <[xxxxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Cc:** Tax Collector <[xxxxxxxxxx@xxxxxxxx.xx](mailto:xxxxxxxxxx@xxxxxxxx.xx)>  
**Subject:** RE: OPRA Question regarding tax records

Mr. Caruso:

Thank you for replying to this very important inquiry. I will forward your response to the township Tax Collector. I believe this topic is worth pursuing with the Legislature. It is the obligation and responsibility of State and Local Government to protect the privacy, safety and welfare of our citizens, especially the most vulnerable.

Edith L. Merkel, RMC  
Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

---

**From:** Government Records Council <[xxxxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Sent:** Thursday, April 19, 2018 6:30 PM  
**To:** Clerk's Dept. <[xxxxxx@xxxxxxxxxxx.xxx](mailto:xxxxxx@xxxxxxxxxxx.xxx)>  
**Subject:** RE: OPRA Question regarding tax records

Good evening Ms. Merkel,

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 first notes that it was unable to locate any prior cases addressing the exact records to which you refer in your letter. Further, the GRC may not be aware of any variables that impact the issue. Thus, guidance on this issue is difficult to provide.

Notwithstanding, the questions you raise are similar to those raised about the disclosure of accident reports without redactions per N.J.S.A. 39:4-131. In fact, the accident report issue could be analogous to your situation. Specifically, the Council has previously ruled on whether redactions are warranted on auto accident reports. Specifically, in Truland v. Borough of Madison, GRC Complaint No. 2006-88 (September 2007), the Council held that "no redactions to the requested auto accident reports are warranted pursuant to N.J.S.A. 39:4-131." The New Jersey statute cited specifically states that "information contained [in the report] shall not be privileged or held confidential." See <http://www.nj.gov/grc/decisions/pdf/2006-88.pdf>. The Council's holding in Truland, has been applied to another complaint in which accident reports were at issue. See <http://www.state.nj.us/grc/decisions/pdf/2011-154.pdf>. This is a departure from the normal OPRA procedures since driver's license numbers, social security numbers and unlisted telephone numbers are specifically exempt under OPRA and are routinely redacted from records.

Now, as you can probably tell, this has caused citizens to become unsettled (and other various forms of reaction) if they are contacted by attorneys, insurance companies, *etc.*, after being in accident. The GRC also receives phone calls from concerned custodians and citizens regarding the non-confidential nature of accident reports. In each instance, the GRC is obligated to reply that it understands that N.J.S.A. 39:4-131 and prevailing case law provides a stark conflict with the personal information exemptions present in OPRA, which has led to some confusion across the State. However, unless and until either the Legislature amends the statute and/or the courts/GRC decide otherwise, accident reports are required to be disclosed without redactions per N.J.S.A. 39:4-131.

The GRC's role in OPRA is to adjudicate complaints based on the plain reading of the OPRA, which can sometimes lead to these types of decisions. Unfortunately, if it is the case that an agency is required by law to disclose this information in its entirety, the appropriate avenue for change would likely be the Legislature. This is, of course, in the absence of any statutes, regulations, or executive orders making this information exempt in part or whole.

Additionally, if the disclosure issue comes down to a question of privacy interest as opposed to a statutory requirement to disclose the information, the following may apply:

The GRC's earliest decisions regarding privacy interest was in Bernstein v. Borough of Allendale, GRC Complaint No. 2004-195 (July 2005). There, the requestor sought access to the names and addresses of dog license owners. The Council dismissed the case on the basis that pursuant to N.J.S.A. 47:1A-1 and Executive Order 21 the records should not be disclosed because of the unsolicited contact, intrusion or potential harm that may result. You may view this decision on our website at

<http://www.nj.gov/grc/decisions/2004-195.html>.

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held that the redacted portions of the requested records (name and address of victim) were properly redacted due to privacy concerns pursuant to N.J.S.A. 47:1A-1. You may view this decision on our website at <http://www.nj.gov/grc/decisions/pdf/2007-167.pdf>.

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Sincerely,

**Frank F. Caruso**

**Government Records Council**

**Communications Specialist/Resource Manager**

Tel: (609) 292-6830 | Fax: (609) 633-6337

<http://www.state.nj.us/grc/>

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**From:** Clerk's Dept. [<mailto:xxxxx@xxxxxxxxx.xxx>]

**Sent:** Wednesday, April 18, 2018 1:11 PM

**To:** Government Records Council <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>

**Subject:** OPRA Question regarding tax records

April 18, 2018

Please provide guidance on the attached question.

Thank you in advance for any help you can offer.

**Edith L. Merkel, RMC**

Township Clerk

Township of Clark

430 Westfield Ave.

Clark, NJ 07066

(732) 388-3669 ph.

(732) 388-1241 fx.



**From:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxxx@xxxxx.xxx](mailto:xxxxxxxx@xxxxx.xxx)  
**Subject:** OPRA Question regarding tax records  
**Date:** Monday, April 23, 2018 4:06:56 PM  
**Attachments:** [Tax Collector's letter - OPRA.pdf](#)

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Shane,

As we discussed.

Lori

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**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 10:58 AM  
**To:** 'Government Records Council' <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Cc:** Tax Collector <[xxxxxxxxx@xxxxxxxxx.xx](mailto:xxxxxxxxx@xxxxxxxxx.xx)>  
**Subject:** RE: OPRA Question regarding tax records

Mr. Caruso:

Thank you for replying to this very important inquiry. I will forward your response to the township Tax Collector. I believe this topic is worth pursuing with the Legislature. It is the obligation and responsibility of State and Local Government to protect the privacy, safety and welfare of our citizens, especially the most vulnerable.

Edith L. Merkel, RMC  
Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

---

**From:** Government Records Council <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Sent:** Thursday, April 19, 2018 6:30 PM  
**To:** Clerk's Dept. <[xxxxx@xxxxxxxxx.xxx](mailto:xxxxx@xxxxxxxxx.xxx)>  
**Subject:** RE: OPRA Question regarding tax records

Good evening Ms. Merkel,

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 first notes that it was unable to locate any prior cases addressing the exact records to which you refer in your letter. Further, the GRC may not be aware of any variables that impact the issue. Thus, guidance on this issue is difficult to provide.

Notwithstanding, the questions you raise are similar to those raised about the disclosure of accident reports without redactions per N.J.S.A. 39:4-131. In fact, the accident report issue could be analogous to your situation. Specifically, the Council has previously ruled on whether redactions are warranted on auto accident reports. Specifically, in Truland v. Borough of Madison, GRC Complaint No. 2006-88 (September 2007), the Council held that "no redactions to the requested auto accident reports are warranted pursuant to N.J.S.A. 39:4-131." The New Jersey statute cited specifically states that "information contained [in the report] shall not be privileged or held confidential." See <http://www.nj.gov/grc/decisions/pdf/2006-88.pdf>. The Council's holding in Truland, has been applied to another complaint in which accident reports were at issue. See <http://www.state.nj.us/grc/decisions/pdf/2011-154.pdf>. This is a departure from the normal OPRA procedures since driver's license numbers, social security numbers and unlisted telephone numbers are specifically exempt under OPRA and are routinely redacted from records.

Now, as you can probably tell, this has caused citizens to become unsettled (and other various forms of reaction) if they are contacted by attorneys, insurance companies, *etc.*, after being in accident. The GRC also receives phone calls from concerned custodians and citizens regarding the non-confidential nature of accident reports. In each instance, the GRC is obligated to reply that it understands that N.J.S.A. 39:4-131 and prevailing case law provides a stark conflict with the personal information exemptions present in OPRA, which has led to some confusion across the State. However, unless and until either the Legislature amends the statute and/or the courts/GRC decide otherwise, accident reports are required to be disclosed without redactions per N.J.S.A. 39:4-131.

The GRC's role in OPRA is to adjudicate complaints based on the plain reading of the OPRA, which can sometimes lead to these types of decisions. Unfortunately, if it is the case that an agency is required by law to disclose this information in its entirety, the appropriate avenue for change would likely be the Legislature. This is, of course, in the absence of any statutes, regulations, or executive orders making this information exempt in part or whole.

Additionally, if the disclosure issue comes down to a question of privacy interest as opposed to a statutory requirement to disclose the information, the following may apply:

The GRC's earliest decisions regarding privacy interest was in Bernstein v. Borough of Allendale, GRC Complaint No. 2004-195 (July 2005). There, the requestor sought access to the names and addresses of dog license owners. The Council dismissed the case on the basis that pursuant to N.J.S.A. 47:1A-1 and Executive Order 21 the records should not be disclosed because of the unsolicited contact, intrusion or potential harm that may result. You may view this decision on our website at <http://www.nj.gov/grc/decisions/2004-195.html>.

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Sincerely,

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**Sent:** Wednesday, April 18, 2018 1:11 PM

**To:** Government Records Council <[xxxxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx@xxx.xx.xxx)>

**Subject:** OPRA Question regarding tax records

April 18, 2018

Please provide guidance on the attached question.

Thank you in advance for any help you can offer.

Edith L. Merkel, RMC

Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

**From:** [Clerk's Dept.](#)  
**To:** [xxxxxxxx@xxxxx.xxx](#)  
**Subject:** FW: OPRA Question regarding tax records  
**Date:** Friday, April 20, 2018 2:23:00 PM  
**Attachments:** [Tax Collector's letter - OPRA.pdf](#)

---

April 20, 2018

Laurie,

I believe this issue is the reason you called. The GRC response appears below. I'll be happy to talk to you about this any time.

Edie

Edith L. Merkel, RMC  
Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

---

**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 1:39 PM  
**To:** 'Joseph Delorio' <xxxxxxxxxxxxx@xxxxxxxxxxxxx.xxx>  
**Subject:** FW: OPRA Question regarding tax records

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**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 11:32 AM  
**To:** 'AJ Plainfield' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Ana Minkoff - Berkeley Heights' <xxxxxxxx@xxxxx.xxx>; 'Andrew Casais' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Bonnie Lacina - Scotch Plains' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Christina Ariemma - Garwood' <xxxxxxxx@xxxxxxxx.xxx>; 'Eileen Birch - Union Twp.' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Eleanor McGovern - Fanwood' <xxxxxxxx@xxxxxxxx.xxx>; 'Joseph Bodek - Linden' <xxxxxx@xxxxxxxx.xxx>; 'June Planas - Winfield' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Laura Reinertsen - Kenilworth' <xxxxx@xxxxxxxxxxxxx.xxx>; 'Linda Donnelly' <xxxxx.xxxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Martha Lopez - Mountainside' <xxxxxx@xxxxxxxxxxxxx.xxx>; 'Rayna Harris' <xxxxxx@xxxxxxxxxxxxx.xxx>; 'Rosemary Licatese-Summit' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'Wendi B. Barry - New Providence' <xxxxxx@xxxxx.xxx>; 'Yolanda M. Roberts - Elizabeth' <xxxxxxxx@xxxxxxxxxxxxx.xxx>; Tara Rowley <xxxxxxxx@xxxxxxxxxxxxx.xxx>; 'xxxxxxxx@xxxxxxxxxxxxx.xxx' < [xxxxxxxx@xxxxxxxxxxxxx.xxx](#) >  
**Subject:** FW: OPRA Question regarding tax records

GRC response below

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**Sent:** Friday, April 20, 2018 10:58 AM  
**To:** 'Government Records Council' <[xxxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Cc:** Tax Collector <[xxxxxxxxxx@xxxxxxxx.xx](mailto:xxxxxxxxxx@xxxxxxxx.xx)>  
**Subject:** RE: OPRA Question regarding tax records

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**Subject:** RE: OPRA Question regarding tax records

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Sincerely,

**Frank F. Caruso**

**Government Records Council**

**Communications Specialist/Resource Manager**

Tel: (609) 292-6830 | Fax: (609) 633-6337

<http://www.state.nj.us/grc/>

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**Sent:** Wednesday, April 18, 2018 1:11 PM

**To:** Government Records Council <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>

**Subject:** OPRA Question regarding tax records

April 18, 2018

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Township Clerk

Township of Clark

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**To:** [xxxxxxxx@xxxxxx.xxx](mailto:xxxxxxxx@xxxxxx.xxx)  
**Subject:** FW: OPRA Question regarding tax records  
**Date:** Friday, April 20, 2018 2:08:01 PM  
**Attachments:** [Tax Collector's letter - OPRA.pdf](#)

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FYI...

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**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 11:32 AM  
**To:** 'AJ Plainfield' <xxxxxxx.xxxxx@xxxxxxxxxxxxxxx>; 'Ana Minkoff - Berkeley Heights' <xxxxxxxx@xxxxxx.xxx>; 'Andrew Casais' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Bonnie Lacina - Scotch Plains' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Christina Ariemma - Garwood' <c-ariemma@garwood.org>; 'Eileen Birch - Union Twp.' <xxxxxx@xxxxxxxxxxxxxxx>; 'Eleanor McGovern - Fanwood' <xxxxxxxx@xxxxxxxxxxx>; 'Joseph Bodek - Linden' <xxxxxx@xxxxxxxxxxx>; 'June Planas - Winfield' <xxxxxxx@xxxxxxxxxxxxxxx>; 'Laura Reinertsen - Kenilworth' <Laxxx@xxxxxxxxxxxxxxx>; 'Linda Donnelly' <xxxxxx.xxxxxxxx@xxxxxxxxxxxxxxx>; 'Martha Lopez - Mountainside' <xxxxxxx@xxxxxxxxxxxxxxx>; 'Rayna Harris' <xxxxxxx@xxxxxxxxxxxxxxx>; 'Rosemary Licatese-Summit' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Wendi B. Barry - New Providence' <xxxxxxx@xxxxxxx.xxx>; 'Yolanda M. Roberts - Elizabeth' <yroberts@elizabethnj.org>; Tara Rowley <xxxxxxxx@xxxxxxxxxxxxxxx>; 'xxxxxxxx@xxxxxxxxxxx' <p-donahue@cranfordnj.org>  
**Subject:** FW: OPRA Question regarding tax records

GRC response below

---

**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 10:58 AM  
**To:** 'Government Records Council' <[xxxxxxxxxxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxxxxxxxx@xxx.xx.xxx)>  
**Cc:** Tax Collector <[xxxxxxxx@xxxxxxxx.xx](mailto:xxxxxxxx@xxxxxxxx.xx)>  
**Subject:** RE: OPRA Question regarding tax records

Mr. Caruso:

Thank you for replying to this very important inquiry. I will forward your response to the township Tax Collector. I believe this topic is worth pursuing with the Legislature. It is the obligation and responsibility of State and Local Government to protect the privacy, safety and welfare of our citizens, especially the most vulnerable.

Edith L. Merkel, RMC  
Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

---

**From:** Government Records Council <[xxxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxxx.xxxxxxx@xxx.xx.xxx)>  
**Sent:** Thursday, April 19, 2018 6:30 PM  
**To:** Clerk's Dept. <[xxxxx@xxxxxxxxx.xxx](mailto:xxxxx@xxxxxxxxx.xxx)>  
**Subject:** RE: OPRA Question regarding tax records

Good evening Ms. Merkel,

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 first notes that it was unable to locate any prior cases addressing the exact records to which you refer in your letter. Further, the GRC may not be aware of any variables that impact the issue. Thus, guidance on this issue is difficult to provide.

Notwithstanding, the questions you raise are similar to those raised about the disclosure of accident reports without redactions per N.J.S.A. 39:4-131. In fact, the accident report issue could be analogous to your situation. Specifically, the Council has previously ruled on whether redactions are warranted on auto accident reports. Specifically, in Truland v. Borough of Madison, GRC Complaint No. 2006-88 (September 2007), the Council held that "no redactions to the requested auto accident reports are warranted pursuant to N.J.S.A. 39:4-131." The New Jersey statute cited specifically states that "information contained [in the report] shall not be privileged or held confidential." See <http://www.nj.gov/grc/decisions/pdf/2006-88.pdf>. The Council's holding in Truland, has been applied to another complaint in which accident reports were at issue. See <http://www.state.nj.us/grc/decisions/pdf/2011-154.pdf>. This is a departure from the normal OPRA procedures since driver's license numbers, social security numbers and unlisted telephone numbers are specifically exempt under OPRA and are routinely redacted from records.

Now, as you can probably tell, this has caused citizens to become unsettled (and other various forms of reaction) if they are contacted by attorneys, insurance companies, *etc.*, after being in accident.

The GRC also receives phone calls from concerned custodians and citizens regarding the non-confidential nature of accident reports. In each instance, the GRC is obligated to reply that it understands that N.J.S.A. 39:4-131 and prevailing case law provides a stark conflict with the personal information exemptions present in OPRA, which has led to some confusion across the State. However, unless and until either the Legislature amends the statute and/or the courts/GRC decide otherwise, accident reports are required to be disclosed without redactions per N.J.S.A. 39:4-131.

The GRC's role in OPRA is to adjudicate complaints based on the plain reading of the OPRA, which can sometimes lead to these types of decisions. Unfortunately, if it is the case that an agency is required by law to disclose this information in its entirety, the appropriate avenue for change would likely be the Legislature. This is, of course, in the absence of any statutes, regulations, or executive orders making this information exempt in part or whole.

Additionally, if the disclosure issue comes down to a question of privacy interest as opposed to a statutory requirement to disclose the information, the following may apply:

The GRC's earliest decisions regarding privacy interest was in Bernstein v. Borough of Allendale, GRC Complaint No. 2004-195 (July 2005). There, the requestor sought access to the names and addresses of dog license owners. The Council dismissed the case on the basis that pursuant to N.J.S.A. 47:1A-1 and Executive Order 21 the records should not be disclosed because of the unsolicited contact, intrusion or potential harm that may result. You may view this decision on our website at <http://www.nj.gov/grc/decisions/2004-195.html>.

However, in an Appellate Division decision the Court held differently. In Atl. Cnty. SPCA v. City of Absecon, 2009 N.J. Super. Unpub. LEXIS 1370 (Jun 5, 2009), the Court held that the requested dog license lists should be disclosed to the requestor, the ASPCA. It is important to note that both the GRC and the Court conducted a balancing test to determine whether the records should be disclosed. Thus, the answer is extremely fact specific. It is important to note that the Court discussed the ASPCA's need for this information because of its mission to investigate alleged animal abuse. See also Renna v. Cnty. of Union, 2012 N.J. Super. Unpub. LEXIS 342 (February 17, 2012).

Additionally, in another court case, Bolkin v. Kwasniewski, 2012 N.J. Super. Unpub. LEXIS 2641, (Law Div. December 5, 2012), plaintiff sought the names and addresses of dog and cat license owners in Fair Lawn for the purpose of sending political literature regarding candidates who support animal friendly legislation. The Custodian denied access citing to privacy concerns pursuant to N.J.S.A. 47:1A-1, Governor McGreevey's Executive Order No. 26, Doe v. Poritz, and the Council's Bernstein decisions regarding similar records. Using the balancing factors from Doe, the trial Judge found that the release of just the names and addresses of the dog owners with all other information contained on the license applications redacted is appropriate. Specifically, the Judge relied on the Supreme Court's decision in Burnett v. Cnty. of Bergen, 198 N.J. 408 (2009), holding that names and addresses alone, without any other identifiers, does not sufficiently implicate privacy concerns to warrant nondisclosure under OPRA. I have attached this decision for your convenience. This decision was affirmed on appeal. Please see attached the Appellate Division's unpublished decision in Bolkin v. Kwasniewski, 2014 N.J. Super. Unpub. LEXIS 1409, (App. Div. 2014).

**All the decisions are made on a case by case basis.** More recently, the Council decided on two (2) complaints with various outcomes regarding names, home addresses, etc. that highlight the fact specific nature in which the GRC makes determinations on privacy interests. See Levitt v. Twp. of Monclair (Essex), GRC Complaint No. 2012-150 (August 2013)(<http://www.state.nj.us/grc/decisions/pdf/2012-150.pdf>); Bean v. Borough of Belmar (Monmouth), GRC Complaint No. 2013-39 (Interim Order dated December 20, 2013).

Please note, though, that in the following GRC decisions the Council upheld the redaction of home addresses and telephone numbers as well:

Merino v. Borough of Ho-Ho-Kus, GRC Complaint No. 2003-110 (July 2004). The Complainant sought access to “Copies of (1) all moving violations of Officer Michael Tuttle during career with Ho-Ho-Kus Police Department, (2) training records of Officer Tuttle; and (3) records of complaints or internal reprimands against Officer Tuttle.” After conducting a balancing test, the Council found that the home addresses should be redacted from the records provided to the Complainant. You may view this decision on our website at <http://www.nj.gov/grc/decisions/2003-110.html#findings>.

Paff v. Warren Cnty. Office of the Prosecutor, GRC Complaint No. 2007-167 (February 2008). The Complainant requested various records pertaining to State v. Philip Gentile, Indictment/Accusation No. 07-02-00060-A. After conducting a balancing test, the Council held that the redacted portions of the requested records (name and address of victim) were properly redacted due to privacy concerns pursuant to N.J.S.A. 47:1A-1. You may view this decision on our website at <http://www.nj.gov/grc/decisions/pdf/2007-167.pdf>.

Faulkner v. Rutgers Univ., GRC Complaint No. 2007-149 (May 2008). The Complainant requested names and addresses for Rutgers University football and basketball season ticket holders for 2006. After conducting a balancing test, the Council held that “the Custodian did not unlawfully deny the Complainant access to the requested season ticket holders’ lists pursuant to N.J.S.A. 47:1A-1, which states that a public agency has a responsibility and an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy.” You may view this decision on our website at <http://www.nj.gov/grc/decisions/pdf/2007-149.pdf>.

Sincerely,

**Frank F. Caruso**

**Government Records Council**

**Communications Specialist/Resource Manager**

Tel: (609) 292-6830 | Fax: (609) 633-6337

<http://www.state.nj.us/grc/>

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**From:** Clerk's Dept. [<mailto:xxxxx@xxxxxxxx.xxx>]

**Sent:** Wednesday, April 18, 2018 1:11 PM

**To:** Government Records Council <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>

**Subject:** OPRA Question regarding tax records

April 18, 2018

Please provide guidance on the attached question.

Thank you in advance for any help you can offer.

Edith L. Merkel, RMC

Township Clerk

Township of Clark

430 Westfield Ave.

Clark, NJ 07066

(732) 388-3669 ph.

(732) 388-1241 fx.

**From:** [Joseph DeIorio](#)  
**To:** ["xxxxxxxx@xxxxx.xxx"](#)  
**Subject:** FW: OPRA Question regarding tax records  
**Date:** Friday, April 20, 2018 1:54:45 PM  
**Attachments:** [Tax Collector's letter - OPRA.pdf](#)

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**From:** Clerk's Dept. [mailto:xxxxx@xxxxxxxxxxx]  
**Sent:** Friday, April 20, 2018 1:39 PM  
**To:** Joseph DeIorio  
**Subject:** FW: OPRA Question regarding tax records

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**From:** Clerk's Dept.  
**Sent:** Friday, April 20, 2018 11:32 AM  
**To:** 'AJ Plainfield' <xxxxxx@xxxxxxxxxxxxxxx>; 'Ana Minkoff - Berkeley Heights' <xxxxxxxx@xxxxx.xxx>; 'Andrew Casais' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Bonnie Lacina - Scotch Plains' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Christina Ariemma - Garwood' <c-ariemma@garwood.org>; 'Eileen Birch - Union Twp.' <xxxxxx@xxxxxxxxxxxxxxx>; 'Eleanor McGovern - Fanwood' <xxxxxxxx@xxxxxxxxxxx>; 'Joseph Bodek - Linden' <xxxxxx@xxxxxxxxxxx>; 'June Planas - Winfield' <xxxxxx@xxxxxxxxxxxxxxx>; 'Laura Reinertsen - Kenilworth' <Laxxx@xxxxxxxxxxxxxxx>; 'Linda Donnelly' <xxxxx.xxxxxxx@xxxxxxxxxxxxxxx>; 'Martha Lopez - Mountainside' <xxxxxx@xxxxxxxxxxxxxxx>; 'Rayna Harris' <xxxxxx@xxxxxxxxxxxxxxx>; 'Rosemary Licatese-Summit' <xxxxxxxx@xxxxxxxxxxxxxxx>; 'Wendi B. Barry - New Providence' <xxxxxx@xxxxxxx>; 'Yolanda M. Roberts - Elizabeth' <yroberts@elizabethnj.org>; Tara Rowley <xxxxxxxx@xxxxxxxxxxx>; 'xxxxxxxx@xxxxxxxxxxx' <p-donahue@cranfordnj.org>  
**Subject:** FW: OPRA Question regarding tax records

GRC response below

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**To:** 'Government Records Council' <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](#)>  
**Cc:** Tax Collector <[xxxxxxxxx@xxxxxxxx.xx](#)>  
**Subject:** RE: OPRA Question regarding tax records

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---

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**Sent:** Thursday, April 19, 2018 6:30 PM  
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nondisclosure under OPRA. I have attached this decision for your convenience. This decision was affirmed on appeal. Please see attached the Appellate Division's unpublished decision in Bolkin v. Kwasniewski, 2014 N.J. Super. Unpub. LEXIS 1409, (App. Div. 2014).

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Faulkner v. Rutgers Univ., GRC Complaint No. 2007-149 (May 2008). The Complainant requested names and addresses for Rutgers University football and basketball season ticket holders for 2006. After conducting a balancing test, the Council held that "the Custodian did not unlawfully deny the Complainant access to the requested season ticket holders' lists pursuant to N.J.S.A. 47:1A-1, which states that a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy." You may view this decision on our website at <http://www.nj.gov/grc/decisions/pdf/2007-149.pdf>.

Sincerely,

**Frank F. Caruso**

**Government Records Council**

**Communications Specialist/Resource Manager**

Tel: (609) 292-6830 | Fax: (609) 633-6337

<http://www.state.nj.us/grc/>

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

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**From:** Clerk's Dept. [<mailto:xxxxx@xxxxxxxx.xxx>]

**Sent:** Wednesday, April 18, 2018 1:11 PM

**To:** Government Records Council <[xxxxxxxxx.xxxxxxx@xxx.xx.xxx](mailto:xxxxxxxxx.xxxxxxx@xxx.xx.xxx)>

**Subject:** OPRA Question regarding tax records

April 18, 2018

Please provide guidance on the attached question.

Thank you in advance for any help you can offer.

Edith L. Merkel, RMC

Township Clerk  
Township of Clark  
430 Westfield Ave.  
Clark, NJ 07066  
(732) 388-3669 ph.  
(732) 388-1241 fx.

**From:** [@x](#)  
**To:** [@x](#); [@x](#)  
**Cc:** [@x](#)  
**Subject:** FW: OPRA Question NJLM League Directory  
**Date:** Thursday, April 12, 2018 9:37:25 AM  
**Attachments:** [Publication Order page.pdf](#)

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FYI... I spoke with Paul this morning about this and took care of it. He wasn't really complaining about the League charging members for something when it could be OPRA requested and received for free. His real concern was more for how this kind of thing was permissible under OPRA at all.

---

**From:** Margiotta, Paul [mailto:[@x](#)]  
**Sent:** Thursday, April 12, 2018 9:19 AM  
**To:** Frank Marshall  
**Cc:** Bellet, Neal; Scorsolini, Lisa  
**Subject:** OPRA Question NJLM League Directory

Good morning Frank:

I am the Township Clerk from Wayne. Yesterday I was on the "OPRA Machine" website and noticed a request for a copy of the 2018 Municipal Directory.  
[https://opramachine.com/request/2018\\_municipal\\_directory#outgoing-2542](https://opramachine.com/request/2018_municipal_directory#outgoing-2542). This is a paid publication even to members of NJLM. If I wanted that same electronic publication Wayne Township we would have to pay \$49.00. Can we now request any publication in electronic format under OPRA and receive it free of charge? I am curious as to why it was provided for free and if my question holds true.

*Paul*

**Paul V. Margiotta, RMC, CMC, MMC**  
**Township Clerk**  
**Township of Wayne - New Jersey**  
[OFFICE OF THE TOWNSHIP CLERK](#)

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**From:** [Margiotta, Paul](#)  
**To:** ["@x"](#)  
**Cc:** [Bellet, Neal](#); [Scorsolini, Lisa](#)  
**Subject:** OPRA Question NJLM League Directory  
**Date:** Thursday, April 12, 2018 9:19:15 AM  
**Attachments:** [Publication Order page.pdf](#)

---

Good morning Frank:

I am the Township Clerk from Wayne. Yesterday I was on the "OPRA Machine" website and noticed a request for a copy of the 2018 Municipal Directory.

[https://opramachine.com/request/2018\\_municipal\\_directory#outgoing-2542](https://opramachine.com/request/2018_municipal_directory#outgoing-2542). This is a paid publication even to members of NJLM. If I wanted that same electronic publication Wayne Township we would have to pay \$49.00. Can we now request any publication in electronic format under OPRA and receive it free of charge? I am curious as to why it was provided for free and if my question holds true.

*Paul*

***Paul V. Margiotta, RMC, CMC, MMC***  
***Township Clerk***  
**Township of Wayne - New Jersey**  
[OFFICE OF THE TOWNSHIP CLERK](#)

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**From:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxxxxxxx@xxxxx.xxx](mailto:xxxxxxxxxxxx@xxxxx.xxx), [xxxxxxx@xxxxxxxxxxxxx.xxx](mailto:xxxxxxx@xxxxxxxxxxxxx.xxx)  
**Subject:** Friendly Reminder for OPRA Seminar on April 16  
**Date:** Monday, April 9, 2018 1:25:51 PM  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[DIRECTIONS TO Tinton Falls.docx](#)  
[OPRA In Depth.handout.docx](#)  
**Importance:** High

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Dear Lew and Carl,

This is friendly reminder regarding the *OPRA In Depth: Privacy and Law Enforcement Issues* at the Doubletree Hotel in Tinton Falls on April 16, 2018. Our current count for this program is 100 attendees.

In terms of A/V equipment, we will have a laptop, podium, and microphone as well as a projector and screen if you wish to make a PowerPoint presentation. If you do have a handout you want me to distribute please have it to me by Thursday.

In case of emergency my cell number is 908-227-1142.

Have a wonderful rest of your week and if you have any questions please let me know.

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

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**From:** [@x](#)  
**To:** [@x](#)  
**Subject:** FW: Legislature subject to OPRA  
**Date:** Thursday, March 15, 2018 10:22:33 AM

---

Consider Gary a helpful voice as you do OPRA work.

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

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---

**From:** Gary Passanante [mailto:[@x](#)]  
**Sent:** Thursday, March 15, 2018 9:43 AM  
**To:** Michael J. Darcy, CAE  
**Subject:** RE: Legislature subject to OPRA

Thanks Michael and yes, If I can be of help, I would gladly lend a hand! I think we need to continue alternative approaches to stemming the cost and impact of this legislation and I firmly believe that they should have to live by the same rules!

*Gary J. Passanante*  
Mayor



---

**From:** Michael J. Darcy, CAE [mailto:[@x](#)]  
**Sent:** Thursday, March 15, 2018 9:37 AM  
**To:** Gary Passanante <[@x](#)>  
**Cc:** Lori Buckelew <[@x](#)>  
**Subject:** Legislature subject to OPRA

Mayor Passanante,

Thank you for attending the Mayors Legislative Day yesterday and raising the hypocrisy of OPRA.

We spoke briefly about the idea of legislation to include the Senate and Assembly as subject to OPRA. While we did get an affirmative answer from Braminck and Zwicker, there are substantial roadblocks to moving such legislation. NJLM has suggested that as an amendment to pending legislation but the key sponsor rejected it. It is also well known that such a bill on its own would simply never be moved to a floor vote. However, over the past 8 years working on this issue, there have been suggestions for approaches like a commission to analyze best way to amend OPRA and then make a recommendation to the legislature. Recommendations coming from a commission would hold more weight, offer some political cover, and possibly even include some of our more traditional adversaries on this issue.

Any OPRA legislation requires very close monitoring and involvement because it can easily and quickly be amended to hurt municipalities further. There are examples of this happening.

Lori has been closely working with State Legislative Staff for some years and knows the landscape well. There is opportunity for you to further get involved with these efforts if you wish, and Lori can fill you in.

Let me know if that is something you would like to explore.

Again, thank you for your voice and presence at yesterday's event. It makes a difference as we together try to advocate the municipal perspective.

Michael

Michael J. Darcy, CAE, Executive Director  
New Jersey State League of Municipalities  
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C-609-510-9472  
222 West State St.  
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YouTube: <http://bit.ly/1P7GsVR>

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**From:** [Gary Passanante](#)  
**To:** [Michael J. Darcy, CAE](#)  
**Subject:** RE: Legislature subject to OPRA  
**Date:** Thursday, March 15, 2018 9:42:37 AM

---

Thanks Michael and yes, If I can be of help, I would gladly lend a hand! I think we need to continue alternative approaches to stemming the cost and impact of this legislation and I firmly believe that they should have to live by the same rules!

*Gary J. Passanante*  
Mayor



---

**From:** Michael J. Darcy, CAE [mailto:[@](#)✉]  
**Sent:** Thursday, March 15, 2018 9:37 AM  
**To:** Gary Passanante <[@](#)✉>  
**Cc:** Lori Buckelew <[@](#)✉>  
**Subject:** Legislature subject to OPRA

Mayor Passanante,  
Thank you for attending the Mayors Legislative Day yesterday and raising the hypocrisy of OPRA.

We spoke briefly about the idea of legislation to include the Senate and Assembly as subject to OPRA. While we did get an affirmative answer from Braminck and Zwicker, there are substantial roadblocks to moving such legislation. NJLM has suggested that as an amendment to pending legislation but the key sponsor rejected it. It is also well known that such a bill on its own would simply never be moved to a floor vote. However, over the past 8 years working on this issue, there have been suggestions for approaches like a commission to analyze best way to amend OPRA and then make a recommendation to the legislature. Recommendations coming from a commission would hold more weight, offer some political cover, and possibly even include some of our more traditional adversaries on this issue.

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Michael

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**From:** @x  
**To:** @x  
**Cc:** @x  
**Subject:** Legislature subject to OPRA  
**Date:** Thursday, March 15, 2018 9:37:29 AM

---

Mayor Passanante,

Thank you for attending the Mayors Legislative Day yesterday and raising the hypocrisy of OPRA.

We spoke briefly about the idea of legislation to include the Senate and Assembly as subject to OPRA. While we did get an affirmative answer from Braminck and Zwicker, there are substantial roadblocks to moving such legislation. NJLM has suggested that as an amendment to pending legislation but the key sponsor rejected it. It is also well known that such a bill on its own would simply never be moved to a floor vote. However, over the past 8 years working on this issue, there have been suggestions for approaches like a commission to analyze best way to amend OPRA and then make a recommendation to the legislature. Recommendations coming from a commission would hold more weight, offer some political cover, and possibly even include some of our more traditional adversaries on this issue.

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Michael

Michael J. Darcy, CAE, Executive Director  
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**From:** [xxxx@xxxxxxxx.xxx](mailto:xxxx@xxxxxxxx.xxx)  
**To:** "Danielle Holland"  
**Subject:** FW: Please Post the OPRA Seminar on the Seminar Calendar  
**Date:** Wednesday, February 7, 2018 11:22:45 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
[Registration form OPRA.doc](#)  
**Importance:** High

---

Hi Danielle,

It's posted.

Anne

---

**From:** Danielle Holland [<mailto:@x>]  
**Sent:** Wednesday, February 07, 2018 1:31 PM  
**To:** 'City Connections Updates MJM' <[@x](mailto:@x)>  
**Cc:** Amy Spiezio <[@x](mailto:@x)>; Suzanne DeLany <[@x](mailto:@x)>  
**Subject:** Please Post the OPRA Seminar on the Seminar Calendar  
**Importance:** High

Thank you ☺

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

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**From:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxx@xxxxxxx.xxx](mailto:xxxxxxx@xxxxxxx.xxx)  
**Cc:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx); [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**Subject:** Please Post the OPRA Seminar on the Seminar Calendar  
**Date:** Wednesday, February 7, 2018 1:31:12 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
[Registration form OPRA.doc](#)  
**Importance:** High

---

Thank you ☺

*Danielle Holland-Htut, Program Specialist  
New Jersey State League of Municipalities  
222 West State Street Trenton, NJ 08608  
Phone: 609-695-3481 ext 118  
Fax: 609-695-0151  
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**To:** [xxxxxxxxxxxx@xxxxx.xxx](mailto:xxxxxxxxxxxx@xxxxx.xxx); [xxxxxxx@xxxxxxxxxxxxx.xxx](mailto:xxxxxxx@xxxxxxxxxxxxx.xxx)  
**Subject:** Confirmation for April 16 OPRA Seminar  
**Date:** Wednesday, February 7, 2018 1:29:06 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
**Importance:** High

---

Dear Carl and Lew,

Thank you for agreeing to present at the New Jersey State League of Municipalities educational seminar, "***OPRA In Depth: Privacy and Law Enforcement Issues***" on **April 16, 2018** at the Double Tree Hotel in Tinton Falls, NJ.

I look forward to seeing you between 8:30am and 9:00am for coffee and networking with the attendees.

The agenda for this seminar is attached.

Please send me your handouts or materials to be distributed to attendees by Wednesday, April 11, 2018. Please note that handouts can be no longer than 10 pages.

There will be a microphone and lectern in the room. If you require any other A/V equipment, please let me know as soon as possible.

Thank you again for participating in this seminar and if you have any questions please contact me at 609-695-3481 ext 118 or by email me at [xxxxxxx@xxxxxx.xxx](mailto:xxxxxxx@xxxxxx.xxx)

Have a great rest of your week!

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

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**From:** @x  
**To:** @x; @x  
**Subject:** RE: Memorandum on proposed OPRA and OPMA legislation  
**Date:** Tuesday, February 6, 2018 4:27:35 PM

---

Paul,  
Thanks for forwarding. We'll take a look.

S1045 and S1046 both died at the end of the legislative session, but new bills were introduced for this session.

Senator Weinberg will assuredly continue to push and I'm sure we'll be seeing them pop in a senate committee at some point before June. However, there's absolutely no indication that the bill has any more support within either Senate caucus, so I would say it is status quo at the moment,

Mike

**From:** Paul Tomasko [mailto:@x]  
**Sent:** Tuesday, February 6, 2018 4:02 PM  
**To:** Michael F. Cerra <@x>; Lori Buckelew <LBuckelew@njslom.com>  
**Subject:** Fwd: Memorandum on proposed OPRA and OPMA legislation

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

-----Original Message-----  
**From:** Stephanie Wehmann <@x>  
**To:** Paul Tomasko <@x>  
**Cc:** Nancy Wehmann <@x>  
**Sent:** Tue, Feb 6, 2018 3:14 pm  
**Subject:** FW: Memorandum on proposed OPRA and OPMA legislation

---

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

Mayor Tomasko:

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

Regards,

John Shahdanian

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



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

---

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

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

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

---

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

Mayor Tomasko:

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

Regards,

John Shahdanian



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CHASAN LAMPARELLO MALLON & CAPPUZZO, PC  
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**To:** [xxxxxx@xxxx.xxxxxxx.xxx](mailto:xxxxxx@xxxx.xxxxxxx.xxx); [xxxxxxx@xxxx.xxxxxxx.xxx](mailto:xxxxxxx@xxxx.xxxxxxx.xxx); [xxxxx@xxxx.xxxxxxx.xxx](mailto:xxxxx@xxxx.xxxxxxx.xxx)  
**Subject:** OPRA IN Depth Seminar  
**Date:** Thursday, February 1, 2018 11:29:33 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
**Importance:** High

---

Hello All,

Can you let me know if the attached program qualifies for CEU's for your folks? Thanks ☺

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

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**From:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**To:** [xxxxxx.xxxxx@xxx.xx.xxx](mailto:xxxxxx.xxxxx@xxx.xx.xxx)  
**Subject:** Application for OPRA Seminar  
**Date:** Thursday, February 1, 2018 11:28:46 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[DCA APP.2012.doc](#)  
[OPRA In Depth.docx](#)  
**Importance:** High

---

Hi Shannon,

One more application for today. OPRA In Depth: Privacy Issues. Let me know if the CEU's are good.

Thanks again ☺

*Danielle Holland-Htut, Program Specialist  
New Jersey State League of Municipalities  
222 West State Street Trenton, NJ 08608  
Phone: 609-695-3481 ext 118  
Fax: 609-695-0151  
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**From:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxx@xxxxxxxxxxxxx.xxx](mailto:xxxxxxx@xxxxxxxxxxxxx.xxx); [xxxxxxxxxxxx@xxxxx.xxx](mailto:xxxxxxxxxxxx@xxxxx.xxx)  
**Subject:** NJLM OPRA Seminar  
**Date:** Wednesday, January 31, 2018 9:14:15 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
**Importance:** High

---

Good Morning Carl and Lew,

I sent the email below and agenda (attached)out last week. Did either of you have any questions? I just wanted to check in. Just a friendly reminder I need a description for the agenda by February 7.

Thank you both again for speaking and I do look forward to working with both of you!

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

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**From:** Danielle Holland  
**Sent:** Wednesday, January 24, 2018 2:50 PM  
**To:** 'Carl Woodward'; [xxxxxxxxxxxxx@xxxxx.xxx](mailto:xxxxxxxxxxxxx@xxxxx.xxx)  
**Subject:** NJLM OPRA Seminar  
**Importance:** High

Good Afternoon Carl and Lew,

We are a go for the OPRA seminar on Privacy issues such as Body Cams, Security Cams, Dash Cams, etc. I have the date set for April 16, 2018 at the DoubleTree Hotel in Tinton Falls.

By way of this email I am introducing you to each other. I would like to get an agenda set for this event. The program will run 9:00am-12:30 pm with a 15 minute networking break. In order to get everything started I have to have a short description of the program for a promotional agenda. Attached here is draft agenda. What I need is a more detailed description that lays out the outline of the seminar. In addition, please let me know if I got your titles correct.

I would like to start getting the CEU application and promotion for this in the next couple of weeks. So I would need the agenda done by February 7. Remember, the agenda is just a brief outline for folks to know about the program, it does not need to be whole program. I already have half of it done I just need a better description.

As for the layout of the seminar, you can either tag team or pick certain areas to speak on . I am happy to set up a conference call or two for you so can discuss or you can go by email. Either way let me know. I am more than happy to facilitate some Conference calls. I am very excited to be having you two as speakers and to do this seminar. I think our members will definitely appreciate it!

*Danielle Holland-Htut, Program Specialist  
New Jersey State League of Municipalities  
222 West State Street Trenton, NJ 08608  
Phone: 609-695-3481 ext 118  
Fax: 609-695-0151  
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**From:** [xxxxxxx@xxxxx.xxx](mailto:xxxxxxx@xxxxx.xxx)  
**To:** [xxxxxxx@xxxxxxxxxxx.xxx](mailto:xxxxxxx@xxxxxxxxxxx.xxx); [xxxxxxxxxxx@xxxxx.xxx](mailto:xxxxxxxxxxx@xxxxx.xxx)  
**Subject:** NJLM OPRA Seminar  
**Date:** Wednesday, January 24, 2018 2:50:20 PM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[OPRA In Depth.docx](#)  
**Importance:** High

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Good Afternoon Carl and Lew,

We are a go for the OPRA seminar on Privacy issues such as Body Cams, Security Cams, Dash Cams, etc. I have the date set for April 16, 2018 at the DoubleTree Hotel in Tinton Falls.

By way of this email I am introducing you to each other. I would like to get an agenda set for this event. The program will run 9:00am-12:30 pm with a 15 minute networking break. In order to get everything started I have to have a short description of the program for a promotional agenda. Attached here is draft agenda. What I need is a more detailed description that lays out the outline of the seminar. In addition, please let me know if I got your titles correct.

I would like to start getting the CEU application and promotion for this in the next couple of weeks. So I would need the agenda done by February 7. Remember, the agenda is just a brief outline for folks to know about the program, it does not need to be whole program. I already have half of it done I just need a better description.

As for the layout of the seminar, you can either tag team or pick certain areas to speak on. I am happy to set up a conference call or two for you so can discuss or you can go by email. Either way let me know. I am more than happy to facilitate some Conference calls. I am very excited to be having you two as speakers and to do this seminar. I think our members will definitely appreciate it!

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Hey Lori,

Did you have an ideas for an OPRA seminar? Attached is a preliminary idea we were working on before Christmas. I 'd like to get a program out by March(before all of the Affiliate Conferences).

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