



City of Linden
UNION COUNTY, NEW JERSEY

OFFICE OF CITY CLERK
City Hall – 301 North Wood Avenue
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Joseph C. Bodek, RMC, RPPO
City Clerk

Jennifer Honan
Deputy City Clerk

April 8, 2021

Bernie Wright
opra+request-20672-6339ac65@requests.opramachine.com

File Number: 2021-251

Re: OPRA Request – Records

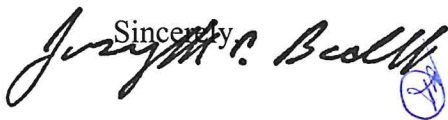
Dear Bernie Wright:

The City of Linden received your Open Public Records Act (OPRA) request on March 25, 2021. The official Records Custodian, Joseph C. Bodek, received your OPRA request on March 25, 2021.

You requested the following: See Attached

Currently, your request fails to identify with reasonable clarity the specific government records sought, as is required by Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App. Div.2005). At this time, we request clarification of your OPRA request, as it is overly broad “all”, for example we need a specific time period. We need clarification in order to process your request. Respond in writing and identify the specific government records sought so that we may process your request. Failure to provide written clarification of your request will result in the closure of this OPRA request.

Generally, a custodian is required to allow for inspection or copying of government records “during regular business hour.” N.J.S.A. 47:1A-5(a). Moreover, OPRA provides that a custodian must respond to an OPRA request “no later than seven days after receiving the request.” Enacted on March 20, 2020, P.L. 2020, c.10 amended N.J.S.A 47:1A-5(a) that OPRA’s statutory deadlines do not apply for the duration of a Governor-declared state of emergency pursuant to a public health emergency under the Emergency Health Powers Act (N.J.S.A. 26:13-1 et seq.)

Sincerely,


Joseph C. Bodek
Custodian of Records
City of Linden

New Jersey Government Records Council ("GRC")



What to do if your request for a record has been denied

The New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.) permits a person who believes that he or she has been unlawfully denied access to a public record either to file a complaint with the GRC or to file suit in Superior Court to challenge the decision and compel disclosure. This poster describes the procedures for taking such actions.

To file a complaint with the GRC:

- Visit the GRC's website at www.nj.gov/grc for information and to register your complaint. In the alternative, you may contact the GRC by telephone at 1-866-850-0511 or by e-mail at government.records@dca.nj.gov.
- When you file the written complaint, the GRC will offer both you and the public agency non-adversarial, impartial mediation. If mediation is not accepted or is not successful, the GRC will investigate the complaint.
- In some cases, the GRC can award attorney's fees to a complainant or impose a fine against a records custodian.
- There is no fee to file a complaint with the GRC.

To file a complaint in Superior Court:

- A requestor may start a summary (expedited) lawsuit in the Superior Court. A written complaint and order to show cause must be filed with the court.
- The court requires a filing fee, and you must serve the lawsuit papers on the appropriate parties.
- The court will schedule a hearing to resolve the dispute.
- If you disagree with the court's decision, you may appeal the decision to the Appellate Division of the Superior Court.
- If you are successful, you may be entitled to reasonable attorney's fees.
- You may wish to consult with an attorney to learn about initiating and pursuing a summary lawsuit in the Superior Court.
- Filing suit in Superior Court may result in a faster resolution, because the courts adjudicate cases every day, whereas the GRC only meets once a month.

Government Records Council, P.O. Box 819, Trenton, New Jersey 08625-0819

Notice to DPW essential employees

Bernie Wright made this OPRA request to Linden City

Follow

1 follower

2021-251

Waiting for an **internal review** by Linden City of their handling of this request.

Bernie Wright **February 28, 2021**

Unknown

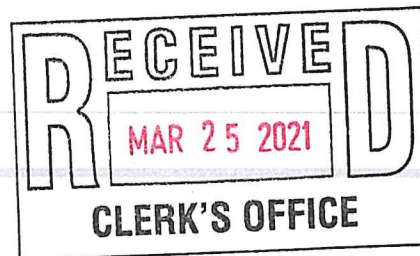
Dear Linden City,

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

Records requested:

Memo, letter, email, notice, communication given to DPW employees notifying them of being essential workers.

Yours faithfully,
B Wright



Bernie Wright **March 20, 2021**

Unknown

Dear Linden City,

Please provide update to my 2-28-2021 opira request.

Yours faithfully,

Bernie Wright