

SENDZIK & SENDZIK

A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW

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JAY C. SENDZIK*
KATE SENDZIK HAINES

JANICE L. RICHTER
Of Counsel

*1977-2021

January 4, 2024

Mike

Opra+request-56355-24319a21@requests.opramachine.com

RE: OPRA Request

Dear Mike:

The South Brunswick Board of Fire Commissioners for the South Brunswick Fire District No. 3 received your Open Public Records Act (OPRA) request on December 22, 2023. This response is being provided to you on January 4, 2024.

Your OPRA request sought access to the following: “ all emails, correspondence regarding the OPRA request by Bobby on November 27, 2023. Please provide all communication to either fulfill or hide documents as sent to Mr. Amin.”

The following documents are responsive to your request:

1. December 11, 2023 email Alkesh Amin to Kate Haines, Esq. (2 pages), exempt pursuant to N.J.S.A. 47:1A-1.1 as within attorney/client privilege;
2. December 11, 2023 letter to Bobby from Sendzik & Sendzik, responding to OPRA request dated November 27, 2023;
3. Form of Resolution No. 2023 forwarded to South Brunswick Board of Fire Commissioners by Kate Haines, Esq.;
4. Resolution of the Board of Fire Commissioners, South Brunswick Fire District N. 3, Authorizing Closed Session dated November 14, 2023 (not approved until November meeting minutes approved on December 12, 2023) (2 pages) (enclosed);
5. December 26 2023 email from Alkesh Amin to Sendzik & Sendzik re OPRA Request, November 27, 2023 Bobby (1 page), exempt pursuant to the attorney/client privilege as set forth in N.J.S.A. 47:1A-1.1.

The Records Custodian represents and affirms to this office that the enclosed non-privileged documents are the entire documentation relative to your request. If you believe

Mike

Opra+request-56355-24319a21@requests.opramachine.com

January 4, 2023

that your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision . At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at (866) 850-0511, by mail at P.O. Box 819, Trenton, New Jersey 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in the Superior Court should be directed to the Court Clerk in your county.

Very truly yours,

SENDZIK & SENDZIK, P.C.

A handwritten signature in black ink, appearing to read 'KATE SENDZIK HAINES', with a large, stylized loop at the beginning.

KATE SENDZIK HAINES, ESQ.

KSH:jj

Encl.

cc: Alkesh Amin, Fire Commissioner (w/encl.)

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JAY C. SENDZIK*
KATE SENDZIK HAINES

JANICE L. RICHTER
Of Counsel

*1977-2021

December 11, 2023

Bobby

Opra+request-55573-0eff7035@requests.opramachine.com

RE: OPRA Request Dated November 27, 2023

Dear Bobby:

The South Brunswick Board of Fire Commissioners for the South Brunswick Fire District No. 3 received your Open Public Records Act (OPRA) request sent on November 27, 2023. This response is being provided to you on December 11, 2023. Your OPRA request sought access to the following: "All reports, emails, policies, memos written in regards of the Board being notified from Mr. Paff of policies not being followed. Include any reports of action taken to correct this conduct."

The South Brunswick Fire District No. 3 has no documents responsive to your request.

If you believe that your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at (866) 850-0511, by mail at P.O. Box 819, Trenton, New Jersey 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in the Superior Court should be directed to the Court Clerk in your county.

Very truly yours,

SENDZIK & SENDZIK, P.C.

KATE SENDZIK HAINES, ESQ.

KSH:jj

cc: board@sbfiredistrict3.com (w/o encl.)

Resolution No. 2023

RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO N.J.S.A. 10:4-12 AND 13

WHEREAS, Chapter 231 Public Law of 1975 as amended (N.J.S.A. 10:4-6 et seq.), known and cited as the "Senator Bryan M. Baer Open Public Meetings Act", also known as the "Sunshine Law", authorizes a public body to meet in closed session (exclude the public) under certain limited circumstances; and

WHEREAS, said Act (N.J.S.A. 10:4-13) requires the Board to adopt a resolution at a public meeting before it can meet in closed session.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, that the public body has determined:

1. That it is necessary to meet in closed session, under N.J.S.A. 10:4-12(b)(), on the ____ day of _____, 2023, to discuss _____; and

2. That the matter(s) discussed will be made public if and when confidentiality is no longer required and action pursuant to said discussion shall take place only at a meeting open to the public; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey

Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

Board of Commissioners Recorded Vote

Member	Motion	Second	Aye	Nay	Abstain	Absent
Steve Manobianco						
John Brindley						
Brian Wojaczyk						
Alkesh Amin						
Agostino Racanati						

CERTIFICATION

I, BRIAN WOJACZYK, Clerk of the Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the ____ day of _____, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, is composed of - 5 - members, and that - - members were present and - - members voted affirmatively for the adoption of the Resolution and - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, on this ____ day of _____, 2023.

BRIAN WOJACZYK, CLERK
Board of Fire Commissioners
Fire District No. 3
Township of South Brunswick

RESOLUTION AUTHORIZING CLOSED SESSION
PURSUANT TO N.J.S.A. 10:4-12 AND 13

WHEREAS, Chapter 231 Public Law of 1975 as amended (N.J.S.A. 10:4-6 et seq.), known and cited as the "Senator Bryan M. Baer Open Public Meetings Act", also known as the "Sunshine Law", authorizes a public body to meet in closed session (exclude the public) under certain limited circumstances; and

WHEREAS, said Act (N.J.S.A. 10:4-13) requires the Board to adopt a resolution at a public meeting before it can meet in closed session.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, that the public body has determined:

1. That it is necessary to meet in closed session, under N.J.S.A. 10:4-12(b)(), on the 19 day of November, 2023, to discuss 1) Salary/Payroll Alignment Study for 2024 2) OPRA Request Process 3) Board Communication using established Chain of Command (Pres + Chief); and

2. That the matter(s) discussed will be made public if and when confidentiality is no longer required and action pursuant to said discussion shall take place only at a meeting open to the public; and

BE IT FURTHER RESOLVED, that the within Resolution shall be effective immediately upon passage; and

BE IT FURTHER RESOLVED, that any resolution or part of a resolution inconsistent herewith is hereby repealed or otherwise revoked; and

BE IT FURTHER RESOLVED, that if any section, paragraph, sentence, clause or phrase in this Resolution is for any reason held or determined to be unconstitutional or invalid, same shall not affect the remainder of this Resolution; and

BE IT FURTHER RESOLVED, that notwithstanding anything set forth herein to the contrary, the Board shall be permitted to amend, modify, repeal or otherwise act as to those topics which are the subject of this Resolution provided said acts are consistent with public policy, Board bylaws, township ordinances, local, state and federal laws and rules and regulations promulgated thereunder; and

BE IT FURTHER RESOLVED, that an original signed, conformed and compared copy of this Resolution be accessible and maintained as an official Board record pursuant to and in accordance with the "Open Public Records Act"; N.J.S.A. 47:1A-1, *et seq.* and the "Destruction of Public Records Law (1953)"; N.J.S.A. 47:3-8.1, *et seq.* as set forth by the State of New Jersey Municipal Agency Record Retention Schedule promulgated by the Division of Archives and Record Management.

Board of Commissioners Recorded Vote

Member	Motioned	Seconded	Aye	Nay	Abstain	Absent
Steve Manobianco			✓			
John Brindley			✓			
Brian Wojaczyk			✓			
Alkesh Amin	✓		✓			
Agostino Racanati		✓	✓			

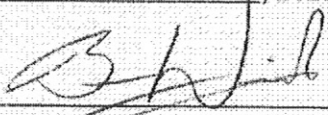
CERTIFICATION

I, **BRIAN WOJACZYK**, Clerk of the Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, do hereby certify that the foregoing is a true conformed and compared copy of an original Resolution now on file and of record in the District office which was duly adopted at a public meeting held on the 14 day of November, 2023.

I do further certify that the said Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, is composed of - 5 - members, and that - 5 - members were present and - 5 - members voted affirmatively for the adoption of the Resolution and - 0 ^{Nov 14/23} - members voted against the adoption of the Resolution.

The undersigned further certifies that the above Resolution has not been repealed or amended and remains in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of said Board of Fire Commissioners of Fire District No. 3, Township of South Brunswick, County of Middlesex, State of New Jersey, on this 14 day of November, 2023.


BRIAN WOJACZYK, CLERK
Board of Fire Commissioners
Fire District No. 3
Township of South Brunswick