



**CITY OF NORTH WILDWOOD
OPEN PUBLIC RECORDS ACT REQUEST FORM**

901 Atlantic Avenue
North Wildwood, NJ 08260
Phone: 609-522-2030 FAX: 609-522-6180
W. Scott Jett, City Clerk
sjett@northwildwood.com



Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name Diane MI E Last Name Fegley
E-mail Address dianefegley@gmail.com
Mailing Address 1002 S Bradford St
City Allentown State PA Zip 18103
Telephone 215-7049497 FAX _____
Preferred Delivery: Pick Up _____ US Mail _____ On-Site Inspect _____ Fax _____ E-mail ☒
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature Diane Fegley Date 8/17/17

Payment Information

Maximum Authorization Cost \$ _____
Select Payment Method
Cash _____ Check _____ Money Order _____
Fees: Letter size pages - \$0.05 per page
Legal size pages - \$0.07 per page
Other materials (CD, DVD, etc) – actual cost of material
Delivery: Delivery / postage fees additional depending upon delivery type.
Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

Police Report # 17-31991

RECEIVED

AUG 17 2017

Report Already Emailed.

records

AGENCY USE ONLY

Est. Document Cost _____
Est. Delivery Cost _____
Est. Extras Cost _____
Total Est. Cost _____
Deposit Amount _____
Estimated Balance _____
Deposit Date _____

AGENCY USE ONLY

ation 11-17 Final Cost
Total _____
Deposit _____
Balance Due _____
Balance Paid _____
Records Provided _____

Your Copy

Chin

Filled - Closed _____
Partial - Closed _____

Custodian Signature _____

Date _____

121.17

11.15

11.15

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. Response is due to requestor as soon as possible, but no later than seven business days.)

N.J.S.A. 47:1A-1.1

- ☒ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☒ Legislative records
- ☒ Law enforcement records:
 - ☒ Medical examiner photos
 - ☒ Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - ☒ Victims' records
- ☒ Trade secrets and proprietary commercial or financial information
- ☒ Any record within the attorney-client privilege
- ☒ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☒ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- ☒ Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software
- ☒ Information which, if disclosed, would give an advantage to competitors or bidders
- ☒ Information generated by or on behalf of public employers or public employees in connection with:
 - ☒ Any sexual harassment complaint filed with a public employer
 - ☒ Any grievance filed by or against an employee
 - ☒ Collective negotiations documents and statements of strategy or negotiating
- ☒ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☒ Information that is to be kept confidential pursuant to court order
- ☒ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☒ Social security numbers
- ☒ Credit card numbers
- ☒ Unlisted telephone numbers
- ☒ Drivers' license numbers
- ☒ Certain records of higher education institutions:
 - ☒ Research records
 - ☒ Questions or scores for exam for employment or academics
 - ☒ Charitable contribution information
 - ☒ Rare book collections gifted for limited access
 - ☒ Admission applications
 - ☒ Student records, grievances or disciplinary proceedings revealing a students' identification
- ☒ Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- ☒ Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- ☒ Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.
- ☒ Public defender records N.J.S.A. 47:1A-5.k.
- ☒ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- ☒ Personnel and pension records (however, the following information must be disclosed:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

- ☐ "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."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- ☒ Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- ☒ Records exempted from disclosure by State agencies' proposed rules.

Executive Order No. 26 (McGreevey 2002)

- ☒ Certain records maintained by the Office of the Governor
- ☒ Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- ☒ Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- ☒ Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- ☒ Information in a personal income or other tax return
- ☒ Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- ☒ Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- ☒ Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.2.
(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☐ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the **City of North Wildwood**, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the **City of North Wildwood**.
5. *You may be charged a 50% or other deposit when a request for copies exceeds \$25.* The **City of North Wildwood** custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, the **City of North Wildwood** must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If the **City of North Wildwood** is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. If 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 by the **City of North Wildwood** to deny access. 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 PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.

NWPD Records

From: NWPD Records <records@nwpd.org>
Sent: Monday, August 21, 2017 3:45 PM
To: 'dianefegley@gmail.com'
Subject: FEGLEY.pdf
Attachments: FEGLEY.pdf

Good Afternoon Ms. Fegley,

Attached is the requested report 17-31991.

Have a nice day. ☺

Christine Keefe

Records Clerk II
North Wildwood Police Department
901 Atlantic Avenue
North Wildwood, NJ 08260
609-522-2030 x 1505
609-846-9960 Fax
records@nwpd.org



North Wildwood Police Department

901 Atlantic Avenue, North Wildwood, NJ 08260
Phone: 609-522-2411 Fax: 609-522-0412 Mun. Code: 0507
Operations Report



Incident Details:									
Case Number	Time Reported	Date Reported	Time Occurred	Date Occurred	Occurrence Between Date / Time of	Time Occurred	Date Occurred	911	Complete
17-31991	17:04	08/16/17							X

Incident Type:	Incident Location:
Neighbor Dispute	Street # Street Name 336 E 21st Avenue Intersection / Cross Street of: Business / Common Location Name

Contact Information: Victim Suspect Complainant Witness Driver Arrest Passenger Missing Business Other									
Code	Contact Name #1	MI	Suffix	Age	Sex	Race	DOB	SSN	
C	Rose, Jacqueline	N		21	F	1B	08/25/1995		
Address						Home Phone		Cell Phone	
Code	Contact Name #2	MI	Suffix	Age	Sex	Race	DOB	SSN	
S		C							
Address						Home Phone		Cell Phone	
Code	Contact Name #3	MI	Suffix	Age	Sex	Race	DOB	SSN	
Address						Home Phone		Cell Phone	
Code	Contact Name #4	MI	Suffix	Age	Sex	Race	DOB	SSN	
Address						Home Phone		Cell Phone	

Property Information:							
Value of Stolen Property	Currency	Jewelry	Furs	Clothing	Auto	Misc.	Total
Value of Stolen Property Recovered							

Automobile Information:								
1	Vehicle Code	Year	Make	Body Type	Color	Registration	State	VIN
2								
3								
4								

Narrative:
Narrative On August 16, 2017 I was advised by Chief Gallagher that there had been an incident at 340 E. 21st Avenue regarding a dispute between neighbors. I contacted the complainant, Jacqueline Rose, who stated that as she was leaving for work at approximately 1530hrs., a silver colored Honda Odyssey (PA-JRN6533) was blocking her driveway. Ms. Rose noticed the vehicle owner, later identified Stephen C. Judge, standing outside of his vehicle with the doors open, as if they were unloading their luggage. Ms. Rose engaged Mr. Judge and requested he move his vehicle to allow her to go to work. Mr. Judge advised Ms. Rose that she had plenty of room to get by and that he wasn't going to move his vehicle. ***Continued on Next Page***

Officer of Record:	Date:	Other Reports Filed:	Reviewed By:
Det. Mark Elliott 256	08/16/17	MVA Arrest DV DWI DWIQ Tow SD CI TRO SHA Prop. Evdn UOF Prst Supp Juv Bias Pris	234



North Wildwood Police Department
901 Atlantic Avenue, North Wildwood, NJ 08260
Phone: 609-522-2411 Fax: 609-522-0412 Mun. Code: 0507
Operations Report



Narrative Continued (Page 2)

Case Number

17-31991

Ms. Rose requested Mr. Judge to move the vehicle several more times. During this time, Mr. Judge called Ms. Rose several vulgar names while his young children were present. After going back and forth multiple times Mr. Judge moved his vehicle and Ms. Rose proceeded to work.

I then traveled to the area of 300 E. 21st Avenue with Ofc. Eric Nevil #253 to speak with Mr. Judge. I met with Mr. Judge at 336 E. 21st Avenue and advised him of the incident. Mr. Judge stated that upon arriving at their residence a lawn cutting service was blocking his driveway and parked elsewhere until they were completed. Mr. Judge further stated that it was wrong of him to call Ms. Rose the vulgar names and that it won't continue. I advised Mr. Judge if he had any further issues in the future to contact the North Wildwood Police Department.

End of Report

Officer of Record:

Date:

Det. Mark Elliott 256

08/16/17