

New Jersey Government Records Council Denial of Access Complaint

Please read these instructions before completing this form:

- This form is to be used only for claims of denial of access to government records that you want the Government Records Council (GRC) to decide. Your request must have been made on or after July 8, 2002 under "OPRA," the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).
- Please print or type your responses, and provide ALL information requested. Incomplete forms will delay processing. This form is available in downloadable format from the GRC web site at www.nj.gov/grc.
- Only one complaint is required for each OPRA request form, regardless of the number of documents sought in the request.
- The GRC recommends that you keep a copy of this complaint for your own files.
- MAIL, FAX, OR E-MAIL THIS COMPLAINT AND ALL SUPPORTING DOCUMENTATION TO:

Government Records Council
PO Box 819
Trenton, NJ 08625-0819

Fax: (609) 633-6337
E-mail: grc@dca.state.nj.us

1. About the Requester of the Records:

Full Name: JOHN GENTLESS
Mailing Address: 111 UNION AVE
City: STRATFORD State: NJ ZIP: 08084
Please provide a phone number at which GRC staff can contact you between 8 A.M.-5 P.M., Monday-Friday: 609-929-9209
Fax Number: 856-772-9220
E-Mail Address: DRJOHN.FOOT@AOL.COM

If you are represented by an attorney in this matter, please provide:

Name: N/A Phone Number: N/A
Address: N/A Fax Number: N/A
E-mail Address: N/A

If you are an attorney who requested records and are filing this complaint on behalf of a client, please state the client's name:

N/A

2. About the Custodian of Records:

Name of the public agency from which records were requested: STRATFORD BOROUGH
Name of custodian on whom records request was submitted: BEN ANGELI
Telephone Number: 856-783-0600 E-Mail address (if used): BEN ANGELI@STRATFORDNJ.ORG
Name of custodian who denied records request (if different from above): N/A
Telephone Number: N/A E-Mail address (if used): N/A
Fax Number: N/A

GRC Denial of Access Complaint

GRC Use Only

3. About the Record Request:

Date your records request was provided to the custodian: 6-13-18

Did you receive a reply to your request?

Yes ☒

No ☐

If so, state the date your request was denied: 6-18-18

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes ☐

No ☒

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____

Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes ☐

Date: _____

No ☒

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No ☒

Yes ☐

If Yes, Docket Number: _____

4. Offer of Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation?

Yes ☐

No ☒

5. Documents to submit with this Form:

- ☐ Complete the attached **Records Denied List** to describe the records to which you were denied access.
- ☐ Attach a copy of the OPRA Records Request form you filed with the public agency and any correspondence between you and the record custodian(s) or custodial agency staff that concern the portion of your OPRA request that was denied. Be sure to include any e-mail, memoranda, phone messages, or any other documents such as affidavits, or certifications related to the request and the denial.
- ☐ Summarize the facts of this complaint by writing the content, time and date of any interaction you had with the custodian regarding the OPRA records request that is the subject of this complaint. Use the attached **Detail Summary** for this purpose.
- ☐ Provide any legal arguments, allegations or other information you would like the GRC to consider in deciding this complaint. Use the attached **Detail Summary** for this purpose.
- ☐ Sign the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm that:

- I am the person who submitted the OPRA request for records which is the subject of this Complaint;
- The information I have provided is true to the best of my knowledge and belief;
- The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
- I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
- I am simultaneously providing a copy of this complaint to the Custodian of Records.


Signature (required)

7-1-18
Date

**New Jersey Government Records Council
Denial of Access Complaint - Detail Summary**

Use this form to summarize the content, time and date of any conversations regarding this complaint,
along with the names of the participants and any witnesses.

July 1st, 2018

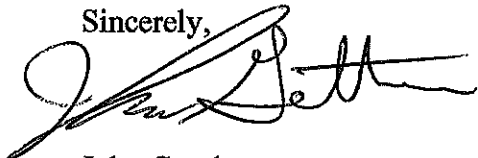
John Gentless
111 Union Ave
Stratford, NJ 08084

Dear General records Council,

The Borough of Stratford Camden County received my OPRA request on June 13th, 2018. (See Exhibit A). The official records custodian who is a non-certified borough clerk is Mr. Ben Angeli. Mr. Angeli received my request on June 13th, 2018 and responded back to me stating he was in receipt of my request on June 18th, 2018. In this email he stated the 7 day business deadline is June 22nd, 2018 however he is asking for an extension until July 13th, 2018. The question I have is how can he arbitrarily give himself a 25 day extension when he just received this request? (See Exhibit B). I responded via email agreeing to a June 30th deadline. (See Exhibit C). On June 18th 2018 Mr Angeli responds via email stating he will have all responses sent to me ASAP but will still be using the July 13th deadline which is 21 days past the normal seven (7) business day deadline.

My request for access to a government record has been denied within the seven (7) business days required by law and seventeen (17) days after I agreed to a June 30th deadline which I thought was reasonable.

Sincerely,



John Gentless
609-929-9209

6/29/2018

RE: OPRA Request

From: Angeli, Ben <BenAngeli@stratfordnj.org>
To: John Gentless <Drjohnfoot@aol.com>
Subject: RE: OPRA Request
Date: Mon, Jun 18, 2018 2:47 pm

I will send you all responses that I have ASAP, but will be using 7-13-18 as the last date to respond.

Ben Angeli

Municipal Clerk

Borough of Stratford

307 Union Avenue

Stratford, New Jersey 08084

Phone 856-783-0600

Fax 856-783-7949

EXHIBIT D

From: John Gentless [Drjohnfoot@aol.com]
Sent: Monday, June 18, 2018 2:40 PM
To: Angeli, Ben
Subject: Re: OPRA Request

EXHIBIT C

I will agree to an extension no later than June 30

Sent from my iPhone

- > On Jun 18, 2018, at 12:58 PM, Angeli, Ben <BenAngeli@stratfordnj.org> wrote:
>
> We received your Open Public Records Act (OPRA) request on 6-13-18. The official Records Custodian, Ben Angeli, received your OPRA request on 6-13-18. As such, the seven (7) business day deadline to respond to your request is 6-22-18.
>
> Your OPRA request sought access to the following:
>
> I am requesting all meeting notes, emails meeting recordings and any other written correspondence that the mayor, council, borough clerk or borough solicitor had with Mr. Weissberg and any of his associates regarding the proposed 53 townhouse project on Berlin Road commonly known on the tax map as Lot 53 blocks 2 & 3 from 1/1/18 - 6/8/18.
>

> Your request requires additional time beyond the seven (7) business days to fulfill because of the size of the request. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

EXHIBIT B

> Your request requires an extension of time until 7-13-18. (I will get you the information as soon as I am able to collect it from the different individuals.

> 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 [insert name of Agency] 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 P.O. 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 GRC 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.

> Sincerely,

> Ben Angeli

> Municipal Clerk

> Borough of Stratford

> 307 Union Avenue

> Stratford, New Jersey 08084

> Phone 856-783-0600

> Fax 856-783-7949

> From: John Gentless [Drjohnfoot@aol.com]

> Sent: Wednesday, June 13, 2018 9:12 AM

> To: Angeli, Ben

> Subject: Fwd: OPRA Request

EXHIBIT A

>> OPRA Request

>> I am requesting all meeting notes, emails meeting recordings and any other written correspondence that the mayor, council, borough clerk or borough solicitor had with Mr. Weissberg and any of his associates regarding the proposed 53 townhouse project on Berlin Road commonly known on the tax map as Lot 53 blocks 2 & 3

6/29/2018

RE: OPRA Request

from 1/1/18 - 6/8/18.

>>

>> John Gentless

>>

>>

GRC Use Only

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- ☒ The GRC recommends that you keep a copy of this complaint for your own files.

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Government Records Council
PO Box 819
Trenton, NJ 08625-0819

Fax: (609) 633-6337
E-mail: Government.Records@pdc.nj.gov
Online: eform.nwg.nj.gov

1. About the Requester of the Records:

Full Name: JOHN GENTLESS

Mailing Address: 111 UNION AVE

City: STRATFORD State: NJ Zip: 08084

Please provide a phone number at which GRC staff can contact you between 9 A.M.-5 P.M., Monday-Friday:

609-929-9209

Fax Number: 856-772-9220

E-Mail Address: DRJOHNFOUR@AOL.COM

If you are represented by an attorney in this matter, please provide:

Name: N/A Phone Number: N/A

Address: N/A Fax Number: _____

E-mail Address: _____

If you are an attorney who requested records and are filing this complaint on behalf of a client, please state the client's name:

N/A

2. About the Custodian of Records:

Name of the public agency from which records were requested:

STRATFORD BOROUGH

Name of custodian to whom records request was submitted:

BEN ANGELI

Telephone Number: 856-783-0600

E-Mail Address (if used): BENANGELI@STRATFORDNJ.GOV

Name of custodian who denied records request (if different from above):

N/A

Telephone Number: N/A

E-Mail Address (if used): _____

Fax Number: N/A

GRC Denial of Access Complaint

GRC Use Only

3. About the Record Request:

Date your records request was provided to the custodian: 3-14-18

Did you receive a reply to your request?

Yes ☒No ☐If so, state the date your request was denied: 3-14-18

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes ☐No ☒

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____

Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes ☐

Date: _____

No ☒

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No ☐Yes ☒

If Yes, Docket Number: _____

4. Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation?

Yes ☐No ☒

5. Documents to submit with this Form:

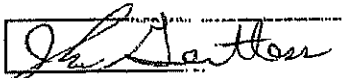
- ☒ Complete the attached **Records Denied List** to describe the records to which you were denied access.
- ☒ Attach a copy of the OPRA Records Request form you filed with the public agency and any correspondence between you and the record custodian(s) or custodial agency staff that concern the portion of your OPRA request that was denied. Be sure to include any e-mail, memoranda, phone messages, or any other documents such as affidavits, or certifications related to the request and the denial.
- ☒ Summarize the facts of this complaint by writing the content, time, and date of any interaction you had with the custodian regarding the OPRA records request that is the subject of this complaint. Use the attached **Detail Summary** for this purpose.
- ☒ Provide any legal arguments, allegations, or other information you would like the GRC to consider in deciding this complaint. Use the attached **Detail Summary** for this purpose.
- ☒ If applicable, until the Complainant's Counsel submits a formal letter of representation to all parties, the GRC will communicate exclusively with the Complainant. See N.J.A.C. 5:105-1.3 & 2.2;
- ☒ Sign the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm under penalty of perjury that:

- ☒ I am the person who submitted the OPRA request for records which is the subject of this Complaint;
- ☒ The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
- ☒ I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
- ☒ I am simultaneously providing a copy of this complaint to the Custodian of Records.
- ☒ The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment pursuant to the New Jersey Court Rule 1:4-4.

Signature Field


 Signature (required)

Date

5-8-18

May 8, 2018

John Gentless
111 Union Ave
Stratford, NJ 08084

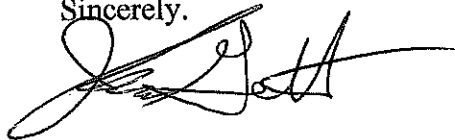
Dear General Records Council,

The Borough of Stratford Camden County received my OPRA request on March 14th, 2018. (Exhibit A). The official records custodian Mr. Ben Angeli also received my request via email on March 14th, 2018. As such the seven business day deadline was to be March 23, 2018. The records custodian responded back to me on March 19th and stated he was in receipt of my OPRA request. (Exhibit B). He immediately asked for an extension to April 26, 2018. I responded via email and stated I need the documents by April 10, 2018 (Exhibit C) in advance of my court case against the borough on April 16, 2018. (Exhibit A-1 & A-2).

On April 17th, 2018 the day after our court date the custodian of records Mr. Angeli finally sent me the documents I requested. (Exhibit D)

My request for access to a government record has been denied within the seven (7) business days required by law. I gave an extension to April, 10th 2018 (27 days) for which I thought was reasonable. However, I am filing this complaint with the government records council since these records were not sent to me until the day after my court date.

Sincerely.

A handwritten signature in black ink, appearing to read 'John Gentless', with a long horizontal flourish extending to the right.

John Gentless
609-929-9209

EXHIBIT

A-2

John Gentless
11 Union Avenue
Stratford, New Jersey 08084
Plaintiff *Pro Se*

JOHN GENTLESS,

Plaintiff,

vs.

MAYOR AND BOROUGH COUNCIL
OF THE BOROUGH OF STRATFORD,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
CAMDEN COUNTY

DOCKET NO. CAM-L-3344-17

CIVIL ACTION

TRIAL BRIEF

EXHIBIT
A-1

CVM1036
PAGE: 0001

AUTOMATED CASE MANAGEMENT SYSTEM
PROCEEDING LIST

03/05/18
8:06

VENUE : CAMDEN COURT : LAW CVL DOCKET # : CAM L 003344 17
CASE TITLE : STRATFORD CITIZENS FOR RESPONSIBLE DEV INC VS MAYO

----- C A S E P R O C E E D I N G S -----									
	PROCEEDING	MOTION	MOTION	SESSION	COURT	PROCEED	JUDGE	PROCEEDING	
S	TYPE	DOC/TYPE	STATUS	DATE	ROOM	TIME	ID	STATUS	BY:VIA:
	OTHR PROC			04 16 18 63		10 00	DSK01	PENDING	
	MOTION HRG	4 M52	WTHDRW MTN	12 01 17 63		08 30	DSK01	CANCEL	
	MOTION HRG	4 M52		11 16 17 64		08 30	DSK01	RSCHED	
	CSE MNG CF			11 01 17 63		08 30	DSK01	COMPLETED	

CV900123 END OF SEARCH

PF1-PROCD-RECORD PF2-CANC-PROCD
PF4-PROMPT PF9-RELATED-CASE-LIST

PF7-PRIOR PF8-NEXT PF22-HELP:

4/28/2018

OPRA REQUEST 2017-03-09

From: Angeli, Ben <BenAngeli@stratfordnj.org>

To: drjohnfoot <drjohnfoot@aol.com>

Subject: OPRA REQUEST 2017-03-09

Date: Tue, Apr 17, 2018 1:39 pm

Attachments: 20180417133052797.pdf (642K)

EXHIBIT
D

In response to your OPRA REQUEST #2018-03-09, please find the information included with this cover letter.

Should you disagree with my finding, please allow me the opportunity to converse with you for potential further clarification before proceeding with steps listed below.

If you feel a record has been denied or omitted, please see information below as to you options:

C.47:1A-6 Proceeding to challenge denial of access to record.

A person who is denied access to a government record by the custodian of the record, at the option of the requester, may:

- Institute a proceeding to challenge the custodian's decision by filing an action in Superior Court which shall be heard in the vicinage where it is filed by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records; or
- In lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to section 8 of P.L. 2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to reasonable attorney's fee.

Ben Angeli,

Municipal Clerk

BOROUGH OF STRATFORD

307 Union Avenue

Stratford, New Jersey 08084

Phone 856-783-0600

Fax 856-783-7949

From: John Gentless <Drjohnfoot@aol.com>

To: Angeli, Ben <BenAngeli@stratfordnj.org>

Subject: Re: OPRA Request

Date: Mon, Mar 19, 2018 12:08 pm

~~EXHIBIT~~ I need it before April 10th

C Sent from my iPhone

On Mar 19, 2018, at 8:41 AM, Angeli, Ben <BenAngeli@stratfordnj.org> wrote:

We received your Open Public Records Act (OPRA) request on 3-14-18. The official Records Custodian, Ben Angeli, received your OPRA request on 3-14-18. As such, the seven (7) business day deadline to respond to your request is 3-23-18.

Your OPRA request sought access to the following:

I am requesting all emails and all attachments/hand written documents meeting dates and notes from Dec. 28th 2017 til March 13th 2018 from 1) the redevelopment solicitor 2) redevelopment planner 3) Mayor and council 4) Borough Solicitor 5) Borough Clerk 6) JLUB members 7) Incollingos redevelopment committee with regards to any conversation these individuals may have had with Manny Sethi and/or his son Kavneet regarding the redevelopment of the Incollingo's Shopping Center.

In order to reply in a timely manner, I have given each request a separate OPRA REQUEST #:

2018-03-08 - 1) the redevelopment solicitor
2018-03-09 - 2) redevelopment planner
2018-03-10 - 3) Mayor and council
2018-03-11 - 4) Borough Solicitor
2018-03-12 - 5) Borough Clerk
2018-03-13 - 6) JLUB members
2018-03-14 - 7) Incollingos redevelopment committee

Your request requires additional time beyond the seven (7) business days to fulfill because of the size of the request. OPRA allows

custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied."

~~EXHIBIT~~ B Your request requires an extension of time until 4-26-18.

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 [insert name of Agency] 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 P.O. 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 GRC 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.

Sincerely,

Ben Angeli
Municipal Clerk
Borough of Stratford
307 Union Avenue
Stratford, New Jersey 08084
Phone 856-783-0600
Fax 856-783-7949

From: drjohnfoot@aol.com [drjohnfoot@aol.com]

Sent: Wednesday, March 14, 2018 6:29 PM

To: Angeli, Ben

Subject: OPRA Request

~~EXHIBIT~~ A

OPRA Request

EXHIBIT
A

I am requesting all emails and all attachments/hand written documents meeting dates and notes from Dec. 28th 2017 til March 13th 2018 from 1) the redevelopment solicitor 2) redevelopment planner 3) Mayor and council 4) Borough Solicitor 5) Borough Clerk 6) JLUB members 7) Incollingos redevelopment committee with regards to any conversation these individuals may have had with Manny Sethi and/or his son Kavneet regarding the redevelopment of the Incollingo's Shopping Center.

John Gentless

New Jersey Government Records Council Denial of Access Complaint

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- ☒ MAIL, FAX, OR E-MAIL THIS COMPLAINT AND ALL SUPPORTING DOCUMENTATION TO:

Government Records Council
PO Box 819
Trenton, NJ 08625-0819

Fax: (609) 633-6337

E-mail: Government.Records@dca.nj.gov

Online: cform.mwg.nj.gov

RECEIVED
JUL 28 PM 12 17
NJ GOVERNMENT RECORDS COUNCIL

1. About the Requester of the Records:

Full Name: John Allen
Mailing Address: PO Box 211
City: Stratford State: NJ Zip: 08084

Please provide a phone number at which GRC staff can contact you between 9 A.M.-5 P.M., Monday-Friday: none

Fax Number: _____

E-Mail Address: johnallen1949@aol.com

If you are represented by an attorney in this matter, please provide:

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____

If you are an attorney who requested records and are filing this complaint on behalf of a client, please state the client's name:

2. About the Custodian of Records:

Name of the public agency from which records were requested: Stratford Borough Hall

Name of custodian to whom records request was submitted: Ben Angeli A/Clerk

Telephone Number: 856-783-0600 E-Mail Address (if used): bangeli@stratfordnj.org

Name of custodian who denied records request (if different from above): Ben Angeli

Telephone Number: 856-783-0600 E-Mail Address (if used): bangeli@stratfordnj.org

Fax Number: _____

GRC Denial of Access Complaint

GRC Use Only

3. About the Record Request:

Date your records request was provided to the custodian: 6/24/2017

Did you receive a reply to your request? Yes ☐ No ☒

If so, state the date your request was denied: _____

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes ☐ No ☒

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____ Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes ☐ Date: _____ No ☒

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No ☒ Yes ☐ If Yes, Docket Number: _____

4. Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation? Yes ☐ No ☒

5. Documents to submit with this Form:

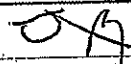
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- ☒ Sign the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm under penalty of perjury that:

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- ☒ The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
- ☒ I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
- ☒ I am simultaneously providing a copy of this complaint to the Custodian of Records.
- ☒ The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment pursuant to the New Jersey Court Rule 1:4-4.

Signature Field



Signature (required)

07/19/2017

Date

**New Jersey Government Records Council
Denial of Access Complaint - Detail Summary**

Use this form to summarize the content, time, and date of any conversations regarding this complaint, along with the names of the participants and any witnesses.

Dear Acting Clerk Angeli

Under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting to obtain copies of all job postings, applications received, resumes received, cover letters received, offer letters and rejection letters sent for the position of clerk and deputy clerk for the time period of 1/1/2016 - 4/1/2017 to include email records.

The New Jersey Open Public Records Act requires a response time of seven business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Please reply with the requested records to my email address.

Johnallen1949@aol.com

Thank you for considering my request.

In government we trust,

John Allen
Stratford Citizens Alliance
PO Box 211
Stratford NJ 08084

As a note.... AClerk Angeli tried to persuade the public from requesting records by writing the "taxpayers are being charged for his time and attorneys costs" this is a shameful act and is unethical

**New Jersey Government Records Council
Denial of Access Complaint – Records Denied List**

This is page 1 of 1.

Name of Complainant: John Allen

Please fill out this form describing the record (or portion of it) to which access has been denied and the response to your request, including the reason given for denial of access. Submit additional pages if necessary.

Item #	Description of record (or portion)	Response to request
1	Resumes for Borough Clerk & Deputy Clerk 1/1/16 -4/1/17	no reply,
2	Cover Letters or Borough Clerk & Deputy Clerk 1/1/16 -4/1/17	no reply
3	Offer Letters or Borough Clerk & Deputy Clerk 1/1/16 -4/1/17	no reply
4	Rejection Letters or Borough Clerk & Deputy Clerk 1/1/16 -4/1/17	no reply

Add List Remove List

Using Mediation to Resolve Complaints

☒ The Mediation Option

The New Jersey Government Records Council ("GRC") offers mediation to resolve disagreements arising from a request for government records. A trained, neutral mediator is available to assist the parties – the person who was allegedly denied access to a government record and the custodian who allegedly denied access – reach a mutually acceptable resolution to their differences.

☒ What is Mediation?

Mediation is an informal, non-adversarial, voluntary problem-solving process. The purpose of the mediation is to:

- I. Promote discussion between the parties,
- II. Assist parties to develop and exchange pertinent information and data concerning the issues in dispute, and
- III. Assist parties to develop proposals that will enable them to arrive at a mutually acceptable outcome.

The mediator is an impartial, third party whose purpose is to help frame the issues, focus discussion, clarify points of agreement and disagreement, and assist parties in considering options to resolve the dispute. The mediator is not a judge and has no authority to determine the merits of the complaint or the outcome of the mediation, nor does a mediator act as an advocate for any party to the dispute. Ultimately, the parties control whether and how the dispute is resolved.

☒ Features of Mediation:

Voluntary - Both parties must agree to participate in mediation. Any party to the mediation may withdraw at any time by notifying the mediator and all other parties involved. The mediator can also terminate the process at any point if it appears that further mediation would be unproductive. Settlement, too, is entirely voluntary. If a settlement is reached, however, the mediator will assist the parties in putting their agreement into written form. Once all parties sign a Mediation Settlement Agreement, it becomes binding, and all parties are obligated to fulfill the promises made in the Agreement.

Confidential - Information that is disclosed in the course of mediation and not otherwise obtainable is confidential, for settlement purposes only, and cannot be used in any future proceeding unless expressly agreed to by the parties. Records of the proceeding - stenographic, electronic or otherwise - will be maintained in a confidential file pursuant to the Uniform Mediation Act (N.J.S.A. 2A:23C-1 et seq.). Parties will not be bound by anything said or done in mediation unless and until there is a written Mediation Settlement Agreement.

Informal - Mediation is not a legal proceeding. There will be no testimony or witnesses, and rules of evidence do not apply. Rather, mediation is informal and aimed at reaching terms agreeable to both parties.

☒ Why Consider Mediation?

No cost - Mediation is free to both parties. If both parties agree to try mediation, there is no obligation for the custodian to formally respond to the complaint, or for the person requesting records to prepare testimony.

Prompt, convenient and private - Mediation takes place at a mutually agreed upon time and place; the mediation session is a private, informal discussion.

No representation necessary - Although the parties may each bring a legal representative, it is not required. It is essential, however, that participants in the mediation have decision-making authority, that is, the ability to commit to a settlement, or in the case of the custodian, to obtain such authority by telephone.

Parties control the outcome - Parties negotiate the terms that meet their interests. Parties will not be bound by anything said or done at the mediation unless a Mediation Settlement Agreement is signed. In addition, parties do not waive any of their rights by coming to mediation, nor will they be sanctioned for not participating or not reaching agreement.

☒ **How does Mediation Work?**

Once both parties sign the **Agreement to Mediate**, a mediator will contact the parties to conduct an initial conference call to describe the mediation process, to identify the people with decision-making authority who need to be present at the mediation session, to provide the mediator with a brief overview of the issues, and to schedule the mediation. It is the responsibility of each party to notify their legal representative, if any, of the pending mediation session.

The mediator opens the mediation session by describing his or her role as an impartial, third party and explaining the mediation procedure. Each party then will have an opportunity to discuss issues of concern. The mediator will meet jointly and separately with the parties to further the exchange of information, to help parties understand one another's perspective, and to explore settlement options.

If settlement is reached, the terms of the agreement will be reduced to writing and signed by the parties. A copy of the Mediation Settlement Agreement is given to each party. If there is no agreement, the matter will be referred for adjudication by the GRC.

☒ **Who is the Mediator?**

The GRC provides mediation services to promote the use of means other than litigation to resolve disputes affecting the public interest. The Mediator is an attorney well versed in the Open Public Records Act and is professionally trained in dispute resolution.

☒ **For more information**

For more information about mediation or if you have any questions, please contact:

New Jersey Government Records Council
101 South Broad Street
PO Box 819
Trenton, NJ 08625-0819
Phone: (609) 292-6830
Fax: (609) 633-6337
Web: www.nj.gov/grc

**New Jersey Government Records Council
Agreement to Mediate**

By participating in mediation, I/we agree:

1. To engage in a good faith effort to resolve the above referenced complaint filed with the Government Records Council ("GRC") concerning access to records or related matters described in the Complaint;
2. That I will abide by any procedural rules set forth by the mediator. Such rules may include the establishment of a timetable for completion of mediation and/or phases of the mediation, a requirement that the parties periodically reduce settled issues to writing, a requirement that the parties personally meet with the mediator at a mutually convenient time and place and such other reasonable procedural rules deemed by the mediator to facilitate the mediation process.
3. That all discussions and documents arising during mediation are confidential unless otherwise legally obtainable. Documents provided in mediation cannot be used in a GRC hearing or appeal from a GRC determination unless those documents are public records or the party with control over the documents consents to their use in such a proceeding. Conversations with the mediator or with the other party during mediation will not constitute statements that can be used in a later GRC hearing or appeal from a GRC determination;
4. That I will not subpoena the mediator to testify or to produce any mediation materials whatsoever following the mediation. I acknowledge that the mediator will not testify on behalf of any party in any pending or future administrative or judicial proceeding, or disclose any information obtained during mediation unless the parties expressly consent to such disclosure, or unless law or court order requires disclosure. I further agree that the mediator will be held harmless for any claim arising from the mediation process;
5. That the mediation session will not be recorded (either video or audio) and that no transcript of the session will be produced;
6. That the mediator will not decide who is right or wrong, and that I shall not ask the mediator to act as my advocate. I acknowledge that the mediator will try to help the parties reach their own resolution of this dispute by encouraging discussion; however, if the mediator determines that the mediation process is no longer productive the mediator may unilaterally terminate said mediation and refer the matter back to the GRC for further processing;
7. That when a settlement is reached, it shall be put in writing and signed, and shall be binding upon all parties to the agreement. A copy shall be provided to the GRC. If the complaint is not resolved during mediation, the complaint will be transferred to the GRC for further processing.

The parties to this agreement, whose names and signatures appear below, are the only persons authorized to participate in the mediation process. The principal's representative, if any, affirms that he/she is authorized to act by, and on behalf of, the principal.

☐ YES, I want to participate in mediation.	☒ NO, I do not want to participate in mediation.
---	--

John Allen



07/19/2017

Name of Principal (Please Print)

Signature

Date

☒ I am the Complainant ☐ I am the Custodian

Name of Legal Representative (Please Print)

Signature

Date

Name of Representative (Please Print)

Signature

Date

Revised October 28, 2016

Open the Central Repository Home Page to start the Form Submission Process

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

From: John Allen <johnallen1949@aol.com>

To: benangeli <benangeli@stratfordnj.org>

Sent: Sat, Jun 24, 2017 11:37 pm

Subject: OPRA

23, June 2017

Stratford Borough
Office of the Clerk
307 Union Avenue
Stratford NJ 08084

Dear Acting Clerk Angeli

Under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq., I am requesting to obtain copies of all job postings, applications received, resumes received, cover letters received, offer letters and rejection letters sent for the position of clerk and deputy clerk for the time period of 1/1/2016 - 4/1/2017 to include email records.

The New Jersey Open Public Records Act requires a response time of seven business days. If access to the records I am requesting will take longer than this amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. Please reply with the requested records to my email address.

Johnallen1949@aol.com

Thank you for considering my request.

In government we trust,

John Allen
Stratford Citizens Alliance
PO Box 211
Stratford NJ 08084

▶

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Abstract

0-17-07

Stratford Denial of OPRA (YORK)

GRC Use Only

New Jersey Government Records Council Denial of Access Complaint

Please read these instructions before completing this form:

- This form is to be used only for claims of denial of access to government records that you want the Government Records Council (GRC) to decide. Your request must have been made on or after July 8, 2002 under "OPRA," the Open Public Records Act (N.J.S.A. 47:1A-1 et seq.).
- Please print or type your responses, and provide ALL information requested. Incomplete forms will delay processing. This form is available in downloadable format from the GRC web site at www.nj.gov/grc.
- Only one complaint is required for each OPRA request form, regardless of the number of documents sought in the request.
- The GRC recommends that you keep a copy of this complaint for your own files.
- MAIL, FAX, OR E-MAIL THIS COMPLAINT AND ALL SUPPORTING DOCUMENTATION TO:

Government Records Council
PO Box 819
Trenton, NJ 08625-0819

Fax: (609) 633-6337
E-mail: grc@dca.state.nj.us

1. About the Requester of the Records:

Full Name: Louis J Marchuk

Mailing Address: 25 Pennsylvania Avenue

City: Stratford State: NJ ZIP 08084

Please provide a phone number at which GRC staff can contact you between 8 A.M.-5 P.M., Monday-Friday: 856 534 5946

Fax Number: _____

E-Mail Address: lounarchuk@yahoo.com

If you are represented by an attorney in this matter, please provide:

Name: _____ Phone Number: _____

Address: _____ Fax Number: _____

E-mail Address: _____

If you are an attorney who requested records and are filing this complaint on behalf of a client, please state the client's name: _____

2. About the Custodian of Records:

Name of the public agency from which records were requested: Borough of Stratford

Name of custodian on whom records request was submitted: John D. Keenan, Custodia., RMC

Telephone Number: 856 783 0600 E-Mail address (if used): johnkeenana@stratfordnj.org

Name of custodian who denied records request (if different from above): _____

Telephone Number: _____ E-Mail address (if used): _____

Fax Number: 856 783 7949

GRC Denial of Access Complaint

GRC Use Only

3. About the Record Request:

Date your records request was provided to the custodian: e mailed on Monday Nov 23 2015 @ 12:40 pm

Did you receive a reply to your request? Yes ☐ No ☒ I received an Erroneous reply that the OPRA

request was previously done, this is not correct, date of reply Nov 24 @ 1:16 pm. Custodian was incorrect.

Have you previously filed a complaint with the GRC concerning the record request that is subject of this complaint?

Yes ☐ No ☒

If yes, provide the GRC complaint number and a copy of the GRC decision in the matter.

Date: _____ Complaint No.: _____

Have you spoken with or written to the GRC about the record request that is subject of this complaint?

Yes ☐ Date: _____ No ☒

Have you filed an action in the N.J. Superior Court concerning the record request that is subject of this complaint?

No ☒ Yes ☐ If Yes, Docket Number: _____

4. Offer of Mediation (please refer to the attached documents for details):

Are you interested in participating in mediation? Yes ☒ No ☐

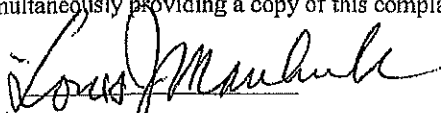
5. Documents to submit with this Form:

- ☐ Complete the attached Records Denied List to describe the records to which you were denied access.
- ☐ Attach a copy of the OPRA Records Request form you filed with the public agency and any correspondence between you and the record custodian(s) or custodial agency staff that concern the portion of your OPRA request that was denied. Be sure to include any e-mail, memoranda, phone messages, or any other documents such as affidavits, or certifications related to the request and the denial.
- ☐ Summarize the facts of this complaint by writing the content, time and date of any interaction you had with the custodian regarding the OPRA records request that is the subject of this complaint. Use the attached Detail Summary for this purpose.
- ☐ Provide any legal arguments, allegations or other information you would like the GRC to consider in deciding this complaint. Use the attached Detail Summary for this purpose.
- ☐ Sign the Agreement to Mediate if you wish to participate in the mediation process.

6. Verification of Complaint:

By signing this complaint, I affirm that:

- I am the person who submitted the OPRA request for records which is the subject of this Complaint;
- The information I have provided is true to the best of my knowledge and belief;
- The documents submitted with this Complaint are true copies of material which I believe is relevant to my claim;
- I am not seeking disclosure of any personal information pertaining to the victim of any crime committed by me, which is an indictable offense under the laws of the State of New Jersey, or any other State, or pertaining to the family of that victim; and
- I am simultaneously providing a copy of this complaint to the Custodian of Records.


Signature (required)

Dec. 07, 2015
Date

**New Jersey Government Records Council
Denial of Access Complaint – Records Denied List**

Name of Complainant: Louis J Marchuk

This is page of .

Please fill out this form describing the record (or portion of it) to which access has been denied, the response to your request, including the reason given for denial of access. Submit additional pages if necessary.

Item #	Description of record (or portion)	Response to request
1	OPRA requests (all the sheets) that were submitted and also acted on by the Boro of Stratford for the period from November 1, 2014 to June 30, 2015	No response within time frame. Custodian replied that he had replied to a previous request that covered a different time frame. He stated The borough does not assign tracking numbers, nor detailed information on how many pages were provided, etc.

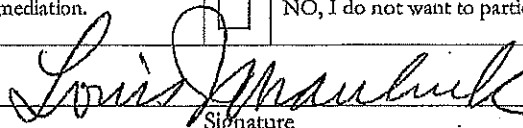
New Jersey Government Records Council
Agreement to Mediate
GRC Complaint No. 20XX-XX

By participating in mediation, I/we agree:

1. To engage in a good faith effort to resolve the above referenced complaint filed with the Government Records Council ("GRC") concerning access to records or related matters described in the Complaint;
2. That I will abide by any procedural rules set forth by the mediator. Such rules may include the establishment of a timetable for completion of mediation and/or phases of the mediation, a requirement that the parties periodically reduce settled issues to writing, a requirement that the parties personally meet with the mediator at a mutually convenient time and place and such other reasonable procedural rules deemed by the mediator to facilitate the mediation process.
3. That all discussions and documents arising during mediation are confidential unless otherwise legally obtainable. Documents provided in mediation cannot be used in a GRC hearing or appeal from a GRC determination unless those documents are public records or the party with control over the documents consents to their use in such a proceeding. Conversations with the mediator or with the other party during mediation will not constitute statements that can be used in a later GRC hearing or appeal from a GRC determination;
4. That I will not subpoena the mediator to testify or to produce any mediation materials whatsoever following the mediation. I acknowledge that the mediator will not testify on behalf of any party in any pending or future administrative or judicial proceeding, or disclose any information obtained during mediation unless the parties expressly consent to such disclosure, or unless law or court order requires disclosure. I further agree that the mediator will be held harmless for any claim arising from the mediation process;
5. That the mediation session will not be recorded (either video or audio) and that no transcript of the session will be produced;
6. That the mediator will not decide who is right or wrong, and that I shall not ask the mediator to act as my advocate. I acknowledge that the mediator will try to help the parties reach their own resolution of this dispute by encouraging discussion; however, if the mediator determines that the mediation process is no longer productive the mediator may unilaterally terminate said mediation and refer the matter back to the GRC for further processing;
7. That when a settlement is reached, it shall be put in writing and signed, and shall be binding upon all parties to the agreement. A copy shall be provided to the GRC. If the complaint is not resolved during mediation, the complaint will be transferred to the GRC for further processing.

The parties to this agreement, whose names and signatures appear below, are the only persons authorized to participate in the mediation process. The principal's representative, if any, affirms that he/she is authorized to act by, and on behalf of, the principal.

☒ YES, I want to participate in mediation.	☐ NO, I do not want to participate in mediation.
--	---

Louis J Marchuk		12/07/2015
Name of Principal (Please Print)	Signature	Date
☒ I am the Complainant ☐ I am the Custodian		

Name of Legal Representative (Please Print)	Signature	Date
---	-----------	------

Name of Representative (Please Print)	Signature	Date
---------------------------------------	-----------	------

12/7/2015

Attachment: email 12-7-15
 Keenan, John (4502 unread) - loumarchuk - Yahoo Mail
 Answered

Home Mail Search News Sports Finance Weather Games Answers Screen Flickr Mobile More

Q All Search

Search Mail

Search Web

Home Lou



Compose

Search results

Delete

Move

Star

Holiday Searches

Inbox (4502)

Drafts (81)

Sent

Spam (23)

Trash (98)

Smart Views

Folders

Control Surveying

Languages

Lou's Trash

LOWES Meco

Mean High Water

misc

MVLS

Property Rights issues

s

Survey Forum Group

Survey Group A

Temp Trash to Delete

TRAVEL related

untitled

Recent

Sponsored



Mature Dating Only
 Better Than Online Dating!

RE: OPRA requests (all the sheets) that w...

People

Keenan, John <johnkeenan@stratfordnj.org>

Nov 24 at 1:16 PM

To: Lou

CC: Gentless, John

Lou,

You received the records we have in possession related to OPRA requests. The borough does not assign tracking numbers, nor detailed information on how many pages were provided, etc.

My main goal is getting the available records to those requesting them or advising the requester in those cases where the records do not exist.

I will be reviewing procedures on trying to create a new system of tracking, and documenting OPRA requests in the future.

John

John D. Keenan, Jr. R.M.C.

Registered Municipal Clerk

Registrar of Vital Statistics

Borough Administrative Officer

BOROUGH OF STRATFORD

307 Union Avenue

Stratford, New Jersey 08084

Phone 856-783-0600

Fax 856-783-7949

1. Columbia men's j...
2. Ugg boots
3. Pandora charms
4. Teapots
5. Christmas lighting
6. Surround sound ...
7. Kegerators
8. Fun toys
9. Photo calendars
10. Ugly holiday swe...



From: Lou [loumarchuk@yahoo.com]

Sent: Monday, November 23, 2015 12:40 PM

To: Keenan, John

Cc: Lou Marchuk; Gentless, John

Subject: OPRA requests (all the sheets) that were submitted and also acted on by the Boro of Stratford for the period From November 1, 2014 to June 30, 2015

I am requesting the entire OPRA requests (all the sheets that were included in the OPRA request) that were submitted to the Boro of Stratford for the period From November 1, 2014 to June 30, 2015. The request also includes the Boro tracking numbers, the date the OPRA request was filled, the date the OPRA request was Partially filled or denied. Also the list of the records provided and the number of pages..

see attachment, completed and signed request.

Lou Marchuk
 856 534 5946



12/7/2015

(4502 unread) - loumarchuk - Yahoo Mail

Home Mail Search News Sports Finance Weather Games Answers Screen Flickr Mobile More

Q All Search

Search Mail

Search Web

Home Lou



Compose

Search results

Delete

Move

More

Holiday Searches

Inbox (4502)

Drafts (81)

Sent

Spam (23)

Trash (98)

Smart Views

Folders

Control Surveying

Languages

Lou's Trash

LOWES Meco

Mean High Water

misc

MVLS

Property Rights Issues

s

Survey Forum Group

Survey Group A

Temp Trash to Delete

TRAVEL related

untitled

Recent

Sponsored



PROGRESSIVE
Progressive Insurance
Compare rates. Save big.

Re: OPRA Request

People

Star

Lou <loumarchuk@yahoo.com>

Nov 19 at 4:36 PM

To: Keenan, John

CC: John Gentless

I looked over what you sent me and it appears that you redacted or removed the information for agency use. Items such as In Progress; Denied; Filled; Partial:

No Tracking #: No Ready Date

Also some of the OPRA forms only show the first sheets. I don't consider that as a Complete OPRA Request. I specifically requested the Complete OPRA not partial. See a recently completed OPRA request from NJDOT with Tracking #. C101902.pdf

Lou

From: "Keenan, John" <johnkeenan@stratfordnj.org>

To: "loumarchuk@yahoo.com" <loumarchuk@yahoo.com>

Sent: Wednesday, November 18, 2015 4:18 PM

Subject: OPRA Request

Lou,

Please find the two attachments. There were too many pages to fit into one attachment.

These copies should satisfy your OPRA request dated November 05, 2015 related to OPRA requests from July 01, 2015 to November 02, 2015.

If you have any questions please let me know.

John

John D. Keenan, Jr. R.M.C.
Registered Municipal Clerk
Registrar of Vital Statistics
Borough Administrative Officer
BOROUGH OF STRATFORD
307 Union Avenue
Stratford, New Jersey 08084
Phone 856-783-0600
Fax 856-783-7949

- 1 Columbia men's j...
- 2 Ugg boots
- 3 Pandora charms
- 4 Teapots
- 5 Christmas lighting
- 6 Surround sound ...
- 7 Kegerators
- 8 Fun toys
- 9 Photo calendars
- 10 Ugly holiday swe...



NO MORE TO DO

11/22 OPRA

repeat

C101902 (3).pdf