



[opra@townshipoftabernacle-nj.gov](mailto:opra@townshipoftabernacle-nj.gov)

(609) 268-1220

163 Carranza Road

Tabernacle, New Jersey 08088

July 18, 2024

Patrick Duff

[opra+request-63662-1fbb1b13@requests.opramachine.com](mailto:opra+request-63662-1fbb1b13@requests.opramachine.com)

RE: OPRA #2024-158

Dear Mr. Duff,

The Township of Tabernacle received your Open Public Records Act (OPRA) request on 7/12/2024. The Custodian of Records received your OPRA Request on 7/15/2024. As such, the seven (7) business day deadline to respond to your request is 7/24/2024. This response to your request is being provided to you on the 3<sup>rd</sup> business day after the custodian's receipt of said request.

**You have requested the following:**

- "Please provide all emails to and from Tom Boyd from 7/1/2024 through today 7/12/2024.
- What is the status of Tom Boyd's employment with the town."

**OPRA allows public agencies to impose special service charges whenever the Township is required to express funds to obtain the records requested, those expenses can then be passed on to the requestor. In this case, your request necessitates the use of our IT company, Belia Tech, who have estimated it will take one hour to complete the search.** See N.J.S.A. 47:1A-5. c. Special service charges must be based upon the actual direct cost of providing the copy or copies. Given the volume of the records, the likelihood that substantial redactions and a Vaughn index, pursuant to Vaughn v. City of Trenton GRC Complaint 2009-177 (June 2010), will be required, this task will be extraordinarily time consuming, and warrant the imposition of a special service charge pursuant to N.J.S.A. 47:1A-5(c), but would not be so burdensome as render it functionally impossible to comply with your request. OPRA mandates that the requestor shall have the opportunity to review and object to the charge prior to it being incurred. See N.J.S.A. 47:1A-5. c."

**SPECIAL SERVICE CHARGE FORMULA**

I have used the following formula in the generation of your special services

Belia Tech hourly rate is \$95.00

Approximately a ½ hour email search & export by Belia Tech = \$47.50

Total: \$47.50

Kindly respond in writing with your acceptance or rejection of this estimated charge. We will not begin to process this request until we receive your written acceptance. If you reject the estimated charge and you wish to challenge the special service charge, you have a right to challenge the decision. I anticipate being able to complete the review of the documents within ten (10) business days of your agreement to pay the special service charge.

These records are being transmitted to you via [opra+request-63662-1fbb1b13@requests.opramachine.com](mailto:opra+request-63662-1fbb1b13@requests.opramachine.com) as per your request. 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 Township of Tabernacle 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](mailto:grc@dca.state.nj.us), or at their web site at [www.state.nj.us/grc](http://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,

Maryalice Brown  
Township Administrator/ Clerk