

GOVERNMENT RECORDS COUNCIL

Administrative Case Disposition – All Records Responsive Provided Within a Timely Manner

GRC Complaint No: 2007-111

Complainant: David Herron

Custodian: Township of Montclair, Karen Kadus¹

Date of Request: April 14, 2007

Date of Complaint: May 7, 2007

Case Disposition: The Custodian certifies that she received the Complainant's OPRA request on April 16, 2007 and allowed the Complainant to review all records responsive on April 24, 2007, seven (7) business days following receipt of the Complainant's OPRA request. The Custodian further certifies that the Complainant did not want copies of the provided records.

Type of Administrative Disposition: All records responsive to the request provided in a timely manner.

Applicable OPRA Provision:

"A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record." N.J.S.A. 47:1A-5.g.

"Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record ... as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived." N.J.S.A. 47:1A-5.i.

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days.

Information about the appeals process can be obtained from the Appellate Division Clerk's Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: September 26, 2007

Prepared By:

Frank F. Caruso
Case Manager

Approved By:

Catherine Starghill, Esq.
Executive Director

Date: September 19, 2007

Distribution Date: October 1, 2007

¹ Linda Wanat was named as the Custodian of Record by the Complainant, but Ms. Wanat forwarded the request to Karen Kadus due to an impending medical leave. Ms. Kadus is the Director of Planning and Community Development for the Township of Montclair.