



State of New Jersey
GOVERNMENT RECORDS COUNCIL
101 SOUTH BROAD STREET
PO BOX 819
TRENTON, NJ 08625-0819

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

LORI GRIFA
Commissioner

FINAL DECISION

February 24, 2011 Government Records Council Meeting

Thomas Caggiano
Complainant

Complaint No. 2011-03

v.

Borough of Stanhope (Sussex)
Custodian of Record

At the February 24, 2011 public meeting, the Government Records Council (“Council”) considered the February 15, 2011 Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that this case should be dismissed based on Judge Dana’s December 3, 2008 Judgment.

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. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 24th Day of February, 2011

I attest the foregoing is a true and accurate record of the Government Records Council.

Robin Berg Tabakin, Chair
Government Records Council

Decision Distribution Date: March 1, 2011



**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
February 24, 2011 Council Meeting**

**Thomas Caggiano¹
Complainant**

GRC Complaint No. 2011-03

v.

**Borough of Stanhope (Sussex)²
Custodian of Records**

Records Relevant to Complaint: Various
Request Made: June 29, 2010
Response Made: None
Custodian: Ellen Horak
GRC Complaint Filed: January 3, 2011³

Background

December 3, 2008

Judgment of the Honorable Craig U. Dana, J.M.C., Joint Municipal Court of the Townships of Green, Fredon, Hampton and the Borough of Andover. Judge Dana issues a Judgment of Conviction for harassment and trespass violations prohibiting Thomas Caggiano from having any contact with any present or former employee or official of the Borough of Stanhope except that Mr. Caggiano may mail his tax and utility payments to the Borough and he may call 911 if he has an emergency.

June 29, 2010

Complainant's Open Public Records Act ("OPRA") request. The Complainant submits an OPRA request to the Custodian in a letter referencing OPRA.

January 3, 2011

Denial of Access Complaint filed with the Government Records Council ("GRC") attaching the Complainant's letter request dated June 29, 2010.

Analysis

No analysis is required.

¹ No legal representation listed on record.

² Represented by Richard Stein, Esq., Laddey Clerk & Ryan (Sparta, NJ).

³ The GRC received the Denial of Access Complaint on said date.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that this case should be dismissed based on Judge Dana's December 3, 2008 Judgment.

Prepared By: Karyn Gordon, Esq.
In House Counsel

Approved By: Catherine Starghill, Esq.
Executive Director

February 15, 2011