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Governor

LT. GOVERNOR SHEILA Y. OLIVER
Commissioner

FINAL DECISION

March 26, 2019 Government Records Council Meeting

Luis F. Rodriguez
Complainant

Complaint No. 2017-16

v.

Kean University
Custodian of Record

At the March 26, 2019 public meeting, the Government Records Council (“Council”) considered the March 19, 2019 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 the:

1. The Custodian has borne her burden of proof that she timely responded to the Complainant’s November 21, 2016 OPRA request based on warranted and substantiated extensions. N.J.S.A. 47:1A-6. Therefore, no “deemed” denial occurred in the instant matter. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
2. The Complainant’s November 21, 2016 OPRA request was invalid because it required research. Notwithstanding the Custodian’s initial search, she had no legal duty to research her files, or cause research, to locate records potentially responsive to the request. MAG Entm’t, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep’t, 381 N.J. Super. 30, 37 (App. Div. 2005); N.J. Builders Assoc. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007); Lagerkvist v. Office of the Governor of N.J., 443 N.J. Super. 230, 236-37 (App. Div. 2015); Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009); Donato v. Twp. of Union, GRC Complaint No. 2005-182 (February 2007); Valdes v. Union City Bd. of Educ. (Hudson), GRC Complaint Nos. 2011-147, 2011-157, 2011-172, and 2011-181 (July 2012). Thus, the Custodian lawfully denied access. N.J.S.A. 47:1A-6.

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 26th Day of March, 2019

Robin Berg Tabakin, Esq., Chair
Government Records Council

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

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: March 29, 2019

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Council Staff
March 26, 2019 Council Meeting**

**Luis F. Rodriguez¹
Complainant**

GRC Complaint No. 2017-16

v.

**Kean University²
Custodial Agency**

Records Relevant to Complaint: “I request a copy of the agreement President Farahi signed not allowing Wenzhou Kean University students to come to the USA and complete their degree at Kean USA. This agreement was signed after 2004.”

Custodian of Record: Laura Barkley-Haelig

Request Received by Custodian: November 21, 2016

Response Made by Custodian: December 2, 2016; December 16, 2016; January 5, 2017

GRC Complaint Received: January 23, 2017

Background³

Request and Response:

On November 21, 2016, the Complainant submitted an Open Public Records Act (“OPRA”) request to the Custodian seeking the above-mentioned records. On December 2, 2016, the Custodian responded in writing seeking an extension of time to respond. On December 16, 2016, the Custodian sought an additional extension of time. On January 5, 2017, the Custodian responded to the Complainant, stating that the request was invalid as it failed to identify specific government records. N.J. Builders Assoc. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007); Bent v. Twp. of Stafford Police Dep’t, 381 N.J. Super. 30, 37 (App. Div. 2005).⁴

Denial of Access Complaint:

On January 23, 2017 the Complainant filed a Denial of Access Complaint with the Government Records Council (“GRC”). The Complainant asserted that the Custodian violated

¹ No legal representation listed on record.

² Represented by Deputy Attorney General Eric L. Apar.

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Council Staff the submissions necessary and relevant for the adjudication of this complaint.

⁴ Affirmed on appeal regarding Bent v. Stafford Police Department, GRC Complaint No. 2004-78 (October 2004).

OPRA by taking too long to respond to his request. The Complainant asserted that it should not have required the Custodian to take multiple extensions to ultimately determine that his request was invalid.

Additionally, the Complainant contended that the Custodian's denial was improper, as he fulfilled the necessary requirements for a proper OPRA request. The Complainant also asserted that a specific time frame was not needed when an agreement or contract was still in place.

Statement of Information:

On February 24, 2017, the Custodian filed a Statement of Information ("SOI"). The Custodian certified that she received the Complainant's OPRA request on November 21, 2016. The Custodian certified that she responded in writing on January 5, 2017, after seeking two (2) extensions of time to respond.

Initially, the Custodian argued that the denial of access was proper. The Custodian contended that the Complainant's OPRA request required research, was vague and overbroad, and did not identify government records with enough specificity. The Custodian asserted that requestors must identify records "with reasonable clarity." Bent, 381 N.J. Super. at 37. See also Lagerkvist v. Office of the Governor of N.J., 443 N.J. Super. 230 (App. Div. 2015). The Custodian averred that because the Complainant's request did not state the title of the agreement, the Custodian could not have searched Kean University's ("Kean") files and quickly identify the agreement bearing the relevant title. See Branin v. Collingswood Borough Custodian, 2016 N.J. Super. Unpub. LEXIS 1874, at *9 (App. Div. 2016). The Custodian contended that, similar to Lagerkvist, she would have to "make a preliminary determination as to which" of Kean's agreements "correlated to" the University's relationship with Wenzhou Kean University ("Wenzhou Kean"). 443 N.J. Super. at 237. Thereafter, the Custodian argued that she would have to "attempt to single out" any located agreements that related to the ability of Wenzhou Kean students to graduate in the United States. Ibid. Lastly, the Custodian contended that the request required her to interpret any located agreement and determine whether they barred Wenzhou Kean students from graduating in the United States. The Custodian argued that such activity would have required her to collect, evaluate, and compile information rather than simply locate easily identifiable records. See Ibid; MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005).

Additionally, the Custodian stated that notwithstanding the invalidity of the request, the Custodian conducted a thorough search for the requested agreement and denied the request as overly vague after exhausting all avenues available to locate the record. The Custodian argued that conducting the search required extending the time to respond and were reasonable in this matter. N.J. Builders Assoc., 390 N.J. Super. at 180. The Custodian asserted that the vagueness of the request and the need to consult with multiple offices were the reasons why the extensions were necessary. The Custodian also noted that the holiday break from December 24, 2016 through January 2, 2017 contributed to the delay in response.

The Custodian further contended that she properly responded within each extended time frame providing an anticipated date on which she would respond. Rivera v. City of Plainfield

Police Dep't (Union), GRC Complaint No. 2009-317 (May 2011); Criscione v. Town of Guttenberg (Hudson), GRC Complaint No. 2010-68 (November 2010); Rivera v. Union City Bd. of Educ. (Hudson), GRC Complaint No. 2008-112 (April 2010); O'Shea v. Borough of Hopatcong (Sussex), GRC Complaint No. 2009-223 (December 2010); and Starkey v. NJ Dep't of Transp., GRC Complaint Nos. 2007-315 through 317 (February 2009).

Additional Submissions:

On March 1, 2017, the Complainant e-mailed the GRC in response to the Custodian's SOI. The Complainant asserted that the Custodian's claim that the request was overbroad and vague was undermined by the admission that four (4) offices that obtained the request were able to inform the Custodian that no agreement existed. The Custodian contended that his request was equivalent to others upheld by the courts. See Burke v. Brandes, 429 N.J. Super. 169 (App. Div. 2012).

Analysis

Timeliness

OPRA mandates that a custodian must either grant or deny access to requested records within seven (7) business days from receipt of said request. N.J.S.A. 47:1A-5(i). A custodian's failure to respond within the required seven (7) business days results in a "deemed" denial. Id. Further, a custodian's response, either granting or denying access, must be in writing pursuant to N.J.S.A. 47:1A-5(g).⁵ Thus, a custodian's failure to respond in writing to a complainant's OPRA request either granting access, denying access, seeking clarification or requesting an extension of time within the statutorily mandated seven (7) business days results in a "deemed" denial of the complainant's OPRA request pursuant to N.J.S.A. 47:1A-5(g), N.J.S.A. 47:1A-5(i), and Kelley v. Twp. of Rockaway, GRC Complaint No. 2007-11 (Interim Order dated October 31, 2007).

In Rivera, GRC 2009-317, the custodian responded in writing to the complainant's request on the fourth (4th) business day by seeking an extension of time to respond and providing an anticipated date by which the requested records would be made available. The complainant did not consent to the custodian's request for an extension of time. The Council stated that:

The Council has further described the requirements for a proper request for an extension of time. Specifically, in [Starkey, GRC 2007-315, *et seq.*], the Custodian provided the Complainant with a written response to his OPRA request on the second (2nd) business day following receipt of said request in which the Custodian requested an extension of time to respond to said request and provided the Complainant with an anticipated deadline date upon which the Custodian would respond to the request. The Council held that "because the Custodian requested an extension of time in writing within the statutorily mandated seven (7) business days and provided an anticipated deadline date of when the requested records would be

⁵ A custodian's written response either granting access, denying access, seeking clarification or requesting an extension of time within the statutorily mandated seven (7) business days, even if said response is not on the agency's official OPRA request form, is a valid response pursuant to OPRA.

made available, the Custodian properly requested said extension pursuant to N.J.S.A. 47:1A-5(g) [and] N.J.S.A. 47:1A-5(i).

Further, in Criscione, GRC 2010-68, the Council held that the custodian did not unlawfully deny access to the requested records, stating in pertinent part that:

[B]ecause the Custodian provided a written response requesting an extension on the sixth (6th) business day following receipt of the Complainant’s OPRA request and providing a date certain on which to expect production of the records requested, and, notwithstanding the fact that the Complainant did not agree to the extension of time requested by the Custodian, the Custodian’s request for an extension of time [to a specific date] to respond to the Complainant’s OPRA request was made in writing within the statutorily mandated seven (7) business day response time.

Moreover, in Werner, GRC 2011-151, the Council again addressed whether the custodian lawfully sought an extension of time to respond to the complainant’s OPRA request. The Council concluded that because the custodian requested an extension of time in writing within the statutorily mandated seven (7) business days and provided an anticipated date by which the requested records would be made available, the custodian properly requested the extension pursuant to OPRA. See also Rivera, GRC 2009-317; Criscione, GRC 2010-68; and Starkey, GRC 2007-315, *et seq.*

Although extensions are rooted in well-settled case law, the Council need not find valid every request for an extension containing a clear deadline. In Ciccarone v. N.J. Dep’t of Treasury, GRC Complaint No. 2013-280 (Interim Order dated July 29, 2014), the Council found that the custodian could not lawfully exploit the process by repeatedly rolling over an extension once obtained. In reaching the conclusion that the continuous extensions resulted in a “deemed” denial of access, the Council looked to what is “reasonably necessary.”

In the instant matter, the Custodian sought two (2) extensions for the Complainant’s OPRA request as follows:

Date of Request for Extension	New Deadline for Response	Reason for Extension
December 2, 2016	December 16, 2016	So that the OPRA request may “be appropriately processed.”
December 16, 2016	January 6, 2017	So that the OPRA request may “be appropriately processed.”

The Complainant’s OPRA request sought an agreement signed by President Farahi stating that Wenzhou Kean students could not come to the United States and complete their degrees at Kean. The Complainant added that the agreement was signed after 2004. The Custodian extended the response time on two (2) occasions before responding on January 5, 2017, stating that the request was invalid. Those extensions amounted to twenty-six (26) business days.⁶ As noted above,

⁶ The time period is notwithstanding any closures or holidays that might have occurred during the time frame.

a requestor's approval is not required for a valid extension. The GRC notes, however, that the Complainant did not object to the Custodian's extensions of time prior to filing this complaint.⁷

To determine if the extended time for a response is reasonable, the GRC must first consider the complexity of the request as measured by the number of items requested, the ease in identifying and retrieving requested records, and the nature and extent of any necessary redactions. The GRC must next consider the amount of time the custodian already had to respond to the request. Finally, the GRC must consider any extenuating circumstances that could hinder the custodian's ability to respond effectively to the request.⁸

Regarding the request, the Complainant sought an agreement signed by President Farahi dated at any point from 2004 to the present. The Custodian argued in the SOI that the extensions were necessary because of the request's vagueness and to provide time to obtain responses from the offices searching for the agreement. A review of the request indicates that the Custodian would be required to review electronic and hardcopy records to determine whether an agreement effectuated what the Complainant asserted.

From the Custodian's receipt of the Complainant's OPRA request, she initially sought ten (10) business days to respond. The Custodian then sought an additional extension of nine (9) business days. Thus, the Custodian sought an extension of nineteen (19) business days in addition to the original seven (7) business days.

In determining whether the extensions were ultimately unreasonable, the GRC looks to its prior decision in Rodriguez v. Kean Univ., GRC Complaint No. 2016-296 (November 2018) for a comparison. In Rodriguez, GRC 2016-296, the Council found that the Custodian's thirty (30) business day extension to respond that the request was invalid was unreasonable. The Council held that the Custodian provided no evidence, such as a search, to justify the need for thirty (30) additional business days to respond that the request was invalid.

The GRC sees the facts here as distinguishable from Rodriguez, 2016-296. Specifically, the Custodian sought eleven (11) fewer business days in the current matter. Additionally, the Custodian provided evidence in the record that a search was conducted and necessitated the extensions to confirm the search results. Thus, based on the evidence of record, the GRC finds that extending the response time for the OPRA request to the extent demonstrated in the instant matter was not excessive and contrary to OPRA's mandate to "promptly comply" with a records request and to grant or deny access "as soon as possible . . ." N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).

Accordingly, the Custodian has born her burden of proof that she timely responded to the Complainant's November 21, 2016 OPRA request based on warranted and substantiated

⁷ In Ciccarone, GRC 2013-280, the complainant allowed for a few extensions before denying the custodian any additional time. Although the complainant's acquiescence to extensions was a mitigating factor there, it was not the only factor on which the GRC relied to determine whether the requests for extension were reasonable.

⁸ "Extenuating circumstances" could include, but not necessarily be limited to, retrieval of records that are in storage or archived (especially if located at a remote storage facility), conversion of records to another medium to accommodate the requestor, emergency closure of the custodial agency, or the custodial agency's need to reallocate resources to a higher priority due to *force majeure*.

extensions. N.J.S.A. 47:1A-6. Therefore, no “deemed” denial occurred in the instant matter. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).

Validity of Request

The New Jersey Appellate Division has held that:

While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, *it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records “readily accessible for inspection, copying, or examination.”* N.J.S.A. 47:1A-1.

[MAG, 375 N.J. Super. at 546 (emphasis added).]

The Court reasoned that:

Most significantly, the request failed to identify with any specificity or particularity the governmental records sought. *MAG provided neither names nor any identifiers other than a broad generic description of a brand or type of case prosecuted by the agency in the past.* Such an open-ended demand required the Division's records custodian to manually search through all of the agency's files, analyze, compile and collate the information contained therein, and identify for MAG the cases relative to its selective enforcement defense in the OAL litigation. Further, once the cases were identified, the records custodian would then be required to evaluate, sort out, and determine the documents to be produced and those otherwise exempted.

[Id. at 549 (emphasis added).]

The Court further held that “[u]nder OPRA, *agencies are required to disclose only ‘identifiable’ government records* not otherwise exempt . . . In short, OPRA does not countenance open-ended searches of an agency's files.” Id. (emphasis added). Bent, 381 N.J. Super. at 37, N.J. Builders Assoc. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007); Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009).

In Donato v. Twp. of Union, GRC Complaint No. 2005-182 (February 2007), the Council held that pursuant to MAG, a custodian is obligated to search his or her files to find identifiable government records listed in a requestor’s OPRA request. The complainant in Donato requested all motor vehicle accident reports from September 5, 2005 to September 15, 2005. The custodian sought clarification of said request on the basis that it was not specific enough. The Council stated that:

Pursuant to [MAG], the Custodian is obligated to search her files to find the identifiable government records listed in the Complainant’s OPRA request (all motor vehicle accident reports for the period of September 5, 2005 through

September 15, 2005). However, the Custodian is not required to research her files to figure out which records, if any, might be responsive to a broad or unclear OPRA request. The word search is defined as “to go or look through carefully in order to find something missing or lost.” The word research, on the other hand, means “a close and careful study to find new facts or information.” (Footnotes omitted.)

[Id.]

The validity of an OPRA request typically falls into three (3) categories. The first is a request that is overly broad (“any and all,” requests seeking “records” generically, *etc.*) requires a custodian to conduct research. MAG, 375 N.J. Super. at 534; Donato, GRC 2005-182. The second is those requests seeking information or asking questions. See e.g. Rummel v. Cumberland Cnty. Bd. of Chosen Freeholders, GRC Complaint No. 2011-168 (December 2012). The final category is a request that is either not on an official OPRA request form or does not invoke OPRA. See e.g. Naples v. N.J. Motor Vehicle Comm’n, GRC Complaint No. 2008-97 (December 2008).

Regarding requests requiring research, the distinction between search and research can be fact-sensitive at times. That is, there are instances where the very specificity of a request requires only a search, as the case would be with OPRA requests for communications properly containing all three (3) criteria set forth in Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-7 (April 2010). To that end, the Council has provided guidance on how requests containing the Elcavage criteria do not require research:

[A] valid OPRA request requires a search, not research. An OPRA request is thus only valid if the subject of the request can be readily identifiable based on the request. Whether a subject can be readily identifiable will need to be made on a case-by-case basis. When it comes to e-mails or documents stored on a computer, a simple keyword search may be sufficient to identify any records that may be responsive to a request. As to correspondence, a custodian may be required to search an appropriate file relevant to the subject. In both cases, e-mails and correspondence, a completed “subject” or “regarding” line may be sufficient to determine whether the record relates to the described subject. Again, what will be sufficient to determine a proper search will depend on how detailed the OPRA request is, and will differ on a case-by-case basis. What a custodian is not required to do, however, is to actually read through numerous e-mails and correspondence to determine if same is responsive: in other words, conduct research.

[Verry v. Borough of South Bound Brook (Somerset), GRC Complaint Nos. 2013-43 and 2013-53 (Interim Order dated September 24, 2013).]

Additionally, the court in Burnett, 415 N.J. Super. 506 (App. Div. 2010), evaluated a request for “[a]ny and all settlements, releases or similar documents entered into, approved or accepted from 1/1/2006 to present.” Id. at 508. The Appellate Division determined that the request was not overly broad because it sought a specific type of document, despite failing to specify a particular case to which such document pertained. Id. at 515-16. Likewise, the court in Burke, found a request for communications regarding the E-Z Pass benefits of Port Authority retirees to

be valid because it was confined to a specific subject matter that was clearly and reasonably described with sufficient identifying information. 429 N.J. Super. at 176.

Conversely, there are instances where a request can be specific enough to induce research, thus rendering it invalid. For instance, in Valdes v. Union City Bd. of Educ. (Hudson), GRC Complaint Nos. 2011-147, 2011-157, 2011-172, and 2011-181 (July 2012), the complainant submitted four (4) OPRA requests seeking copies of meeting minutes containing motions to approve other minutes. The Council, citing Taylor v. Cherry Hill Bd. of Educ. (Camden), GRC Complaint No. 2008-258 (August 2009) and Ray v. Freedom Academy Charter Sch. (Camden), GRC Complaint No. 2009-185 (August 2010), determined that the requests were overly broad:

[S]aid requests do not specify the date or time frame of the minutes sought. Rather, the requests seek those minutes at which the UCBOE motioned to approve meeting minutes for four (4) other meetings. Similar to the facts of both Taylor and Ray, the requests herein *seek minutes that refer to a topic and would require the Custodian to research the UCBOE's meeting minutes in order to locate the particular sets of minutes that are responsive to the Complainant's requests . . .* because the Complainant's four (4) requests for minutes "that include a motion made by the Union City Board of Education to approve the minutes" from other meetings fail to identify the specific dates of the minutes sought and would require the Custodian to conduct research in order to locate the responsive records, the Complainant's requests are invalid under OPRA.

[Valdes, GRC 2011-147 *et seq.* (emphasis added) (citing N.J. Builders Ass'n, 390 N.J. Super. at 180; Bent, 381 N.J. Super. at 30; MAG, 375 N.J. Super. at 546; Schuler, GRC 2007-151; Donato, GRC 2005-182. See also Valdes v. Gov't Records Council, GRC Complaint No. 2013-278 (September 2014).]

The Lagerkvist court's rational of what amounted to research supports the Council's decision in Valdes. There, the court reasoned that the plaintiff's request:

. . . would have had to make a preliminary determination as to which travel records correlated to the governor and to his senior officials, past and present, over a span of years. The custodian would then have had to attempt to single out those which were third-party funded events. Next, he would have had to collect all documents corresponding to those events and search to ensure he had accumulated everything, including both paper and electronic correspondence. OPRA does not convert a custodian into a researcher.

[Id. at 237.]

Here, the GRC is satisfied that the Custodian lawfully determined that the request was invalid. Specifically, the request here is most similar to the requests at issue in Valdes, GRC 2011-147, *et seq.* in that the custodian there would have been required to research sets of minutes to find those inclusive of a particular subject. Although the Custodian certified that four (4) offices conducted a search based on the Complainant's description, they could not locate any responsive

records. Furthermore, the Custodian certified that she could not be sure that the language described by the Complainant was found buried within a larger agreement. However, requiring the Custodian to read through every agreement signed by President Farahi since 2004 would cross the threshold into conducting research. Such action is clearly similar to both the process the GRC determined to be research in Valdes, as well as the process that the Lagerkvist court considered to be research.

Accordingly, the Complainant's November 21, 2016 OPRA request was invalid because it required research. Notwithstanding the Custodian's initial search, she had no legal duty to research her files, or cause research, to locate records potentially responsive to the request. MAG, 375 N.J. Super. at 546; Bent, 381 N.J. Super. at 37; N.J. Builders, 390 N.J. Super. at 180; Lagerkvist, 443 N.J. Super. at 236-37; Schuler, GRC 2007-151; Donato, GRC 2005-182; Valdes, GRC 2011-147, *et seq.* Thus, the Custodian lawfully denied access. N.J.S.A. 47:1A-6.

Conclusions and Recommendations

The Council Staff respectfully recommends the Council find that:

1. The Custodian has born her burden of proof that she timely responded to the Complainant's November 21, 2016 OPRA request based on warranted and substantiated extensions. N.J.S.A. 47:1A-6. Therefore, no "deemed" denial occurred in the instant matter. N.J.S.A. 47:1A-5(g); N.J.S.A. 47:1A-5(i).
2. The Complainant's November 21, 2016 OPRA request was invalid because it required research. Notwithstanding the Custodian's initial search, she had no legal duty to research her files, or cause research, to locate records potentially responsive to the request. MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 37 (App. Div. 2005); N.J. Builders Assoc. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007); Lagerkvist v. Office of the Governor of N.J., 443 N.J. Super. 230, 236-37 (App. Div. 2015); Schuler v. Borough of Bloomsbury, GRC Complaint No. 2007-151 (February 2009); Donato v. Twp. of Union, GRC Complaint No. 2005-182 (February 2007); Valdes v. Union City Bd. of Educ. (Hudson), GRC Complaint Nos. 2011-147, 2011-157, 2011-172, and 2011-181 (July 2012). Thus, the Custodian lawfully denied access. N.J.S.A. 47:1A-6.

Prepared By: Samuel A. Rosado
Staff Attorney

March 19, 2019