NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

Antonia Matera-Vignola
   Complainant

GRC Complaint No. 2019-124

      v.

Hasbrouck Heights Board of Education (Bergen)
   Custodial Agency

Custodian of Record: Dina Messery
Request Received by Custodian: N/A
GRC Complaint Received: July 2, 2019

Complaint Disposition: The Custodian certified that she did not receive a records request from the Complainant dated June 12, 2019. Additionally, the Complainant conceded that the Hasbrouck Heights Board of Education was restricting her from contacting its employees by e-mail as of June 3, 2019[1] Therefore, this complaint is without any reasonable factual basis to pursue and shall be dismissed.

Applicable OPRA Provision: "A request for access to a government record shall be in writing and hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian." N.J.S.A. 47:1A-5(g).

"The council shall make a determination as to whether the complaint is within its jurisdiction or frivolous or *without any reasonable factual basis*." N.J.S.A. 47:1A-7(e) (emphasis added).

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: December 15, 2020

Prepared By: Samuel A. Rosado
               Staff Attorney

Date: December 8, 2020   **Distribution Date: December 16, 2020**

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[1] The Complainant included the June 3, 2019 e-mail stating that she was no longer allowed to communicate with Board staff. The Complainant also provided the error message she received on June 12, 2019 indicating that the e-mail containing her OPRA request was not delivered.