



**NEW JERSEY GOVERNMENT RECORDS COUNCIL**  
**Administrative Complaint Disposition – Unripe Cause of Action**

**Alan Meckler**  
**Complainant**

**GRC Complaint No. 2019-145**

**v.**

**Township of Roxbury (Morris)**  
**Custodial Agency**

**Custodian of Record:** Amy Rhead  
**Request Received by Custodian:** July 10, 2019  
**GRC Complaint Received:** July 18, 2019

**Complaint Disposition:** The Complainant submitted his OPRA request for “the copy of the bond for the completion of the paving of the road and tree plantings for Shepards Lane” on July 10, 2019. The Complainant verified his complaint on July 18, 2019, which is six (6) business days from the date the Custodian received the Complainant’s OPRA request. OPRA provides that the Custodian “. . . shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i). Here, this complaint is materially defective and shall be dismissed because: 1) the requested bond was not an immediate access record; and 2) the Complainant verified his complaint before the statutory period provided for the Custodian to respond had expired.<sup>1</sup>

**Applicable OPRA Provision:** “. . . [A] custodian of a government record shall grant access to a government record or deny access to a government record as soon as possible, but not later than seven business days after receiving the request . . .” N.J.S.A. 47:1A-5(i).

“A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian’s decision by filing . . . a complaint with the Government Records Council . . .” 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.**

**Effective Date of Disposition:** November 10, 2020

<sup>1</sup> The Custodian also certified that she responded to the Complainant’s OPRA request via e-mail on July 19, 2018, the seventh (7<sup>th</sup>) business day after receipt.



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