



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

John Doe
Complainant

GRC Complaint No. 2022-150

v.

Township of Irvington (Essex)
Custodial Agency

Custodian of Record: Harold E. Wiener
Request Received by Custodian: April 19, 2022
GRC Complaint Received: April 21, 2022

Complaint Disposition: The Custodian certified that he responded to the Complainant in writing within the statutorily mandated response time indicating that no records responsive to the OPRA request exist.¹ Additionally, the Complainant failed to provide any competent, credible evidence to contradict the Custodian’s certification. Thus, this complaint shall be dismissed because the evidence of record reflects that no responsive records exist.

Applicable OPRA Provision: “*Government record*” or “*record*” means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of his or its official business . . .” N.J.S.A. 47:1A-1.1.

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: May 31, 2022

Prepared By: John E. Stewart
Staff Attorney

Date: May 24, 2022

Distribution Date: June 1, 2022

¹ The GRC notes that the subject OPRA request was invalid on its face because it sought information and not an identifiable “government record.” See Rummel v. Cumberland Cnty. Bd. of Chosen Freeholders, GRC Complaint No. 2011-168 (December 2012).