



**NEW JERSEY GOVERNMENT RECORDS COUNCIL**  
**Administrative Complaint Disposition – All Records Responsive Provided in a Timely Manner**

**Scott Madlinger**  
**Complainant**

**GRC Complaint No. 2022-463**

v.

**Berkeley Township Police Department (Ocean)**  
**Custodial Agency**

**Custodian of Record:** Marcy Novellino  
**Request Received by Custodian:** August 21, 2022  
**GRC Complaint Received:** August 30, 2022

**Complaint Disposition:** The Custodian certified that the only records in existence responsive to the Complainant’s OPRA request were provided to him within the statutorily mandated response time. Additionally, the Complainant failed to provide any evidence to contradict the Custodian’s certification. Thus, this complaint shall be dismissed because the Custodian timely provided all responsive records.

**Applicable OPRA Provision:** “A custodian shall promptly comply with a request to inspect, examine, copy, or provide a copy of a government record.” N.J.S.A. 47:1A-5(g).

“Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian of a government record shall grant access to a government record . . . as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.” N.J.S.A. 47:1A-5(i).

**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 9, 2022

Prepared By: John E. Stewart

Date: October 27, 2022

**Distribution Date: November 10, 2022**