



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Correspondence Received by the Custodian

Drew Bradford
Complainant

GRC Complaint No. 2022-538

v.

Borough of New Providence (Union)
Custodial Agency

Custodian of Record: Wendi Barry
Request Received by Custodian: September 6, 2022
GRC Complaint Received: October 3, 2022

Complaint Disposition: The Custodian certified that she did not receive a records request from the Complainant on the date identified in the complaint. The Custodian further certified that the Complainant submitted his written OPRA request for the subject records to the Mountain Valley Emergency Communications Center (“Mountain Valley”) as he was instructed to do. The Custodian certified that the Complainant filed his Denial of Access against the Borough of New Providence (“Borough”), an entity separate and apart from Mountain Valley. The Complainant failed to provide any evidence to contradict the Custodian’s certification. Therefore, because the Borough did not receive the OPRA request at issue, 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) (emphasis added).

“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: March 25, 2025

Prepared By: Jennifer C. Howell
Staff Attorney

Date: March 18, 2025

Distribution Date: March 27, 2025