



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Motion to File Within Time Denied

Mildred F. Waale
Complainant

GRC Complaint No. 2023-166

v.

Warren Township Planning Board (Somerset)
Custodial Agency

Custodian of Record: Cathy Reese
Request Received by Custodian: March 31, 2023
GRC Complaint Received: July 18, 2023

Complaint Disposition: The Complainant verified the instant complaint on July 6, 2023, alleging she was denied access to her OPRA request on April 3, 2023, or ninety-four (94) days prior. The Complainant contended that she was unaware of the GRC’s sixty (60) day statute of limitations.¹ However, the Complainant failed to show good cause to permit the complaint to proceed out of time. Therefore, this complaint shall be dismissed.

Applicable OPRA Provision: “Any requestor who is denied access, in whole or in part, to a government record by a custodian, at the option of the requestor, may file a complaint with the Council pursuant to N.J.S.A. 47:1A-6. Such filing shall be made within 60-calendar days or, if the last day of the period is a Saturday, Sunday, or legal holiday, within the next business day, pursuant to N.J.A.C. 1:1-1.4, after the requestor receives a response from the custodian that grants or denies access or, if the custodian does not respond within seven business days of the request, within 60-calendar days following the expiration of such seven-business-day period, whichever is later, unless accompanied by a motion to file within time, showing good cause.” N.J.A.C. 5:105-2.1(a).

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: August 29, 2023

Prepared By: Samuel A. Rosado
Staff Attorney

Date: August 22, 2023

Distribution Date: August 29, 2023

¹ The GRC notes that the Complainant relied upon an unaffiliated third-party website for information on the GRC’s complaint process and did not confirm the information via the GRC’s website or contact the GRC directly.