



NEW JERSEY GOVERNMENT RECORDS COUNCIL

Administrative Complaint Disposition – No Records Responsive to the Request Exist

Bernard J. Meenan, Jr.
Complainant

GRC Complaint No. 2024-30

v.

Township of Edgewater Park (Burlington)
Custodial Agency

Custodian of Record: Patricia Clayton

Request Received by Custodian: January 12, 2024

GRC Complaint Received: February 6, 2024

Complaint Disposition: The Custodian certified that she responded to the Complainant in writing within the statutorily mandated response time¹ indicating that no records responsive to the OPRA request exist. Additionally, the Complainant failed to provide any evidence to contradict the Custodian's certification.² 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: March 25, 2025

Prepared By: Frank F. Caruso
Executive Director

Date: March 18, 2025
Distribution Date: March 27, 2025

¹ The Custodian included in the Statement of Information her January 24, 2024 e-mail response sent to the Complainant's correct e-mail address and a delivery failure notice to support her timely response.

² Following the Custodian's response to the GRC's request for additional information, the Complainant responded asserting that "[m]inimally, documents exist that I SENT . . ." (Emphasis in original). To the extent that this is true, the GRC notes that the Custodian was under no obligation to disclose e-mails the Complainant composed and sent to the Township of Edgewater Park. See Caggiano v. N.J. Office of the Governor, GRC Complaint No. 2014-408 (September 2015) (citing Bart v. City of Paterson Hous. Auth., 403 N.J. Super. 609, 618 (App. Div. 2008)).