



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Unripe Cause of Action

Derrick Wilson
Complainant

GRC Complaint No. 2025-249

v.

Borough of Cresskill (Bergen)
Custodial Agency

Custodian of Record: Francesca Maragliano
Request Received by Custodian: September 9, 2025
GRC Complaint Received: August 28, 2025

Complaint Disposition: The Complainant submitted the subject OPRA request to an inactive e-mail account¹ on August 19, 2025. The Complainant verified this complaint on August 26, 2025, which is five (5) business days from the date the Custodian received the Complainant’s OPRA request. OPRA provides that “. . . a custodian . . . shall grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request” N.J.S.A. 47:1A-5(i)(1). Here, this complaint is materially defective and shall be dismissed because the records sought are not “immediate access” records and because the Complainant verified this complaint before the applicable statutory time period provided for the Custodian to respond expired.

Applicable OPRA Provision: “Unless a shorter time period is otherwise provided by statute, regulation, or executive order, a custodian . . . shall grant access to a government record or deny a request for access to a government record as soon as possible, but not later than seven business days after receiving the request, or 14 business days if the request is for a commercial purpose or if the records have to be reviewed by the public agency for the purpose of the agency’s compliance with [Daniel’s Law] . . .” N.J.S.A. 47:1A-5(i)(1).

“A person who is denied access to a government record by the custodian of the record . . . may institute a proceeding to challenge the custodian’s decision by filing . . . a complaint with the Government Records Council . . .” N.J.S.A. 47:1A-6.

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.

¹ The Custodian certified that the e-mail address used by the Complainant was deactivated in July 2018 when the former custodian retired. The Custodian also certified that both the Borough of Cresskill’s (“Borough”) OPRA request form and website clearly identify her as the Borough Clerk and “Custodian of Record.”



Effective Date of Disposition: January 27, 2026

Prepared By: Frank F. Caruso
Executive Director

Date: January 20, 2026

Distribution Date: January 29, 2026