

BRANCHVILLE BOROUGH

OPEN PUBLIC RECORDS ACT REQUEST FORM

Branchville Borough
34 Wantage Avenue
Branchville, NJ 07826

branchvilleclerk@yahoo.com

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Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information - Please Print

First Name _____ MI _____ Last Name _____

E-mail Address _____

Mailing Address _____

City _____ State _____ Zip _____

Telephone _____

Preferred Delivery: Pick Up US Mail On-Site Inspect Fax E-mail _____

If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I HAVE / HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

Signature _____ Date _____

Payment Information

Maximum Authorization Cost \$ _____

Select Payment Method

Cash Check Money Order

Fees: Letter size pages - \$0.05
per page
Legal size pages - \$0.07
per page
Other materials (CD, DVD, etc) - actual cost of material additional depending upon delivery type.

Extras: Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

AGENCY USE ONLY

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N.J.S.A. 47:1A-1.1

Inter-agency or intra-agency advisory, consultative or deliberative material

Legislative records

Law enforcement records:

Medical examiner photos

Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be

disclosed)

Victims' records

Trade secrets and proprietary commercial or financial information

Any record within the attorney-client privilege

Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize

computer security

Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the

building or facility or persons therein

Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic

data or software

Information which, if disclosed, would give an advantage to competitors or bidders

Information generated by or on behalf of public employers or public employees in connection with:

Any sexual harassment complaint filed with a public employer

Any grievance filed by or against an employee

Collective negotiations documents and statements of strategy or negotiating

Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk

management office

Information that is to be kept confidential pursuant to court order

Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency

Social security numbers

Credit card numbers

Unlisted telephone numbers

Drivers' license numbers

Certain records of higher education institutions:

Research records

Questions or scores for exam for employment or academics

Charitable contribution information

Rare book collections gifted for limited access

Admission applications

Student records, grievances or disciplinary proceedings revealing a students' identification

Biotechnology trade secrets N.J.S.A. 47:1A-1.2

Convicts requesting their victims' records N.J.S.A. 47:1A-2.2

DEPOSITS

Est. Document Cost	_____
Est. Delivery Cost	_____
Est. Extras Cost	_____
Total Est. Cost	_____
Deposit Amount	_____
Estimated Balance	_____
Deposit Date	_____

Disposition Notes	_____
Customer: If any part of request cannot be delivered in seven business days, detail reasons here.	_____
In Progress	Open
Denied	Closed
Filled	Closed
Partial	Closed

Tracking Information	_____
Tracking #	_____
Rec'd Date	_____
Ready Date	_____
Total Pages	_____
Records Provided	_____
Custodian Signature	_____
Date	_____

Final Cost	_____
Total	_____
Deposit	_____
Balance Due	_____
Balance Paid	_____

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under O.P.R.A., that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records - check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. Response is due to requestor as soon as possible, but no later than seven business days.)

authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.

2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the *Borough of Branchville* that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.

3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.

4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the *Branchville Borough*.

5. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The *Branchville* custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.

6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, **and** who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.

7. By law, the *Borough of Branchville* must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.

8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.

9. If the *Borough of Branchville* is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.

10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.

11. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the *Borough of Branchville* to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

12. Information provided on this form may be subject to disclosure under the Open Public Records Act.