EAST BRUNSWICK PUBLIC LIBRARY



OPEN PUBLIC RECORDS ACT REQUEST FORM

2 Jean Walling Civic Center, East Brunswick, NJ 08816

732-390-6781 & 732-390-6869 (Fax Number) Email: info@ebpl.org Michael Bobish, Assistant Director

Important Notice

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

Requestor Information – Pleas	e Print		Payment Information	
Troquester (mermanen - 1 joue	<u> </u>		Maximum Authorization Cost \$	
First Name	MI Last Name		Calast Daymant Mathad	
E-mail Address			Select Payment Method	
Mailing Address			Cash Check Money Order	
			Fees: Letter size pages - \$0.05	
	ate Zip		per page Legal size pages - \$0.07	
Telephone	FAX On-Site Mail Inspect Fax		per page Other materials (CD, DVD,	
Preferred Delivery: Up US N	Mail Fax	E-mail	etc) – actual cost of material Delivery: Delivery / postage fees	
If you are requesting records containing	ng personal information, please circle one∶ ∪	nder penalty of <u>N.J.S.A.</u>	additional depending upon delivery type.	
2C:28-3, I certify that I HAVE / HAVE N Jersey, any other state, or the United Sta	IOT been convicted of any indictable offense un tes.	der the laws of New	Extras: Special service charge	
Signature			dependent upon request.	
LIBRARY USE ONLY	LIBRARY USE ONLY	IIRD	LIBRARY USE ONLY	
LIDITARY OOL ONLY	Disposition Notes	Tracking Information	Final Cost	
Est. Document Cost	Custodian: If any part of request cannot be delivered in seven business days,	Tracking #	Total Deposit	
Est. Delivery Cost	detail reasons here.	Rec'd Date Ready Date	Balance Due	
Est. Extras Cost		Total Pages	Balance Paid	
Total Est. Cost		Ro	ecords Provided	
Deposit Amount				
Estimated Balance				
Deposit Date	In Progress - Open			
Deposit Date	Denied - Closed			
	Filled - Closed			
	- Closed	Signature	Date	

DEPOSITS

The Library 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 OPRA, 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 following receipt of the request.**)

N.J.S.A. 47:1A-1.1 – EXEMPTIONS FROM DISCLOSURE
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 of 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 position
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
Biotechnology trade secrets -N.J.S.A. 47:1A-1.2
Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) - N.J.S.A. 47:1A-3.a.
Public defender records N.J.S.A. 47:1A-5.k.
Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by N.J. State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
Personnel and pension records (however, the following information must be disclosed if requested):

An employee's name, title, position, salary, payroll record, length of service, date of separation and the reason for such

When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person

Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or

separation, and the amount and type of any pension received;

psychological information N.J.S.A. 47:1A-10

duly authorized by this State or the US, or when authorized by an individual in interest; and

	ADDITIONAL EXEMPTIONS
	N.J.S.A. 47:1A-1 - "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy." Burnett v. County of Bergen, 198 N.J. 408 (2009) ("Specifically, [OPRA] imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests.")
	Executive Order No. 21 (McGreevey 2002)
	Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of
	potential acts of sabotage or terrorism. Records exempted from disclosure by State agencies' proposed rules.
	Executive Order No. 26 (McGreevey 2002)
	Certain records maintained by the Office of the Governor
	Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
	Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
	Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
	Information in a personal income tax or other tax return
	Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities or creditworthiness, except as otherwise required by law to be disclosed
	Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
	Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.
	N.J.S.A. 47:1A-9.a - any other Exemption(s) of a public record or government record from public access contained in: a State statute, a resolution of either or both Houses of the Legislature, any regulation, Executive Order, Rule of Court, any federal law, federal regulation or federal order.
	Library provides the following detailed information regarding the exemption from disclosure upon which it is relying to deny access to government records. (If multiple records are requested, be specific as to which exemption(s) apply to each record.)
EQUE	ST FOR RECORDS UNDER THE COMMON LAW
i, in ad	Idition to requesting records under OPRA, you are also requesting the government records under the common law, please the box below.
irected uthoriz	c record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or done, or a written memorial made by a public officer ted 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 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.
ontaine	formation requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter ed in the requested material, then the material must be disclosed if the individual's right of access outweighs the State's interest in ing disclosure.
lease	write your interest in the subject matter contained in the materials you requested:

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, because 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 East Brunswick Public Library 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 East Brunswick Public Library.
- 5. You may be charged a 50% fee or other deposit when a request for copies exceeds \$25. The East Brunswick Public Library' records—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, <u>and</u> who is seeking government records containing personal information pertaining to the person's victim or the victim's family, including anonymous requests for said information.
- 7. By law, the East Brunswick Public Library 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 Library operations and the custodian is unable to reach a reasonable solution with you.
- 9. If the Library 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 Library's 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 East Brunswick Public Library 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.