

BOROUGH OF WASHINGTON

MUNICIPAL BUILDING
100 BELVIDERE AVENUE
WASHINGTON, NEW JERSEY 07882

REQUEST FOR ACCESS TO GOVERNMENT RECORDS

Name: _____

Address: _____

Telephone: _____ E-mail: _____
[Day]

Please check the preferred

Delivery: Pick-up _____ U.S. Mail _____ On-site Inspection _____

Information Requested:

[_____] Copy of Minutes [specify board or entity, date, topic or other identifying information]

[_____] Copy of Ordinance or Resolution [specify date, number, or other identifying information]

[_____] Police Accident Report Fee: _____

Identify Accident: _____

[_____] Other [Specify] _____

[_____] License Information [Specify] _____

Information on a Specific Property Address _____

Block _____ Lot _____

[_____] **Municipal Lien Search** Fee: **\$10.00**

Municipal Lien Searches are provided by the designated search officer and will be provided within 15 days after the request is received and the fee paid, as provided in **N.J.S.A. 54:5-11 et seq.**

[_____] **List of Property Owners within 200'** Fee: **\$10.00**

As provided in **N.J.S.A. 40:55D-12**, the fee is the greater of \$.25 per name or \$10.00.

[SEE INSTRUCTIONS NEXT PAGE]

A request for access to or for a copy of Government Records should be submitted on this form which has been adopted by the Municipal Clerk as the Custodian of Records. In order to request access to government records under OPRA, you must complete all the required portions of and date this request form and deliver it in person during regular business hours or by mail, fax, or electronically to the appropriate custodian of the record requested. Your request is not considered filed until the appropriate custodian of the record requested has received a completed request form. If you submit the request form to any other officer or employee of the Borough of Washington, that officer or employee may not have the authority to accept your request form on behalf of the Borough and your request will be directed to the appropriate custodian. The seven business day response time will not commence until the proper custodian reviews the request to determine if it is complete. If you submit a request for access to government records to someone other than the appropriate custodian, do not complete the Borough of Washington request form, or attempt to make a request for access by telephone or fax; the Open Public Records Act and its deadlines, restrictions and remedies will not apply to your request.

The term "public records" generally includes those records determined to be public in accordance with **N.J.S.A. 47:1A-1. The term does not include employee personnel files, police investigation records, public assistance files, or other matters in which there is a right of privacy or confidentiality or inter-agency or intra-agency advisory, consultative, or deliberative material or other material which is specifically exempted by law.**

Some records will be immediately available during normal business hours. Some records will require time to compile and make the copies requested, but will normally be available during normal business hours and within seven [7] business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven [7] business days, you will be provided with a response with that information within the seven [7] business days. Some records requested have specific fees or other response times established by statute. There is no fee involved in simply inspecting a document during normal business hours.

Immediate access is ordinarily available for budgets, bills, vouchers, contracts including collective negotiation agreements and individual employment contracts, and public employee salary and overtime information. Minutes of public meetings will be generally available immediately after the minutes have been approved.

Records which are not readily available or which will require a search of records will be made available as soon as possible and the applicant will be provided with an interim report within [7] business days indicating the time required to provide the records.

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a printed record shall be: **first page to tenth page, \$0.35 per page; eleventh page to twentieth page, \$0.20 per page; all pages over twenty, \$0.15 per page.** Where a request is for a copy in a format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the costs of producing the format requested. Chapter 39 of the Code of the Borough of Washington provided additional information on applicable fees and charges for government records. A copy of this Chapter is available upon request from the Custodian of Records. We will notify you of any special charges, special service charges or other additional charges authorized by State or local laws or regulation before processing your request. Payment shall be made by check or money order payable to the Borough of Washington.

Where a legal determination must be made as to whether records are "public records" as provided by law; the request will be reviewed by the Municipal Attorney.

If it is necessary for the records custodian to contact you concerning your request, providing identifying information, such as your name, address and telephone number or an e-mail address

is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personnel information are not honored.

You may be charged a deposit when a request for copies exceeds **\$5.00**. The Agency custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of estimated fees. You agree to pay the balance due upon delivery of the records.

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.

By law, the Borough of Washington must notify you that it grants or denies a request for access to government records within seven business days after the custodian of the record requested receives the request, provided that the record is currently available and not in storage. If the record requested is not currently available or is in storage, the custodian will advise you within seven business days when the record can be made available and the estimated cost. You may agree with the custodian to extend the time for making records available, or granting or denying your request.

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.

If the Borough of Washington 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 and send you a signed and dated copy.

Except as otherwise provided by law or by agreement with the requester, if the custodian of the record requested fails to respond to you within seven business days of receiving a request form, the failure to respond will be considered a denial of your request.

If your request for access to a government record has been denied or unfilled within the time permitted by law, you have a right to challenge the decision by the Borough of Washington to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint in writing with the Government Records Council (GRC). 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.

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

The applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she has not been convicted of any indictable offense under the laws of this State, any other State or the United States and is not seeking government records containing personal information pertaining the victim or the victim's family as provided by N.J.S.A. 47:1A-1 et seq.

Applicant

Date: _____

This form, when signed by the municipal official, shall constitute a receipt for any deposit received.

The information requested will be ready on _____

Estimated Number of Pages _____

Estimated Cost _____

Deposit _____

[Required where the anticipated cost of reproduction exceeds \$5.00 or requestor desires to remain anonymous]

Municipal Official

Date: _____

PUBLIC RECORDS REQUEST RESPONSE

The document or documents listed below and requested by you are not being provided because the document or documents are not public records as provided by law, for the following reason(s):

Date

Municipal Clerk

ACKNOWLEDGEMENT

I hereby acknowledge that I have received the documents requested except for any documents specifically listed above on which a determination has been made that the documents will not be provided. If any documents have not been provided, I have received information on the procedures for any appeal of the determination.

Date

Applicant