



John Paff &lt;opengovtissues@gmail.com&gt;

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**RE: Preservation of video recordings**

1 message

**MITCH, JOHN** <john.mitch@twp.woodbridge.nj.us>

Fri, Apr 24, 2015 at 2:21 PM

To: John Paff &lt;paff@pobox.com&gt;

John,

Good afternoon. I communicated with the Division of Revenue and Enterprise Services about this matter. While they did confirm there is no record series for video surveillance, they have been researching how video surveillance is retained throughout other states. It is their intent to propose to the State Records Council this summer that a 30-day retention period be applied to all routine video surveillance within public buildings.

Have a good weekend.

John

**From:** [opengovtissues@gmail.com](mailto:opengovtissues@gmail.com) [mailto:[opengovtissues@gmail.com](mailto:opengovtissues@gmail.com)] **On Behalf Of** John Paff**Sent:** Wednesday, April 22, 2015 3:32 PM**To:** MITCH, JOHN**Subject:** Fwd: Preservation of video recordings

April 22, 2015

John Mitch, President

Municipal Clerks' Association of New Jersey

via e-mail to [john.mitch@twp.woodbridge.nj.us](mailto:john.mitch@twp.woodbridge.nj.us)

Dear John:

I was wondering if you could assist me regarding a question on how long certain video recordings need to be maintained by municipalities.

Below is my e-mail correspondence with Patricia A. Frontino, President of the Municipal Clerks Association of Gloucester County. At issue is the proper retention period for video recordings produced by a video/security camera Washington Township installed in or near the municipal clerk's office to record interactions between citizens and the clerk's staff.

Ms. Frontino posits that since "the State Records Council has no requirement for the amount of time a video surveillance recording is to be retained . . . each municipality is left to establish their own time." My review of the [New Jersey Records Manual](#) causes me to think that the proper answer is not as simple as Ms. Frontino states.

One paragraph in the manual states:

*As new records and forms are created or received, RMS analysts and appropriate agency staff should update retention schedules at the same time. For many agencies, records schedules are often established or amended when agencies begin using a new records storage center or request authorization for records disposal from the division. RMS is continuously appraising public records and revising retention schedule.*

Since the retention process is ongoing and evolving, municipal clerks who become aware of records that are not presently scheduled are under a duty to seek guidance on how those new records must be retained. Allowing municipalities to individually self-determine retention schedules would lead to cases where one municipality might decide to keep a certain type of record for a year while another may decide to retain those records for only a week. Such a haphazard system would work against the State's apparent goal of standardizing record retention periods.

If Gloucester County's Association is unwilling to address the issue of how long such video records should be retained, would the State Association be willing to address it? I would imagine that many if not most municipalities in New Jersey have installed these types of cameras. If this is so, it would seem appropriate for the State Association to take the lead in having a proper retention period established.

Please let me know your thoughts. Thank you.

Very truly yours,

*John Paff*  
*P.O. Box 5424*  
*Somerset, NJ 08875*  
*Voice: 732-873-1251*  
*Fax: 908-325-0129*  
*e-mail: [paff@pobox.com](mailto:paff@pobox.com)*

----- Forwarded message -----

From: **Pat Frontino** <[PFrontino@glassboro.org](mailto:PFrontino@glassboro.org)>  
Date: Tue, Apr 21, 2015 at 3:04 PM  
Subject: RE: Preservation of video recordings  
To: John Paff <[paff@pobox.com](mailto:paff@pobox.com)>

Dear Mr. Paff:

As you already know, the State Records Council has no requirement for the amount of time a video surveillance recording is to be retained. Therefore, each municipality is left to establish their own time.

**Thank you!**

*Pat Frontino*

**Patricia A. Frontino, RMC/MMC/CMR**

**Municipal Clerk**

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**From:** [opengovtissues@gmail.com](mailto:opengovtissues@gmail.com) [mailto:[opengovtissues@gmail.com](mailto:opengovtissues@gmail.com)] **On Behalf Of** John Paff  
**Sent:** Thursday, April 16, 2015 9:56 PM  
**To:** Pat Frontino  
**Cc:** Jill McCrea  
**Subject:** Preservation of video recordings

Dear Ms. Frontino:

I write to you in your position as President of the Municipal Clerks Association of Gloucester County to seek the Association's help on an issue that arose out of my recent conversation with Washington Township Clerk Jill McCrea.

At issue is the proper period of time that municipalities are required to retain video recordings captured by video cameras installed in municipal buildings. On April 16, 2015, I submitted an OPRA request to Ms. McCrea for "copies of all videos of Township Clerk's office for

period of March 31, 2014 from 2:30 p.m. and 4:30 p.m." I had requested this video because it was the subject of an OPRA suit that Jerry Keer had filed against Washington Township in 2014 (See, Keer v. Township of Washington, Docket No. GLO-L-667-14). Ms. McCrea told me that my request could not be fulfilled because the video no longer existed due to the computer associated with the camera being set to automatically re-record and overwrite videos after seven days had elapsed. Ms. McCrea told me that the Township administration had installed the video camera and established the seven-day overwrite schedule without any input from her.

I imagine that Washington is not the only municipality in Gloucester County that has installed security and other video cameras in their municipal facilities. I am concerned that many or most of these cameras may not be keeping video recordings in a manner consistent with State records retention requirements. Since the municipal clerks are the municipalities' records custodians, I would think that it might be a good idea for the Association to speak with its members about such cameras and perhaps develop a consistent policy to ensure that the retention requirements are being obeyed.

Do you believe that this is an issue that the Association would be interested in investigating?

Thank you for your attention to this matter.

Sincerely,

*John Paff*  
*P.O. Box 5424*  
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