



Township of Holland

IN
HUNTERDON COUNTY

61 Church Road
Milford, New Jersey 08848
Phone (908) 995-4847 ext 210
Fax (908) 995-7112
www.hollandtownship.org

GOVERNMENT RECORDS REQUEST FORM

Important notice

Page 2 of this form contains information related to your requesting government records. Please read it carefully.

Requestor Information-Please Print

First Name John Paff		MI	Last Name	
Mailing Address 172 Silver Lake Rd,			City Bridgeton	State NJ
			Zip 08302	
E-mail Address paff@pobox.com		Telephone # 732-873-1251		Cell #
Preferred Delivery	On site inspection please use e-mail	Pick up	US Mail	

If you are requesting records containing personal information, please select 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.

I certify that the above information is accurate and true

Signature **John Paff** P: JPF
DN: c.N = John Paff C = US
Date: 2015.08.20 12:06:34
05.03 Date Submitted **08/20/15**

Payment Information

Maximum Authorization Cost \$ **3.00** Method of payment will be: Cash Check Money Order

Copy Fees: Size: 8 1/2 x 11 = \$0.05 per page Delivery/postage fees additional depending upon delivery type
Size: 8 1/2 x 14 = \$0.07 per page

1. For Christopher Michael Wilson, who may have served as a Holland police officer, his "name, title, position, salary, payroll record, length of service, date of separation and the reason therefor." N.J.S.A. 47:1A-10.
2. Arrest report, incident report, Use of Force Report and other reports of a law enforcement encounter with Edward Romanowski on or about April 10, 2015 at the Family Courthouse.
3. Any summons or warrant that was sought to be served on Romanowski during the encounter referenced in #2 above.
4. Incident report and other police reports relating to a December 22, 2014 incident that formed the basis for a CDR issued out of the Municipal Court of the Delaware Valley bearing docket numbers 000026-2015 or 000027-2015.
5. Copies of the CDRs issued out of the Municipal Court of the Delaware Valley bearing docket numbers 000026-2015 and 000027-2015.

Notes

Tracking Information

Date request received _____

Official receiving _____

Date requestor notified _____

Form of notification _____

Date picked up/sent _____

Final Cost

No. of Copies _____ @5¢ _____ @7¢

Total Cost _____

Deposit - _____

Balance _____ cash _____ check

Date Paid ____/____/____

Official Receiving Payment _____

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public 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 directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer 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:

Right of citizen to monitor government is greater than government's need for confidentiality.

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.

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the information thus 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(es) which exempt 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.)

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

Requesting Access to Government Records Under the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)

- 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**
- 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 State Constitution, statute, court rule or judicial case law **N.J.S.A. 47:1A-9**
- Personnel and pension records, except specific information identified as follows:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - 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 psychological information **N.J.S.A. 47:1A-10**

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). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it 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 are exempt from disclosure by this Order.

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 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.

Other Exemption(s) contained in a State statute, resolution of either or both House of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.

(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

Requesting Access to Government Records Under the New Jersey Open Public Records Act (N.J.S.A. 47:1A-1 et seq.)

1. 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 agency custodian of records. Your request is not considered filed until the agency custodian of records receives the request form. If you submit the request form to any other officer or employee of the **Township of Holland**, that officer or employee may not have the authority to accept your request form on behalf of the **Township of Holland** and your request will be directed to the agency custodian of records. The business day response time will not commence until the agency custodian of records receives the request form.
2. 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
3. If it is necessary for the records custodian to contact you concerning your request, providing identifying information such as your name, address, telephone number, fax number or e-mail address is required. Where contact is not necessary, anonymous requests are permitted; except that anonymous requests for personal information are not honored.
4. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The **Township of Holland** custodian will contact you and advise you of any deposit requirements. Anonymous requests, when permitted, require a deposit of 100% of estimated fees. You agree to pay the deposit due upon delivery of the records.
5. 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.
6. By law, the **Township of Holland** 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. You may agree with the custodian to extend the time for making records available, or granting or denying your request.
7. 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.
8. If the **Township of Holland** 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.
9. 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.
10. If your request for access to a government record has been denied or unfiled within the seven (7) business days required by law, you have a right to challenge the decision by the **Township of Holland** to deny access. At your option, you may either institute a proceeding in the Superior or 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@doa.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law.
11. Information provided on this form may be subject to disclosure under the Open Public Records Act.
12. Add more instructions, if any.



John Paff <opengovtissues@gmail.com>

Holland Township OPRA Request

1 message

Colleen Pursell <CPursell@hollandtwp.org>
To: "paff@pobox.com" <paff@pobox.com>

Mon, Aug 24, 2015 at 1:58 PM

Mr. Paff,

Please find attached to this email a letter from Chief Harris regarding your OPRA request dated August 20, 2015.

If you have any questions, please do not hesitate to contact Chief Harris at [\(908\) 995-2804](tel:9089952804).

Thank you,


Colleen M. Pursell

Holland Township Police / Office of Emergency Management

61 Church Road Milford, NJ 08848

Dispatch : [\(908\) 995-4670](tel:9089954670) Office: [\(908\) 995-2804](tel:9089952804) ext. 224Visit us on the web at: www.hollandpolice.org

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HOLLAND TOWNSHIP POLICE
IN
HUNTERDON COUNTY

61 Church Road, Milford, New Jersey 08848



POLICE DEPARTMENT
(908) 995-4670
FAX (908) 995-4612

JOHN D. HARRIS, JR.
Chief of Police

OFFICE OF EMERGENCY MANAGEMENT
(908) 995-9629
FAX (908) 995-4612

August 21, 2015

John Paff
172 Silver Lake Road
Bridgeton, NJ 08302

Mr. Paff,

This department is in receipt of your Open Public Records Act Request Form dated August 20, 2015. In response to your records request:

1. Information on an employee by the name of Christopher Wilson – Holland Township does not employ a Christopher Wilson. To my knowledge, Holland Township Police Department has never employed anyone with that name.
2. Arrest report and incident report concerning the arrest of Mr. Romanowski. This is investigatory in nature and pending court. These records cannot be released. The records also contain victim information which according to open public records law cannot be released. A use of force report was not required and not completed.
3. As stated in number 2, any summons or warrant records cannot be released.
4. As stated in number 2, incident report and other police report records relating to December 22, 2014 cannot be released.
5. Any municipal court documents requested would have to be requested from that court.

Respectfully,


John D. Harris, Jr.
Chief of Police