

**TOWNSHIP OF MORRIS  
MUNICIPAL BUILDING  
50 WOODLAND AVENUE  
CONVENT STATION, NEW JERSEY 07960**

**REQUEST FOR PUBLIC RECORDS**

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FOR MUNICIPAL USE ONLY

Date Request Received: \_\_\_\_\_ Date Response Provided: \_\_\_\_\_

Preferred Delivery: Pick-up \_\_ U.S. Mail (Postage chg.)\_\_ On-Site Inspect. \_\_ Fax\_\_ E-Mail\_\_

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**SEE INSTRUCTIONS ON OTHER SIDE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone [Day] \_\_\_\_\_ Fax Number \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Information Requested:

**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.

**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]

\_\_\_\_\_  
\_\_\_\_\_

**License Information** [Specify] \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

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

**Other** [specify date, number, or other identifying information] \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

A request for a copy of Public Records should be submitted on this form that has been adopted by the Municipal Clerk as the Custodian of Records. Some records will be immediately available during normal business hours. Some records will require time to compile and to 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. This request may be filed electronically. In general:

- Immediate access is ordinarily available for to budgets, bills, vouchers, contracts, including collective negotiations 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 seven [7] business days indicating the time which will be 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:

<b>PAPER SIZE</b>	<b>COST PER PAGE</b>
8 ½ x 11	\$.05
8 ½ x 14	\$.05
11 x 17	\$.05

LARGER THEN 11 x 17 Actual cost to be assessed at time of request.

*For a police accident report or records: Please contact the Morris Township Records Bureau at (973) 326-7473.*

- 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.
- 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.

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 which is specifically exempted by law.

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..**

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]

**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.

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Municipal Official

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**TOWNSHIP OF MORRIS  
PUBLIC RECORDS REQUEST RESPONSE (DENIAL)**

TO : \_\_\_\_\_

DATE : \_\_\_\_\_

[ ] **Denied** - 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:

**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**
- 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 (however, the following information must be disclosed:
  - 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."

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 ***Township of Morris***, 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 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 ***Township of Morris***.
5. ***You may be charged a 50% or other deposit when a request for copies exceeds \$25.*** The ***Township of Morris*** 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 records Custodian of the Township of Morris 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 records Custodian of the Township of Morris 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 records Custodian of the Township of Morris 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](mailto:grc@dca.state.nj.us), or at their web site at [www.state.nj.us/grc](http://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.

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

#### **ACKNOWLEDGMENT**

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 \_\_\_\_\_

## EXCEPTIONS TO PUBLIC ACCESS TO GOVERNMENT RECORDS

<b>PRIVILEGED OR PROTECTED CATEGORY</b>	<b>AUTHORITY</b>
Autopsy Reports	NJSA 47:1A-1,1, et seq.
Child abuse or sex assault victim name or address	NJSA 2A:82-46B
Court records sealed	Executive Order 69
Computer security information	NJSA 47:1A-1.1 et seq.
Criminal investigatory records	NJSA 47:1A-1.1 et seq.
Credit Card Numbers	NJSA 47:1A-1.1 et seq.
Grand jury testimony, information	Court Rule 3:6-7
Grievance information with public employer	NJSA 47:1A-1.1 et seq.
Domestic Violence records	NJSA 2C:25-33
Drivers' license numbers	NJSA 47:1A-1.1 et seq.
DYFS information	NJSA 9:6-8.10
Electronic Surveillance Materials	NJSA 2A:156 A-19
Emergency or security information or procedures	NJSA 47:1A-1.1 et seq.
Employee sexual harassment complaints	NJSA 47:1A-1.1 et seq.
Fingerprint cards	Executive Order 69
Inter-agency or intra agency advisory communications	NJSA 47:1A-1.1 et seq.
Juvenile records	NJSA 2A:4A-60
Labor Negotiation information, strategy or positions	NJSA 47:1A-1.1 et seq.
Medical Examiner Photographs	NJSA 47:1A-1.1 et seq.
Motor Vehicle Records	NJSA 39:2-3.3
Otherwise inappropriate material	Executive Order 69
Pension and personnel records	NJSA 47:1A-1.1 et seq.
Photographs	NJSA 47:1A-1.1 et seq. , Executive Order 69
Pre Sentence Investigations	State v. DeGeorge, 113 NJ Super 542 (App.Div.1971)
Public Agency insurance communications	NJSA 47:1A-1.1 et seq.
Safety of persons or public	NJSA 47:1A-1.1 et seq., Executive Order 69
Security Measures and surveillance techniques	NJSA 47:1A-1.1 et seq.
Social Security Numbers	NJSA 47:1A-1.1 et seq.
Unlisted Telephone Numbers	NJSA 47:1A-1.1 et seq.
Victim locations (Domestic Violence)	NJSA 2C:25-26C
Victim records	NJSA 47:1A-1.1 et seq.
Record has been destroyed/not retained pursuant to:	Records Retention and Disposition Schedule New Jersey Dept. of State Division of Archives Mgmt.