

**BOROUGH OF ESSEX FELLS**  
**CLERK'S OFFICE**

**NOTICE TO THE PUBLIC**  
**PURSUANT TO THE OPEN PUBLIC**  
**RECORDS ACT**  
**JULY 8, 2002**

Members of the public are hereby advised that the provisions of the New Jersey Open Public Records Act, *N.J.S.A. 47:1A-1. et seq.*, allow for public access to government records with several exceptions.

Members of the public who are requesting copies of records must complete the Request for Public Records form, which is available in the Clerk's Office of the Borough of Essex Fells. The form must be sent to:

Francine T. Paserchia  
Borough Clerk  
Borough of Essex Fells  
255 Roseland Avenue  
Essex Fells, New Jersey 07021

The statute provides for the right to appeal any denial or failure to provide access to a government record as follows:

A person who is denied access to a government record by the Custodian of Record may:

- Institute a proceeding to challenge the custodian's decision by filing an action in Superior Court which shall be heard in the vicinage where it is filed by a Superior Court Judge who has been designated to hear such cases, because of that judge's knowledge and expertise in matters relating to access to government records; or
- In lieu of an action in Superior Court, file a complaint with the Government Records Council established pursuant to section 8 of P.L.2001, c.404 (C.47:1A-7).

# BOROUGH OF ESSEX FELLS CLERK'S OFFICE

255 Roseland Avenue  
Essex Fells, New Jersey 07021

## REQUEST FOR PUBLIC RECORDS (N.J.S.A. 47:1A-1, et seq.)

A request for Public Records must be submitted to the above address, on this form. The completed form must be submitted to the Clerk of the Borough of Essex Fells. If your request is approved, it will take some time to compile the records and make the copies requested, but they will normally be available within seven business days pursuant to statute. If a document or copy which has been requested is not a public record pursuant to statute or if it cannot be provided within seven business days, you will be provided with a response with that information within the seven business days. Fees for copying public records are established by statute as follows: first page to tenth page, \$0.75 per page; eleventh page to twentieth page, \$0.50 per page; all pages over twenty, \$0.25 per page. Pursuant to N.J.S.A. 47:1A-5c., this office may impose a reasonable special service charge if the nature, format, manner of collation, or volume of a government record is such that it cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate your request.

The terms "public record" and "government record" in New Jersey do not include:

- Criminal investigatory records
- Victim's records
- Inter-agency or intra-agency advisory, consultative, or deliberative material
- Emergency or security information or procedures for buildings or facilities
- Administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security
- Information regarding labor-management negotiations including statements of strategy or negotiating position

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone [Day] \_\_\_\_\_

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** Identify Accident: \_\_\_\_\_ Fee: \_\_\_\_\_
- Other** [specify] \_\_\_\_\_
- License Information** [Specify] \_\_\_\_\_

Municipal Department where public record is located:

- |  |   |                                       |
|--|---|---------------------------------------|
| <input type="checkbox"/> Police  | <input type="checkbox"/> Administration | <input type="checkbox"/> Clerk        |
| <input type="checkbox"/> Land Use  | <input type="checkbox"/> Health         | <input type="checkbox"/> Construction |
| <input type="checkbox"/> Water & Sewer                                   | <input type="checkbox"/> Other: _____   |                                       |
| <input type="checkbox"/> Finance (including tax collection & assessment) | _____                                   |                                       |

The applicant hereby certifies that he or she has not been convicted of any indictable offenses under the laws of this State, any other State or the United States and is not seeking government records containing personal information pertaining to a victim or a victim's family.

Pre-payment of a deposit for this request is required in the amount of \$\_\_\_\_\_  
This completed form, when signed by the Borough of Essex Fells Clerk, shall constitute a receipt for the deposit made by the applicant.

Applicant's Signature \_\_\_\_\_

Francine T. Paserchia, Borough Clerk

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

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

**BOROUGH OF ESSEX FELLS CLERK'S OFFICE**

**PUBLIC RECORDS REQUEST RESPONSE**

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

- Document(s) provided: \_\_\_\_\_ pages at total cost of: \_\_\_\_\_
- Document(s) not provided (see below)

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, as noted below:

<input type="checkbox"/> <b>Privileged or Protected Category</b>	<b>Authority</b>
<input type="checkbox"/> Autopsy Reports	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Child abuse or sex assault victim name or address	N.J.S.A. 2A:82-46b
<input type="checkbox"/> Court records sealed	Executive Order 69
<input type="checkbox"/> Computer security information	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Criminal investigatory records	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Credit Card Numbers	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Grand Jury testimony, information	Court Rule 3:6-7
<input type="checkbox"/> Grievance information with public employer	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Domestic Violence data	N.J.S.A. 2C:25-33
<input type="checkbox"/> Drivers' license numbers	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> DYFS information	N.J.S.A. 9:6-8.10
<input type="checkbox"/> Electronic Surveillance Materials	N.J.S.A. 2A:156A-19
<input type="checkbox"/> Emergency or security information or procedures	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Employee sexual harassment complaints	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Fingerprint cards	Executive Order 69
<input type="checkbox"/> Inter-agency or intra-agency advisory communications	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Juvenile Records	N.J.S.A. 2A:4A-60
<input type="checkbox"/> Labor Negotiation information, strategy or positions	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Medical Examiner Photographs	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Otherwise inappropriate material	Executive Order 69
<input type="checkbox"/> Pension and personnel records	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Photographs	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Pre Sentence Investigations	State v. DeGeorge, 113 NJ Super.542 (App. Div. 1971)
<input type="checkbox"/> Public Agency insurance communications	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Safety of persons or public	N.J.S.A. 47:1A-1.1, et seq; Exec. Order 69
<input type="checkbox"/> Security measures and surveillance techniques	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Social Security Numbers	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Unlisted Telephone Numbers	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Victim location (Domestic Violence)	N.J.S.A. 2C:25-26c.
<input type="checkbox"/> Victim records	N.J.S.A. 47:1A-1.1, et seq.
<input type="checkbox"/> Record has been destroyed/not retained pursuant to:	Records Retention and Disposition Schedule (NJ Dept. of State, Div. of Archives Mgmt.)
<input type="checkbox"/> <b>Other</b>	_____
<input type="checkbox"/> <b>Record not maintained by this agency</b>	
<input type="checkbox"/> <b>Record inaccessible</b>	
<input type="checkbox"/> <b>Deposit required due to volume or form of record</b>	Amount required: _____
<input type="checkbox"/> <b>Despite due diligence, document sought cannot be located</b>	

You have the right to appeal the decision that the document or documents are not public records. You may take your appeal to the Public Records Council or to the New Jersey Superior Court as provided by N.J.S.A. 47:1A-6 and -7.

Date: \_\_\_\_\_  
Francine T. Paserchia, Borough Clerk

**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 this form as to the procedures for any appeal of the determination.

Date: \_\_\_\_\_  
Applicant's Signature