



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – No Denial of Access at Issue

Maurice Bronson
Complainant

GRC Complaint No. 2022-536

v.

Township of Irvington (Essex)
Custodial Agency

Custodian of Record: Harold Wiener
Request Received by Custodian: September 28, 2022
GRC Complaint Received: September 29, 2022

Complaint Disposition: The Complainant states in their Denial of Access Complaint that although they received the responsive record prior to filing the complaint, their sole argument is that an insufficient search¹ occurred. However, the Complainant did not dispute any denial of access to the requested record pursuant to their September 28, 2022 OPRA request.

Applicable OPRA Provision: OPRA provides that: “A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by. . . [filing] a complaint with the Government Records Council established pursuant to [OPRA].” N.J.S.A. 47:1A-6.

“[t]he Government Records Council shall . . . receive, hear, review and adjudicate a complaint filed by any person concerning a denial of access to a government record by a record custodian . . .” N.J.S.A. 47:1A-7(b) (emphasis added).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: December 13, 2022

Prepared By: Frank F. Caruso
Executive Director

Date: December 6, 2022
Distribution Date: December 14, 2022

¹ The Complainant cites to Schneble v. N.J. Dep’t of Env’tl. Protection, GRC Complaint No. 2007-220 (April 2008); however, the facts there are inapposite to this filing. Specifically, the Council found an insufficient search in Schneble because the custodian did not locate the records until after performing another search triggered by the complainant’s Denial of Access Complaint. Here, the Custodian disclosed the record within one (1) business day and the Complainant acknowledged his satisfaction with that disclosure in the Denial of Access Complaint.