


WALL TOWNSHIP PUBLIC SCHOOLS  
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY  
PO Box 1199  
Wall, New Jersey 07719-1199

Brian J. Smyth  
Business Administrator/Board Secretary

Phone: 732-556-2016  
FAX: 732-556-2102

October 13, 2016

Ms. Elizabeth Cross  


Dear Ms. Cross,

The Wall Township Board of Education received your Open Public Records Act (OPRA) request on October 4, 2016. Your OPRA request sought access to the following:

1. "Can you provide me with the page(s) within each current Employment contract that shows the district must pay for "Mileage Reimbursement" for all food service employees. I am not having any success in locating any such language in the Food Service Director's Contract, Food Service Manager's Contract and the Nutrition Manager's contract" [sic]
2. "I also notice "petty cash" is given to Food Service employees, but I also am not having any success finding it included in any Wall BOE Agenda (as other petty cash vouchers that are approved by the Wall BOE each year) and seen by the public. Ms. Bailoni received \$800 during August 2011. Ms. Bailoni received \$1,200 on 8/29/2014 and on 8/27/2015..." [sic]...can you provide me with the document where the petty cash amounts were approved in the Wall BOE agenda for school years 11/12, 14/15 and 15/16 for Food Service."
3. " I also notice \$744.41 in bank charges for food services on the 8/11/2011 bank statement (see attachment 2). Why didn't the Business Office negotiate to NOT pay "bank fees"?" [sic]

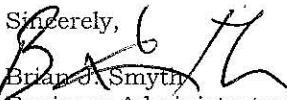
In response to item number one (1.), please be advised that all employment contracts are located on the district website, however, your correspondence indicates that you have reviewed the contracts. If you are requesting copies of employment contracts, please clarify and resubmit your request. Please also know that custodians are not required to conduct research or create new records in response to an OPRA request.

In response to item number two (2.), your request fails to identify specific government records. As such, your request is an invalid OPRA request and is denied. When a request is complex because it fails to specifically identify the documents sought, then that request is not encompassed by OPRA. However, please know that the referenced checks were not petty cash checks. These checks represent the opening banks for the start up of cafeteria cash registers in preparation of the opening of schools for those years.

In response to item number three (3.) your request seeks information and/or asks questions and does not identify specific government records. As such, your request is an invalid OPRA request and is denied. When a request is complex because it fails to specifically identify the documents sought, then that request is not encompassed by OPRA. However, please be advised that I do not recall what fees were and were not waived from 2011.

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 Wall Township Board of Education 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 P.O. 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 GRC 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.

Sincerely,

  
Brian J. Smyth  
Business Administrator

BJS/dc

Cc: Cheryl Dyer, Superintendent