

WALL TOWNSHIP PUBLIC SCHOOLS  
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY  
PO Box 1199

Brian J. Smyth Wall, New Jersey 07719-1199 Phone: 732-556-2016

Brian J. Smyth

Business Administrator/Board Secretary

Phone: 732-556-2016

FAX: 732-556-2102

January 9, 2017

Betsy Cross  
[REDACTED]

Re: OPRA 17-044

Dear Ms. Cross,

This office received your initial OPRA request on December 9, 2016.

Your OPRA request of December 9, 2016 sought access to the following:

"... a copy of any and all correspondence with attachments "from" Xerox "to" James Habel, Jack Hahn, Arlene Bieseda and Brian Smyth from January 2005 - April 2012, regarding Xerox services...if any documents were e:mailed or faxed from Xerox to the Wall BOE please provide all documents...a copy of any and all correspondence with attachments "from" James Habel, Jack Hahn, Arlene Bieseda and Brian Smyth "to" Xerox from January 2005 - April 2012... If any documents were e:mailed or faxed to Xerox please provide all documents... if any documents were e:mailed from Habel, Hahn, Biesde and/Smyth to Xerox please provide all documents." [sic]

A response was first provided to you on the fifth business day, December 16, 2016, requesting clarification and further direction regarding your request. On December 19, 2016, you provided a partial clarification and partial direction in response to my request. On December 21, 2016, this office advised you that we were proceeding based on the partial direction you provided and that we anticipated being able to provide email correspondence the following day, December 22, 2016, at no cost to you. On December 22, 2016, this office provided a partial response that included the emails that you requested. The attachment consisted of 417 pages of records.

On December 21, 2016 you provided further clarification to my correspondence of December 16, 2016, and requested that we provide a revised special service charge for the remaining requested records. On December 23, 2016 this office advised you of two special service charges. The first special service charge in the amount \$136.95 to reload journal format back up files to search emails for the period of 2011 to 2013. You were further advised that the special service charge would apply regardless if the search produced any additional records responsive to your request. In your response of December 23, 2016, you agreed to the service charge and advised this office to proceed.

Also included in my December 23, 2016 correspondence was notice of a separate special service charge in the amount of \$54.78 to search files from July 2009 to April 2012 for records responsive to your request. In same December 23, 2016 correspondence referenced above, you advised this office that you agree to pay the special service and to proceed with the search.

Accordingly, we have completed a search of records from July 2009 to April 2012. Attached please find copies of correspondence with attachment (if any) from Xerox to Jack Hahn, Xerox to James Habel, Xerox to Brian Smyth, Brian Smyth to Xerox, a facsimile to Cindy, for James Habel, from Xerox, a facsimile to Arlene Biesiada from Xerox, and a facsimile from Arlene Biesiada to Xerox from July 2009 to April 2012.

These records, totaling 30 pages, are being provided via pick-up. The special service charge associated with this request as previously agreed is \$54.78.

With regard to the district reloading journal format backup files to search for emails from 2011 to 2013, please know that we have not had anyone available to perform that task and request an extension of time to provide additional records if our search produces any that are responsive to your request. We anticipate being able to complete the search and provide any responsive records by Tuesday, January 17, 2017. This would be ten business days from the date we received your clarification to proceed with the search for a special service charge of \$136.95. It is again noted that this charge will apply even if the search does not produce any records responsive to your request.

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,

WALL TOWNSHIP PUBLIC SCHOOLS  
OFFICE OF THE BUSINESS ADMINISTRATOR/BOARD SECRETARY  
PO Box 1199

Brian J. Smyth Wall, New Jersey 07719-1199 Phone: 732-556-2016

Brian J. Smyth

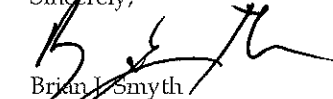
Business Administrator/Board Secretary

Phone: 732-556-2016

FAX: 732-556-2102

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

Enclosure

Cc: Cheryl Dyer, Superintendent