

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

February 3, 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 22, 2016, this office provided a partial response that included the emails that you requested. The attachment consisted of 417 pages of records.

On January 9, 2017 you were provided copies of correspondence with attachments 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.

As you are aware, you approved the special service charge of \$136.95 to perform a search of journal format backup files, and acknowledge that the special service charge is required even if the search does not produce additional records.

On January 19, 2017 the district requested an extension of time until January 24, 2017 and reminded you of the \$136.95 special service charge, in which you agreed to pay, to perform the search for records even if the search did not produce additional records.

Accordingly, we have reloaded the journal format back up files to the search for emails for the period of 2011 to 2013. As a result of last week's storm, and matters out of our control we were not able to meet the extension of January 24, 2017. However, at this time we have completed our search and have not found any records responsive to your request.

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Due to the unforeseen delay in performing the search and this response we are waiving the special service charge.

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, or at their web site at 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