

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

May 11, 2017

Betsy Cross
[REDACTED]

Re: OPRA 17-084

Dear Ms. Cross,

The Wall Township Board of Education received your Open Public Records Act (OPRA) request on May 2, 2017. This request for records was in response to answers the District provided to you in response to questions you asked in response to receiving public records on April 25, 2017 as a result of your OPRA request " OPRA 17-076"

Your OPRA request of May 2, 2017 stated the following:

"OPRA request for public information

Number 1. Does Eileen H. submit a copy of her bill and cancelled check to be reimbursed?

Item 2. May I please have a copy of the early retirement incentive plan you are referring to.

Item 4 please provide a copy of the bill. Is this a charge we incur every year and is it different from the A4 tax?

Item 5 please explain this in greater detail this evening. I am not following this transaction and why the check is written out of Health Benefits.

Item 6. Please explain this evening."

In response to "Number 1..." your request seeks information or asks questions and does not identify specific government records. As such, As such, your request is an invalid OPRA request and is denied. When a request is complex because it fails to specifically identify the document sought, then that request is not encompassed by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 NJ Super. 166, 180 (App. Div. 2007). However, in an effort to answer your question, please know that the individual submits a pension statement that includes the deduction for health benefits.

In response to "Item 2..." attached please find a copy of the legislation authorizing early retirement incentives for educational employees.

In response to "Item 4..." please be advised that there is not a record that is responsive to your request for a bill. The payment as noted in my original response, is to the IRS for PCORI fees. The amount is calculated based on the number of covered lives. The remainder of "Item 4..." seeks information or asks questions and does not identify specific government records. As such, As such, your request is an invalid OPRA request and is denied. When a request is complex because it fails to specifically identify the document sought, then that request is not encompassed by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 NJ Super. 166, 180 (App. Div. 2007). However, in an effort to answer your questions, please know that the fee is paid annually and is different from the A4 tax the district is required to also pay.

In response to "Item 5..." your request is a statement and does not identify specific government records. As such, As such, your request is an invalid OPRA request and is denied. When a request is complex because it

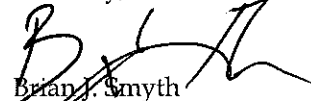
fails to specifically identify the document sought, then that request is not encompassed by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 NJ Super. 166, 180 (App. Div. 2007).

In response to "Item 6..." your request is a statement and does not identify specific government records. As such, As such, your request is an invalid OPRA request and is denied. When a request is complex because it fails to specifically identify the document sought, then that request is not encompassed by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 NJ Super. 166, 180 (App. Div. 2007).

These records consisting of four pages are being transmitted to you via e-mail, as per your request. Pursuant to N.J.S.A. 47:1A-5.b., the cost associated with this request is \$0.00.

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

Cc: Cheryl Dyer, Superintendent