



NEW JERSEY OPEN PUBLIC RECORDS ACT

All OPRA requests must be submitted in writing to the Custodian of Records:

Mr. Paul Forlenza
Executive Director
C/O Risk Program Administrators (RPA)
6000 Sagemore Drive, Suite 6203
Marlton, New Jersey 08053
E-Mail: Paul_Forlenza@riskprogramadministrators.com

-or-

Ms. Kris Kristie
Sr. Account Representative
C/O Risk Program Administrators (RPA)
6000 Sagemore Drive, Suite 6203
Marlton, New Jersey 08053
E-Mail: Kristi_Kristie@riskprogramadministrators.com

Further instructions regarding NJ OPRA can be found at the following link:

<http://www.nj.gov/grc/index.shtml>

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

POLICY REGARDING REQUESTS FOR INSPECTION AND COPYING OF DOCUMENTS

In compliance with the provisions of the New Jersey Open Public Records Act, it is appropriate for a policy to be established regarding access to records of the Burlington County Municipal Joint Insurance Fund.

This document constitutes the policy for access to records of the Burlington County Municipal Joint Insurance Fund.

Custodian of Records: The Fund Administrator of the Burlington County Municipal Joint Insurance Fund is hereby designated as the Custodian of Records in accordance with the requirements of the Open Public Records Act. In the absence of the Fund Administrator, the Deputy Executive Director for the Burlington County Municipal Joint Insurance Fund is designated as the Acting Custodian of Records for purposes of compliance with the Open Public Records Act.

There are two primary types and/or sources of information that are requested:

- I. Requests for information relating to the Joint Insurance Fund's administration (such as minutes, financial records, resolutions, correspondence, emails, etc.); and
- II. Requests for information and documents related to member municipalities.

The policy and procedures regarding the responses to these OPRA requests is as follows:

I. REQUESTS FOR INFORMATION AND RECORDS FROM THE FUND:

A. OPRA REQUESTS

All OPRA requests are required to be made in writing to the Fund Administrator, at the offices of the Fund Administrator, and the request should specify with as much detail as possible, the documents that the applicant desires to inspect or copy. If the request is directed to an officer or professional of the Fund (Solicitor, Safety Director, Treasurer, etc.) then the request should be forwarded to the Fund Administrator as the official Custodian of Records. A form for the submission of requests under the Open Public Records Act is attached. A written communication, such as a letter, fax, or email, which includes the information requested on the form is an acceptable substitute. It is essential that the document or record requested be sufficiently identified in the request.

B. ACTION ON OPRA REQUESTS

The Fund Administrator should provide the Fund Solicitor with a copy of all requests, and the Fund Solicitor shall provide the Fund Administrator with advice and guidance regarding the request. The Fund Solicitor shall also review and approve all documents that are responsive to the OPRA request prior to the release of the documents. All requests must be responded to within seven (7) business days by either the production of the record requested or with a written response that specifies either when the record will be provided or the reason for denying access to the record requested. If the documents cannot be provided within the seven (7) day period, a written request for an extension of time to respond shall be forwarded to the requestor.

C. COSTS

The costs that are permitted to be charged in the Open Public Records Act, N.J.S.A. 47:1A-2, shall be the costs charged for copies of records in the discretion of the Fund Administrator. They are as follows:

Pages 1 through 10.....	\$0.75 per page
Pages 11 through 20.....	0.50 per page
All pages over 20.....	0.25 per page

Where there are extraordinary costs involved in providing the records requested, the actual costs of duplication may be charged by the Fund Administrator.

II. OPRA REQUESTS FOR INFORMATION DIRECTED TO MEMBER MUNICIPALITIES THAT MAY BE HELD BY THE JIF:

A. JIF-RELATED DOCUMENTS

Any OPRA requests seeking documents that are related to the Fund, whether administrative or claim/litigation related, should be immediately and carefully reviewed by the Member Municipality. The Member Municipality should immediately determine which documents that are responsive to the OPRA request are in their possession, and the Member Municipality shall produce those documents for review by the Municipal Solicitor. If the OPRA request seeks documents that are not in the Member Municipality’s possession, but are believed to be in possession of the Fund, the Member Municipality should immediately forward the request for those specific documents to the Fund Administrator. The appropriate Fund Professional shall then attempt to retrieve the documents that are responsive to the request from their records and/or the records of the Fund Professionals. Once the appropriate Fund Professional has retrieved the responsive documents, the documents shall be provided to the Fund Solicitor for review and approval as to the release of the documents. All documents that are approved for release by the Fund Solicitor shall be forwarded by the Fund Professional to the Member Municipality.

B. COSTS

- 1) JIF Fund Professionals:
 - a) For those documents responsive to an OPRA received by a Member Municipality that are held by the JIF and that the JIF has previously provided to the member municipality, the following provisions shall apply:
 - 1) For a period of one year from the date of adoption of this Policy or January 1, 2022, whichever is later, the costs associated with the Claims Administrator and/or Fund Solicitor in retrieving, reviewing, and providing information to the Member Municipality shall be paid by the Fund at the rates established for these services in the Claims Administrator's and/or Fund Solicitor's Professional Service Contract with the Fund.
 - 2) Effective January 1, 2023, the costs associated with the Claims Administrator and/or Fund Solicitor in retrieving, reviewing, and providing information to the Member Municipality shall be billed to the Member Municipality as an allocated file expense utilizing the specific process, and at the rates, established for these services in the Claims Administrator's and/or Fund Solicitor's Professional Service Contract with the Fund.
- 2) Each Member Municipality is reminded of the limits on what fees the Member Municipality can charge for copies of records, as prescribed by the Open Public Records Act (OPRA) N.J.S.A. 47:1A-2

BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

P.O. Box 489
Marlton NJ 08053

REQUEST FOR ACCESS TO RECORDS

FOR JIF USE ONLY

Date Request Received: _____

Date Response Provided: _____

SEE INSTRUCTIONS BELOW

Name: _____

Address: _____

Telephone [Day] _____

Information Requested:

Minutes, Agendas, Resolutions (Specify Date and Subject for Identification):

Other [specify] _____

A request for a copy of records should be submitted on this form which has been adopted by the Custodian of Records for requests related to the Burlington County Municipal Joint Insurance Fund. Some records will be immediately available during normal business hours. Some records will

require time to locate and to make any copies requested, but will normally be available during normal business hours and within seven (7) business days. If any document or copy which has been requested is not a public record or cannot be provided within the seven (7) business days, you will be provided with a response with that information within the seven (7) business days. There is no fee involved in simply inspecting a document during normal business hours. This request may be filed electronically. In general:

- Except as otherwise provided by law or regulation, the fee assessed for the duplication of a printed record shall be: first page to tenth page, \$0.75 per page; eleventh page to twentieth page, \$0.50 per page; all pages over twenty, \$0.25 per page.
- Where a request is for a copy in a format other than a photocopy, reasonable efforts will be made to provide the information in the format requested. The cost will be based on the costs of producing the format requested.
- Where a legal determination must be made as to whether records are "public records" as provided by law, the request will be reviewed by the Fund Attorney.

The term "public records" generally includes those records determined to be public in accordance with *N.J.S.A. 47:1A-1*. The term does not include personnel files, investigation records, attorney communications, or other matters in which there is a right of privacy or confidentiality or which is specifically exempted by law.

The Applicant hereby acknowledges receipt of a copy of this form with the date on which the information is expected to be available and the estimated cost. The applicant hereby certifies that he or she is not seeking government records containing personal information pertaining the victim or the victim's family for any matter in which the applicant has been convicted of any indictable offense under the laws of this State, any other state or the United States as provided by *N.J.S.A. 47:1A-1 et seq.*,

The information requested will be ready on _____

Estimated Number of Pages _____

Estimated Cost _____

Deposit _____

Applicant

Fund Official

Date: _____

Date: _____

PUBLIC RECORDS REQUEST RESPONSE

TO : _____

DATE : _____

The document or documents listed below and requested by you are not being provided because the document or documents are not public records as provided by law, for the following reason:

You have a right to appeal the decision that the document or documents are not public records. You may take your appeal to the Government Records Council or to the New Jersey Superior Court, as provided by *N.J.S.A. 47:1A-1 et seq.* If your request has been denied, a statement of the procedures for the appeal will be attached.

Date: _____
JIF Custodian of Records

ACKNOWLEDGMENT

I hereby acknowledge that I have received the documents requested except for any documents specifically listed above on which a determination has been made that the documents will not be provided. If any documents have not been provided, I have received information on the procedures for any appeal of the determination.

Date: _____
Applicant