

# BRIDGEWATER TOWNSHIP

## OPEN PUBLIC RECORDS ACT (OPRA)



### POLICY FOR PROCESSING VOLUMINOUS AND/OR HIGH-FREQUENCY OPRA REQUESTS & IMPLEMENTATION OF SPECIAL SERVICE CHARGES

OFFICE OF THE TOWNSHIP CLERK  
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## **1. Purpose:**

This policy outlines Bridgewater Township's procedure for handling voluminous and/or high-frequency Open Public Records Act (OPRA) requests, as well as the imposition of Special Service Charges while ensuring compliance with N.J.S.A. 47:1A-1 et seq. and maintaining operational efficiency.

## **2. Commitment to Compliance:**

Bridgewater Township is committed to upholding the principles of OPRA by providing timely and efficient access to public records. We strive to fulfill all legitimate OPRA requests in accordance with the law.

## **3. Voluminous or High-Frequency Requests:**

When OPRA requests are deemed to be overly burdensome or cause a significant disruption of municipal operations due to their volume or frequency, the Township reserves the right to impose a special service charge or fee, in accordance with N.J.S.A. 47:1A-5.

## **4. Criteria for Special Service Charges:**

A special service charge may be imposed when requests:

- Involve a large number of distinct records requiring extensive retrieval and review.
- Necessitate significant staff time beyond routine OPRA processing.
- Disrupt the Township's ability to perform its regular functions.
- Are submitted with excessive frequency, creating an unreasonable burden.
- Require the expertise of specialized personnel.
- Seek a record that cannot be reproduced by ordinary document copying equipment in ordinary business size.
- Require any extensive use of information technology.

**Please note:** The Township's resources are subject to change, and we cannot predict what volume or frequency of requests in the future may incur a special service charge.

## **5. Determination of Voluminous Requests:**

The Municipal Clerk, in consultation with the Township Administrator & Township Attorney as well as any relevant department heads, will determine if a request meets the criteria for a special service charge. Factors considered will include:

- The number of records requested.
- The complexity of the records.
- The time required for retrieval and review.
- The frequency of the requestor's OPRA submissions.
- The impact on municipal operations.

## 6. Policy Review:

This policy will be reviewed and updated as necessary to ensure continued compliance with OPRA and to maintain efficient municipal operations.

## 7. Special Provisions for Police Body-Worn Camera (BWC) Footage:

Notwithstanding the general procedures for imposing Special Service Charges outlined below, the following provisions shall apply exclusively to OPRA requests involving body-worn camera (BWC) footage that require review and/or redaction by the Police Department:

- **Payment Requirement:** The full (100%) estimated Special Service Charge is required as a single payment prior to the commencement of the redaction and release of the records.
- **Initial Cost Estimation:** The estimated time for review and redaction will be calculated using the Police Department's established formula of three (3) times the length of the video footage.
- **Fee Reduction:** The total estimated Special Service Charge calculated using the initial formula will be reduced by twenty-five percent (25%) before being presented to the requestor.
- **Waiver of Hourly Rate:** For BWC footage redaction, the "Estimated processing time" (T) and "Hourly rate for staff" (R) variables in the general calculation template shall be superseded by the Police Department's formula (3x video length, minus 25% reduction).
- **Final Charge Adjustment:** Should the actual time and cost incurred to process the request be less than the amount collected, the Township will promptly refund the difference to the requestor upon the release of the records.

## **Procedures for Imposing Special Service Charges for Voluminous and/or High Frequency OPRA Requests**

### **1. Special Service Charge Details:**

- When a request is deemed voluminous and/or high frequency, the Township will calculate a special service charge based on the actual cost of processing the request.
- This may include, but is not limited to, the hourly rate of personnel with the capability to fulfill the OPRA Request
- The estimated time to process each request will be determined and multiplied by the hourly rate.
- The total estimated special service charge will be provided to the requestor in writing.
- This charge is separate from any other legally permissible fees (N.J.S.A. 47:1A-5b).
- The letter provided to the requestor will clearly identify the specific OPRA requests that the special service charge is being applied to.

### **2. Next Steps for Requestors:**

- The Township will not begin processing the voluminous OPRA requests until the requestor provides written acceptance of the special service charge.
- For all requests except those covered under the Special Provisions for Police Body-Worn Camera Footage (Section 7): A 50% deposit of the total estimated fee is required within 24 hours of acceptance. The remaining balance is due before release of the documents.
- For all requests covered under the Special Provisions for Police Body-Worn Camera Footage (**Section 7**): The full (100%) estimated fee is required within 24 hours of acceptance. The records will be released upon completion of processing

- Payment must be submitted to the Municipal Clerk's Office at 100 Commons Way, Bridgewater, NJ 08807.
- The requestor will be provided with a deadline for acceptance and payment. Failure to respond by the deadline will result in the closure of the OPRA requests.
- The response letter will include a place for the requestor to mark either "ACCEPTED" or "DENIED" with clear instructions. If the requestor does not respond within **5days** the Township will consider the requestor's rejection of the Special Service Charge.
- The response letter will include an estimated date that the final response will be delivered.
- The response letter will contain contact information for any questions.

### **3. Notification and Communication:**

- The Township will provide clear and timely communication to the requestor regarding the special service charge.
- All notifications will be in writing and will include a detailed explanation of the charges.
- The Municipal Clerk's Office will be available to answer any questions.

### **4. Record Keeping:**

- The Township will maintain accurate records of all OPRA requests and related correspondence, including special service charge determinations and payments.

This policy is intended to ensure transparency and efficiency in handling voluminous and/or high frequency OPRA requests while adhering to the requirements of the law.

## Calculation Template for Special Service Charges

### 1. Define Variables:

T = Estimated processing time per request (in hours).  
(Example: 45 minutes = 0.75 hours; 1 hour = 1.0 hour)

R = Hourly rate for staff (in dollars).  
(Example: \$50 per hour)

N = Total number of requests.  
(Example: 42 requests)

### 2. Calculate Cost per Request:

Cost per Request =  $T * R$   
Example: For 0.75 hours, cost per request =  $0.75 * \$50 = \$37.50$

### 3. Calculate Total Labor Cost:

Total Cost =  $N * T * R$   
Example:  $42 * 0.75 * 50 = \$1,575$

### 4. Additional Costs:

Include any extra fees for duplication, scanning, redaction, or other processing as needed.

### Effective Date:

This policy is effective as of March 15, 2025 and remains in effect until revised or revoked by the Township Administrator and Township Clerk.