



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO Box 803
TRENTON, NJ 08625-0803

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

LORI GRIFA
Commissioner

December 27, 2011

Kimberly Hodsdon, Municipal Clerk
Township of Galloway
300 E. Jimmie Leeds Road
Galloway, New Jersey 08205-4109

Dear Ms. Hodsdon:

This is in regard to a complaint that was received by the Division of Local Government Services from Mr. Harry B. Scheeler, Jr., in regard to your actions concerning an Open Public Records Act (OPRA) request submitted by him. It will also serve as a follow-up to your telephone conversation with Daniel Kaminski of my staff, in regard to this matter. Mr. Scheeler has requested that the Division take some form of disciplinary action against your Registered Municipal Clerk (RMC) certification due to the circumstances of this matter.

As per the attached copies of documentation that Mr. Scheeler submitted to the Division, he had submitted the request on November 14, 2011, for documents that required immediate access. It appears that there was no response to his request until late in the work day of November 15, 2011. That evening, Mr. Scheeler notified the Township's Governing Body that he was filing a complaint against you, claiming that you had not responded timely or properly to this and other OPRA requests.

It is our understanding that the request of November 14, 2011, has been answered and satisfied. However, in an email to Mr. Scheeler, dated November 16, 2011, you stated that you did not check emails until Tuesday, November 15, 2011, after a holiday weekend, when further documentation that was provided by him shows that you did respond to at least some emails on November 14, 2011.

I am requesting that you submit a response, in writing, within three weeks of the date of this letter, addressing both the time frame in which you fulfilled Mr. Scheeler's OPRA request of November 14, 2011, and the contradiction between your email to him of November 16, 2011, in which you stated that you did not check your emails until November 15, 2011, and the other documentation showing that you did respond to some emails on November 14, 2011. The answer should be submitted to my attention at the Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625-0803. Upon receipt and review of your response, the Division will then make a determination as to whether any disciplinary action against your RMC certification is warranted.



Kimberly Hodsdon, Municipal Clerk
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Thank you for your immediate attention to this matter. If you have any questions, please contact Daniel Kaminski at (609) 292-9757.

Sincerely,

A handwritten signature in black ink, appearing to read 'TH Neff', written over a white background.

Thomas H. Neff, Director
Division of Local Government Services

THN:djk
enc.