

KIMBERLY D. KRAUSS
Township Clerk /Business Administrator
Alt. Deputy R.V.S.

SUZANNE SCHUMANN
Deputy Business Administrator



TOWNSHIP OF MIDDLE
OFFICE OF TOWNSHIP CLERK/ ADMINISTRATION
33 MECHANIC STREET
CAPE MAY COURT HOUSE, NEW JERSEY 08210

ANDREA N. SINGLEY
Deputy Township Clerk
Deputy Registrar of Vital Statistics

EMILY BOWMAN
Registrar of Vital Statistics

DAWN STIMMEL
Administrative Secretary
Alt. Deputy R.V.S

July 27, 2021

Cape Media Holdings, LLC
opra+request-24783-9cf56d3d@requests.opramachine.com

Dear Applicant,

The Township of Middle received your attached Open Public Records Act (OPRA) request on July 26, 2021. As such, the seven (7) business day deadline to respond to your request is August 05, 2021. This response to your request is being provided to you on July 29, 2021.

Your OPRA request sought access to the following:

*"- Any copies (email, mail, and/or other communication or documentation subject to NJOPRA) of letters sent to Middle Township property owners over the last five years regarding sewer underbilling situations.
- Copies of any invoices (email, mail, or other communication and/or documentation subject to NJOPRA) for underbilled sewer service fees or usage for these properties over the last five years.
- Copies of any settlements (email, mail, or other communication and/or documentation subject to NJOPRA) reached for underbilled sewer properties over the last five years."*

Currently, your request fails to identify with reasonable clarity the specific government records sought, as is required by Bent v. Stafford Police Department, 381 N.J.Super. 30, 37 (App. Div. 2005). At this time, we request clarification of your OPRA request. Please respond in writing and identify the specific government records sought so that we may process your request. Failure to provide written clarification of your request will result in the closure of this OPRA request.

A records custodian is obligated to *search* her files to *find* the identifiable government records listed in the applicant's OPRA request, however I must remind you that a custodian is not required to *research* her files to figure out which records, if any, might be responsive to a broad and unclear OPRA request.

In order to fulfill your request, we have you provide the following clarification:

- **Please clarify the specific Township employees you are requesting the correspondence for.**

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 [insert name of agency] 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,

A handwritten signature in blue ink that reads "Emily Bowman". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Emily Bowman R.M.C.
Registrar of Vital Statistics
Keyboarding Clerk
Township of Middle