



Township of Warren

Somerset County

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(908) 753-8000 • Fax (908) 757-9173 • www.warrennj.org

April 28, 2025

NJ Media Direct

Sent to: opra+request-75043-f4314ea0@requests.opramachine.com

RE: OPRA Request No. 2025-0312

Dear NJ Media Direct:

Warren Township is in receipt of your request, dated April 23, 2025, and received the same day, pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., requesting the following:

“I request records of any legal notices, court-ordered subpoenas, or other legal requests for information regarding elected or appointed Warren Township officials, including Township Council members, Mayor, Recreation Committee members, and Planning Board members, from January 1, 2022, to April 22, 2025. Please include each official’s name, dates, issuing court, and the nature of each request. This request excludes non-elected, non-appointed career full-time Township employees”.

This letter is to acknowledge receipt of the request and, after consultation with counsel, the Township responds as follows.

Your OPRA request is being denied as an invalid request being overly broad and overly burdensome, and failing to specify an identifiable governmental record. Please be advised that a request pursuant to OPRA must identify the records sought with specificity. Bart v. Passaic County Pub. Hous. Agency, 406 N.J. Super. 445, 451 (App. Div. 2009). OPRA “is not intended as a research tool litigants may use to force government officials to identify and siphon useful information.” MAG Entertainment, LLC v. Division of Alcohol Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005). A custodian may reject a request that is overly broad or vague so as to prevent identification of the records sought. New Jersey Builders Ass’n v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 172 (App. Div. 2007), cert. denied 190 N.J. 394 (2007). Moreover, the Appellate Division held in MAG Entertainment, LLC v. Division of ABC, supra, 375 N.J. Super. at 549, that pursuant to New Jersey’s Open Public Records Act (OPRA):

Agencies are required to disclose only ‘identifiable’ government records not otherwise exempt. Wholesale requests for general

information to be analyzed, collated and compiled by the responding government agency are not encompassed therein. In short, OPRA does not countenance open-ended searches of an agency's files.

Please be further advised that your request is objectionable, and subject to denial because it is vague, unclear, overbroad, and ambiguous, as the request for records of any legal notices, court-ordered subpoenas, or other legal requests for information regarding elected or appointed Warren Township officials, including Township Council members, Mayor, Recreation Committee members, and Planning Board members, from January 1, 2022, to April 22, 2025 is overbroad, vague and ambiguous, and the requests may be rejected on this ground. Spectraserv, Inc. v. Middlesex County Utilities Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Assoc. v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 180 (App. Div. 2007). see also Bent v. Twp. of Stafford Police Dep't, Custodian of Recs., 381 N.J. Super. 30, 37 (App. Div. 2005) (holding that requests for "any and all" documents on a specific subject are considered overly broad and subject to denial).

Also, Warren Township is unable to identify the records sought from the text of this request and requires Warren Township to conduct research. The New Jersey Superior Court has held that "[w]hile OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records 'readily accessible for inspection, copying, or examination.' N.J.S.A. 47:1A-1." (Emphasis added.) MAG Entertainment, 375 N.J. Super. at 546. The Court further held that "[u]nder OPRA, agencies are required to disclose only 'identifiable' government records not otherwise exempt ... Wholesale requests for general information to be analyzed, collated and compiled by the responding government entity are not encompassed therein. In short, OPRA does not countenance open-ended searches of an agency's files." Id. at 549 (Emphasis added). This request is overly broad and over burdensome being a request for all of a certain type of public record, being utilized as a research tool causing substantial disruption in the Township's operation, having to siphon through every file in every department to find information relating to the subject matter.

Based on the foregoing, your OPRA request is denied as invalid.

Sincerely,



Donna Hands, Township Clerk
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