

MONROE TOWNSHIP BOARD OF EDUCATION
423 BUCKELEW AVENUE
MONROE TOWNSHIP, NJ 08831
PH: 732-521-1500 FAX: (732) 521-2719

Lisa Goldstein
Custodian of Records

BY EMAIL ONLY TO: Anonymous <opra+request-56869-77c224ae@requests.opramachine.com>

January 9, 2023

Anonymous

Re: Open Public Records Act Request

Dear Anonymous:

The District is in receipt of your request for records under the Open Public Records Act. Specifically, your request sought:

1. All email from Carmen Alvarez to Chrissy Skurbe on board email from September 2023 through December 2023.
2. All email from Gail DiPane to Chrissy Skurbe from September 2023 through December 2023.
3. All text messages from Peter Tufano to Carmen Alvarez and her husband. All Texts from Mr. Alvarez to Peter Tufano. This must be provided under the law.
4. All to and from email from Gail DiPane to Carmen Alvarez, Kate Ratner, Kate Fabiano, and Brian Fabiano. Also requesting any forwards from board email to private email addresses from the 4 board members. Requesting September 2023 through December 2023.

Requests 1, 2 & 4: Your request requires further clarification because it 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). A proper request under OPRA must identify with reasonable clarity those documents that are desired. In particular, "OPRA simply operates to make identifiable government records 'readily accessible for inspection, copying, or examination.' N.J.S.A. 47:1A-1." *MAG Entm't, LLC v. Div. of Alcoholic Beverage Control*, 375 N.J. Super. 534, 543 (App. Div. 2005). Your request fails to provide a subject for the records that you are seeking. As a result, your request is denied, at this time, until further clarification is provided.

Request 3: Your request is denied. The District has no records responsive to this request. See *Klock v. Newark Public Schools*, GRC Complaint No. 2013-242 (July 2014) (Finding that Custodian properly denied a request where there were no responsive documents); *Pusterhofer v. N.J. Dep't of Education*, GRC Complaint No. 2005-49 (July 2005) ("The Custodian has certified that the requested record does not exist. Therefore, the requested record cannot be released and there was no unlawful denial of access").

Sincerely,



Lisa Goldstein
OPRA Secretary/Custodian of Records

cc: Dr. Chari Robynne Chanley, Superintendent of Schools
Mr. David Disler, Esq., Porzio, Bromberg & Newman, P.C.