

TOWN OF WESTFIELD
Maureen Lawshe, Town Clerk
Custodian of Records
MUNICIPAL BUILDING
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REQUEST FOR GOVERNMENT RECORDS
(N.J.S.A. 47:1A – 1, et seq.)
GOVERNMENT RECORDS REQUEST RESPONSE

TO: DP Lima
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mood6063@verizon.net

DATE: July 17, 2023

The Town of Westfield received your Open Public Records (OPRA)/Common Law request on July 17, 2023, for which a response is due on or before July 26, 2023.

Your request sought access to the following:

- Any email to or from Peter Primavera
- Emails to and from Peter Primavera to Westfield official during Jan-June in 2022 especially key words on historic, or train, or plaza

A response to your request is as follows:

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). OPRA does not allow a blanket request for every document a public agency has on file or a wholesale request for general information. Gannett N.J. Partners, LP v. Cty. of Middlesex, 379 N.J. Super. 205, 212 (App. Div. 2005); MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 549 (App. Div. 2005); Bent v. Twp. of Stafford Police Dep't, 381 N.J. Super. 30, 36-37 (App. Div. 2005); Spectraserv, Inc. v. Middlesex Cty. Utils. Auth., 416 N.J. Super. 565, 578 (App. Div. 2010); N.J. Builders Ass'n v. N.J. Council on Affordable Hous., 390 N.J. Super. 166, 178-79 (App. Div. 2007). Requests for correspondence must identify the individuals or accounts to be searched and be confined to a discrete and limited subject matter. Burke v. Brandes, 429 N.J. Super. 169, 176-78 (App. Div. 2012); see also Elcavage v. West Milford Twp. (Passaic), GRC Complaint No. 2009-08 (Apr. 8, 2010) (stating that a proper request for email correspondence must contain "(1) the content and/or subject of the e-mail, (2) the specific date or range of dates during which the e-mail was transmitted or the emails were transmitted, and (3) a valid e-mail request must identify the sender and/or the recipient thereof).

The terms that you provided are too general and broad to allow the Town to locate responsive records. Thus, at this time, we request clarification of your OPRA request. A proper request under OPRA must identify with reasonable clarity those documents that are desired, and a party cannot satisfy this requirement by simply requesting all of an agency's documents.

In order for us to provide responsive documents to your request, which seeks “emails to and from Peter Primavera to Westfield official during Jan-June in 2022 especially key words on historic, or train, or plaza,” you must specify (1) the sender and receivers of the written correspondence (i.e., the “to”, “from”, and “cc” or “bcc”).

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.

This response is being provided to you via email as per your request.

If your request for access to a government record has been denied or unfilled within seven (7) business days required by law, you have a right to challenge the decision by the Town of Westfield 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.

Dated: July 17, 2023



Maureen Lawshe, RMC
Town Clerk