



CITY OF BRIGANTINE

Lynn Sweeney, RMC, CMR
City Clerk/Registrar

August 12, 2019

Anonymous

Via Email – opra+request-6209-a33b567c@requests.opramachine.com

Re: July 5, 2019 OPRA Request

Dear Anonymous:

The City of Brigantine (hereinafter "City") received your Open Public Records Act (OPRA) request dated July 5, 2019. The official Records Custodian, Lynn Sweeney, received your OPRA request on July 5, 2019. On July 16, 2019, the City requested additional time to fulfil the request pursuant to N.J.S.A. 47:1A-5.i. On July 30, 2019, the City provided responsive documents to requests 1, 2, 6 and 7, and requested an extension of time to obtain the remaining responsive documents.

The City responds to requests 3, 4, and 5 as follows:

3. **List(s) of any deleted, hidden, blocked, banned comments that were on the Wildwood, Ventnor, Brigantine Police Department's Office's public facebook page for the time period of 1-1-2018 to 7-1-2019.**

Response: The request is invalid under OPRA because it fails to reasonably specify identifiable government records and constitutes an overbroad and unclear request that would require the Custodian to conduct research outside the scope of her duties pursuant to MAG Entertainment, LLC v. Division of Alcoholic Beverages Control, 375 N.J. Super. 534 (App. Div. 2005).

Subject to and without waiving the above objection, see attached document.

4. **List(s) of the authors' names of any deleted, hidden, blocked, banned comments that were on the Wildwood, Ventnor, and Brigantine public facebook page for the time period of 1-1-2018 to 7-1-2019.**

Response: The request is invalid under OPRA because it fails to reasonably specify identifiable government records and constitutes an overbroad and unclear request that would require the Custodian to conduct research outside the scope of her duties pursuant to MAG Entertainment, LLC v. Division of Alcoholic Beverages Control, 375 N.J. Super. 534 (App. Div. 2005)

5. **Copies of all messages and author's names sent via the Wildwood, Ventnor, Brigantine Police Department's facebook messenger and responses for the time period of 1-1-2018 to 7-1-2019.**

Response: The request is invalid under OPRA because it fails to reasonably specify identifiable government records and constitutes an overbroad and unclear request that would require the Custodian to conduct research outside the scope of her duties pursuant to MAG Entertainment, LLC v. Division of Alcoholic Beverages Control, 375 N.J. Super. 534 (App. Div. 2005).

Subject to and without waiving the above objection, see attached documents. The attached documents contain redactions. The statutory provision for each redaction is cited in red. For your reference, the redactions are made pursuant to the following exemptions:

- N.J.S.A. 2A:4A-60(a) restricts public access to “[s]ocial, medical, psychological, legal and other records of the court and probation divisions, and records of law enforcement agencies” involving juveniles.
- N.J.S.A. 47:1A-1 provides that a public agency has a responsibility and an obligation to safeguard from public access a citizen’s personal information with which it has been entrusted when disclosure thereof would violate the citizen’s reasonable expectation of privacy.
- N.J.S.A. 47:1A-1 exempts from the definition of a government record that portion of any document, which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person.

This completes your OPRA request.

Sincerely,



Lynn Sweeney, RMC/CMR
Records Custodian

cc: Jim Bennett, City Administrator
Alfred Scerni, Esq., City Solicitor