



STEINHARDT
CAPPELLI
TIPTON &
TAYLOR LLC

Katharine A. Fina | Partner

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December 10, 2020

VIA Email (opra+request-18797-372802ea@requests.opramachine.com)

William Sosis

Re: December 2, 2020 OPRA Request

Dear Mr. Sosis

Please be advised, this Firm serves as general counsel to the Town of Hackettstown ("Town"). We are in receipt of your Open Public Records Act, N.J.S.A. 47:1A-1 et seq. ("OPRA"), dated December 2, 2020 requesting the following:

For the period January 1, 2014 to the present, all public records including but not limited to communications, meetings, and documents RELATING to the proposed plan(s) to open a slaughterhouse on property of West Stiger Street, Hackettstown, NJ.

THIS REQUEST INCLUDES ALL THE FOLLOWING AVAILABLE PUBLIC RECORDS

1. Any and all copies of records, including copies of the Town of Hackettstown's open and closed meeting minutes relating to the scope of this request;
2. Audio files in their original format (e.g., dcr format with metadata) of all meetings relating to the scope of this request. If any records are not available electronically, please provide instructions on how they can be obtained.
3. Any and all communications between the Mayor and any member of the governing body or department/person(s) of the Town of Hackettstown;
4. Any and all communications between the Mayor and any persons or business entities not employed by the Town of Hackettstown.
5. Any and all communications between any employee (pass or present) of the Town of Hackettstown and any persons or business entities not employed by the Town of Hackettstown;
6. Any and all applications, presentation, or proposals from any persons or business entities for authorizations, ordinances, resolutions, studies, reports, recommendations, and/or conclusions relating to the scope of this request;

7. Any and all agreements, contracts, arrangements resolutions, or understandings, formal or informal, oral or written, between any member of the Town of Hackettstown and any persons or business entities for studies, reports, recommendations, and conclusions on the subject of this request;
8. Any and all intra-, inter-, or extra-departmental public records relating to the scope of this request not captured in items 3-8 above.

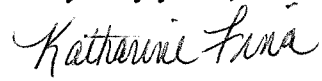
Be advised, your request is invalid as it is overly broad and unclear. Pursuant to OPRA, a public entity is only required to disclose "identifiable government records." MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534 (App. Div. 2005); Bent v. Stafford Police Dep't, 381 N.J. Super. 30 (App. Div. 2005); New Jersey Builders Ass'n v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166 (App. Div. 2007). In fact, "whole sale requests for general information that requires the [Town] to analyze, collate and compile" information are not valid requests under OPRA. Id. In short, the Town is not required to research its files to find out which records, if any, may be responsive to a request.

Pursuant to the above, accept this letter as a **request for clarification** on the specific documents you are seeking, specifically the following:

- Request No. 1: This is not a request for an identifiable government record and would require the Town to conduct research. Kindly clarify the specific documents you are seeking, including the dates of meetings for which you are seeking minutes.
- Request No. 2: This is not a request would require the Town to conduct research. Kindly clarify the dates of meetings you are seeking audio files from.
- Request No. 3: In requesting correspondence and emails, you must include the following information in the request: (1) Sender, (2) Recipient; (3) date or date range of communications; and (4) subject/content. Kindly clarify the date or date range of the communications you seek.
- Request No. 4: In requesting correspondence and emails, you must include the following information in the request: (1) Sender, (2) Recipient; (3) date or date range of communications; and (4) subject/content. Kindly clarify the sender/recipient of the communications you seek and the date or date range of the communications.
- Request No. 5: In requesting correspondence and emails, you must include the following information in the request: (1) Sender, (2) Recipient; (3) date or date range of communications; and (4) subject/content. Kindly clarify the sender/recipient of the communications you seek and the date or date range of the communications.
- Request No. 6: This is not a request for an identifiable government record and would require the Town to conduct research. Kindly clarify the specific documents you are seeking/
- Request No. 7: This is not a request for an identifiable government record and would require the Town to conduct research. Kindly clarify the specific documents you are seeking.
- Request No. 8: This is not a request for an identifiable government record and would require the Town to conduct research. Kindly clarify the specific documents you are seeking.

If you have any questions, do not hesitate to call me to discuss.

Very truly yours,

A handwritten signature in cursive script that reads "Katharine Fina".

Katharine Fina

cc. Bill Kuster, Town Clerk