



William N. Sosis, Esq.

William N. Sosis
15 Brantwood Terrace
Hackettstown, NJ 07840
Email: william.n.sosis@gmail.com
Phone: (201) 345-3095
URL: www.sosislaw.com

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VIA EMAIL ONLY

KATERINA L. CAMPBELL
Lavery, Selvaggi, Abromitis & Cohen
A Professional Corporation
1001 Route 517
Hackettstown, New Jersey 07840

Dear Ms. Campbell,

I am in receipt of your letter of today's date.

I disagree that my OPRA is "overly broad and does not identify a specific government record". For me to further narrow my request I would need to know, in advance, the type, form, and specific date created of any record that would satisfy my request. It is therefore absurd for the Township of Mansfield to require me to identify "(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 e-mails were transmitted, and (3) identify the sender and/or the recipient thereof".

It is also inapposite for you to rely on *MAG Entertainment, LLC v. Division of Alcoholic Beverage Control*, 375 N.J. Super. 534 (App. Div. 2005). In *MAG*, the plaintiff's request required that "the documents or records should set forth the persons and/or parties involved, the name and citation of each such case, including unreported cases, the dates of filing, hearing and decision, the tribunals or courts involved, the substance of the allegations made, the docket numbers, the outcome of each matter, the names and addresses of all persons involved, including all witnesses and counsel, and copies of all pleadings, interrogatory answers, case documents, expert reports, transcripts, findings, opinions, orders, case resolutions, published or unpublished case decisions, statutes, rules and regulations.

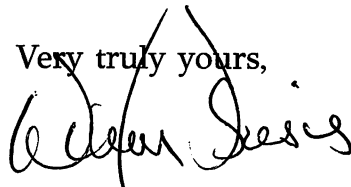
The above makes clear that the *MAG* plaintiff's request was "absurdly over-broad". The request required the records custodian to conduct an "open-ended

demand" requiring the records custodian to, "manually search through all of the agency's files, analyze, compile and collate the information contained therein, and identify cases relative to its selective enforcement defense in the OAL litigation. Further, once the cases were identified, the records custodian would then be required to evaluate, sort out, and determine the documents to be produced and those otherwise exempted." Clearly then, there is no comparison between my request and the plaintiff in *MAG*. Unlike the plaintiff in *MAG*, my request specifies the time period in which relevant records may be found. *Paff v. Galloway Tp.*, 229 N.J. 340 (2017). Moreover, the breadth of my request is as narrow as it can be since it appears that the Mansfield Township Committee approved the purchase of the Mount Bethel Church in 2014. **Exhibit 1**. This date corresponds with the start date in my records request.

You should also note that cases such as *Elcavage v. West Milford Twp.*, GRC Complaint Nos. 2009-07 and 2009-08 (March 2010) are also inapposite. In 2017 the New Jersey Supreme Court held that courts do not accord substantial deference to GRC decisions. *Id.* at 343. Additionally, under OPRA, a decision of the GRC has no value as a precedent for any case initiated in Superior Court." N.J.S.A. 47:1A-7(e). Besides, the New Jersey Legislature has instructed that government records *must be readily accessible to our citizenry, subject to certain exceptions, and that any limitation on the public's right of access must be construed in favor of access.* N.J.S.A. 47:1A-1.

Finally, I find it irresponsible for the Township of Mansfield to take a litigious position against a resident making a reasonable request for public records. As you know, doing so risks wasting public funds in needless litigation. Therefore, as an amicable alternative, please inform your client that I am amenable to a reasonable extension of time should she require it.

Very truly yours,

A handwritten signature in black ink, appearing to read "William N. Sosis", written over a horizontal line.

William N. Sosis, Esq.

cc: Dena Hrebenak (dhrebenak@mansfieldtownship-nj.gov)

Exhibit 1

Mansfield Township purchasing, preserving 19th century church

W lehighvalleylive.com/warren-county/express-times/2014/06/mansfield_township_purchasing.html

June 28, 2014

By Special to The Express-Times

Mount Bethel Methodist Episcopal Church

Mount Bethel Methodist Episcopal Church, built in 1844 in Mansfield Township, is seen in July 2010.

BY CHRISTINE LEE

For The Express-Times

The Mansfield Township Committee has approved the purchase of a vacant church for preservation and possible future museum use, though there are concerns over paying for needed repairs.

Committee members on Wednesday approved the purchase of Mount Bethel Methodist Church at Snyder and Mount Bethel roads for \$45,000 from the estate of Charles and Michelle Corley. The township plans to use the 19th century church to house items from the township's history.

According to a list of historic sites in Warren County compiled by the Warren County Cultural and Heritage Commission, the church is the oldest Methodist house of worship in the township. It was built in 1844 on the site of an earlier log church.

On the National Register of Historic Places since 1980, it is also on New Jersey's register of historic places. Township Mayor Ted Tomaszewski said the church hasn't been used for years.

The township applied for help from the Warren County Open Space Trust Fund for the purchase and restoration, with \$22,500 plus acquisition costs coming from the township's open space trust fund. Tomaszewski said this is the first historic building the township has purchased using money from the local fund.

"It's not going to be a big expenditure for the town," he said. "We're just going to preserve it as a historic site."

The building is in need of repair work, including a new roof. Committeewoman Shirley Kocher said the township would like to acquire the historic church "as soon as possible" to address those issues.

During Wednesday's meeting, Kocher and Committeeman Michael Clancy wanted to know how much it would cost to fix and run the building.

"They wanted to think about making it a museum, but there's nothing written down that says this is what we'd like to do with it," Kocher said. "We're just concerned about what the projected plan is."

Tomaszewski anticipates the cost to maintain the historic building to be "minimal," noting that because the building is primarily made of stone, the only major cost incurred in preserving the church would be heating, the new roof and maintaining the lawn of the adjacent cemetery. He estimates overall costs coming to less than \$33,000.

"Once we put a roof on it, it's not going to require a lot of maintenance other than heat," he said.

Tomaszewski said there are no plans in place as to how it would operate. He is mainly focused on securing the building.

"This is a building that really essentially only needs a roof," he said. "Structure-wise in the masonry, it's in very good shape. It's not something that needs a lot of work."