



Borough of Butler

TO: Ben

FROM: Mary O'Keefe, Borough Clerk *me*

DATE: August 3, 2020

RE: Open Public Records Act Request – Abandoned/Vacant/Probate-Morris

The Borough of Butler and Official Records Custodian, Mary O'Keefe received your Open Public Records Act (OPRA) request on July 17, 2020. As such, the seven (7) business day deadline to respond to your request is July 28, 2020. An extension of time was requested on July 23, 2020 to August 3, 2020. This response to your request is being provided to you on the date listed in the extension request.

Your OPRA request sought access to the following:

- 1) All abandoned/vacant residential properties (Property Class 2)
- 2) All condemned properties
- 3) All residential properties with delinquent taxes
- 4) All residential properties for which a Lis Pendens notice has been filed or that are currently in probate
- 5) All properties that are absentee-owned
- 6) All properties with delinquent water and sewer which date back up to 1 year, including amounts owed
- 7) All properties currently listed with water shut-off notice
- 8) All properties with code violations, including the type of violation
- 9) All properties with notices of abatement

The following records are being provided in their entirety and are responsive to your request.

1. Listing of Vacant Properties [1 page]
2. Listing of all residential properties with delinquent taxes [2 pages]
3. **Listing of Properties with delinquent water and sewer, please be advised that due to an emergency the Tax Collector who would prepare this information has been out of the office for several days and I am hoping she will return this week as she is the only individual who can prepare this report. [pages]**
4. Listing of all properties with code violations [2 pages]

One Ace Road, Butler, New Jersey 07405

Borough Offices: (973) 838-7200 x. 226
Fax: (973) 838-3762

Public Works: (973) 838-0063

Police: (973) 838-4100
Fax (973) 838-3454

Please be advised regarding item 1 of your request, the Borough does not maintain a list of "abandoned/vacant" properties. The Borough does require registration of certain vacant and abandoned properties and I have attached a copy of the list of registrations filed.

Regarding item 2 of your request, this is a request for information rather than a request for a public record and as such not an OPRA request for which any public records are available. For information purposes please be advised that the Borough does not maintain a list of "condemned" properties. For further information purposes, the Borough has no condemnation actions pending in court at this time.

Regarding item 4 of your request this is a request for information rather than a request for a public record and as such is not an Open Public Records Act request for which any records are available. For information purposes please be advised that the Borough does not maintain a list of properties for which a Lis Pendens has been filed or that are subject to probate proceedings. Lis Pendens are filed with the County Clerk not with the Borough Clerk.

Regarding item 5, this is a request for information rather than a request for a public record and as such not an Open Public Records Act request for which any public records are available. For information purposes please be advised that the Borough does not maintain a list of properties that are absentee owned.

Regarding item 7, please be advised that there are no properties listed with shut off notices at this time.

Regarding item 9, this is a request for information rather than a request for a public record and as such not an Open Public Records Act request for which any public records are available. For information purposes please be advised that the Borough does not maintain a list of properties with notices of abatement.

These records are being transmitted to you via e-mail, as per your request. Pursuant to N.J.S.A. 47:1A-5.b., there is no cost associated with this request.

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