



SINCE 1844

ROCKAWAY TOWNSHIP

65 MOUNT HOPE
ROAD, ROCKAWAY, NEW JERSEY 07866

3/12/2024

Nathan Stallone

opra+request-59105-aa43fdd7@requests.opramachine.com

RE: OPRA REQUEST 2024-187

Dear Mr. Stallone:

The Township of Rockaway received your Open Public Records Act (OPRA) request on 3/4/24. The official Records Custodian, Everett Falt, received your OPRA request on 3/4/24. As such, the seven (7) business day deadline to respond to your request is 3/13/24. This response to your request is being provided to you on the 6th business day after the custodian's receipt of said request.

You requested the following records:

1. "Fire Damage List
 - A list of all property addresses that the fire department has received an emergency call to in the last 90 days.
- Vacant List
 - A list of all properties that the city deems to be currently vacant or abandoned."

This request seeks information or asks questions and does not identify specific government records. As such, your request is an invalid OPRA request and is denied. When a request is "complex" because it fails to specifically identify the documents sought, then that request is not "encompassed" by OPRA. See *New Jersey Builders Association v. New Jersey Council on Affordable Housing*, 390 N.J.Super. 166, 180 (App. Div. 2007). 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. See *Bent v. Stafford Police Department*, 381 N.J.Super. 30, 37 (App. Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA 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 Township of Rockaway 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.

Sincerely,

Lisa Caruso, CMR
Township Deputy Clerk

65 Mount Hope Road, Rockaway, New Jersey 07866
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(973) 983-2834 (Office)