

Borough of Cliffside Park

MAYOR
THOMAS CALABRESE

BOROUGH ADMINISTRATOR
JOSEPH RUTCH

BOROUGH CLERK
SERCAN ZOKLU, RMC



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January 15, 2021

via electronic mail

J.P. Hunter

opra+request-19218-a5fb1aea@requests.opramachine.com

RE: OPRA request dated December 29, 2020

Dear Mr. Hunter:

Your request made pursuant to the Open Public Records Act (OPRA) dated December 16, 2020 was received by the Records Custodian of the Borough of Cliffside Park. The deadline to respond to your request is seven (7) business days or as soon as circumstances permit in light of the present state of emergency in the State of New Jersey. N.J.S.A. 47:1A-5. This response to your request is being provided to you within the time required by statute.

Your OPRA request sought access to the following:

Please provide a list via email of all Municipal owned liens along with the current amount due, or most recently reported amount due including the lot, block and property address.

RESPONSE TO REQUEST. The Records Custodian is not in possession of any government record responsive to your request for a "list." A request that does not provide the requisite specificity is deemed complex and falls outside the scope of OPRA. See, New Jersey Builders Assn. v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 180 (App.Div. 2007). The statute is intended to operate to make specific and identifiable government records available to those requesting same. See, MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App.Div. 2005). Custodians are not required to conduct research or create new records in response to an OPRA request. OPRA is not intended to serve as a research tool by which government officials may be compelled to identify and siphon information. Furthermore, a records custodian is not required to conduct open-ended searches of the agency's files or to analyze, compile and collate the information

contained in the agency's files in an effort to locate information that is the subject of a request. Id. at 549. It is the obligation of the requestor to "identify with reasonable clarity those documents that are desired." Bent v. Stafford Police Department, 381 N.J. Super. 30, 37 (App.Div. 2005).

If your request for access to a government record pursuant to OPRA has been denied or unfilled within the time required by law, you have a right to challenge the decision 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.

Very truly yours,



SERCAN ZOKLU
Borough Clerk

Attachments

cc: Joseph Rutch, Borough Administrator