

Mayor
DANIELE FEDE

Borough of Bogota

Borough Administrator
CONALL O'MALLEY

Council President
LISA KOHLES

Borough Clerk
YENLYS FLORES-BOLIVARD

Council
CONSUELO CARPENTER
WILLIAM HORDERN
PATRICK McHALE
JOHN MITCHELL
DIANA VERGARA



375 Larch Avenue
Bogota, NJ 07603

February 27, 2025

Dear Mr. Engelhardt,

We have received your Open Public Records Act (OPRA2025-95) request dated February 26, 2025 in which you seek the following records:

1. All active lawsuits against the police department.
2. All letters of intent against the police department.
3. Body camera footage from Officer Joe Kalachian on February 14, 2025, including all body camera footage from that day.
4. All calls involving any officer who backed up Officer Joe Kalachian on February 14, 2025.
5. All meetings about Michael Engelhardt from February 1, 2025, to February 25, 2025.

Please be advised that under the new law adopted last year, OPRA requests are now to be submitted in the form adopted by the custodian of records. However, the Borough will waive this requirement for this OPRA request, but will require the Borough's form to be filled out in the future.

Upon review, we find that some aspects of your request require clarification to ensure we provide the precise records you seek:

1. Active Lawsuits Against the Police Department:

- Your request for "all active lawsuits" is broad and does not identify any government records. Please specify particular case names, or the type of cases you are seeking and a date range. You also need to specify which documents you are seeking that are associated with that lawsuit.

Mayor
DANIELE FEDE

Borough of Bogota

Borough Administrator
CONALL O'MALLEY

Council President
LISA KOHLES

Borough Clerk
YENLYS FLORES-BOLIVARD

Council
CONSUELO CARPENTER
WILLIAM HORDERN
PATRICK McHALE
JOHN MITCHELL
DIANA VERGARA



375 Larch Avenue
Bogota, NJ 07603

2. Letters of Intent Against the Police Department:

- The term “letters of intent” is ambiguous. Are you referring to notices of intent to sue, internal communications, or another type of document? A date range is needed as well as more specificity as to the documents you are seeking. Clarification is needed for us to locate the requested records.

3. Body Camera Footage from February 14, 2025:

- Requests for body camera footage must be specific. Please identify the incident, approximate time and involved individuals. Note that access to such footage may be subject to privacy considerations and ongoing investigations. In addition, all requests for body camera footage must be reviewed by the Bergen County Prosecutor’s Office before they are released in an OPRA request.

4. Calls Involving Backup Officers on February 14, 2025:

- This request does not identify a government record. Please be specific as to the type of record you are seeking, and please specify the nature of the calls, involved officers, and approximate times. These records may also be exempt due to ongoing investigations or other enumerated exemptions to OPRA.

Mayor
DANIELE FEDE

Borough of Bogota

Borough Administrator
CONALL O'MALLEY

Council President
LISA KOHLES

Borough Clerk
YENLYS FLORES-BOLIVARD

Council
CONSUELO CARPENTER
WILLIAM HORDERN
PATRICK McHALE
JOHN MITCHELL
DIANA VERGARA



*375 Larch Avenue
Bogota, NJ 07603*

5. Meetings About Michael Engelhardt from February 1 to February 25, 2025:

- This request does not identify a government record. Please specify the records that you are seeking.

According to the New Jersey Government Records Council, requests must clearly identify specific records to avoid being overly broad.

Additionally, while the New Jersey Supreme Court has expanded access to police body camera footage, certain exemptions and privacy considerations may still apply.

Please provide the necessary clarifications so we can process your request promptly. If you need assistance refining your request, feel free to contact our office.

Best regards,

Yenlys Flores- Bolivard

Municipal Clerk

Borough of Bogota