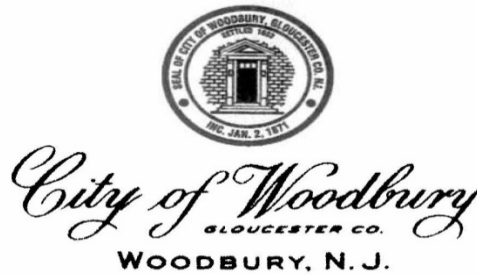


Cassidy L. Swanson

Acting Municipal Clerk

(856) 845-1300 x146

cswanson@woodbury.nj.us



City of Woodbury

City Hall

33 Delaware Street

Woodbury, NJ 08096

(856) 845-1300

February 10, 2021

Via email only (opra+request-18170-7ec6a118@requests.opramachine.com)

Mike Mip

Re: Open Public Records Act Request

Dear Mr. Mip:

The City of Woodbury Records Custodian received your request for records pursuant to the Open Public Records Act (OPRA), dated October 27, 2020, on November 6, 2020. Accordingly, the initial seven (7) business day deadline to respond to your request under OPRA was October 28, 2020. Pursuant to N.J.S.A. 47:1A-5(i)(2), effective March 20, 2020, this response is being provided beyond the initial seven (7) business day deadline to respond to your request under OPRA due to the declared state of emergency.

Your records request was as follows:

mikemip <opra+request-18170-7ec6a118@requests.opramachine.com>
Tue 10/27/2020 8:07 PM

to: Daneen Fuss

Dear Woodbury City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

All properties that currently have delinquent property taxes which date back up to 2 years that have balances greater than \$1000.

All properties that are absentee-owned

All properties that are deemed vacant/abandoned

All properties in probate

All properties with delinquent sewer bills which date back up to 1 year, this list should also include balances greater than \$500.

All properties with code violations, this list should also include amounts of balances owed, the type of violation related to each particular property.

All properties with water shut off notice within the last 3 months.

Yours faithfully,

mikemip

For Item #1

A search of our available records has identified the following records responsive to your request:

Detailed Tax Delinquent Report

For Item #2, #3

After consultation with the City Solicitor, your request for a current abandoned property list is denied for the following reasons:

1. Your request is for emergency or security information or procedures for buildings or facilities which, if disclosed, would jeopardize security of the building or facility or persons therein. Such information is not within the scope of OPRA's definition of a government record, is deemed to be confidential for the purposes of OPRA, and is therefore not subject to disclosure. N.J.S.A. 47:1A-1.1.
2. Your interest in the requested information is outweighed by the municipality's interest in protecting and preserving property and persons. The release of any information or records regarding vacant or abandoned properties in Woodbury would substantially compromise the City's ability to do so. Executive Order 21 (McGreevey, July 8, 2002).
3. The requested records contain information for which identified persons have a reasonable expectation of privacy. N.J.S.A. 47:1A-1; Executive Order No. 21 (McGreevey 2002); *Paff v. Ocean County Prosecutor's Office*, 235 N.J. 1 (2018); *Brennan v. Bergen County Prosecutor's Office*, 233 N.J. 330 (2018); *In the Matter of the New Jersey State Fireman's Association*, 230 N.J. 258 (2017); *Burnett v. County of Bergen*, 198 N.J. 408 (2009); *Nelson v. N.J. Department of Law & Public Safety*, No. 2013-124 (GRC 2014); *Merino v. Borough of Ho-Ho-Kus*, No. 2003-110 (GRC 2004).

For Item #4

Please be advised the City of Woodbury has no records in its possession responsive to your request.

As a courtesy, I can advise you that you may want to check with the County of Gloucester. You can find their OPRA request form at the following link:

<http://www.gloucestercountynj.gov/opengov/opra/default.asp>

For Item #5

A search of our available records has identified the following records responsive to your request:

Detailed Utility (Sewer) Delinquent Report. Please be advised that there were no balances great than \$500, so all total balances were included in the report.

For Item #6

Please specify what type of code violations and a date range so we can process this part of the request.

For Item #7

Due to Covid-19 and Governor Murphy's Executive Order 190 dated March 15, 2020, the City of Woodbury has not issued any water shut off notices or shut off water since the Executive Order went into place.

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 City of Woodbury 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,

Cassidy Swanson
Acting Deputy Municipal Clerk
Community Events Coordinator
Neighborhood Preservation Coordinator
City of Woodbury
(856) 845-1300 x 146
cswanson@woodbury.nj.us