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E-Mail: RVarady@LBVKlaw.com

April 30, 2024

Via Email: opra+request-61168-43513917@requests.opramachine.com

Anonymous Resident

Re: Township of Clark April 27, 2024 OPRA Request- Tax Appeals

Dear Sir/Madam,

Please be advised that I represent the Township of Clark in regard to your OPRA request. The Township Clerk received your Open Public Records Act (OPRA) request on Saturday, April 27, 2024. As such, the seven (7) business day deadline to respond to your request is May 8, 2024. This response to your request is being provided to you on the 2nd business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

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:

I would like a record of all tax appeals from 1980 to present.

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 Builder's 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).

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 clerk 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 Council 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,
La Corte, Bundy, Varady & Kinsella

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RFV/sc

Cc: Edith Merkel (Via Email)