



City of Bayonne

LAW DEPARTMENT

630 Avenue C, Bayonne, NJ 07002

Phone (201) 858-6091

Fax (201) 858-6092



James M. Davis
Mayor

John F. Coffey II, Esq.
Law Director

January 19, 2023

Sent Via Email (opra+request-37732-219cf64a@requests.opramachine.com)
Elizabeth Mattfield

RE: OPRA Request #22-1361

Dear Ms. Mattfield:

The City of Bayonne received your Open Public Records Act (OPRA) request on December 20, 2022. The official Records Custodian, Madelene C. Medina, received your OPRA request on December 20, 2022. The City notified you via letter dated December 22, 2022, that the City required an extension of time to respond until January 19, 2023. As such, this response is timely.

Your OPRA request sought access to the following: See attached OPRA request.

With respect to item 1, please see attached Purchase Order reflecting the reserve for Trap Neuter and Release.

With respect to the remainder of your request, it 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.

At this time, we request clarification of your OPRA request. Please respond in writing and identify the specific government records sought so that we may process your request. Failure to provide written clarification of your request within seven (7) business days will result in the closure of this OPRA request.

You may also contact Michele O'Reilly, Health Officer, at 201-858-6355 or Suzanne Cavanaugh, Director of Municipal Services, at 201-858-6112 for further information.

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 Bayonne 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,



Jessica H. Connors
Assistant City Attorney

Cc: Madelene C. Medina, City Clerk & Records Custodian

Bayonne City
630 Ave C
Bayonne, NJ 07002
Phone: (201)858-6000

SHIP TO

HEALTH DEPT
630 AVENUE C
BAYONNE, NJ 07002

VENDOR

Vendor #: NJHUM005

NJ HUMANE SOCIETY, LLC
6412 DEWEY AVENUE
WEST NEW YORK, NJ 07093

NOTICE: TAX EXEMPT - TAX ID: 22-6001642

Purchase Order

THIS NUMBER MUST APPEAR ON ALL INVOICES,
PACKING LISTS, CORRESPONDENCE, ETC.

NO. 22-01417

ORDER DATE: 04/28/22
DELIVERY DATE:
STATE CONTRACT:
PURCHASE TYPE: Blanket
VENDOR ACCT NUM:
VENDOR PHONE #:
VENDOR FAX #:
REQUISITION #:
REQUISITION USER:

PAYMENT RECORD

CHECK NO.

DATE PAID

QUANTITY	INVOICE	DESCRIPTION	ACCOUNT NO.	UNIT PRICE	TOTAL
1.00		TNR PROGRAM RESO# 22-04-20-115 CONTRACT TERM: 1/1/22-12/31/22 NTE AMT: \$25,000.00	2-01-55-225-0000-000 RESERVE FOR TRAP NEUTER RELEASE	25,000.0000	25,000.00
				TOTAL	25,000.00

CLAIMANT'S CERTIFICATION & DECLARATION

I do solemnly declare and certify under penalties of the law that the within bill is correct in all its particulars; that the articles have been furnished or services rendered as stated therein; that no bonus has been given or received by any person or persons within the knowledge of this claimant in connection with the above claim; that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

VENDOR SIGN HERE

OFFICIAL POSITION

DATE

TAX ID NO. OR SOCIAL SECURITY NO.

OFFICER'S CERTIFICATION

I, having knowledge of the facts, certify that the materials and supplies have been received or the services rendered, said certification being based on signed delivery slips or other reasonable procedures.

DEPT. HEAD

DATE

VENDOR MUST SIGN CERTIFICATION STATEMENT ON THIS
VOUCHER. MAIL VOUCHER & ITEMIZED BILLS TO:

Bayonne City
630 Ave C
Bayonne, NJ 07002

CERTIFICATION OF FUNDS

#22-1361

OPRA

From: Elizabeth Mattfield <opra+request-37732-219cf64a@requests.opramachine.com>
Sent: Tuesday, December 20, 2022 2:46 PM
To: OPRA
Subject: OPRA request - TNR Program

Dear Bayonne City (attn Public Health Dept),

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:

1. Municipal funds allotted yearly to Bayonne's Trap-Neuter-Return (TNR) Program.
2. When was the TNR program first implemented?
3. To date, how many cats have been sterilized and vaccinated through Bayonne's TNR program?
4. Does the program have a dedicated veterinarian? How many cats are sterilized/vaccinated for the Bayonne TNR program per week through the veterinarian?
5. Does Bayonne's TNR program lend traps and how many are available to residents of Bayonne?
6. How many unfulfilled requests for vet appointments (i.e. per cat) through Bayonne's TNR program are outstanding as of December 1, 2022?
7. How many residents have requested appointments and are on a wait list of equivalent wait list as of December 1, 2022?
8. If Bayonne's TNR program expends the allotted annual funds prior to the end of the fiscal year, will additional funds be allotted?
9. How many cat colonies are currently registered with Bayonne Public Health Dept in accordance with Bayonne's ordinances, Chapter 5 Article 8 5-27?

Yours faithfully,

Elizabeth Mattfield

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-37732-219cf64a@requests.opramachine.com

Is oprarequest@baynj.org the wrong address for OPRA requests to Bayonne City? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=bayonne_city

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/tnr_program