



SINCE 1844

ROCKAWAY TOWNSHIP

65 MOUNT HOPE
ROAD, ROCKAWAY, NEW JERSEY 07866

1/10/2024

JA Warters

RE: 2024-02 (COMPLETE)

Dear Mr./Ms. Warters:

The Township of Rockaway received your Open Public Records Act (OPRA) request on 01/02/2024. The official Records Custodian, Everett Falt, received your OPRA request on 01/02/2024. As such, the seven (7) business day deadline to respond to your request is 01/11/2024. This response to your request is being provided to you on 1/10/2024.

You requested the following records:

1. "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: Total number of OPRA requests made by Tucker Kelley during calendar years 2022 and 2023."

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 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.

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 Township of Rockaway 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,

Everett Falt, MPA, RMC, CMC
Township Clerk (Custodian of Record)
65 Mount Hope Road, Rockaway, New Jersey 07866
efalt@rockawaytownship.org
(973) 983-2834 (Office)