



BOROUGH OF BOUND BROOK

230 Hamilton St. • Bound Brook, NJ 08805
(732) 356-0833 • Fax: (732) 356-8990
www.boundbrook-nj.org

Robert P. Fazen
Mayor

December 16, 2014

VIA ELECTRONIC MAIL: paff@pobox.com

John Paff
P.O. Box 5424
Somerset, NJ 08875

Re: OPRA Request, Dated September December 4, 2014

Dear Mr. Paff:

The undersigned is the Custodian of Records for the Borough of Bound Brook. Your Open Public Records Act ("OPRA"), N.J.S.A. 47:1A-1.1. et seq., request, submitted via electronic mail sent on December 4, 2014, at 10:05 p.m. (after the close of business) was received by the Borough on December 5, 2014. Seven business days from that date is December 16, 2014. Please accept this letter in response to your request for the following records:

1. All CAD entries between September 1, 2014 and present relating to a dispatch or call or service involving Martin Gleason.
2. All police incident reports of any occasion since September 1, 2014 where Martin Gleason was involved.


Please be advised that a request pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. ("OPRA") must identify the records sought with specificity. Bart v. Passaic County Pub. Hous. Agency, 406 N.J. Super. 445, 451 (App. Div. 2009). OPRA does not permit open-ended requests for every document an agency has on file. Spectraserv, Inc. v. Middlesex Cnty. Utilities Auth., 416 N.J. Super. 565, 576 (App. Div. 2010). OPRA "is not intended as a research tool litigants may use to force government officials to identify and siphon useful information." MAG Entertainment, LLC vs. Division of Alcohol Beverage Control, 375, N.J. Super. 534, 546 (App. Div. 2005). As such, requests for "any and all" documents on a specific subject are considered overly broad. Bent v. Stafford Twp. Police Dept., 381 N.J. Super. 30, 37 (App. Div. 2005). A custodian may reject a request that is overly broad or vague so as to prevent identification of the records sought. New Jersey Builders Ass'n v. New Jersey Council on Affordable Housing, 390 N.J. Super. 166, 172 (App. Div. 2007).

As a preliminary matter, your requests for CAD entries "relating to" or "involving" Mr. Gleason are improper because they do not identify a record with specificity. It is unclear what what documents would qualify as "relating to" or "involving" Mr. Gleason. As a result, there is no effective means of searching for such records with any certainty. These requests are overly broad and vague, requiring the custodian to review every document in the Borough's files and to

guess whether any documents are responsive to your request. Your requests may therefore be denied. Notwithstanding the objectionable nature of your request, and without waiving same, the Bound Brook Police Department undertook a search of its system for any records referencing Mr. Gleason. The search revealed that the Borough has no records responsive to your request.

You have a right to challenge a decision 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,

A handwritten signature in cursive script that reads "Donna Marie Godleski".

Donna Marie Godleski, RMC
Bound Brook Borough Clerk