



OOOR RESPONSE TO PETITION FOR RECONSIDERATION

DATE ISSUED AND MAILED: May 20, 2025

IN RE: *Michael Long v. Bath Borough*, OOR Dkt. AP 2025-0522

Upon review of the petition for reconsideration (“Petition”)¹ filed by the Requester, Michael Long, with the Office of Open Records (“OOR”) to the above-referenced docket number, the Petition is hereby **DENIED**. The Petition essentially asks the OOR to fully credit the Requester’s arguments and knowledge of the underlying subject matter while discrediting the Borough’s evidence. I have reviewed the appeal file, and I cannot conclude that the Appeals Officer committed an error of law or abuse of discretion in the Final Determination, including with the accepting or weighing of any necessary evidence. While I understand that the Requester disagrees with the Final Determination, their remedy is set forth in 65 P.S. § 67.1302(a): they may file an appeal with the Northampton County Court of Common Pleas. Further, the Final Determination does not prohibit the Requester from filing a new appeal with the Borough, which provides further clarification or details.

Issued by:

/s/ Kyle Applegate

CHIEF COUNSEL

Kyle Applegate

Sent to: Requester; Agency Open Records Officer

¹ The Petition was filed on May 15, 2025. The next day, the Requester filed a Motion to Supplement his Petition in order to “strictly reinforce[] arguments already raised.” The OOR does not accept responses to a petition for reconsideration. 1 Pa. Code. § 35.241. Notably, however, nothing in the Requester’s Motion or the arguments contained within affect the resolution of this Petition.