



FINAL DETERMINATION

DATE ISSUED AND MAILED: September 30, 2026

IN RE: *James Ciriliano v. Penn Township*, OOR Dkt. AP 2026-2967

Upon review of the appeal filed with the Office of Open Records (“OOR”) to the above-referenced docket number, as well as the parties’ submissions, the appeal is **DENIED** because:

The Request is insufficiently specific. The Request seeks “[a]ny and all writings, applications, or notices pertaining to warehouse development in excess of 1 acre in lot size.” Section 703 of the Right-to-Know Law requires that a request “identify or describe the record sought with sufficient specificity to enable which records are being requested.” 65 P.S. § 67.703. In making this determination, we look to the nonexclusive, multifactor test employed by the Commonwealth Court in *Pa. Dep’t of Educ. v. Pittsburgh Post-Gazette*, 119 A.3d 1121 (Pa. Commw. Ct. 2015), specifically: whether the request identifies a subject matter, a scope (i.e. the type of record or its recipients), and a timeframe. The Request does not have a timeframe¹ and seeks all writings, applications, or notices, which relate to warehouse development where the lot is larger than an acre. Based upon our application of the multifactor test, the Request is insufficiently specific. The Requester is not prohibited from filing a new request that meets the requirements of 65 P.S. § 67.703.

For this reason, the Township is not required to take any further action. Within thirty days of the mailing date of this Final Determination, either party may appeal or petition for review with the Westmoreland County Court of Common Pleas. 65 P.S. § 67.1302(a). All parties must be served with notice of the appeal. The OOR also shall be served notice and have an opportunity to respond according to court rules as per 65 P.S. § 67.1303, but as the quasi-judicial tribunal adjudicating this matter, the OOR is not a proper party to any appeal and should not be named as a party.² All documents or communications following the issuance of this Final Determination shall be sent to oor-postfd@pa.gov. This Final Determination shall be placed on the website at: <http://openrecords.pa.gov>.

Issued by:

/s/ Catherine R. Hecker

CATHERINE R. HECKER
APPEALS OFFICER

Sent via the OOR Portal to: James Ciriliano, Requester
Mary Perez, AORO
Margaret Cooney, Esq.

¹ The OOR notes that the Township has been in existence since 1855. See <https://penntwp.org/about/> (last visited September 23, 2026).

² *Padgett v. Pa. State Police*, 73 A.3d 644, 648 n.5 (Pa. Commw. Ct. 2013).