

EAST NOTTINGHAM TOWNSHIP

Resolution 69 - 2009

A resolution establishing policy and procedures in order to comply with the requirements of Act 3 of 2008, called the Right-to-Know Law.

WHEREAS, Governor Edward G. Rendell signed the new Right-to-Know Law on February 8, 2008; and

WHEREAS, the Right-to-Know Law became effective January 1, 2009; and

WHEREAS, it is the policy of East Nottingham Township to comply with the Right-to-Know Law.

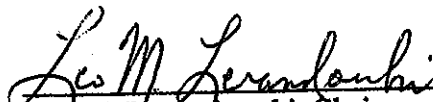
NOW THEREFORE, BE IT AND IT IS, HEREBY RESOLVED that the Statement of Policy attached hereto is adopted by the Board of Supervisors as stated, to be effective immediately. This Statement of Policy supercedes any previous policy adopted by resolution or ordinance and any amendments thereto with respect to the subject matter thereof.

RESOLVED by the Board of Supervisors of East Nottingham Township this 13TH day of APRIL, 2009.

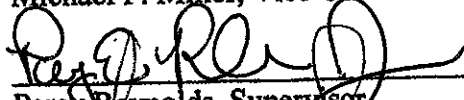
EAST NOTTINGHAM TOWNSHIP

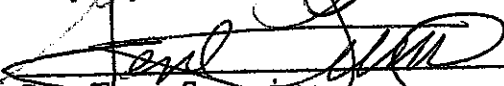
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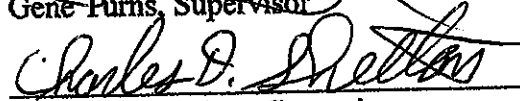

Patricia L. Brady, Township Secretary


Leo M. Levandowski, Chairman


Michael P. Miller, Vice Chairman


Percy Reynolds, Supervisor


Gene Furns, Supervisor


Charles D. Shelton, Supervisor

**East Nottingham Township
Pennsylvania Right-to-Know Law
Statement of Policy**

It is the policy of East Nottingham Township ("The Township") to comply with Act 3 of 2008 (the "Right-to-Know Law"). In accordance with such policy the following procedures will be followed.

1. Public Records

All documents deemed public records by the Pennsylvania Right-to-Know Law shall be available for inspection, retrieval, and duplication at the Township's offices during established business hours (8:30 a.m. to 4:30 p.m.) with the exception of weekends and holidays.

2. Open Records Officer

In accordance with the Right-to-Know Law, the Township has appointed Patricia L. Brady as the Township's Open Records Officer.

The Open Records Officer may be reached at:

East Nottingham Township
158 Election Road
Oxford, PA 19363
(610) 932-8494
secretary@zoominternet.net

3. Requests

Requests shall be made in writing to the Township's Open Records Officer on the form attached hereto as Schedule 1.

4. Fees

The Township will charge fees with respect to any Right-to-Know request in accordance with Schedule 2 attached hereto.

5. Response

The Township will make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer will cooperate with those requesting records to review and/or duplicate original Township documents while taking reasonable measures to protect the Township's documents from the possibility of theft, damage and/or modification.

The Open Records Officer will review all written requests for access to public records. As soon as possible, but no later than five business days after receiving a written request to access public records, the Open Records Officer will respond to such requests in writing consistent with the Right-to-Know Law. Responses will be on the forms attached hereto as

Schedules 3-a (granting the request), 3-b (denying the request) and 3-c (granting the request in part and denying the request in part), as applicable.

If access to a record is denied, the response will include a reason for denial as stipulated in the Right-to-Know Law.

6. Contact Information for Appeals

If a written request is denied or deemed denied, the requester may file an appeal in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, Plaza Level Harrisburg, PA 17120-0225.

7. Appeals Process

An appeal must be filed within fifteen (15) business days of the mailing date of the Township's response or within fifteen (15) business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the record is a public record and shall address any grounds stated by the Township for delaying or denying the request.

8. Posting of Information

The Township will post the following information at the offices of the Township and on the Township's internet website:

- (a) contact information for the Open Records Officer:

Patricia L. Brady
East Nottingham Township
158 Election Road
Oxford, PA 19363
(610) 932-8494;

- (b) contact information for the Office of Open Records:

Commonwealth of Pennsylvania
Office of Open Records
Commonwealth Keystone Building
400 North Street, Plaza Level
Harrisburg, PA 17120-0225
Telephone: 717-346-9903
Email: openrecords@state.pa.us
Executive Director: Terry Mutchler
Deputy Director: Barry Fox;

- (c) the form to be used to file a request; and
(d) a copy of this policy enacted by the Township relating to the Right-to-Know Law.

EAST NOTTINGHAM TOWNSHIP
RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED:

REQUEST SUBMITTED BY: E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTER: _____

STREET ADDRESS: _____

CITY/STATE/COUNTY (Required): _____

TELEPHONE (Optional): _____

RECORDS REQUESTED:

**Provide as much specific detail as possible so the Township can identify the information.*

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER: Patricia L. Brady

DATE RECEIVED BY THE AGENCY: _____

AGENCY FIVE (5)-DAY RESPONSE DUE: _____

Fee Structure

Record Type	Fee
Copies: (A "photocopy" is either a single-sided copy or one side of a double-sided black-and-white copy of a standard 8.5" x 11" page)	one sided copies: 25 cents per page two sided copies: 25 cents per side
Certification of a Record:	\$1.00 per record. Certification fees do not include notarization fees.
Specialized documents: (For example, but not limited to, blue prints, color copies, non-standard sized documents)	Actual cost
Facsimile/Microfiche/Other Media:	Actual cost
Redaction Fee:	No redaction fee will be imposed
Conversion to Paper:	If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive medium.
Postage Fees:	Actual cost of mailing

Special Considerations

- **Statutory Fees:** If a separate statute authorizes the Township to charge a set amount for a certain type of record, the Township may charge no more than that statutory amount.
- **Inspection of Redacted Records:** If a requester wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information, the Township will redact the non-public information. The Township will not charge the requester for the redaction. However, the Township will charge for the copies it must make of the redacted material in order for the requester to view the public record. The fee structure set forth above will apply. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee will be charged.
- **Fee Limitations:** Except as otherwise provided by statute, no other fees will be imposed unless the Township necessarily incurs costs for complying with the request, and such fees are reasonable. No fee will be imposed for the Township's review of a record to determine whether the record is a public record, legislative record or financial record subject to access in accordance with the Right-to-Know Law. No fee will be charged for searching for or retrieval of documents. The Township will not charge staff time or salary for complying with a request.
- **Prepayment:** Prior to granting a request for access in accordance with the Right-to-Know Law, the Township will require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100.
- Once the request is fulfilled and prepared for release, the Township will obtain the cost of the records prior to releasing the records.

[To be typed on letterhead]

**East Nottingham Township
Right-To-Know Response Form**

Granted Request

Date:

Name:

Address:

Telephone Number:

Dear _____,

Thank you for writing to the East Nottingham Township with your request for information pursuant to the Pennsylvania Right-to-Know Law.

On *[Insert date received by Township]*, you requested documents that *[insert description of information requested, or restate their request]*. Your request is granted and the requested responsive documents are enclosed.

Respectfully,

Patricia L. Brady
Open Records Officer
East Nottingham Township
158 Election Road
Oxford, PA 19363
(610) 932-8494

[to be typed on leaderhead]

**East Nottingham Township
Right-To-Know Response Form**

Denial

Date:

Name:

Address:

Telephone Number:

Dear _____,

Thank you for writing to the East Nottingham Township with your request for information pursuant to the Pennsylvania Right-to-Know Law (the "Act").

On [*Date received by Township*], you requested [*Describe information requested, or restate their request*]. Your request is denied for the following reasons, as permitted by Section 706 of the Act.

The East Nottingham Township has denied your request because [*describe specific type of information, such as medical records, academic transcripts or other exemption items*] is exempt from disclosure. [*Must cite applicable section of the Act. If precluded from release by some other state or federal law, rule or regulation, cite legal Township.*]

You have a right to appeal this denial of information in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response, as outlined in Section 1101 of the Act. If you have further questions, please call Patricia L. Brady. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Patricia L. Brady
Open Records Officer
East Nottingham Township
158 Election Road
Oxford, PA 19363
(610) 932-8494

[to be typed on letterhead]

**East Nottingham Township
Right-To-Know Response Form**

Granted in Part/Denied in Part

Date

Name

Address

Telephone Number

Dear _____,

Thank you for writing to the East Nottingham Township with your request for information pursuant to the Pennsylvania Right-to-Know Law (the "Act").

On *[date received by Township]*, you requested *[description of information requested, or restate their request]*. Your request is granted in part and denied in part as follows. Your documents are enclosed.

However, the East Nottingham Township has withheld information that is exempt from disclosure by law. We redacted *[Describe redacted information: Examples....social security number, academic transcripts, medical information, or other exemptions]* as outlined in Section 708(b) of the Act.

This information is exempt from disclosure under *[Cite applicable section of the Act. If precluded from release by other state or federal law, rule or regulation, you must cite to that legal Township.]*

You have a right to appeal this denial of information in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response, as outlined in Section 1101 of the Act. If you have further questions, please call Patricia L. Brady. Please be advised that this correspondence will serve to close this record with our office as permitted by law.

Respectfully,

Patricia L. Brady
Open Records Officer
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158 Election Road
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