

RESOLUTION 01-05-2009

WHEREAS, the Board of Supervisors of the Township of Choconut desires to be in compliance with PA Act 3 of 2008, also known as the Right to Know Law,

AND WHEREAS, a policy has been drawn up, known as the Choconut Township Open Records Policy,

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of Choconut Township, adopts the Choconut Township Open Records Policy as the Policy of the Board of Supervisors and Secretary of the Board of Supervisors of Choconut Township with respect to making records available for viewing by the public and making copies of the requested records.

Adopted a public meeting of the Board of Supervisors of the Township of Choconut held on the 5th day of January in the year 2009.

Signatures: William R. Stewart **Supervisor**
William A. Marvin **Supervisor**
Rudolph M. Mallett **Supervisor**

Attest: Linda A. Lettner **Secretary**

Seal:

Choconut Township Open Records Policy

Open Record Officer

The township hereby designates Linda A. Gittoes as the township Open Records Officer.

The Open Records Officer may be reached at: R. R. #1 Box 1702, Friendsville, PA 18818 Phone: 570-553-2780, Fax: 570-553-2096, e-mail choconut@stny.rr.com.

General

All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building by appointment.

Requests

Requests shall be made in writing to the township Open Records Officer on a form provided by the township. (See attached form)

Fees

Paper copies shall be \$.25 per page per side. The certification of a record is \$1 per record. Specialized documents including, but not limited to blue prints, color copies, and non-standard sized documents shall be charged the actual cost of production. If mailing is requested, the cost of postage will be charged. The township shall require prepayment if the total fees are estimated to exceed \$100.

Response

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

The Open Records Officer shall 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 shall respond to such requests in writing consistent with Act 3 of 2008, the Right-to-Know Law.

If access to a record is denied, the response shall include a reason for denial as stipulated in Act 3 of 2008, the Right-to-Know Law.

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

Appeals Process

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

RESOLVED AND ENACTED this 5th day of January 2009 by the Choconut Township Board of Supervisors.