

NORTH LONDONDERRY TOWNSHIP

RESOLUTION NUMBER 12-15-2008 F

A RESOLUTION ADOPTING A RIGHT-TO-KNOW POLICY, APPOINTING AN OPEN RECORDS OFFICER, PROVIDING FOR PUBLIC RECORDS BEING AVAILABLE FOR INSPECTION, COPYING, FEES, RESPONSE, CONTACT INFORMATION FOR APPEALS, AND THE APPEALS PROCESS.

WITNESSETH:

WHEREAS, pursuant to Act 3 of 2008, Pennsylvania has adopted Right-To-Know Law which will take effect on January 1, 2009; and

WHEREAS, the Act requires the enactment by municipalities of various rules and regulations by December 31, 2008.

NOW, THEREFORE, be it resolved by North Londonderry Township Board of Supervisors, and it is hereby resolved by the authority of the same as follows:

SECTION ONE: Open Records Officer - The Township hereby designates Lisa M. Daubert, as the Township's Open Records Officer. The alternate appointee is Judy R. Miller. The Open Records Officer may be reached at: 655 East Ridge Road, Palmyra, Pennsylvania, 17078, Telephone Number: (717) 838-1373.

SECTION TWO: Posting – The Township Open Records Officer shall cause to be posted the following information at the Township Building and on the Township website:

- a. Contact information for the Township’s Open Records Officer;
- b. Contact information for the state Office of Open Records;
- c. Contact information for the Lebanon County District Attorney’s Office;
- d. A record request form to be used to request records.

SECTION THREE: General – All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during established hours (7:30 a.m. to 4:00 p.m.) with the exception of weekends and holidays.

SECTION FOUR: Requests – Requests shall be made in writing to the Township Open Records Officer on a form provided by the Township. (See attached form)

SECTION FIVE: Fees – Paper copies shall be 25 cents 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.

SECTION SIX: 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 (5) 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.

SECTION SEVEN: 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, Pennsylvania, 17120-0225.

Appeals of criminal records shall be made to the District Attorney of Lebanon County at the following address: David Arnold, Esquire, District Attorney's Office, Lebanon County Municipal Building, 400 South Eighth Street, Lebanon, Pennsylvania, 17042.

SECTION EIGHT: Appeals Process - The appeal shall 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.

SECTION NINE: Trade Secrets And Confidential Proprietary Information

- The Township suggests persons, businesses, and other legal entities submitting documents to the Township that relate to trade secrets or confidential proprietary information, as defined in Act 3 of 2008, consider also submitting a written statement to the Township detailing that the records, in their view, are confidential, along with citations to any laws protecting the confidentiality of the same.

SECTION TEN: Effective Date - This Right-To-Know policy shall be effective January 1, 2009. Any prior established written policies implementing Act Number 2002-100 known as the Open Records Law, is hereby repealed effective January 1, 2009.

Adopted this 15th day of December, 2008.