

RESOLUTION NO. 2008-R-9

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF LOWER SWATARA TOWNSHIP AMENDING AND REPLACING RESOLUTION 2002-R-25 OPEN RECORDS POLICY, WITH A RIGHT-TO-KNOW POLICY IN ACCORDANCE WITH ACT 3 OF 2008, THE RIGHT TO KNOW LAW.

AND NOW, this 17th day of December, 2008, the Board of Commissioners of Lower Swatara Township hereby amend and replace Resolution 2002-R-25 with the Right-to-Know Policy attached hereto. This Right-to-Know Policy becomes effective January 1, 2009.

All the resolutions or parts of resolutions in conflict therewith are hereby repealed to the extent of any such a conflict.

RESOLVED and ENACTED this 17th of December 2008.

BOARD OF COMMISSIONERS
LOWER SWATARA TOWNSHIP

BY: _____
Frank Linn, Sr., President

ATTEST:

Ronald J. Paul, Secretary

RIGHT-TO-KNOW POLICY

Section 1. Open Record Officer.

The Lower Swatara Township hereby designates Ronald J. Paul, Township Manager, as the Township Open Records Officer.

The Open Records Officer may be reached at 1499 Spring Garden Drive, Middletown, Pennsylvania, 17057; phone 717-939-9937; fax 717-9395682; email address, rpaul@lowerswatara.org.

Section 2. General.

All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during established business hours (8:00 a.m. to 4:00 p.m.) with the exception of weekends and holidays.

Section 3. Requests.

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

Section 4. Fees.

Paper copies shall be 25¢ per page, per side. The certification of a record shall be \$5.00 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 \$100.00.

Section 5. 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.

Section 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.

Appeals of criminal records shall be made to the District Attorney of Dauphin County. Edward R. Marsico, Dauphin County Courthouse, Front & Market Streets, Harrisburg PA 17101. Phone – 717-780-6767, Fax – 717-255-1396.

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED:

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

NAME OF REQUESTOR : _____

STREET ADDRESS : _____

CITY/STATE/COUNTY (Required): _____

TELEPHONE (Optional): _____

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency 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:

DATE RECEIVED BY THE AGENCY:

AGENCY FIVE (5)-DAY RESPONSE DUE:

***Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*