

# HONEY BROOK TOWNSHIP

## Resolution 12-2002 Open Records Policy

A Resolution of the Board of Supervisors of Honey Brook Township setting forth policy to assure compliance with Act 100 of 2002, the Open Records Law; to preserve the integrity of Township files; and to minimize the financial impact to the Township regarding the time spent in research and copying Township files.

**BE IT RESOLVED** by the Board of Supervisors of Honey Brook Township that it shall be the policy of the Township to comply fully with the Open Records Law pursuant to the provisions of the Resolution. Recognizing that Township files are important records to be kept secure, and that time and costs are involved when access to files by the general public is required, the Board of Supervisors does hereby set forth the following procedures and expense reimbursement requirements as follows:

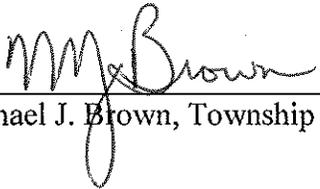
1. The municipal contact person for records requests shall be the Township Manager, who is responsible for receiving and processing all requests, filling all valid requests within the time periods specified by law, providing access to records as specified by law, filing an extension for additional time as necessary, and responding to exceptions when a denied request is appealed. Contact with the Township Manager may be made:
  - a. by mail at PO Box 1281, Honey Brook, PA 19344
  - b. in person at 495 Suplee Road, Honey Brook, PA 19344
  - c. by fax at 610 273 3909
  - d. by email at [hbtwp@rcn.com](mailto:hbtwp@rcn.com)
  - e. by phone at 610 273 3970
2. The Township shall fill all written requests received by mail, in person, by fax or by email within five (5) business days of the receipt of the request. The Township has no obligation to fill verbal or anonymous requests for records.
3. The request shall describe the record in sufficient detail to enable the Township to locate the record with a reasonable amount of effort, shall indicate whether an inspection or reproduction is desired and shall indicate the time and date when such inspection is desired. Records shall be made available for inspection during regular business hours, Monday through Friday, 9:00 am to 3:00 pm prevailing time, or by special appointment at the convenience of the Township.
4. Upon receipt of the request, the Township Manager shall estimate the cost to fill the request. If the estimate exceeds \$20, the Manager shall communicate the estimate to the requestor in advance. Non-response on the part of the requestor shall be assumed consent to proceed.
5. Fees for filling requests for public records shall be as follows:
  - a. Postage—actual cost.

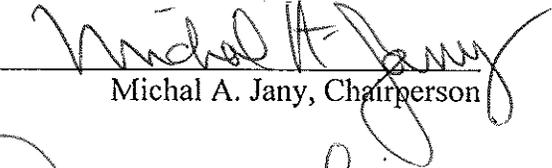
- b. Copying—twenty five (\$.25) cents per page (one sided). If copies of maps or larger documents are requested, the Township reserves the right to charge for the actual cost of reproduction.
  - c. Conversion of electronic documents to paper—twenty five (\$.25) cents per page (one sided).
  - d. Electronically formatted documents—The cost of the medium onto which the record is copied.
  - e. Certification—no charge.
  - f. Research time—fifteen (\$15.00) dollars/hour or fractional part thereof for records requiring more than one quarter hour to find and/or reproduce.
  - g. Monitoring time—fifteen (\$15.00) dollars/hour or fractional part thereof for a staff member to supervise and safeguard public records while such records are inspected by a member of the public.
6. If the estimated cost of filling the request exceeds \$100, the requestor shall prepay the estimated cost.
7. If the Township cannot fill the request within five (5) business days, the Township shall notify the requestor in writing of its intention to extend the time to fill the request for up to thirty (30) days. If a request is not filled within five (5) days, and if the requestor has not received a written notice to extend the time allowed, the request shall be considered denied.
8. If the Township denies a request, the requestor shall be notified in writing. A request is also considered denied if it includes records with portions of the information redacted. The notification shall include:
  - a. a description of the record,
  - b. the specific reasons for denial, including legal citations and, if applicable, reasons from a legal opinion of why a record is not public,
  - c. the typed or printed name, title, business address, business telephone number and signature of the Township official denying the request,
  - d. the date of the denial, and
  - e. the appeal procedure.
9. A requestor may appeal the Township's decision to deny a request by filing an exception in writing within fifteen (15) days of the denial. The exception shall list the specific reasons why the requestor believes the record should be considered public and address the reasons listed in the Township's denial letter.
10. The Township Manager shall forward the exception and relevant documents to the Board of Supervisors, with an opinion by the Township Solicitor. The Board of Supervisors may, at a public meeting, choose to reverse the denial. If the Board of Supervisors does not act within thirty (30) days, the denial shall be affirmed, and the Township Manager shall communicate the denial to the requestor.
11. It is the Township's responsibility to ensure that all original Township documents are filed, maintained and preserved in an accessible and secure manner for the public good. It is also the Township's responsibility to ensure original documents are reasonably protected from theft or modification. The Township shall assign a

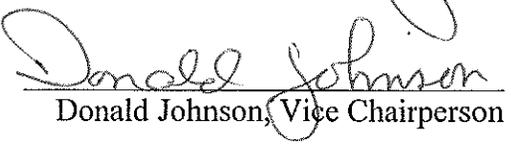
staff member to monitor individuals performing records inspections of original documents. The Township may take other steps as deemed necessary to protect the integrity of public records.

RESOLVED, this 11<sup>th</sup> day of December, 2002.

Attest:

  
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Michael J. Brown, Township Manager

  
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Michal A. Jany, Chairperson

  
\_\_\_\_\_  
Donald Johnson, Vice Chairperson

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D. Weston Darby, Jr., Member