



RTK Number: _____

pennsylvania

OFFICE OF OPEN RECORDS

WORCESTER TOWNSHIP, MONTGOMERY COUNTY

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 3-17-14

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

NAME OF REQUESTOR: Jane Miller

REQUESTOR STREET ADDRESS: _____

REQUESTOR CITY/STATE/COUNTY (Required): _____

REQUESTOR TELEPHONE (Optional): _____

REQUESTOR E-MAIL ADDRESS (Optional): _____

RECORDS REQUESTED:

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

see above

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: TOWNSHIP MANAGER OR ASSISTANT MANAGER

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.)

From: jim
Sent: Wednesday, March 26, 2014 5:27 PM
To: Lee M
Subject: RTK

RTK officer,

On October 21, 2009, the Board held a meeting open to the public. According to the minutes, under Solicitor's report, Office of Open Records Final Determination Appeal Number - 0731, Solicitor Garrity announced that the Pennsylvania Office of Open Records released 2 decisions (2009-0731 and 2009-0790), one rendered entirely in favor of the Township and the other decision was a split decision. In fact they were both split decisions partially in favor of myself. According to the rulings from the OOR, the two decisions involved requests for e-mails that were referred to by then Supervisor John Harris at the April 7, 2008 Worcester Board of Supervisors meeting regarding the "2 minute rule", limiting the public's ability to speak, and those that were transferred between former Supervisor Harris and the other Supervisors including current Supervisor Bustard's personal computers and personal e-mail accounts. In OOR appeal number 2009 – 0790, the request was made for e-mails regarding the 2 minute rule to and or from each individual Supervisor, including former Supervisor John Harris. Only 2 of the 3 Supervisors were using Township sponsored email accounts. The minutes reflect that Supervisor Quigley discussed his opposition to appeal 2009-0731 based on additional legal fees and spending money just to prove a point. Former Supervisor John Harris made the motion and Art Bustard voted to approve the motion on 2009-0731.

Supervisor Quigley expressed his concerns publicly at the 4/7/08 BOS meeting that Supervisors Bustard and Harris were violating the Sunshine Law by holding private meetings of a Quorum of the Board and how both Supervisors had improperly discussed the "2 minute rule" at a private meeting of the Worcester Republican Committee. Mr. Garrity, by misrepresenting that 2009-0790 was "rendered entirely in the Townships favor" at the 10/21/09 Board of Supervisors Meeting, deprived the public of any discussion on the matter (2009-0790) and opportunity to address the Sunshine violations prior to it being appealed to the Court of Common Pleas.

At the most recent Board meeting, I asked the Board why Mr. Garrity had filed Petition 36707 to the Court of Common Pleas without any apparent authorization and approval of the Board. When asked if he could explain this wasteful spending, Chairman Bustard's response was you're catching me "flatfooted." If true, this would NOT be the 1st time that Township Solicitor Garrity has filed an appeal to the Court of Common Pleas without proper Board Authorization. In light of recent events surrounding Supervisor Bustard's friend Mr. Harris and the fact that the Commonwealth Court has ruled in my favor regarding public officials and emails on their personal computers,

I would like the following,

1. Any and/or all motions, resolutions and/or official actions by the Worcester Board of Supervisors giving Mr. Garrity and/or any member of his law firm approval to file petition No. 2009-36707 for PA Office of Open Records Appeal 2009-0790 , with the Montgomery County Court of Common Pleas.
2. Any and/or all Client Billing Summary's for any and/or all work performed by the Township Solicitor's Law Firm on Petition No. 2009-36707, the Pa Office of Open Records Appeal 2009-0790 and the original RTK request/submission associated with it. Please do each separately.
3. Any and/or all Client Billing Summary's for any and/or all work performed by the Township Solicitor's Law Firm related to, the new politically motivated category, RTK Legal Fees 404.320 to date.
4. Copies of the December 31 Treasurers reports from 2005, 2006, 2008, 2011.
5. A copy of the most recent Audit. Since these are posted on the Township website for free, I do not expect to be charged.
6. A copy of the Township's written response to RTK request of Michele Mintz dated 3/18/14.

If these are available in electronic format this would be preferred.

Please scan and send electronically.

These records require no legal review and little if any effort to compile. I expect that there will be any delay.

Jim Mollick