



RTK Number: 14-1220

RECEIVED
AUG 27 2014
due 8/28

pennsylvania

OFFICE OF OPEN RECORDS
WORCESTER TOWNSHIP, MONTGOMERY COUNTY

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 8/21/14

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

NAME OF REQUESTOR: J. 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 attached

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: Thursday, August 21, 2014 11:32 AM
To: Lee M
Subject: RTK Invoices

RTK officer,

Since the RTK Officer has changed the rules of the game and is now not providing the entire last month invoice of the requests relative to payment of the bills as he was doing further delaying responses to me,

I would like the following,

1. I would like copies of any and/or all invoices/time slips submitted and/or generated by Wisler, Pearlstine, Talone (the Township Solicitor's Firm) for the entire months of June and July. These would also encompass the bills that were approved at last night's meeting and detailed but not limited to the Township of Worcester Bank Registry Listing for 06/19/2014 to 07/16/2014 and 7/17/14-8/20/14. In addition, I have attached for you review invoices you have provided from my prior request that in my opinion were redacted without proper justification on your part. Please do not remove the invoices that I have attached to this RTK form when posting on your website so that I can be assured that no information is being removed from my request.

In the review of invoices from Wisler Pearlstine, several of the entries under my name reference appeals or requests by individuals other than myself and/or who do not live in this Township. In review, the Amount we the Taxpayers were billed to process 14-1124 appears to be excessive as none of the material requested, in my opinion, required a legal review. Of course these entries and billings had to do, amongst other things, with the Solicitor's Office filing an Unauthorized Appeal to the Court of Common Pleas in 2009-0790, Petition 2009-36707. Obviously this would inflate the total cost to the Taxpayers of Worcester Township and those charges attributable to me. The Billings alone for the Township's loss in Commonwealth Court regarding emails dealing with Township business on personal computers is estimated to be between \$100,000-\$200,000 thousand dollars.

It has become obvious by Mr. Bustard's comments last evening that the Supervisors do not review the invoices from the Solicitors Office prior to approving them for payment. In fact, the Supervisors do not review any bills prior to payment nor do they provide the public with those bills so as the public can provide intelligent public comment. We get a "check" register. It could have been very easy for the Board to answer a few simple questions but I have been specifically ordered to "file a Right to Know Requests" for this material by Supervisor Bustard, thus increasing the cost to the

Taxpayers of the Township. Unfortunately, the obstruction of and access to the flow of information doesn't stop at the Board. In my opinion, the Strategy employed by the Solicitor's Office appears to be to deny the records providing no specific reference to each and/or any record denied using extensive redactions to the point where subject matter cannot be identified essentially forcing the requester to appeal to the OOR. This is especially true for the April Invoices.

Please understand this, if you intend to make the extensive, wholesale, unsupported redactions that were made with my prior request, your No. 14-1143, without a privilege log and without justification, I will appeal your decision to the OOR. You will then BE REQUIRED to produce a privilege log to justify your redactions and I will then insist on an in camera review if you do not produce the log and/or your log is not sufficient to support your redactions and/or any denials you may assert.

In addition, If you again provide an unworn verification by the Township Manager, of a memorandum of law prepared by an attorney which is clearly contradicted by case law, I will appeal the case to the Office of Open Records and you will have again wasted hundreds if not thousands of Taxpayer Dollars.

I am giving you fair notice now in hopes that we can save the Township and its taxpayers any unnecessary expenditures.

Thank You.

Jim Mollick

If these are available in electronic format this would be preferable
If not I would like this material scanned and sent electronically