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due 9/28



RTK Number: 15-1409

pennsylvania

OFFICE OF OPEN RECORDS

WORCESTER TOWNSHIP, MONTGOMERY COUNTY

STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 9/19/15

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

NAME OF REQUESTOR: jim mollick

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.)

Erica Lucey

15-1409

due 9/28

From: jim
Sent: Saturday, September 19, 2015 9:55 AM
To: Erica Lucey
Subject: RTK
Attachments: RTK Worcester Sewer trans 9 19 15.pdf

Right to Know Officer,

The following is a request for records made pursuant to the Right to Know Law ("RTKL"). Please be advised, the term "record" and "records" as used is defined under the Right to Know Law ("RTKL") as "Information, regardless of physical form or characteristics, that documents a transaction or activity of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. The term includes a document, paper, letter, map, book, tape, photograph, film or sound recording, information stored or maintained electronically and a data-processed or image-processed document."

1. I would like copies of the Treasurer's reports that would indicate a transfer of funds from the "sewer fund" and/or one of the sewer capital reserve funds to offset the cost of the Fairview Village Sewer Installation project as stated by Supervisor Bustard at a public meeting of the Board.
2. I would like copies of the meeting minutes which reflect the authorization and/or verification of the transfer of funds from the 'sewer fund' and/or one of the sewer capital reserve funds to offset the cost of the Fairview Village Sewer Installation project, as stated by Supervisor Bustard at a public meeting of the Board.
3. I would like copies of the Township Audit which reflects the verification of the transfer of funds from the 'sewer fund' and/or one of the sewer capital reserve funds to offset the cost of the Fairview Village Sewer Installation project, as stated by Supervisor Bustard at a public meeting of the Board.
4. I would like copies of the Board of Supervisors Meeting Minutes monthly for the years 2004, 2005, 2006, 2007 and 2008. I would like these in electronic format since they had been on the website.
5. I would like copies of the Township Treasurer's reports for the years 2003, 2004, 2005, 2006, 2007, and 2008.

I would also like to alert you to the following to save the taxpayers of the Township unnecessary expense. Under the Right to Know law, your job as to how to respond to requestors as a Right to Know Officer is specified under Sections 902 and 903 and is very specific. I would suggest that you review Section 902 and 903 of the RTK Law regarding your procedure for responding to requestors, prior to writing and signing your responses.

Section 902. Extension of time.

(a) Determination.—Upon receipt of a written request for access, the open-records officer for an agency ***shall determine*** if one of the following applies:

- (1) the request for access requires redaction of a record in accordance with section 706;
- (2) the request for access requires the retrieval of a record stored in a remote location;
- (3) a timely response to the request for access cannot be accomplished due to bona fide and specified staffing limitations;
- (4) a legal review is necessary to determine whether the record is a record subject to access under this act;
- (5) the requester has not complied with the agency's policies regarding access to records;
- (6) the requester refuses to pay applicable fees authorized by this act; or
- (7) the extent or nature of the request precludes a response within the required time period.

(b) Notice.—

(1) Upon a determination that one of the factors listed in subsection (a) applies, the open-records officer shall send written notice to the requester within five business days of receipt of the request for access under subsection (a).

(2) The notice shall include a statement notifying the requester that the request for access is being reviewed, the reason for the review, a reasonable date that a response is expected to be provided and an estimate of applicable fees owed when the record becomes available. If the date that a response is expected to be provided is in excess of 30 days, following the five business days allowed for in section 901, the request for access shall be deemed denied unless the requester has agreed in writing to an extension to the date specified in the notice.

(3) If the requester agrees to the extension, the request shall be deemed denied on the day following the date specified in the notice if the agency has not provided a response by that date.

Section 903. Denial.

If an agency's response is a denial of a written request for access, whether in whole or in part, the denial shall be issued in writing and ***shall include***:

(1) A description of the record requested.

(2) The specific reasons for the denial, including a citation of supporting legal authority.

(3) The typed or printed name, title, business address, business telephone number and signature of the open-records officer on whose authority the denial is issued.

(4) Date of the response.

(5) The procedure to appeal the denial of access under this act.

If these records are available in electronic format, this would be the media and/or medium I prefer.
Please scan and send electronically.

Thank You.

Jim Mollick