

RESOLUTION #0812
OPEN RECORDS POLICY

WHEREAS, Act 3 of 2008 rewrites the Commonwealth's Open Records Law to provide for access to public records;

WHEREAS, Act 3 of 2008 requires municipalities to amend established written open records policy to comply with the requirements of said act prior to December 31, 2008;

NOW THEREFORE, be it resolved by the Wayne Township Board of Supervisors as follows:

Section 1 - Requests: Public records will be available for inspection and copying at the Township Municipal Building during normal business hours, Monday through Friday, 10:00 AM to 1:00 PM, closed Wednesday, with the exception of holidays and secretary absences. Requests shall be in writing and directed to the Township Secretary at the Township Municipal Building, 17395 Sciota Road, Corry, PA 16407. Written requests shall be on a form provided by the Township and shall include the date of request, the name and address of the requester, and a clear description of the records sought. This form is posted on the township website www.waynetownshippa.com.

Section 2 - Fees: Paper copies will be \$0.20 per page per side. If mailing is requested, the cost of postage will be charged. If a disk is requested, it will be provided by the Township at the cost of \$1.00 per disk. A new disk will be necessary each time records are provided. Note: Act 3 of 2008 provides a Municipality is not required to create a record that does not exist or put a document into a format that does not exist. Fax copies will be available at the cost of \$0.50 per page. If "True and Correct Certification" is requested, an additional charge of \$1.00 will be added. The Township will require prepayment if the total fees are estimated to exceed \$100. All applicable fees shall be paid before a requester receives access to the record requested.

Section 3 - Response: The Township will make a good faith effort to provide the requested public records as promptly as feasible. Township employees shall cooperate with those requesting to review and/or duplicate original Township documents while taking reasonable measures to protect Township documents from the possibility of theft and/or modification.

The Township Secretary 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 Township Secretary shall respond to all such requests in a manner consistent with Act 3 of 2008 amending Act 100 of 2002, the Open Records Law.

Section 4 - Appeals Process: If a written request is denied or deemed denied, the requester may file an appeal with the Office of Open Records within fifteen (15) business days of the mailing date of the Township's response or within fifteen (15) business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts that the record is a public record, and shall address any grounds stated by the Township for delaying or denying the request. Mail written appeals to Terry Mutchler, Executive Director, Office of Open Records, commonwealth Keystone Building 400 North Street, Plaza Level, Harrisburg, PA 17120-0225. For information on the Office of Open Records, visit the website openrecords.state.pa.us (Please note: there is no "www" in the web page address).

Section 5 - Retention of Records: By adoption of Resolution #0812, Wayne Township publicly declared its intention to follow the Municipal Records Act with respect to the retention and disposition of public records. Nothing in the Open Records Law shall be construed to modify, rescind or supersede the Township's lawfully adopted record retention and disposition policy. Moreover, nothing in the Open Records Law shall be construed to require access to any computer of the Township.

RESOLVED AND ENACTED the 22nd day of December 2008.