

## RESOLUTION 120902

### A RESOLUTION OF MADISON TOWNSHIP SETTING FORTH A POLICY REGARDING OPEN RECORDS (ACT 100 OF 2002)

**WHEREAS:** Act 100-2002 was enacted on June 29, 2002 amending the Right To Know Law and requiring municipal subdivisions to adopt a policy implementing the provisions and requirements of the law; and

**WHEREAS:** The purpose of the resolution is to set forth a policy regarding requests for public records made to The Township of Madison, pursuant to the Right to Know Law:  
and

**NOW THEREFORE BE IT RESOLVED BY** The Supervisors of Madison Township:

**Section 1. Procedure for Access to Public Records of the Township**

**(a) Requests:**

Public records will be available for inspection and copying at the Township Business Office during normal business hours, Tuesday, Wednesday and Thursday 9AM to 4PM, with the exception of holidays.

Request shall be in writing and directed to the Township Secretary at the Township Business Office, 136 Morehead Ave., Millville, PA 17846. Written requests shall be on a form provided by the township and shall include the date of the request, the name and address of the requester, and a clear description of the records sought.

**(b) Fees:**

Paper copies will be \$0.25 per page and 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. Fax copies will be available at the cost of \$0.50 per page. If "True and Correct Certification" is requested, an additional charge of \$2.00 will be added. The Township will require prepayment if the total fees are estimated to exceed \$100.

**(c) 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 100 of 2002, the Open Records Law.

**(d) Appeals Process**

If a written request is denied or deemed denied, the requester may file exceptions with the Board of Supervisors within 15 business days of the mailing date of the Township's denial. The exceptions shall state grounds on which the requestor asserts that the record is a public record and shall address any grounds stated by the Township for denying the request.

The Board of Supervisors shall make a "final determination" on the exceptions within 30 days of the mailing date of the exceptions. The Board of Supervisors may hold a hearing on the issue during the 30 days. If the Board determines that the denial was correct, it must provide a written explanation to the requester.

The requester may appeal a final determination to the Common Pleas Court or District Justice within 30 days of denial or final determination.

RESOLVED THIS 9<sup>th</sup> day of December 2002.

(SEAL)

Della Frey  
Secretary

Board of Supervisors

Nancy Welliver  
Nancy Welliver

Jack Fisher  
Jack Fisher

Keith Leighow  
Keith Leighow