

**COPY**

TOWNSHIP OF GREENWICH  
RESOLUTION NO. 2008-3

A RESOLUTION OF THE TOWNSHIP OF GREENWICH, BERKS COUNTY, PENNSYLVANIA, ESTABLISHING POLICIES TO FACILITATE REQUESTS FOR PUBLIC RECORDS OF THE TOWNSHIP OF GREENWICH, THE MANNER IN WHICH RECORDS SHALL BE DISSEMINATED, THE MANNER IN WHICH DECISIONS SHALL BE MADE CONCERNING DISSEMINATION OF PUBLIC RECORDS, AND ESTABLISHING A FEE SCHEDULE FOR DUPLICATION AND CERTIFICATION OF PUBLIC RECORDS OF THE TOWNSHIP OF GREENWICH.

WHEREAS, the Township of Greenwich ("Township"), Berks County, Pennsylvania is a municipality organized under and governed by the Pennsylvania Second Class Township Code, as amended and supplemented, 53 P.S. §66140, et. seq (the "Code"); and

WHEREAS, Act No. 2002-100, effective December 26, 2002, and as amended by Act No. 2008-3, to be effective July 1, 2008 (the "Act") requires that the Township establish written policies necessary to provide for access to public records of the Township of Greenwich and to establish a reasonable fee schedule associated therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the Township of Greenwich as follows:

TOWNSHIP OF GREENWICH  
POLICY FOR ACCESS TO PUBLIC RECORDS

SECTION 1. All requests for access to public records of the Township of Greenwich shall be made in writing, verbally (in person or telephonically), or by facsimile.

SECTION 2. The Greenwich Township Secretary shall be designated as the Open Records Officer of Greenwich Township

SECTION 3. All requests for access to public records of the Township of Greenwich shall be directed to the Open Records Officer, Township of Greenwich, 775 Old Route 22, Lenhartsville, PA 19534; Telephone: (610) 756-6707, facsimile: (610) 756-6099.

SECTION 4. When a request is received for access to public records, the Township shall make a determination within five (5) business days of receipt of the request, to grant or deny the request. The person or entity requesting the information shall be promptly notified of the Township's decision.

SECTION 5. If, after receiving a request for access to public records, the Township determines any of the following circumstances exist, the person or entity requesting access to the records shall be issued a notice that the request is being reviewed:

- (a) The request for access requires redaction of a public record;
- (b) The request for access requires retrieval of a record stored in a remote location;
- (c) A timely response to the request for access cannot be accomplished due to bona fide and specified staff limitations;
- (d) A legal review of the request is necessary to determine whether the record is a public record subject to access under the Act;
- (e) The person or entity requesting access to the public record has not complied with the Township's policies regarding access to public records; or
- (f) The person requesting access to the record refuses to pay applicable fees as contained herein.
- (g) The extent or nature of the request precludes a response within the required time period.

The person or entity requesting access to the public record shall be informed in writing as to the specific reason that their request is being reviewed and a reasonable date a response is expected to be provided.

SECTION 6. The request must be retained by the Township for thirty (30) days or until final appeal determination. If a request for access to public records is denied, the person or entity requesting the records shall be informed of the reason that the request has been denied and shall be given the authority relied upon by the Township for denying

access. The notice of denial shall contain the name of the person making the decision to deny access to the public record, the date of the denial, and shall include the signature of the person denying access, along with an explanation of the procedures for appealing the Township's denial of access to the record in question within fifteen (15) days to the state Office of Open Records under the Department of Community and Economic Development.

SECTION 7. The following fees shall be applicable to requests for access to public records:

- (a) Photocopying fees - Twenty-Five Cents (.25) per page;
- (b) Certification of a public record - Two Dollars (\$2.00) per record certified;
- (c) Copying records onto electronic media - Twenty Dollars (\$20.00) plus actual cost of materials and media used for copying, and
- (d) Copying off-site of subdivision, land development or other plans - Twenty Dollars (\$20.00) plus actual cost incurred.

The Township, in its sole discretion, may waive the fees for duplication of public records if the Township determines that it is in the public interest to do so.

SECTION 8. If the estimated cost of duplication of a public record is expected to exceed One Hundred Dollars (\$100.00), the Township may require the person or entity requesting the record to prepay the estimated fees authorized by this policy, prior to providing access to the public record. Access to the records requested shall be postponed until prepayment is received.

SECTION 9 The Township shall utilize the form attached hereto as Exhibit "A" to process all requests for access to the Township's public records. When completed, a copy of the form shall be given to the person requesting the information and a copy shall be retained by the Township.

DULY ADOPTED this 7<sup>th</sup> day of April, 2008, by the Board of Supervisors of the Township of Greenwich, Berks County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF GREENWICH

By: W. B.  
Chairman (Vice)

Attest: Alice Flyte  
Secretary