

**RESOLUTION OF TOWNSHIP OF ROBINSON, WASHINGTON COUNTY**  
**BOARD OF SUPERVISORS - RESOLUTION NO. 08-2017**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF  
ROBINSON, WASHINGTON COUNTY, AMENDING ITS EXISTING RIGHT-TO-  
KNOW LAW POLICY**

**WHEREAS**, Senate Bill No 1 (Act 3) was signed into law by Governor Edward G. Rendell on February 14, 2008. This legislation is effective January 1, 2009 and is called the “Right-to Know Law”; and

**WHEREAS**, public records shall be accessible for inspection and duplication during regular business hours in the medium requested, if said public records exist in the requested medium and if the public records are not exempt and/or privileged pursuant to the Right-to-Know Law; and

**WHEREAS**, all requests for public records shall be governed by this Resolution and the aforementioned Pennsylvania Right-to-Know Law.

**NOW THEREFORE**, in consideration of the above recitals, the Board of Supervisors of the Township of Robinson, Washington County, adopts the following Right-to-Know Law Policy:

**RIGHT-TO-KNOW LAW POLICY**

**I. Authority and Purpose**

The Township of Robinson, Washington County, Pennsylvania (“**Township**”) adopts this policy pursuant to Section 504(a) of the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104 (“**RTKL**”). This policy supersedes and replaces any other Right to Know Law Policies formerly adopted by the Township.

The purpose of the this policy is to assure compliance with the RTKL, to provide access to public records of the Township, to preserve the integrity of the Township’s records, and to minimize the financial impact to the Township’s taxpayers regarding the resources utilized in the receipt and processing of public record requests and the retrieval and copying of public records.

**II. Definitions**

All of the definitions set forth in the RTKL are incorporated in to this policy by reference.

*Business day.* The regular business hours of the Township are Monday through Friday from 9:00am to 2:30pm. Business days exclude Saturday and Sunday and a weekday where the Township is closed for business.

### III. Submitting a RTKL Request to the Township

A. *Open Records Officer.* The Township has designated the Township Secretary as the Open Records Officer to respond to RTKL requests.

The contact information for the Township's Open Records Officer (RTKL Officer) is:

Monica Miller, Township Manager/Secretary and Open Records Officer

By Mail/In Person: Robinson Township Municipal Building  
8400 Noblestown Road  
McDonald, PA 15057

Phone: (724) 926-8700

Facsimile: (724) 926-0108

E-mail: [robinsontownshipmanager@yahoo.com](mailto:robinsontownshipmanager@yahoo.com)

The Township Open Records Officer contact information is posted on the Township website at <http://www.robinsonpa.gov/>. The Township RTKL Officer may be changed from time-to-time by separate Resolution.

B. *Request.* Requests must be submitted in writing using the RTKL Uniform Request Form available on the Township website and be addressed to the Township Open Records Officer. If a requester chooses not to use the RTKL Uniform Request Form, the request will be considered an informal request, not subject to the RTKL. To allow the Township to locate requested records and determine whether those records are public, requests for records should be specific and concise and clearly identify as precisely as possible the records sought. Requesters should retain a copy of the request for their file as a copy of the request is necessary should a requester appeal the Township response.

C. *Receipt of the request.* The Township receives the request on the business day the Township Open Records Officer receives the request. Any request that is received by the Township after the close of regular business hours shall be deemed to be received on the next business day. If the request is received by an Township employee other than the Township Open Records Officer, the request will be forwarded to Township Open Records Officer as soon as practical.

D. *Verbal and anonymous requests.* The Township will not respond to verbal and anonymous requests for records. Requesters submitting verbal and anonymous requests for records may not pursue the remedies available to a requester under the RTKL.

E. *Response period generally.* The Township has five (5) business days to respond to a request for records under the RTKL, unless this time period is extended (see below). If a

Township does not respond, the request is considered “deemed denied” and a requester’s appeal rights commence.

#### **IV. Township Response**

*A. Interim response.* The Township is permitted to take an additional thirty (30) days to respond to any request for the reasons set forth in Section 902 of the RTKL, 65 P.S. § 67.902. If the Township invokes an extension, the Township will inform the requester in writing. If the Township does not respond at the end of the extension period, the request is considered “deemed denied” and a requester’s appeal rights commence.

*B. Requester agreement to extend the response period.* The requester may agree, in writing, to extend the response period beyond thirty (30) days. The requester must agree to the extension during the five (5) business day or Township extended response period. If the Township does not respond at the end of the agreed upon extension period, the request is considered “deemed denied” and a requester’s appeal rights commence.

*C. Final response.* The Township may grant a request, partially grant and partially deny a request, or deny a request in its entirety. The final response of the Township will be in writing. Should the Township fail to issue a response within the applicable response period, the request is deemed denied.

1. Granting access to records. The Township may grant a request for records by issuing a response: (1) granting access to inspect Township records during the Township’s regular business hours; (2) sending copies of the records to the requester; or (3) by notifying the requester that the records are available on the Township website or other publically accessible electronic means.

2. Denying or partially denying access to records. Should the Township deny or partially deny a request for records through redaction or otherwise, the Township will inform the requester of the denial or partial denial in writing. The response will inform the requester that the Township does not possess the responsive record or, if the information is exempt from public access, provide a citation to the relevant legal basis for withholding the requested information.

*D. Fees.* The Township will charge duplication and certification fees as follows (prepayment of fees is required in the amount specified by the RTKL Officer if the fees will exceed \$100):

<b>Record Type/Delivery Method</b>	<b>Fee</b>
Black & White Copies	Up to \$0.25 per copy. <sup>(1)</sup>
Color Copies	Up to \$0.35 per copy. <sup>(2)</sup>
Specialized Documents <sup>(3)</sup>	Up to actual cost.

Records Delivered via Email	No additional fee may be imposed, unless conversion of document is required. <sup>(4)</sup>
CD / DVD	Up to actual cost, not to exceed \$3.00 per disc.
Flash Drive	Up to actual cost.
Facsimile	Up to actual cost. <sup>(5)</sup>
Other Media	Up to actual cost.
Redaction	No additional fee may be imposed. <sup>(6)</sup>
Conversion to Paper	Up to \$0.25 per page. <sup>(7)</sup>
Photographing a Record	No additional fee may be imposed. <sup>(8)</sup>
Requester utilizes his/her own copying/scanning equipment and the Township's electricity	\$.05 per page. <sup>(9)</sup>
Postage	Up to actual cost of USPS first-class postage.
Certification	Up to \$5.00 per record. <sup>(10)</sup>

**Footnotes:**

1. A "copy" is either a single-sided copy on 8.5"x11" paper, or one side of a double-sided copy on 8.5"x11" paper.
2. A "copy" is either a single-sided copy on 8.5"x11" paper, or one side of a double-sided copy on 8.5"x11" paper. Note that a requester may ask for black and white copies even if the original is in color and color copies are available.
3. Including, but not necessarily limited to, non-standard sized documents and blueprints.
4. If a requester asks to receive records which require redactions in electronic format, the Township may print the records to provide for secure redaction, then scan them in for delivery by email. Accordingly, the Township may charge the fees noted above for either B&W or color copies, as appropriate. If scanning of a document is required, that cost may be passed on to the Requestor.
5. If the Township must print records to send them by facsimile, the Township may charge the fees noted above for B&W copies.
6. If a requester seeks records requiring redaction, the Township may copy or print the records to provide for secure redaction. Accordingly, the Township may charge the fees noted above for either B&W or color copies, as appropriate.
7. If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media, unless the requester specifically requests for the record to be duplicated in the more expensive medium. See §1307(e).
8. This assumes the requester is using his or her own camera, such as a cellphone camera, to photograph the records. If redaction is required prior to the requester being granted access to photograph records, the Township may copy or print the records to provide for secure redaction. Accordingly, the Township may charge the fees noted above for either B&W or color copies, as appropriate.

9. Arrangements must be made in advance through coordination with the RTKL officer.
10. Under the RTKL, the Township may impose “reasonable fees for official certification of copies if the certification is at the behest of the requester and for the purpose of legally verifying the public record.” The OOR recommends no more than \$5 per record to certify a public record. Certification fees do not include notarization fees.

As expressly provided by 65 P.S. §67.1307(g), the Township has the authority to charge requesters reasonable fees for necessarily incurred costs. The Township will determine and charge such fees on a case by case basis.

## **V. RTKL Appeals**

*Generally.* To challenge the denial or deemed denial of a request for Township records, an appeal may be filed with the OOR by contacting:

Executive Director  
Office of Open Records  
Commonwealth Keystone Building  
400 North Street, 4th Floor  
Harrisburg, PA 17120-0225  
[openrecords@pa.gov](mailto:openrecords@pa.gov)

*Criminal investigative records.* To challenge the denial of a request or portion of a request on the basis that information was withheld as exempt criminal investigative records, a concurrent appeal should be filed by contacting:

District Attorney of Washington County  
Washington County Courthouse, Suite 1003  
1 South Main Street  
Washington, Pennsylvania 15301  
Phone: (724) 228-6790  
Fax: (724) 250-4142

*Requirements of an appeal.* All appeals: must be in writing; must state the grounds upon which the requestor asserts that the requested records is a public record; must address any grounds stated by the Township for denying the request; and must include a copy of the request and the Township’s response, if any. All appeals must be filed within 15 business days of the mailing date of the Township’s denial or deemed denial of the request.

## **VI. Additional Information about the RTKL**

Additional information regarding the RTKL and the request and appeal process, including the OOR Citizen’s Guide, Township Guides, and related forms, are available on the OOR website at <http://openrecords.state.pa.us>.

RESOLVED BY THE BOARD OF SUPERVISORS OF ROBINSON TOWNSHIP THIS  
10<sup>th</sup> DAY OF April, 2017.

ATTEST:

**Township of Robinson**

\_\_\_\_\_  
Township Secretary

\_\_\_\_\_  
Rodger Kendall  
Chairman

\_\_\_\_\_  
Mary Donaldson  
Vice Chairman

\_\_\_\_\_  
Regis Curtis  
Supervisor