

EXETER TOWNSHIP
RESOLUTION # 2020-

A RESOLUTION OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, APPOINTING TINA STEPHENS AS OPEN RECORDS OFFICER FOR THE TOWNSHIP OF EXETER AND ADOPTING AN UPDATED OPEN RECORDS POLICY FOR EXETER TOWNSHIP

WHEREAS, the Pennsylvania Right-To-Know Law, 65 P.S. Section 502(a), provides for the establishment of an Open Records Officer in each local agency; and

WHEREAS, the Pennsylvania Right-To-Know Law, 65 P.S. Section 504 provides for the adoption and posting of the regulations, policies and procedures in each local agency; and

WHEREAS, as a Township of the Second Class in the Commonwealth of Pennsylvania, the Township of Exeter ("Township") is a local agency under the Pennsylvania Right to Know Law; and

WHEREAS, it is essential to the proper operation of the government of the Township, as well as to assure that the laws are faithfully enforced, that there be an appointment of an Open Records Officer and that a revised Open Records Policy be adopted; and

WHEREAS, Tina Stephens is employed by the Township of Exeter; and

WHEREAS, the Board of Supervisors of the Township of Exeter desires to appoint Tina Stephens, as the Township 's Open Records Officer; and

WHEREAS, to ensure the most up to date policy is provided for the Board of Supervisors desires to adopt an updated Open Records Policy.

NOW, THEREFORE, BE IT RESOLVED, that the following appointment be made to a Township appointive office, with the appointee to hold such office until their removal from such office or until their successor shall have been appointed by the Township:

Tina Stephens is hereby appointed to the office of Open Records Officer of the Township of Exeter, and shall fulfill the duties of the Township's Open Records Officer set forth in the Pennsylvania Right To Know Law.

FURTHER RESOLVED, that the attached Open Records Policy be adopted for the Township of Exeter.

FURTHER RESOLVED, that the above-stated appointment and Open Records Policy shall take effect immediately.

FURTHER RESOLVED, that if any provision, sentence, clause, section, or parts of this Resolution shall for any reason be found to be unconstitutional, illegal or invalid, such determination shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Resolution, and it is hereby declared to be the intent of the Township of Exeter that this Resolution would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part not be included herein.

FURTHER RESOLVED, that all Resolutions or parts of Resolutions inconsistent with this Resolution are hereby superseded.

PASSED AND APPROVED at a Regular Meeting of the Board of Supervisors of Exeter Township, Berks County, Pennsylvania, held this 24th day of August 2020.

**EXETER TOWNSHIP
BOARD OF SUPERVISORS**

David G. Speece, Jr., Chairperson

ATTEST:

Laurie Getz, Secretary

EXETER TOWNSHIP Open Records Policy

Open Record Officer

The Township of Exeter has designated Tina Stephens as the Township Open Records Officer. The Open Records Officer may be reached at: 4975 DeMoss Road, Reading, PA, 19606, telephone (610) 779-5660, fax (610) 779-5950 or email tstephens@exetertownship.com.

General

All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during established business hours (Monday-Friday 8:30 a.m. to 4:00 p.m.) with the exception of weekends and holidays.

Requests

Requests shall be made in writing to the Township Open Records Officer on a form provided by the township. (See attached form)

Fees

Paper copies (black & white) shall be .25 cents per page per side. The certification of a record is \$5 per record. Specialized documents including, but not limited to blue prints, color copies, and non-standard sized documents shall be charged the actual cost of production. If mailing is requested, the cost of postage will be charged. The township shall require prepayment of the total fees. Fees are per the Office of Open Records Fee Schedule.

Response

The township shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original Township documents while taking reasonable measure to protect Township documents from the possibility of theft, damage, and/or modification.

The Open Records Officer 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 Open Records Officer shall respond to such requests in writing consistent with Act 3 of 2008, the Right-to-Know Law.

If access to a record is denied, the response shall include a reason for denial as stipulated in Act 3 of 2009, the Right-to-Know Law.

Contact Information for Appeals

If a written request is denied or deemed denied, the requester may file an appeal in writing to:

Executive Director
Office of Open Records
333 Market Street, 16th Floor
Harrisburg, PA 17120-2234

Appeals of criminal records shall be made to the District Attorney of Berks County:

John T. Adams, Esq.
Berks County Service Center
633 Court Street, 5th Floor
Reading, PA 19601

Appeals Process

The appeal shall be filed within 15 business days of the mailing date of the township's response or within 15 business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the records is a public record and shall address any grounds stated by the township for delaying or denying the request.



Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: _____ (Attn: AORO)

Date of Request: _____ Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: _____ Company (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Telephone: _____ Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDS REQUESTED: *Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. Use additional sheets if necessary. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law.*

DO YOU WANT COPIES? Yes, electronic copies preferred if available
 Yes, printed copies preferred
 No, in-person inspection of records preferred (*may request copies later*)

Do you want **certified copies**? Yes (*may be subject to additional costs*) No
RTKL requests may require payment or prepayment of fees. See the [Official RTKL Fee Schedule](#) for more details.

Please notify me if fees associated with this request will be more than \$100 (or) \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.