

MILLCREEK TOWNSHIP
3608 West 26th Street
Erie, PA 16506-2059

RIGHT-TO-KNOW ACT REQUEST FORM

DATE REQUESTED _____

REQUEST SUBMITTED BY E-MAIL U.S. MAIL FAX IN-PERSON

NAME OF REQUESTER _____

STREET ADDRESS _____

CITY/STATE/COUNTY _____

TELEPHONE (Optional) _____

EMAIL (Optional) _____

RECORDS REQUESTED:

**Provide as much specific detail as possible so the agency can identify the information. The Township will not identify unspecified records or conduct research for a requestor.*

DO YOU WANT COPIES? YES or NO

DO YOU WANT TO INSPECT THE RECORDS? YES or NO

DO YOU WANT CERTIFIED COPIES OF RECORDS? YES or NO

RIGHT TO KNOW OFFICER _____

DATE RECEIVED BY THE AGENCY _____

AGENCY FIVE (5)-DAY RESPONSE DUE _____

If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (65 P.S. Section 67.702). Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (65 P.S. Section 67.703).

GENERAL REGULATIONS ACCESSIBILITY OF DOCUMENTS

Regulations governing access to public records are established in Pennsylvania's Right-to-Know Law, most recently amended effective January 1, 2009.

The Right-to-Know Law defines certain important terms:

Record – information, regardless of physical form or characteristics, which documents an activity or transaction of an agency and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the agency. It includes information in document and other formats.

Financial record – includes (1) any account, voucher or contract dealing with (i) the receipt or disbursement of funds by an agency or (ii) an agency's acquisition, use or disposal of services, supplies, materials, equipment or property.

Public record - a record, including a financial record, of a Commonwealth or local agency which is (1) not exempt under Section 708 of the Law [which identifies a number of exceptions for public records]; (2) is not exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or (3) is not protected by a privilege.

Privilege - includes the attorney work-product doctrine, the attorney-client privilege, the doctor-patient privilege, the speech and debate privilege or other privilege which is recognized by a court interpreting Pennsylvania laws.

Legislative record – includes a financial record, the minutes of, record of attendance of members at a public hearing or public committee meeting, all recorded votes taken in a public committee meeting, administrative staff manuals or written policies.

The reason for a request to access public, financial or legislative records is not material.

A request for access to public records must define those to which access is requested with sufficient specificity to enable Millcreek Township to ascertain which record(s) is or are being requested. It is not the duty of the Township to surmise or guess as to records a requester seeks to access. Excessively broad or vague requests (examples: all permits issued or approvals issued in a given time period) do not identify records adequately to allow the Township to identify those which pertain to the request.

Public records are available for access during regular business hours of the Township. A requestor may ask, initially, for access to a record to review that record. There is no charge to access and review a record. Requests for copies of records are subject to those fees as are established by resolution adopted by the Board of Supervisors.

Generally, a record will be provided to a requester in the medium requested if that record exists in such medium. Otherwise, it will be provided in the medium in which the record exists.

The Township has no duty to create a record that does not exist.

Generally, a request for copies of public records shall be accompanied by payment of the fees for such copies as are then in effect. Such request and payment may be made after inspection of records and identification by the requestor of those copies desired.

Except for those oral or verbal requests authorized by Resolution adopted by the Board of Supervisors, requests for access to public, financial or legislative records shall be in writing and submitted to the Township's Open Records Officer.