

RESOLUTION 2008- 03

WORMLEYSBURG BOROUGH

TITLE: Public Records Policy

ADOPTED: March 11, 2003

REVISED:

RE-ADOPTED:

Re-adoption of the Public Record Policy of March 11, 2003, with corrections and additions.

<p>1. Purpose</p>	<p>The Borough Council of the Borough of Wormleysburg recognizes the importance of public records, maintaining a record of Borough actions, and a repository for the information about the Borough. The public has the right under law to inspect and to procure copies of public records, with certain exceptions, subject to Borough Council policy. Borough Council also recognizes its obligations to maintain the confidentiality of certain records.</p>
<p>2. Definitions</p>	<p>1. Borough - The Borough of Wormleysburg 2. Borough Council - The Borough Council of the Borough of Wormleysburg 3. Manager - The Borough Manager of the Borough of Wormleysburg 4. Public Records The Public Records of this Borough shall mean any account, voucher or contract dealing with the Receipt or disbursement of funds; acquisition, property, or any minutes, orders or decisions fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group.</p> <p>Public Records shall not include the following: Any report, communication or other paper whose publications would disclose the institution, progress or result of an investigation undertaken in the performance of official duties.</p>

4. Guidelines

A. Inspection

The public may inspect and procure copies of the public records of the Borough during the regular business hours of the Borough offices.

A public record shall be provided to the requester in the medium requested if it exists in that format; otherwise, it shall be provided in its existing medium.

The Borough is not required to create a public record that does not exist nor to compile, maintain, format or organize a public record in a manner different from that currently maintained by the Borough. If a public record is maintained only in an electronic format, the Borough shall duplicate the record on paper, upon request.

The information shall be made available to individuals with disabilities in an appropriate format, upon request, and with sufficient advance notice.

No original public record shall be removed from the control or supervision of the designated Borough official.

B. Request for Access

A request for access to a public record shall be submitted in writing, by email, using the "Office of Open Records" request form, or verbally, to the office of the Manager. Requests submitted verbally do not have the right to appeal.

Each request must include the following information:

1. Identification of the requested record, in sufficient detail.
2. Medium in which the record is requested.

3. Name, title, business address and telephone number, and signature of the employee who denied the request.

4. Date of the response

5. Procedure to appeal denial of access

The Borough shall not deny access to a public record based on the intended use by the requester.

E. Appeal of Denial

If a request for access to a public record is denied or deemed denied, the requestor may file a written exception within fifteen (15) business days of the mailing date of the response or a deemed denial. The exception shall state the grounds upon which the requestor asserts that the record is a public record and shall address any grounds stated by the Borough for delaying or denying the request.

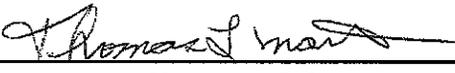
Upon receipt of the exception, the Office of Open Records or its designee shall make a final determination of the request within thirty (30) days of the mailing date of the requestor. If denied, a written explanation shall be provided. Prior to issuing the final determination regarding the exceptions, the Office of Open Records or its designee may conduct a hearing. If the Office of Open Records or its designee determines that the request for access was correctly denied, then the Office of Open Records shall provide a written explanation to the requestor of the reason for the denial.

The final determination shall be the final order of the Borough.

6. Effective	3. Provisions to guard the confidentiality of records exempted from the availability of public records. 4. Training of appropriate staff regarding public access to public records. This Resolution shall take effect January 1, 2009 upon adoption by Borough Council
--------------	--

RESOLVED this 12th day of AUGUST, 2008

Borough of Wormleysburg

By: 
Council President

ATTEST:


Borough Secretary

**BOROUGH OF
WORMLEYSBURG**

**PUBLIC RECORD REVIEW
DUPLICATION REQUEST**

Please print legibly

Date of Request: _____

Requestor's Name: _____

Requestor's Address: _____

Requestor's Daytime Telephone: _____

I request review duplication (check applicable boxes) of the following records.
Important: You must identify or describe the records with sufficient specificity to enable the
Borough to determine which records are being requested. Use additional sheets if necessary.

I certify that I am a resident of the Commonwealth of Pennsylvania.

Signature of Requestor

This request may be submitted in person, by mail or by facsimile to:

To be completed by Borough:

Request No. _____ Dated Received: _____

Action Taken:

Approved	Date of Approval	_____
Denied	Date notice mailed	_____
Additional Review	Date notice mailed	_____

**BOROUGH OF
WORMLEYSBURG**

**DENIAL OF REQUEST TO
REVIEW AND/OR DUPLICATE**

Date of Denial: _____

Requestor's Name: _____

Requestor's Address: _____

Re: Denial of Request to Review and/or Duplicate _____
Request No. _____
Date of Request _____

Dear Mr./Mrs./Ms. _____:

Please be advised that your request to review/duplicate the following records:

has been denied for the following reason(s):

This denial is based upon the following legal authority:

You have the right to appeal this decision. If you appeal, you must:

Within fifteen (15) days of the notice of denial or deemed denial, file exceptions with the Borough Council in accordance with the Borough's Public Records Policy.

If you file exceptions, the ^{OPEN RECORDS OFFICE} ~~Borough Council or its designee~~ has thirty (30) days in which to respond to your exceptions, unless extended by the parties. The ^{OPEN RECORDS OFFICE} ~~Borough Council or its designee~~ may decide to conduct a hearing within that time to assist in the making of the decision.

67 60

BOROUGH OF WORMLEYSBURG
Consumer Identity Theft Prevention Program

Finding. The Borough is a low-risk entity. The following is the streamlined program which has been adopted and which shall apply.

Red Flags. Only opening utility accounts has been identified as potential areas for the use of identity theft. This is the only Borough consumer identity theft red flag item.

Proof of Identity. Entities opening utility accounts shall provide satisfactory evidence of their identity.

Suspicious Transactions. Suspicious credit transactions or any other financial transactions shall be discussed with the compliance officer.

Notification of Law Enforcement. The compliance officer will use his discretion on whether to report suspicious transactions to the West Shore Regional Police Department for appropriate enforcement.

Compliance Officer and Training. The Compliance Officer for this program shall be the Borough Manager or his designee. The Compliance Officer shall periodically review this program for recommended updates.

Annual Report. An annual report, as required by FTC regulation, Appendix A to Part 681, VI(b)(2), Federal Register page 63773, shall be provided by the Compliance officer.