

County of Erie Town Hall
47 Pearl Street PO Box 36
Holland, NY 14080

To: Record Access Officer (Town Clerk)
Town of Holland
Holland, NY 14080

Signature _____ Date _____
Representing _____

FOR TOWN USE:

Confidential Disclosure
Part of Investigatory Files
Unwanted Invasion of Personal Privacy
Record of which Town is Legal Custodian can't be found
Record is not maintained by Town
Exempted by Statute other than Freedom of Information Act
Other (specify) _____

Signature _____ Title _____ Date _____

Signature _____ Date _____ Notified _____
Picked Up _____
Paid _____

I hereby appeal _____

Signature _____ Date _____

PUBLIC NOTICE

The amended Freedom of Information Law, which took effect on January 1, 1978, gives you the right to access to any public records. The Town of Holland has adopted regulations governing when, where and how you can see public records.

The regulation can be seen at all places where records are kept.

According to these regulations, records can be seen and copied at

Town Hall 47 Pearl St., Holland, NY 537-9443 ext. 2
Town Clerk: Sandra Smith
Monday, Tuesday, Thursday and Friday 9:00am to 12:00 Noon
1:00pm to 5:00pm
Wednesday 4:00pm to 9:00pm

BUILDING PERMITS AND ORDINANCES

Scott Hess 47 Pearl St., Holland, NY 14080 537-9443 ext. 6
Tuesday & Wednesday Night 7:00pm to 9:00pm

THE FOLLOWING OFFICIALS WILL HELP YOU TO EXERCISE YOUR RIGHTS TO ACCESS:

1. TOWN OFFICIALS WHO HAVE IN THE PAST BEEN AUTHORIZED TO MAKE RECORDS AVAILABLE
2. RECORDS ACCESS OFFICER:
SANDRA SMITH - TOWN CLERK 537-9443 ext 2
47 PEARL ST., HOLLAND, NY ROOM #3

IF YOU ARE DENIED ACCESS TO A RECORD, YOU MAY APPEAL TO

SUPERVISOR MICHAEL KASPRZYK
47 PEARL ST. HOLLAND, NY 537-9443 ext.

REGULATIONS FOR PUBLIC ACCESS FOR RECORDS
OF
THE TOWN OF HOLLAND

PURSUANT to Public Officer's Law Section 89 (1) (b) (iii), the Town Board of the Town of Holland at a regular session held on the 13th day of June, 1984, has enacted the following regulations to establish procedure for inspection and copying of records in compliance with the Public Officers Law.

1. DESIGNATION OF RECORDS ACCESS OFFICER

- a. The Record Access Officer shall be the Town Clerk of the Town of Holland, the Deputy Town Clerk or the designated agent in the absence of the Town Clerk with offices at the Holland Town Hall, 47 Pearl Street, Holland, New York 14080.
- b. Records Access Officer shall insure the following:
 1. Maintain a current subject matter list.
 2. Assist the requestor in identifying the requested records if necessary.
 3. Upon locating the records, take one of the following actions:
 - a) Make records available for inspection.
 - b) Deny access to the records in whole or in part and explain in writing the reasons therefor.
 4. Upon request for copies of records, the officer shall make such copies available upon payment of the established fees. Such copies shall be available within 3 business days following the request.
 5. Upon request certify that the record is a true copy.
 6. Upon failure to locate record, certify that:
 - a) The Town of Holland is not the custodian for such records; or
 - b) Records of which the Town of Holland is the custodian cannot be found after diligent search.

2. LOCATION

Records shall be available for public inspection and copying at the Holland Town Hall, 47 Pearl Street, Holland, New York 14080 during all hours in which the Town Clerk is regularly open for business.

3. REQUEST FOR PUBLIC ACCESS TO RECORDS:

- a. All requests shall be in writing.
- b. Response shall be given regarding such request which reasonably describes the record or records sought within five (5) business days of receipt of the written request.
- c. A request shall reasonably describe the record or records sought. A person requesting records shall supply information regarding dates, file designations or other information which may be of assistance in describing the records sought.
- d. If the Records Access Officer fails to grant or deny access to records within 10 business days after receipt of a written request, the request may be construed as a denial of access that may be appealed.

4. SUBJECT MATTER LIST:

- a. The Records Access Officer shall maintain a reasonably detailed current list by subject matter of records within its possession whether or not records are available pursuant to Section 2 of Section 87 of the Public Officers Law.
- b. The subject matter list shall be sufficiently detailed to permit identification of the category of the records sought and shall be updated when necessary.

5. DENIAL OF ACCESS RECORDS:

- a. The governing body of a public corporation or the head, chief executive or governing body of other agencies shall hear appeals or shall designate a person or body to hear appeals regarding denial of access to records under the Freedom of Information Law.
- b. If requested records are not provided as required in these regulations; such failure shall be deemed a denial of access.

- c. The supervisor of the Town of Holland shall hear appeals for denial of access to records.
- d. Any person denied access to records may appeal within thirty (30) days of a denial.
- e. The time for deciding an appeal by the individual or body designated to hear appeals shall commence upon receipt of written appeal identifying:
 - 1 The date and location of a request for records.
 - 2. The records that were denied.
 - 3. The name and return address of the appellant.
- f. The agency shall transmit to the Committee on Public Access to Records copies of all appeals upon receipt of an appeal. Such copies shall be addressed to:

Committee on Public Access to Records
Department of State
162 Washington Avenue
Albany, New York 12231
- g. The person or body designated to hear appeals shall inform the appellant and the Committee on Public Access to Records of its determination in writing within seven (7) business days of receipt of an appeal. The determination shall be transmitted to the Committee on Public Access to Records in the same manner as set forth in subdivision (f) of this section.

6. FEEES

- a. The fees for copies of available records shall be as follows:
 - 1. Pages not larger than 8 1/2" x 11 1/2" --- \$.25/page.
 - 2. Pages larger than 8 1/2" x 14 1/2" \$.25/page.
 - 3. Any other records: The actual cost thereof to the Town of Holland.
- b. Copies of records shall be provided upon prepayment of \$.25/page for photocopies not

exceeding 9" x 14". In the event the record is greater than 9" x 14", the fee shall not exceed the actual reproduction cost which is the average unit cost for copying a record excluding fixed cost to the agency such as operators salary,

- c. A notice containing the title or name and business address of the Record Access Officer and Appeals Person and location where records can be seen shall be published in a local newspaper of general circulation. Such notice may be posted in a conspicuous location where records are kept.