



# pennsylvania

OFFICE OF OPEN RECORDS

RTK 451

## STANDARD RIGHT-TO-KNOW REQUEST FORM

DATE REQUESTED: 5/24/17

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

REQUEST SUBMITTED TO (Agency name & address): Springettsbury Township Police Department

NAME OF REQUESTER: Brandie Kessler, York Daily Record

STREET ADDRESS: 1891 Loucks Road

CITY/STATE/COUNTY/ZIP(Required): York/PA/17408

TELEPHONE (Optional): [REDACTED] EMAIL (optional): [REDACTED]

RECORDS REQUESTED: *\*Provide as much specific detail as possible so the agency can identify the information. Please use additional sheets if necessary*

Settlement agreements for each case where the agency was a defendant in a civil case and settled with the plaintiff from 2007 through Jan. 1, 2017. I'd like to get the records electronically, if possible. Please advise as to any cost incurred with providing these records.

DO YOU WANT COPIES?  YES  NO

DO YOU WANT TO INSPECT THE RECORDS?  YES  NO

DO YOU WANT CERTIFIED COPIES OF RECORDS?  YES  NO

DO YOU WANT TO BE NOTIFIED IN ADVANCE IF THE COST EXCEEDS \$100?  YES  NO

**\*\* PLEASE NOTE: RETAIN A COPY OF THIS REQUEST FOR YOUR FILES \*\***  
**\*\* IT IS A REQUIRED DOCUMENT IF YOU WOULD NEED TO FILE AN APPEAL \*\***

### FOR AGENCY USE ONLY

OPEN-RECORDS OFFICER: A. Gibbs

I have provided notice to appropriate third parties and given them an opportunity to object to this request

DATE RECEIVED BY THE AGENCY: 5/24/2017

AGENCY FIVE (5) BUSINESS DAY RESPONSE DUE: 6/1/2017

*30 Day Response  
Due: 7/1/2017*

*\*\*Public bodies may fill anonymous verbal or written requests. If the requestor wishes to pursue the relief and remedies provided for in this Act, the request must be in writing. (Section 702.) Written requests need not include an explanation why information is sought or the intended use of the information unless otherwise required by law. (Section 703.)*



COAT OF ARMS OF SPRINGETT PENN  
1701-1731

# SPRINGETTSBURY TOWNSHIP

1501 Mt. Zion Road  
York, Pennsylvania 17402  
717-757-3521 Fax: 717-757-7856  
www.springettsbury.com  
email: info@springettsbury.com

Police: 717-757-3525 Fax: 717-840-1908  
Police and Fire Emergencies - Dial 911  
Recreation Office: 717-505-0406

Wastewater Treatment Facility  
3501 North Sherman Street  
717-757-3521 Fax: 717-840-0680

## BOARD OF SUPERVISORS

Mark M. Swomley  
Chairman

George M. Dvoryak  
Vice Chairman

Kathleen A. Phan  
Assistant Secretary/Treasurer

William H. Schenck, III

Blanda E. Nace

## TOWNSHIP MANAGER

Benjamin B. Marchant

June 1, 2017

Ms. Brandie Kessler  
York Daily Record  
1891 Loucks Road  
York, PA 17408

Re: **RIGHT-TO-KNOW REQUEST – Police Department Settlements**

Dear Ms. Kessler,

Thank you for writing to Springettsbury Township with your request for information: "Settlement agreements for each case where the agency was a defendant in a civil case and settled with the plaintiff from 2007 through Jan. 1, 2017." Further clarification identified that this request is related to Police Department settlements.

I have reviewed the request and an extension of time to respond is required due to the reasons set forth below. The Township anticipates responding to your request no later than July 1, 2017.

- The extent or nature of the request precludes a response within the required period.
- The request requires the retrieval of historic records.

The applicable fees associated with your request are unknown at this time. You will be advised of the estimated fees after a complete review of your request.

Please be advised, the records will be provided in the format in which they exist as per Right to Know Law Section 705: *Creation of record. When responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record.*

If you have any questions, please do not hesitate to contact me.

Very truly yours,

Abegale Gibb  
Right To Know Officer

File: Right-to-Know 451



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## TOWNSHIP MANAGER

Benjamin B. Marchant

June 23, 2017

Ms. Brandie Kessler  
York Daily Record  
1891 Loucks Road  
York, PA 17408

Re: **RIGHT-TO-KNOW REQUEST – Police Department Settlements**

Dear Ms. Kessler,

Thank you for writing to Springettsbury Township with your request for information: “Settlement agreements for each case where the agency was a defendant in a civil case and settled with the plaintiff from 2007 through Jan. 1, 2017.” Further clarification identified that this request is related to Police Department settlements.

Your request is approved in part and denied in part. The available records are included with this response electronically. The denied records are noncriminal investigations and deemed confidential in the terms of the agreements. These records are denied with regard to the following:

*Right to Know Law Section 708.b.17: A record of an agency relating to a noncriminal investigation, including (vi) A record that, if disclosed would do any of the following (A) Reveal the institution, progress or result of an agency investigation, except the imposition of a fine or civil penalty, the suspension, modification or revocation of a license, permit, registration, certification or similar authorization issued by an agency or an executed settlement agreement unless the agreement is determined to be confidential by a court.*

You have a right to appeal denial of information in writing to Erik Arneson, Executive Director, Office of Public Records, Commonwealth Building, 400 North Street, 4<sup>th</sup> Floor, Harrisburg, PA 17120-0225.

If you choose to file an appeal, you must do so within fifteen business days of the mailing date of the agency’s response, as outlined in Section 1101 of the Right-To-Know Law.

Springettsbury Township Police			
Date	Plaintiff	Settlement Amount	Agreement Included
1/9/2009	Glanopoulos, Patricia	\$13,750.00	No - Confidential
4/2/2011	Williams, Debra	\$250,000.00	Yes
3/12/2012	Torres, Elizabeth	\$1,234.13	Yes
8/5/2012	Landis, Steven	\$250,000.00	Yes
9/6/2013	Grayson, Louis	\$15,000.00	No – Confidential

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Abegale Gibb  
Right to Know Officer

cc: Dan Stump, Police Chief  
Ben Marchant, Township Manager  
Nitza Sanchez-Bowser, Director of Human Resources

File: Right-to-Know 451



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## TOWNSHIP MANAGER

Benjamin B. Marchant

June 27, 2017

Ms. Brandie Kessler  
York Daily Record  
1891 Loucks Road  
York, PA 17408

Re: **RIGHT-TO-KNOW REQUEST – RTK-451 Settlements Addendum**

Dear Ms. Kessler,

After speaking with you by phone on June 23, in response to your concern about the denied agreements, I spoke with the Office of Open Records and the Township Solicitor for further clarification on the confidentiality clauses identified. Based on those conversations and confirmation from the Solicitor, after his review of the agreements, both previously denied agreements are available since neither a court nor a judge sealed these agreements.

In sum, I am reversing the previous denial and approving your full initial request. The remaining records are included with this response electronically.

Springettsbury Township Police			
Date	Plaintiff	Settlement Amount	Agreement Included
1/9/2009	Galanopoulos, Patricia	\$13,750.00	Yes
9/6/2013	Grayson, Louis	\$15,000.00	Yes

Please be advised that this correspondence will serve to close this record with our office as permitted by law.

If you have any questions, please do not hesitate to contact me.

Thank you,



Abegale Gibb

Right to Know Officer

cc: Dan Stump, Police Chief  
Ben Marchant, Township Manager  
Nitza Sanchez-Bowser, Director of Human Resources

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