pennsylvania
OFFICE OF OPEN RECORDS

Springettsbury Township
1501 Mt Zion Road
York, PA 17402
717-757-3521
717-757-7856 (Fax)
www.springettsbury.com

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: Springettsbury Township Attn: Abby Gibb abby.gibb@springettsbury.com (Attn: AORO)

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

PERSON MAKING REQUEST:

Name: Richard Page Company (if applicable): _____

Mailing Address: 28 S. Kershaw St.

City: York State: PA Zip: 17402 Email: [redacted]

Telephone: [redacted] 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.*

All written and electronic correspondence to and from SPRINGETTSBURY TWP. [redacted] regarding the Final Subdivision Plan for the Land of Alyce F and Richard E Page 2751 Trout Run Road.

Stated via email this is for 2019 only.

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: RTK- 6555 Date Received: 12/19/19 Response Due (5 bus. days): 12/27/19

30-Day Ext.? ☐ Yes ☐ No (If Yes, Final Due Date: 1/26/20) 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.

NOTE: In most cases, a completed RTKL request form is a public record.
More information about the RTKL is available at https://www.openrecords.pa.gov

Form updated Nov. 27, 2018

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

CREST OF SPRINGETTSBURY
INCORPORATED 1891

BOARD OF SUPERVISORS

Mark M. Swomley
Chairman

George M. Dvoryak
Vice Chairman

Charles A. Wurster
Assistant Secretary/Treasurer

Justin A. Tomevi

Robert F. Cox

TOWNSHIP MANAGER

Benjamin B. Marchant

December 20, 2019

Mr. Richard Page
28 S. Kershaw Street
York, PA 17402

Re: **RIGHT-TO-KNOW REQUEST – Correspondence Regarding Subdivision**

Dear Mr. Page,

Thank you for writing to Springettsbury Township with your request for information: "All written and electronic correspondence to and from Springettsbury Twp. regarding the Final Subdivision Plan for the Land of Alyce F and Richard E Page 2751 Trout Run Road." You indicated in an email that this request is for 2019 only.

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 January 26, 2020.

- The extent or nature of the request precludes a response within the required time period.
- Timely response to the access cannot be accomplished due to bona fide and specified staffing limitations.

At this time there are no fees associated with your request. You will be advised of any fees required upon the complete review of available records.

Thank you,

Abegale Gibb
Right to Know Officer
File: Right-to-Know 655

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Assistant Secretary/Treasurer

Donald P. Bishop

Robert F. Cox

TOWNSHIP MANAGER

Benjamin B. Marchant

January 24, 2020

Mr. Richard Page
28 S. Kershaw Street
York, PA 17402

Re: **RIGHT-TO-KNOW REQUEST – Correspondence Regarding Subdivision**

Dear Mr. Page,

Thank you for writing to Springettsbury Township with your request for information: "All written and electronic correspondence to and from Springettsbury Twp. regarding the Final Subdivision Plan for the Land of Alyce F and Richard E Page 2751 Trout Run Road." You indicated in an email that this request is for 2019 only.

The records approved for your request are available in PDF format. The file size of these records made them too large to transmit as email attachments. The records can be accessed via this link

[redacted]

Pennsylvania Right To Know Law, Act 3 of 2008 Section 704. Electronic Access: (b) (1) In addition to the requirements of section 701, an agency may respond to a request by notifying the requester that the record is available through publicly accessible electronic means or that the agency will provide access to inspect the record electronically. (b) (2) If the requester is unwilling or unable to access the record electronically, the requester may, within 30 days of following receipt of the agency notification, submit a written request to the agency to have the record converted to paper. The agency shall provide access to the record in printed form within five days of the receipt of the written request for conversion to paper.

1. Some records related to your request have been denied based on Pennsylvania Right to Know Law, Act 3 of 2008:

    A. *Section 102: The definition of a public record excludes records that are protected by a privilege. Some of the records under this request fall within the attorney/client privilege.*

        a. *"Public record." A record, including a financial record, of a Commonwealth or local agency that:*

            i. *is not exempt under section 708;*

ii. is not exempt from being disclosed under any other Federal or State law or regulation or judicial order or decree; or

iii. is not protected by a privilege

B. *Chapter 7, Section 708 (b)(10)(i)(A) The internal, predecisional deliberations of an agency, its members, employees or officials or predecisional deliberations between agency members, employees or officials and members, employees or officials of another agency, including predecisional deliberations relating to a budget recommendation, legislative proposal, legislative amendment, contemplated or proposed policy or course of action or any research, memos or other documents used in the predecisional deliberations.*

C. *Chapter 7, Section 708 (b) (21) (i) Draft minutes of any meeting of an agency until the next regularly scheduled meeting of the agency.*

2. Some records have been denied or redacted based on these sections of Pennsylvania's Right to Know Law, Act 3 of 2008.

   A. *Chapter 7, Section 706 Redaction*

      a. *If an agency determines that a public record, legislative record or financial record contains information which is subject to access as well as information which is not subject to access, the agency's response shall grant access to the information which is subject to access and deny access to the information which is not subject to access. If the information which is not subject to access is integral part of the public record, legislative record or financial record and cannot be separated, the agency shall redact from the record the information which is not subject to access, and the response shall grant access to the information which is subject to access. The agency may not deny access to the record if the information which is not subject to access is able to be redacted.*

3. Additionally, based upon a Pennsylvania Supreme Court ruling (PSEA v Office of Open Records, 2016 Pa. LEXIS 2337), Commonwealth citizens have a constitutional right to privacy regarding their home addresses. Therefore, the record provided may have redacted or removed information containing address information since Commonwealth of residents were included in the requested records.

You have a right to appeal denial of information in writing to Erik Arneson, Executive Director, Office of Open Records, 333 Market Street, 16th Floor, Harrisburg, PA 17101-2234.

If you choose to file an appeal, you must do so within fifteen (15) business days of the mailing date of the agency's response, as outlined in Section 1101 of the Right-To-Know Law.

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
File: Right-to-Know 655