



**pennsylvania**  
OFFICE OF OPEN RECORDS

RTK  
678



**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.

Attn: Abby Gibb

**SUBMITTED TO AGENCY NAME:** Springettsbury Township abby.gibb@springettsbury.com (Attn: AORO)

Date of Request: 5/19/2020 Submitted via:  Email  U.S. Mail  Fax  In Person

### PERSON MAKING REQUEST:

Name: Tina Locurto Company (if applicable): The York Dispatch

Mailing Address: 1891 Loucks Road

City: York State: PA Zip: 17408 Email: [REDACTED]

Telephone: [REDACTED] Fax: 717-843-2814

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.*

I'm requesting emails from Springettsbury Township's municipal office that mention "Ben Marchant" and any emails to or from him to the Board of Supervisors dated from Feb. 1 to May 19.

**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- 678 Date Received: 5/19/2020 Response Due (5 bus. days): 5/27/2020

30-Day Ext.?  Yes  No (If Yes, Final Due Date: 6/26/2020) 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

**Gibb, Abby**

---

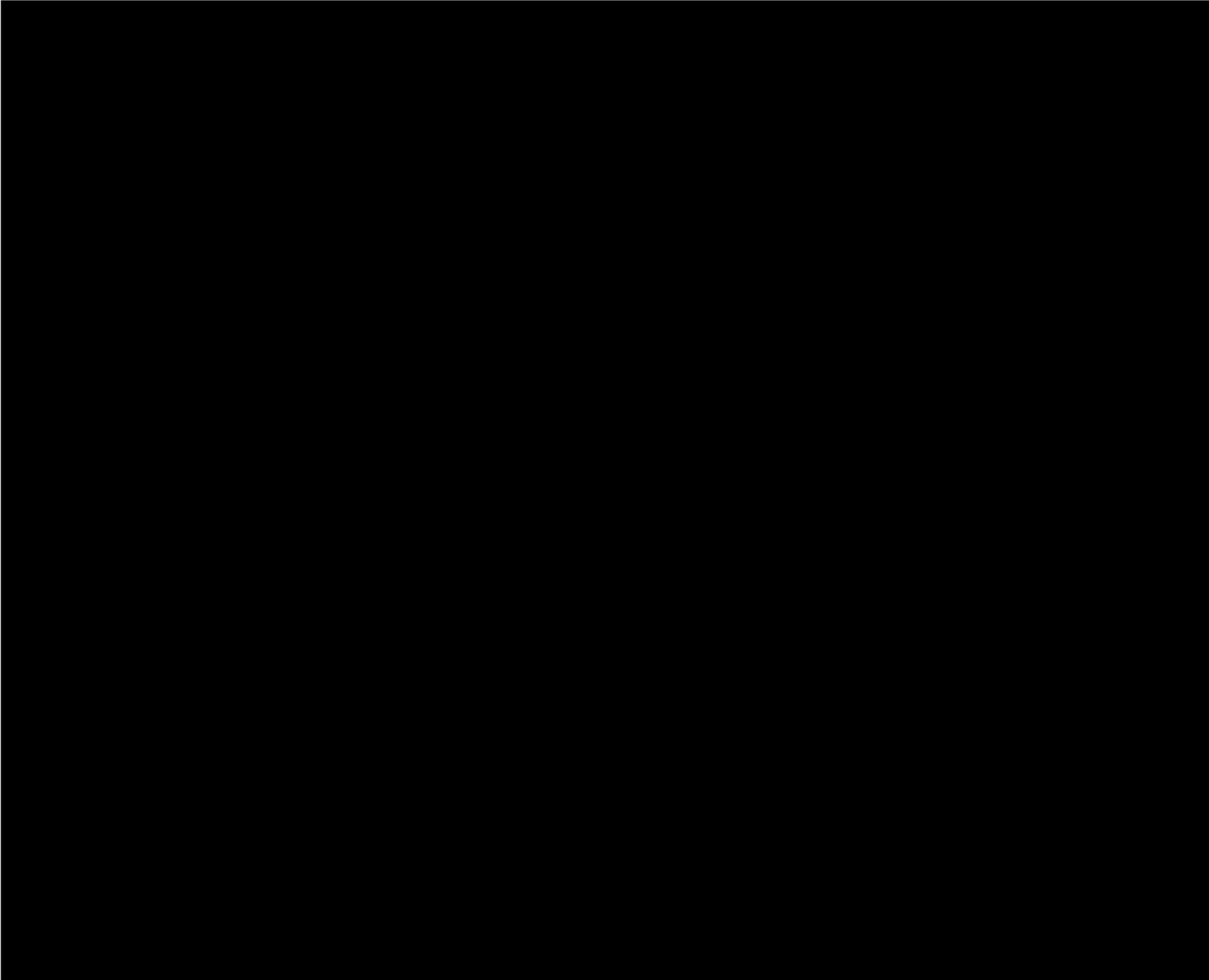
**From:** Lacurto, Tina [REDACTED]  
**Sent:** Tuesday, May 19, 2020 1:50 PM  
**To:** Gibb, Abby  
**Subject:** Re: RTK Request

**CAUTION: External message!**

Yes, "any emails to or from Ben Marchant to the Board of Supervisors from Feb 1 to May 19"?

I apologize again for any confusion and appreciate you clarifying this with me!

Tina





CREST OF SPRINGETTSBURY  
INCORPORATED 1891

# 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

Charles A. Wurster  
Assistant Secretary/Treasurer

Donald P. Bishop

Robert F. Cox

May 19, 2020

Ms. Tina Locurto  
The York Dispatch  
1891 Loucks Road  
York, PA 17408

Re: **RIGHT-TO-KNOW REQUEST – Marchant Emails**

Dear Ms. Locurto,

Thank you for writing to Springettsbury Township with your request for “any emails to or from Ben Marchant to the Board of Supervisors dated from Feb. 1 to May 19.”

I have reviewed the request and given the extenuating circumstances affecting Township operations in response to COVID-19, an extension of time to respond is required due to the reasons set forth below. The Township anticipates responding to your request by June 26, 2020.

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

At this time there are no fees anticipated 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 678



CREST OF SPRINGETTSBURY  
INCORPORATED 1891

# 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

Charles A. Wurster  
Assistant Secretary/Treasurer

Donald P. Bishop

Robert F. Cox

June 26, 2020

Ms. Tina Locurto  
The York Dispatch  
1891 Loucks Road  
York, PA 17408

Re: **RIGHT-TO-KNOW REQUEST – Marchant Emails**

Dear Ms. Locurto,

Thank you for writing to Springettsbury Township with your request for “any emails to or from Ben Marchant to the Board of Supervisors dated from Feb. 1 to May 19.”

The Township has reviewed our files and your request is approved in part and denied in part. The approved records are included with this response electronically, sent via email.

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

- Chapter 1, Section 102 Definitions:
  - Privilege- The attorney-work product doctrine, the attorney-client privilege, the doctor-patient privilege, the speech and debate privilege or other privilege recognized by a court interpreting the laws of this Commonwealth.
  - Public record – A record, including a financial record, of a Commonwealth or local agency that:
    - (1) is not exempt under section 708
    - (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.
    -
- Chapter 7, Section 706 Redaction
  - 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.

- 
- Chapter 7, Section 708 (b)(3): A record, the disclosure of which creates a reasonable likelihood of endangering the safety or the physical security of a building, public utility, resource, infrastructure, facility or information storage system, which may include:
  - (i) documents or data relating to computer hardware, source files, software and system networks that could jeopardize computer security by exposing a vulnerability in preventing, protecting against, mitigating or responding to a terrorist act;
  - (iii) building plans or infrastructure records that expose or create vulnerability through disclosure of the location, configuration or security of critical systems, including public utility systems, structural elements, technology, communication, electrical, fire suppression, ventilation, water, wastewater, sewage and gas systems.
- 
- Chapter 7, Section 708 (b)(4): A record regarding computer hardware, software and networks, including administrative or technical records, which, if disclosed, would be reasonably likely to jeopardize computer security.
- Chapter 7, Section 708 (b)(6)(i):
  - (A) A record containing all or part of a person's Social Security number, driver's license number, personal financial information, home cellular or personal telephone numbers; personal e-mail addresses; employee number or other confidential personal identification numbers.
  - (B) A spouse's name; marital status, beneficiary, or dependent information
  - Based upon Pennsylvania Supreme Court ruling (PSEA v Office of Open Records, 2016 Pa. LEXIS 2337) on October 18, 2016, Commonwealth citizens have a constitutional right to privacy regarding their home addresses. Therefore, the record has redacted any home address information that was not listed in the original request
- Chapter 7, Section 708 (b) (9) The draft of a bill, resolution, regulation, statement of policy, management directive, ordinance or amendment thereto prepared by or for an agency.
- Chapter 7, Section 708 (b) (10) (i) A record that reflects:
  - (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.
  - (B) The strategy to be used to develop or achieve the successful adoption of a budget, legislative proposal, or regulation.
- Chapter 7, Section 708 (b)(11): A record that constitutes or reveals a trade secret or confidential proprietary information.

You have a right to appeal denial of information in writing to Erik Arneson, Executive Director, Office of Open Records, 333 Market Street, 16<sup>th</sup> 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 678