



RTK 943

Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: Township Of Springettsbury (Attn: AORO)

Date of Request: 04/06/2023 Submitted via: [X] Email [] U.S. Mail [] Fax [] In Person

PERSON MAKING REQUEST:

Name: Carolina Barrios Ramos Company (if applicable): SmartProcure

Mailing Address: 5000 T-Rex Ave Suite 200

City: Boca Raton State: FL Zip: 33431 Email: [REDACTED]

Telephone: [REDACTED] Fax: [REDACTED]

How do you prefer to be contacted if the agency has questions? [] Telephone [X] 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. 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. Use additional pages if necessary.

***Please see email for request details.

DO YOU WANT COPIES? [] Yes, printed copies (default if none are checked) [X] Yes, electronic copies preferred if available [] No, in-person inspection of records preferred (may request copies later)

Do you want certified copies? [] Yes (may be subject to additional costs) [X] 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 [X] \$100 (or) [] \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: RTK 943 Date Received: 4/6/2023 Response Due (5 bus. days): 4/14/2023

30-Day Ext.? [] Yes [] No (If Yes, Final Due Date: 5/13/2023) 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.

Abby Gibb

From: Carolina Barrios <[REDACTED]>
Sent: Thursday, April 6, 2023 8:11 AM
To: Abby Gibb
Subject: SmartProcure Right to Know Request to Township Of Springettsbury For PO/Vendor Information
Attachments: ToS Sample.pdf; Township Of Springettsbury.pdf

CAUTION: External message!

Dear Abby Gibb or Custodian of Public Records,

SmartProcure is submitting a Right to Know request to the Township Of Springettsbury for any and all purchasing records from 12/28/2022 to current. The request is limited to readily available records without physically copying, scanning or printing paper documents. Any editable electronic document is acceptable.

The specific information requested from your record keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable, i.e., invoice, encumbrance, or check number
2. Purchase date
3. Line item details (Detailed description of the purchase)
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person and their email address

If you would like to let me know what type of financial software you use, I may have report samples that help to determine how, or if, you are able to respond.

As an added security and privacy measure, there will be a unique upload link for any new requests moving forward, including this one. We appreciate your assistance towards this request. You may also attach the information to this email.

<https://upload.smartprocure.com/?id=c2RqPWEyYjZRMDAwMDAzWlg1d1FBRYzZdD1QQSZvcmc9VG93bnNoaXBPZINwcmLuZ2V0dHNidXJ5>

If this request was misrouted, please forward to the correct contact person and reply to this communication with the appropriate contact information.

If you have any questions, please feel free to respond to this email or I can be reached at the phone number below in my signature.

Regards,

Carolina Ramos Barrios
Data Acquisition Specialist
SmartProcure

Direct: [REDACTED]

Email: [REDACTED]





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

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TOWNSHIP MANAGER

Mark T. Hodgkinson

April 10, 2023

Carolina Barrios Ramos
SmartProcure
5000 T-Rex Avenue Suite 200
Boca Raton, FL 33431

Re: **RIGHT-TO-KNOW REQUEST – Purchasing Records**

Dear Carolina Barrios Ramos,

Thank you for writing to Springettsbury Township to request records pursuant to Pennsylvania's Right-to-Know Law ("RTKL"), 65 P.S. §§ 67.101 *et seq.*

On April 6, 2023, we received your request for,
"....for any and all purchasing records from 12/28/2022 to current (04/06/23). The request is limited to readily available records without physically copying, scanning or printing paper documents. The specific information requested from your record keeping system is:

1. Purchase order number. If purchase orders are not used a comparable substitute is acceptable
2. Purchase date
3. Line item details (Detailed description of the purchase)
4. Line item quantity
5. Line item price
6. Vendor ID number, name, address, contact person and their email address"

Your request is granted in part and denied in part as follows. The requested records are provided with this response, sent electronically via email.

Please be advised that this set of purchase records picks up where the last fulfillment of this request left off based on the Purchase Order (PO) numbers that appear in column one of the attachments, December 29, 2022 (PO # 22003096). There are two documents included, one for the end of 2022 budget year and the second is for the the start of 2023 budget year.

Although you have requested an "editable electronic document", the Township has provided records in PDF format. The Right-to-Know Law states "A record being provided to a requestor shall be provided in the medium requested if it exists in that medium," and the Township is providing you the documents in electronic medium, but not in a specified file format in accordance with several Office of Open Record Final Determinations.

- Specifically, *Bangs v Allegheny County*, Office of Open Records Final Determination, Docket No. AP 2015-2643 with additional determinations and text referenced:
 - "The RTKL does not define "medium;" however, the OOR has defined it "as the substance through which something is transmitted or carried, a 'means,' such as on paper or on a hard-drive or on a database or over the Internet."
 - "The RTKL provides requestors with the right to inspect and duplicate. Duplication is a snapshot, a static record that cannot be altered or modified, in other words, a copy....It was provided in an electronic medium and there is no requirement to provide records in a manner that would subject them to alteration or manipulation."
 - "Under the RTKL, 'medium' is a broad term, and 'electronic medium' encompasses all electronic formats."
- *Cap v. Lehigh and Northampton Transp. Auth.*, OOR Dkt. AP 2013-0168, 2013 PA O.O.R.D. Lexis 112.
- *Acton v. Fort Cherry Sch. Dist.*, OOR Dkt. AP 2009-0926, 2009 PA O.O.R.D. Lexis 786, *aff'd*, No. 2010-719 (Wash. Com. Pl. July 26, 2011), *aff'd*, 38 A.3d 1092 (Pa. Commw. Ct. 2012), petition for allowance of appeal denied, 57 A.3d 72 (Pa. 2012).
- *Bowling v. Pennsylvania Emergency Management Agency*, See OOR Dkt. AP 2009-0128, 2009 PA O.O.R.D. Lexis 607, *rev'd on other grounds*, *Bowling v. Office of Open Records*, 990 A.2D 813 (PA Commw. Ct. 2010), *aff'd*, 75 A.3d 453 (Pa. 2013)

Additionally, records that are exempt from disclosure by law have been withheld or redacted pursuant to the RTKL; no email addresses or phone numbers are included, and street addresses were removed, pursuant to the following sections of the RTKL.

Portions of the records provided have been redacted based on Pennsylvania's Right to Know Law, Act 3 of 2008:

- 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(6) (i) 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.
- 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 for purchase orders does not include address information since Commonwealth (PA) residents were included in the requested records. The Township is not able to separate personal from commercial information purposes and therefore street address information has been redacted.

The record is provided in the manner it exists, per Pennsylvania Right to Know Law, Act 3 of 2008, 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.

You have a right to appeal this denial in writing to: Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234. Appeals can also be filed online at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you choose to file an appeal you must do so within 15 business days of the mailing date of the agency's response. See 65 P.S. § 67.1101. Please note that a copy of your original RTKL request, the agency's extension notice (if applicable), and this denial letter should be included when filing an appeal. More information about how to file an appeal under the RTKL is available at the Office of Open Records website, <https://www.openrecords.pa.gov>.

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
abby.gibb@springettsbury.com
717-757-3521
File: Right-to-Know 943