

RESOLUTION NO. 2009 - 1

**A RESOLUTION BY THE BOROUGH COUNCIL OF THE BOROUGH OF
BANGOR, NORTHAMPTON COUNTY, PENNSYLVANIA
ENACTING A POLICY**

**(Act 3 of 2008 et seq., 65 Pa. C.S.A. Section 701, et seq.),
KNOW AS THE RIGHT-TO-KNOW POLICY (THE OPEN RECORDS ACT),
ESTABLISHING PROCEDURES FOR REQUESTING PUBLIC RECORDS**

**Linda M. Paynter, is hereby designated as the Borough of Bangor
Open Records Officer**

The Open Records Officer may be reached at:

ADDRESS: 197 Pennsylvania Avenue

Bangor, Pennsylvania 18013-1922

PHONE: 610-588-2216

FAX: 610-588-6468

General:

All documents deemed public records shall be available for inspection, retrieval, and duplication at the Municipal Building during established hours (8:00 AM to 4:30 PM) with the exception of weekends and holidays.

Requests:

Requests shall be made in writing to the Borough Open Records Officer on a form provided by the Borough (see attached form).

Fees:

Paper copies shall be \$0.25 (cents) per page per side. The certification of a record is \$1.00 per record. Specialized documents including, but not limited to blue prints, color copies, and non-standard size documents shall be charged the actual cost of production, if mailing is requested, the cost of the postage will be charged. The Borough shall require prepayments if the total fees are estimated to exceed \$100.

Response:

The Borough shall make a good-faith effort to provide the requested public record(s) as promptly as possible. The Open Records Officer shall cooperate with those requesting records to review and/or duplicate original Borough documents while taking reasonable measure to protect Borough documents from the possibility of theft, damage, and/or modification.

The Open Records Officer shall review all written requests for access to public records. As soon as possible, but no later than five (5) business days after receiving a written request to access public records, The Open Records Officer shall respond to such requests in writing consistent with Act 3 of 2008, the Right-to-Know Law.

If access to a record is denied, the response shall include a reason for denial as stipulated in Act 3 of 2008, the Right-to-Know Law.

Contact Information for Appeals:

If written request is denied or deemed denied, the requester may file an appeal in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street Plaza Level, Harrisburg PA 17120-0225.

Appeals of criminal records shall be made to the District Attorney of Northampton County, John Morganelli, 669 Washington Street, Easton PA 18042, 610-559-3020.

Appeals Process:

The appeal shall be filed within 15 business days of the mailing date of the Borough's response or within 15 business days of a deemed denial. The appeal shall state the grounds upon which the requester asserts the record is a public record and shall address any grounds stated by the Borough for delaying or denying the request.

RESOLVED this Twelfth day of January, 2009.

BOROUGH OF BANGOR

By: _____
Craig N. Roberts, President

ATTEST:

By: _____
Lynn Robin Martocci, Borough Secretary

By: _____
Joseph H. Capozzolo, Mayor

BOROUGH SEAL