BARRETT TOWNSHIP
MONROE COUNTY, PENNSYLVANIA

RESOLUTION NO. 2026-062426-1

A RESOLUTION AMENDING AND RESTATING THE BARRETT TOWNSHIP RIGHT-TO-KNOW POLICY.

At a duly advertised public meeting on June 24, 2026 at 6:30 p.m., the Board of Supervisors of Barrett Township (the "Board"), Monroe County, Pennsylvania, approved and adopted the following resolution:

RESOLVED that the attached Right-to-Know policy is hereby AMENDED AND RESTATED as the policy of Barrett Township, subject to such further amendments as the Board deems necessary or appropriate.

BOARD OF SUPERVISORS OF BARRETT TOWNSHIP

Grant Hilfiger, Chair

Patti O'Keefe, Vice Chair

ATTEST:

Secretary

(TOWNSHIP SEAL)

Darryl Speicher, Supervisor

William Pipolo, Supervisor

Sean Anlauf, Supervisor

EXHIBIT 1

CERTIFICATION

I, Nichole Irvin, Secretary of Barrett Township, Monroe County, Pennsylvania, do hereby certify that the foregoing is a true and correct copy of **Resolution** 2026-062426-1 which was adopted at a regular meeting of the Board of Supervisors of Barrett Township, held on June 24, 2026.

Date: June 25, 2026

Nichole Irvin
Secretary

BARRETT TOWNSHIP
Right-to-Know Policy and Procedure
Originally Adopted June 12, 2024
Amended and Restated and
Effective June 24, 2026

I. PURPOSE

A. General Purposes

1. The general purpose of this policy is:

   (a) to recognize the value of open government by making information available to the public, memorializing Barrett Township's commitment to continually improving access to public information and fostering public participation in the decision-making process;

   (b) to provide for access to public records in the possession of the Township consistent with the Right-to-Know Law, 65 P.S. §§ 67.101–67.3104, which creates a presumption of openness regarding the records of the Township;

   (c) to appoint an Open-Records Officer who will oversee the implementation of the Township's Right-to-Know Policy;

   (d) to provide a written framework outlining the procedures and policies necessary to provide for access to records as contemplated under the Right-to-Know Law; and

   (e) to provide for prompt and timely responses to requests for records made under the Right-to-Know Law.

II. ESTABLISHMENT OF TOWNSHIP'S OPEN-RECORDS OFFICER

A. Appointment of Open-Records Officer

1. All requests for public records will be administered by the Township's Open-Records Officer. The Township's Open-Records Officer will ensure that the procedures described herein are followed.

2. The Township has designated the following person to serve as the Township's Open-Records Officer for all Township departments, except as listed below. Requests should be directed to the Township's Open-Records Officer at the following address:

Name:	Amanda Seagraves
Title:	Barrett Township's Open-Records Officer
Address:	1200 Route 390
	Cresco, PA 18326
Phone:	(570) 595-2602
Email:	amanda@barretttownship.com

III. IDENTIFICATION OF RECORDS

A. Records Under the Right-to-Know Law

1. A record under the Right-to-Know Law is defined as information, regardless of physical form or characteristics, that documents a transaction or activity of an Agency and that is created, received, or retained pursuant to law or in connection with a transaction, business, or activity of the Agency. The term includes a document, paper, letter, map, book, tape, photograph, film, or sound recording, information stored or maintained electronically, and a data-processed or image-processed document.

2. A record in the possession of the Township will be presumed to be a public record unless (1) the record is exempt under the Right-to-Know Law, (2) the record is protected by a privilege, or (3) the record is exempt from disclosure under any other federal or state law or regulation or judicial order or decree.

3. Under the Right-to-Know Law, some types of records are not available to the public. In this category are personal identifiers, medical information, personal notes, computer security information, draft minutes, notes from an executive session, employee records, criminal and noncriminal investigative records, non–real estate tax records, driver records, attorney/client communications, confidential or proprietary information, trade secrets, or records that, if disclosed, could jeopardize state or federal funds or public safety. This is a partial list of the exempted records. A list of Right-to-Know Law exemptions may be found within § 708 of the Right-to-Know Law, a copy of which may be obtained from the Township.

IV. PROCEDURE FOR REQUESTING PUBLIC RECORDS

A. Form and Nature of Requests

1. The Township will only fulfill written requests (including email or fax) for access to records made pursuant to the Right-to-Know Law under this policy. The Township, in its discretion, may choose to fulfill informal requests, verbal requests, and requests that are not addressed to the Township's Open-Records Officer outside the Right-to-Know Law. The Township will not fulfill anonymous requests. If the Requester wishes to pursue the relief and remedies provided for

under the Right-to-Know Law (i.e., pursue an appeal of a denial), the request must be in writing and be addressed to the Township's Open-Records Officer.

2. Requests must describe the records sought with sufficient specificity to enable the Township to ascertain which records are being requested. The Township requires Right-to-Know Law requests to be submitted on the uniform request form created by the Pennsylvania Office of Open Records. All fields, including the address, must be completed.

3. A request will only be considered to have been "addressed" to the Township's Open-Records Officer if the request either (1) is made on the uniform request form created by the Pennsylvania Office of Open Records, (2) is sent to the mailing address or email address of the Township's Open-Records Officer (1200 Route 390, Cresco, PA 18326), (3) contains the words "Right-to-Know," "RTKL," "open records," "FOIA," or "freedom of information," or (4) contains a statutory citation to any provision within the Right-to-Know Law.

4. All Right-to-Know Law requests that are addressed to the Township's Open-Records Officer but received by another Township employee must be forwarded to the Township's Open-Records Officer.

5. If a request states that both inspection and duplication of a single set of records is sought, the Township, in its discretion, may choose to provide access to public records by either allowing the requester to inspect records or by producing copies of records.

V. PROCEDURE FOR REVIEWING REQUESTS FOR PUBLIC RECORDS

A. Review of Records Requests

1. The Township will make every effort to fulfill Right-to-Know Law requests within 5 business days of when requests are received by the Township's Open-Records Officer.

2. If a request cannot be fulfilled in 5 business days, the Township's Open-Records Officer will send written notice, via postal mail, email, or facsimile, to the Requester stating (1) the reason(s) why additional time is needed, (2) when the request is expected to be fulfilled, and (3) the estimated fees, if any, that may be required.

3. If the Township receives a request for a public record that is not in the possession of the Township or a person or entity with which the Township has a contract, the Township's Open-Records Officer will (1) notify the Requester in writing that they do not possess the record requested, and (2) where possible, direct the request to an appropriate person in another agency.

4. If the Township receives a request for records in possession of a person or entity with which the Township has a contract, the Township's Open-Records Officer will send a written notice extending the Township's time to respond to the request in accordance with the procedures outlined above and, if appropriate, notify the contractor of the request.

5. If the Township receives a request that contains in whole or in part confidential proprietary information or trade secrets, the Township's Open-Records Officer will, within 5 business days, notify the third party that provided the information requested. The third party will then have 5 business days from receipt of the notice to provide input on the release of the record.

   (a) If the Township's Open-Records Officer believes that the third party's assertion of whether the requested records are exempt as confidential proprietary information or trade secrets are based on a reasonable interpretation of law, the Township's Open-Records Officer will deny the request and notify the third party.

   (b) If the Township's Open-Records Officer believes that the third party's assertion of whether the requested records are exempt as confidential proprietary information or trade secrets is not based on a reasonable interpretation of law, the Township's Open-Records Officer will, instead, grant the request and notify the third party. The Township's Open-Records Officer will make every effort to notify the third party that it will release the requested records prior to actually releasing the records to the Requester.

VI. OPERATING PROCEDURES FOR RESPONSES TO REQUESTS

A. Duties of Township's Open-Records Officer

1. The Township's Open-Records Officer will:

   (a) within 5 business days of receipt of a written request, date-stamp the request, record the request in a spreadsheet, compute the day that the 5-business-day response period expires, and make a notation of that date on the request;

   (b) initiate a thorough search for the records requested and determine whether they are public records as provided under the Right-to-Know Law;

   (c) prepare, review, sign, issue, and log an extension notice, if one is necessary;

   (d) prepare, review, sign, issue, and log a written response; and

   (e) notify legal counsel when the Township intends to deny the request in

whole or in part; when the request implicates an exemption, a privilege, redaction, or a third party's confidential proprietary information or trade secrets; when litigation is pending or anticipated; or when the Open-Records Officer otherwise determines that legal review is warranted.

2. The Township's Open-Records Officer will retain requests, information submitted with requests, related communications, and the Township's response for two years in accordance with the Municipal Records Manual.

3. The Township's Open-Records Officer will discard requests, information submitted with requests, related communications, and the Township's response after two years in accordance with the Municipal Records Manual.

B. Extension of Time to Respond to Records Request

1. The Township's Open-Records Officer may send a notice to the Requester indicating that the Township will be taking additional time (not exceeding 30 calendar days) to respond, if such time is necessary because:

   (a) the request for access requires redaction of a public record due to the existence of confidential, proprietary, or otherwise restricted or protected information;

   (b) the request for access requires retrieval of a record stored in a remote location;

   (c) a timely response to the request for access cannot be accomplished due to bona fide and specified staff limitations;

   (d) a legal review of the request is necessary to determine whether the record is a public record subject to access under the Right-to-Know Law;

   (e) the person or entity requesting access to the public record has not complied with the Township's policies regarding access to public records;

   (f) the person requesting access to the record refuses to pay applicable fees as contained herein; or

   (g) the extent or nature of the request precludes a response within the required time period.

2. The Township's Open-Records Officer may obtain an additional extension of time to respond to a request with the agreement of the Requester or as otherwise permitted by law. The Township's Open-Records Officer will document such an agreement in writing.

(a) If the Township's Open-Records Officer does not send a response by the date agreed to by the Requester, the request will be considered to have been deemed denied on that date.

3. If the Township's Open-Records Officer does not send a response within 30 calendar days following the 5-business-day response period, the request will be considered to have been deemed denied on the last day of the extension period.

C. Grant of Request for Records

1. If the Township's Open-Records Officer determines that some or all of the requested records are available, the written response will grant access to records upon the payment of applicable fees, if any, and state the applicable reason(s), if any, for denying access to responsive records or parts of responsive records.

2. When granting access to records, the Township's Open-Records Officer may issue:

   (a) a response that includes a copy of the requested record. The Township may provide records on paper, electronically through email, or by other means;

   (b) a response notifying the Requester that the records are available through publicly accessible electronic means such as a website;

   (c) a response that grants access to records upon the payment of the applicable fees;

   (d) a response seeking to schedule a time for a Requester to inspect records; or

   (e) a response indicating that all or a portion of requested records will be available upon prepayment of more than $100.00 of applicable fees, including duplication and postage costs.

3. If a Requester fails to retrieve the requested records within 60 days of the Township's response, the Township may dispose of any copies that have not been retrieved by the Requester and retain any fees paid to date. A Requester will be considered to owe all applicable fees for records produced in response to a request, regardless of whether a Requester actually retrieves the records prior to their disposal.

D. Denial of Request for Public Records

1. If the Township's Open-Records Officer determines that a request for records should be denied, in whole or in part, the denial will be issued in writing. The denial letter must include:

(a) a description of the record requested;

(b) the specific reasons for the denial, including a citation of supporting legal authority;

(c) contact information for Township's Open-Records Officer, along with a signature or email signature;

(d) the date of the response; and

(e) the procedure to appeal the denial.

E. Fees

1. The Township will follow as closely as possible the fee schedule adopted by the Pennsylvania Office of Open Records, unless contrary to statutory law. Notwithstanding this fee schedule, the following fees are applicable to requests for access to public records made pursuant to the Right-to-Know Law:

   (a) standard-size black and white photocopying fees—25 cents per page;

   (b) standard-size color photocopying fees—50 cents per page;

   (c) certification of a public record—5 dollars per record certified;

   (d) facsimile/microfiche/other media—actual cost established by the Township;

   (e) copying records onto electronic media—actual cost established by the Township;

   (f) specialized documents (for example, blueprints, color copies, non–standard-sized documents)—actual cost established by the Township;

   (g) conversion to paper—if a record is only maintained electronically or in other non-paper media, duplication fees are limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the Requester specifically requests for the record to be duplicated in the more expensive medium;

   (h) postage fees—actual cost of first-class postage; and

   (i) necessarily incurred fees—actual cost.

2. The above list is not exhaustive. Additional fees may apply for specialized printing or copying or for specific types of records. Prior to printing or copying any such record, the Township will inform the person or entity requesting access

to the record of the projected costs. The Township reserves the right to change the fees listed herein by Resolution of the Board of Supervisors at any time.

3. The Township, in its sole discretion, may waive the fees for duplication of public records if the Township determines that it is in the public interest to do so.

VII. APPEALS

A. Appealing the Township's Response

1. The Right-to-Know Law provides an appeal process through the Pennsylvania Office of Open Records and/or the Office of the District Attorney.

2. Except in the case of criminal investigative records, if a Requester wishes to dispute the denial of a request, the Requester must notify the Pennsylvania Office of Open Records in writing of his or her desire to appeal the decision. The Requester's appeal must include true and correct copies of the Requester's request and the Township's response, in its entirety. The Requester's appeal must state the grounds upon which the Requester asserts that the record is a public record and must address any grounds stated by the Township for delaying or denying the request. The appeal must be sent to the following address:

   Pennsylvania Office of Open Records
   555 Walnut Street, Suite 605
   Harrisburg, PA 17101-1925
   Fax: 717-425-5343
   Online appeal portal: www.openrecords.pa.gov

3. Denials of requests for criminal investigative records in possession of the Township must be directed to the Appeals Officer with the Office of the District Attorney. The Appeals Officer is designated by the District Attorney and will determine if the record requested is a criminal investigative record. The Requester's appeal must state the grounds upon which the Requester asserts that the record is a public record and must address any grounds stated by the Township for delaying or denying the request.

4. The appeal must be received by the applicable Appeals Officer within 15 business days of the mailing date indicated on the Township's response. If the Township did not timely issue a response, the appeal must be filed within 15 business days of the date the request was deemed denied.

5. Unless the Requester agrees otherwise, the Appeals Officer will make a final determination within 30 calendar days of the date the appeal is mailed. Prior to issuing its determination, the Appeals Officer may conduct a hearing. The Appeals Officer will provide a written explanation of the reason for the decision to the Requester and the Township. If the Appeals Officer fails to issue a final

determination within 30 calendar days, the appeal is deemed denied.

6. Either a Requester or the Township may seek judicial review of decisions rendered by the Appeals Officer for the Office of Open Records or the Appeals Officer for the District Attorney's Office before the Court of Common Pleas of Monroe County as provided by 65 P.S. § 67.1302(a).

ENACTED AND ADOPTED by the Board of Supervisors of Barrett Township, Monroe County, Pennsylvania, this 24 day of June, 2026.

BOARD OF SUPERVISORS OF BARRETT TOWNSHIP

Grant Hilfiger, Chair

Patti O'Keefe, Vice Chair

Darryl Speicher, Supervisor

William Pipolo, Supervisor

Sean Anlauf, Supervisor

ATTEST:

Secretary

(TOWNSHIP SEAL)