



# MAMAKATING

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## LIBRARY

### **Freedom of Information Policy**

In compliance with Public Offices Law, article 6, and NYS Executive Law, the Board of Trustees of Mamakating Library adopts this Freedom of Information Law Policy.

#### **RECORDS ACCESS OFFICER**

As Chief Executive Officer of the Mamakating Library, the Library Director is hereby designated to Records Access Officer of the Library and can be reached by email at [mam@rcls.org](mailto:mam@rcls.org) or in person at 128 Sullivan Street, Wurtsboro, NY 12790.

The Records Access Officer shall comply with the responsibilities of this office as outlined in the NYS Committee on Open Government's (COOG) Model Rules for Agencies, Section 2(2) a-g:

- a. Maintain an up-to-date subject matter list.
- b. Assist persons seeking records to identify the records sought, if necessary, and when appropriate, indicate the manner in which the records are filed, retrieved or generated to assist persons in reasonably describing records.
- c. Contact persons seeking records when a request is voluminous or when locating the records involves substantial effort, so that personnel may ascertain the nature of records of primary interest and attempt to reasonably reduce the volume of records requested.
- d. Upon locating the records, take one of the following actions:
  - a. Make records available for inspection; or,
  - b. Deny access to the records in whole or in part and explain in writing the reasons therefor.
- e. Upon request for copies of records:
  - a. Make a copy available upon payment or offer to pay established fees, if any, in accordance with Section 8; or,
  - b. Permit the requester to copy those records.
- f. Upon request, certify that a record is a true copy ; and
- g. Upon failure to locate records, certify that;
  - a. The Mamakating Library is not the custodian for such records, or



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- b. The records of which The Mamakating Library is a custodian cannot be found after diligent search.

### **SUBJECT MATTER LIST**

The Records Access Officer shall maintain and make available documents in accordance with the schedules published in the Records Retention and Disposition Schedule for New York Local Government Records (LGS-1) issued by the University of the State of New York, The State Education Department, and New York State Archives.

### **FOIL REQUESTS**

- a. Shall be submitted to the Records Access Officer in writing. An "Application for Public Access to Records" is available at the Circulation Desk and on the library website or via email. Requests shall specify whether the petitioner wishes to inspect or receive a copy
- b. Shall be sufficiently detailed to identify the specific document requested
- c. Shall include sufficient contact information to notify the patron of access, denial, or questions regarding their request.
- d. May require payment for copies
- e. Shall be answered within five business days (Monday through Friday) of the date the request is received by:
  - a. informing a person requesting records that the request or portion of the request does not reasonably describe the records sought, including direction, to the extent possible, that would enable that person to request records reasonably described;
  - b. granting or denying access to records in whole or in part;
  - c. acknowledging the receipt of a request in writing, including an approximate date when the request will be granted or denied in whole or in part, which shall be reasonable under the circumstances of the request and shall not be more than twenty business days after the date of the acknowledgment, or if it is known that circumstances prevent disclosure within twenty business days from the date of such acknowledgment, providing a statement in writing indicating the reason for inability to grant the request within that time and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part; or
  - d. if the receipt of request was acknowledged in writing and included an approximate date when the request would be granted in whole or in part within twenty business days of



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such acknowledgment, but circumstances prevent disclosure within that time, providing a statement in writing within twenty business days of such acknowledgment specifying the reason for the inability to do so and a date certain, within a reasonable period under the circumstances of the request, when the request will be granted in whole or in part. (NYS COOG, *Model Rules for Agencies*, Section 5(3) a-d)

### **INSPECTING AND/OR COPYING RECORDS**

If access to inspect records is granted, records may be inspected by the public at the Library in the presence of the Records Access Officer or his/her designee during regular hours of Library operation. If the original of the record includes information, details and/or particulars requiring deletion, the individual requesting shall only be permitted to receive the redacted copy of the record.

Copying of the record will be performed by the Records Access Officer upon payment of the fees adopted by the Board of Trustees, in accordance with NYS Law.

No original record may be removed from the office where the record is kept.

### **DENIAL OF REQUESTS**

Should the Records Access Officer deny access, said denial may be appealed to the Records Appeal Officer by the individual requesting the record within the 30 days allowable by law. The Board of Trustees President shall serve as the Records Appeal Officer.

### **FEES**

No fee may be charged for:

- a. inspection of records;
- b. search for records; or
- c. any certification pursuant to this part.

The fee for a copy of a record which does not exceed either 9" in width or 14" in length shall be twenty-five cents (25¢) per page.

Fees charged for copies of records are based on the actual cost of reproduction and may include only the following:



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- a. an amount equal to the hourly salary attributed to the lowest paid employee who has the necessary skill required to prepare a copy of the requested record, but only when more than two hours of the employee's time is necessary to do so; and
- b. the actual cost of the storage devices or media provided to the person making the request in complying with such request; or
- c. the actual cost to the agency of engaging an outside professional service to prepare a copy of a record, but only when an agency's information technology equipment is inadequate to prepare a copy, and if such service is used to prepare the copy. (NYS COOG, *Model Rules for Agencies*, Section 8(4) a-c)

### **PUBLIC NOTICE**

The Records Access Officer shall cause public notice to be posted near the Circulation Desk of the Library informing members of the public of:

- a. The Records Access Officer's business address and business telephone number
- b. The time and place records will be made available for inspection and copying
- c. The right to appeal by any person denied access to records
- d. The name, business address, and business telephone number of the Records Appeals Officer

### **FREEDOM OF INFORMATION LAW**

Any details not specified in this policy should be located in the actual law, which may be found at <https://opengovernment.ny.gov/freedom-information-law>

Adopted 5/7/08

Amended 5/14/2024

Amended 8/14/2024

Amended 11/12/2024