

## **2018 PUBLIC ACCESS TO RECORDS POLICY**

**Updated: March 27, 2018**

### **1. Purpose and scope.**

A. The people's right to know the process of government decision-making and the documents and statistics leading to determinations is basic to our society. Access to such information shall be provided pursuant to the law, rules and regulations of New York State.

B. This policy statement provides information concerning the procedures by which records may be obtained.

C. Town personnel shall furnish to the public the information and records required to be disclosed by the Freedom of Information Law, as well as records otherwise available by law.

### **2. Designation of records access officer.**

A. The Town of Riverhead hereby designates the following person(s) as records access officer(s) regarding each individual town department as follows:

- (1) Accounting: Department Head or Designee
- (2) Animal Control: Department Head or Designee
- (3) Assessor: Department Head or Designee
- (4) Building: Department Head or Designee
- (5) Code Enforcement: Department Head or Designee
- (6) Community Development: Department Head or Designee
- (7) Economic Development Zone: Designee
- (8) Engineering: Department Head or Designee
- (9) Fire Marshal: Department Head or Designee
- (10) Highway: Department Head or Designee
- (11) Historian: Designee
- (12) Information Technology: Department Head or Designee

- (13) Justice Court: Department Head or Designee
- (14) Municipal Garage: Department Head or Designee
- (15) Personnel: Designee
- (16) Planning: Department Head or Designee
- (17) Police/COPE/JAB/Youth Court: Department Head or Designee
- (18) Purchasing: Designee
- (19) Receiver of Taxes: Department Head or Designee
- (20) Recreation: Department Head or Designee
- (21) Sanitation: Department Head or Designee
- (22) Senior Citizen Programs: Department Head or Designee
- (23) Sewer District: Department Head or Designee
- (24) Supervisor's Office: Designee
- (25) Town Attorney's Office: Department Head or Designee
- (26) Town Board: Designee
- (27) Town Clerk: Department Head or Designee
- (28) Water District: Department Head or Designee

B. The respective records access officer is responsible for insuring appropriate agency response to public requests for access to records. The designation of a records access officer shall not be construed to prohibit officials who have in the past been authorized to make records or information available to the public from continuing to do so.

The records access officer shall insure that each respective department:

- (1) Maintain an up-to-date subject matter list.
- (2) 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.
- (3) 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.

(4) 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 reason(s) for denial.

(5) 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,

(6) Upon request, certify that a record is a true copy; and

(7) Upon failure to locate records, certify that;

- (a) The Town of Riverhead is not the custodian for such records, or
- (b) The records of which The Town of Riverhead is a custodian cannot be found after diligent search.

### **3. Location.**

Records shall be available for public inspection and copying at each respective department delineated in Section 2.

### **4. Hours for public inspection.**

Requests for public access to records shall be accepted and records produced during the following hours of business: 9:00 a.m. to 4:00 p.m., Monday to Friday, excluding holidays.

### **5. Requests for public access to records.**

A. Each request for records must be in writing and shall be submitted to the Town Clerk's Office, 200 Howell Avenue, Riverhead, New York, 11901, whereupon such written request shall be time-stamped and assigned a unique FOIL number for identification purposes. The Town Clerk or designee shall thereafter immediately forward the records request via e-mail to the appropriate town department's records access officer delineated herein for processing.

B. If records are maintained on the internet, the requester shall be informed that the records are accessible via the internet and in printed form either on paper or other information storage medium.

C. A response by the appropriate records access officer shall be given within five business days of receipt of a request by:

- (1) 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;
- (2) granting or denying access to records in whole or in part;
- (3) 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
- (4) 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 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.

D. In determining a reasonable time for granting or denying a request under the circumstances of a request, personnel shall consider the volume of a request, the ease or difficulty in locating, retrieving or generating records, the complexity of the request, the need to review records to determine the extent to which they must be disclosed, the number of requests received by the agency, and similar factors that bear on the ability to grant access to records promptly and within a reasonable time.

E. A failure to comply with the time limitations described herein shall constitute a denial of a request that may be appealed. Such failure shall include situations in which an officer or employee:

- (1) fails to grant access to the records sought, deny access in writing or acknowledge the receipt of a request within five business days of the receipt of a request;
- (2) acknowledges the receipt of a request within five business days but fails to furnish an approximate date when the request will be granted or denied in whole or in part;
- (3) furnishes an acknowledgment of the receipt of a request within five business days with an approximate date for granting or denying access in whole or in part that is unreasonable under the circumstances of the request;

- (4) fails to respond to a request within a reasonable time after the approximate date given or within twenty business days after the date of the acknowledgment of the receipt of a request;
- (5) determines to grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request, but fails to do so, unless the agency provides the reason for its inability to do so in writing and a date certain within which the request will be granted in whole or part;
- (6) does not grant a request in whole or in part within twenty business days of the acknowledgment of the receipt of a request and fails to provide the reason in writing explaining the inability to do so and a date certain by which the request will be granted in whole or in part; or
- (7) responds to a request, stating that more than twenty business days is needed to grant or deny the request in whole or in part and provides a date certain within which that will be accomplished, but such date is unreasonable under the circumstances of the request.

**6. Subject matter list.**

- A. The records access officer shall maintain a reasonably detailed current list by subject matter of all records in its possession, whether or not records are available pursuant to subdivision two of Section eighty-seven of the Public Officers Law.
- B. The subject matter list shall be sufficiently detailed to permit identification of the category of the record sought.
- C. The subject matter list shall be updated annually. The most recent update shall appear on the first page of the subject matter list.

**7. Appeal/denial of access to records.**

- A. Denial of access to records shall be in writing stating the reason therefore and advising the requester of the right to appeal to the individual or body established to determine appeals, [who or which] shall be identified by name, title, business address and business phone number.
- B. If requested records are not provided promptly, as required in Section 5 of these regulations, such failure shall also be deemed a denial of access.
- C. The following person or persons or body shall determine appeals regarding denial of access to records under the Freedom of Information Law:

Daniel P. McCormick, Esq., or designee  
FOIL Records Appeals Officer

Town of Riverhead, 200 Howell Avenue, Riverhead, New York, 11901

Tel: 631-727-3200 x 605 e-mail address: [mccormick@townofriverheadny.gov](mailto:mccormick@townofriverheadny.gov)

D. Any person denied access to records may appeal within thirty days of notice of the denial by filing a written appeal addressed to the FOIL Records Appeals Officer stated in subsection (C), above.

E. The time for deciding an appeal by the individual or body designated to determine appeals shall commence upon receipt of a written appeal identifying:

- (1) the date and location of requests for records;
- (2) a description, to the extent possible, of the records that were denied; and
- (3) the name and return address of the person denied access.

F. A failure to determine an appeal within fifteen business days of its receipt by granting access to the records sought or fully explaining the reasons for further denial in writing shall constitute a denial of the appeal.

### **8. Fees.**

A. There shall be no fee charged for:

- (1) inspection of records;
- (2) search for records; or
- (3) any certification pursuant to this part.

B. Fees for copies:

- (1) the fee for copying records shall be twenty-five (.25) cents per page for photocopies not exceeding 9 by 14 inches;
- (2) the fee for photocopies of records in excess of 9 x 14 inches shall not exceed the actual cost of reproduction; or

C. The fee for a copy of any other record shall be based on the actual cost of reproduction and subject to the following:

- (1) 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
- (2) the actual cost of the storage devices or media provided to the person making the request in complying with such request; or
- (3) 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.

D. For those records that the Town of Riverhead has the ability to retrieve or extract from a computer storage system with reasonable effort, or when doing so requires less employee time than engaging in manual retrieval or redactions from non-electronic records, the Town shall retrieve or extract such record or data electronically. In such case, the Town may charge a fee in accordance with subsection B. and C. above.

E. The Town shall inform a person requesting a record of the estimated cost of preparing a copy of the record including but not limited to circumstances involving more than two hours of an employee's time, or if it is necessary to retain an outside professional service to prepare a copy of the record.

F. The Town reserves the right to require that the fee for copying or reproducing a record be paid in advance of the preparation of such copy.

G. Payment of Fees: Applicants may pay with cash or postal money order, certified bank check or an attorney's account check (checking account or IOLA account), payable to the "Town of Riverhead". Please write the FOIL request number on the check.

H. The Town reserves the right to waive a fee in whole or in part when making copies of records.

#### **9. Abandonment of request.**

The Town of Riverhead shall deem your FOIL application withdrawn (without notification of same) in the event that you, as applicant, fail to retrieve or review the requested documents within 10 (ten) business days. You will be required to file a new application in the event you still wish to retrieve or review the requested documents subject to all attendant costs.

#### **10. Public notice.**

A copy of this policy statement is available on the Town of Riverhead web site at [www.townofriverheadny.gov](http://www.townofriverheadny.gov) and in the Riverhead Town Clerk's Office, 200 Howell Avenue, Riverhead, New York, 11901.

#### **11. Severability.**

If any provision of this policy statement or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect or impair the validity of the other provisions of this policy statement or the application thereof to other persons and circumstances.

Updated: 3-27-2018

**Accounting Department**

Employment Application  
OSHA Regulations  
Payment Claim Voucher  
Purchase Requisition  
Vendor Packet  
Vendor Verification Form

**Ambulance**

FOIL requests addressed by  
Ambulance Corps.

**Animal Control**

Adoption Information  
Agriculture & Markets Information  
Animal Disease Information  
Animal Statistics  
Background Checks  
Dog Bite Information  
Euthanasia Forms  
Field Reports  
Microchip Registration  
Rabies Certificates  
Summons Logs

**Assessors Office**

SCAR Workups  
Denial Letters  
Grievances  
Property Record Cards  
Pro Rata Notices  
Sewer Consumption Reports  
Deeds/Surveys  
Tentative Rolls/Final Rolls/Tax Rolls

**Attorney**

Limited correspondence & contract  
information available

**Business Improvement District**

Limited correspondence & contract  
information available

**Building Department**

Building Permits  
Bed & Breakfast Permit Application

Certificates of Occupancy  
Construction Plans  
Demolition Permit Application  
Dumpster Permit Application  
Electrical Inspection Application  
Health Department Approvals  
Letter of Pre-existing Use  
Outdoor Dining Permit Application  
Pool Permit Application  
Sign Permit Application  
Surveys  
Use Permit Application  
Zoning Board of Appeals Application  
for Signs

**Code Enforcement**

Complaint Form  
Inspection Reports  
Investigation Reports  
Housing Rentals  
Violation Notices  
Rental Permit Application & Permits  
Title Search Requests

**Community Awareness Program**

FOIL requests handled by Community  
Awareness Program

**Community Development**

Grant Documents  
Home Improvement Records  
Urban Renewal Information  
Including Agreements

**Economic Development Zone**

Limited correspondence & contract  
information available

**Engineer**

Drainage  
Dredging  
Maintenance  
Plans  
Street Lights  
Traffic Signals  
Stormwater Review

Illicit Discharge Documentation

**Fire Marshal**

Commercial Plans - Fire Marshall  
Submission  
Fire Alarm Certification & Testing  
Fire Investigations  
Fire Prevention Permit Application  
Annual Permit  
Fire Prevention Permit Installation  
Application  
Fire Sprinkler Annual Certification &  
Testing  
Site Plan Applications  
Inspections of Existing Buildings/  
Commercial Business Files  
Private Fire Hydrant Certifications  
Appearance Ticket Log  
Complaint Log

**Highway Department Forms**

Alteration or Excavation of Highways  
and Erection of Pole Permit  
Application for Temporary  
Obstruction of Highway  
Complaints  
Contracts  
Equipment Inventory  
Government Permits  
Highway Specifications  
Purchase Records  
Requisitions  
Road Opening Permits  
Subdivisions  
Utility Markouts  
Work Records

**Historian**

All historic records available through  
direct request to historian; please call  
ahead with requests 631-369-9717;  
genealogy information available  
through Suffolk County Historical  
Society

**Industrial Development Agency**

FOIL requests addressed by Industrial Development Agency

**Justice Court**

Information requests handled by Justice Court

**Municipal Garage**

Fuel Information  
Garage Plans  
Gas Boy System  
Impound Release Form  
Purchase Orders  
Repairs  
Vehicle Information Sheets  
Vehicle Disposition Information

**Personnel**

Civil Service Information  
Employee Policies  
Employee Accident Form  
Employment Applications  
Employment Contracts  
Health Insurance Information

**Planning Department**

Chapter 12 Applications  
CAC Applications  
Site Plan Application  
Land Subdivision Applications/Maps  
Land Conveyances  
Transfer of Development Rights  
Un-mergers  
Zoning Board of Appeals Appl.

**Police/COPE /JAB /Youth Court**

FOIL requests addressed by Police Department

**Recreation**

4-Wheel Permit Information  
Contracts  
Purchase Orders  
Recreation Permits  
Recreation Program Application  
Recreation Program Refund Form  
Requisitions

Revenue Reports  
Skate Park Liability Waivers  
Skate Park Revenues

**Sanitation**

DEC Annual Reports-Hazardous Waste/Recycling

**Section 8**

FOIL requests handled by Section 8 office

**Senior Center**

Client Registration Cards  
County Reports  
Daily Sign-in Logs  
Home Assessments  
Meals on Wheels Information  
Residential Repairs

**Sewer District**

Customer Correspondence  
Health Department Letters  
Scavenger Waste Application  
Sewer Connection Application  
Sewer Data & Maps

**Supervisor**

Limited correspondence information available

**Tax Receiver**

Apportionments  
Arrears  
Corrections of Error  
Pro Rata  
Rate Sheet Information  
Reports  
Scavenger Payments  
Small Claims Filings  
Tax Records  
Tax Rolls  
Tax Warrants  
Water Payments

**Town Board**

Limited correspondence information available individually

**Water District**

Bids  
Customer Correspondence  
Main Extensions Construction  
Meter Readings  
Pumpage Data  
Service Installation Work Orders  
Water Quality Data

**Town Clerk**

Agendas – Town Board Meetings  
Agreements, Contracts, Leases, Lease Agreements  
Assessors/ Board of Assessment Review - Certioraris and Small Claims Assessment Review Petition  
Board of Assessment Review Members - Office of Real Property Services Certificates of Attendance, Appointments  
Audits – Office of State Comptroller and Independent Outside Accounting Firms  
Bids – Open Bid Reports, Proof of Publication, Letters of Credit, Conformed Contracts  
Board of Elections – Special Elections, General Election Results  
Bonds, Letters of Credit, Performance Bonds,  
Budget – Preliminary, Tentative, Annual  
Census Info  
Civic Organizations  
Claims  
Committees, Boards – (ZBA, Planning Board, ARB, CAC, Landmarks Preservation, Accessory Apartment Review Board, IDA, Ethics)  
Appointments, Minutes and Resolutions of any Meetings  
Correspondence  
Dogs/Animal Control – Dog License and Reports  
Dredging/Drainage information  
Financial Disclosure Statement Forms for Elected and Appointed Officials and Other Employees (Confidential)  
Fire Districts – Election Reports, Budget and Financial Reports  
FOIL Log and Requests

Handicapped Parking Permits- Confidential  
Highway and Roads – All records relating to Order of Laying Out, Altering or Discontinuing of Town Highways, Certificates of Abandonment, Highway/Sidewalk Defect Book  
Speed Limit Reductions – Petitions, TE9 Applications, NYS Dept. of Transportation Investigation Report  
Home Rule  
Lawsuits  
Local Laws – Proof of Publication, Department of State Notice of Filing,  
Mobile Home Parks - Permits  
Ordinances  
Oaths of Office  
Parking District  
Petitions for establishment and creation of districts, special improvements (ie: water, sewer, etc)  
Permits/License – Alcoholic License/ Renewal Applications, Special Events, Fireworks, Going Out of Business, Junk Dealers, Peddlers, Parade, Waste Disposal License, Shellfishing & Hunting Permits, Yardsale Permits  
Planning – Planning Board Determinations  
Racing and Wagering – Bingo/Games of Chance Application, License; Weekly, Quarterly and Annual Financial/Operational Reports  
Records Disposition Documentation  
Reports – Weekly, Monthly, Yearly or Other Periodic Financial and Statistical Reports from Town Departments and any other outside agency  
School Districts – Boundary Maps  
Site Plans – Application with Supporting Materials Including Maps, Traffic Study Reports, GEIS, DEIS, FEIS

Special Permits – Application with Supporting Materials including Site Plan Maps, Proof of Publication, Correspondence, Public Hearing Results and Decisions  
Zoning Changes – Application with Supporting Materials including Site Plan Maps, Proof of Publication, Correspondence, Public Hearing Results and Decisions  
Zoning Board Determinations  
Zoning Change – Notice of Proposed Zoning Changes from Neighboring Towns  
Zoning Maps  
Hunting/Fishing License – NYS DEC  
Birth/Acknowledgement of Paternity - Confidential  
Death Certificates/Burial Permits  
Marriage Licenses and Marriage Log– Confidential  
Minute and Resolution Books – Town Board Meetings, CDA Meetings, Water District, Sewer District

**Updated: 03-27-18**

## List of Records Access Officers for Town Departments

As of 3-27-2018

- (1) Accounting Department: William Rothaar, Dept. Head; Caitlin Buthmann; [accounting@townofriverheadny.gov](mailto:accounting@townofriverheadny.gov); [payroll@townofriverheadny.gov](mailto:payroll@townofriverheadny.gov)
- (2) Animal Control – Gillian Pultz
- (3) Assessor: Laverne Tennenberg, Dept. Head; Lisa Wulffraat, designee
- (4) Building Department: Brad Hammond; Fran Friszolowski, designee
- (5) Code Enforcement: Robert Kozakiewicz, Dept. Head; Linda McKay, designee
- (6) Community Development: Chris Kempner, Dept. Head; Joe Maiorana, designee
- (7) Economic Development Zone: Tracy Stark, designee
- (8) Engineering: Drew Dillingham, Dept. Head; Leisa Sollazzo, designee
- (9) Fire Marshal: Craig Zitek, Dept. Head; Laura Tague, designee
- (10) Highway Department: George Woodson, Dept. Head; Joan Mottern, designee
- (11) Historian: Georgette Case, designee
- (12) Industrial Development Agency: Executive Director
- (13) Information Technology: William Rothaar, Dept. Head; Lori Pipczynski, designee
- (14) Justice Court: Roberta Morrissey, [townjustice@townofriverheadny.gov](mailto:townjustice@townofriverheadny.gov) designee
- (15) Municipal Garage: Drew Dillingham, designee
- (16) Personnel: Meg Ferris
- (17) Planning Department: Jefferson Murphree; Carissa Collins, designees
- (18) Police/COPE/JAB/Youth Court: Chief Hegermiller, Dept. Head; Lt. David Lessard, designee
- (19) Purchasing: Maryann Tague, Billie Jo Jaeger, designee
- (20) Receiver of Taxes: Laurie Zaneski, Dept. Head; Melissa Messina, designee
- (21) Recreation Department: Ray Coyne, Dept. Head; Kelly Tocci, designee
- (22) Sanitation: Drew Dillingham, Dept. Head; Shannon Clifford, designee
- (23) Senior Citizen Programs: Judy Doll, Dept. Head; Debra Schwarz, designees
- (24) Sewer District: Michael Reichel, Dept. Head; Tim Allen, designee
- (25) Supervisor's Office: Larry Levy, designee
- (26) Town Attorney's Office: Robert F. Kozakiewicz, Dept. Head; Daniel P. McCormick, designee
- (27) Town Board: Karen Lavasseur, designees
- (28) Town Clerk: Diane M. Wilhelm, Dept. Head; Carol DelVecchio, designee
- (29) Water District: Mark Conklin, Dept. Head; Robin Halpin, designee

# **APPLICATION FOR PUBLIC ACCESS TO RECORDS** **DIRECTIONS TO COMPLETE APPLICATION**

(Updated 3-27-2018)

**ATTENTION APPLICANTS: ALL APPLICATIONS FOR PUBLIC ACCESS TO RECORDS MUST BE FILED IN THE RIVERHEAD TOWN CLERK'S OFFICE, 200 Howell Avenue, Riverhead, New York, 11901; 631-727-3200 x262, or via email to: [delvecchioc@townofriverheadny.gov](mailto:delvecchioc@townofriverheadny.gov), WHEREIN A FREEDOM OF INFORMATION LAW (FOIL) IDENTIFICATION NUMBER SHALL BE ASSIGNED AND WHEREIN SUCH APPLICATION SHALL BE DATE/TIME-STAMPED.**

## **1. Record requested**

The first consideration to help you with your request is to know what you are looking for. This may sound easy, but keep in mind that the Town of Riverhead stores several million records. We need as much information about the record you are looking for as possible.

### **A. Town department possessing such record**

The second consideration we need to know is which department you would like information from. Please review the Records List which delineates the various Town of Riverhead departments and what types of records each respective department possesses.

### **B. Description of record**

There are lots of offices in the Town of Riverhead, and lots of types of information. Please use our records list to give us a good idea of what type of record you want. An example of a good description would be:

Minutes of the Zoning Board of Appeals Meeting of 07/14/16 relating to ABC Corporation

or

Data Card for property known as Suffolk County Tax Map No. 0600 - 01 - 02 - 1234.5

An example of an insufficient description would be:

Anything relating to 1234 Smith Street

If we don't understand what you are looking for or have an insufficient description regarding your request we won't be able to process your request.

# **APPLICATION FOR PUBLIC ACCESS TO RECORDS**

## **DIRECTIONS TO COMPLETE APPLICATION**

### **C. Suffolk County Tax Map Number (SCTM)**

Every parcel of property in the Town of Riverhead has a unique identification number assigned to it by Suffolk County known as the Suffolk County Tax Map Number (SCTM). Property records in several Town offices are filed according to this unique number. For example, your tax bill contains the SCTM number, which is a record stored in the Tax Receiver's Office. In addition, the property data cards located in the Assessor's Office use the SCTM number for identification purposes as well. If the SCTM number isn't included in your records access request the respective departments may have difficulty retrieving the requested record.

### **D. Address**

Information on property may also be filed under the address of the property. Sometimes, if a tax map number has changed, we can use the address to locate older records. Please include this information to help us locate the requested document.

### **E. Name of Person/Business**

Records on people or businesses are filed under their respective names. Records about a property may also be filed under a name. For example, site plans are often filed under the project name, but may also be filed under other identifying information such as the owner, contractor, or investment group.

## **2. Applicant Information**

Applicant information is required so that we may effectively and expeditiously provide you with all of the information you have requested and are entitled to.

### **A. Printed Name**

Please print your name and make sure we can read it clearly.

### **B. Address**

Please print your mailing address clearly.

### **C. Email Address**

# **APPLICATION FOR PUBLIC ACCESS TO RECORDS**

## **DIRECTIONS TO COMPLETE APPLICATION**

Please give us an email address – it’s a lot faster than us contacting you through the mail! Also, if the information you ask for is available in an electronic form, we can email your request and you won’t have to pay for copies unless we had to duplicate the record for the purpose of providing the record to you.

### D. Phone Number

If we have a question about your request we may be able to solve it with a phone call.

### E. Signature

Please make sure you sign your request so we can process it.

## **3. Completed Application Receipt**

Once you’ve completed the Record and Applicant sections of the form, the Town Clerk’s office will accept the application and stamp it with the time and date it was received and give you a copy of the form for you to keep. If your request can be fulfilled immediately by the Town Clerk, you will be able to view the record(s) you requested and purchase any copies of the documents that you need. If the request will take time to fulfill, or the record(s) you are requesting is not kept in the Town Clerk’s office, the clerk will forward your records access request to the appropriate department which shall address your request in a timely manner.

## **4. Method of Payment**

Copies of requested documents 8.5 inches x 14 inches or less in size are available for a fee of \$0.25 (twenty-five cents) per page to defray reproduction costs as prescribed by New York State law. Information required to be copied in dimensions larger than 8.5 inches x 14 inches or on other media devices, including but not limited to CDs or DVDs, shall be a variable fee based upon actual cost at the time of reproduction.

Applicants may pay with cash or postal money order, certified bank check or an attorney’s account check (checking account or IOLA account), payable to the “Town of Riverhead”. Please write the FOIL request number on the check. **Please Note: The Town of**

**APPLICATION FOR PUBLIC ACCESS TO RECORDS**  
**DIRECTIONS TO COMPLETE APPLICATION**

**Riverhead reserves the right to obtain advance payment of FOIL fees prior to records processing.**

**5. Abandonment of Request**

The Town of Riverhead shall deem your FOIL application withdrawn (without notification of same) in the event that you, as applicant, fail to retrieve or review the requested documents within 10 (ten) business days. You will be required to file a new application in the event you still wish to retrieve or review the requested documents subject to all attendant costs.

(updated August 26, 2016)  
**APPLICATION FOR PUBLIC ACCESS TO RECORDS  
TOWN OF RIVERHEAD**

FOIL No: \_\_\_\_\_

**NOTE: ALL APPLICATIONS FOR PUBLIC ACCESS TO RECORDS SHALL BE SUBMITTED TO THE RIVERHEAD TOWN CLERK'S OFFICE LOCATED AT 200 HOWELL AVENUE, RIVERHEAD, NEW YORK, 11901, or via email to: [delvecchioc@townofriverheadny.gov](mailto:delvecchioc@townofriverheadny.gov)**

**Section 1: TO BE COMPLETED BY APPLICANT**

Department: \_\_\_\_\_  
(Department from which record is sought if known)

I hereby apply to inspect the following record. (Please specifically describe the record sought. If possible, provide a date, a file title, tax map number (where applicable) and other information that will help locate the record desired).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suffolk County Tax Map No. (if applicable): 0600 - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Documents to be reviewed? Documents to be copied? Date of Application: \_\_\_\_\_  
Yes \_\_\_\_\_ No \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Mode of Delivery: Applicant please specify the mode of delivery regarding the Town's response to your request by placing an "x" and/or completing the appropriate section.

1. In-Person retrieval \_\_\_\_\_
2. Regular Mail \_\_\_\_\_
3. Electronic Mail \_\_\_\_\_, e-mail address: \_\_\_\_\_

**Printed name and address of applicant:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone No.: \_\_\_\_\_ Signature of Applicant: \_\_\_\_\_

A letter or email (if requested) will be mailed to you indicating your request is being processed within 5 business days of Town receipt.

**NOTICE TO APPLICANTS: THE TOWN OF RIVERHEAD RESERVES THE RIGHT TO REQUIRE ADVANCE PAYMENT PRIOR TO REPRODUCTION OF REQUESTED RECORDS.**

**Section 2: NOTICE TO DEPARTMENT RECORDS ACCESS OFFICER**

Please photocopy and/or duplicate FOIL response and file appropriately within your respective department.

**Section 3: FOR USE BY DEPARTMENT RECORDS ACCESS OFFICER ONLY**

\*\*Please note: requests can be denied in part, and granted in part.

\_\_\_\_\_ Records located (please specify details below)  
\_\_\_\_\_  
\_\_\_\_\_

If copies are requested, please specify \_\_\_\_\_ pages and/or \_\_\_\_\_ maps

If redactions are necessary, please specify the type of information to be redacted:

\_\_\_\_\_ Denied: Reason for denial: \_\_\_\_\_ (Insert No. corresponding to applicable reason for denial as listed on second page of this form)

\_\_\_\_\_ Need additional time to process request:

Number of days: \_\_\_\_\_

Reason for delay: \_\_\_\_\_

\_\_\_\_\_ Records cannot be found after diligent search \_\_\_\_\_

Please specify what steps were taken to locate documents and by whom (please include dates of each step taken):

**REASONS FOR DENIAL**

1. Record(s) specifically exempted from disclosure by state or federal statute: \_\_\_\_\_ (provide applicable state or federal statute section).
2. Disclosure would constitute an unwarranted invasion of personal privacy as follows:
  - (a) disclosure of employment, medical or credit histories or personal references to applicants for employment;
  - (b) sale or release of lists of names and addresses if such lists would be used for commercial or fund-raising purposes;
  - (c) disclosure of information of a personal nature when disclosure would result in economic or personal hardship to the subject party and such information is not relevant to the work of the agency requesting or maintaining it;
  - (d) disclosure of information of a personal nature reported in confidence to an agency and not relevant to the ordinary work of such agency;
  - (e) release of names and addresses of those persons filing complaints.
3. Disclosure would impair present imminent contract awards or collective bargaining agreements.
4. Records are trade secrets or are maintained for the regulation of commercial enterprise which, if disclosed, would cause substantial injury to the competitive position of the subject enterprise.
5. Records are compiled for law enforcement purposes and, if disclosed, would:
  - (a) interfere with law enforcement investigations or judicial proceedings;
  - (b) identify a confidential source or disclose confidential information relating to a criminal investigation;
  - (c) reveal criminal investigative techniques or procedures, except routine techniques and procedures.
6. Disclosure would endanger the life or safety of a person or persons.
7. Record(s) are inter-agency or intra-agency materials which are not:
  - (a) factual or statistical tabulations or data;
  - (b) instructions to staff that affect the public;
  - (c) final agency policy or determinations.

**EXPLANATIONS OF REASONS FOR DENIAL:**

**PLEASE NOTE: APPLICANTS MAY APPEAL A DENIAL BY FILING A NOTICE OF APPEAL WITHIN 30 DAYS OF RECEIPT OF THE NOTICE OF DENIAL ADDRESSED TO: DANIEL P. McCORMICK, Esq., FOIL RECORDS APPEALS OFFICER, TOWN OF RIVERHEAD, 200 HOWELL AVENUE, RIVERHEAD, NY, 11901, or via email to: [mccormick@townofriverheadny.gov](mailto:mccormick@townofriverheadny.gov)**

Name	Signature	Title	Date
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