

## **VILLAGE OF GREENPORT**

### **Records Access Procedure**

The Board of Trustees of the Village of Greenport hereby adopts the following as the Records Access Procedure of the Village of Greenport.

1. Requests to view or obtain copies of Village of Greenport files or records are to be submitted or accepted by one of the following methods only:

A. By filing a completed Village of Greenport Records Access Form to the Village Access Officer at the front counter of the Village Office at the Greenport Village Hall, 236 Third Street, Greenport, New York 11944.

When a Freedom of Information request is made by the filing of a completed Village of Greenport Records Access Form, the filed form shall be immediately receipted with a date stamp.

The Records Access Form shall not be considered to have been filed with the Village of Greenport until the filed form is date stamped at the front counter of the Village Office at the Greenport Village Hall and accepted for filing by the Records Access Officer..

B. By filing a completed Village of Greenport Records Access Form or substantively similar request with information sufficient to process the request by an electronic mail request made to the Village Clerk of the Village of Greenport at email address:  
spirillo@greenportvillage.org.

When a Freedom of Information request is made by an electronic filing or request the email shall be printed out, date stamped and retained by the Village of Greenport Records Access Officer.

C. By facsimile transmission of a completed Village of Greenport Records Access Form to Attn.: Records Access Officer (631) 477-1877.

When a Freedom of Information request is made by facsimile transmission, the request

shall be printed out, receipted with a date stamp and retained by the Village of Greenport Records Access Officer.

2. Whichever method is used for filing, the receipted filed Records Access Form will immediately be delivered on filing to the Village Records Access Officer for processing.

3. If the Records Access Request is for access to or a copy of a file or record of a property that is owned by the party making the request, and the Village staff is available in the department in which the requested file or record is maintained and the Records Access Officer is also available, the Records Access Office or Deputy Records Access Officer shall make the file or record available to the owner of the property at the time of or as soon after the time of the submission of the Records Access Form as practicable.

4. At all times, only the Records Access Officer or the Deputy Records Access Officer shall be the person that transmits, delivers, or makes viewing of a file or record possible, and no other person shall provide copies or access to files or records to any person.

5. All other requests will proceed in accordance with New York State Public Officers Law, the Village of Greenport Freedom of Information Policy and the Village of Greenport Records Access Procedure.

6. In the event of requests that are made by a party that is not the owner of the property that is the subject of the requested file or record, and for all requests for a file or record that is not related to a specific property, the Records Access Officer within five business days of the date of the receipt of the request shall send a response by regular mail if the request was made in person or by facsimile transmission, or by electronic mail if the request was made by electronic mail, to the requesting party acknowledging receipt of the Request for Access.

7. The five business day acknowledgment of the receipt of the Request for Access shall state (A) the date of the receipt of the Request for Access by the Village of Greenport; and (B) the expected date of the availability of the access or copy of the file or record which date

shall not be more than twenty (20) business days from the date of the receipt of the request; or (C) in the event that the Records Access Officer has become aware prior to the issuance of the five business day response letter that the file or record does not exist or cannot be released to the public or is otherwise exempt from FOIL the Records Access Officer shall make a statement to that effect in the five business day response.

8. In the event that the requested file or record is not available for good cause demonstrated for viewing or release within the time stated as expected on the five day response the Records Access Officer will send an additional communication to the party indicating the expected date of availability in a subsequent letter or email which shall state the good cause resulting in the delay until the file or record is viewed or the copy or until it is determined that the file or record does not exist or cannot legally be viewed or released which shall promptly be communicated by the Records Access Officer to the requesting party.

9. The party requesting public record access shall deal only with the Records Access Officer or the public front counter staff of the Village regarding the request, and shall not make requests directly to other Village staff or departments.

10 The cost for copying of any document or file is \$.25 per page up to a 8.5" x 14" page, and the actual cost of reproduction for all other documents or records.

11. Good Cause for delay in response or production shall include but not be limited to: the age or expected location of the documents or files requested, the number of documents or files requested, other pending requests from the same party, unavailability of the file or record, the scope or volume of the files and records requested or legal review of the request or a possible preclusion or exemption from the requirement to release the requested file or record.

12. Only a party that has completed and filed a Records Access Request Form may view a file or record. Up to two parties may view a file or record at the same time, at their request. A party reviewing a file or record may only do so in the presence of the Records

Access Officer and in a public area of the Village Office. The Records Access Officer shall be present at all times that a party is reviewing a file or record at the Village Office.

13. Files and records of any department of the Village of Greenport may be taken from the Village Hall only by the Records Access Officer and only for the purpose of obtaining copies of the file or documents that cannot be copied at the Village Office, and at all times the file or record shall remain in the control or supervision of the Records Access Officer.

14. For purposes of this Policy, any reference to the Records Access Officer shall mean the Records Access Officer and any duly appointed Deputy Records Access Officer.