



City of Tonawanda Public Library FREEDOM of INFORMATION LAW (FOIL) POLICY

This policy is for application to the City of Tonawanda Public Library.

I. Purpose and Scope

This Policy provides information about how members of the public can access records of the City of Tonawanda Public Library. This Policy applies to the City of Tonawanda Public Library, only. For information on how to access records of the Buffalo & Erie County Public Library or the records of Buffalo & Erie County Public Library System functions, please refer to the Buffalo & Erie County Public Library Freedom of Information Law (FOIL) Policy which can be found on the B&ECPL Website.

The City of Tonawanda Public Library will furnish to the public the information and records required to be disclosed by the New York State Freedom of Information Law (Article 6, Sections 84-90, of the Public Officers Law), and other applicable laws. FOIL allows members of the public the right to access government records, with certain exceptions. The full text of the FOIL law, guidance issued by the New York State Committee on Open Government, and other information about the law can be found on the Committee's website, <http://www.dos.ny.gov/coog/index.html>.

II. Designation of Records Access Officers

A. The Library shall designate an appropriate employee or employees as "Records Access Officers" for the City of Tonawanda Public Library and shall identify the Records Access Officers as such in materials available to the public.

B. The records access officers are responsible for insuring that the City of Tonawanda Public Library appropriately responds to public requests for access to the City of Tonawanda Public Library records. The designation of records access officers shall not be construed to prohibit other City of Tonawanda Public Library officials, including those who may have been authorized to make records or information available to the public in the past, from continuing to do so.

III. Requests for Public Access to City of Tonawanda Public Library Records

All requests for records must be in writing.

Requests can be:

- Mailed to the Records Access Officer(s) at the following address:

City of Tonawanda Public Library
333 Main St.
Tonawanda, NY 14150

or

- Faxed to (716) 693-0825

or

- E-mailed to the Records Access Officer at ton@buffalolib.org.

B. All requests for access to records must include contact information of the requestor, including a telephone number and mailing address.

C. All requests must include a detailed description of the records that are being sought including, but not limited to, dates, titles, file designations, or any other information that will assist the City of Tonawanda Public Library in locating the requested records.

IV. City of Tonawanda Public Library Response to Requests for Public Records

A. Within five (5) business days of the receipt of a compliant written request, City of Tonawanda Public Library will:

1. Make the record available to the requestor;
2. Furnish a written acknowledgement of the receipt of the request and a statement of the approximate date when the information will be made available; or
3. Deny access in writing, and state the basis for denying access.

B. A denial of access to any record will be sent in writing, and will summarize the reason for the denial, and provide information on how to appeal such denial.

C. If the City of Tonawanda Public Library does not respond to a request in accordance with Section IV.A, the request should be considered to have been denied.

V. Appealing a Denial of Access

A. All appeals of a denial of a request for a City of Tonawanda Public Library record must be submitted in writing within 30 days of the denied request.

An appeal may be

1. Mailed to:

City of Tonawanda Public Library
333 Main St.
Tonawanda, NY 14150

2. Faxed to (716) 693-0825; or

3. E-mailed to the FOIL Appeals Officer at ton@buffalolib.org.

B. City of Tonawanda Public Library's FOIL Appeals Officer shall be the City of Tonawanda Public Library Director.

C. An appeal must include the date of the original FOIL request, a detailed description of the records that are being sought including but not limited to dates, titles, file designations, or any other information that will help the City of Tonawanda Public Library to find the requested records, and the reason provided for the denial.

D. The City of Tonawanda Public Library FOIL Appeals Officer will independently review the withheld records and the basis for withholding them. The City of Tonawanda Public Library FOIL Appeals Officer will respond in writing to the appealing party within ten (10) business days after the appeal is perfected with his or her determination as to whether the requested records were properly withheld or must be released.

E. Copies of all appeals and the determinations will be sent by the City of Tonawanda Public Library to the Committee on Open Government pursuant to Section 89(4)(a) of the Public Officers Law.

VI. Fees

A. The City of Tonawanda Public Library reserves the right to charge the requestor for costs in accordance with Sections 87(1)(b)(iii) and 87(1)(b) and (c) of the Public Officers law.

B. There shall be no fee charged for merely inspecting or searching for records.

Adopted by the City of Tonawanda Public Library Board of Trustees at a public meeting on November 9th, 2020.



City of Tonawanda Library
APPLICATION FOR PUBLIC ACCESS TO RECORDS

This policy applies to the City of Tonawanda Public Library only.

Mail to: FOIL Records Officer
City of Tonawanda Public Library
333 Main St.
Tonawanda, NY 14150

I hereby apply to (1) inspect () OR (2) obtain a copy of () the following record:

Three horizontal lines for recording the record details.

Signature Date

Print Name Telephone

Representing E-Mail

Mailing Address

FOR AGENCY USE ONLY
Approved ()
Denied (for the reason(s) checked below)
() Confidential Disclosure
() Part of investigatory files
() Unwarranted invasion of personal privacy
() Record of which the City of Tonawanda Public Library is legal custodian cannot be found
() Record is not maintained by the City of Tonawanda Public Library
() Exempted by statute other than the Freedom of Information Act
() Other (Specify)
Signature Date
Title
Received by Date

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