



## Freedom of Information Law (FOIL) Policy Town of Collins Public Library

This policy follows the policy set forth by the Buffalo and Erie County Public Library System, and is for application to the Town of Collins Public Library.

### I. Purpose and Scope

This Policy provides information about how members of the public can access records of the Buffalo & Erie County Public Library. This Policy applies the Town of Collins Public Library.

The Town of Collins Public Library (Library), a **branch Contracting Member Library** of the Buffalo & Erie County Public Library (B&ECPL) 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 Town of Collins Public Library, which shall be the director.

B. The records access officer(s) are responsible for insuring that the Town of Collins Public Library appropriately responds to public requests for access to Library records. The designation of records access officers shall not be construed to prohibit other 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 Town of Collins Public Library Records

A. All requests for records must be in writing, either in letter format or using the Town of Collins Public Library's FOIL Application form. Requests can be:

- Mailed to the Records Access Officer(s) at the following address:  
Town of Collins Public Library  
FOIL Records Access Officer  
PO Box 470, Collins, NY 14034;
- Faxed to (716) 532-6210; or
- Emailed to [col@buffalolib.org](mailto:col@buffalolib.org) please include in the subject line "FOIL Request"

B. All requests for 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 Library in locating the requested records

- IV. Town of Collins Public Library Response to Requests for Public Records
  - A. Within five (5) business days of the receipt of a compliant written request, Town of Collins 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, not more than twenty (20) days; 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 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 Town of Collins Public Library record must be submitted in writing within 30 days of the denied request, either in letter format or using Town of Collins Public Library FOIL Appeal Form. An appeal may be
    - 1. Mailed to PO Box 470, Collins, NY 14034
    - 2. Faxed to (716) 532-6210
    - 3. Emailed to [col@buffalolib.org](mailto:col@buffalolib.org)
  - B. The Town of Collins Public Library's FOIL Appeals Officers shall be a subset of the Town of Collins Public Library Board of Trustees.
  - 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 Library to find the requested records, and the reason provided for the denial.
  - D. The Town of Collins Public Library FOIL Appeals Officers will independently review the withheld records and the basis for withholding them. The Town of Collins Public Library FOIL Appeals Officers will respond in writing to the appealing party within ten (10) business days after the appeal is perfected with their 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 Library to the Committee on Open Government pursuant to Section 89(4)(a) of the Public Officers Law.
- VI. Fees
  - A. The 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, up to \$0.25 per page, and/or the cost of the time it took the employee to prepare the information.
  - B. There shall be no fee charged for merely inspecting or searching for records.

*Adopted by the Board of Trustees via resolution 12/15/2016  
Reviewed with no changes 12/12/2019. For review 12/8/2022.*